

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS

DATE: AUGUST 20, 2019

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SIMPSON
FRASIER
LOEB
HYDE
MAGOWAN
WILD
HOGAN
GERAGHTY

OTHERS PRESENT:

KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS
TIM BENWAY, DIRECTOR, PARKS, RECREATION & RAILROAD
RYAN MOORE, COUNTY ADMINISTRATOR
AMANDA ALLEN, CLERK OF THE BOARD
ROBERT TERWILLIGER, FIRST ASSISTANT COUNTY ATTORNEY
FRANK THOMAS, BUDGET OFFICER
SUPERVISORS BEATY
BRAYMER

COMMITTEE MEMBERS ABSENT:

SUPERVISORS MERLINO
DICKINSON
DIAMOND

JULIE BUTLER, PURCHASING AGENT
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
MIKE SWAN, COUNTY TREASURER
KURT AUSTIN, WARREN COUNTY RESIDENT
DON LEHMAN, *THE POST STAR*
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the August 20, 2019 meeting of the Public Works Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <https://www.warrencountyny.gov/gov/comm/Archive/2019/works/>

Mr. Simpson called the meeting of the Public Works Committee to order at 10:45 a.m.

Copies of the Parks, Recreation & Railroad, DPW and Solid Waste agendas were distributed to the Committee members and copies of same are on file with the meeting minutes.

Motion was made by Mr. Wild, seconded by Mr. Loeb and carried by majority vote, with Mr. Magowan abstaining, to approve the minutes of the last Committee meeting, subject to correction by the Clerk of the Board.

Commencing the review of the Solid Waste Agenda, Kevin Hajos, *Superintendent of Public Works*, apprised Julie Butler, *Purchasing Agent*, was present to discuss the contract for electronics recycling, as well as solid waste. Ms. Butler stated that Evolution Recycling, Inc., the County's current electronics recycling vendor, had indicated to her they would not be able to extend the contract for 2020 if some of the towns continued to charge a fee to their residents for disposal of these products, as this rendered Evolution Recycling, Inc. ineligible to collect a subsidy from the manufacturers. She added if the towns continued to charge for collection of these items at their transfer stations the entire structure of the next RFP (*Request for Proposal*) for these services would have to change.

Mr. Geraghty apprised he thought the towns were supposed to charge a fee in order to cover the cost of disposal and Ms. Butler responded they were permitted to charge a fee, but it would impact the structure of how the vendor collected the subsidy from the manufacturer. She advised the regulations set by the NYS DEC (*New York State Department of Environmental Conservation*) were not very clear as to what the process should be, but there were clauses that referred to it.

A discussion ensued during which Ms. Braymer indicated that she would like the County's Solid Waste Plan that was currently in draft form, to address the changes taking place with recycling. She added she would also like the County to look into applying for grant funding available through the NYS DEC for the purpose of education pertaining to recycling, as well as establishing a composting facility.

Following the discussion, it was the consensus of the Committee for Ms. Butler to obtain information from the Towns regarding whether they were going to continue to charge for collecting the electronic recyclables and use the information obtained to develop an RFP.

Ms. Butler advised the contract for non-processable C&D waste and tires would be extended; however, she noted, there would be a \$2 per ton increase in the price for 2020. She informed the cost would increase substantially more than that if it was put back out to bid and she pointed out there had also been a rate increase of \$2 last year. She mentioned this was the final year an extension was permissible under the current bid and a new bid would be required to go out next year. In regards to the contracts for transportation, she apprised it was not permissible for her to contact the vendors until October 1st. She said the State fuel contract price was reviewed to determine whether it had increased to another fuel category which would allow the vendors to request an increase, but this had never occurred during the timeframe she was managing these bids.

Mr. Loeb questioned whether any action was required from the Committee and Ms. Butler replied in the negative. She stated she had brought this to their attention for informational purposes only, as the previous resolutions provided her with the authority to extend the contracts without the need for further resolutions.

A brief discussion ensued.

Continuing to the review of the Public Works Agenda, Mr. Hajos presented the following requests:

Page 2 - To fill the vacant position of Senior Engineering Technician, *Grade 12, Base Annual Salary \$38,818*, due to resignation.

