



million from the State in funding. If that is cut, it will affect our budget. If we had a grinder, we could do a lot of work and keep our roads passable, even if the State reduced our funding.

Mr. Peoples asked what is the life expectancy of the grinder? Mr. Spagnoletti replied 20 years at least. Mr. Foster commented that the grinders that Suit-Kote has on the front line last 15 – 16 years. Mr. Spagnoletti stated we estimate that we would use the grinder for 30 days per year and Chemung County would use it for 30 days per year. Mr. Spagnoletti commented that Suit-Kote uses its grinders for up to 9 months per year. Mr. Mullen asked if you rent the machine out, is our operator on it? Mr. Spagnoletti replied yes. Mr. Hanna asked would these be available for the towns to use? Mr. Spagnoletti replied yes, we would charge the towns as we would Chemung County.

Mr. Foster explained with the towns, there are three or four that would make use of this type of machine. The biggest problem is with our work and with Chemung County's work, we would be limited as to the number of days that we would be available to help the towns. Our construction season is fairly short. If the CHIPs funding goes away and with the 2 percent tax cap, with this grinder, along with our other equipment, we could do 55 – 60 miles of roads in a year. That would help us out, and if we had to use the machine like that, it would leave everyone else shortchanged in terms of being able to use it.

Mr. Mullen asked do we have a commitment from Chemung County? Mr. Spagnoletti replied they have not committed for a number of years. The price that we would rent the machine to them for is \$3,500 per day, which is a lot less than what they are currently paying to the contractor. They have indicated that they definitely want to do this. Chemung County has indicated to us that they will rent it for 2012. Mr. Mullen asked, can they not justify buying it for themselves? Mr. Spagnoletti replied they probably could if they operated like us. Mr. Alger asked what would the savings be if Chemung County did not rent the machine from us? Mr. Spagnoletti replied our savings would be \$26,000.

Mr. Hauryski asked if you purchased the grinder, how many miles of road would you be able to do this Spring? Mr. Foster replied we have \$200,000 budgeted so we could do a straight grade of 9 – 10 miles. Mr. Spagnoletti stated that last year we had 50 miles of road that were in poor condition. With our own grinder we could do a tremendous amount of work. Mr. Hauryski commented that if you own the machine you do not have the cost of renting. There are a lot of benefits.

Mr. Hanna asked would this be done through competitive bidding? Mr. Foster replied they have talked to three or four manufacturers. Most companies make a machine with a 10-foot head. There is one company that makes a machine with a 12-foot head. The optimum machine would be one with a 12-foot head. Our intent is to put out a bid for a 10-foot head and also have a pricing option for the additional 2-foot head.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SOLICIT BIDS FOR THE PURCHASE OF A ROAD GRINDER MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES FOR DISCUSSION.**

Mr. Alger commented, I don't think you want to approve this on the basis of an agreement with Chemung County. If there is no contract with Chemung, the question is if you still want to do this or not.

**VOTE ON PREVIOUS MOTION. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**IV. BIDS**

A. Tires – Mr. Spagnoletti recommended awarding the bid to the low bidder on a line item basis. He did note that on the first item, they are recommending awarding to the second lowest bidder as the lowest bidder did not meet the bid specifications.

**MOTION: AWARDING THE BID FOR TIRES ON A LINE ITEM BASIS TO THE FOLLOWING LOW BIDDERS: ALL SEASON TIRE OF BATH, NY AND PARMENTER, INC. OF ODESSA, NY, WITH THE EXCEPTION OF THE FIRST LINE ITEM, WHICH WILL BE AWARDED TO THE SECOND LOWEST BIDDER AS THE LOW BIDDER DID NOT MEET BID SPECIFICATIONS MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. Oxygen & Acetylene – Mr. Spagnoletti recommended declaring the low bidder unresponsive as they did not meet the bid specifications and awarding the bid to Bradley Supply Inc.

**MOTION: AWARDING THE BID FOR OXYGEN & ACETYLENE TO BRADLEY SUPPLY INC. FOR A TOTAL COST OF \$2,435.29 AND DECLARING THE LOW BIDDER, ABBOTT WELDING SUPPLY NON-RESPONSIVE AS THEY DID NOT MEET THE BID SPECIFICATIONS MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

C. Heavy Steel Pipes and Boiler Shells – Mr. Spagnoletti informed the committee that traditionally, they have received three bids, with Allegany Pipe of Andover coming in as the low bid. This year they received only one bid from Chemung Supply Corp. Mr. Hanna asked are you comfortable with getting only one bid? Mr. Gleason replied we sent notifications to six vendors and we consistently have received two bids. This year we received only one bid. He stated that he is concerned that we advertised and there were no bidders. However, he has concerns with throwing out a legitimate bid. He stated that he doesn't like the message we would send if we reject this bid because the other bidder did not meet the bid schedule. Chemung has held their prices to last year.

Mr. Spagnoletti recommended awarding the bid to Chemung Supply Corp. Mr. Foster stated this particular bid is always awarded to all bidders who meet bid specifications. There is no quantity involved. Mr. Mullen asked can we accept this bid and then put out another bid where we can take other offers? Mr. Spagnoletti if we accept this bid, we are bound to purchase from Chemung Supply. We can either accept this bid, or reject and rebid. Mr. Weaver commented this is subject to availability. What if the bidder does not have the product? Mr. Gleason replied then we could do quotes.

Mr. Alger explained the risk you run is that there is no guarantee the other bidder will bid or that the price will remain the same.

**MOTION: AWARDING THE BID FOR HEAVY STEEL PIPE AND BOILER SHELLS TO CHEMUNG SUPPLY CORP. ON A LINE ITEM BASIS AND DECLARING GATEWAY PIPE & SUPPLY, INC. NON-RESPONSIVE AS THEY DID NOT MEET BID SPECIFICATIONS MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

## V. LANDFILLS

A. Landfill Analysis – Mr. Spagnoletti reviewed the landfill cash flow projects for 2010 to 2074. Currently, the landfill division is in good shape; both financially and environmentally. The landfill division consists of the landfill in Bath, the leachate plant and three transfer stations. We are a pay as you go landfill. You can pay by the ton or by the bag. Currently we charge \$2.00 per bag and \$54.00 per ton at the transfer stations and \$40.00 per ton at the landfill. Every year we do an analysis and we come to the committee every three to four years with a long-term analysis of the landfill. Our net worth is \$11.8 million. Currently we are filling Cell 2 of a four cell expansion; this cell will be filled in 2015. All four cells of the expansion will be filled in 2025. This analysis shows another four cells, which would need to be permitted, and that would take us to 2044. If we decided to close the landfill in 2044, NYSDEC requires thirty (30) years of care for closed landfills and that would end in 2074. In 2045 we would need \$26 million in the bank to pay for those 30 years of monitoring. Mr. Spagnoletti explained we will need to close the \$205,000 deficit in 2012, as well as to close the \$400,000 per year deficits for 2013 – 2017. He explained these proposals in detail to the committee.

Mr. Ryan asked for an update on the methane collection. Mr. Spagnoletti explained three years ago when we did the gas to energy plant we thought this would be a major source of revenue. With the economy crash and gas drilling becoming more prevalent, the price of electric dropped to 4 cents per kilowatt hour. In our original agreement, if there was any profit, we would receive half. There is no profit and, at this time, we are not forecasting a profit and that was not included in the calculation for the landfill analysis.

Mr. Ryan asked what is the status on the Dickson project? Mr. Spagnoletti explained Dickson wanted to put waste in a digester to provide methane, which in turn would provide more electricity. However, he has backed out of that. Now he will build something at his farm, so there will be no digester at the landfill.

Mrs. Ferratella asked for the status of the carbon credits. Mr. Spagnoletti explained at the landfill, gas is produced by decaying garbage and emits what are referred to as greenhouse gases, which contribute to global warming. We put in pipes to collect the gas and flare it. Because we do that, there are people who will pay us money for doing this good thing. Google offsets the damage they do to the environment by paying us for the good we do. Over the course of 7 – 8 years we will receive \$4 million from them. That arrangement will end in 2016.

Mr. Spagnoletti stated that at the February meeting he will be discussing the proposals to close the \$205,000 deficit in 2012, along with requesting consideration of a \$2.00 per ton fee increase to be effective March 1, 2012. He will also send the committee copies of the proposed flow control law. Discussion followed.

**VI. OTHER BUSINESS**

A. Meeting Date – Mr. Hauryski stated that he has asked each of the committees to look at their meeting dates/times. He has recommended holding the Public Works Committee meeting on the first Monday of each month at 10:30 a.m.

**MOTION: SETTING THE DATE FOR THE REGULAR MONTHLY MEETING OF THE PUBLIC WORKS COMMITTEE FOR THE FIRST MONDAY OF EACH MONTH AT 10:30 A.M. MADE BY MR. HANNA. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: TO ADJOURN MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING**

**\*\*PLEASE NOTE CHANGE\*\**Monday, February 6, 2012*\*\*PLEASE NOTE CHANGE\*\*  
10:30 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Monday, February 6, 2012*

*10:30 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** K. Michael Hanna, Chair Patrick F. McAllister Aaron I. Mullen  
William A. Peoples

**STAFF:** Mark R. Alger Jack Wheeler Vincent Spagnoletti  
Bryce Foster Phil Hink Steve Orcutt  
John Emo Rich Bills Debra Cotter  
Jim Gleason Shawn Corey Steve Catherman

**LEGISLATORS:** Joseph J. Hauryski Lawrence P. Crossett Carol A. Ferratella  
Gary B. Roush Thomas J. Ryan Scott J. Van Etten

**ABSENT:** Gary D. Swackhamer, Vice Chair

**OTHERS:** Mary Perham, *The Leader*  
Jeff Hull, Steuben County Landowners Coalition

**I. CALL TO ORDER**

Mr. Hanna called the meeting to order at 10:30 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JANUARY 4, 2012, MEETING MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. LANDFILLS**

A. Flow Control – Mr. Hanna stated that he talked with Mr. Spagnoletti about this and would like to open this up for discussion today. Flow control is effective operationally and financially. Mr. McAllister asked if you implemented flow control, would you need to raise the tipping fees? Mr. Spagnoletti replied no. Mr. McAllister commented this is something that we have looked at over the years. Mr. Spagnoletti stated we did a draft flow control law in February 2011. Mr. Mullen asked is this something that you are looking for the committee to pass today? Mr. Hanna replied, no, this is just for discussion today.

Mr. Mullen asked with the deficit, is that made up through the landfill's cash on hand or through the General Fund? Mr. Spagnoletti replied the deficit is made up through the cash on hand in the Landfill Division. The landfill has an \$11 million net worth and is in very good financial shape.

Mr. McAllister asked what are the positives and negatives of flow control? Mr. Spagnoletti replied a positive is that all tonnage would be brought to the landfill. Currently we have a total of 44,000 tons that goes outside the county. Flow control would require all of that to be brought to the landfill. At \$42.00 per ton, that would equate to \$1.8 million in revenue. Mr. McAllister asked is there the potential to be able to lower the rates on garbage? Mr. Spagnoletti replied if you had flow control, you could lower the rates of the landfill fees.

Mr. Alger stated flow control is certainly a viable option. There are issues, for example, relating to the City of Hornell and other haulers who have contracts in place with other municipalities that we don't have the answers to. How our law

would impact those contracts is debatable. There are questions we need to resolve before we jump into this. The other issue pertains to the City of Corning. They have a contract for their waste and take it to the Casella transfer station. Flow control is easy to do by adopting a Local Law, however, implementing that is not so easy. He stated the committee should use a little of bit of caution as to how they approach this. There will be implications on the community as well as other issues that will impact us going forward. Right now we have 44,000 tons of garbage that is going elsewhere and that is a significant amount of waste. We need to do an analysis of the implications.

Mr. Ryan asked are there any home rule issues involved? Mr. Orcutt replied no, we looked into that when we drafted the law. No municipalities have anything in place that would supersede us.

Mr. McAllister stated if you decided to implement flow control and set the implementation for a year or so down the road that would give entities the opportunity to not extend their contracts. Mr. Alger stated we would feel obligated to provide them with some notice. When you talk about the fees, even with flow control the fees have to be related to the cost of the operation. Mr. Spagnoletti is not a proponent of flow control, but that being said, it is legislation, policy and a management issue that you need to keep foremost in your mind if you put this in place. You don't want to become complacent. By doing flow control, you are theoretically eliminating competition. The policy issue is making sure that the fees are reasonable and the operation is effective. The concern with flow control is that you want to continue to be efficient.

Mr. Crossett stated that he thinks flow control would keep it competitive among the haulers. Right now we are seeing one large hauler buying up the smaller haulers. Mr. Spagnoletti commented if Casella bought every hauler in the county, he would think that someone could allege a monopoly.

Mr. Hauryski asked why did decide to pursue drafting a local law? Mr. Spagnoletti replied we were concerned that if something disastrous were to happen, we wanted to be ready. The flow control law that we developed took a long time. Mr. Hauryski stated that we charge Tioga County a lesser tipping fee to encourage them to bring their garbage here. That is where he sees the negative to flow control. We are giving breaks to make up our revenue stream. This local law was developed to be able to take off the shelf at a later date. It is not ready now and there is more work to do. He stated that he agrees with Mr. Spagnoletti that if we are not being efficient and doing it the right way, then it could get out of whack. We are in a difficult world than we were. We have to start focusing on how to save the taxpayer money while still doing our jobs.

Mr. Crossett stated that in looking at the spreadsheet that was distributed last month, the tipping fees were increasing every two to three years to keep up with the costs. With flow control that would level off for a lot of years without a fee increase. That is how he looks at it. We have an obligation to keep the budget in balance. He stated that he agrees with Mr. Alger that we have to look at the effect of this on existing contracts.

Mr. Hanna asked what would be better, flow control or privatization? Mr. Spagnoletti stated with regard to privatization, when we called for prices this morning, Ontario County is charging \$36.00 per ton. He stated that at the time privatization came up, he had said no because the economy had been poor, however, now it is coming back. If you decided to privatize the landfill, it would be worth a significant amount of money. He wouldn't recommend doing that now, but rather wait a year.

Mr. Hanna asked how would flow control affect bringing in drill cuttings? Mr. Spagnoletti replied there would be significant tonnage with the drill cuttings. It is basically rocks and dirt and would get a high price. He believes that we would still charge the same price. Mr. Mullen asked what about the volume? Mr. Alger replied with regard to the density and weight, drill cuttings are heavier and denser than traditional garbage. Mr. Alger stated that one thought he has with the drill cuttings is that if you saw significant drilling, you may want to consider opening another cell. If indeed there is that kind of volume, you could operate that cell for a fairly longer period of time and it would keep the cuttings separate from the other waste in the landfill. That would be a consideration.

Mr. Mullen stated that he would like to see a study comparing the leachate from drill cuttings and regular garbage. If we are bringing drill cuttings in to make the landfill profitable, one of the issues people are concerned about is the

environmental effect of bringing cuttings to the landfill. Mr. Spagnoletti commented that is something that we are working on.

Mr. Peoples commented if you do flow control, that will affect every person that has garbage. Everyone's pickup charge would be more. Mr. Spagnoletti stated with flow control, the prices do go up. That leaves open the question that if we are bringing in an additional \$1.8 million in revenue, could we reduce the prices down at the landfill to under \$40.00 per ton and then will the hauler pass that savings onto the customer. With flow control the prices will go up. Mr. Crossett stated it will make it more competitive. Mr. Orcutt commented if the hauler raises the price at the curb, the customer will go to another provider. Mr. Alger stated that even though the prices go up initially, they also will come back down. Considerable discussion followed.

