

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: DPW

DATE: MARCH 28, 2006

Committee Members Present:		William Remington, DPW Superintendent
Supervisors	Bentley	William Lamy, Deputy DPW Superintendent
	Haskell	William Thomas, Chairman
	Mason	Joan Parsons, Commissioner, Administrative and
	Stec	Fiscal Services
	Geraghty	Joan Sady, Clerk, Board of Supervisors
	Merlino	Paul Dusek, County Attorney
		Supervisor Barody
		Jason Carusone, First Assistant District Attorney
Committee Member Absent:		Michael White, Director, Lake George Park
Supervisor	Belden	Commission
		Katy Goodman, Secretary to the Clerk

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In the absence of Mr. Belden, Committee Chairman, Mr. Bentley, Committee Vice-chairman, called the meeting to order at 10:20 a.m.

Motion was made by Mr. Stec, seconded by Mr. Mason and carried unanimously to approve the minutes of the previous committee meeting, subject to correction by the clerk.

Privilege of the floor was extended to Mr. Remington and he distributed copies of the DPW agenda packet for the meeting to the committee members. A copy of the agenda packet is on file with the minutes.

Pursuant to the first agenda item, Old Business, Mr. Bentley stated he did not have any old business to bring to the committee members.

Mr. Remington referred the committee members to Page 2 of the agenda packet and stated there was a copy of a list of DPW referrals items from the Clerk of the Board of Supervisors' Office. He said he would like to handle and clean up some of those items today.

Mr. Remington commenced with review of the referrals items and he noted Mr. Dusek, County Attorney, had a couple of items on the list.

Privilege of the floor was extended to Mr. Dusek, and he acknowledged the first item was that Mr. Remington had been given permission to approach Ciba-Geigy about purchasing a parcel consisting of approximately .3 of an acre for \$1 at the Warren County Recycling Center location. He explained the parcel was used as a ponding site and the County had never owned it as part of the property that it owns at the Ciba-Geigy site. Mr. Dusek stated when he spoke to Mr. Remington about the situation he was puzzled as to why the County would ever want to

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acquire the parcel because there was always a concern for contamination at the entire Ciba Geigy site. However, he noted they are reasonably comfortable that the site the County owns there now is not contaminated even though it does have to be blacktopped, etc. Mr. Dusek said he was puzzled why the County would want to acquire this additional parcel that does not appear to have any value to the County at this point. In addition, he said Ciba-Geigy is responsible for its maintenance.

Motion was made by Mr. Haskell that the County should not ever purchase this parcel; and Mr. Mason seconded the motion.

Mr. W. Thomas entered the meeting at 10:24 a.m.

Discussion ensued as to whether or not a resolution was needed to approve that the parcel should never be purchased. Mr. Remington stated he wanted to clean up the referrals items and he did not know if a resolution was needed on this item. He said he just wanted it to be clear that Mr. Dusek and he did not have to move ahead with any action on it. Mr. Dusek concurred. He noted because the item had come up at a committee meeting it had remained on the referrals list and they were just trying to eliminate it so it did not look like they were supposed to act on it.

Mr. Bentley called the question and the motion to not purchase the aforementioned parcel and to remove the item from the referrals list was carried unanimously.

Mr. Dusek stated Item No. 2 was a question concerning a legal opinion on whether the towns could use the bids for professional surveying services that the County has out. He explained that would not be possible because the bids did not include any provisions that would allow the towns to piggy-back on the (County's) bidding services. Mr. Dusek stated he felt the more accurate problem for the County was that the local towns probably had purchasing policies that would affect how they acquire professional services that were probably different from the County's policy. He noted he thought for surveying services it would be just as easy for the towns to obtain them from any surveyors instead of trying to tap into the County's bid process. However, Mr. Dusek said if the towns were interested in trying to revise the way the County does its bids for professional services that certainly could be looked at. Mr. Bentley advised the Town of Horicon takes three bids and selects the lowest one.

Mr. Bentley stated the item would be removed from the referrals list.

Next, Mr. Remington spoke on the status of the Great Escape project (Item No. 3). He advised in keeping with the Clerk of the Board's new procedure for handling resolutions requested either before or after committee meetings he had requested and obtained the necessary County officials' approvals of a resolution to authorize a change order in the amount of \$491.29 to the agreement with Clifford R. Gray, Incorporated, for a problem that arose concerning the Glen Lake Road Traffic Signal project. Mr. Remington explained the company had to move the light pole at the corner of Glen Lake Road and Route 9 that was placed in the wrong location by the National Grid

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Company. The work had to be done after the network was in place and energized and these costs were extra for the Gray firm, he said. Mr. Remington stated he had spoken to Mr. Belden, the Committee Chairman, about the situation and Mr. Dusek, Chairman Thomas and Mrs. Parsons were also informed of it when it occurred. However, he said although it did cost more under the contract it would have cost even more and delayed the project if National Grid would have had to relocate all the lines at the site. Mr. Remington stated the change order was issued and the costs paid with the idea that Mr. Dusek would be asked to contact National Grid about reimbursing the County's costs. He noted copies of the resolution request form had been distributed to the committee members separately from the agenda packet. Copies of the resolution request form and correspondence from the Clifford R. Gray, Incorporated, firm are on file with the minutes.

