

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: PUBLIC WORKS

DATE: FEBRUARY 25, 2020

COMMITTEE MEMBERS PRESENT:

SUPERVISORS CONOVER
HOGAN
LEGGETT
BRAYMER
BRUNO
MAGOWAN
MERLINO
STROUGH
WILD

OTHERS PRESENT:

KEVIN HAJOS, SUPERINTENDENT OF PUBLIC WORKS
TIM BENWAY, DIRECTOR, PARKS, RECREATION & RAILROAD
FRANK THOMAS, CHAIRMAN OF THE BOARD
RYAN MOORE, COUNTY ADMINISTRATOR
MARY ELIZABETH KISSANE, COUNTY ATTORNEY
AMANDA ALLEN, CLERK OF THE BOARD
KEVIN GERAGHTY, BUDGET OFFICER
SUPERVISORS DRISCOLL
FRASIER
SEEBER
SIMPSON
ROBERT BLAIS, MAYOR, VILLAGE OF LAKE GEORGE
TAMMIE DELORENZO, ASSISTANT TO THE COUNTY ADMINISTRATOR
TRAVIS WHITEHEAD, TOWN OF QUEENSBURY RESIDENT
DON LEHMAN, *THE POST STAR*
SARAH MCLENITHAN, DEPUTY CLERK OF THE BOARD

Please note, the following contains a summarization of the February 25, 2020 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/2020/works/>

Mr. Conover called the meeting of the Public Works Committee to order at 10:15 a.m.

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

Motion was made by Ms. Braymer, 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.

Mr. Wild entered the meeting at 10:16 a.m.

Commencing the review of the Parks, Recreation & Railroad agenda, Tim Benway, *Director, Parks, Recreation & Railroad*, presented the following request:

Page 2- Request to authorize the contract with South Warren Snowmobile Club, Inc. for the use of 1.35 miles of the Warren County Bikeway for snowmobile trail for the term commencing upon execution and terminating March 31, 2023.

Mr. Benway stated this request pertained to an agreement that was approved every three years with the South Warren Snowmobile Club, Inc. to allow them to use a portion of the Warren County Bikeway to connect to the Kingsbury Barnstormers Snowmobile Club trail through Washington County.

Ms. Hogan asked whether mats were put down in an attempt to prevent damage to the trail and Mr. Benway replied affirmatively. He explained this year he had decided to move the mats off of the blacktop and place them on the grass; however, he noted, due to the lack of snow the trail had only been open for one day this year. Mr. Merlino noted the physical damage to the trail was done by the track on the grooming machine when it traveled across the trail and not the snowmobiles.

A discussion ensued.

Motion was made by Mr. Magowan, seconded by Mr. Leggett and carried unanimously to approve the request and the necessary resolution was authorized for the March 20th Board meeting. *A copy of the resolution request form is on file with the minutes.*

Page 4 - Request to authorize the contract with North Warren Trailblazers Snowmobile Club, Inc. for the use of a .443 mile snowmobile trail on County-owned property located in the Towns of Bolton and Warrensburg for the term commencing upon execution and terminating April 15, 2023.

Mr. Benway advised this was a connector trail between the North Warren Trailblazers Snowmobile Club, Inc. trail and the South Warren Snowmobile Club, Inc. trail.

A discussion ensued.

Motion was made by Mr. Strough, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the March 20th Board meeting. *A copy of the resolution request form is on file with the minutes.*

Page 6 - Request to amend Resolution No. 363 of 2019 to change the description of A.899.00, *Reserve, County Railroad Repair*, to include future license agreements and insurance proceed revenue collected from 2019 going forward.

Kevin Hajos, *Superintendent of Public Works*, stated the purpose of A.899.00, *Reserve, County Railroad Repair*, was to pay for repairs and maintenance on the County Railroad. He said previously there was little to no money budgeted for this purpose because the former Railroad Operator had handled the maintenance for the County; however, he noted, since there was no longer an operator in place and Revolution Rail Co. would be using portions of the County Railroad he felt the revenue acquired as a result of the licensing agreement with them could be allocated to this Reserve to provide a funding source to pay for repairs along the rail corridor.