*Secretary's Note: The committee directed that an update on Flow Control be included on the May agenda.*

B. Tipping Fees - Mr. Spagnoletti stated tipping fees keep the landfill breaking even. He proposed raising the tipping fees at the landfill from \$40/ton to \$42/ton; raising the tipping fees at the transfer stations from \$54/ton to \$56/ton; raising the bag fee from \$2/bag to \$2.50/bag and raising the auto fluff tipping fee from \$8/ton to \$12/ton. These increases would equate to \$419,000 per year and would put us at a \$50,000 surplus for the year, which doesn't include the \$50,000 from recycling paper and baling it, and helps to keep our rates at the low end.

Mr. Mullen asked what did you decide to do with the credit card issue? Mr. Spagnoletti replied the discussion was passing the credit card fee on to individuals using credit card fees, which would bring in an additional \$17,000. We have a good system and it has been well received by the public and he doesn't think it is a good idea to pass those fees onto the public. We had also talked about only selling \$20 tickets and decided to continue offering \$10 tickets as well. Mr. Spagnoletti explained we have people that sell tickets for us. We have \$10 or \$20 tickets and the seller gets a \$.75 fee off the top. We thought we would continue to leave that in place. Mrs. Ferratella asked do you have a minimum amount that can be charged to the credit cards? Mr. Spagnoletti replied we do not have a minimum limit. Mrs. Ferratella commented that makes no sense. Mr. Spagnoletti stated we thought about a minimum charge, but we would be paying 4 -5 percent to the credit card company.

**MOTION: AUTHORIZING THE COMMISSIONER TO INCREASE TIPPING FEES AT THE LANDFILL FROM \$40/TON TO \$42/TON; TIPPING FEES AT THE TRANSFER STATIONS FROM \$54/TON TO \$56/TON; BAG FEES FROM \$2/BAG TO \$2.50/BAG AND AUTO FLUFF TIPPING FEE FROM \$8/TON TO \$12/TON MADE BY MR. McALLISTER. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

#### IV. BIDS

##### A. Disposal and Lawful Removal of Deer Carcasses

**MOTION: AWARDED THE BID FOR REMOVAL AND LAWFUL DISPOSAL OF DEER CARCASSES TO DICKS ENTERPRISES FOR A PRICE OF \$30.00 PER CARCASS MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Pavement Grinding – Mr. Spagnoletti recommended awarding to all bidders and choosing the low bidder first. He stated that since both bidders quoted the same prices for 2-4 days and 5 or more days, those were awarded by coin flip.

**MOTION: AWARDED THE BID FOR PAVEMENT GRINDING TO MIDLAND ASPHALT MATERIALS, INC. AND SUIT-KOTE CORPORATION NOTING THAT THE LOW BIDDER SHOULD BE CHOSEN FIRST MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Asphalt Milling

**MOTION: AWARDING THE BID FOR ASPHALT MILLING TO VILLAGER CONSTRUCTION, INC., DECCA PAVING, BOTHAR CONSTRUCTION, LLC, KILLIAN CONSTRUCTION, INC., SUIT-KOTE CORPORATION, MIDLAND ASPHALT MATERIALS, INC. AND DONEGAL CONSTRUCTION CORPORATION BASED ON AVAILABILITY MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Refuse Transfer Trailer with "Walking Floor – Mr. Spagnoletti informed the committee that the low bid was Spector Manufacturing, however, they did not meet the bid specifications. He recommended declaring them a non-responsive bidder and awarding to the second lowest bidder, Ken's Truck Repair.

**MOTION: AWARDING THE BID FOR REFUSE TRAILER WITH "WALKING FLOOR" TO KEN'S TRUCK REPAIR FOR A TOTAL PRICE OF \$169,269.40 FOR TWO UNITS AND DECLARING SPECTOR MANUFACTURING AS NON-RESPONSIVE MADE BY MR. McALLISTER. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

E. Crushed Limestone

**MOTION: AWARDING THE BID FOR CRUSHED LIMESTONE TO HANSON AGGREGATES NEW YORK, INC. FOR A TOTAL PRICE OF \$209,521.25 MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

F. Liquid Bituminous Material; AEPM

**MOTION: AWARDING THE BID FOR LIQUID BITUMINOUS MATERIAL; AEPM TO SUIT-KOTE CORPORATION FOR A PRICE OF \$1.486 PER GALLON MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

G. Liquid Bituminous Material(s); State Specifications

**MOTION: AWARDING THE BID FOR LIQUID BITUMINOUS MATERIAL(S); STATE SPECIFICATIONS FOB – PLANT SITE TO SUIT-KOTE CORPORATION, VESTAL ASPHALT, INC., MIDLAND ASPHALT MATERIALS, INC., AUSTIN CONSTRUCTION, LLC AND DOLOMITE PRODUCTS COMPANY DBA AL BLADES & SONS, INC.; FOR EMULSION WITH DISTRIBUTOR ON A LINE ITEM BASIS TO SUIT-KOTE CORPORATION AND MIDLAND ASPHALT MATERIALS, INC.; FOR EMULSION FOR COLD MIX/PUTMILL MACHINE TO SUIT-KOTE CORPORATION; AND FOR RENTAL EQUIPMENT TO SUIT-KOTE CORPORATION, VESTAL ASPHALT, INC., MIDLAND ASPHALT MATERIALS, INC., AUSTIN CONSTRUCTION, LLC AND DOLOMITE PRODUCTS COMPANY DBA AL BLADES & SONS, INC. MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

H. Reinforcing Steel Bars

**MOTION: AWARDING THE BID FOR REINFORCING STEEL BARS TO CHEMUNG SUPPLY CORP. FOR A TOTAL PRICE OF \$58,875.00 MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

I. Guide Rail Materials

**MOTION: AWARDING THE BID FOR GUIDE RAIL MATERIALS TO THE LOW BIDDER, CHEMUNG SUPPLY, CORP. FOR A TOTAL PRICE OF \$165,175.20 MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

V. **OTHER BUSINESS**

A. Meeting Date Change – Mr. Spagnoletti requested approval to change the date of the September meeting from Monday, September 10, 2012, to Friday, August 31, 2012 at 9:00 a.m.

**MOTION: CHANGING THE DATE OF THE SEPTEMBER PUBLIC WORKS COMMITTEE TO FRIDAY, AUGUST 31, 2012, AT 9:00 A.M. MADE BY MR. PEOPLES. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. PEOPLES. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING**  
*Monday, March 5, 2012*  
*10:30 a.m.*

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Monday, March 5, 2012*

*10:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Gary D. Swackhamer, Vice Chair	Aaron I. Mullen	William A. Peoples
<b>STAFF:</b>	Mark R. Alger Bryce Foster Jerry Miller Deb Cotter Shawn Corey	Jack Wheeler Phil Hink John Emo Steve Catherman Pat Donnelly	Vince Spagnoletti Steve Orcutt Rich Bills Jim Gleason
<b>LEGISLATORS:</b>	Joseph J. Hauryski Thomas J. Ryan	Carol A. Ferratella Randolph J. Weaver	Gary B. Roush
<b>ABSENT:</b>	K. Michael Hanna, Chair	Patrick F. McAllister	
<b>OTHERS:</b>	Kevin Voorhees, Barton & Loguidice Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

Mr. Swackhamer called the meeting to order at 10:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE FEBRUARY 6, 2012, MEETING MADE BY MR. MULLEN, SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. HAURYSKI VOTING)**

**III. LANDFILLS**

A. *Tipping Fee Increase Explanation* – Mr. Spagnoletti stated that at the February Legislative Meeting, there were some questions regarding the proposed increase in tipping fees. Mr. Crossett had asked if we had included the increase in our budget and we did. We have \$174,000 to account for in the budget. The only way we can make up that difference is by raising the bag fee \$.50.

Mr. Swackhamer commented the Landfill is an enterprise system. This means the only way to keep it solvent is to increase the bag rate \$.50 to cover the loss. Mr. Spagnoletti stated the other question, raised by Mr. McAllister, was could the Landfill fund absorb the loss if we don't raise the fees? If we do not raise the fees, we will see a loss of \$400,000 in 2012. The Landfill division is in good financial shape. Our net worth is \$12 million and our cash position is \$8 million. If we closed the Landfill today, we would have to take care of it for the next 30 years. We would need \$11 million right now to fund that. If we had a \$400,000 loss, that would come out of your cash position. It is critical to keep enough set aside for the post 30-year closure. We can't absorb that kind of a loss.

Mrs. Ferratella stated that she did some calculations and her concern is that the per ton rate is increasing 5 percent, the fees at the transfer stations are increasing 3.7 percent and the bag fees are increasing 25 percent. She stated her feeling is that a 25 percent increase for the bag fees compared to the rest is a little bit dramatic. Could we increase the bag fee to \$2.25? Mr. Spagnoletti replied a \$.50 increase on the bag rates will bring in \$150,000. We would get half that if we only increased the bags \$.25. In 2009 we were scheduled to increase the bag rates, but due to the economy at the time, we

opted not to. We are going from \$2.00 per bag to \$2.50 per bag. He stated that he justifies it that the average family of four will see a \$1.00 per week increase. Our bag fees are lower than anyone else around us. Chemung County charges \$3.00 - \$3.25 per bag, Schuyler County is \$3.50 per bag and Ontario County is \$3.75 per bag.

Mr. Mullen asked how do the tipping fees in other counties compare? Mr. Spagnoletti replied the per ton rate for Chemung County at the landfill is \$40.00 - \$57.00 and at their transfer stations is \$50.00 - \$65.00. Ontario County is \$37.00 per ton because they lease their operation and bring in outside garbage which drives their cost down. Schuyler County is \$65.00 per ton. We are one of the lowest cost operations in the State. Allegany County charges \$2.00 per bag; however, their operation is funded out of the tax rolls and is not self supporting like ours. He commented that we have not raised our bag fees since 2006.

Mr. Mullen commented if we have a loss either the taxpayers as a whole will pay or the people who use the landfill will pay. Mr. Spagnoletti stated if they don't pay now, they will pay later.

B. *Authorization for Town Roadside Cleanup Week* – Mr. Spagnoletti stated last year we offered the Town Roadside Cleanup Week to the entire county. Only seven towns took advantage of the program and brought in 10 tons of tires and 16 tons of debris. The total cost to the County would have been approximately \$3,000. He requested authorization to offer this program again this year. Last year we did have an issue with one town, so this year we will be sending letters to the towns outlining the guidelines of this program. Mr. Spagnoletti stated that they have not picked the dates yet, but each quadrant of the county will have their own week.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO OFFER A COUNTY-WIDE TOWN ROADSIDE CLEANUP WEEK, PER QUADRANT, DATES TO BE DETERMINED MADE BY MR. HAURYSKI. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

#### **IV. ROADS AND BRIDGES**

A. *Full Depth Road Reclaimer Bid* – Mr. Spagnoletti requested permission to table discussion of the Full Depth Road Reclaimer Bid until next month pending further information.

**MOTION: TABLING DISCUSSION ON THE FULL DEPTH ROAD RECLAIMER BID UNTIL THE APRIL 2, 2012, MEETING MADE BY MR. HAURYSKI. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

#### **V. BIDS**

A. *“Pothole Killer” Lease Agreement*

**MOTION: AWARDING THE BID FOR THE LEASE/RENTAL OF POTHOLE MACHINES TO PATCH MANAGEMENT, INC. AT A RATE OF \$7,500.00 PER MONTH FOR MAY, JUNE, JULY AND AUGUST 2012 AND AT A RATE OF \$7,000.00 PER MONTH FOR SEPTEMBER 2012 MADE BY MR. MULLEN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Swackhamer asked if the committee opposed taking the remaining bids as one vote. The committee was in agreement.

B. *Slurry Seal Bituminous Overlay Projects*

**MOTION: AWARDING THE BID FOR SLURRY SEAL BITUMINOUS OVERLAY PROJECTS TO THE LOW BIDDER, VESTAL ASPHALT, INC. FOR A TOTAL PRICE OF \$152,488.46 MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. *Cold In-Place Recycling Projects*

**MOTION: AWARDING THE BID FOR COLD IN-PLACE RECYCLING PROJECTS TO THE LOW BIDDER, SUITE-KOTE FOR A TOTAL PRICE OF \$646,129.857 MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. *Asphalt Concrete; Specified In-Place Projects* – Mr. Mullen asked could we bid these individually? Mr. Spagnoletti replied we award the projects to one bidder. If they get all of the projects, the thought was they would give us a better price. We could have, and sometimes, do award on a line item basis. It is a judgment call. We believe we get the best overall price by awarding to one contractor. Mr. Mullen asked could you do this as a package as well as individually? Mr. Spagnoletti replied if we did that, it takes out the incentive for the bidders of getting them all in one contract. Mr. Van Etten commented at some point you did that. Mr. Spagnoletti replied we did. There was a time when we bid on a line item basis. Mr. Foster stated we used to do on a line item basis. When you award on a lump sum basis it makes it more competitive.

Mr. Mullen asked can we ask for two bids? Mr. Alger replied it might hurt your package price. The bids you have for the package price are very close. Discussion followed.

**MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; SPECIFIED IN-PLACE PROJECTS TO DOLOMITE PRODUCTS CO., INC. FOR A TOTAL COST OF \$2,276,228.40 MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

E. *Asphalt Concrete; FOB Plant Site* – Mr. Spagnoletti recommended awarding to all bidders on a line item basis.

**MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; FOB PLANT SITE ON A LINE ITEM BASIS TO THE FOLLOWING CONTRACTORS: DALRYMPLE GRAVEL & CONTRACTING CO., INC.; DOLOMITE PRODUCTS COMPANY, INC. AND ELAM MATERIALS, INC. MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

F. *Asphalt Concrete; Miscellaneous In-Place Projects*

**MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; MISCELLANEOUS IN-PLACE PROJECTS FOR QUADRANT 1, QUADRANT 2, QUADRANT 3 AND QUADRANT 4 TO BOTHAR CONSTRUCTION, LLC MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

G. *Roller Rental* – Mr. Spagnoletti recommended awarding to all bidders, lowest to highest, based on availability.

**MOTION: AWARDING THE BID FOR ROLLER RENTAL TO THE FOLLOWING CONTRACTORS, BASED ON AVAILABILITY: VANTAGE EQUIPMENT, LLC; LIFTECH EQUIPMENT COMPANIES; TRACEY ROAD EQUIPMENT, INC.; ANDERSON EQUIPMENT, INC.; GEORGE & SWEDE; MILTON CAT; VOLVO RENTS; AND GATEWAY EQUIPMENT CORP. MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

H. *Steel Sign Posts*

**MOTION: AWARDING THE BID FOR STEEL SIGN POSTS AND RELATED PARTS TO CHEMUNG SUPPLY CORP. FOR A PRICE OF \$37,791.00 AND FOR STUDDERED "T" POSTS FOR A COST OF \$3,870.00; AWARDING THE "Z" STRINGERS TO EBERL IRON WORKS, INC. FOR \$15,080.00 AND DECLARING EBERL IRON WORKS, INC. AN UNRESPONSIVE BIDDER FOR THE STEEL SIGN POSTS AND RELATED PARTS AS THEY DID NOT BID ALL ITEMS IN THAT GROUP MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

I. *Steel Sign Posts; Replacement Parts*

**MOTION: AWARDING THE BID FOR STEEL SIGN POSTS; REPLACEMENTS PARTS TO THE FOLLOWING BIDDERS ON A LINE ITEM BASIS: EBERL IRON WORKS, INC.; CHEMUNG SUPPLY CORP.; AND GARDEN STATE HIGHWAY PRODUCTS, INC. MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

J. *Geotextile Materials and Waterproofing Membrane*

**MOTION: AWARDING THE BID FOR GEOTEXTILE MATERIALS AND WATERPROOFING MEMBRANE TO THE FOLLOWING BIDDERS ON A LINE ITEM BASIS: VELLANO BROTHERS, INC. AND A. H. HARRIS & SONS, INC. MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

K. *New Structural Steel*

**MOTION: AWARDING THE BID FOR NEW STRUCTURAL STEEL TO THE LOW BIDDER, CHEMUNG SUPPLY CORPORATION FOR A TOTAL PRICE OF \$44,568.84 MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

L. *Portable Toilet Rental and Service*

**MOTION: AWARDING THE BID FOR PORTABLE TOILET RENTAL AND SERVICE TO THE LOW BIDDER, O'BRIEN'S SEPTIC FOR A TOTAL PRICE OF \$535.00 MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

M. *Prestressed Concrete Bridge Beams; Steuben County Bridges; Town of Campbell*

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY BRIDGES; TOWN OF CAMPBELL TO THE LOW BIDDER, HUSTED CONCRETE PRODUCTS, INC. FOR A TOTAL PRICE OF \$61,536.00 MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

N. *Prestressed Concrete Bridge Beams; Steuben County Bridges; Town of Bradford*

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY BRIDGES; TOWN OF BRADFORD TO THE LOW BIDDER, HUSTED CONCRETE PRODUCTS, INC. FOR A TOTAL PRICE OF \$63,238.00 MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**VI. 2012 GOALS**

Mr. Hauryski stated that he thought it was good to include this on the agenda so the committee could review this.

Mr. Peoples commented that he thinks it is good that the department has these goals, however, are they realistic for each of your departments? Mr. Spagnoletti replied he talks with each of his division heads and these are all doable. At the end of the year we go through and show you what we did with each of these goals.

**VII. OTHER BUSINESS**

A. *Mobile Work Crews* – Mr. Hauryski asked how many crews are there? Mr. Spagnoletti replied we have three crews. Mr. Hauryski stated in the last month or so, he has had people comment to him that there are sex offenders on these crews. Mr. Spagnoletti stated that is correct. Mr. Hauryski asked how are you handling that with regard to sending them out to jobs? There are restrictions on where sex offenders are allowed to be and are we properly scheduling the work crews so that we are compliant with those requirements and so that you are using them efficiently? Also, what is the likelihood that you will be increasing your number of crews?

Mr. Spagnoletti replied he met with Mr. Hink and Ms. Muller last week and we want to keep a close eye on the sex offenders. The crews that have sex offenders will not work in this building. We have a sheet of guidelines that we developed with the Law Department. We do have members of our mobile work crews that we will drop off and leave at a project, however, sex offenders always stay with the crew leader. He stated that he can provide the committee with a copy of their guideline sheet. We always have spots in Public Works to find work for the sex offenders to do, if their crews are going to a job in a location where they would not be allowed to go. Mr. Spagnoletti stated that with the mobile work crews, there is a stipulation that they cannot work more than 40 percent of their hours in Public Works. He stated that the supervisors at the highway shops are willing to go pick up members that live within twenty minutes of a particular shop. He has been talking with Ms. Muller to see if that is something we can start to do. Mr. Hauryski commented that he would like to see more people being picked up to work.

B. *Regular Meeting Time Change* – Mr. Swackhamer stated that a suggestion has been made to change the time of the Public Works meetings to 10:00 a.m. instead of 10:30 a.m.

**MOTION: CHANGING THE TIME OF THE MONTHLY PUBLIC WORKS COMMITTEE TO 10:00 A.M. ON THE FIRST MONDAY OF EACH MONTH MADE BY MR. HAURYSKI. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. *Gas to Energy Plant* – Mr. Swackhamer asked for an update on this project. Mr. Spagnoletti replied they are changing the contractor that is operating the plant, which will result in a big change in finances. The loss will be cut significantly. It will take time for the energy prices to come back. When we first proposed this, the price was \$.09 per kilowatt hour. We are lucky if we get \$.04 per kilowatt hour. There has been a huge change to the good with the new contractor running the plant and they will be receiving renewable credits. He reminded the committee we only share in the profits, we do not share in the losses.

D. *Federal Funding* – Mr. Spagnoletti stated that current federal regulations require the State to set aside 15 percent of any federal funding for local governments. New federal funding regulations are going to do away with that. Currently, 62 percent of federal funds are split among the local governments and there is a proposal to reduce that to 50 percent. If these proposals go through, we will end up with less federal funding. Mr. Spagnoletti stated NACO is opposed to these proposals. Mr. Alger asked what would we lose? Mr. Catherman replied this is federal aid for highway bridges and this would be applicable to all inspected bridges. Mr. Spagnoletti stated currently the States have been told that 15 percent of federal funding shall be used for local bridges that are off the federal highway system. The new amendment being proposed will take away the “shall” part of that requirement. He stated that he will review these proposed amendments with Mr. Alger. Mr. Alger stated that he will review these amendments and if appropriate, we will have Mr. Hauryski sponsor a resolution opposing these amendments.

E. *Windmill Projects* – Mr. Swackhamer asked how are the windmill roads holding up? Mr. Foster replied the company in Howard is coming back in to put up two more turbines. We are extending their agreement and have gone out and done the road survey. They will be using one mile more of County road than they did in the previous year.

F. *Letter of Appreciation* – Mr. Peoples stated that he liked the letter of appreciation Mr. Spagnoletti sent to his staff. This is a good thing to do as it boosts morale and shows the employees that you appreciate what they do.

**MOTION: TO ADJOURN MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING**  
***Monday, April 2, 2012***

**\*\*PLEASE NOTE CHANGE\*\*10:00 a.m.\*\*PLEASE NOTE CHANGE\*\***

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Monday, April 2, 2012

10:00 a.m.

Legislative Committee Room  
Steuben County Office Building  
Bath, New York

**\*\*MINUTES\*\***

**COMMITTEE:** K. Michael Hanna, Chair Gary D. Swackhamer, Vice Chair Aaron I. Mullen  
William A. Peoples

**STAFF:** Mark R. Alger Jack Wheeler Vincent Spagnoletti  
Bryce Foster Phil Hink Steve Orcutt  
John Emo Jerry Miller Deb Cotter  
Jim Gleason Steve Catherman Shawn Corey  
Alan Reed Brenda Mori

**LEGISLATORS:** Joseph J. Hauryski Lawrence P. Crossett Carol A. Ferratella  
Gary B. Roush Scott J. Van Etten Randolph J. Weaver

**ABSENT:** Patrick F. McAllister

**OTHERS:** Jeffrey Parker, Steuben County Soil & Water  
Jonathan Barter, Steuben County Soil & Water

**I. CALL TO ORDER**

Mr. Hanna called the meeting to order at 10:00 a.m. and asked Mr. Mullen to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

Mr. Hanna asked with regard to the town roadside cleanup week, will there be some kind of limits this year? Mr. Spagnoletti replied yes. We will send a letter to the towns to make them aware of what this event is intended for and that we will stop the program if it goes beyond the intent. Mr. Alger stated that he would suggest that we make it clear that it is not town wide, but is for roadside cleanup.

**MOTION: APPROVING THE MINUTES FROM THE MARCH 5, 2012, MEETING MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. LANDFILLS**

A. *RFP for Grazing* – Mr. Spagnoletti informed the committee they had sent out a request for proposal to graze sheep and goats in a grassed-in area at the landfill. We did not get any responses. However, Mr. Orcutt has talked with a farmer nearby who is willing to do this. He asked for authorization to waive the RFP requirement and allow the department to talk directly to interested parties and come to an agreement.

**MOTION: WAIVING THE RFP REQUIREMENT FOR GRAZING AT THE LANDFILL AND ALLOWING THE DEPARTMENT TO NEGOTIATE DIRECTLY WITH INTERESTED PARTIES MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. *Acceptance of Grant for Grazing Fence* – Mr. Spagnoletti informed the committee that the Soil & Water Conservation District has worked on obtaining a grant from the Upper Susquehanna Coalition in the amount of \$15,000 for a grazing fence. We will be reimbursed after we build the fence.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT A GRANT IN THE AMOUNT OF \$15,000.00 FROM THE UPPER SUSQUEHANNA COALITION TO BUILD A GRAZING FENCE AT THE LANDFILL MADE BY MR. MULLEN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mrs. Ferratella asked will this fence catch debris? Mr. Spagnoletti replied the fence on the east side of the landfill catches most of the debris. This new fence will stop some of it.

C. *Sludge Tipping Fee Reduction* – Mr. Spagnoletti informed the committee that currently we bring in about 1,700 tons of sludge per year. This is sludge that we get from the local waste water treatment plants in Painted Post, Erwin, Corning and Bath. The sludge produces methane and takes up less than half the space of garbage. We charge \$42.00 per ton, which is the same rate as regular garbage. Since the sludge takes up less space and provides methane, there is a justification to lower the price to \$30.00 per ton. The primary reason for doing this is we are under utilizing the sludge and if we lower the price, we could get in a lot more. This proposal has been approved by the DEC.

Mr. Swackhamer asked how can you justify lowering the price when we just raised the people's fee? He stated that he doesn't think he can go for this. The reason for increasing the people's fees was that we needed the income and now you want to lower the price of sludge \$12.00 per ton. How will you justify that to the residents? Mr. Spagnoletti replied we are doing this for the same reason. At the beginning of the year you directed us to find ways to increase revenue and cut costs. We need revenue to make the Landfill pay for itself. By raising the price tonnage and bag fees it put us on line to break even this year. There is no guarantee that we will get additional sludge, but there is a possibility that we could get an additional 60 tons per day. That may keep us from having to raise the tipping fees in the future. Mr. Swackhamer asked how can you vote on something that is a maybe. Talk with the contractors and then come back in. He cannot vote for this.

Mr. Farrand asked is the sludge used as cover? Mr. Spagnoletti replied no. We mix it with the garbage and then cover with dirt. He commented that he doesn't know if we could get a guarantee from the haulers to come in and sign contracts to bring in a specific amount. If we lower the price to \$30.00 per ton, he stated that he is almost certain they can make that cost up by getting in more sludge.

Mr. Swackhamer stated we raised the price per bag and now we are talking about reducing the price on something else. Your argument last month was that we had to meet the budget, and now you are hoping to meet the budget. He commented that he understands where Mr. Spagnoletti is coming from, but you can't do it on hope.

Mr. Mullen stated that he has reservations and would like to discuss this with the people in his district. Mr. Peoples commented that he doesn't see how we can compare sludge to garbage. Mr. Mullen asked how much additional money are we supposed to make with the increase in bag fees? Mr. Spagnoletti replied \$150,000. Mr. Mullen asked if we reduce the cost of sludge, could we also drop the bag fee down? Mr. Spagnoletti replied not this year. We are looking at 2012 as theoretically being a break-even year with the added tipping fees. For the following three years our average loss is \$340,000 per year. We were looking long-term with the sludge to hold off those losses.

Mr. Van Etten asked are the neighboring landfills offering a discount? Mr. Orcutt replied most other landfills are charging more. This is a bio-solid organic waste so it would increase our methane production.

Mr. Peoples asked is there a limit to how much sludge you can take? Mr. Spagnoletti stated we have to be careful about the odor. If it becomes a problem, then we would have to cut it off. Mr. Mullen commented it seems that this should be at a higher price. He stated that he would like to have an opportunity to talk to his constituents about this before he votes on it.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO REDUCE THE PRICE FOR SLUDGE FROM \$42.00 PER TON TO \$30.00 PER TON MADE BY MR. PEOPLES. SECONDED BY MR. HANNA. MOTION FAILS 2-2. (MR. SWACKHAMER AND MR. MULLEN OPPOSED)**

D. *Approval to Bid New Scale House, Weight Scale and Radiation Monitor* – Mr. Spagnoletti stated that the NYS Department of Environmental Conservation has notified us that all landfills will be required to have a radiation monitor at the entrance of the landfill. Our protocol for accepting drill cuttings in our landfill was approved by the DEC. He requested authorization to bid a new scale house, weight scale and radiation monitor.

Mr. Swackhamer asked what is the cost for the radiation monitor? Mr. Spagnoletti replied it will be between \$10,000 - \$11,000 for the monitor.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO BID A NEW SCALE HOUSE, WEIGHT SCALE AND RADIATION MONITOR FOR THE LANDFILL AND TO ADD THE RADIATION MONITOR TO THE MAJOR EQUIPMENT LIST MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

#### **IV. ROADS AND BRIDGES**

A. *Extend Agreement with Yates and Schuyler Counties for Pavement Striping Truck* – Mr. Spagnoletti stated in 2008 we purchased a paint striping truck for \$318,000, with the State paying for 90 percent. The other 10 percent was shared between Steuben, Schuyler and Yates counties. We provide an operator and each county pays for their miles. He requested authorization to extend the current contract for an additional three years. The cost is \$10,000 for maintenance and the percent is based on the percent of miles each county has to stripe. Steuben pays \$6,918.37 per year, Schuyler pays \$1,244.90 per year and Yates pays \$1,836.73 per year.

Mr. Swackhamer asked what about the fuel cost? Mr. Spagnoletti replied that is paid by the County where the truck is working. Mr. Mullen asked why are we not reimbursed for the operation costs? Mr. Spagnoletti explained with Schuyler County they have message boards which they have allowed us to use and that more than offset the costs of our labor.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXTEND THE CONTRACT FOR PAVEMENT STRIPING TRUCK WITH SCHUYLER AND YATES COUNTIES FOR AN ADDITIONAL THREE YEARS MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

B. *Town Snow and Ice Contract* – Mr. Spagnoletti stated that we have 678 miles of road and we subcontract to the towns 150 miles to plow for us. For the past winter we paid \$4,700 per mile. Our average cost for our crew to plow our roads is about \$3,700 per mile. He is proposing a new contract with the towns to be paid \$4,000 per mile which will increase \$100 per mile the following two winters.

Mr. Farrand stated that he has a concern with that. There are twelve towns currently participating and they are plowing 152 miles of road. Your numbers show that the county shop in Woodhull plowed 62.2 miles and that you paid out \$14,265.83 in regular time and \$21,000.00 in overtime. He stated that seems a little low to him, especially when you look at repairs and upkeep. It costs \$4,000 - \$5,000 per month for shoes and other maintenance for the plows. Salt costs \$8,956 and the sand/salt mix is \$13,000. Where is the hauling cost from Bath to Woodhull.

Mr. Spagnoletti stated it costs \$3,600 per mile to plow our roads and that does not include this past winter. Those figures are based on an entire list of times including labor, overtime, price of equipment, fuel, parts, repairs, salt, calcium and additives. He stated that he cannot speak for the towns and their costs, except that when he says our cost is \$3,600 per mile, that includes driving from the shop to the road, plowing, and then driving back to the shop.

