

STEUBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, January 6, 2004

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Harley R. Mayo, Chair L. Ronald Nielsen, Vice Chair Francis L. Gehl
Kenneth E. Isaman Robert V. Nichols

Legislators: Philip J. Roche, Esq. Thomas J. McIntyre

Staff: Mark R. Alger Vincent Spagnoletti Bruce Stanley Stephen Catherman
Steve Orcutt Amy Dlugos Karen Monroe Scot Martinez
Michele Smith Kent Longacre Gregory P. Heffner Bonnie Kastner
Lucy Whitney Frederick H. Ahrens James Gleason Jacques Begin

Other: Kevin Voorhees, Barton & Loguidice William Hatch Rosalie Niemczyk
Mary Perham, *The Leader*

I. CALL TO ORDER

The meeting was called to order by Mr. Mayo at 9:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE DECEMBER 2 AND DECEMBER 22, 2003, MEETINGS MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILL

A. Proposed Erwin Transfer Station Status – Mr. Spagnoletti stated the Erwin Town Planning Board approved the site selection on the basis of 65 tons per day. If you want to move forward, they will need a resolution finalizing the cornfield as the site selection. They will also need approval to proceed with the permitting process and begin the bidding of the project. Discussion followed.

MOTION: FINALIZING THE CORNFIELD AS THE SITE LOCATION FOR THE ERWIN TRANSFER STATION AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PROCEED WITH THE PERMITTING AND BIDDING PROCESS FOR THE CONSTRUCTION PROJECT MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Gehl stated several people asked if we are still going to close the existing transfer station on May 1st. Mr. Spagnoletti stated he also had people ask him and he told them it was the Committee's decision. One of the issues regarding extending the operation of the existing

transfer station was the need to replace the tractor, but he believes they can make do with what we have until the new facility is built. Discussion followed.

MOTION: WITHDRAWING THE DATE OF THE CLOSURE OF THE ERWIN TRANSFER STATION AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO KEEP THE TRANSFER STATION OPEN UNTIL THE STATE REMOVES THE BRIDGE MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti recognized Steve Catherman and the level of service he provided regarding the traffic issues with the relocation of the transfer station. He also recognized Greg Heffner who assisted his department with the regulations, and Bonnie Kastner for sorting through and answering the numerous e-mails regarding the transfer station relocation. Mr. Spagnoletti stated Kent Longacre took photos of the Wayland and Hornell transfer stations to provide visuals and Kevin Voorhees (Barton & Loguidice) assisted with the presentation. Tony Clarke researched the regulations on location distance in the other States. Mr. Spagnoletti stated a significant item he located on the Internet was a photograph of a transfer station in New York City. He stated that is the type of transfer station that has problems with particulates and cleanliness. He noted this is why they have issues with transfer stations in New York City and why they are not an issue at our transfer stations. Discussion followed.

Mr. Roche thanked the Public Works Committee on behalf of the Town of Erwin for their perseverance and cooperation on getting this approved. He also thanked Mr. Spagnoletti for his wonderful preparation and presentation last night. It is truly appreciated.

Mr. Gehl excused himself from the meeting.

B. Bath Landfill Expansion Status – Mr. Spagnoletti stated they will run out of space at the Bath Landfill sometime between March and May of 2005. We are close to being permitted and he doesn't predict they will have any problems. Therefore, he would like approval to bid cell one. The cost to construct cell one is about \$5.8 million, which includes the gas collection system. The cap will cost an additional \$600,000. Discussion followed.

Mr. Voorhees stated the comment period on the project ended last Friday. We hope to have the permit issued this month. We are targeting a bid date of January 23rd and will give the contractors one month to get their bid together for submission by the end of February. Considerable discussion followed.

MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SOLICIT BIDS FOR THE CONSTRUCTION OF CELL ONE FOR THE BATH LANDFILL EXPANSION PROJECT MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

C. Hornell Transfer Station – Mr. Isaman stated approximately a month ago Mayor Hogan questioned him about accepting out-of-county garbage for \$26/ton when the City of Hornell pays \$51/ton. The city currently charges \$65 per household and the Mayor learned that the garbage budget was going to be in the red this year. Mr. Isaman stated the Mayor apparently has made a deal with Allegany County for a flat rate of \$110,000 where they will haul it to Allegany County's transfer station in Almond, which is about 6 miles away. It is a one-year deal and we are disappointed, but he understands them going through with it.

Mr. Alger stated we have never negotiated rates with municipalities in Steuben County and with the lower rate they are giving municipalities to bring in outside garbage, maybe we should begin looking at negotiating with the cities of Hornell and Corning in the future. Of course, it is too late this year for Hornell but we should look at it for the future. Discussion followed.

Mr. Spagnoletti stated the City of Hornell's tonnage is between 3,000 and 4,000 tons per year and they are dropping it off 6 miles outside of Hornell for approximately \$26/ton, which is the same price we charge Middletown. A big thing that came out of the meeting is the City expressed interest in operating the transfer station so we will be following up on that.

Mr. Mayo asked Mr. Spagnoletti to prepare an analysis regarding the loss in revenue and look at the feasibility of closing Hornell either totally or part time, as it cannot be cost effective without the city's garbage. Mr. Isaman stated there is a \$200,000 income loss here and maybe we should take in more outside garbage in the meantime. In addition, there is a question of whether or not we should accept the City's recyclables. We need to determine if we are making money taking their recyclables or is it costing us money?

Mr. Alger stated you'll want to look at what the difference in volume is in the actual system, and operational cost impacts as well. He noted it might take longer than a month to come up with the actual cost impact. Discussion followed.

Mr. Voorhees stated the practice in other Counties he has worked with is they don't accept the recyclables of a municipality if that same municipality isn't bringing their solid waste to the County too. Recyclables usually cost you money, or maybe you would break even, but this would ensure that you get both their solid waste and recyclables.

D. Portable Litter Fences – Mr. Spagnoletti stated he believes they could use the bridge crew to build these rather than purchase them. He noted they might need to hire temporary help to assist in picking up the litter at the landfill. Discussion followed.

E. D6 Dozer and Compactor – Mr. Spagnoletti stated they have \$160,000 in the Rental of Equipment line item of the Landfill Budget. He requested authorization to solicit bids for a lease agreement on a D6 dozer and compactor.