Motion was made by Mr. Magowan, seconded by Mr. Geraghty and carried unanimously to approve the request as outlined above and forward same to the Personnel & Higher Education Committee for reporting purposes. *A copy of the Notice of Intent to Fill Vacant Position Form is on file with the minutes.*

Page 3 - To fill the vacant position of MEO-Light #28, *Grade 7, Base Annual Salary \$33,600.*

Page 4 - To fill the vacant position of MEO-Medium #7, *Grade 9, Base Annual Salary \$36,214*, due to promotion.

Motion was made by Mr. Geraghty, seconded by Mr. Wild and carried unanimously to approve the requests as outlined above and forward same to the Personnel & Higher Education Committee for reporting purposes. *Copies of the Notices of Intent to Fill Vacant Position forms are on file with the minutes.*

Page 5 - For a transfer of funds amongst various Budget Codes totaling \$10,577.14

Motion was made by Mr. Geraghty, seconded by Mr. Loeb and carried unanimously to approve the request and forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Page 6 - For a transfer of funds in the amount of \$223.86 from Budget Code DM.5130 110, *Machinery, Salaries - Regular*, to Budget Code DM.5130 120, *Machinery, Salaries - Overtime.*

Motion was made by Mr. Loeb, seconded by Mrs. Frasier and carried unanimously to approve the request and forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Page 7 - For a transfer of funds in the amount of \$41.55 from Budget Code A.7111 110, *General, Up Yonda Farm, Salaries-Regular*, to Budget Code A.7111 120, *General, Up Yonda Farm, Salaries-Overtime*, and \$441.10 from Budget Code A.1628 110, *General, Waste Management Cont, Salaries-Regular*, to Budget Code A.1628 120, *General, Waste Management Cont, Salaries-Overtime.*

Motion was made by Mr. Geraghty, seconded by Mr. Magowan and carried unanimously to approve the request and forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Page 8 - To authorize renewal of agreements with various municipalities for roadway maintenance (snow and ice removal).

Mr. Hajos stated he had completed a thorough review of the amounts Washington County and the NYS DOT (*New York State Department of Transportation*) paid out, as well as a review of the expenses incurred by the towns that handled snow and ice removal on County Roads which had responded to his inquiry, and a review of what the County had paid for these services each year going back to 2008. He informed from 2008 until 2013 the County paid approximately \$6,378 per mile of road and in 2014 this figure was increased to \$6,600. He continued, in 2015 the rate increased substantially to \$8,200 with the use of a formula created to calculate the expense using the average cost of the three previous years. He stated in 2018 they used this years rate of \$8,260 per mile because using the formula would have resulted in the rate decreasing to \$7,900 which the towns had expressed their displeasure with. He mentioned the towns were not required to use salt on the County Roads; he said they had the option of using salt at a cost of \$70 per ton or sand at a cost of \$8 per ton. He apprised if they were to move forward using the old formula the towns would be paid \$9,095 per mile, but if they were to move forward with the expense he calculated using the information provided to him this figure would increase to \$9,728. He pointed out the reason the NYS DOT paid the Town of Hague \$5,131 per lane mile of road was because they required the Town to use salt on NYS DOT roads. He said he was seeking input from the Committee as to which rate they would like to move forward with in the contract.

A discussion ensued following which a motion was made by Mrs. Frasier, seconded by Mr. Wild and carried unanimously to authorize the 2020 agreements with various municipalities for roadway maintenance (snow and ice removal) at a rate of \$9,095 per mile of road and the necessary resolution was authorized for the September 20th Board meeting. *A copy of the resolution request form is on file with the minutes.*

With regard to sand being used on County roads in the towns, Mr. Hajos advised the amount of sand used on these roads was leaving mounds on the road blocking the rain from flowing off the road, resulting in the roads deteriorating faster than usual. He informed if this continued he would have to request additional funds for his budget each year for paving due to the damage caused by the water on the roads. He said going forward he would like the contract with the towns to reflect that the towns not only sweep off the County roads, but also pick up the sand to prevent the mounds from stopping the water from channeling off of the roads for which the County would reimburse them at a rate of \$554 per mile of road.

A discussion ensued following which a motion was made by Mr. Wild, seconded by Mr. Loeb and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the September 20th Board meeting.