Mr. Farrand stated you are cutting 15 percent off the top. The State does it to us and now we are doing it to the towns. Mr. Weaver commented this is an optional contract and a town can opt not to do it. Mr. Van Etten asked what happens if there are no contracts with the towns? Mr. Spagnoletti replied we would do them and give up the State roads. Mr. Farrand commented in his district, there would be 78 miles of additional roads that the County would have to plow. Discussion followed.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO CONTRACT WITH THE TOWNS TO PLOW COUNTY ROADS AT A RATE OF \$4,000.00 PER MILE WITH A \$100.00 PER MILE INCREASE FOR THE FOLLOWING TWO YEARS MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**V. BIDS**

A. *Conventional Truck Tractor*

**MOTION: AWARDING THE BID FOR A CONVENTIONAL TRUCK TRACTOR TO TRACEY ROAD EQUIPMENT, INC. FOR \$123,902 FOR ONE COMPLETE UNIT MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. *Cleaning, Washing and Sealing of Steuben County Bridges*

**MOTION: AWARDING THE BID FOR THE CLEANING, WASHING AND SEALING OF STEUBEN COUNTY BRIDGES TO BAKERS OF JERICHO HILL, INC. FOR A TOTAL PRICE OF \$70,318.75 MADE BY MR. SWACKHAMER. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. *Prestressed Concrete Bridge Beams; Steuben County Bridge #120-5, CR#120, Town of Lindley*

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY BRIDGE #120-5, CR#120 OVER COOKS CREEK, TOWN OF LINDLEY, TO L. C. WHITFORD MATERIALS CO., INC. FOR A TOTAL PRICE OF \$69,000.00 MADE BY MR. MULLEN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. *Full Depth Road Reclaimer* – Mr. Spagnoletti stated that he believes we could get a lower cost if we purchased rather than rented. We built our bid around the Terex, which was too expensive. Wirtgen has a good price, but their machine's horsepower is not as equal. He requested authorization to reject these bids and allow him to rebid.

**MOTION: REJECTING THE BIDS FOR THE FULL DEPTH ROAD RECLAIMER AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO REBID MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**VI. OTHER BUSINESS**

A. *Corrugated Bridge Decking* – Mr. Spagnoletti commented in the early 1980's, prior to when Mr. Catherman arrived, the County purchased corrugated bridge decking which was not galvanized. We do use it sometimes to patch. The Town of Almond would like to purchase 728 square feet. He requested authorization to sell this to the Town of Almond at \$1.50 per square foot.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SELL 728 SQUARE FEET OF CORRUGATED BRIDGE DECKING TO THE TOWN OF ALMOND FOR A PRICE OF \$1.50 PER SQUARE FOOT MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: RESCINDING THE AWARD OF PW-12-033-B, ASPHALT CONCRETE; SPECIFIED IN-PLACE PROJECTS BID AND CANCELLING THE CONTRACT WITH DOLOMITE PRODUCTS CO., INC., D/B/A A. L. BLADES UNDER THE 30-DAY CANCELLATION CLAUSE MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. MULLEN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. *Corning Community College Dormitory Project* – Mr. Spagnoletti stated they are beginning construction on the dormitories at Corning Community College, so there will be considerable truck traffic up and down the County road to the college. The question had been raised about a road use agreement for that. He is of the opinion that it isn't necessary because our roads are built for this kind of traffic. We will, however, keep an eye on it.

**MOTION: TO ADJOURN MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING\*\***  
**Monday, May 7, 2012**  
**10:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Monday, May 7, 2012*

*10:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	K. Michael Hanna, Chair Aaron I. Mullen	Gary D. Swackhamer, Vice Chair William A. Peoples	Patrick F. McAllister
<b>STAFF:</b>	Jack Wheeler Phil Hink Jerry Miller Shawn Corey Pat Donnelly	Vincent Spagnoletti Steve Orcutt Steve Catherman Debra Cotter	Bryce Foster John Emo Alan Reed Rich Bills
<b>LEGISLATORS:</b>	Joseph J. Hauryski Carol A. Ferratella George J. Welch	Lawrence P. Crossett Thomas J. Ryan	Dan C. Farrand Randolph J. Weaver

**I. CALL TO ORDER**

Mr. Hanna called the meeting to order at 10:00 a.m. and asked Mr. Mullen to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE APRIL 12, 2012, MEETING MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. LANDFILLS**

A. *Sheep/Goat Grazing Recommendations* – Mr. Spagnoletti informed the committee that they have three applicants for sheep grazing. They decided to go through the formal process of interviews with only one farmer, George Zemak, interviewing. Mr. Zemak has everything we need, including insurance. He also has flexibility with his ability to adjust the size of the flock and is willing to work with us. Mr. Orcutt stated Mr. Zemak has up to 200 animals that he can work with. The other two applicants backed out. We have gone through the RFP process and done our due diligence. Mr. Orcutt stated Mr. Zemak will come and check the flock daily. Additionally, Soil & Water Conservation will come in and assess the cap and the grazing. The Department of Environmental Conservation will also be monitoring this.

B. *Transfer of Funds – Leachate Tank Repair/Replacement* – Mr. Spagnoletti stated at our leachate plant, we have two tanks that are 25 feet high and 50 feet in diameter and they are both rusting. He requested authorization to transfer \$325,000.00 from the Bath Landfill Cell 2 Capital Project to a new capital project entitled Leachate Tank Repair/Replacement. We can build new tanks for \$325,000.00 and we are also going to be looking at other methods of cleaning and patching the tanks. Discussion followed.

**MOTION: AUTHORIZING THE TRANSFER OF \$325,000.00 FROM THE BATH LANDFILL CELL 2 CAPITAL PROJECT TO A NEW CAPITAL PROJECT ENTITLED LEACHATE TANK REPAIR/REPLACEMENT MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

#### **IV. ROADS AND BRIDGES**

A. *Personnel Reclassifications* – Mr. Spagnoletti requested authorization to reclassify two vacant Grade X Heavy Motor Equipment Operator (HMEO) positions, to two Grade VIII Motor Equipment Operator (MEO) positions.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF TWO VACANT GRADE X HEAVY MOTOR EQUIPMENT OPERATOR (HMEO) POSITIONS TO TWO GRADE VIII MOTOR EQUIPMENT OPERATOR (MEO) POSITIONS IN THE DEPARTMENT OF PUBLIC WORKS MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. *Town of Hornby Mowing Contract* – Mr. Spagnoletti informed the committee that last year they awarded a bid for the mowing of county road sides for three years to Phelan Farms at a rate of \$58.00 per mile. The Town of Hornby would like to mow CR41 and CR42. We have asked Phelan Farms if they were okay with this and they have agreed. The contract will be for the 2012 and 2013 mowing season. We will pay the Town of Hornby \$73.00 per mile because they have a boom mower and will be able to mow the back slope. Mr. McAllister asked is there a benefit to mowing the back slope? Mr. Spagnoletti replied you have to mow to the right of way otherwise the trees will start to grow. If you allow the trees to grow, there will be more shading on the road and that will cause it to break up more. We like to mow the back slope at least once every three years to keep the trees from coming up.

**MOTION: APPROVING A CONTRACT WITH THE TOWN OF HORNBY FOR ROADSIDE MOWING OF CR41 AND CR42 FOR 2012 AND 2013 AT A RATE OF \$73.00 PER MILE MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. MOTION CARRIES 4-1. (MR. SWACKHAMER OPPOSED).**

C. *Budget Transfer* – Mr. Spagnoletti informed the committee that they have \$4,250,000.00 budgeted for road construction and paving projects. Of that, they have approximately \$278,000.00 which they use as a contingency in the event that there are spikes in the price of liquid asphalt. The bids for two projects, CR64 in the Town of Hornellsville, and CR13 came in at \$49,100.00 and \$23,500.00 over budget. He requested authorization to transfer \$72,600.00 from the Roads and Bridges Capital Projects Unassigned line item and appropriating \$49,100.00 into the CR64 Capital Project and \$23,500.00 into the CR13 Capital Project.

**MOTION: AUTHORIZING THE TRANSFER OF \$72,600.00 FROM THE ROAD AND BRIDGES CAPITAL PROJECTS UNASSIGNED LINE ITEM AND APPROPRIATING \$49,100.00 INTO THE CR64 CAPITAL PROJECT AND \$23,500.00 INTO THE CR13 CAPITAL PROJECT MADE BY MR. McALLISTER. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

D. *Road Reclaimer/Grinder* – Mr. Spagnoletti stated last month the committee rejected the bids for a road reclaimer/grinder. He stated that he did a cost analysis and we would realize a \$33,000.00 per year savings over twenty years. We have \$5 million for the purchase of materials and for paving. To have a universally good road system, we would need about \$6.5 million. The advantage of purchasing this machine is that we would be able to work on the last 50 – 55 miles of poor roads and reduce that number. If we don't get the machine, we will be able to get by. He noted that since we rebid, the price did go up. The low bid is Monroe Tractor at \$710,100.00, which is \$100,000.00 higher than the last bid.

Mr. Mullen asked if you were a private contractor and you received a bid that was \$100,000.00 higher than the previous bid, would you take it? Mr. Spagnoletti replied you have to look at what the machine is worth to you. That is the question. He stated that to him, the answer is the machine is worth it. This machine has a high resale value and will do a good job for us. Mr. Mullen asked if we put this through, when will the machine arrive? Mr. Foster replied we would have it at the earliest, the end of August. We would try to take it out late this Fall and try to improve a couple of miles of road. Mr. Spagnoletti commented if we could get this by August that leaves it open for us to get to some of the poor roads. Ten miles of poor road costs about \$200,000.00 and if money is available, we could do that. Mr. McAllister asked will you need to rent one of these machines for this year? Mr. Spagnoletti replied yes.

Mr. Swackhamer commented that he has done quite a bit of research and has found that this machine is one of the best machines and is built by German engineers. The resale price is \$100,000.00 more than the other machines. If we are interested in this type of work, this is one of the top machines.

Mr. Crossett asked how are you going to pay for this? Mr. Spagnoletti replied they have \$800,000.00 in their Major Equipment budget. Mr. Donnelly stated we have discussed the option of paying cash or issuing short or long-term debt. If you paid cash that will come out of the line item this year and would leave you with approximately \$90,000.00 for the remainder of the year. Another option is a three-year equipment note. You could pay down \$200,000.00 and come up with that amount out of your line item and then take out a three-year note for \$510,000.00. The rate for bonds is at 2.25 percent and for bond anticipation notes it is 1.25 percent. Mr. McAllister commented if you pay cash, then there is not a lot left in reserve. Mr. Swackhamer asked can we fund this out of the enterprise fund? Mr. Donnelly replied we could look at the enterprise fund or the general fund. Mr. McAllister commented that he likes the idea of funding part of this.

**MOTION: AWARDING THE BID FOR THE ROAD RECLAIMER/GRINDER TO THE LOW BIDDER, MONROE TRACTOR, FOR \$710,100.00 MADE BY MR. SWACKHAMER. SECONDED BY MR. PEOPLES FOR DISCUSSION.**

Mr. Mullen stated he thinks if he were running a business and someone bid \$100,000.00 more than they did the previous time, he wouldn't accept the bid. He stated that he believes they could get a better price and you won't be getting the machine until the end of the season. He stated that he thinks we should rebid this. Mr. Hanna asked how would we rebid it? Mr. Spagnoletti informed the committee that the second bidder, Tracey Road Equipment, bid exactly the same price as they had previously. Mr. Hink commented Monroe Tractor won't bid it a lot lower. The bid will always be \$55,000.00 higher because the first time they did not include all of the components. Mr. Spagnoletti stated if we were a private contractor, he would try to chisel them down, however, we can't do that here.

**VOTE ON PREVIOUS MOTION. MOTION CARRIES 4-1. (MR. MULLEN OPPOSED)**

**V. BIDS**

A. *Asphalt Concrete; Specified In-Place Project(s)* – Mr. Spagnoletti informed the committee that at the March meeting we had awarded this bid as a package award to Dolomite Products. A contractor questioned the award of the bid and at the April meeting we rescinded the bid with Dolomite. We would like to award on a line item basis to the low bidder. There are a total of **seven** projects, however, he would like to reject the bids on two of those projects and we will do those ourselves. The other five projects, by awarding on a line item basis, will be \$42,000.00 lower than what we would have paid under the **previous award**. The contractors are all agreeable with this. Mr. Spagnoletti recommended awarding the bid on a line item basis to the low bidder and rejecting the bids for CR8 and **CR69**.

Mr. Reed explained that past the 45 day time frame, the contractor is not required to honor the bid price. The contractor had indicated to us that they will not honor the original bid price and that is the basis for rejecting the bids on CR8 and CR69.

**MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; SPECIFIED IN-PLACE PROJECT(S) ON A LINE ITEM BASIS TO THE FOLLOWING CONTRACTORS AS FOLLOWS: CR1, CR5, CR21 AND CR41 TO CHEMUNG CONTRACTING CORP.; CR34 TO BOTHAR CONSTRUCTION, LLC AND REJECTING THE BIDS ON CR8 AND CR69 MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Mullen commented that he still thinks in the future we should bid this out as two separate bids. Mr. Reed stated we could do that and specify that the County could award on an aggregate or line item basis.

B. *Uniform Rental & Cleaning Service*

**MOTION: AWARDING THE BID FOR UNIFORM RENTAL & CLEANING SERVICE TO THE LOW BIDDER, COYNE TEXTILE FOR A SUM TOTAL EXTENDED LINE ITEM PRICE OF \$26.07 MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. *Prestressed Concrete Bridge Beams; Steuben County Bridge #16-5-1, Town of Hornby*

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY BRIDGE BIN 2217150, BRIDGE #16-5-1, BUCK HOLLOW ROAD OVER BUCK HOLLOW CREEK, TOWN OF HORNBY TO LAKELANDS CONCRETE PRODUCTS FOR \$51,912.00 MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mrs. Ferratella asked are steel bridge beams an option? Mr. Spagnoletti replied they are very expensive. You would also have maintenance costs as they would need to be cleaned and painted. Additionally, we would also have to install decking over the steel beams.

D. *Prestressed Concrete Bridge Beams; Steuben County Bridge #25-29-1, Town of Troupsburg*

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY BRIDGE BIN 2217710, BRIDGE #25-29-1, McALLISTER ROAD OVER YOUNG HICKORY CREEK, TOWN OF TROUPSBURG TO LAKELANDS CONCRETE PRODUCTS FOR \$42,026.00 MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

## **VI. OTHER BUSINESS**

A. *Seneca Street Bridge* – Mr. Swackhamer asked for an update on the progress of the Seneca Street Bridge in Hornell. Mr. Catherman replied they have a meeting today with the Army Corps of Engineers and everything is progressing.

B. *Workfare Program* – Mr. Farrand stated that in the Town of Rathbone the work crews picked up garbage along the roadsides. He would like to see a fourth work crew and believes there is enough work to justify having another crew. Mr. Spagnoletti stated that he did put in the **application** for having a fourth crew leader.

C. *Snow Plowing* – Mr. Spagnoletti informed the committee that he, Mr. Hanna and Mr. Farrand went to town meetings to discussing the plowing issue. The \$4,000 figure we came up with was based on the **calendar year** cost per mile for our crews, which is approximately \$3,800. There is a **4** percent overhead in the department so if you add that to the \$3,800 that brings you in the \$3,900+ range. Mr. Farrand stated that the Towns of West Union and Greenwood typically get more snow. We had decided that everyone would get the same amount. Some counties break it down into regions and a case could be made for doing that. Mr. Foster stated the price we offered was more than fair based on our level of services. In any given year, do they make a lot of money? Probably not. The towns are guaranteed 100 percent regardless.