Mr. Wild questioned whether it was going to cost the County money to repair the portion of the County Railroad that Revolution Rail Co. was going to use and Mr. Hajos replied affirmatively. Mr. Hajos apprised FEMA (*Federal Emergency Management Agency*) was going to provide 75% reimbursement for the expense associated with those repairs. Mr. Moore added funding from A.899.00, *Reserve, County Railroad Repair*, could be used to pay the County's portion of the expense.

A discussion ensued following which a motion was made by Magowan, seconded by Merlino and carried unanimously to approve the request as outlined above and forward same to the Finance Committee. *A copy of the resolution request form is on file with the minutes.*

Moving along, Mr. Benway informed page 7 of the Agenda consisted of a graph which depicted the history of funding received from New York State Office of Parks, Recreation and Historic Preservation pertaining to Warren County for the Snowmobile Trail Grant dating back to 2002-03 and he provided an overview of how the state calculated the amount of the grant awarded.

In regard to an update on the Southwind Rail Locomotive and Coach Car owned by Mike Kelly, Mr. Hajos informed this equipment had been in North Creek since prior to when SNCR took over operating the County Railroad. He said Mr. Kelly has been asked several times to move the equipment off of the County property, but never did so and as a result a court proceeding was underway to force him to move them. He apprised Mr. Kelly changed the wheels on the car, but because of the conditions of the tracks as a result of the Halloween storm he was unable to move them out of Warren County until the areas where the tracks were washed out were replaced and a significant amount of trees were cut. He stated they had addressed the matter in court last week and had arrived at an agreement that Mr. Kelly

would remove his equipment from the County Railroad within ten days of the repairs being completed on the County Railroad. Ms. Hogan asked if Mr. Kelly could flag in order to move his equipment off of the tracks and Mr. Hajos responded affirmatively, adding this would be included as part of the court order. He advised repairs on the County Railroad would commence shortly to ensure they were in the appropriate condition to allow Revolution Rail Co. to commence operating on them in May. He said he was currently putting together an RFP for this repair work, as it was not something that could be handled in-house.

A discussion ensued during which it was determined that Ryan Moore, *County Administrator*, would look into whether it was possible to obtain coverage for the County Railroad ties and tracks and if so what that cost would be and distribute it to the Committee members.

Ms. Braymer asked for an update on the Abandonment Proceeding for the for the Sanford Lake/Tahawus Railroad. Mr. Moore advised he had no new updates from the STB (*Surface Transportation Board*) which was working on the issue with a bankruptcy and receivership, as the STB was unsure of what right Iowa Pacific Holdings had to negotiate on these issues or who they needed to be discussing them with. He said a thirty day extension had been granted to provide some clarity on the subject matter; however, he noted, before the thirty day ended there was supposed to be an auction on Iowa Pacific Holdings property, but he was unsure what property was included in that auction or if that auction would be proceed in light of what was occurring in court. He said another issue was Revolution Rail Co. had made a claim as an interested party for the future of the Sanford Lake/Tahawus Railroad and as such would be entitled to comment on the interim trail use agreement that the NYS DEC (*New York State Department of Environmental Conservation*) had entered into with Iowa Pacific Holdings. He stated he had asked the representatives of Revolution Rail Co. when he was working with them on the licensing agreement for use of the Warren County Railroad whether having the agreement in place would change their interest in operating on the Sanford Lake/Tahawus Railroad, but he had yet to receive a response.

A discussion ensued during which Ms. Braymer expressed her concern that the Abandonment Proceeding for the Sanford Lake/Tahawus Railroad would take a significant amount of time before being settled and she suggested they consider not holding off on commencing the Abandonment Proceeding for the Warren County Railroad until this proceeding came to a conclusion. Mr. Moore pointed out NYS DEC would not proceed with the County on an abandonment proceeding on the Warren County Railroad with the idea of undertaking a trail use agreement if the County commenced the proceeding before the proceeding on the Sanford Lake/Tahawus Railroad was settled because they did not want to upset Essex County.

Proceeding to the review of the DPW Agenda, Mr. Hajos presented the following:

- Page 2 - Request for a new contract with Rozell East, Inc. for crane services pursuant to the terms and provisions of the specifications (WC 85-19) and proposal for a term commencing upon execution by both parties and terminating December 31, 2020 with the option to extend for up two additional one year terms.