Moving along to the Information for Discussion/Review portion of the agenda, Mr. Hajos distributed photographs of various paving work projects; *copies of the photos are file with the minutes.* He mentioned the paving work was moving along and he anticipated all of the projects would be completed by Labor Day, with the exception of a few.

With regard to the Household Hazardous Waste Collection event in the Town of Warrensburg on August 3rd, Mr. Hajos advised about thirty-five attendees had called and made an appointment to dispose of their waste; however, he noted, a total of seventy-three vehicles participated in the event.

Mr. Hajos stated the last item on the Agenda concerned a retaining wall (rock wall) adjacent to Waters Edge Marina and the Sagamore Bridge that had collapsed and he distributed photographs of the

damaged wall; *copies of the photos are file with the minutes.* He said upon further review of the wall he determined it was County property which would require repairs and he had contacted NYS DEC for permitting purposes because the base of the wall was located at the shoreline of Lake George. He informed this would be an unanticipated expense that he did not plan for in the DPW Budget; he said he would be contacting the DPW's contractor for structural engineering for an estimate pertaining to design services. He added he did not believe they would be able to complete the work in-house and he would return to Committee when he had an estimate; he reiterated there was no funding available within the DPW Budget to pay for the work.

A discussion ensued.

Supervisor Hogan read aloud correspondence she had received from one of her constituents recognizing the DPW staff for their work on Thirteenth Lake Road.

Moving along to the Parks, Recreation & Railroad agenda, Mr. Hajos presented the following requests:

- Page 2 - To fill the vacant position of Naturalist #3, *Annual Salary \$42,384*, due to retirement.
- Page 3 - To amend the Salary Schedule to decrease the salary of the Naturalist #2 position from \$42,384 to \$40,000 effective retroactive to July 29, 2019.

Motion was made by Mr. Wild and seconded by Mr. Magowan to approve the requests as outlined above.

Mr. Magowan questioned what the purpose of the position was and Tim Benway, *Director, Parks, Recreation & Railroad*, replied these positions were responsible for providing educational services to the public. Mr. Loeb asked why there was a reduction in the salary and Mr. Hajos responded following he and Mr. Benway's research regarding other Naturalist positions they determined \$40,000 was an appropriate salary for the position which was entry level. He added he would be creating a Naturalist #1 position through the budgeting process.

Mr. Simpson called the question and the motion to approve the request as outlined above was carried unanimously and to forward same to the Personnel & Higher Education Committee. *A copy of the Notice of Intent to Fill Vacant Position and resolution request forms are on file with the minutes.*

With regard to Swede Fire Tower, Ryan Moore, *County Administrator*, stated the Finance Committee had referred the matter back to the Committee because they felt the \$3,000 annual user fee proposed by Adirondack Lyme Timber for access to their land to allow the County to commence work on a access road was excessive. Mr. Moore apprised the representatives from Adirondack Lyme Timber had indicated to him they were opposed to a one time user fee, but were willing to negotiate more on the annual fee and he asked the Committee to determine an amount he could present to Adirondack Lyme Timber for consideration.

Mr. Loeb asked Mrs. Frasier what the value of this was to her Town and Mrs. Frasier replied she felt this would attract tourists who were interested in hiking to the Towns of Hague and Horicon. She said she did not feel \$3,000 was an excessive fee to pay and she asked Mr. Simpson whether the Towns would be responsible for paying this. Mr. Simpson responded that currently they were seeking funds from the County for this purpose, apprising he had been unable to attend the Finance Committee meeting to explain the benefits of this trail.

A discussion ensued following which a motion was made by Mr. Loeb and seconded by Mr. Wild to have Mr. Moore inquire whether Adirondack Lyme Timber would consider entering into a user agreement

with the County for an annual fee of \$2,500.

Upon further discussion Mr. Loeb amended his motion and Mr. Wild amended his second to authorize Mr. Moore to offer Adirondack Lyme Timber between \$2,000 to \$3,000 as the annual fee for access to their land.

Mr. Moore apprised it was necessary for the matter to be referred to the Occupancy Tax Coordination Committee to decide whether occupancy tax funds could be used to pay for the user agreement following which the matter would go to the Finance Committee, as well.