D. *Ever Power Wind Company* – Mr. Foster informed the committee that Ever Power completed the construction of 24 windmills last year. They have indicated they will be putting up two more. We have a contract extension for this year and have received the bond for this year's work. We received \$520,000 for their portion of what we had told them it would cost to redo the portion of the road they worked on last year. This money has been put into the capital account for that road project.

E. *Flow Control* – Mr. Spagnoletti stated previously we have talked about the City of Hornell and the impact on them if we were to implement flow control. The City of Hornell has a contract with Casella through 2015 to take their garbage at a rate of \$23.50 per ton. The City of Corning also has a contract for \$42.00, \$43.00 and \$44.00 per ton.

F. *Electronics Recycling* – Mr. Spagnoletti stated they recently held their electronic recycling day. We had 482 people participate which generated 2 ½ trailer loads. We would like to do this permanently at the Bath Landfill and other locations.

**MOTION: TO ADJOURN MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING\*\***  
**Monday, June 4, 2012**  
**10:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Monday, June 4, 2012*

*10:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** K. Michael Hanna, Chair Gary D. Swackhamer, Vice Chair Patrick F. McAllister  
Aaron I. Mullen William A. Peoples, Jr.

**STAFF:** Mark R. Alger Jack Wheeler Vincent Spagnoletti  
Bryce Foster John Emo Rich Bills  
Jim Gleason Deb Cotter Steve Catherman  
Shawn Corey Tammy Hurd-Harvey

**LEGISLATORS:** Joseph J. Hauryski Lawrence P. Crossett Carol A. Ferratella  
Gary B. Roush Thomas J. Ryan Scott J. Van Etten  
Randolph J. Weaver

**OTHERS:** Kevin Voorhees, Barton & Loguidice

**I. CALL TO ORDER**

Mr. Hanna called the meeting to order at 10:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MAY 7, 2012, MEETING MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. LANDFILLS**

A. *Create "Tank Repair" Account for Leachate Treatment Plant* – Mr. Spagnoletti stated that last month when we discussed this, Mr. Crossett was concerned about when we borrowed money for the Cell 2 Project. We want to make sure that we do this correctly. In 2009 we had budgeted \$5.8 million for the Cell 2 Project and we have a \$400,000.00 surplus. He requested authorization to transfer \$404,015.00 from the Bath Landfill Cell 2 Capital Project Account to the Cell 2 Debt Principal Payment Account. He requested authorization to create the Leachate Treatment "Tank Repair" Capital Project and to transfer the \$404,015.00 from the Cell 2 Debt Principal Payment Account into the "Tank Repair" Capital Project.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$404,015.00 FROM THE BATH LANDFILL CELL 2 CAPITAL PROJECT ACCOUNT HL/EL 6209 TO CELL 2 DEBT PRINCIPAL PAYMENT ACCOUNT; CREATE THE LEACHATE TREATMENT PLANT TANK REPAIR CAPITAL PROJECT ACCOUNT HL/EL 7303-5-250-000 AND TRANSFER \$404,015.00 FROM THE CELL 2 DEBT PRINCIPAL PAYMENT ACCOUNT INTO THE LEACHATE TREATMENT PLANT TANK REPAIR CAPITAL PROJECT MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER FOR DISCUSSION.**

Mr. Peoples asked what will be the cost to repair the tanks? Mr. Spagnoletti replied if we went with a fiberglass lined tank, those would cost \$320,000.00 each. If we build two new tanks under the same design we currently have, steel with coating, the cost will be \$180,000.00 each. He stated that they are leaning toward the steel tanks with lining. We will make the bid with an option to build two tanks. The steel tanks will last 15 years. The fiberglass tanks last 30 years.

**VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. *Sludge Tipping Fee* – Mr. Spagnoletti informed the committee that the Department of Environmental Conservation (DEC) has stated that there should be no more than 1 part sludge to three parts garbage going into the landfill. Casella is in need of a place to bring sludge and has offered to bring us 18,000 tons. Currently we take in 1,800 tons from within the County at a rate of \$42.00 per ton. If we reduced the per tonnage fee to \$30.00 per ton, New England Organics, a subsidiary of Casella, would bring us the 18,000 tons per year. The revenue from this would allow the Landfill to break even in 2013, 2014 and 2015. Mr. Spagnoletti stated at last month's meeting, Mr. Swackhamer was concerned that there was no guarantee that we would get a certain amount and Mr. Mullen was concerned about possible environmental issues. The main environmental issue is the odor. We have put a clause into the contract that if the odor becomes problematic, then we can terminate the contract. He stated that he doesn't believe the odor will be a problem as this sludge material is quite dry.

Mr. McAllister stated that he is always concerned when the price is different than what we charge locally. Mr. Spagnoletti replied the new tipping fee for sludge, if approved, would apply to everyone, including in-county. The new fee will take effect when we get the first out-of-county load. With the change to \$30.00 per ton, our revenue from in-county sources will decrease \$21,000.00. New England Organics did agree to guarantee us 4,000 tons annually. The only thing they asked is if they lose the Suffolk County contract, that they could then get out of our contract. Their contract with Suffolk County is good through 2014. Mr. Spagnoletti stated the benefit of this is that we will bring in \$500,000.00 in additional revenue and the sludge will not take up too much space in our Landfill.

Mrs. Ferratella asked is the plan in the future to raise the sludge rate back up to \$42.00 per ton if you lose this contract? Mr. Spagnoletti replied it would be something that we would look at in February/March when we typically discuss the tipping fees.

Mr. Weaver asked will lowering the tipping fee encourage other municipalities to bring their sludge to us? Mr. Emo replied that is a possibility.

Mr. Swackhamer stated his concern is that there is no penalty if they don't meet the annual 4,000 ton requirement. Mr. Corey replied if they don't bring us 4,000 tons annually, they will pay us the amount they would have paid had they brought the 4,000 tons. In other words, they will pay you \$120,000 annually whether they bring you 4,000 tons of sludge or not.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ADD A SLUDGE ITEM TO THE FEE SCHEDULE AND REDUCING THE FEE FROM \$42.00 PER TON TO \$30.00 AND AUTHORIZING THE EXECUTION OF A CONTRACT WITH NEW ENGLAND ORGANICS TO ACCEPT 4,000 TONS OF SLUDGE ANNUALLY AT THE STEUBEN COUNTY LANDFILL MADE BY MR. MULLEN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**IV. ROADS AND BRIDGES**

A. *Seneca Street Bridge Project – Hornell* – Mr. Spagnoletti informed the committee that the Seneca Street Bridge project in Hornell is a \$4 million project. Mr. Catherman stated that they hope to go out to bid by the end of this year, or January of next year.

Mr. Catherman requested authorization to decrease the Supplemental Design Agreement with NYSDOT from \$400,000.00 to \$395,000.00 and transfer that \$5,000.00 from the Right-of-Way Incidental Work to the Right-of-Way Agreement.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO AMEND THEIR AGREEMENT WITH NYSDOT TO REDUCE THE SUPPLEMENTAL DESIGN AGREEMENT FROM \$400,000.00 TO \$395,000.00 AND SHIFT THAT \$5,000.00 FROM THE RIGHT-OF-WAY INCIDENTAL WORK TO THE**

**RIGHT-OF-WAY AGREEMENT MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

Mr. Spagnoletti informed the committee that they would see an increase in County cost of \$1,750.00. Mr. Catherman explained that increase is due to an increase in right-of-way costs in the project. He stated we have \$28,000.00 in federal aid, \$5,250.00 in State aid, along with our portion of \$1,750.00. He requested authorization to take the total of \$35,000.00 and transfer that from the future bridge projects account to the Seneca Street Bridge account.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER A TOTAL OF \$35,000.00; CONSISTING OF \$28,000.00 FEDERAL AID, \$5,250.00 STATE AID AND \$1,750.00 LOCAL SHARE, FROM 5120 HO/FUTURE BRIDGE PROJECTS TO 5120 HD/SENECA STREET BRIDGE PROJECT MADE BY MR. McALLISTER. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Catherman requested authorization to increase the Supplemental Right of Way Agreement with NYSDOT by \$35,000.00, bringing the total contract amount to \$121,000.00.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO AMEND THE SUPPLEMENTAL RIGHT OF WAY AGREEMENT WITH NYSDOT TO REFLECT AN INCREASE OF \$35,000.00; BRINGING THE TOTAL CONTRACT AMOUNT TO \$121,000.00 MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 105.1.F. RELATIVE TO THE EMPLOYMENT HISTORY OF A PARTICULAR PERSON MADE BY MR. MULLEN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. PEOPLES. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING\*\***  
**Monday, July 2, 2012**  
**10:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Monday, July 2, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	K. Michael Hanna, Chair Aaron I. Mullen	Gary D. Swackhamer, Vice Chair William A. Peoples	Patrick F. McAllister
<b>STAFF:</b>	Mark R. Alger Bryce Foster Debra Cotter Jim Gleason	Jack Wheeler Jerry Miller Matt McGrath	Vince Spagnoletti Steve Catherman Pat Donnelly
<b>LEGISLATORS:</b>	Joseph J. Hauryski Gary B. Roush	Lawrence P. Crossett Thomas J. Ryan	Carol A. Ferratella

**I. CALL TO ORDER**

Mr. Hanna called the meeting to order at 10:00 a.m. and asked Mr. Mullen to lead the Pledge of Allegiance. Following the Pledge of Allegiance, Mr. Hanna asked for a moment of silence to recognize the passing of former Legislator, Althea Roll.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES FROM THE JUNE 4, 2012, MEETING MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. BIDS**

A. *Bath Landfill Scale House and Mechanical Truck Scale* – Mr. Spagnoletti requested authorization to reject the bids and rebid only the scale. Mr. McAllister asked what about the scale house? Mr. Spagnoletti replied we'll get a couple of our carpenters to build a new scale house or expand the current one. Mr. Swackhamer asked why did you bid it in the first place? Mr. Spagnoletti replied they bid the scale house because they are short on personnel. They combined the projects as they wanted to have it designed as a package.

**MOTION: REJECTING THE BIDS FOR THE BATH LANDFILL SCALE HOUSE AND MECHANICAL TRUCK SCALE AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO REBID ONLY THE SCALE MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. *Traffic Control Supplies*

**MOTION: AWARDING THE BID FOR TRAFFIC CONTROL SUPPLIES TO THE LOW BIDDER, S & S SIGNS FOR A TOTAL PRICE OF \$6,110.98 MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. *Rubber Tire Excavator* – Mr. Spagnoletti recommended awarding the bid to the low bidder, George & Swede for a total price of \$172,000. He stated that they are phasing out the Gradall as they are almost twice as expensive as the rubber tire excavator.

**MOTION: AWARDING THE BID FOR A RUBBER TIRE EXCAVATOR TO THE LOW BIDDER, GEORGE & SWEDE FOR A TOTAL PRICE OF \$172,000.00 MADE BY MR. PEOPLES. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. *Hydroseeding Agreement with Soil & Water Conservation District* – Mr. Spagnoletti requested authorization to enter into an agreement with the Soil & Water Conservation District for hydroseeding. The cost is \$1,878.00 per acre. He commented that the State DOT pays \$2,900.00 per acre.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE STEUBEN COUNTY SOIL & WATER CONSERVATION DISTRICT FOR HYDROSEEDING AT A COST OF \$1,878.00 PER ACRE MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. *Sale of Forest Products* – Mr. Spagnoletti stated in August 2011, the committee awarded a bid for the sale of forest products to Rainbow Farms for \$1,689.00. The purpose was to clear out firewood on 69 acres of county-owned property. He requested authorization to cancel their contract and rebid. The contractor had requested to be released from his contract due to personal circumstances.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO CANCEL THEIR CONTRACT WITH RAINBOW FARMS FOR THE SALE OF FOREST PRODUCTS AND TO REBID MADE BY MR. MULLEN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

#### **IV. OTHER BUSINESS**

A. *Unissued Landfill Tickets* – Mr. Spagnoletti informed the committee that they destroyed large denomination landfill tickets. The total value of tickets destroyed was \$701,288.00.

*Secretary's Note: The Certificate of Destruction has been filed with the official minutes.*

B. *Road and Bridge Project Update* – Mr. Spagnoletti asked Mr. Foster and Mr. Catherman to provide a project update for the committee.

**MOTION: TO ADJOURN MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING\*\***  
**Monday, August 6, 2012**  
**10:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Monday, August 6, 2012*

*10:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	K. Michael Hanna, Chair Aaron I. Mullen	Gary D. Swackhamer, Vice Chair William A. Peoples	Patrick F. McAllister
<b>STAFF:</b>	Mark R. Alger Bryce Foster Steve Catherman Jim Gleason	Jack Wheeler Phil Hink Steve Orcutt Don Meehan	Vincent Spagnoletti John Emo Shawn Corey Deb Cotter
<b>LEGISLATORS:</b>	Joseph J. Hauryski Scott J. Van Etten	Lawrence P. Crossett Randolph J. Weaver	Carol A. Ferratella
<b>OTHERS:</b>	Scott Burg, New York State Department of Environmental Conservation		

**I. CALL TO ORDER**

Mr. Hanna called the meeting to order at 10:00 a.m. and asked Mr. Mullen to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JULY 2, 2012, MEETING MADE BY MR. MULLEN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. McALLISTER ABSENT FOR VOTE)**

Mr. Hanna stated that he would like to recognize Phil Hink and his crew for helping out in Elmira after the tornado. They did a great job. Mr. Foster provided the committee with an update of the work they did in Elmira. They had 25 men, 4 rubber-tire excavators, 8 dump trucks and pickup trucks and chain saws. Mr. Spagnoletti stated that he heard numerous comments about how professional our crews were.

Mr. Spagnoletti stated that he wanted to give the committee a quick update on the Bird's Eye Hollow Park. The DEC had a walkway that they took out. Our crews helped them build a bridge. Mr. Burg stated they plan to put in a handicap accessible trail and floating dock. We have a very good working relationship with the County.

**III. LANDFILLS**

A. *NYSDEC Approved Protocol for Receipt of Marcellus Shale Drill Cuttings* – Mr. Spagnoletti informed the committee that they have received the protocol from DEC for accepting drill cuttings. The most important thing to remember is that we are talking about the drill cuttings, not the liquid. There will be a process to accept drill cuttings. The drill cuttings will be classified as industrial waste and, therefore, we will receive a list of constituents showing what is in the waste. There will be a radiation monitor located at the landfill. The trucks will stop at the monitor and a measurement will be taken. We can accept up to 50 picocuries. Marcellus Shale has 2 picocuries and the soil in your yard has 1 picocurie. There is no danger with the drill cuttings. The DEC has agreed that anything over 50 picocuries will not be allowed in. We also will have a schedule for testing the soil and the leachate to check for radiation. When we cap the landfill, we will put ten feet of cover soil on top of the area with the drill cuttings.

