

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS

DATE: JANUARY 23, 2018

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COMMITTEE MEMBERS PRESENT:

SUPERVISORS SIMPSON  
MERLINO  
FRASIER  
DICKINSON  
DIAMOND  
LOEB  
HYDE  
MAGOWAN  
WILD

OTHERS PRESENT:

JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS  
TIM BENWAY, DIRECTOR, PARKS, RECREATION & RAILROAD  
REPRESENTING SARATOGA & NORTH CREEK RAILWAY:  
JUSTIN GONYO, GENERAL SUPERINTENDENT  
RONALD CONOVER, CHAIRMAN OF THE BOARD  
KEVIN GERAGHTY, ACTING COUNTY ADMINISTRATOR  
MARY ELIZABETH KISSANE, COUNTY ATTORNEY  
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD  
FRANK THOMAS, BUDGET OFFICER  
SUPERVISORS BEATY  
BRAYMER  
HOGAN  
LEGGETT  
MCDEVITT  
SOKOL  
DON LEHMAN, *THE POST STAR*  
LESLIE LOVELACE, SECRETARY TO THE CLERK OF THE BOARD

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*Please note, the following contains a summarization of the January 23, 2018 meeting of the Public Works Committee; the meeting in its entirety can be viewed on the Warren County website using the following link: <http://www.warrencountyny.gov/gov/comm/Archive/2018/works/>*

Mr. Simpson called the meeting of the Public Works Committee to order at 10:32 a.m.

Prior to commencing the Agenda review, Mr. Simpson welcomed Messrs. Loeb, Magowan and Wild to the Committee.

Motion was made by Mrs. Frasier, seconded by Mr. Dickinson and carried unanimously to approve the minutes of the last Committee meeting, subject to correction by the Clerk of the Board.

Chairman Conover entered the meeting at 10:33 a.m.

Commencing the review of the Parks, Recreation & Railroad agenda, privilege of the floor was extended to Justin Gonyo, *Saratoga & North Creek Railway (SNCR) General Superintendent*, to provide an update on SNCR operations. Mr. Gonyo apprised he would like to start off by discussing an issue he felt a number of them were currently dealing with which pertained to the ice from the river. He advised a press release had been sent out and he notified Jeffery Tennyson, *Superintendent of Public Works*, earlier this month about the ice on the railroad tracks at Mile Post 74.5 which was just south of the Glen Hudson Campground. He continued, there was also ice around a bridge at Mile Post 71.1 which was about three miles north of the Stony Creek Ranch. He explained the ice on that bridge was up to the bottom of it and against the east side of it, but since the water had receded it was determined there was no damage to it; he noted the approaches, decks, bearings and bridge structure were all in satisfactory shape. He mentioned as of yesterday there was still ice and water over the railroad tracks at Mile Post 74.5; therefore, he advised, they were waiting to see whether today's rain would assist with breaking up the ice so the river could secede a little further. He informed a "rule of thumb" in railroading indicated if there was water over the top of the rail, it should not be run over. He stated until the water seceded there no trains would be operating in that area.

Mr. Gonyo informed assuming the bridge at Mile Post 71.1 remained in appropriate condition, SNCR

would be resuming the Snow Train Schedule on February 3<sup>rd</sup>; however, he noted, it would be more of an abbreviated run to the Thurman Station since they were unable to go past Mile Post 74.5. He remarked due to the new price structure and decreased layover at the North Creek Station they had achieved the best ridership they had in a long time on the Snow Train which was why it was so unfortunate they had to cancel the train over the past few weeks. He pointed out the first week they cancelled there would have been 82 passengers and the last two weekends they had over 150 passengers who were either rescheduled or refunded. He stated their goal was to get the Snow Train back up and running as soon as possible and he thanked Mr. Tennyson, Kevin Hajos, *Deputy Superintendent of Public Works*, and Tim Benway, *Director, Parks, Recreation & Railroad*, for working with SNCR on the ice issues.

In regards to the Saratoga Station, Mr. Gonyo informed as noted in an article in the newspaper, they had ceased operating the coffee shop, gift shop and ticket office in that Station due to low ticket sales and the coffee shop being underutilized except during the Polar Express runs. He said this year they had ceased operating the Polar Express train and instead operated "The Train to Christmas Town" which was managed out of the Stony Creek Station thereby contributing to their decision to close their operation there. He apprised their plan was to maintain their relationship with CDTA since they had been an excellent business partner over the last seven years; however, he noted, due to their current financial status it did not make sense to hold on to something that was not needed. He noted it was not part of the contract and they would still be allowed to use the Saratoga Station because it was included in their contract with Canadian Pacific Railway. He said the passengers who boarded trains would not see much of a difference in the operation, as they would be permitted to walk through the Saratoga Station to access the platform where they would show their reservation to a conductor instead of a ticket agent.