Mr. Dusek confirmed that Mr. Remington had covered the issue correctly. He stated he felt the most important aspect of the situation was that the change order had to be issued due to the timing of the project. Mr. Dusek advised a resolution was needed to ratify Mr. Remington's action in issuing the change order.

Motion was made by Mr. Stec, seconded by Mr. Merlino and carried unanimously to approve a resolution to ratify Mr. Remington's aforementioned actions and that reimbursement of the \$491.29 expended should be pursued from National Grid. The necessary resolution was authorized for the next board meeting.

Mr. Remington apprised he did not believe those costs would change either the project's cap or the total amount of the capital project. If, he said there was any change in either of those items, he would come back to the committee about it. In reply to Mr. Stec's query on a date for the completion of the project, Mr. Remington replied the commitment was by Memorial Day Weekend. He asked Mr. Dusek if he felt that was correct. Mr. Dusek responded that the County was on track for that date but it was up to the Great Escape. He noted they had been a little behind. Mr. Stec asked if they had heard anything from the Great Escape; and Mr. Dusek and Mr. Remington concurred they thought it was the firm's intent that the project would be done by that date.

Mr. Remington stated there was another change order with Clifford R. Gray, Incorporated, for the Glen Lake Road Traffic Signal project. He referred the committee members to Page 3 of the agenda packet which was a resolution request form that outlined the request which was in the amount of \$2,757.70. Copies of correspondence pertinent to the matter were included in the agenda packet on Pages 4 -10. Mr. Remington apprised this request would also not change the total cap on the project. He explained that the Creighton Manning Engineering LLP firm had designed the project and estimated the footage for the trench and conduit but they had missed 166' of those items. He explained this was not an error in the design or by the bidders because estimated quantities are used in the specifications. The specifications state if there are discrepancies they will be worked out, he said. Mr. Remington apprised they obtained costs for the 166' and compared them to other such costs in other projects to be sure that they were

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reasonable. He stated even with these additional costs the firm was still the lowest bidder on the project. Mr. Remington recommended that the change order be approved. He noted that Ms. Nenninger, Second Assistant County Attorney, had worked on the matter; and he asked Mr. Dusek if he had any comments on it. Mr. Dusek acknowledged he had asked Ms. Nenninger to check this contract and, he said he would confer with her on her findings on it. He stated that based on his reading of the correspondence it looked like the situation was that the bidder submitted a bid based on an assumed number of feet and the contract did provide for that, so if the bidder was being asked to do more work than what he bid for he would be entitled to be paid for that. However, Mr. Dusek said the issue of whether the engineer made the mistake and why they did not go after him would not matter economically. He explained that was because even if they could prove it was his mistake the engineer would prove back that the costs would have to have been paid anyways even if he had not made the mistake. Mr. Dusek said he would confer with Ms. Nenninger to be sure that he understood the contract correctly. Mr. Remington confirmed that was what she had told him. In reply to Mrs. Parsons' query on the funds to cover the change order, Mr. Remington confirmed they were in the project. He stated the project's total cap and the County's costs would not change and once all the funds were spent that would be it and the rest would go to the Great Escape.

Motion was made by Mr. Mason and seconded by Mr. Stec to approve the aforementioned request, as presented. In reply to Mr. Haskell's query about the engineer being hired and paid and then making the oversight, Mr. Dusek explained the Great Escape and not the County hired the firm.

Mr. Bentley called the question and the motion was carried unanimously.

Pursuant to referral Item No. 4, Reprinting of County maps, Mr. Remington advised that they have all the required highway information from the towns up to the year 2002. However, he stated after that year the information was not required so they were sending letters to the towns to provide their updated information for 2003 through the present. Mr. Remington said after that information is compiled they will meet with the towns to ensure that it is correct. Then, he noted according to the law they will need to meet with the Planning & Community Development Department to begin to put the County's highway maps together. Mr. Remington advised that there are no County maps left other than a few here and there. He stated then it will have to be decided how to pay for printing the maps, whether or not advertising will be placed on them and whether DPW or the Planning Department or a combination of both departments will do the work. Mr. Remington noted he thought it would be a combination of both departments. He stated he wanted the committee members to know they were moving forward with gathering the information for the maps. Mr. Remington commented he did not know if there was a particular direction the committee members wanted to be taken on the maps.

Mrs. Parsons stated at Mr. Remington's request she had researched the background of the maps and had a copy of Mr. Dusek's opinion for him on how they would move forward on the maps. The opinion may change his recommendation on how that will be done, she said because if just

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the highways maps are done they will not have to go through the Planning Department. Mr. Remington said he also had a copy of the opinion. Mrs. Parsons asked Mr. Dusek if that was not correct.

Mr. Dusek concurred. He explained there were two factors involved relative to the maps. The first issue was that by law the County is required to have a set of highway maps and that did not have anything to do with the Planning Department. Mr. Dusek stated as he understood it, historically the Planning Department has worked on a set of maps of the County that were more of a convenience map for the public that did incorporate the highway information. Thus, he said he thought that historically some confusion arose between the two departments about how this would work. However, Mr. Dusek concluded they are two entirely separate issues with one being the legal requirement and the other being the convenience aspect. The County is required to keep the maps up to date on a regular basis or every year, he said. Mr. Dusek advised that is the set of maps he is most concerned with from the County's legal standpoint and to make sure that those maps are kept up to date as required. He stated the issue of whether or not the two departments would again combine the work on the maps does need to be addressed from the County's record keeping requirements. Mr. Dusek commented he thought there were some practical matters on combining them because of what had happened here.