Mr. Mullen asked what is the liquid that you will not be taking? Mr. Spagnoletti replied we are not taking the liquid sludge as that has elevated concentrations of radiation. Our radiation monitors will be set for two points. The first will be 50 picocuries, which is the rejection level. The second will be set at approximately 20 picocuries. If there is liquid that reads 20 picocuries or more, we will not let that in. More important than that, is the fact that we don't allow liquids in. If a driver tried to haul sludge in with the cuttings, the monitor will alert us with a reading.

Mr. Van Etten asked what is the fee being charged for bringing the cuttings in? Mr. Spagnoletti replied theoretically they could charge \$42.00 per ton, the same as they do for garbage. The drill cuttings will take up half the space. Discussion followed.

B. *Funding Vacant MEO Supervisor Position* – Mr. Spagnoletti informed the committee that they have a MEO acting as a Supervisor for the Bath Landfill. That individual has passed the test for the Supervisor position, but that position is zero-based. The increase in cost will be \$900.00 for the next four months, however, we will save \$6,000.00 in overtime. Mr. Swackhamer asked what will be the yearly increase in cost? Mr. Spagnoletti replied \$3,600.00. We will save \$24,000.00 for the year.

**MOTION: AUTHORIZING THE ACTIVATION OF ONE ZERO-BASED SUPERVISOR POSITION FOR THE BATH LANDFILL IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. *Reclassification of Mechanic Position to Building Supervisor Position* – Mr. Spagnoletti requested authorization to reclassify a vacant Grade XII Building Supervisor position to a Grade X, Leachate Facility Maintenance Mechanic position. This will save approximately \$2,500.00 per year.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT, GRADE XII BUILDING SUPERVISOR POSITION TO A GRADE X LEACHATE FACILITY MAINTENANCE MECHANIC POSITION IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

#### **IV. ROADS AND BRIDGES**

A. *Appropriate Insurance Settlement for CR10 and CR10A Damages* – Mr. Spagnoletti informed the committee that damage was done to CR10 and CR10A by a tractor disc which gouged up one lane of the road. We were able to use the pothole machine to fix that and will pave the remainder. We received an insurance settlement for \$176,522.90. He requested authorization to accept that funding and appropriate it to their Patching line item.

**MOTION: AUTHORIZING THE PUBLIC WORKS TO INCREASE THEIR INSURANCE REVENUE LINE ITEM BY \$176,522.90 AND TO ALSO INCREASE THE PATCHING LINE ITEM BY \$176,522.90 MADE BY MR. MULLEN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. *Transfer Excess County Property* – Mr. Spagnoletti stated that they have approximately ½ acre of property on CR115 which used to be the first mile of old US15, in the Town of Lindley. They would like to transfer this property to the adjacent landowner at no cost. We will include a permanent easement to access the property.

**MOTION: AUTHORIZING THE TRANSFER OF ½ ACRE OF PROPERTY ON CR115 IN THE TOWN OF LINDLEY TO THE ADJACENT LANDOWNER AT NO COST AND INCLUDING A PERMANENT EASEMENT TO ACCESS THE PROPERTY MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0-1. (MR. MULLEN ABSTAINED).**  
*Resolution Required.*

C. *CR120 Bridge Update* – Mr. Catherman informed the committee that they are setting the beams on Wednesday. We hope to begin paving the week of August 20<sup>th</sup> and put up the guiderail. The scheduled opening of the bridge is August 27<sup>th</sup>.

V. **BIDS**

A. *Freon; Removal and Recycling* - Mr. Spagnoletti stated the bid specs require that all services are to be performed at any and all County sites as specified. JGS Recycling bid two prices. The first was for refrigerators and freezers on site. The second price is air conditioning units, dehumidifiers and water coolers to be done off site. He requested they be declared an unresponsive bidder and that they award the bid to Interstate Refrigerant Recovery, Inc.

**MOTION: AWARDING THE FREON; REMOVAL & RECYCLING BID TO THE LOW BIDDER, INTERSTATE REFRIGERANT RECOVERY, INC. FOR A TOTAL PRICE OF \$7.00 PER UNIT, AND DECLARING JGS RECYCLING AS AN UNRESPONSIVE BIDDER MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. *Heavy-Duty Pitless Mechanical Truck Scale* – Mr. Spagnoletti informed the committee that they would like to put a second truck scale in at the Bath Landfill. The bid came in at \$103,200.00. We have \$120,000.00 budgeted, however, we also need to do approach work and rebuild the scale house. Mr. Spagnoletti stated there is a capital project for the road into the landfill which has \$43,150.20 remaining. He would like to transfer that amount into the upgrade of the scale project.

Mr. Swackhamer commented that when he goes to the stone quarries, he doesn't see them with two truck scales. It might be nice to have, but he doesn't feel that it is worth the money at this point. Mr. McAllister asked what is the justification for this? Mr. Orcutt replied our truck traffic is increasing and with the Marcellus Shale drill cuttings coming in, that will increase the truck traffic even more. Mr. Swackhamer stated we are not there now. If the private corporations can get along with one scale, then we can. We are in a money crunch right now.

Mr. Spagnoletti asked how many truck scales do the private landfills have? Mr. Emo replied they have two. Mr. Van Etten commented the Erwin transfer station has two scales. Mr. Swackhamer asked would both scales operate out of one scale house? Mr. Spagnoletti replied yes. Mr. Swackhamer stated this is a luxury that we cannot afford right now. Mr. McAllister stated that he would like to see an analysis of this. Mr. Mullen commented that he will not vote for this.

**MOTION: REJECTING THE BID FOR THE HEAVY-DUTY PITLESS MECHANICAL TRUCK SCALE MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR . MOTION CARRIES 5-0.**

C. *Bath Landfill Leachate Tank Replacement* – Mr. Spagnoletti stated we have two leachate tanks at the Bath Landfill that are rusting out. We will be receiving leachate from Ontario County and Allegany County and that will help pay for one tank in one year. We received a bid from Statewide Aquastore, Inc., which provides about 95 percent of the leachate tanks in the Northeast. The bid came in higher than expected, but he would recommend purchasing both tanks for a total price of \$470,500.00.

Mr. McAllister stated that he thought we were going to try to rehabilitate the ones we have. Mr. Spagnoletti replied we had said that we would bid one tank out and rehabilitate the other. We did an analysis and the cost to replace 8 panels was \$80,000.00.

Mr. Van Etten asked what is the life span of the tanks? Mr. Orcutt replied 15 years. Mr. Spagnoletti stated we will have a maintenance program with the new tanks. Mr. Weaver asked why does the second tank cost more than the first tank? Mr. McAllister commented that is the problem with no competition.

Mr. Spagnoletti stated that he would recommend awarding the bid for both tanks. He requested authorization to transfer \$85,000.00 from the Lindley Landfill account to the Bath Landfill account to cover the cost.

Mr. Van Etten asked is there a warranty? Mr. Orcutt replied yes. Mr. Mullen asked do you project additional revenue from having these new tanks? Mr. Orcutt replied we are charging Ontario and Allegany \$9.00 per ton to bring us 4 loads of leachate per day. Mr. Spagnoletti stated we will earn \$260,000.00 year in revenue.

**MOTION: AWARDING THE BID FOR THE BATH LANDFILL LEACHATE TANK REPLACEMENT TO STATEWIDE AQUASTORE, INC. FOR THE PURCHASE OF TWO LEACHATE TANKS AT A TOTAL COST OF \$470,500.00 AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$85,000.00 FROM THE LINDLEY LANDFILL ACCOUNT TO THE BATH LANDFILL ACCOUNT FOR THIS PURPOSE MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING\*\***  
**\*\*PLEASE NOTE CHANGE\*\*** Friday, August 31, 2012 **\*\*PLEASE NOTE CHANGE\*\***  
10:00 a.m.

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Friday, August 31, 2012*

*9:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

**COMMITTEE:** K. Michael Hanna, Chair Patrick F. McAllister Aaron I. Mullen  
William A. Peoples

**STAFF:** Mark R. Alger Jack Wheeler Vince Spagnoletti  
Bryce Foster Steve Orcutt John Emo  
Rich Bills Jim Gleason Steve Catherman  
Shawn Corey

**LEGISLATORS:** Joseph J. Hauryski Carol A. Ferratella

**ABSENT:** Gary D. Swackhamer, Vice Chair

**I. CALL TO ORDER**

Mr. Hanna called the meeting to order at 9:00 a.m. and asked Mr. Foster to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE AUGUST 6, 2012, MEETING MADE BY MR. MULLEN, SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. McALLISTER ABSENT FOR VOTE)**

Mr. Spagnoletti commented that he had misquoted the savings they will realize in overtime by funding a vacant MEO position. At the meeting he had said they would realize a savings of \$24,000, when that amount will actually be \$17,000.

**III. ROADS AND BRIDGES**

A. *Budget Transfer* – Mr. Spagnoletti requested authorization to transfer \$98,826.00 from the Town Snow Removal line item and \$50,000 from Abrasive and appropriate \$98,826.00 to the Diesel Fuel line item and \$50,000.00 to the Unleaded Gasoline line items. Typically when they budget for fuel, they take a three-year average. We had budgeted \$915,000.00, but we may need an additional \$100,000.00.

Mr. Mullen asked if we are decreasing the town snow removal line item, are we plowing those roads? Mr. Spagnoletti replied yes. Mr. Mullen asked shouldn't that money be transferred to the line item for snow removal? Mr. Spagnoletti explained three towns, Tuscarora, Pulteney and West Union have opted out of the snow agreements. Last year we had a light winter and we have enough money to take over those extra roads through the end of the year.

**MOTION: AUTHORIZING THE PUBLIC WORKS COMMISSIONER TO TRANSFER \$98,826.00 FROM THE TOWN SNOW REMOVAL LINE ITEM AND \$50,000.00 FROM THE ABRASIVES LINE ITEM AND APPROPRIATE \$98,826.00 TO THE DIESEL LINE ITEM AND \$50,000.00 TO THE UNLEADED GASOLINE LINE ITEM MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. *Road Use Agreement* – Mr. Spagnoletti explained that with natural gas drilling, they have a road use agreement in place which requires that the road be analyzed prior to use and we set the bond between \$200,000 -

\$300,000 per mile. We have put together an optional road use agreement which is simple to do and only requires a \$15,000 per mile bond. The gas drilling companies will be required to rebuild the roads prior to use. He stated that he would like the committee to approve the concept of requiring a smaller bond if the company is agreeable to rebuilding the road prior to use.

Mr. Mullen stated that he doesn't understand why this would require less of a bond. Hypothetically if the road is in good shape, you are still asking them to pay for damages regardless? Mr. Spagnoletti explained we have some roads, approximately 150 miles, that are chip seal with a cold mix. There is not a good gravel base. When the trucks go over those roads, they will break up right away. Mr. Alger stated our roads are sufficient for the traffic they currently get. With having traffic from drilling companies, the roads will break up. Mr. Spagnoletti stated with this agreement, we will go to a 10 inch gravel base with 4 – 5 inches of blacktop. The companies would be required to do that prior to getting on the road, and then we will know that there will not be a significant amount of damage.

Mr. McAllister asked will they be putting in the base and blacktop for those roads that are already oiled and stoned? Mr. Spagnoletti replied yes. We have three classes of roads; Class 1, 2 and 3. We will require them to blacktop any roads that are Class 2 or 3 prior to use. Mr. McAllister commented that his only concern is that with the amount of truck traffic that will be on the roads, will a \$15,000.00 per mile bond be enough to cover the reconstruction of the roads? Mr. Spagnoletti replied the \$15,000.00 per mile bond will cover the repairs. We may also require them to put an additional 2 inches of blacktop on the roads after they are done using them. We are also putting an additional requirement that they put on a thin coat of asphalt. If they did not adhere to these requirements, the \$15,000.00 per mile bond would be called.

Mr. Corey stated the key point is that for the amount of the bond, it is not worth as much as the threat or action we take proceeding against the bond. Mr. Spagnoletti stated that Pennsylvania has a \$15,000.00 - \$20,000.00 per mile bond. Mr. Mullen commented the theory is good as long as the company is still solvent to do something with the roads. Discussion followed.

**MOTION: APPROVING THE CONCEPT OF AN ALTERNATIVE ROAD USE AGREEMENT FOR NATURAL GAS DRILLING REQUIRING A \$15,000.00 PER MILE BOND IF THE GAS DRILLING COMPANIES OPT FOR REBUILDING THE ROADS PRIOR TO USE MADE BY MR. McALLISTER. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

#### **IV. PARKS**

A. *Kanakadea Park Fees* – Mr. Spagnoletti stated that during the camping season they charge \$23.00 per night for sites with electric and \$15.00 per night for sites with no electric. As of October 15<sup>th</sup> we turn off the water at the park. We still have hunters who come in to camp and since the water is off, rather than charge them \$23.00 per night, we are only going to charge them \$15.00 per night. He stated that he just wanted to make the committee aware of this.

#### **V. BIDS**

A. *Ice Control Sand* – Mr. Spagnoletti noted that Elam Materials, Inc. has changed their name to Spallina Materials, Inc.

**MOTION: AWARDED THE BID FOR ICE CONTROL SAND, FOB PLANT SITE TO SPALLINA MATERIALS, INC.; AUSTIN CONSTRUCTION, LLC; KNIGHT SETTLEMENT SAND & GRAVEL, LLC; BUFFALO CRUSHED STONE, INC.; DALRYMPLE GRAVEL & CONTRACTING CO.; AND RICCELLI ENTERPRISES, INC.; DELIVERED TO COUNTY SHOPS TO SPALLINA MATERIALS, INC.; KNIGHT SETTLEMENT SAND & GRAVEL, LLC; AND BUFFALO CRUSHED STONE, INC.; DELIVERED TO TOWN SHOPS TO SPALLINA MATERIALS, INC.; AUSTIN CONSTRUCT, LLC; KNIGHT SETTLEMENT SAND & GRAVEL, LLC; AND BUFFALO CRUSHED STONE, INC. MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. *RFP: Collection and Recycling of Electronic Waste* – Mr. Spagnoletti explained this RFP is for the collection and recycling of electronic waste at the Bath Landfill. We will be expanding this to the Wayland, Hornell and Erwin Transfer Stations. We will need to have sheds to handle this and have included money in the 2013 budget for these

sheds. The cost per shed will be \$6,500 - \$7,000. He stated that Corning, Inc. has indicated they will help us with the cost of the shed in Erwin. Mr. Spagnoletti stated that currently they are using RCR&R who is doing a great job. He recommended awarding the RFP to RCR&R. The company will pay the County \$0.086 per pound.

**MOTION: AWARDING THE RFP FOR THE COLLECTION AND RECYCLING OF ELECTRONIC WASTE TO RCR&R, WITH THE VENDOR PAYING THE COUNTY \$0.086 PER POUND FOR MONITORS/TV'S, COVERED ELECTRONIC EQUIPMENT AND COMPUTERS MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. *Sale of Forest Products – Sale #1 (Rebid)* – Mr. Spagnoletti informed the committee this bid is to clean up one of the forests we have on Call Hill. He recommended awarding the bid to the sole vendor, Lain Enterprises for \$2,500.00.

**MOTION: AWARDING THE BID FOR THE SALE OF FOREST PRODUCTS – SALE #1 TO LAIN ENTERPRISES FOR THE SUM OF \$2,500.00 MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**VI. OTHER BUSINESS**

A. *Acceptance of Drill Cuttings into Landfill* – Mr. Spagnoletti stated that at the August 27<sup>th</sup> Legislative Meeting, one of the speakers during public comment spoke about pico curie measurements over 2,000 and compared that to his measurements of 50 pico curies. He would like to point out that speaker was referring to the brine, and we are not accepting brine into the Landfill. Additionally, that speaker was using a different measurement; pico curies per liter compared to our measurement of pico curies per gram.

