

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS

DATE: OCTOBER 23, 2018

COMMITTEE MEMBERS PRESENT:

SUPERVISORS SIMPSON
MERLINO
FRASIER
DICKINSON
DIAMOND
LOEB
HYDE
MAGOWAN
WILD

OTHERS PRESENT:

KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS
TIM BENWAY, DIRECTOR, PARKS, RECREATION & RAILROAD
RONALD CONOVER, CHAIRMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
MARY ELIZABETH KISSANE, COUNTY ATTORNEY
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD
FRANK THOMAS, BUDGET OFFICER
SUPERVISORS BEATY
BRAYMER
GERAGHTY
SOKOL
STROUGH
JULIE BUTLER, PURCHASING AGENT
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
MIKE SWAN, COUNTY TREASURER
SHAWN LAMOUREE, WARREN COUNTY UNDERSHERIFF
DON LEHMAN, *THE POST STAR*
LESLIE LOVELACE, SECRETARY TO THE CLERK OF THE BOARD

Please note, the following contains a summarization of the October 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 10:05 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. Dickinson, seconded by Mr. Magowan 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, Tim Benway, *Director, Parks, Recreation & Railroad*, presented the following request:

Page 1 - To transfer funds in the amount of \$900 from Budget Code A.7111 130, *General, Up Yonda Farm, Salaries-Part-Time*, to Budget Code A.7111 410, *General, Up Yonda Farm, Supplies*, and \$400 from Budget Code A.7111 130, *General, Up Yonda Farm, Salaries-Part-Time*, to Budget Code A.7111 260, *General Up Yonda Farm, Other Equipment*, to replace a stove used for their programs that was no longer operational.

Motion was made by Mr. Loeb, seconded by Mr. Dickinson 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 2- To fill the vacant position of Building Maintenance Worker #11, *Grade 6, Base Annual Salary \$31,107.*

Kevin Hajos, *Superintendent of Public Works*, explained that there were three Building Maintenance

Workers within the Parks, Recreation & Railroad Department whose duties consisted of handling the maintenance on the facilities within the division, the Warren County Bike Trail and all of the canoe launches. He said this position was required to ensure the department was fully staffed.

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

Proceeding to the pending items portion of the agenda, Mr. Hajos, advised that the Smart Growth Grant had not been released yet, but he would notify them as soon as the status changed.

Resuming review of the Parks, Recreation & Railroad agenda with an update on the stocking, Mr. Benway advised that salmon would be stocked this Wednesday and Thursday, 1,500 of which would be in the southern basin with the remainder being released at Rogers Rock in the northern basin. He informed they had completed the Heritage Program that they partnered with the State on where they released 11,985 horn lake fingerlings with an average size of 4.5 inches. He stated the total stocking for the year once they finished with the salmon was 48,753.

Chairman Conover asked what would be required for the County to reproduce their own trout for stocking and Mr. Benway responded that more water and a larger facility for storage would be necessary. He stated the County used to handle trout reproduction in-house, but now all of this was managed by the State with the exception of the horn lake wild strain. Chairman Conover questioned whether the Fish Hatchery was currently at capacity and Mr. Benway replied in the affirmative. Mr. Benway added they could free up space by reducing their stocking. Mr. Simpson remarked the stocking program aided tourism in the region, as fishing attracted many visitors to this area. Mr. Benway advised another program that was growing was what was referred to as "Trout in a Classroom" which divided trout eggs into classes in the Town of Queensbury and produced them from egg until fingerling following which they were released into local streams.

With regards to updates concerning the County Railroad, Mr. Benway apprised he had taken representatives from Omni Tracks on a tour of the railroad last Tuesday from North Creek to just before Daniels Road. Ryan Moore, *County Administrator*, informed he had been communicating with these representatives during which they indicated they would be providing him with a status regarding their potential purchase of the Tahawus line later today.

Chairman Conover requested that Mr. Hajos provide an update on the River Road Crossing in the Town of Thurman and Mr. Hajos responded that he had included this matter on the DPW agenda for discussion, but he would address it now. He apprised last year when the ice dams occurred a large portion of River Road in the Town of Thurman next to the Hudson River was destroyed. He continued, representatives from NYSDOT (*New York State Department of Transportation*) had assisted the Town with developing a cost estimate of \$3 million for the permitting and embankment work that would be required along the river. He said because FEMA (*Federal Emergency Management Agency*) did not consider this event to be a natural disaster no funding was made available to assist the Town with paying for the repair work. He stated in light of this his Department had worked with the Town to develop a possible alternate route to reroute River Road away from the river; however, he noted, this would result in a change where River Road crossed the County Railroad. He said they moved the crossing which was originally located just before the washout about 200 yards and provided the Town with a new alignment all within County property that he believed they would keep as a permanent easement. He informed the Town had done the vast majority of the work required there to have a road in place, but the signal and crossing would need to be moved in case a new rail operator was put into place. He apprised the Town had requested that the County move forward with the repair work on the River Road Crossing and signals for which the Town would reimburse the County for the cost through their CHIPS (*Consolidated Local Street and Highway Improvement Program*) funding which they