MOTION: AUTHORIZING THE SOLICITATION OF BIDS FOR A LEASE AGREEMENT ON A D6 DOZER AND COMPACTOR FOR THE LANDFILL MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

F. Trackloader – Mr. Spagnoletti requested authorization to solicit bids for the repair of the tracks on the trackloader.

MOTION: AUTHORIZING THE SOLICITATION OF BIDS FOR THE REPAIR OF THE TRACKS ON THE TRACKLOADER MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

IV. ROADS & BRIDGES

A. Mulholland Bridge – Mr. Catherman stated they are trying to set the steel this week but the river is still too high. Mr. Spagnoletti stated this project is 95 percent funded. He requested approval of a change order for \$179,806.60. He noted \$160,000 is for the piling and the other

\$20,000 is for blacktop, concrete and underdrain. We went over by about 50 percent of the contract funding. Mr. Catherman explained that the two main reasons for the overrun are the variable soils and the disturbance of the existing soils with the pile driver. It is always a best guess estimate.

MOTION: APPROVING CHANGE ORDER NO. 2 FOR THE MULHOLLAND BRIDGE PROJECT IN THE AMOUNT OF \$179,806.60 MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

B. South Street Bridge – Mr. Spagnoletti requested approval of the final DOT/local agreement for the South Street Bridge project. He noted there is no change in the project cost. Mr. Catherman stated they need to approve the final numbers of the project for accounting purposes. The amount of the agreement is \$2,343,000.

MOTION: APPROVING THE FINAL AGREEMENT WITH NYSDOT IN THE AMOUNT OF \$2,343,000 FOR THE SOUTH STREET BRIDGE PROJECT AND AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN SAID AGREEMENT MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

C. Machinery Fund – Mr. Spagnoletti requested authorization to transfer \$493.74 from the Minor Equipment budget and \$15,844 from the Major Equipment budget and appropriate \$16,337.74 to the Diesel Fuel Fund for 2003.

MOTION: AUTHORIZING THE TRANSFER OF \$493.74 FROM DM.5.5130.2080 AND \$15,844.00 FROM DM.5.5130.2090 AND APPROPRIATING \$16,337.74 TO DM.5.5130.4630 FOR 2003 MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

V. **BIDS**

A. Ready Mix Concrete – Mr. Spagnoletti recommended awarding the Ready Mix Concrete Bid on a line item basis to the lowest bidder.

MOTION: AWARDING THE READY MIX CONCRETE BID AS FOLLOWS: QUADRANT 1 – CLASS A TO KNIGHT SETTLEMENT SAND & GRAVEL OF BATH, NY; CLASS H AND "K'CRETE FLOWABLE FILL TO WADES COAL & CONCRETE OF ADDISON, NY; QUADRANT 2 – ALL TYPES TO WADES COAL & CONCRETE OF ADDISON, NY; QUADRANT 3 – CLASS A AND CLASS H TO KNIGHT SETTLEMENT SAND & GRAVEL OF BATH, NY; "K'CRETE FLOWABLE FILL TO ELAM SAND & GRAVEL OF W. BLOOMFIELD, NY; QUADRANT 4 – CLASS A AND CLASS H TO KNIGHT SETTLEMENT SAND & GRAVEL OF BATH, NY; AND "K'CRETE FLOWABLE FILL TO WADES COAL & CONCRETE OF ADDISON, NY MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

B. Traffic Signs – Mr. Spagnoletti recommended awarding the bid as shown on a line item basis.

MOTION: AWARDING THE TRAFFIC SIGNS BID ON A LINE ITEM BASIS TO VULCAN SIGNS OF FOLEY, AL; AND ALLMAC SIGNS OF HARWICH, MA MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

C. Tree Services – Mr. Spagnoletti recommended awarding the Tree Services bid to the low bidder.

MOTION: AWARDING THE TREE SERVICES BID TO THE LOW BIDDER, BEERS TREE SERVICE OF CAMERON MILLS, NY MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

D. Lubricating Oil – Mr. Spagnoletti stated in the past they have had two or three bidders, but this year they only had one. The cost increased significantly as well. Mr. Begin stated they sent out 10 packets and received two responses, but one was a non-responsive bidder, as they didn't bid all of the line items. Discussion followed.

MOTION: AWARDING THE LUBRICANTS & RELATED SERVICES BID TO WILLIAMS LUBRICANTS OF TOWANDA, PA MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

VI. OTHER BUSINESS

The Committee scheduled the February Public Works Committee Meeting for Thursday, February 5th at 9:00 a.m. to accommodate those individuals attending the NYSAC Conference.

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 AND 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. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote.

MOTION: DIRECTING THAT ALL OF THE NECESSARY STEPS ARE TAKEN TO ACQUIRE THE CORNFIELD ADJACENT TO THE PROPOSED DEC ERWIN TRANSFER STATION SITE HAVING AN APPRAISED VALUE OF \$22,000 MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for the vote. Resolution Required.

MOTION TO ADJOURN MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. *Mr. Gehl not present for the vote.*

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Thursday, February 5, 2004
9:00 a.m.**

STEUBEN COUNTY PUBLIC WORKS COMMITTEE

Special Meeting

Monday, January 26, 2004

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Harley R. Mayo, Chair Robert V. Nichols, Vice Chair Francis L. Gehl
Kenneth E. Isaman L. Ronald Nielsen

STAFF: Mark R. Alger Vincent Spagnoletti Scott Martinez
Steve Orcutt Frederick H. Ahrens, Jr. James Gleason

LEGISLATORS: DeWitt T. Baker, D.V.M. Donald B. Creath Patrick F. Donnelly
Lldon E. Jamison Thomas J. McIntyre Philip J. Roche, Esq.
Thomas C. Schwartz David R. Stachnik John Walsh

OTHERS: Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Mayo called the meeting to order at 9:30 a.m.

II. GENERAL BUSINESS

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, 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. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: ACCEPTING THE PROPOSAL OF BARTON & LOGUIDICE, PC IN THE AMOUNT OF \$132,056.00 FOR ENGINEERING WORK TO COVER THE LINDLEY LANDFILL MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted By: Amanda L. Chapman, Senior Stenographer, Steuben County Legislature

STEBEN COUNTY PUBLIC WORKS COMMITTEE

February 5, 2004

9:00 a.m.