Mr. Remington said he would recommend that the maps be done by the two departments rather than to duplicate the efforts and printing costs. The Planning Department's GIS resources are very beneficial in doing maps and DPW has the highway information, he added. Mrs. Parsons stated from her discussion on the matter with Patricia Tatch, Director of the Planning & Community Development Department, she thought the issue was about the process and timing because the County Planning Board would have to be involved and hearings held, etc. She noted she did not know what the time frame for the work would be, but if there were not any maps left that could be a problem.

Dialogue ensued between Mr. W. Thomas and Mr. Dusek on the legal requirement for the maps and if the County was currently in violation of the law. Mr. Dusek reiterated there was the legal requirement. He said the County highway maps had to be updated more often than the convenience maps that are also used for planning purposes. Mr. Dusek noted there may be ways to combine them but the problem was the legal requirement for the highway maps.

Mr. Remington stated he would obtain some price estimates for producing the maps which he would bring to the committee members at the next meeting. Mr. Haskell asked if the County highway maps could legally have advertisements on them; and Mr. Dusek replied they could not. However, Mr. Dusek concurred with Mr. Remington that legally the County can sell the maps. Mr. Remington noted other counties do sell them for \$2 each as a way to cover the costs of producing them.

Mr. Remington spoke on Referrals Item No. 5, which was that he was to review a (County) right-of-way across property owned by Phil Warner in the Town of Stony Creek. He explained

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Mr. Warner had attended a (committee) meeting and as a result it was decided that he would contact George VanDusen, of DPW, about his issues with the right-of-way. (See the minutes of the September 27, 2005 DPW Committee meeting for details). However, Mr. Remington advised Mr. Warner has expressed no further interest in pursuing the matter. Thus, he said he would like to remove the item from the referrals list with the understanding that if Mr. Warner did come forward again about the matter they would proceed to address it then. The committee members offered no objection to the item being removed from the list.

Mr. W. Thomas left the meeting at 10:41 a.m.

Continuing, Mr. Remington stated Referrals Item No. 6 was that he was to research the possible acquisition of 1,000+ acres of land, upland from the West Brook Watershed Proposed Project and the status of same. He reported he had discussed this matter with Mr. Tessier, Town of Lake George Supervisor, who had told him the Land Conservancy was going to obtain this property so he did not need to pursue it any longer. Thus, Mr. Remington said the item could be removed from the referrals list.

Referrals Item No. 7, Mr. Remington stated was a referral from the September 28, 2005 Health Services Committee suggesting that a joint meeting of the DPW and Fire Prevention & Control Committees be held to discuss the issue of the county being able to handle refugees relocated from other areas due to catastrophic events. Mr. Remington asked if the committee members wanted to look at having this meeting. He said he thought DPW was handling some aspects of such a situation as it had recently approved purchasing more cots for shelters and generators for use in power outages. Mr. Remington asked if they wanted to go any further on the matter or still hold this meeting.

Mr. Bentley said he thought this issue was more up to the Fire Prevention & Control and Health Services Committees than to this committee. Mr. Remington stated if those committees needed any action from him they would advise him. He said he felt DPW's functions would be more for the Civil Defense/natural disaster aspects of catastrophic events. Mr. Remington stated John Farrell, County Civil Defense Director, and his staff person could work on the sites for public shelters and where the generators would be used based on events as they occurred. The committee members concurred with Mr. Remington's recommendation on the item.

Mr. Remington said Mr. Lamy, Deputy DPW Superintendent, would discuss Referrals Item No. 8.

Mr. Carusone entered the meeting at 10:42 a.m.

Privilege of the floor was extended to Mr. Lamy, who stated the item concerned Capital Project No. H260.9550 280 - Alder Brook Bridge Over Trout Brook in the Town of Chester. He apprised the Project was established last year and at that time \$15,300 was requested and approved to fund the Capital Project. Mr. Lamy stated the remainder of the item was that a request was made

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to the Finance Committee to shift \$20,368.49 into the Capital Project to cover the costs of the professional engineering services for the work. However, he advised the Finance Committee referred that request back to the DPW Committee for more details. Mr. Lamy stated at this point they do not have a problem with the Capital Project or with the amount for the engineering services because they had cut a purchase order out of the maintenance account last year and paid the costs. He explained at that time he had been trying to consolidate all of the project's bills in the Capital Project. Thus, Mr. Lamy concluded they did not need any more funds for the project or any action by the committee. He concurred with Mr. Bentley that the item could be removed from the referrals list.

Next, Mr. Lamy pointed out referrals Item No. 9 was that Mr. Dusek had requested the assistance of the appraiser for additional work-up that might be required if they ended up going through condemnation proceedings on a parcel in connection with the existing Alder Brook Bridge Project. He asked Mr. Dusek if he had any comments on the situation other than that they were working with the property owners and were scheduled to meet with them to try to resolve the situation. Mr. Dusek concurred they would be meeting with the property owners for the second time tomorrow night in Warrensburg. He said he always liked to try to resolve such situations amicably first, because he did not like to sue County citizens unless it was absolutely necessary. Although, he said the Board of Supervisors had authorized the eminent domain proceedings for this particular parcel they hope to avoid having to do that by meeting with the property owners. He noted they hoped some progress would be made on the situation as a result of the aforementioned meeting. Mr. Remington stated thus the item would remain on the referrals list.

