

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS

DATE: APRIL 23, 2018

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SIMPSON
MERLINO
FRASIER
DIAMOND
LOEB
HYDE
WILD

COMMITTEE MEMBERS ABSENT:

SUPERVISORS DICKINSON
MAGOWAN

OTHERS PRESENT:

KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS
TIM BENWAY, DIRECTOR, PARKS, RECREATION & RAILROAD
JIM LIEBERUM, DISTRICT MANAGER, WARREN COUNTY SOIL & WATER
CONSERVATION DISTRICT
JUSTIN GONYO, GENERAL SUPERINTENDENT, SARATOGA & NORTH CREEK
RAILWAY
RONALD CONOVER, CHAIRMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
MARY ELIZABETH KISSANE, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
SUPERVISORS BEATY
BRAYMER
GERAGHTY
HOGAN
LEGGETT
SOKOL
MIKE SWAN, COUNTY TREASURER
DON LEHMAN, *THE POST STAR*
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the April 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 9:48 a.m.

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

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

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*, who apprised the April 7th passenger train which, he noted, was their last run, had a total of 111 passengers. He mentioned 43 of the railcars stored in Tahawus had been moved back to the Interchange leaving 23 cars in storage which would be moved within the next few weeks. He informed there was a small washout along the right-of-way at mile post 51.5 they were keeping an eye on and would be repaired once the spring waters subsided. He said currently it was safe enough to allow them to walk the trains over it. He advised other than that they were working on packing up their operations.

Mr. Loeb remarked he would like to add to the comments made by Mr. Merlino at the April 20th Board Meeting regarding SNCR operations. He said he compared the relationship the County had with SNCR to a marriage, where sometimes there were contentious moments; however, he noted, the arrangement had been profitable for the County and the community. He advised it was possible the relationship between the County and SNCR could end on a negative note since the County would not be purchasing the Tahawus line from them, but said he was hoping they could come up with a way to salvage the arrangement. He continued, if they determined there was no possible way of saving the operation, he felt they should end their relationship with SNCR on a friendly note because they had provided the

County with a significant amount of revenue, and had made substantial investments into the line during their six year tenure.

Mr. Merlino voiced his disappointment in the fact that no meetings had been scheduled in an attempt to possibly work out a deal with SNCR for the continued operation of the Railroad. He said he hated to see SNCR walk away without the County making any attempt to reach a compromise, even if it only extended operations for another year. He stated he forgot to mention that the County had set aside \$273,735 in a reserve account for repairs to the railroad. He said he believed many were unaware of the significant investment SNCR made in the County Railroad due to the lack of promotion. He commended Mr. Gonyo for the work he had done, noting he had always made himself available to discuss and/or answer any questions or concerns the Supervisors may have. He asked whether any meetings had been scheduled to determine if a solution could be worked out and Mr. Simpson replied in the affirmative. Mr. Simpson stated he had talked to Mr. Gonyo about the matter, as well as the County Attorney and the County Administrator. He pointed out there was a lot which needed to be taken into consideration before they moved forward, some of which would be discussed during an executive session. Mr. Merlino commented he was pleased these discussions were going on, as the lack of railroad operations was hurting the small towns located along the line. He advised the annual Hadley Maple in April Festival was scheduled for this coming weekend, and he noted SNCR had assisted with making this event a success in prior years by offering train rides to attendees. Mr. Simpson apprised he felt compelled to point out that the County was not provided with any prior warning that Ed Ellis, *President, Iowa Pacific Holdings*, was going to announce at the March 29th Committee meeting that they were ceasing SNCR operations unless the County purchased the Tahawus portion of the line from them for \$5 million. He added it was unfortunate a discussion had not occur prior to reaching that point.

A discussion ensued, following which Mr. Simpson announced an executive session was required to discuss the performance of a particular corporation.

Motion was made by Mr. Loeb, seconded by Mr. Merlino and carried unanimously to enter into executive session pursuant to Section 105(f) of the Public Officer's Law.