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Harley R. Mayo, Chair Robert V. Nichols, Vice Chair L. Ronald Nielsen
Kenneth E. Isaman Francis L. Gehl

Legislators: Philip J. Roche, Esq. John Walsh

Staff: Mark R. Alger Gregory P. Heffner Vincent Spagnoletti James Gleason
Scot Martinez Bruce Stanley Steve Orcutt Steve Catherman
Tim Wixom Pat MacDonald Bob Kingsbury Rick Panter
Mike Hughes Steve Flaitz Sally MacDougal Michele Smith
Fred Ahrens Kent Longacre Doreen Ames Jacques Begin
Peter Geer Bonnie Kastner

Other: Kevin Voorhees, Barton & Loguidice Mary Perham, *The Leader*
Dennis Fagan

I. CALL TO ORDER

The meeting was called to order by Mr. Mayo at 9:00 a.m.

II. COMMENTS BY MEMBERS OF THE PUBLIC

Dennis Fagan stated he would like to address the committee but due to the sensitive nature of the discussion, he suggested they go into executive session. The committee decided to address the issue in executive session at the end of the meeting.

III. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JANUARY 6 AND JANUARY 26, 2004 MEETINGS MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Isaman and Mr. Nichols not present for vote.

IV. LANDFILL

A. Leachate Plant – Mr. Spagnoletti stated the first full year they ran the Leachate Treatment Plant was 1997. He stated Bob Kingsbury is the Plant Manager and Rick Panter does the mechanical work. They do a great job and they have significantly reduced the cost of doing business up there. The first year of business they treated 10,124,957 gallons at a cost of \$535,971.78 and in 2003 they treated 14,112,811 at a cost of \$362,619.79. The plant was built for 3 people to operate it and they operate it with two.

Mr. Kingsbury stated they have also been able to bring in revenue as now they accept leachate from two private landfills at a cost of \$7 per ton. Mr. Spagnoletti stated he was discussing the plant with a nearby

County and they are very interested in bringing their leachate here so they will be meeting with them in the near future.

B. Landfill Expansion – Mr. Voorhees stated DEC staff has forwarded draft copies of the permits. He's reviewed them and he's waiting for a call back from the engineer regarding a couple questions he has. The bid acceptance date is scheduled for March 11 and prebid conference is scheduled for February 25th at 11:00 a.m. Mr. Ahrens stated the closing date for the bonds is February 26th. Mr. Spagnoletti stated the New York Power Authority gave us a presentation regarding the gas to energy project. They think it is feasible for our landfill but it is a \$1.7 million capital cost up front. We decided to get the cell built to see how much gas is coming out before we determine if it is feasible. We've been letting the contractors in the area know that the bid is coming up.

C. Erwin Transfer Station – Mr. Spagnoletti stated they met with DEC and they are pleased with the site we selected. They gave us the forms to register the station. We told them \$2 million is enough to build a comparable facility but they authorized us to spend up to \$2.3 million to improve the site visually. Discussion followed.

Mr. Spagnoletti stated we don't have the deed yet for the DEC property. The tonnage at the transfer station has dropped from 11,500 to 8,500 tons. On February 13th we're going to Cattaraugus County to look at the V-Quip they use. He stated if anyone would like to go with them, please let him know. He noted the V-Quip is for holding recyclables. It keeps the rain from getting on the recyclables and it would also prevent us from having to bale the recycling on site. Discussion followed.

D. Dozer and Trash Compactor – Mr. Spagnoletti stated Mr. Gleason had concerns about bidding the dozer and trash compactor on a lease/purchase basis. He thinks we should bid it on an outright purchase basis or an installment purchase. If we can do it on an outright purchase, it would save us money. We have \$140,000 budgeted for the rental of this equipment. Mr. Orcutt stated it would cost approximately \$675,000 to purchase the two pieces. Mr. Gleason stated if you do an installment lease purchase it would also require approval from the entire Legislature. Mr. Spagnoletti stated our intent had been to buy it on a lease purchase. Discussion followed.

MOTION: AUTHORIZING THE SOLICITATION OF BIDS FOR THE PURCHASE AND/OR INSTALLMENT PURCHASE IF A DOZER AND TRASH COMPACTOR MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Litter at Bath Landfill – Mr. Spagnoletti stated the litter at the landfill has become a serious problem. He stated they're considering asking Steuben ARC to send a crew over, depending on the cost. They need to have a meeting with DEC so they know that when we get the garbage to such a high elevation, the wind is much worse so it is harder to control the litter. Discussion followed.

F. Transfer Stations Tonnage – Mr. Spagnoletti stated last month the Committee expressed concern regarding whether they needed to keep the Hornell Transfer Station open full time. With the loss of the contract with the City of Hornell, our tonnage will go down to 5,000 tons per year from 9,000 tons per year. In January 2003 they took in 600 tons and in January 2004, they only took in 200 tons. At the Erwin Transfer Station they took in 600 tons in January 2003 and 550 tons in January 2004. The Wayland Transfer Station has held steady at 60 tons for those two time periods. The City of Corning currently contracts with Casella and the City of Hornell is contracting with Allegany County. He noted Hornell is still bringing us their recyclables, but they will be reviewing that issue in the future. He noted Mayor Lewis had expressed that he'd like to take the City of Corning's garbage to Steuben County so they will be meeting with them to discuss that issue. Mr. Gehl noted Corning's current contract with Casella expires in June.

Mr. Spagnoletti stated he usually brings the financial statements concerning the landfill and transfer stations to the Committee in March. He'd like to have the final figures prior to the Committee deciding on what to do about the transfer stations.

G. Extend Warranty for 2003 Case Backdump Truck – Mr. Stanley stated the warranty they have on the backdump truck runs until September 4th and they'd like to extend it for 2 years. He stated they've been having transmission problems and the company has replaced the transmission but it still isn't running right. They are offering an extended powertrain warranty for 2 years for a cost of \$3,250. He noted it costs \$30,000 just to replace the transmission.

Mr. Nielsen stated it sounds like we purchased a lemon and I think we should go back against the manufacturer before we extend the warranty. Mr. Isaman stated there is concern about the capability of this equipment to operate for another year. Mr. Spagnoletti stated maybe we should discuss that with them and ask them to send us another machine. Mr. Mayo stated either they replace the machine or they could give us the warranty for free. Mr. Nielsen stated they have to do something because the County can't afford to have the equipment down all the time. Considerable discussion followed.