Mr. Remington noted referrals Item No. 10 was that he was to arrange a demonstration of the Gas Boy system. He recalled at the last committee meeting it was decided to convert the system at the Municipal Center and that was being planned for. However, Mr. Remington emphasized that there were a lot of keys to be made to convert the system over to a key system but that was pretty much done. He noted they were still waiting for some departments to respond about the changes. The anticipated date for the conversion at this point is April 11th, weather permitting, he stated. Mr. Remington said after the conversion is completed he will demonstrate the system for the committee members. He advised they were still reviewing some software options that would combine the Gas Boy system with the Fleet Management Program and when the review is complete they will meet with Mr. Metthe, County Information Technology Director, to decide which software to purchase. Mr. Remington noted the item should remain on the referrals list.

Mr. Remington stated referrals Item No. 11 concerned the request to change the name of existing County Road Project D 5112-8100.2 CR 17- Bay Road Re-Profile. Mr. Lamy spoke on the request. He explained the project would not change but when he presented this request at a previous committee meeting Mrs. Parsons had asked him to make sure that any bills that were paid under the project's aforementioned name had not gone to any other accounts in DPW's Highway budget. Mr. Lamy advised his research confirmed that all the project's expenditures were paid under County Road Project D 5112-8100.2 CR 17 - Haviland Road/Meadowbrook Road Intersection which was the name they wished to change to. He stated the resolution request form

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outlining the request for the name change was Page 11 of the agenda packet. Mr. Lamy requested approval of the request.

Motion was made by Mr. Stec, seconded by Mr. Mason and carried unanimously to approve the aforementioned request, as presented, and to authorize the necessary resolution for the next board meeting.

Concluding the referrals list (Item No. 12), Mr. Remington said that he was to review the overtime costs spent in the Maintenance Shop for discussion with Mr. Belden. He advised he had compiled the figures and as soon as Mr. Belden recovered from being ill they would meet to discuss the matter. Mr. Remington noted he thought after their meeting the information would be discussed at the next committee meeting. Thus, he said this item would remain on the referrals list.

Mr. Remington recapped that Items No. 4, 9, 10 and 12 would remain on the referrals list.

Mr. Remington stated there was another Old Business item that he wanted to take care of while Mr. Dusek was present. He referred the committee members to the copies of Resolution No. 48 of 2006, entitled, "Authorizing Renewal of Telephone Pole Attachment Agreement with Niagara Mohawk Power Corporation", that were distributed separately from the agenda packet. A copy of the resolution is on file with the minutes. Mr. Remington explained the resolution request was for a 10-year agreement but the expiration date in the resolution was 2010 instead of 2015. He said he believed the committee's intent was to approve a 10-year agreement and the 2010 date was a typo. Mr. Remington requested approval of a resolution to correct the error.

Mr. Dusek advised the correction could be handled by the Clerk of the Board of Supervisors under the Board's rules as it was obvious from the language throughout the resolution that the intent was to authorize a 10-year agreement. Thus, he said a resolution would not be needed to make the correction unless the committee objected to handling it that way.

It was the consensus of the committee members that the Clerk of the Board of Supervisors could make the aforesaid correction and that a resolution was not needed to do so.

Mr. Remington thanked Mr. Dusek; and Mr. Dusek left the meeting at 10:49 a.m.

Review of the Old Business items continued and Mr. Lamy outlined a request to authorize payment of change orders No. 2, 3, 4 and 5 to the Tioga Construction company (for Starbuckville Bridge/Chester Creek Bridge project.) He noted the resolution request form outlining the change orders was Page 12 of the agenda packet. Mr. Lamy recalled the committee members had been advised of these change orders about this time last year and this request was the result of the paperwork catching up to the payment requests. He apprised the approval of the change orders would increase the amount of money paid to the company by \$97,771.97. He offered to provide specific details of each change order if the committee members would like that information.

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Dialogue ensued between Mr. Bentley and Mr. Lamy on change order No. 4 for \$90,688.09. Mr. Lamy explained the agreement included some unit price bid quantities which were based on the best estimate for what might be encountered for rock and concrete in the project. He stated fractured bed rock was found and had to be removed from the abutment on the Town of Horicon side of the river and that increased the size of the hole that had to be filled with concrete. The cost of the concrete necessitated the change order, Mr. Lamy said.

Mr. Barody entered the meeting at 10:52 a.m.

Mr. Lamy stated the next resolution request (Page 13) concerned how the change orders would be paid. He asked if the committee members wanted the items to be handled separately or together and the committee members agreed the requests should be handled together.

Mr. Lamy stated the request was to increase Capital Project No. H.9552 36 280 (HR890-236) Construction of Starbuckville and Chester Creek Bridges in the amount of \$25,000.02. He apprised the Capital Project had been established based on the engineer's estimate before the bids were sent out but the bids came in under the estimates. However, Mr. Lamy explained with the change orders the project costs have now exceeded the bids. He advised he had discussed the situation with the State Department of Transportation (DOT) and they are going to advance more funds under their Master Agreement with the County for the project to reflect the cost increases for the change orders. Then, he said when all the paperwork is finalized the County's share of the costs will be 5% or \$1,250.