Executive session was held from 10:00 a.m. until 12:12 p.m.; Messrs. Beaty, Leggett, Diamond, and Sokol exited the meeting during the executive session.

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

Tim Benway, *Director, Parks, Recreation & Railroad*, questioned whether SNCR still had a contractor maintaining the crossing signals and Mr. Gonyo responded if nothing changed then their contract with this individual would end on May 1st. He further explained that SNCR owed this individual money; therefore, he stated, these inspections would cease if a payment was not received prior to May 1st. Mr. Geraghty asked whether SNCR would be taking over the inspection services should this occur and Mr. Gonyo replied in the negative, apprising that he had no one on his staff who was certified to maintain signals. Mr. Geraghty inquired what the alternative was and Mr. Gonyo responded if they did not maintain the signals after May 1st their one-month inspection would expire and they would have to be taken out of service, making them inoperable. Mr. Geraghty questioned whether SNCR would be responsible for decommissioning the signals and Mr. Gonyo replied that there was no decommissioning process; however, he noted, even though they were not required to, they would probably lock them up to prevent trouble calls from occurring. Mr. Geraghty remarked since SNCR was the County's Railroad Operator he felt it was important for them to notify the County what their plans were for the crossings. Mr. Gonyo interjected that if things continued on the same path and the contract with the individual who performed the inspections for them ended on May 1st he would direct that the crossing gates be pinned off. He added SNCR could not operate over a crossing with an expired inspection.

Mr. Wild inquired when the remaining storage and passenger cars were scheduled to be removed and Mr. Gonyo replied that there were twenty-four storage cars remaining on the Tahawus portion of the railroad that they were unable to access because there was two feet of snow covering the railroad. He said he hoped following this weeks warmer weather they would be able to access these cars and pull them down in one string. With regards to the remaining equipment, Mr. Gonyo informed the dome cars which were the only passenger equipment that had any determination on them would be heading to the Saratoga Station this Wednesday while all other equipment remained in flux. Mr. Wild questioned whether the goal was to get all of this taken care of before May 1st and Mr. Gonyo replied in the affirmative. Mr. Merlino remarked that did not provide SNCR with a significant amount of time to take care of everything, noting he believed it was possible the cars stored in Tahawus could become landlocked since they would be unable to travel down the tracks. Mr. Gonyo advised this was why he felt SNCR would do what they could to ensure the individual who performed the crossing inspections was fully paid otherwise everything would be landlocked in Tahawus. He added he did not foresee Mr. Ellis leaving the storage cars there due to their value in other operations or the ability to lease them to other railroads. He concluded by encouraging anyone with questions pertaining to railroad operations to contact him directly.

Proceeding with the Agenda review, Kevin Hajos, *Superintendent of Public Works*, reviewed the terms that had been negotiated with Adirondack Safari for "Glamping" on the Warren County Fairgrounds, a copy of which is on file with the minutes.

Concluding the Parks, Recreation & Railroad agenda review, Mr. Benway provided an update on the spring stocking. He stated today was the first day of stocking, commencing with Clendon Brook, Hovey Pond, Halfway Brook all being stocked with 10.5 inch brook trout. He said due to the inclement weather they were four weeks behind schedule, requiring them to do the stocking on one large rush. He mentioned the Crandall Park Fishing Derby was scheduled for this Saturday, the Spring Zing was scheduled for May 12th from 9:00 a.m. until 2:00 p.m. at the Warren County Fish Hatchery, and the Mill Pond Fishing Derby was scheduled for May 19th. He advised he had included a map of where, what type and how many fish were stocked with the Agenda, pointing out about 25,000 fish were stocked every spring.