V. PARKS

A. Waiver for Active Personnel – Mr. Spagnoletti stated they received a letter from the Army Corps of Engineers stating they are providing a waiver of all day use and camping fees for active military personnel. They are requesting the County support this waiver and initiate the same program at the County parks.

MOTION: WAIVING THE DAY USE FEES AND CAMPING FEES AT THE COUNTY PARKS FOR ALL ACTIVE MILITARY PERSONNEL ON LEAVE, AND THEIR FAMILIES, FROM IRAQ AND AFGHANISTAN MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Boyds Park – Mr. Spagnoletti stated we have play equipment in an area that is always wet. We would like to take it out and put in a cutoff trench to provide drainage, then build four plateaus to place picnic tables on. He noted they have other play equipment located in the park. He stated the Town of Woodhull is interested in the excess play equipment and Mr. Gleason thought \$100 would be an adequate price for the equipment. Discussion followed.

MOTION: DECLARING PLAY EQUIPMENT LOCATED AT BOYDS PARK AS NO LONGER NEEDED FOR COUNTY PURPOSES AND CONVEYING IT TO THE TOWN OF WOODHULL FOR NO COMPENSATION MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Budget Transfer – Mr. Spagnoletti stated they need to paint and repair the roof on the shower building at Kanakadea Park. There is \$982.40 remaining in the Fuel Tank capital account. He requested authorization to transfer that money from the Fuel Tank Account to the Upgrade Account within the Kanakadea Park's Capital Project.

MOTION: AUTHORIZING THE TRANSFER OF \$982.40 FROM THE FUEL TANK ACCOUNT TO THE UPGRADE ACCOUNT WITHIN THE KANAKADEA PARK'S CAPITAL PROJECT MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. HIGHWAY

A. Route Designation Changes by 911 – Mr. Spagnoletti introduced Pat MacDonald and Kent Longacre. He stated they had asked the 911 Department to change some of the County route numbers

and Tim Wixom got it done right away. Ms. MacDonald stated she and Mr. Spagnoletti have been working on this for awhile. They received approval from the affected Towns. Ms. MacDonald reviewed the changes they made; they are in the Towns of Thurston, Dansville, Avoca, Lindley and Hornby. Discussion followed.

Mr. Wixom stated when the town adopts the map, they have the option of making the official name of the road either the County road or the alpha name. If they change it from the County road to the alpha name, it is going to result in all of those individuals having to change their addresses. Some people have been very frustrated by this. We've encouraged the towns not to change them to the alpha name to avoid this, but ultimately it is the town's decision.

Mr. Ahrens asked does this finalize the changes to the County roads? If it does, they should adopt the changes to the County map. Discussion followed.

MOTION: AUTHORIZING THE ROUTE DESIGNATION CHANGES AS PRESENTED AND INCORPORATING SAID CHANGES INTO THE COUNTY MAP MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. CR85 Bridge over Tuscarora Creek – Mr. Spagnoletti stated Steve Catherman has been instrumental in the Federal Aid program by securing between \$11 and \$12 million in Federal funding for bridges. Currently we're building the Mulholland Bridge and the Wood Road Bridge and both will be open this summer. The CR 110 Bridge in Rathbone is in the final design stage and will be bid in September. Now they would like to begin the CR 85 bridge over Tuscarora Creek. He requested approval to enter into an agreement with NYS DOT (80% Federal, 15% State and 5% County funding) in the amount of \$245,000 to fund the preliminary engineering, design and right-of-way incidental work. Mr. Spagnoletti noted there might not be enough funding to cover the State's share. Mr. Catherman stated that's just for the design; it is more likely we'll receive the State's share for the construction portion of the bridge. Mr. Spagnoletti stated they have enough budgeted to cover the State's share of the design.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE NYS DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$245,000 FOR THE PRELIMINARY ENGINEERING, DESIGN AND RIGHT-OF-WAY INCIDENTAL WORK ON THE CR 85 BRIDGE OVER TUSCARORA CREEK MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. CR39 Cohocton – Mr. Spagnoletti stated there is a situation on CR 39 in Cohocton where the water runs off of State Route 21, onto County Route 39 and then into property owners' yards. Last year we spent \$60,000 on the preliminary design for drainage and the final design will cost another \$60,000. He noted the construction could cost anywhere between \$700,000 to \$1 million. He stated Legislator McAllister has been working with Cohocton Town Supervisor, Jack Zigenfus, and they would like to memorialize the State requesting funding to pay for this project.

MOTION: REQUESTING FUNDING FROM NEW YORK STATE FOR THE DRAINAGE CONSTRUCTION PROJECT ON STATE ROUTE 21 AND COUNTY ROUTE 39 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

D. Transportation Committee – Mr. Spagnoletti stated approximately two years ago this Committee authorized the creation of the Schuyler/Steuben Rural Transportation Committee. The Committee meets

every other month and he and Mr. Heffner represent Steuben County. He requested authorization to keep this Committee active and change the name of the Committee to the Schuyler/Steuben Transportation Committee.

MOTION: ALLOWING THE SCHUYLER/STEBUBEN RURAL TRANSPORTATION COMMITTEE TO REMAIN ACTIVE FOR AS LONG AS NECESSARY AND REMOVING THE WORD "RURAL" FROM THE TITLE OF THE COMMITTEE MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Old Cameron Mills Bridge – Mr. Spagnoletti stated they would like to transfer the Old Cameron Mills Bridge site property over to someone else. He requested authorization to solicit proposals for an environmental site assessment prior to the transfer.

MOTION: AUTHORIZING THE SOLICITATION OF PROPOSALS FOR AN ENVIRONMENTAL SITE ASSESSMENT OF THE OLD CAMERON MILLS BRIDGE SITE MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Major Equipment List – Mr. Spagnoletti stated they had a pickup truck totaled in an accident. They replaced that pickup with that of the former Assistant Commissioner of Highways. Initially we were going to use the former Assistant Commissioner's pickup as a spare. He spoke with the Risk Manager who told him he would transfer the \$11,000 insurance claim money for the totaled pickup to the Public Works Budget, but only on the condition that we purchase a new pickup with that money. Mr. Spagnoletti stated Sam Hadley's car has 110,000 miles on it. He would like to purchase for Mr. Hadley's use a ½ ton 2wd pickup for \$12,000. He noted they will place Mr. Hadley's car in the County auction and use the former Right-of-Way agent's pickup as a spare vehicle.