anticipated receiving in December. He estimated the cost of the work with the County completing most of it in-house to be between \$20,000 to \$30,000. He stated the vast majority of the work could be completed in-house with the exception of work on the tracks which had a significant cost associated with it; however, he reiterated, the Town would be reimbursing the County for all expenses associated with the work. He advised an intermunicipal agreement was required with the Town in order for the County to receive reimbursement for the work required there.

Mr. Wild questioned whether it was practical for work to be completed on the tracks and signal when they were unsure at this point of the status of the County Railroad. Mr. Hajos stated that a static type display could be erected during the winter months to notify individuals they were approaching a crossing; however, he noted, the site distance for someone traveling on River Road to look back up the track was difficult due to the way the road came into the track. He stated they could hold off on the work if the County Railroad was sold and place the responsibility of erecting a new signal on to the buyer, but if the tracks were leased then the responsibility would remain theirs. Ms. Hyde inquired whether the Town could open the road without the signal being erected and Mr. Hajos replied that a static type of crossing could be used to allow the road to be reopened.

A discussion ensued following which a motion was made by Mr. Loeb and seconded by Mr. Magowan to authorize an intermunicipal agreement with the Town of Thurman to allow the County to move forward with repair work on River Road Crossing and Signals with the understanding that the Town of Thurman would reimburse the County for the expenses incurred upon receipt of CHIPS funding,

Mr. Wild inquired whether it was necessary to spend money to repair the tracks and erect a railroad crossing. He said he was fully supportive of repairing the road, but felt it was unnecessary to move forward with work on the tracks and signal. Mr. Hajos stated he could place the work pertaining to the signal on hold until a determination regarding the future of the County Railroad was made. He said if the County retained the railroad and there was traffic on the track then the signal would need to be erected.

Following a discussion Mr. Loeb amended his motion and Mr. Magowan amended his second to include within the intermunicipal agreement with the Town of Thurman that the signal work would only be completed if the railroad tracks were brought back into operation. Mr. Simpson called the question and the motion was carried unanimously and the necessary resolution was authorized for the November 16th Board meeting.

Ms. Braymer inquired whether there was any update regarding the request from the Stony Creek Ranch to operate a Polar Express Train on the County Railroad and Mr. Moore replied they had submitted a two page proposal to enter into a contract with the County which did not include the vast majority of the information requested from them. He said he had put comments on the document which indicated what they needed improve and the other points that they needed to address and returned it to them.

Mr. Simpson requested that Mr. Moore provide an update regarding the RFP (*Request for Proposal*) concerning the sale or lease of the County Railroad. Mr. Moore stated that they were currently working on the Phase I draft which was a qualifier that was similar to how they handled RFP for the Airport. He said this would allow them to release it to those who may be interested and review the qualifications and limit the actual RFP to the groups they were aware could manage the operation or had the means to move forward with a purchase. He added Phase I would also include a draft of Phase II which would be the actual RFP draft that was subject to change. He stated that they had been holding off until a determination was made regarding the abandonment action, but it appeared provided that NYSDEC (*New York State Department of Environmental Conservation*) and Omni Tracks were able to work out a deal the abandonment petition would be withdrawn. He said he would distribute Phase I to anyone who was interested in reviewing it.

With regards to the equipment remaining on the County Railroad, Mr. Hajos informed the majority of the equipment had been removed from the North Creek Station with the exception of a few totes that he believed were set aside for a resident to pick up. He stated there were a few dumpsters on the property that had been an issue for Revolution Rail Riders, as well as Gore Electric. He said since these were not County dumpsters his staff had contacted the name of the contractor listed on the dumpster to request that they remove them, as they were being used for others refuse at this time. In regards to the Riparius Station, Mr. Hajos apprised his staff had changed all of the locks there, as well as the North Creek Station, but there was a vehicle remaining that would be removed via a flatbed truck. He stated that Ms. Hoagn had requested that he remove the railroad ties that remained at the Riparius Station which were the ones replaced on the County's tracks by the previous Railroad operator, but he could not do so until he located a place where they could be properly disposed of due to the coating on them.

Mr. Hajos stated that Mike Kelly had moved his rail cars to the rail yard on Columbus Day weekend during which he had indicated he was interested in using the Engine House to put new wheels on his cars, but he had not been given permission to do so nor had any wheels showed up on site as of yet. He mentioned he had not received a response from Mr. Kelly regarding his inquiry about when his cars would be removed, but Mr. Kelly had indicated to Ms. Hogan when he spoke to her on Columbus Day weekend that his equipment would be removed in about a month.