Mr. Gonyo reported SNCR's Spring and Summer schedules had been established and included a new pricing structure. He stated a press release would be going out early next month which would display both the schedule and the prices. He advised it would be similar to the past years schedule and would consist of weekend only runs May through June, following which they would open up for weekday runs after July 4<sup>th</sup>.

Ms. Braymer requested an update on the Sanford Lake Line and the railcars which were moved into that area. Mr. Gonyo advised the Union Tank Car Company railcars would remain where they were until the ice issue was taken care of, as the only other place on the line they could be stored was in Warren County which was not an appropriate place for them to be located. He said as soon as the ice issue was eradicated the cars would be moved out of the region.

Ms. Hogan asked whether the service would be the same as it had been in previous years when it resumed in May and Mr. Gonyo replied in the affirmative. He stated the round trip would be between the Saratoga and North Creek Stations. Mr. Geraghty requested that Mr. Gonyo notify Ed Ellis, *President, Iowa Pacific Holdings*, that he would like him to contact him, as he had not received a response to any of the phone calls he had made to him or emails he had sent him and Mr. Gonyo advised he would pass that message along to Mr. Ellis.

Moving along, Mr. Benway informed pages 1-2 of the Agenda consisted of a letter from the New York State Office of Parks, Recreation and Historic Preservation pertaining to the amount of funding awarded to Warren County for the Snowmobile Trail Grant which was \$66,975. He mentioned funding for the snowmobile trails from the State and County totaled \$156,975. He apprised Page 3 of the Agenda consisted of a graph which depicted the history of funding dating back to 2002-03 and he provided an overview of how the state calculated the amount of the grant awarded.

Mr. Benway apprised he was working on an Open House to be held on February 21<sup>st</sup> from 10:00 a.m.

until 1:00 p.m. at the Fish Hatchery which would consist of snow shoeing and the life cycle of trout from the egg stage to the stage just prior to stocking. He continued, there would also be fly tying demonstrations inside; he noted the event was scheduled during winter break for the local schools. Mr. Tennyson added that the event in February would be in addition to the Spring Zing event which occurred in May.

Continuing with the Agenda review, Mr. Tennyson apprised at the previous Committee meeting a discussion took place regarding the luxury camping Adirondack Safari had offered on the Warren County Fairgrounds in 2017 and their desire to have a longer term agreement with the County. He explained following the meeting the County Attorney determined an RFP (*Request for Proposal*) was required for the continued use of the Warren County Fairgrounds in this manner. He said they were in the process of working on developing the RFP, but required guidance from the Committee on a few items before it was released. He proceeded to review an aerial photograph of the Warren County Fairgrounds with the Committee which identified other areas where other key events occurred. He explained those key areas would need to be vacated by the vendor when they were in use for the events that were occurring there.

A lengthy discussion ensued regarding the RFP following which it was determined Mr. Tennyson would work with the County Attorney and the Purchasing Department to release it as quickly as possible and return to the Committee to review the responses.

Mr. Diamond entered the meeting at 10:56 a.m.

Chairman Conover reiterated the comments he made during the discussion regarding his suggestion that the County determine the cost of connecting the Warren County Fairgrounds to the public sewer line that would be installed in that area due to his concerns with the proximity of the septic system to the river, as well as other types of ground water issues that could arise there due to the increased capacity. He added connecting to the public sewer line now could result in future savings.

Mr. Thomas inquired whether the County had any success with the request they made to the neighbors of the Warren County Fairgrounds to move off of the Fairgrounds property and Mr. Tennyson replied he believed the matter was discussed at a previous meeting in executive session and he asked whether they would like to enter into executive session now to discuss the matter further. Mr. Magowan asked whether the County was leasing the property to these individuals and Mr. Simpson replied an executive session was required to discuss potential litigation. Don Lehman, *Reporter for The Post Star*, interjected that anything could be potential litigation; however, he apprised, this matter did not appear to meet the criteria required to enter into an executive session. He surmised the Committee would be in violation of the law if they discussed the matter during a closed session.