Motion was made by Ms. Hogan, seconded by Mr. Wild and carried unanimously to approve the request and the necessary resolution was authorized for the March 20th Board meeting. *A copy of the resolution request form is on file with the minutes.*

- Page 4 - Request for a new contract with Peckham Road Corp. for heavy highway construction for work on County Roads pursuant to the terms and provisions of the specifications (WC 62-19) and proposal for a term commencing upon execution by both parties and terminating December 31, 2020 with the option to extend for up two additional one year terms.

- Page 5 - Request for a new contract with Harrison & Burrowes Bridge Constructors, Inc. for heavy highway construction for work on County Roads pursuant to the terms and provisions of the specifications (WC 62-19) and proposal for a term commencing upon execution by both parties and terminating December 31, 2020 with the option to extend for up two additional one year terms.
- Page 6 - Request for a new contract with Kubricky Construction Corp. for heavy highway construction for work on County Roads pursuant to the terms and provisions of the specifications (WC 62-19) and proposal for a term commencing upon execution by both parties and terminating December 31, 2020 with the option to extend for up two additional one year terms.

Mr. Hajos stated the purpose of these contacts was to complete heavy highway construction for work on County Roads in the case of emergency or the need arose for some assistance, but it was not for the paving work. He apprised the contracts were typically renewed every year, with the three lowest responsible bidders selected.

Motion was made by Mr. Magowan, seconded by Mr. Strough and carried unanimously to approve the requests for agreements as outlined above and the necessary resolutions were authorized for the March 20th Board meeting. *Copies of the resolution request forms are on file with the minutes.*

- Page 11 - Request to amend the County Budget in the amount of \$384 to reflect receipt of an insurance recovery payment for guardrail repairs on Luzerne Road Trail.

Motion was made by Ms. Braymer, seconded by Mr. Merlino and carried unanimously to approve the request and forward same to the Finance Committee. *A copy of the request to Amend the County Budget form is on file with the minutes.*

- Page 13 - Request to amend the Table of Organization and Salary Schedule to create the new position of Engineer II, *Grade 17, Base Annual Salary \$73,670*, and delete the position of Engineer 1 #2, *Grade 13, Base Annual Salary \$65,948*, effective March 23, 2020.

Mr. Hajos advised he was restructuring the engineering division of DPW to add an Engineer II position which would provide oversight of the Engineer 1 #1 position and anyone below that. He stated he would be using some of the funding from the vacant Environmental Analyst position to assist with funding the new position. He said he believed he would be deleting the Environmental Analyst position in the future due to there being more of a need for engineering work; however, he noted, he would require the individual hired for the Engineer II position to have some experience in environmental work. He informed he felt an environmental position would be more suitable for the Planning & Community Development Department due to the type of work they handled. He apprised he would also be deleting the Engineer 1 #2 position as part of this request. He mentioned he would be returning next month with another request to create a new position for the Department in order to make his department whole. He added he would like to include as part of the request permission to fill the vacant position of Engineer II.

Mr. Wild inquired whether the Engineer 1 #2 position was vacant and Mr. Hajos replied affirmatively. Mr. Hajos advised the individual who had previously been in the position was recently promoted to the Highway Manager position.

Motion was made by Ms. Braymer, seconded by Mr. Wild and carried unanimously to approve the request to amend the Table of Organization and Salary Schedule as outlined above and refer same to

the Personnel & Administration Committee. *Copies of the resolution request and Notice of Intent to Fill Vacant position forms are on file with the minutes.*