Commencing the review of the DPW Agenda, Mr. Hajos apprised he would like to address the Warren County MS4 Annual report prior to the action item/new business. He offered privilege of the floor to Jim Lieberum, *District Manager, Warren County Soil & Water Conservation District*, who provided an update on the Warren County MS4 report that was prepared by his Office on an annual basis, a copy of which is on file with the minutes. During the MS4 report, Mr. Lieberum discussed the handouts he had distributed regarding the Warren County MS4 Adopt A Highway Roads, the Household Tire Recycling Day scheduled for May 5th from 8:30 a.m. until 12:00 p.m. at the Warren County DPW site in the Town of Warrensburg, the Stream Cleanup Crew scheduled for August 28th, and the Warren County Household Hazardous Waste Collection scheduled for June 30th, copies of which are on file with the minutes.

Mr. Wild inquired whether the Warren County Soil & Water Conservation District dealt with septic system issues, as there were a number of residences within the County located along waterways that had septic systems. Mr. Lieberum apprised his organization was a non-regulatory agency that could only provide guidance and assistance. As an example he stated his organization was awarded a grant that included a septic pump-out program which not only pumped-out septic systems, but also provided the landowners with educational materials. He added he was not an engineer so he could not speak to the design of septic systems, but his organization provided assistance such as what was provided by the septic system pump-out program. Mr. Wild asked whether there was a regulatory body that inspected the septic systems located on waterbodies in the County and Mr. Lieberum responded there was to some extent, specifically if there was a discharge, then the NYSDEC (*New York State Department*

of Environmental Conservation) would become involved. He informed most of the Lake Association's his organization worked with were vigilant about this due to the increase in the amount of algae growth in instances of failures thereby causing water quality to suffer. He added the NYSDOH (*New York State Department of Health*) would be involved, as well.

A discussion ensued.

Returning to the Action Agenda, Mr. Hajos presented a request for a transfer of funds in the amount of \$20.61 from Budget Code A.5610 110, *Airport DPW, Salaries-Regular*, to Budget Code A. 1628 120, *Waste Management Containment Salaries-Overtime*.

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

Proceeding to the Information for Discussion/Review portion of the Agenda, Mr. Hajos stated they had submitted an application to BridgeNY Funding for two bridges and four culverts for 2018. He said the first bridge they referenced in their application was over Bay Road and consisted of three pipes that crossed Bay Road at the Quaker Road Intersection and the other one was the Hudson Street Bridge over Mill Creek. He continued, they also submitted for replacement of the following culverts: one on Call Street; one on 13th Lake Road; one on Horicon Avenue in the Town of Bolton; and one on Ernest Smith Road in the Town of Horicon. He pointed out there was no guarantee the funds would be awarded, as there were more towns and municipalities applying than there had been in previous years.

Mr. Loeb requested that Mr. Hajos elaborate on the bridge over Bay Road and Mr. Hajos responded it was referred to as a bridge because more than likely a three sided structure would be constructed there and the span was longer than twenty-five feet. He explained it was for the three pipes that took Halfway Brook underneath Bay Road. Mr. Loeb asked whether traffic would be disrupted and Mr. Hajos replied in the affirmative, apprising a maintenance protection plan would be in place which would still allow traffic through that area. Mr. Loeb questioned what the timeframe from start to finish for construction would be and Mr. Hajos replied he would surmise it to be no more than three to six months.

Next, Mr. Hajos informed as previously mentioned during Mr. Lieberum's report, the Warren County Soil & Water Conservation District was sponsoring a Household Tire Recycling Day on May 5th from 8:30 a.m. until 12:00 p.m. He stated the event was reserved for County residents only and strictly prohibited businesses from participating, apprising there would be a fee of \$2 per tire charged.

Continuing with the Agenda review, Mr. Hajos distributed photos of the stabilization work that had been completed on 13th Lake Road; *copies of the photos are file with the minutes.*

Mr. Hajos pointed out the DPW Overtime and Furl 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. Loeb and seconded by Mrs. Frasier, Mr. Simpson adjourned the meeting at 12:36 p.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board