Subsequent to the discussion it was determined that Mr. Tennyson would work with the County Attorney to determine the status of the matter and report back to the Committee.

Moving along to the Solid Waste portion of the meeting, Mr. Tennyson presented a request to amend Resolution Nos. 489, 490 and 491 of 2017 to include authorizing intermunicipal agreements with the Towns of Warren County to allow them to participate in the contracts.

Mr. Loeb questioned whether the forthcoming discussion with the recycling vendor regarding the increased cost to the Towns in order to comply with the contract and if they were willing to work with the Towns to reduce these costs would be impacted if this request was approved. Mary Elizabeth Kissane, *County Attorney*, stated the bid had been awarded and the Purchasing Department was discussing the particulars of the bid with the contractor to see if they would be willing to give on any of their requirements. She continued, approving these amendments would have no impact on those

negotiations because the purpose was to allow her Office to draft intermunicipal agreements with the towns. She explained if the bid was terminated and they had to go out for another RFP, the resolution would be redone because the bid would be awarded to someone else. She said this meant the intermunicipal agreements would include this resolution, as well so this would have no impact on negotiations. Mr. Geraghty pointed out only one of the resolutions being amended pertained to electronic recycling, as the other two related to solid waste. Mr. Tennyson added that Julie Butler, *Purchasing Agent*, was unable to attend today's meeting, but he would extend an invitation for her to attend the next meeting to provide an update on the matter.

Motion was made by Dickinson, seconded by Mr. Magowan and carried unanimously to approve the request and the necessary resolution was authorized for the February 16, 2018 Board meeting. *A copy of the resolution request form is on file with the minutes.* **Note: Subsequent to the meeting it was determined that a resolution was not needed and the matter would be handled through a Clerks Correction.**

Moving along to the review of the Public Works Agenda, Mr. Tennyson presented the following requests:

Page 1- Request to establish the following new Road Projects: D.5112.8273, *2018 CR#55 Valentine Pond Road*, in the amount of \$180,000; D.5112.8274, *2018 CR#10 Schroon River Road*, in the amount of \$215,000; D.5112.8275, *2018 CR#76 Dartmouth Road*, in the amount of \$110,000; D.5112.8276, *2018 CR#78 13<sup>th</sup> Lake Road*, in the amount of \$140,000; D.5112.8277, *2018 CR#4 High Street*, in the amount of \$210,000; D.5112.8278, *2018 CR#68 Landon Hill Road*, in the amount of \$210,000; D.5112.8279, *CR#64 East Schroon River Road*, in the amount of \$110,000; D.5112.8280, *2018 CR#60 Old Stage Road*, in the amount of \$210,000; D.5112.8281, *2018 CR#57 South Johnsbury Road*, in the amount of \$215,000; D.5112.8282, *2018 CR#74 Atateka Road*, in the amount of \$210,000; D.5112.8283, *2018 CR#3 Warrensburg Road*, in the amount of \$220,000; and D.5112.8284, *CR#36 Valley Road*, in the amount of \$336,290.

Motion was made by Mr. Loeb and seconded by Mrs. Frasier to approve the request to establish 2018 Road Projects as outlined above.

Mr. Loeb questioned where the County stood in regard to their ability to ensure the roads were properly taken care of, as he was aware in previous years Mr. Tennyson had voiced the uncertainty of being able to do the work required with the funds made available for this purpose. Mr. Tennyson stated he would distribute to the new Committee members a copy of the report which was put together every summer that displayed the conditions of the County Roads, as this would provide the new Committee members with a perspective on how things have improved over the last few years. He mentioned in recent years additional funding was provided by the County for Road Projects as compared to a few years ago when State funding was the only source of funding available. He added the amount of State funding had increased over the past few years.

A discussion ensued following which Mr. Simpson called the question and the motion to establish 2018 Road Projects was carried unanimously as outlined above and refer same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Page 2- Request for transfer of funds amongst various Road Projects totaling \$2,366,190.

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

Page 3- Request to amend the existing contract with Clark Patterson Lee to include Supplemental Agreement No. 2 in the amount of \$9,000, to increase construction inspection services for Capital Project H352, Bridge Painting Project.

Mr. Loeb inquired what the work consisted of and Mr. Tennyson replied the project consisted of asbestos abatement and painting. He stated Clerk Patterson Lee was responsible for ensuring the contractor was meeting standards, as well as providing oversight of the abatement process to ensure the contractor was doing all the air monitoring per decontamination, as well as the methodology of painting.