Continuing, Mr. Lamy apprised the bill from Tioga Construction for the additional \$97,000 needed to be paid and that would require an increase to the Capital Project by \$25,000 in order to cover those costs. He said he had been working with DOT on what the final numbers should be for the amendment to the Master Agreement. However, Mr. Lamy said it will take several months to complete the signing process of this agreement by the State and County parties but in the meantime the contractor needed to be paid.

He requested approval of a resolution to approve the aforementioned change orders and to increase the Capital Project in the amount of \$25,000.02.

Motion was made by Mr. Stec, seconded by Mr. Mason and carried unanimously to approve the requests, as presented. The resolution to authorize the change orders was authorized for the next board meeting and the copy of the resolution request form was included in the agenda packet.

The request to increase the Capital Project was forwarded to the Finance Committee. A copy of the resolution request form was included in the agenda packet.

Mr. Remington spoke on Agenda Item No. 14 West Mountain/Corinth Road Bicycle Improvements. He stated copies of a letter from the Adirondack/Glens Falls Transportation Council (A/GFTC) and the Council's Policy Committee's Resolution 06-1 in support of the

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development of these improvements were included in the agenda packet (Pages No. 14 and 15). He noted Mr. Stec, Town of Queensbury Supervisor, and others had asked the A/GFTC to consider supporting the improvements. Mr. Remington advised when he prepares the department's 2007 budget he will discuss with Mr. Stec about what he would like to see in the budget and what the town's priorities are.

Mr. Stec thanked Mr. Remington. Mr. Stec spoke on the background of the improvements for the information of the new committee members. He commented the improvements had gained and lost momentum and perhaps taken a different direction as some of the property owners did not want to allow easements across their lands. Thus, he said ultimately the issue of eminent domain came up to make a wider shoulder on the road, but no one wanted to touch that issue. Mr. Stec explained the road could be widened as much as possible in places where the property owners agreed to easements and maybe not widened as much where there were easement problems. He commented whether it is called a bike lane or something else he thought the most important part of it was that the road is improved. Mr. Stec noted, however, it would be good if enough improvements could be made so it could be called a bike lane so it could be advertised as such for tourism and economic development purposes.

Continuing, Mr. Stec said whatever improvements were made informally could be done so it would qualify as a bike lane someday in the future. He said he felt there were only a handful of problem places and they just needed to wait until the owners changed their minds or the properties changed hands. Mr. Stec stated as next year's budget is worked on he thought they should try to build whatever number of miles are improved to qualify as a bike lane even if it is not called that.

Mr. Remington reported he had met with Assemblywoman Teresa Sayward, and DOT representatives including Thomas Warner, DOT Regional Director, concerning West Mountain Road. He stated they were all very committed to working with the County to reduce the speed limit on the road and to doing the work to try to make the road more conducive to the nature of the area. Mr. Remington explained in order to do that they needed to wait until summer for the peak traffic flow which they would be doing. He said then he would verify with them frequently that is being done. Mr. Remington noted a reduced speed limit would also help the situation on the road but they would need numbers to demonstrate that need.

Mr. Barody requested that the entire road be looked at to see where the most dangerous sections were and that those be considered for the improvements instead of just starting at one end of the road and doing a mile, etc. Mr. Remington concurred that would be done. He suggested it might be a good time for some of them to meet and ride the road to determine what areas should be improved.

Mr. Barody queried what the actual data was in the past that caused DOT to turn down the requests to lower the speed limit on the road. He asked what the threshold was and how far off the numbers were from it. Mr. Remington replied for speed the threshold was 85%, or if over that

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number of vehicles were traveling that speed or higher they do not recommend reducing the speed limit. He advised they were saying that was the wrong approach and that there are too many users and there are narrow lanes, high numbers of pedestrians and school children. Mr. Remington explained DOT would document those numbers and if there are more pedestrians the 85% criteria would not be used and the speed limit can be reduced based on the actual change in use of the highway.

Mr. Bentley recessed the meeting at 11:00 a.m. (For an event with the County's Sister City Program delegation from Saga City, Japan.)

The meeting was recessed from 11:00 a.m. to 11:35 a.m.

Mr. Carusone left the meeting during the recess.

Committee reconvened.

Review of the agenda resumed, and Mr. Lamy reported on the status of the Corinth Road Project. He stated that yesterday at Mr. Barody's request he had reported on the status of the project to the Economic Development Committee. Mr. Lamy advised they are wrapping up some loose ends and other than that the design of the underground utilities was fairly well complete. He said he had an easement map of the section that showed the underground utilities for the committee members to look at today. Mr. Lamy stated the next step would be to have all the involved parties, i.e., the consultant, the contractor, County and Town officials and the utility companies review the document that has been produced. After the parties review the document they will again do a walk-through of the corridor so any conflicts that might exist on the locations of the underground utilities can be identified, he said. Mr. Lamy stated after the walk-through they will receive the easement map.