MOTION: AMENDING THE HIGHWAY DIVISION'S MAJOR EQUIPMENT LIST TO INCLUDE A ½ TON 2WD PICKUP FOR \$12,000 MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

G. Road and Bridge Condition Charts – Mr. Spagnoletti stated the State inspects bridges every 2 years unless there's a problem with a bridge, then it is every year. He stated they can tell how they are doing relative to the rest of the State, and it is a standard way of judging the bridges. He has been wanting to do the same process for the roads. Many counties don't rate their roads at all, but he thinks it's important that they get on a chart system for roads.

Mr. Spagnoletti reviewed the deficient bridge statistics. In 1992, Steuben County had 39 deficient bridges and in 2002 they only had 18. This is a better average than the local governments and the NYS DOT. Mr. Catherman stated they need to build about 6 bridges or more a year to maintain the deficient rate they currently have now. In the past they've done 8 to 10 bridges a year. Mr. Spagnoletti stated they're in pretty good shape right now but he noted they only have 4 scheduled for this year.

Mr. Spagnoletti reviewed the road-rating chart. He stated with the Cornell system they started tracking the ratings in 1998. They had 15 percent of poor roads in 1998 and they have 16 percent poor roads in 2003. As for poor and fair roads, they had 46 percent in 1998 and now they have 42 percent. As for the weighted average, they were at 2.64 and now they are at 2.58. Mr. Spagnoletti stated statewide in 1998 there were 22 percent poor roads on the local systems and 60 percent poor and fair. When they started this system, they said if they had \$4 million a year in capital funding, the poor roads would be down to 8 percent. The budget has averaged \$2.9 million and this year they have even less budgeted. He noted they understand that the money just isn't available, but he wanted to show the Committee these figures. Discussion followed.

H. Informational – Mr. Spagnoletti stated they have had a number of the Bridge crew become OPP certified to help plow snow this year. He appreciates what they are doing for the County.

VII. BIDS

A. Aggregates – Mr. Spagnoletti noted they will be submitting a special bid for limestone for the special projects. He recommended awarding the quarry and crushed gravel bid to all bidders and award Quadrants 1-4 and the shops to the low bidder.

MOTION: AWARDING THE QUARRY AND CRUSHED GRAVEL BID TO ALL BIDDERS AND AWARDING THE BID BY QUADRANT AND SHOP AS FOLLOWS: QUADRANT 1: SAVONA SAND & GRAVEL AND RHINEHART SAND & GRAVEL; QUADRANT 2: SKUBA CONSTRUCTION MATERIALS AND KNIGHT SETTLEMENT SAND & GRAVEL; QUADRANT 3: ELAM SAND & GRAVEL; QUADRANT 4: HANSON AGGREGATES AND SAVONA SAND & GRAVEL; CATON SHOP: SAVONA SAND & GRAVEL; COHOCTON SHOP: ELAM SAND & GRAVEL; CURTIS SHOP: SAVONA SAND & GRAVEL; GREENWOOD SHOP: SKUBA CONSTRUCTION MATERIALS AND BUFFALO CRUSHED STONE; HOWARD SHOP: BLADES CONSTRUCTION PRODUCTS; MT. WASHINGTON SHOP: HANSON AGGREGATES; PRATTSBURGH SHOP: ELAM SAND & GRAVEL AND HANSON AGGREGATES; AND WOODHULL SHOP: SAVONA SAND & GRAVEL MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Liquid Bituminous – Mr. Spagnoletti recommended awarding the Liquid Bituminous AEPM bid to Central Asphalt.

MOTION: AWARDING THE LIQUID BITUMINOUS MATERIALS – AEPM BID TO CENTRAL ASPHALT OF WATKINS GLEN, NY MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Liquid Bituminous for Towns – Mr. Spagnoletti recommended awarding the Liquid Bituminous for Towns bid on a line item basis to the low bidders.

MOTION: AWARDING THE LIQUID BITUMINOUS FOR TOWNS BID TO CENTRAL ASPHALT OF WATKINS GLEN, NY AND VESTAL ASPHALT OF VESTAL, NY MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Recyclable Material – White Goods & Scrap Metal – Mr. Spagnoletti recommended awarding the bid to Ben Weitsman for Bath and Erwin and to Hornell Waste for Hornell and Wayland.

MOTION: AWARDING THE RECYCLABLE MATERIAL – WHITE GOODS & SCRAP METAL BID AS FOLLOWS: BATH AND ERWIN – BEN WEITSMAN & SON OF OWEGO, NY; HORNELL AND WAYLAND – HORNELL WASTE MATERIAL OF HORNELL, NY MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Recyclable Material – Scrap Tires – Mr. Spagnoletti recommended awarding the bid to Huron Recovery.

MOTION: AWARDING THE RECYCLABLE MATERIAL – SCRAP TIRES BID TO HURON RECOVERY OF BUFFALO, NY MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Remanufactured Engine for Wheel Loader – Mr. Stanley stated the engine on the Highway Division's John Deere Wheel Loader needs to be replaced. Rather than rebuild it, they would like to replace it with a remanufactured core. Mr. Begin stated they sent out 18 bid packets and received one response. Discussion followed.

MOTION: AWARDING THE REMANUFACTURED ENGINE FOR WHEEL LOADER BID TO FIVE STAR EQUIPMENT OF ROCHESTER, NY, FOR \$10,901.31 (INCLUDING CORE DEPOSIT FEE) MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

G. Overhead Doors – Mr. Spagnoletti stated this bid is for new doors only. He recommended awarding the bid to Overhead Door Company of Canisteo Valley.

MOTION: AWARDING THE OVERHEAD DOORS BID TO OVERHEAD DOOR COMPANY OF CANISTEO VALLEY MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

H. CR85, Town of Tuscarora – Mr. Spagnoletti stated when you select an engineer for Federal Aid Projects, you aren't allowed to discuss price. They interviewed five companies and the decision was unanimous that we recommend Bergmann Associates for the design of the CR 85 bridge in the Town of Tuscarora. Once they receive the Committee's approval of the engineer, they will be able to begin negotiating a price.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO CONTRACT WITH BERGMANN ASSOCIATES FOR THE DESIGN OF THE CR 85 BRIDGE IN THE TOWN OF TUSCARORA AND BEGIN NEGOTIATING A PRICE FOR SAID PROJECT MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

I. OGS Bid – Mr. Spagnoletti stated Mr. Gleason and Mr. Begin have recommended they use the OGS bid for auto filters, batteries (small and large) and auto replacement parts. Mr. Begin stated he thinks it will add to the department's efficiency and save the County money. Mr. Gleason noted they have a local store on the OGS bid for automotive parts.

MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO UTILIZE THE OGS BID FOR AUTO FILTERS, SMALL AND LARGE BATTERIES AND AUTO REPLACEMENT PARTS MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VIII. 2003 GOALS

Mr. Spagnoletti reviewed the Department's 2003 goals and provided the status of completion on each goal. Considerable discussion followed. *These goals and their status can be found in the 2003 Composite Annual Report to be released in March by the County Administrator's Office.*

MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.A. MATTERS WHICH WILL IMPERIL THE PUBLIC SAFETY IF DISCLOSED; 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION; 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. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. *Mr. Nielsen not present for vote.*

MOTION TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. *Mr. Nielsen not present for vote.*

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, March 2, 2004
9:00 a.m.**

STEUBEN COUNTY PUBLIC WORKS COMMITTEE

Special Meeting

Tuesday, February 10, 2004

11:00 a.m.

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

<u>Committee:</u>	Harley R. Mayo, Chair Robert V. Nichols	Francis L. Gehl	L. Ronald Nielsen
<u>Legislators:</u>	Patrick Donnelly	John Walsh	
<u>Staff:</u>	Gregory P. Heffner Scott Martinez James Gleason Lawrence Crossett	Vincent Spagnoletti Bruce Stanley Frederick Ahrens, Jr.	Steve Orcutt Jacques Begin Michele Smith
<u>Other:</u>	Chuck Miller, SC Hansen	Gary Marsh, SC Hansen	Bill Meade, SC Hansen

I. CALL TO ORDER

The meeting was called to order by Mr. Mayo at 11:16 a.m.

II. CASE BACKDUMP TRUCK

Mr. Mayo stated we've called this meeting on behalf of Chuck Miller, V.P. of Sales at SC Hansen, Inc., to explain his viewpoint regarding the Case backdump truck. Mr. Spagnoletti stated we said some things at last week's meeting and he wanted to make a statement regarding our comments.

Mr. Miller distributed copies of a letter he would like to read. He noted that he also wants to make sure that there is good communication between all parties. He'd like to make sure they are handling the matter the way they should and address all of the Committee's questions. Mr. Miller read the letter to the Committee. *A copy of the letter is on file with the Official Minutes located in the Clerk of the Legislature's Office.*

Mr. Miller provided the Committee with a history of the articulated truck built by Case. He stated our confidence in this truck has not waived one bit. Very few of your experiences are related to the other. Mr. Gehl stated this is the first truck delivered in New York State and there are a total of 50 trucks being used in the United States. Mr. Miller stated yes. Mr. Gehl asked did any of those trucks have the same problems as we have had with ours? Mr. Miller stated no. Mr. Martinez stated he called other Case owners and they have had the same problems in the transmission. They've determined the problem was the cellinoid. Mr. Miller stated the problem with your truck was not the cellinoid. The problem went into the valve itself, which is why we pulled it out.

Mr. Nielsen asked is the truck running efficiently now? Mr. Spagnoletti stated SC Hansen has been very responsive and we have no dispute with them at all. Mr. Martinez stated there were a number of other

times you were called out that weren't included in the letter. They were called regarding the shifting problem with the transmission; when we replaced the cellinoid part it caused the transmission to be working in reverse order. The dipstick is not read properly - we don't, nor does your mechanic, know how to read it. There was a grinding noise in the transmission area. The driveshaft bolts backed out and that's causing the grinding. Before you replaced the transmission, it was making fluid. After it was replaced, you said the problem was a small valve. Well, it is making fluid again and that needs to be investigated. We've added and removed transmission fluid several times for no apparent reason. The transmission is still whining even though the fluid is overfilled. The antifreeze leak was attended to immediately, but the freon leak hasn't been attended to; due to the time of year, that's not an issue right now. The filter light that came on says filter restriction. They took the old filter out and put it back in, they didn't put a new one in and the light still comes on intermittently. If the dump isn't down all the way, it won't come out of second gear. We've replaced the lever twice. The third time we had it repositioned with your mechanic's assistance. The heater duct has fallen of four times and it is off again today. In addition, the machine isn't running today and we've called and they don't have the necessary parts in stock so now we have to wait until they are delivered tomorrow.

Mr. Meade stated for the antifreeze leaks we brought Cummins in and they decided it wasn't part of their warranty, so we put the hoses on to take care of what we thought the problem was. We're probably going to have to go through every fitting. As for the oil part of the transmission, the problem is we don't know when it is being checked and it needs to be checked when it is warm. We've drained and refilled it so we knew how much oil was in it. With the first valve it definitely was filling up, but I'm not sure where it is at today until I speak with my mechanic. We're going to have to start monitoring it to determine the cause. The cellinoid is a controller for the differential lock. We went to the tier 2, which is the same design with newer components, but I don't like how it operates off the switch so we took it back to tier 1. Now I believe it is working the same as it always was and everything is matching up. I don't believe that should be an issue now. The air conditioning will need to be charged, but we hire that out due to licensing requirements associated with freon removal.

Mr. Martinez asked have you determined where the dipstick is to be read? Mr. Meade stated you should read it by the low and high marks. Mr. Martinez asked so don't overfill it? Mr. Meade stated no, go by the upper and lower marks of cold and hot. That is what the engineers say. Mr. Martinez asked so let the engine whine? Mr. Meade stated until I can come up there to hear it and determine the reason for the whine. Mr. Martinez noted the rental machine we had did not whine. Mr. Meade stated I understand that.

Mr. Mayo stated through all of these problems, you have honored your warranties. Mr. Miller stated I also want you to understand that we have made arrangements with Case as well. They will be in and they will be spending two days with that truck at the landfill. Mr. Mayo stated that's the realistic part about the warranty. We haven't been denied anything and we haven't been charged for this. We are going to have to work through this until we can determine a resolution.