Mr. Simpson asked Mike Swan, *County Treasurer*, whether the Stony Creek Ranch had taken care of their issue with occupancy tax and Mr. Swan replied in the negative.

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

Page 2- For a transfer of funds in the amount of \$38,770.32 from Budget Code D.5112 8274 280, *County Roads, 2018 CR 10 Schroon River Road*, to Budget Code D.5112 8283 280, *County Roads, 2018 CR3 Warrensburg Road*, to cover the cost to extend the Warrensburg CR 3 Project.

Motion was made by Mrs. Frasier, seconded by Mr. Merlino 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.*

Page 3- For a transfer of funds amongst various budget codes totaling \$57,959.83 to cover internal equipment rentals for each road project.

Motion was made by Mr. Magowan, seconded by Mr. Merlino 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.*

Page 4- For a transfer of funds in the amount of \$1,179.83 from Budget Code D.5148 110, *Serv. To Other Govts, Salaries-Reg*, to Budget Code D.5148 120, *Serv. To Other Govts, Salaries-OT*, to cover overtime salaries for each Town Road Project.

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.*

Page 5- To amend the Table of Organization and Salary Schedule to create and fill the new position of Motor Equipment Operator Light #33, *Grade 7, Base Annual Salary \$32,749*, and delete the position of Working Supervisor #5, *Annual Salary \$38,199*, effective December 1, 2018.

Mr. Hajos explained the Working Supervisor position had previously acted as a second to the foreman, but last year as part of the reallocation they had created the Highway Construction Supervisor I and then the foreman of the Highway Construction Supervisor II. He said this request entailed deleting the Working Supervisor #5 position and creating a Motor Equipment Operator Light position which was needed to run tandems and plow snow.

Mr. Dickinson asked Mr. Hajos whether he was finding it difficult to fill the Motor Equipment Operator positions and Mr. Hajos replied in the affirmative. He said he had just discussed with Mr. Geraghty how he had a difficult time filling the temporary positions for the summer. He stated they had only been able to fill four of the five positions he had for temporary help in the summer, noting the most qualified candidate they had interviewed did not have a drivers license. He said he believed the reallocation that occurred which increased the salary of some of the positions had helped a little, but they were still struggling to fill positions.

Motion was made by Mr. Dickinson, seconded by Mr. Diamond and carried unanimously to approve the request and refer same to the Personnel & Higher Education Committee. *Copies of the resolution request and Notice of Intent to Fill Vacant forms are on file with the minutes.*

Page 7- To fill the vacant position of MEO-Medium #4, Grade 9, Base Annual Salary \$35,296, due to resignation.

Page 8- To fill the vacant position of MEO-Medium #24, Grade 9, Base Annual Salary \$35,296, due to resignation.

Motion was made by Mr. Dickinson, seconded by Mr. Merlino and carried unanimously to approve the requests to fill vacant positions as outlined above and refer same to the Personnel & Higher Education Committee for reporting purposes. *Copies of the Notices of Intent to Fill Vacant Positions are on file with the minutes.*

Page 9- To amend Resolution No. 290 of 2018 to adjust the rates to the ones in 2018.

Mr. Hajos explained Resolution No. 290 dictated how much the County would pay the towns for the road work they did through a calculation that utilized the three previous years cost to the County. He said since they were unable to use the figures from 2017 they had used 2014, 2015 and 2016 to calculate what the cost would be to pay the towns per mile for the road work they carried out for the County which included plowing, removing the sand in the spring along the edges of the road, as well as mowing in the summer for which some towns did twice a year while others mowed only once a year. He apprised as a result of the significant costs during 2014 the rate was increased, but for this year since 2014 was no longer being considered the cost decreased. He advised as a result of the State paying about \$9,600 per lane mile for the towns to do work for them he had informed the Chairman he would look into revamping these rates going into next years budget. He said he was researching how the State calculated their rates such as whether more work was required to possibly increase the rate the County paid. He remarked he did not believe using the average of the three previous years was the best method to calculate the rate and he added he felt he had to come up with some more information or historical data to possibly come up with some other rates.

Chairman Conover stated he was pleased that Mr. Hajos was looking into possibly changing this formula, as he has never been a fan of it since the town took care of 150 of the County's 200 miles of roads, all of which were not spread evenly throughout the towns. He pointed out a number of the smaller towns had up to forty miles of road they took care of for the County while others only took care of a few miles. He informed his understanding of the State's formula was that it was based upon actual cost which they required the towns to document. He advised he understood it could take a few years

for a new formula to be developed and put into place, but he would like to see one that was based on actual costs. He added they could also consider addressing the concern Mr. Merlino brought forward at the October 19th Board meeting pertaining to the fact that municipalities outside of the Lake George Basin were ineligible for grant funds to purchase and/or upgrade equipment for the purpose of reducing salt usage on County through the County payment to the towns for equipment upgrades.