Mr. Lamy displayed the easement map for the committee members' perusal and explained the darkened area showed the area that was needed along the entire corridor to put the above-ground utilities underground and in some cases the water and sewer lines. He said he had received a copy of the map yesterday and for demonstration purposes he had tried to transfer this map to where it would go on the map of the corridor to show the committee members, the remainder of the supervisors and the Town board members. Mr. Lamy explained he was trying to show that even though the utilities would be underground there would be above-ground components for three phase and single phase power that would be placed on various parcels throughout the corridor. He referred to the map and pointed out a large parcel that he said he thought was for the three phase power and a smaller parcel that was for the single phase power. He apprised about a dozen parcels would need an easement for the three phase equipment and another dozen would need easements for the single phase equipment and about a half-dozen would need easements for equipment for both phases.

Continuing, Mr. Lamy stated the utility company had offered to demonstrate for elected officials

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and other interested parties on a parcel in the corridor what the above-ground equipment will look like and what the corridor will look like with the underground utilities. The utility company will also be able to determine exactly where to install the conduits for the underground utilities after which the easement maps will be created, he said. Mr. Lamy advised relative to a time table for completing the underground work the review process will have to be completed, the location of the lines analyzed and any conflicts that arose corrected by Clough, Harbour and Associates and the easement maps for all the properties prepared. Then, he said R. K. Hite, the right-of-way acquisition firm, will make the personal contacts to purchase the right-of-ways that will be purchased and then to acquire the easements that will not be purchased. Mr. Lamy apprised these processes will take most of 2006. He stated they hoped to advertise for bids after the first of 2007 and they project that construction will start in late spring of 2007.

Next, Mr. Lamy spoke on the status of the funding of the project. He apprised the bulk of the funds would come through a master agreement with DOT that will include federal highway funds and State Marchiselli funds. These funds will cover the costs of the majority of the highway improvements, the sidewalks and the stormwater system, he stated. Mr. Lamy advised the improvements of the interchange, the realignment of Big Boom Road, the undergrounding of the utilities and the gateway enhancement will all be funded by different sources. He explained that currently State Transportation Plan funds, National Highway System funds, Federal Interstate Discretionary funds, State Marchiselli and Federal funds, and TEP (Transportation Enhancement Program) Federal funds would be used for the gateway enhancement work.

Mr. Lamy advised he had been working with Robert Hanson, of DOT, and coordinating with Clough, Harbour and Associates, and the Town of Queensbury's consultant, Barton & Loguidice, to try to identify exactly where these different sources of funds will help them cover the costs of the corridor project. However, he said this was as complicated as having a set of plans for the 1.6 miles that will be done and identifying the work that has to be done by station. In addition, he noted within the Interstate limits the funds apply to certain things but outside those limits the funds do not apply and that has to be analyzed before they can get a handle on which funding sources apply to which part of the project. Mr. Lamy advised that will take them the next two or three months to do. He noted at the County level through the A/GFTC they had shifted some of their road priorities to make sure that they have identified enough funding for the highway improvement portion of the project.

Continuing, Mr. Lamy said the other part of the puzzle was the connector road which is under a separate master agreement between DOT and the Town of Queensbury. He apprised at this point that project's budget was about \$1 million and approximately \$300,000 of that was coming from the Transportation and Community System Preservation grant. In addition, he said they had identified that about \$200,000 would be contributed by the City of Glens Falls. Those funds are outlined in the Economic Compact that was signed by the County, Glens Falls and Queensbury, he said. Mr. Lamy apprised the remaining \$500,000 would be funded by Queensbury. He advised they were working with Queensbury to move the construction of the connector road along as quickly as possible in an effort to have most or all of it completed before beginning the work on

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Corinth Road, etc., so it can be used along with Luzerne Road as a detour so there can be one-way traffic on Corinth Road while the other lane is being built.

Mr. Lamy asked if Mr. Stec had any other input on the status of the Connector Road project. Mr. Stec responded he had updated the Economic Development Committee yesterday that Queensbury anticipated the closing with the (West Glens Falls) Rescue Squad on that property exchange will be held in the next couple of weeks or so. He noted although the squad was eager to move forward with the closing there was a delay because they are a 501(c) 3 entity and they are selling their building and State Supreme Court Judge Krogmann has to approve the sale. Mr. Stec said he did not know if any other action was required but they did expect the closing to be held in mid-April. He advised the Town hopes to build as much of the connector road as possible up to the present rescue squad building which will be demolished after the sale. Perhaps, Mr. Stec said they will be finishing up some of the work next spring although they were somewhat concerned about the issue of two-season construction.

Mr. Lamy explained DOT had advised Queensbury that they did not prefer to see construction take place over two seasons. As a result, he said he had spoken with DOT to help emphasize to them how crucial the connector road was and that the project could not wait until the last minute. Mr. Lamy noted he had reminded DOT that other County projects, i.e., the Starbuckville Bridge and Queensbury Avenue projects were done over two seasons. As a result, he said DEC had eased up on its approach on how they would review and approve the project and he thought they would permit the work to be done over two seasons. However, Mr. Lamy commented one disadvantage of two-season work was that the costs could be higher because the contractors have to shut down and start up again. Historically, he said construction costs are always cheaper this year than the next year so whatever work that could be completed this year might offset the increased costs for the second year.