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING\*\***  
**Monday, October 1, 2012**  
**10:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Monday, October 1, 2012*

*10:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	K. Michael Hanna, Chair Aaron I. Mullen	Gary D. Swackhamer, Vice Chair William A. Peoples	Patrick F. McAllister
<b>STAFF:</b>	Jack Wheeler Phil Hink Deb Cotter	Vince Spagnoletti Jerry Miller Steve Catherman	Bryce Foster Jim Gleason
<b>LEGISLATORS:</b>	Joseph J. Hauryski Gary B. Roush	Lawrence P. Crossett Thomas J. Ryan	Carol A. Ferratella Randolph J. Weaver

**I. CALL TO ORDER**

Mr. Hanna called the meeting to order at 10:00 a.m. and asked Mr. Mullen to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE AUGUST 31, 2012, MEETING MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Hanna asked what does it take to call a bond? Mr. Spagnoletti replied there is a legal process of notifying the bond company that the contractor is no longer in compliance. Mr. Reed commented generally a vendor does not want the bond at issue.

**III. ROADS AND BRIDGES**

A. *State Snow Contract Renewal for 2012/2013 Winter* – Mr. Spagnoletti reviewed the proposed contract renewal to plow State roads for the 2012/2013 winter season. Previously the contract was for 106.5 miles, however, this year the mileage has been reduced to 67 miles. We dropped the amount of miles down as we had three towns that no longer wanted to plow roads for us. It is to our benefit to renew this contract and brings in additional revenue. Mr. Spagnoletti stated the rate is \$7,568.00 per mile and the State guarantees two-thirds of that. The amount is based on the severity of the winter. If it is an easy winter, the price per mile will go down, however, they are guaranteeing us 67 percent of the per mileage cost. This is a good contract for us. We will be plowing State Route 54, 54A, 417 from Addison to Jasper and State Route 371 and 21 in Wayland and Cohocton. He recommended renewing this contract.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO RENEW THE STATE SNOW CONTRACT FOR THE 2012/2013 WINTER FOR THE PLOWING OF 67 MILES OF STATE ROAD AT A RATE OF \$7,568.00 PER MILE MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**IV. BIDS**

A. *Tandem Dump Truck* – Mr. Spagnoletti stated this is a bid for a tandem dump truck, side dump, with plow equipment. The advantage of a side dump is that it throws sand/salt in front of the tires. We received two bids, from Tracey Road and Utica General. Our bid called for a stainless steel box and aluminum cab. We also required that the push cylinder be chrome-plated. The low bidder was Tracey Road, however, they bid a black-coated cylinder. We have had those in the past and they last typically six months to a year and then we have had to replace them with the chrome-

plated cylinders. In our bid, we were very specific about that requirement. He recommended declaring Tracey Road an unresponsive bidder and awarding the bid to Utica General for \$228,545.00. Mr. Spagnoletti stated that they will take one of the older trucks out of the fleet and put that in next year's surplus auction.

Mr. Swackhamer asked Freightliner does not offer the chrome cylinders? Mr. Spagnoletti replied no, they don't offer the chrome-plated cylinders. Mr. Swackhamer stated we should check and find out why we only received two bids. Are we writing the specs too close to Peterbilt? Mr. Spagnoletti replied there have been other bidders in the past and we have rejected them because they didn't come back with the specs that we have asked for.

Mr. McAllister asked would we be better off purchasing a tri-axle? Mr. Spagnoletti stated we, in the department, believe we should have tri-axes with one side dump at each of the shops. We currently have eleven tri-axes. There is no question that we should purchase tri-axes. Mr. McAllister asked should we bid out the tri-axle to see what the price would be? Mr. Swackhamer stated that the reason for wanting to purchase a side dump was to put sand in front of the tires. Now you're switching gears. Do we or don't we need a side dump truck? Mr. Spagnoletti replied the reason for the side dump truck is to put sand in front of the back tires. The Legislature had said that we had enough tri-axes and told us not to purchase any more. If we were to buy a tandem rear dump, that would be a waste of money. We don't need any more tandem, but we do need another truck.

Mr. Mullen asked is there a savings going with the tri-axle? Mr. Spagnoletti stated that hauling a ton of gravel with a tandem costs us \$.38 per mile. Hauling the same amount in a tri-axle costs \$.25 per mile. It is more economical to haul with a tri-axle. Mr. Spagnoletti asked Mr. Hink if he needs a new plow truck? Mr. Hink replied yes. Mr. Foster stated the difference between the tri-axle and tandem and rear dump/side dump is the guys that drive. Some prefer to have the material in front of their wheels. Some of the driver's don't care either way. Mr. Swackhamer commented you want sand in front of your tires when you're going up a steep hill. Mr. McAllister asked do the drivers have the tandem trucks now? Mr. Foster replied yes.

Mr. Mullen asked are there extra maintenance costs with the tri-axle? Mr. Spagnoletti replied no, the maintenance is less expensive on the tri-axes. They also can also haul 40 – 50 percent more. Mr. McAllister asked with the side dumps that we have currently, is there one that we should be replacing? Mr. Hink replied yes. Mr. Miller commented the side dumps are more expensive because the body is stainless steel. The trucks have to last 20 years, and with the stainless steel bodies, they will not rust.

Mr. Spagnoletti stated we need to talk about your position on having one or even two side dump trucks at each shop. You have a policy that we are adhering to, and if it were up to us we wouldn't be purchasing the side dumps. In this case, however, he would recommend that we purchase this truck.

**MOTION: AWARDING THE BID FOR A HEAVY-DUTY TEN WHEEL TRUCK TO UTICA GENERAL FOR A TOTAL PRICE OF \$228,545.00 AND DECLARING TRACEY ROAD EQUIPMENT, INC. A NON-RESPONSIVE BIDDER MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. *Portland Cement Concrete – Heated* – Mr. Spagnoletti explained this is for the box culverts that we make during the winter. He recommended awarding to the low bidder, Wades Concrete, LLC.

**MOTION: AWARDING THE BID FOR PORTLAND CEMENT CONCRETE; HEATED TO THE LOW BIDDER, WADES CONCRETE, LLC FOR A TOTAL PRICE OF \$146.50 PER CUBIC YARD MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. *Traffic Signs and Delineators* – Mr. Spagnoletti recommended awarding the bid to the low bidder on a line item basis. Mr. Swackhamer asked how is the replacement going? Mr. Catherman replied that they are trying to replace 1,000 signs per year.

**MOTION: AWARDING THE BID FOR TRAFFIC SIGNS AND DELINEATORS TO GARDEN STATE HIGHWAY PRODUCTS, INC, CUSTOM PRODUCTS, CORP., AND ROCAL, INC. ON A LINE ITEM BASIS MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**V. OTHER**

A. *Soil & Water Conservation District* – Mr. Spagnoletti informed the committee that Mr. Parker does a lot for our department with permits to the Department of Environmental Conservation (DEC) and designs on drainage problems.

B. *Pavement Grinder* – Mr. Spagnoletti informed the committee that the grinder is in and they worked on 1,000 feet on County Route 27 and four miles on County Route 100. It is everything that we had hoped for.

C. *Parks* – Mr. Ryan asked that Mr. Spagnoletti provide the committee with a rough estimate of the percentage of the parks budget that is spent on Kanakadea. Mr. Spagnoletti stated that he will put that together and send it to the committee.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: RECOMMENDING THE REAPPOINTMENT OF VINCENT SPAGNOLETTI AS COMMISSIONER OF PUBLIC WORKS FOR A FOUR-YEAR TERM MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. *Resolution Required.***

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. McALLISTER. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING\*\***  
**Monday, November 5, 2012**  
**10:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Monday, November 5, 2012*

*10:00 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	K. Michael Hanna, Chair Aaron I. Mullen	Gary D. Swackhamer, Vice Chair William A. Peoples	Patrick F. McAllister
<b>STAFF:</b>	Jack Wheeler (by phone) Steve Catherman Rich Bills Shawn Corey	Vince Spagnoletti Steve Orcutt John Emo Alan Reed	Bryce Foster Jerry Miller Deb Cotter Brenda Mori
<b>LEGISLATORS:</b>	Joseph J. Hauryski Thomas J. Ryan	Carol A. Ferratella Randolph J. Weaver	Gary B. Roush
<b>OTHERS:</b>	Mary Perham, <i>The Leader</i> Dean Mason, Barton & Loguidice Rachel Treichler		

**I. CALL TO ORDER**

Mr. Hanna called the meeting to order at 10:00 a.m. and asked Mr. Mullen to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE OCTOBER 1, 2012, MEETING MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. OTHER BUSINESS**

A. *Landfills* – Ms. Treichler stated that they have new concerns about waste issues related to gas drilling. There is an opinion piece that talks about the river of waste from gas drilling and how the disposal of the water flowback is the biggest issue in handling that waste. Our Landfill takes leachate from other landfills that are taking drill cuttings and other waste. Ms. Treichler distributed a handout showing the responses from gas drillers to the Department of Environmental Conservation when questioned about how they dispose of the waste they produce. There are many questions that we all need answers to. Ms. Treichler asked that the County test the leachate plant for radioactivity.

**IV. ROADS AND BRIDGES**

A. *Quit Claim a Portion of Old CR58 to the Adjacent Landowner* – Mr. Reed explained that there is an old highway bed parallel to SR21 in the Town of Fremont. There is a prospective land transfer that would involve this old highway bed. Originally the deed came into the County in 1928 for highway purposes. We have received a request for a portion of that to be quit claimed to the present owner. Currently there is a shed on part of that land. He recommended the committee quit claim .335 acres of the old highway bed to the current adjacent landowner as we have no use for that property.

**MOTION: AUTHORIZING A QUIT CLAIM DEED ON .335 ACRES OF OLD CR58 IN THE TOWN OF FREMONT TO THE ADJACENT LANDOWNER FOR A PRICE OF \$1.00 MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. *Resolution Required.***

B. *Dump Truck Analysis: Tandems and Tri-Axles* – Mr. Spagnoletti introduced Dean Mason from Barton & Loguidice who is a mechanical engineer. He showed the committee a photo which compares the two trucks. The cost for a tandem dump truck is \$217,000 and the cost for a tri-axle is \$234,000. What you get for that 8 percent difference in price is that you can carry one-third more material in the tri-axle. These trucks get approximately 4 ¼ miles per gallon, and with the tri-axles you will save approximately \$4,000 on mileage during the summer. Another benefit for us is that the tri-axles pound the road 40 percent less than the tandems. That is huge for us when we are hauling material.

Mr. Foster provided a scenario for the committee that if they are paving a four-mile stretch of road themselves, they will have the same number of people on the paving crew. If we have 11 tri-axles versus 11 tandems, with the tri-axles, you see a savings with the number of loads each day. Based on a ten-hour day, each truck gets five rounds. With the tri-axles you see two full days of savings; both with fuel efficiency and the fact that you are done two days quicker and then you can have those people move on to do something else. There is a labor savings. We have 68 people on road projects. On a typical work day during the summer, we are using 68 or 69 pieces of equipment. On any given day there are about 19 – 20 pieces of equipment that are parked; typically trucks. The ability to have the tri-axles allows us to haul more material.

Mr. Mullen asked are any of the trucks that are parked tri-axles? Mr. Foster replied no, we use the tri-axles all the time. During construction season, April through mid-October, the tri-axles are driven more total miles than the 38 tandems combined. We use the tri-axle trucks on a daily basis. Mr. Spagnoletti explained with our labor force, to do one mile of road, it would take six days to complete that one mile with tandem trucks and only four days with using tri-axle trucks.

Mr. Spagnoletti stated that there have been some concerns raised regarding the safety of the tri-axles versus the tandems. In three years, we have had one accident with the tri-axles. The drivers of the tri-axles will say that they are able to stop more quickly. Winter safety is a little bit different. In 2005, the tri-axles were changed so that the back wheels now track with the front wheels. We have 46 plow trucks. Of those, 22 are side dumps. We want to keep the **tandem side dumps** as a basic part of the fleet, however, they do require extra maintenance. The 11 tri-axles in our fleet have saved us. With the early retirement, our workforce went from 165 employees to 131. The tri-axles have enabled us to continue to get our work done. There are 14 trucks in our fleet that are tandems. The question is what are we going to do as the tandems wear out? What will we replace them with? We pay \$17,000 more to purchase the tri-axles. Over the life of that vehicle, we are saving \$80,000 in fuel. You are saving \$63,000 in cash outlay and are able to carry one-third more material.

Mr. McAllister asked can you do with less of them? Mr. Spagnoletti replied we base the number of trucks around our plow routes. We need to have a certain number of trucks, whether they are tandems or tri-axles. Mr. Mullen stated that he has talked with a number of the drivers about the tri-axle and they said that the trucks were better in the summer and brake better. They were more concerned in the winter, about getting sand in front of their tires and that it was difficult to plow around tight turns. They also said that they cannot fit as much sand in the boxes. The tandems can take 20 **tons** in the side dumps and the tri-axles only take 16 **tons**. Mr. Spagnoletti stated **it is not a problem for the tri-axle trucks to back up or down the hills**. **However**, these trucks are not built to go around tight corners. That is not a big deal as we don't plow city streets. With regard to the concerns about the winter, the tri-axles are built to carry more material in the summer. That is a big benefit. In the winter, these tri-axles have a v-body slide-in sander and that does take up some of the room in the box. If you put sand in an aluminum box, it would eat up the aluminum. We buy a stainless steel sander and that cuts down on the amount you can carry in the winter. Even though the tri-axles carry a little bit less than the tandems in the winter, they can still make their entire run. We schedule our runs for 2 ½ hours and the trucks can carry enough sand to get them through the run. He stated that for him, this is not significant because the tri-axle still does the job in the winter without any extra driving. Mr. McAllister asked are the boxes wearing out in the tandems? Mr. Spagnoletti replied in the past, they would wear out in six to seven years. That is why we went to the stainless steel boxes.

Mr. Mullen commented that he thinks it is a good idea to have more tri-axles, but we also should keep the side dumps. Mr. Spagnoletti stated we have 9 shops and 22 side dumps and we would like to keep that basic fleet. The 11 tri-axles have been a lifesaver and have allowed us to get our road work done.

Mr. Hanna asked how long would it take you to replace the fleet? Mr. Spagnoletti replied historically we have purchased two or three trucks a year. It would take about five or six years to replace the fleet. Mr. Peoples asked what happens to the trucks when we are done with them? Mr. Spagnoletti replied they go into the surplus auction. Mr. Peoples asked why do we get rid of them? Mr. Spagnoletti replied the decision to get rid of them is based on their condition. We have trucks that are 20 years old.

V. **BIDS**

A. *Sale of Scrap Steel*

**MOTION: AWARDING THE BID FOR THE SALE OF SCRAP STEEL TO EASCO BROKERAGE CORPORATION/EDWARD ARNOLD SCRAP PROCESSORS, INC. FOR A PRICE OF \$205.50 PER TON MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. *Marketing of Recyclable Materials – Scrap Tires* – Mr. Spagnoletti recommended awarding Alternate 1 to Armour Environmental and Alternate 2 to Seneca Meadows.