In regards to the concerns expressed regarding whether Adirondack Lyme Timber would renew the agreement after a year, Mr. Hajos stated he did not think this would be an issue, as they had renewed their agreement with the County for the snowmobile trail system in the Town of Hague for around ten years now and it was for the same property.

A brief discussion ensued following which Mr. Simpson called the question and the aforementioned motion was carried unanimously.

Next, Mr. Benway advised he had received a request from the Thurman Snowmobile Club to use the County Railroad property this winter from the Stony Creek Ranch to the Thurman Station. Mr. Wild asked whether a motion was required and Mr. Simpson replied in the negative. Mr. Wild suggested holding off on making a decision until they had a better idea what type of relationship the County was going to have with the company interested in operating on the County Railroad and he asked when the Thurman Snowmobile Club required an answer. Mr. Benway replied he felt they would need an answer in another month, as this would allow them to carry out the maintenance they required for their use of the trail and bridges.

Ms. Braymer stated she felt this was a step in the right direction, as she had voiced her opinion previously that they should allow public use of the Railroad Corridor if no trains were operating on it. She noted unlike Adirondack Lyme Timber, the County would not be charging the Thurman Snowmobile Club a fee to use its land.

Continuing to the Information for Discussion/Review, Mr. Hajos apprised there had been some issues last weekend with Adirondack Safari, who had an agreement to use a portion of the Warren County Fairgrounds property. He stated when the Warren County 4H Group arrived to set up for the event they had scheduled there they discovered the pavilion they used was in use by Adirondack Safari even though their contract with the County prohibited them from using this space. Ms. Hogan added they also had a recreational vehicle parked in front of the stage. Mr. Hajos informed Adirondack Safari had since removed all of their equipment from the pavilion and would refrain from future use, but they notified Mr. Hajos because of this they were no longer able to offer art classes to which he responded that they had the option to come to Committee to make that request or they could pay the day use fee for that pavilion.

A discussion ensued following which it was the consensus of the Committee for Messrs. Hajos and Geraghty to set up a meeting with the owners of Adirondack Safari to discuss the matter further.

Mr. Hajos informed Mr. Geraghty had received a letter from the organizer of the Warrensburg Bike Rally which indicated they had a 15% increase in attendance this year according to the traffic count that they did which supported the fact that the Bike Rally continued to grow each year. He continued, the letter also acknowledged Mr. Geraghty, the DPW staff, Mr. Benway and himself for the assistance they provided.

Mr. Wild mentioned that he had read an article in *The Post Star* indicating the State was pursuing the

abandonment of the railroad north of the North Creek and he questioned how this would impact the County's negotiations with the potential Railroad operator. Mr. Moore apprised the NYS DEC was resuming its abandonment proceeding with the Surface Transportation Board, even though United Rail had asked them not to, due to a lack of freight activity on the line for decades. He mentioned the purpose of the Surface Transportation Board proceeding was to determine whether there was a market for freight. He said he felt the County's process could go parallel with this proceeding and watch and see what occurs with that line, as the County could adjust accordingly going forward.

Mr. Simpson stated during an interview regarding the matter he had indicated the County's concern was whether the abandonment did not preclude them from exploring their options on the County's Railroad. Mr. Moore advised regardless of whether they were in favor of the abandonment, the abandonment proceeding was beneficial because if freight were to occur it would do so because of this proceeding. He added that the Surface Transportation Board would assist the County with obtaining a contract or negotiating a sale for freight purposes. He said if this did not occur and the abandonment was staved off by a rail banking, which was what the NYS DEC had in mind, it would benefit trail advocates, but if the line was abandoned there could still be a passenger rail, as it was abandoned for freight purposes only.

Mr. Simpson requested an executive session to discuss a matter leading to the potential appointment of a corporation.

Motion was made by Mr. Geraghty, seconded by Ms. Hogan and carried unanimously to approve the request to enter into an executive session pursuant to Section 105(f) of the Public Officers Law.

Executive session was held from 12:10 p.m. until 12:33 p.m.

Upon reconvening, Mr. Simpson announced no action was taken during the executive session.

There being no further business to come before the Public Works Committee, on motion made by Mr. Wild and seconded by Ms. Hogan, Mr. Simpson adjourned the meeting at 12:34 p.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board