Mr. Lamy reported the appraisals for the property purchases for the (Corinth Road) project were done by the R. K. Hite firm quite some time ago. However, he said DOT stipulates that appraisals are no longer valid after 18 months and that deadline had been reached on the appraisals. Mr. Lamy explained the firm does not have to redo the individual appraisals again but they do have to update certain properties that may have changed hands to see if those particular appraisals have to be revised. He apprised that work will increase the County's costs but he did not yet have the specifics on the costs from the firm so he would bring the information back to the committee at another time. Mr. Lamy said he would be looking at covering the costs through supplemental appropriations.

Lastly, Mr. Lamy displayed and reviewed the aforementioned small-scale maps of the Corinth Road Project and he noted that when the easement process was completed there would be 30 easement maps. He said he was going to ask the consultant to provide him with an enlarged map of the entire project. Mr. Lamy responded to questions from the committee members on various aspects of the project.

Review of the New Business items on the agenda commenced.

Mr. Remington requested approval of a resolution to authorize a contract with Porter Maintenance, Inc., for bridge cleaning and application of sealer. He pointed out the request was outlined on Page 16 of the agenda packet and that Page 20 of the packet listed the bridges that would be included in the contract. (Pages 17 - 19 of the agenda packet also pertained to the request.) Mr. Remington apprised the amount of the contract was about \$15,000 and the funds were in his budget.

Motion was made by Mr. Stec, seconded by Mr. Mason and carried unanimously to approve the aforementioned request, as presented, and to authorize the necessary resolution for the next board meeting. A copy of the resolution request form is on file with the minutes.

General discussion ensued.

Mr. Remington stated he had an item to discuss that was not on the agenda which was the blacktop bids. He advised he did not have them right now because they were not finished reviewing them. Mr. Remington stated there was not anything different from other years except that the Peckham firm did not get as much as the Jointa firm did which was a surprise. He said the bids were all straight forward and he did not know of any issues with them but they needed to be approved for the April 13<sup>th</sup> Board of Supervisors' meeting as they were looking to jump the start of the construction season up. Mr. Remington advised when he had the information on the bid awards he asked if he could discuss it with Mr. Belden and Mr. Dusek. Mrs. Parsons advised he would use the aforementioned new post committee resolution request procedure; and Mr. Remington acknowledged he would do that if the committee favored moving the resolution to award the bids.

The committee members offered no objection to Mr. Remington proceeding in this manner with the request.

Next, Mr. Remington stated the request outlined on Page 21 of the agenda packet was to amend the County budget to reflect receipt of a check for an insurance claim in the amount of \$4,430.60. (Pages 21 -23 of the agenda packet also pertained to the request.) He explained that during the recent wind storm the general foreman's truck was severely damaged when a tree fell on it while he was in it. Mr. Remington commented the situation could have been very serious but fortunately it was not. He stated the truck was a leased vehicle and the repairs were done in- house for less than the estimate for them which was about \$5,000. However, Mr. Remington said they did put the time into the work.

Motion was made by Mr. Haskell, seconded by Mr. Mason and carried unanimously to approve the request, as presented, and to forward it to the Finance Committee. A copy of the resolution request form was included in the agenda packet.

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Next, Mr. Remington presented Personnel requests for the committee members' approval. He explained these particular requests had been held out at a previous meeting because they were doing what is called a 55A transition in work procedure on one of the individuals because they were unable to work in the highway field and they were being retrained to work in the office. Mr. Remington stated the employee was working out very well in the office and the necessary approvals for the transition had been received from Mr. Kelly, County Personnel Officer, and the required State and Federal people.

Mr. Remington requested approval to fill a vacant word processing operator position in-house which is a Grade 4 position with a base salary of \$26,178, with employee No. 9737. He stated this employee had been a laborer in the Highway division and he would like to backfill that vacant position with a temporary worker who had been with the department for awhile and who was working out well.

Motion was made by Mr. Haskell, seconded by Mr. Stec and carried unanimously to approve the request to fill the vacant word processing operator position, as outlined, and to approve the request to backfill the vacant laborer #29 position, Grade 2, base salary \$21,789, with temporary employee No. 10904. The requests were forwarded to the Personnel Committee. Copies of resolution request forms and Notices of Intent to Fill Vacant Position forms were included in the agenda packet (Pages 24 - 27).

The next request Mr. Remington stated was outlined on Page 28 of the agenda packet. He noted he thought this was the last part of a situation in the department where there was a position that had quite a high grade for its duties. Mr. Remington stated the position was a mechanical storekeeper at the Maintenance Shop and it was a Grade 13 position with a base salary of \$37,622. He advised the job duties and job description had been reviewed with Mr. Kelly. As a result, he stated he would request approval of the creation of an automotive parts clerk position, Grade 6, \$25,273 base salary, and to delete the Grade 13 mechanical storekeeper position. Mr. Remington referred the committee members to the copy of the proposed job description for the automotive parts clerk position which was provided by Mr. Kelly's office that was included in the agenda packet (Page 29). He said he felt the description met the department's and the shop's needs.

Motion was made by Mr. Mason and seconded by Mr. Stec to approve the aforementioned request, as presented.

Mr. Haskell asked who was doing this work at this time. Mr. Remington replied that other employees were trying to fill in while doing their own work. In reply to Mr. Haskell's query on the status of the former mechanical storekeeper, Mr. Remington said he had become the assistant shop supervisor and the employee formerly in that position became the automotive shop supervisor. He stated these changes were made at a previous committee meeting, but today's request was not handled then because they were working on the job description and re-classification of the automotive parts clerk position.