Proceeding to the Referral/Pending Item portion of the agenda, Mr. Conover offered privilege of the floor to Robert Blais, *Mayor, Village of Lake George*, to discuss the referral from the Occupancy Tax Coordination Committee to consider the idea of turning over revenues obtained from parking in County-owned parking lots in Lake George to the Village of Lake George, beginning in 2021, to assist with the cost of the wastewater treatment plant. Mayor Blais distributed information regarding the Village of Lake George New Wastewater Treatment Plant 2020; *a copy of which is on file with the minutes.* He informed the Village of Lake George had originally requested occupancy tax funding from the County to pay for the new Wastewater Treatment Plant; however, he noted, the Occupancy Tax Coordination Committee had suggested using the County's 25% share of the revenues obtained from parking in County-owned Beach Road Parking Lot in Lake George to fund the Plant. He explained because the Village maintained, collected and enforced the parking for the Beach Road Parking Lot, the remaining 75% of the revenue collected was allocated to the Village. He added the Village was also maintaining, collecting and enforcing parking for the County-owned Westbrook Parking Lot; however, he noted, he was aware that the County's share of these funds were dedicated to support the maintenance of the Charles R. Wood Environmental Park. He stated presently the County's share of the revenue obtained from the Beach Road Parking Lot amounted to about \$67,000 a year, adding the figures displayed for this year did not include the upcoming season because the Village's fiscal year was different than the Counties. He remarked he was hopeful the Committee would support his request for funding, as he believed the Village was similar to the Cool Insuring Arena because they hosted the most activities in the County which was very costly, adding they were a community of 995 residents that increased to 16,000 during July 4th or the Winter Carnival. He added the budget to support their public restrooms amounted to \$114,000 on an annual basis, apprising they had many of the same expenses as the Cool Insuring Arena because they were an attraction which generated a considerable amount of sales and occupancy tax revenue and he felt they were worthy of the support. He advised he was seeking around \$100,000 in support from the County in order for them to be able to come in under the State Tax Cap with their budget. He informed he planned on going before the Village of Lake George Board to request that the parking fee per hour be increased from \$2 to \$3 in order to increase the amount of revenue generated by the Beach Road Parking Lot to increase the County's portion of the revenue to the \$100,000 that the Village needed and anything over that amount would be allocated back to the County. He added he did not believe charging \$3 an hour was excessive for prime parking in the Village, as he had researched similar areas, such as Myrtle Beach, where they were charging \$7 an hour for their downtown parking.

A lengthy discussion ensued during which it was determined the commitment for this funding would be for a ten year term.

A motion was made by Mr. Merlino, seconded by Mr. Strough and carried unanimously to approve the request from the Village of Lake George for a ten year agreement to allow the Village of Lake George to retain \$100,000 per year of the County's share of parking revenues from the Beach Road Parking Lot and to consider increasing parking fee from \$2 to \$3 an hour and refer same to the Finance Committee.

In regard to the Information for Discussion/Review portion of the Agenda, Mr. Hajos advised he would like to jump ahead to the update on Salt Reduction Initiative, apprising he and Mr. Conover had met with representatives from the Fund for Lake George to discuss the possibility of providing funds to assist the County with the purchase of equipment to make salt brine within the County. He said he was working on an analysis to determine whether it would be more cost efficient to purchase a mobile unit or to locate stationary units throughout the County. He informed the mobile unit they were considering cost about \$100,000 and the stationary units were about \$25,000 each; he added the issue with the stationary units was if other towns wanted to piggyback on with this salt initiative a tanker truck would be required in order to move the equipment throughout the County. He said his preference would be to purchase the mobile units but first he was looking for funding sources to ensure that there was no cost to the County, as he believed the Planning and Community Development Department had funding leftover from last year for the salty initiative that could possibly be used for this purpose. He stated if

they were unable to come up with all of the funding then they could ask if the towns who would like to use this equipment would be willing to contribute finding toward the purchase.

A discussion ensued during which Ms. Braymer requested that they look into the benefit of purchasing a mobile tub grinder for the towns to use as their transfer stations for composting purposes rather than contracting for these purposes. Following the discussion it was determined that Mr. Hajos would return to Committee with the analysis regarding the brining equipment.

In regard to the Road Construction Program for 2020, Mr. Hajos stated he had included a \$4.2 million request in the 2020 County Budget for Road Projects, but only \$3 million was approved. He distributed a graph to the Committee members regarding the evaluation of annual funding levels and resulting future conditions/financial liabilities of the County Roads which he provided a brief summary of; *a copy of which is on file with the minutes*. The Committee members discussed the matter in detail following which they decided to bid out all of the projects and determine which ones to award when the bids were received and they had a better idea of how the Governors State Budget would impact the County.

Mr. Conover offered privilege of the floor to anyone wishing to address the Committee on any matter.

Mr. Merlino requested that Mr. Hajos send a letter to the NYS DEC requesting that they lift the burn ban on brush for the two months when the towns were doing their Spring clean-up.

There being no further business to come before the Public Works Committee, on motion made by Mr. Bruno and seconded by Mr. Strough, Mr. Conover adjourned the meeting at 11:43 a.m.

Respectfully submitted,
Sarah McLenithan, Deputy Clerk of the Board