Motion was made by Mr. Loeb, seconded by Mrs. Frasier and carried unanimously to approve the request and the necessary resolution was authorized for the February 16, 2018 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Page 7- Request for a transfer of funds in the amount of \$10,000 from Budget Code DM.5140 422, *Rd Machinery, Motor Fuel Farm, Repair/Maint-Bldg/Property*, to Budget Code H374.9550 280, *Warrensburg Fuel Farm*.

In regards to this request, Mr. Tennyson advised he would like to elaborate on the issue they were having with the Warrensburg Fuel Site. He informed the County DPW administered eight fuel sites, all of which were used by various municipal agencies including schools, fire departments, other departments within the County, towns, etc. He apprised one of the key fueling sites used was located in the Town of Warrensburg where the headquarters for the Department was. He said during the upgrade to the underground tank system it was determined there had been prior damage on the flange that connects the pumps to the tanks. He informed the DPW staff, as well as a contractor were unable to fix the issue thereby resulting in additional services that would have to be contracted out. He mentioned his staff was moving quickly to obtain quotes and bring in other contractors to cut the existing flanges off and replace them with new ones. He stated the request consisted of transferring the additional funds required out of the fuel maintenance code into the Capital Project. He pointed out he may be returning to the Committee in the future to request additional funding from a source to be determined if issues occurred when they commenced work on other fuel systems within the County.

A discussion ensued.

Ms. Kissane asked Mr. Tennyson if his request consisted of transferring funds into a Capital Project and Mr. Tennyson replied in the affirmative. Ms. Kissane stated an increase in the amount of the Capital Project was required to account for these funds.

Motion was made by Mr. Loeb, seconded by Mr. Magowan and carried unanimously to approve the request to increase Capital Project H374, *Warrensburg Fuel Farm*, in the amount of \$10,000 as outlined above and refer same to the Finance Committee. *A copy of the resolution request forms is on file with the minutes.*

Mr. Beaty entered the meeting at 11:32 a.m.

With regards to Information for Discussion/Review portion of the agenda, Mr. Tennyson stated that he had received a request from the Americade to allow them exclusive use of the County-owned West Brook Parking Lot during their event this year. He explained in prior years the Americade had only used the West Brook Parking Lot for one day when they had a concert at the Festival Space; however, he noted, in an effort to save money they decided to move this years event to the other end of Beach Road. He said they would be using the Beach Road Parking Lot that was located at the base of the Fort William

Henry, the Festival Commons, as well as the entire Charles R. Wood Park and the adjacent parking lot that was County-owned. He informed the Americade's proposal was to use the West Brook Parking lot at the normal fee of \$2,000 per day; however, he noted, they had requested a reprieve on the fee for when they were setting up. He stated their organization would like the West Brook Parking lot to be closed to allow them to erect fencing and other apparatuses they required for the event once the vendor using the space the weekend prior to the Americade had cleaned up and moved off of the Festival Space,. He apprised they had requested that the County forgive them of the rental fee on the days the parking lot would be closed to allow them to set up since they would be providing the County with \$10,000 in revenue for rental fees for the five days they would be using the parking lot exclusively for their event. He pointed out the day they would be setting up was a weekday which meant there would be a smaller impact on the amount of revenue the County would be losing; however, he noted, to make up for this the County would be acquiring \$8,000 in additional revenue it had not received in prior years from them since this was the first time they had rented the parking lot for the duration of their event. He added the consensus of the Park Operations & Management Committee was to recommend moving forward with this request, but since the Public Works Committee was charged with overseeing the Parking Lot approval from the Committee was required.

A conversation ensued following which a motion was made by Mr. Dickinson, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the February 16, 2018 Board meeting. *A copy of the resolution request form is on file with the minutes.*

Mr. McDevitt entered the meeting at 11:50 a.m.

Mr. Tennyson pointed out the DPW Overtime, and Fuel Usage Reports were included in the agenda packet.

There being no further business to come before the Public Works Committee, on motion made by Mr. Dickinson and seconded by Mr. Merlino, Mr. Simpson adjourned the meeting at 11:52 a.m.

Respectfully submitted,  
Leslie Lovelace, Secretary to the Clerk of the Board  
*(As typed by Sarah McLenithan, Deputy Clerk of the Board)*