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Mr. Haskell stated they had been covering the mechanical storekeeper position with the other employees for awhile and it had been running all right. Mr. Remington responded it had run o.k. However, he said one of the issues was that overtime had been used to get some of the work caught up and that was at the Grade 13 level. He stated he had discussed the situation with Mr. Belden and he obviously did not want overtime hours used. Thus, he said he felt it would be in the County's best interest to pay for a Grade 6 position at \$25,000 annually instead of paying overtime for a \$35,000 position.

Mr. Haskell queried how many overtime hours were being used. He stated it would cost less to pay \$10,000 in overtime instead of paying the \$25,000 salary plus benefits which would come to \$50,000 for a new employee. Mr. Haskell stressed he felt it would be cost-effective to pay \$10,000 in overtime rather than the costs for a new position. Mr. Remington reiterated that Mr. Belden, was very much opposed to using overtime. He stated they know this position will be in place for a long time and Mr. Belden does not want to get into a situation where they would be budgeting overtime for normal routine operations. Mr. Remington noted the other point that needed to be considered was that they were working very hard with the (County) Health Services Department and the other County departments to substantially improve how the automotive shop operates and how it handles the repairs of the County's vehicles. He commented everything in that regard seemed to be working very well. In addition, Mr. Remington stated with the combining of the aforementioned updated fleet management software and the Gas Boy system they needed a person who would become very knowledgeable in such operations. Mr. Haskell stated he personally would like to see how much was being spent for overtime hours.

Mr. Bentley called the question and it was carried by a majority vote with Mr. Haskell voting in opposition. Copies of a resolution request form and a Notice of Intent to Fill Vacant Position form were included in the agenda packet (Pages 28 and 31).

Mr. Lamy spoke on a grant application for a project on Diamond Point Road. He stated the project was in the department's 2006 budget and it involved two sections of the road and they planned to pave the section near Exit 23 of the Northway. Mr. Lamy advised the easterly edge of the road which is in the Hamlet of Diamond Point near Route 9N has drainage issues due to work on that section over time stormwater runoff now drains into the residents' yards. They have looked at the situation and feel the solution would be to install a stormwater collection system, he said. Mr. Lamy explained at the same time they had found there was a grant available that would cover doing stormwater improvements and they would like to request approval of a resolution to submit an application for the grant. He stated the request was outlined on Page 32 of the agenda packet. However, Mr. Lamy pointed out the deadline to submit the application was March 31<sup>st</sup> so he would ask if a resolution should be requested to ratify submission of the application.

Continuing, Mr. Lamy advised they had discussed the drainage situation with the Soil & Water District and DEC, who had suggested they should request \$50,000 in grant funds with \$25,000 of the total project coming from the grant and \$25,000 from the Diamond Point Road Project budget. Mr. Lamy advised relative to this project they would also need professional surveying

services for the design and permit phases of the work and they wanted the committee members to know that those costs would be funded by the project under the County's contract with David Barrass for Professional Surveyor Services. Thus, he stated a resolution was not needed for the services and they were not requesting any funds for them. Mr. Remington concurred.

Motion was made by Mr. Stec, seconded by Mr. Merlino and carried unanimously to approve a resolution to ratify the submission of a grant application to the New York State Department of Environmental Conservation (DEC) for Water Quality Improvement projects in order to meet the March 31, 2006 grant application deadline. Copies of a resolution request form and an attachment pertinent thereto were included in the agenda packet (Pages 32 and 33).

Concluding the agenda items, Mr. Remington stated Pages 34 and 35 of the agenda packet outlined a request from the Bolton Central School for permission to use the County's fuel system.

Motion was made by Mr. Haskell, seconded by Mr. Mason and carried unanimously to approve a resolution to authorize an agreement with Bolton Central School for the use of the County's fuel system.

Brief general discussion ensued.

Mrs. Parsons and Mr. W. Thomas left the meeting at 12:09 p.m.

Mr. Remington stated Mr. Bentley, Town of Horicon Supervisor, and he had been involved with DEC on an issue relative to the department's cutting of trees and the clearing of a section on Palisades Road in Horicon. He said he would be reviewing the issue again with Mr. Dusek after they receive the State's feedback. He advised that the State contends that they cut trees on State Forest Preserve land and they contend they did not do that. Mr. Remington reiterated they had dealt with DEC but there were no surveys available to prove either of their contentions and he did not think a baseline survey could be re-established. Mr. Remington said Mr. Bentley was present when the work was done. Mr. Bentley praised the results of the work.

Mr. Remington explained that because they do not think they are guilty of cutting on the Forest Preserve land instead of going to court with the State they had proposed that they would plant a few trees somewhere as a solution. He reported he had spoken with Ronald Montesi, DEC's liaison for the region, about the proposed solution and he seemed to agree with it. Mr. Remington said he would come back to the committee on the matter when he heard back from the State.

There being no further business, on motion by Mr. Haskell and seconded by Mr. Mason, Mr. Bentley adjourned the meeting at 12:11 p.m.

Respectfully submitted,  
Katy Goodman, Secretary to the Clerk