A lengthy discussion ensued following which a motion was made by Mr. Merlino, seconded by Mr. Loeb and carried unanimously to amend Resolution No. 290 of 2018 to adjust the rates back to the 2018 contract rates and to increase the County payment to the towns located outside of the Lake George Basin to \$10,000 for equipment upgrades for the purpose of reducing salt usage on County roadways and the necessary resolution was authorized for the November 16th Board meeting.

With regard to the Information for Discussion/Review section of the agenda, Mr. Hajos stated that the River Road Crossing in the Town of Thurman had been addressed during the Parks, Recreation & Railroad portion of the meeting.

Mr. Dickinson informed he would like to respond to a statement Mr. Beaty had made during the discussion regarding equipment upgrades for the purpose of reducing salt usage on County roadways pertaining to sharing equipment. He informed that all of the towns had a vigorous program in place to assist one another such as when five or six towns aided the Town of Bolton with a road project the other day. He said all of the town DPW's worked closely with one another to share equipment and assist one another when needed. Mrs. Frasier stated that her Town had an MOU with the Town of Ticonderoga and had been sharing services with them for years since they were only located a few miles away from one another. Mr. Beaty advised he understood that the towns had been sharing services for a number of years, but he would like to see them share equipment so the towns and County did not have to spend money for equipment that they could borrow from another municipality or even the State which had equipment on hand for emergency purposes that was never used.

Mr. Geraghty commended the DPW for the paving work they did this year, as he had noticed a significant improvement in the quality over previous years.

Mr. Dickinson advised that the Town of Lake George had an MOU with the Town of Lake Luzerne which required Lake Luzerne to take care of the roll off truck purchased by Lake George for use by both of them. He reiterated that all of the towns were good about sharing services amongst one another. Mr. Strough questioned the status of the MOU that was supposed to be drafted to allow the County and towns to share equipment and services amongst one another and Mr. Moore responded that this was one of the nine initiatives included in the County's Shared Services Program which he would be following up on to see what the towns were actually able to provide to ensure the proper contracts were in place.

Mr. Merlino exited the meeting at 11:07 a.m.

Moving along to the Solid Waste Agenda, privilege of the floor was extended to Julie Butler, *Purchasing Agent*, who apprised that a condition that Evolution Recycling provided to them in order for them to agree to extend the contract was for the County to expand storage in the Towns of Queensbury and Bolton; however, she noted, they had since decided through their logistics department that the storage in the Town of Queensbury was not an issue and the DPW was working on obtaining a forty yard enclosed container to take care of the issue in the Town of Bolton. She said since this had been rectified the extension with Evolution Recycling should move forward with no changes in service unless anyone brought to her attention anything that needed to be addressed with them before she executed this extension. She said she had addressed the delay in scheduling that was occurring at the County with them and she encouraged anyone with similar problems to notify her so she could discuss this with them. Mr. Simpson advised he believed they were slightly behind with their pick-ups, but he believed

they were working with the towns on this. Mrs. Butler stated she was aware of this issue and believed it related to the market and their flow through, but she would confirm this with them. She asked that anyone with issues notify her and she would work with them to rectify the matter, as they had been very responsive to any of her inquiries regarding scheduling.

With regards to Solid Waste removal, Mrs. Butler recommend they extend the contacts with Wheelabrator and Finch or the prices would increase substantially. She said recyclables which included plastic, metal, cardboard, newspaper and magazines would not be extended due to a lack of a market there. She stated the only contractor for transportation services willing to extend was County Waste, who was only providing service to the Town of Lake Luzerne. She stated the contracts with Casella and Waste Management for transfer stations would need to be rebid. She informed that she and Mr. Hajos would continue to work on developing a way to streamline the bid. She concluded by stating she had asked the vendors to keep her updated on the meetings they were attending with NYSDEC regarding the lack of a place for recyclables to go, apprising she would notify everyone when further information was available. She mentioned she would proceed as she had just outlined unless there were any further comments or suggestions made.

Mr. Geraghty pointed out his town was expending over \$700 a month to dispose of plastics. Mrs. Butler advised she did not believe this would be changing anytime soon unless the vendors could locate a market for recyclables other than cardboard which still had a market.

Mr. Simpson asked whether any action from the Committee was required and Mrs. Butler replied in the negative, indicating she was only there to provide information. She said she would release the bids for the services that were not being extended as quickly as she could.

There being no further business to come before the Public Works Committee, on motion made by Mrs. Frasier and seconded by Mr. Dickinson, Mr. Simpson adjourned the meeting at 11:13 a.m.

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