Mr. Nielsen explained that this issue came up when we were talking about purchasing an extended warranty and I didn't think we should purchase it for something that hasn't been right from the beginning. Mr. Miller stated I understand that and we're going to work through this. We intend to support you and continue working to get this resolved. Mr. Mayo asked do you have another vehicle for us to use if needed? Mr. Miller stated yes we do. Mr. Gehl asked how long do we have to do this before we have to get a different truck? Mr. Miller stated I'll admit that, with regard to the reassembly of the transmission on that machine, it was human error upon our part. Mr. Gehl stated I'm a firm believer that you stand behind your product and I think Case should do that. Discussion followed.

Mr. Miller stated in our entire history with Case this is the first situation such as this. I'm certainly staying on top of the Case people until we get this resolved. Some of this is understanding the operation

of the truck as well. We don't have trucks that run this time of the year normally. Weather plays a part. It doesn't mean you have to stop doing what you do in the winter months and this has to be dealt with. We don't have another truck out there being used in a landfill operation. We will get the Case people here and hold a meeting with Mr. Martinez and Mr. Spagnoletti to discuss it. Mr. Spagnoletti stated a backdump truck is expected to work in the winter. We'll keep working at this to make it right.

Mr. Nichols stated I'm happy SC Hansen took the initiative to meet with us to address this issue. No matter what the company, sometimes there are vehicles that don't operate properly and maybe this is one of those. He stated with this vehicle's history, I recommend we purchase the extended warranty. Mr. Nielsen stated the extended warranty to me is for after it has been run several hours, but not on a new machine. Mr. Miller stated Cummins has a warranty for the engine which has to be purchased in the first six months. The powertrain warranty can be purchased up until the end of the first year. The engine is the issue as that warranty expires in February. He noted SC Hansen has represented Case for over 50 years and we will continue to do so in the future but we won't allow this County to have any down time.

Mr. Martinez stated on the overfilling of the transmission right now, what should we do? Mr. Miller stated run the truck. It is under warranty; use it and let the engine whine. We'll get the Case people up there next Thursday and Friday. Discussion followed. Mr. Miller stated I appreciate your letting us meet with you.

MOTION TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Special Meeting

Monday, February 23, 2004

9:15 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Harley R. Mayo, Chair Robert V. Nichols, Vice Chair Francis L. Gehl
L. Ronald Nielsen

STAFF: Mark R. Alger Vincent Spagnoletti Steve Orcutt
Scott Martinez Frederick H. Ahrens, Jr. Michele Smith
James Gleason

LEGISLATORS: Philip J. Roche Patrick F. Donnelly Patrick F. McAllister
Thomas C. Schwartz John Walsh

ABSENT: Kenneth E. Isaman

I. CALL TO ORDER

Mr. Mayo called the meeting to order at 9:15 a.m.

II. GENERAL BUSINESS

Budget Transfer – Mr. Spagnoletti informed the committee that this winter has been very windy and he would like authorization to purchase a 1,600-foot litter fence, which would go around the top perimeter of the landfill. He is also going to have the bridge crew make a metal barrier that will go around the dumping area. The cost of the litter fence is \$23,000.00. The fence is 10 feet high. Mr. Gehl asked will that be high enough? Mr. Spagnoletti replied a 10-foot high fence catches a significant amount of litter and that will help a lot. He reiterated this fencing is for the outside perimeter of the landfill. They also have some snow fencing out in the adjacent fields. He requested approval to transfer \$23,000.00 from the Equipment Rental line item and transfer that amount to the Major Equipment line item. Mr. Mayo commented the Finance Committee has already approved this purchase.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$23,000.00 FROM THE EQUIPMENT RENTAL LINE ITEM TO THE MAJOR EQUIPMENT LINE ITEM FOR THE PURCHASE OF A 1,600 FOOT LITTER FENCE FOR THE TOP PERIMETER OF THE LANDFILL MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. NICHOLS ABSENT FOR VOTE).

Warranty Extension – Mr. Spagnoletti informed the committee that they had previously discussed the Case loader with regard to the power train. Today he would like to talk about the engine. They currently have a two-year warranty that is good within the bid specifications. We can get an additional one-year warranty for \$1,105.00 from Hanson. He would like approval to do that.

Mr. Gehl asked what did they come back with from the previous meeting? Mr. Martinez replied they met with them last week and they figured out how to check the transmission fluid and they repaired the driveshaft. We still have an antifreeze leak and they will be coming tomorrow to work on that.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PURCHASE AN ADDITIONAL ONE YEAR ENGINE WARRANTY FOR THE CASE LOADER AT A COST OF \$1,105.00 FROM HANSON MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

IV. OTHER BUSINESS

Mr. Alger commented that the landfill bond anticipation notice went out last week. The rate is 1.04 percent for one year. Mr. Spagnoletti announced the bids will be opened on March 11, 2004 and the prebid meeting is being held Wednesday, February 25, 2004.

MOTION: TO ADJOURN MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY PUBLIC WORKS COMMITTEE

March 2, 2004

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Harley R. Mayo, Chair Robert V. Nichols, Vice Chair L. Ronald Nielsen
Francis L. Gehl

Legislators: Thomas J. McIntyre John Walsh

Staff: Mark R. Alger Frederick H. Ahrens, Jr. Vincent Spagnoletti
Jacques Begin Scot Martinez Doreen Ames
Sally MacDougal Bruce Stanley Bonnie Kastner
Michele Smith Steve Catherman William Partridge

Other: Mary Perham, *The Leader*
Jim Oyer, Overhead Door
Victoria Foster, Overhead Door
Kevin Voorhees, Barton & Loguidice

Absent: Kenneth E. Isaman

I. CALL TO ORDER

The meeting was called to order by Mr. Mayo at 9:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE FEBRUARY 5TH, FEBRUARY 10TH AND FEBRUARY 23RD, 2004 MEETINGS MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. LANDFILL

A. Bath Landfill Expansion Status – Mr. Spagnoletti stated we received the permit for the expansion. Mr. Voorhees stated the air permit and Part 360 permit were approved on February 13th. In terms of the bidding process, there was a prebid meeting last week and we're scheduled to open the bids on March 11th. On a positive note, we haven't yet received any requests for a bid extension. They may have to issue one bid addendum concerning there being rock in a portion of the site where there is a leachate line.

Mr. Spagnoletti asked Mr. Martinez to report on the litter situation. Mr. Martinez stated he met with DEC last Friday and they said operationally it is one of the best run landfills in his area. He was happy with manpower level and very happy with the portable litter fence.