**MOTION: AWARDING THE BID FOR THE MARKETING OF RECYCLABLE MATERIAL – SCRAP TIRES, ALTERNATE 1 TO ARMOUR ENVIRONMENTAL FOR \$114.00 PER TON AND ALTERNATE 2 TO SENECA MEADOWS, INC. FOR \$75.00 PER TON MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. *Clean & Inspect Landfill Leachate Holding Tanks and Lines*

**MOTION: AWARDING THE BID TO CLEAN & INSPECT LANDFILL LEACHATE HOLDING TANKS AND LINES TO PRECISION INDUSTRIAL MAINTENANCE, INC. FOR A TOTAL PRICE OF \$55,764.25 MADE BY MR. McALLISTER. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. *Cutting Edges, Sander Chains & Shoes* – Mr. Spagnoletti recommended awarding to the low bidder on a line item basis.

**MOTION: AWARDING THE CUTTING EDGES, SANDER CHAINS & SHOES BID TO THE FOLLOWING BIDDERS ON A LINE ITEM BASIS: CHEMUNG SUPPLY CORP., WAYNE'S WELDING, INC., SNOWFIGHTING EQUIPMENT & CONSULTANTS OF BUFFALO, INC., AND MONROE TRACTOR MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. *Industrial Mechanical Services; Solid Waste Division*

**MOTION: AWARDING THE BID FOR INDUSTRIAL MECHANICAL SERVICES; SOLID WASTE DIVISION TO JOHN KUHN PLUMBING, HEATING & COOLING, INC. AT A RATE OF \$75.00 PER HOUR MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. *Bath Landfill 2012 Landfill Gas System Expansion*

**MOTION: AWARDING THE BID FOR THE BATH LANDFILL 2012 LANDFILL GAS SYSTEM EXPANSION TO MARCY EXCAVATION SERVICES FOR A TOTAL PRICE OF \$145,000.00 MADE BY MR. McALLISTER. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

G. *Marketing of Recyclable Material* – Mr. Spagnoletti requested authorization to extend the 2012 bid award through December 31, 2013.

**MOTION: EXTENDING THE BID FOR THE MARKETING OF RECYCLABLE MATERIALS THROUGH DECEMBER 31, 2013, WITH SWARTHOUT RECYCLING FOR A TOTAL PRICE OF \$273,982.50 MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

H. *Marketing of Recyclable Materials; White Goods & Scrap Metal* – Mr. Spagnoletti requested authorization to extend the 2012 bid award through December 31, 2013.

**MOTION: EXTENDING THE BID FOR THE MARKETING OF RECYCLABLE MATERIALS; WHITE GOODS THROUGH DECEMBER 31, 2013, WITH HORNELL WASTE MATERIAL, INC., FOR 67 PERCENT AT THE HORNELL TRANSFER STATION AND 65 PERCENT AT THE WAYLAND TRANSFER STATION; AND WITH SWARTHOUT RECYCLING FOR 77 PERCENT AT BOTH THE BATH LANDFILL AND ERWIN TRANSFER STATION MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

I. *Landfill Monitoring Wells; Collection & Lab Analysis of Samples* – Mr. Spagnoletti requested authorization to extend the 2012 bid award through December 31, 2013.

**MOTION: EXTENDING THE BID FOR LANDFILL MONITORING WELLS; COLLECTION & LAB ANALYSIS OF SAMPLES THROUGH DECEMBER 31, 2013, WITH UPSTATE LABORATORIES, INC. FOR AN ANNUAL COST OF \$152,552.00 MADE BY MR. SWACKHAMER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

J. *Oxygen & Acetylene* – Mr. Spagnoletti requested authorization to extend the 2012 bid award through December 31, 2013.

**MOTION: EXTENDING THE BID FOR OXYGEN & ACETYLENE THROUGH DECEMBER 31, 2013, WITH BRADLEY SUPPLY, INC. FOR A TOTAL PRICE OF \$2,435.29 MADE BY MR. PEOPLES. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

## **VI. NEW BUSINESS**

A. *Agreement with New York State Department of Transportation* – Mr. Catherman requested authorization to enter into an agreement with the New York State Department of Transportation to use their Under Bridge Inspection Unit to do concrete work on CR73 over the Tioga River. Last year we did this and the State assigned a value of \$9,000.00 per month for shared services. We want to borrow this unit for about two weeks. Mr. Spagnoletti commented if they want to start sending us a bill, we will stop it. We need to be able to work together. We are not paying cash for this. This agreement is a one-page document that the Law Department has approved. Mr. Corey commented we are going to try to come to a little more formal arrangement with the State. The State started pushing shared services back in 2004 and 2005. Billing for these shared services is an administrative nightmare. They will find that a lot of the help they get will start drying up. We help them out far more than we get in return. Mrs. Ferratella stated that she thinks we should have a record of the work we do in case they come back and bill us. Mr. Spagnoletti stated that we send the State a written summary of what we did for them.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE USE OF THEIR UNDER BRIDGE INSPECTION UNIT TO PERFORM WORK ON THE CR73 BRIDGE OVER THE TIOGA RIVER MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

B. *Informational* – Mr. Spagnoletti stated that he would like to recognize Mr. Marshall for his work during Hurricane Sandy. He did a great job. He also stated that at last month’s Legislative Meeting he made a comment that Commissioner Muller is passing through money. She does a lot of hard work to save the County money, in addition to passing money through. At that same meeting, Chairman Hauryski recognized him for the shared services award from the New York State Association of Soil & Water Conservation Districts. He stated that award was for the department as a whole. Mr. Foster and Mr. Hink do a great job with that and we work very well with the DEC and the State.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF; AND 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE TRANSFER OF \$40,000.00 FROM THE LANDFILL SCALE CAPITAL PROJECT ACCOUNT TO THE BATH LANDFILL EXPANSION CAPITAL PROJECT ACCOUNT FOR THE PURCHASE OF 1.19 ACRES OF LAND ADJACENT TO THE LANDFILL MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. *Resolution Required.***

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. PEOPLES. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. McALLISTER. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING\*\***  
**Monday, December 3, 2012**  
**10:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Monday, December 3, 2012

10:00 a.m.

Legislative Committee Room  
Steuben County Office Building  
Bath, New York

**\*\*MINUTES\*\***

**COMMITTEE:** K. Michael Hanna, Chair Gary D. Swackhamer, Vice Chair Patrick F. McAllister  
Aaron I. Mullen William A. Peoples

**STAFF:** Mark R. Alger Jack Wheeler Vince Spagnoletti  
Bryce Foster Phil Hink Steve Orcutt  
John Emo Rich Bills Jerry Miller  
Steve Orcutt Deb Cotter Shawn Corey  
Jim Gleason Ken Isaman

**LEGISLATORS:** Joseph J. Hauryski Carol A. Ferratella Gary B. Roush  
Randolph J. Weaver

**OTHERS:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Hanna called the meeting to order and asked Mr. Mullen to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

Mr. Mullen stated that during the discussion at last month's meeting regarding tri-axles, Mr. Spagnoletti had indicated that with respect to safety, it was not a problem for the trucks to back up or down the hills. He asked that this statement be included in the minutes.

**MOTION: APPROVING THE MINUTES OF THE NOVEMBER 5, 2012, MEETING AS AMENDED MADE BY MR. MULLEN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. ROADS & BRIDGES**

A. *Shared Services Agreements* – Mr. Spagnoletti stated that he would like the committee to consider having only the Public Works Committee approve shared services agreements. Mr. Corey commented that when entering into agreements with other municipalities, we are required by statute to have Board approval. In the past, the Board has authorized the relevant committee to approve specific agreements. He stated that an example of that would be the Human Services, Health & Education Committee approving contracts between Mental Health and the School Districts. He stated approving agreements would be appropriate for this committee.

Mr. Alger explained this would be an alternative to having to do a Board resolution every time you entered into a shared services agreement. Mr. Mullen asked would this apply to purchasing equipment for shared services? Mr. Corey replied yes. Mr. Weaver asked if some of these agreements are recurring, would you do them annually or one time? Mr. Alger replied it depends on how you write it. Mr. Corey commented the State is becoming much more formal with their paperwork and it behooves us to button up our process a little bit.

**MOTION: AUTHORIZING THE PUBLIC WORKS COMMITTEE TO APPROVE AND ENTER INTO SHARED SERVICES AGREEMENTS MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**IV. BIDS**

A. *Stone Fill – FOB, Quadrant 1, Quadrant 2, Quadrant 3 and Quadrant 4* – Mr. Spagnoletti recommended awarding FOB to all bidders and to Dolomite for all quadrants.

**MOTION: AWARDING THE BID FOR STONE FILL AS FOLLOWS: FOB PLANT TO DOLOMITE PRODUCTS COMPANY, INC., HANSON AGGREGATES NEW YORK, LLC, AND SENECA STONE CORPORATION; AND QUADRANTS I, II, III AND IV TO DOLOMITE PRODUCTS COMPANY, INC. MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. *Concrete Blocks* – Mr. Spagnoletti recommended awarding to all bidders on a line item basis.

**MOTION: AWARDING THE BID FOR CONCRETE BLOCKS TO LAKELANDS CONCRETE PRODUCTS AND AUSTIN CONSTRUCTION, LLC MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. *Ready Mix Concrete* – Mr. Spagnoletti recommended awarding to all bidders on a line item basis.

**MOTION: AWARDING THE BID FOR READY MIX CONCRETE FOR ALL QUADRANTS ON A LINE ITEM BASIS TO KATIES KONCRETE, SPALLINA MATERIALS AND HANSON AGGREGATES NEW YORK, LLC MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. *Heavy Steel Pipe & Boiler Shells* – Mr. Spagnoletti recommended awarding to all bidders on a line item basis.

**MOTION: AWARDING THE BID FOR HEAVY STEEL PIPE & BOILER SHELLS ON A LINE ITEM BASIS TO ALLEGANY PIPE & TUBULAR PRODUCTS AND CHEMUNG SUPPLY CORP. MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. *Tree Services* – Mr. Spagnoletti recommended awarding to the low bidder on a line item basis.

**MOTION: AWARDING THE BID FOR TREE SERVICES FOR CLASS A, CLASS B AND CLASS C TO THE LOW BIDDER, TRUE CUT TREE SERVICES, AND FOR CLASS D TO THE LOW BIDDER, BEERS TREE SERVICE MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. *Aggregates* – Mr. Spagnoletti recommended awarding the bid for Quarry Stone and Crushed Stone to all bidders and recommended awarding Quadrants 1, 2, 3 and 4 on a line item basis. He also requested that Belangers Gravel & Stone be disqualified from the bid for Crushed Stone for NYS DOT Subbase Type 3 as they did not meet the bid specifications.

**MOTION: AWARDING THE BID FOR QUARRY STONE AND CRUSHED STONE, FOB PLANT TO THE FOLLOWING BIDDERS: AUSTIN CONSTRUCTION, LLC; BELANGERS GRAVEL & STONE, INC.; BUFFALO CRUSHED STONE; DALRYMPLE GRAVEL & CONTRACTING CO., INC.; DOLOMITE PRODUCTS COMPANY INC., D/B/A A.L. BLADES; HANSON AGGREGATES NEW YORK, LLC; SENECA STONE CORPORATION AND SPALLINA MATERIALS, INC.; DISQUALIFYING BELANGERS GRAVEL & STONE, INC. FROM THE CRUSHED STONE BID FOR ITEM NYS DOT SUBBASE TYPE 3; AWARDING TO QUADRANTS 1, 2, 3 AND 4 ON A LINE ITEM BASIS TO AUSTIN CONSTRUCTION, LLC AND BUFFALO CRUSHED STONE MADE BY MR. MULLEN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

G. *Lubricants* – Mr. Spagnoletti recommended awarding to the low bidder, Superior Lubricants. He asked that Monroe Tractor be declared non-responsive as they did not bid all of the items we wanted.

Mr. Swackhamer asked do the companies carry more than one brand of oil? Mr. Miller replied that he doesn't believe they do. Mr. Spagnoletti stated if we told them to provide a certain type of oil, they probably could. If we were to specify that in the bid, then it becomes a sole source issue. We have wanted to stay away from that to increase competition as much as possible.

**MOTION: AWARDING THE BID FOR LUBRICANTS TO THE LOW BIDDER, SUPERIOR LUBRICANTS, FOR A TOTAL PRICE OF \$202,234.42 AND DECLARING MONROE TRACTOR NON-RESPONSIVE AS THEY DID NOT BID ALL ITEMS REQUESTED MADE BY MR. MULLEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

H. *Removal & Recycling of Used Oil and Used Antifreeze; Recycling of Fluorescent Bulbs* – Mr. Spagnoletti informed the committee that they received quotes from three companies. We awarded the quote to Heritage-Crystal Clean. We pay them for the recycling of used antifreeze and fluorescent bulbs. They pay us for the recycling of used oil. He stated that no committee vote is required.

I. *Removal and Lawful Disposal of Deer Carcass(es)* – Mr. Spagnoletti recommended awarding to Dick's Enterprises for \$30.00 per carcass.

**MOTION: AWARDING THE BID FOR THE REMOVAL AND LAWFUL DISPOSAL OF DEER CARCASS(ES) TO DICK'S ENTERPRISES FOR A COST OF \$30.00 PER CARCASS MADE BY MR. MULLEN. SECONDED BY MR. PEOPLES. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**V. OTHER BUSINESS**

A. *Town of Rathbone* – Mr. Spagnoletti informed the committee that the Town of Rathbone built a pavilion near one of our bridges off of CR21. The pavilion is located on County property. We want to have an access road to the bridge. We would like to quit claim the land around the pavilion to the Town of Rathbone and have a road to the adjacent property. There is a 10 foot boundary around the pavilion, however, there will be kids playing around the pavilion.

Mr. Mullen asked could we lease the property to them and require them to have insurance? Mr. Spagnoletti replied the problem is we are giving people permission to play in here. Mr. Alger stated if we do a lease we can require them to carry insurance for that purpose. Mr. Corey stated a lease option would need the approval of the Full Board.

**MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR AND THE LAW DEPARTMENT TO EXECUTE A LEASE WITH THE TOWN OF RATHBONE FOR THE PAVILION LOCATED ON CR21 MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**  
*Resolution Required.*

B. *Informational* – Mr. Spagnoletti stated that he received a letter from Peggy Coleman commending Phil Hink and the mobile work program for their assistance during the Wineglass Marathon.

Mr. Spagnoletti informed the committee that Mr. Foster is working with the railroad on the line from Bath to Hammondsport. They need some slope work done by the Jail and in return, they will give us the old rails. We use those to build retaining walls.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR CORPORATION OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION DISMISSAL OR REMOVAL OF A PARTICULAR CORPORATION MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: DECLARING SNOWFIGHTING EQUIPMENT & CONSULTANTS OF BUFFALO, INC. AS AN UNRESPONSIVE BIDDER FOR THE CUTTING EDGES, SANDER CHAINS & SHOES BID AWARDED ON**

**NOVEMBER 2, 2012, AND RESCINDING THE AWARD AND AWARDED TO THE FOLLOWING BIDDERS ON A LINE ITEM BASIS: CHEMUNG SUPPLY CORP., WAYNE'S WELDING, INC., AND MONROE TRACTOR MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. McALLISTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING\*\***  
**Monday, January 7, 2013**  
**10:00 a.m.**