B. Erwin Transfer Station – Mr. Spagnoletti stated we discussed going with a tobacco barn design. They met with CNS Engineers and they have a corrugated metal building with a barn design that we may be able to do. The Department of Transportation wants us to submit the cost this week so we can move forward on the agreement for the land and the transfer station agreement. They are responsible for \$2.3 million. One thing we included in the design is a prentice arm that reaches out into the pit and moves it into the truck. The lead time is 8 months so we may ask for that bid to go out ahead of time. He noted they are looking to bid it in May and start construction the end of July. Discussion followed.

Mr. Spagnoletti stated they also looked at the recycle bins used by Cattaraugus County. He noted Jim Gleason went with us and they are probably sole source so he is working on that. CNS's contract to design and permit the transfer station started at \$304,000. Because they had to move it to the cornfield and the delays and design, it'll probably end up costing \$375,000. He noted he would like a more definite figure before they come back with a change order.

C. Application for conveyance of the land – Mr. Spagnoletti stated this should be done in Executive Session.

D. Household Hazardous Waste Day – Mr. Spagnoletti requested authorization to apply for and accept a grant for Household Hazardous Waste Day in the amount of 50 percent of the cost. Discussion followed.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPLY FOR AND ACCEPT A STATE GRANT FOR HOUSEHOLD HAZARDOUS WASTE DAY MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. Funding for Recycling Manager – Mr. Spagnoletti requested authorization to apply for and accept a grant covering 50 percent of the Recycling Manager's salary. Discussion followed.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPLY FOR AND ACCEPT A STATE GRANT TO COVER 50 PERCENT OF THE COST OF THE RECYCLING MANAGER'S SALARY MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

F. Tire Amnesty Days – Mr. Spagnoletti requested authorization to hold Tire Amnesty Days on May 1st, May 8th, May 15th and May 22nd, 2004. Discussion followed.

MOTION: AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO HOLD TIRE AMNESTY DAYS ON MAY 1ST, MAY 8TH, MAY 15TH AND MAY 22ND, 2004 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

G. 2003 Revenue/Expenses – Mr. Spagnoletti stated in 1999 the annual tonnage was 64,000; in 2000 it was 63,000, in 2001 it was 59,000 and in 2002 it was 62,000. For 2003 the tonnage was 76,000 so the tonnage has increased considerably over the past couple of years. He noted much of the garbage that Casella was taking out of county they started bringing back to us because they reached their capacity. He noted if they include the Middletown tonnage, we're up to approximately 93,000 tons. Mr. Mayo stated they also have to bring the tonnage from the Lindley Landfill directly to the Bath Landfill, so that is showing up on the scales.

Mr. Spagnoletti stated on a cash basis the Enterprise Fund had \$2,922,534 in expenses and \$4,272,904 in revenue, so the surplus was \$1,350,370. On an accrual method they deduct the equipment purchases, add depreciation and set aside funds for closure, bringing the surplus to \$218,106. He noted in 2002 they ran a deficit of \$215,000. He stated the space cost for the landfill is \$12.37/ton at 93,155 tons for a total cost of \$1,152,327. Discussion followed.

Mr. Spagnoletti stated if they used the accrual method for the operating landfills alone, the surplus would be \$639,179. The cost to bury the garbage is \$27.29/ton. The average cost to handle the garbage at the transfer stations is \$31.33/ton bringing the total cost to bury the garbage taken in at the transfer stations to \$58.62/ton. He noted if they didn't recycle it would cost \$35.68/ton. Discussion followed.

Mr. Spagnoletti reported the Erwin Transfer Station generates \$54,469 net revenue, the Hornell Transfer Station generates \$60,509 net revenue and the Wayland Transfer Station generates \$37,705 net revenue. The out-of-County garbage generates \$204,329 revenue per year. Discussion followed.

H. Hornell and Wayland Transfer Stations Operating Days and Hours – Mr. Spagnoletti stated we've been thinking about reducing the operating days and hours of the Hornell Transfer Station. He noted the Wayland Transfer Station handles 3,000 tons per year and the Hornell Transfer Station tonnage will be decreasing to 4,000 tons with the loss of the City of Hornell garbage. Wayland operates with 2 people so it is possible we can operate Hornell with 2 people. He noted they are receiving recyclables from out of county without receiving the garbage. We are looking into the possibility of putting a stop to accepting recyclables from those haulers who don't also bring us their garbage.

Mr. McIntyre asked why don't you just tell them not to? Mr. Ahrens stated they need to research the legal ramifications of that because we have a Comprehensive Landfill Management Plan in place and we may not be able to do that. Discussion followed.

Mr. Spagnoletti stated the City of Corning currently uses Casella for their garbage but they bring their recycling to us. Mr. Nichols stated no matter what we decide, they have to treat the cities the same. Mr. Spagnoletti stated he, Mr. Ahrens and Mr. Alger have discussed this and we're just not sure if that's something we can do. ***Mr. Mayo asked Mr. Spagnoletti, Mr. Alger and Mr. Ahrens to research the legal ramifications concerning this issue and report back to the Committee next month.***

Mr. Spagnoletti stated the Hornell Transfer Station averages 80 to 100 cars a day. He noted that since the City of Hornell stopped bringing us their garbage, the number of trucks have only reduced by two.

Mr. Ahrens stated looking beyond the legal constraints, there may be some morale swaying on the cities part as they are inflicting a loss on us by not giving us their revenues through garbage, while giving us the expense through their recyclables. Discussion followed.

IV. HIGHWAYS AND BRIDGES

A. Consolidated Highway Improvement Program – Mr. Spagnoletti requested approval of a resolution to the State Legislature and Governor urging the restoration of full funding to the Consolidated Highway Improvement Program. He stated last year when the Legislature overrode

the Governor's budget they included the \$600,000 we lost from the Governor's Budget. However, this year the Governor left that funding out of his proposed budget again.

MOTION: URGING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO RESTORE FULL FUNDING TO THE CONSOLIDATED HIGHWAY IMPROVEMENT PROGRAM (CHIPS) MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Marcheselli Funding – Mr. Spagnoletti stated the Marcheselli funding pays 80 percent on Highway and Bridge Projects. The Marcheselli Funding is Federal Funding and the State portion of the match hasn't been increased to match what is available from the Federal government. He requested a resolution urging the increase in Marchiselli grant funding.

MOTION: URGING THE INCREASE IN MARCHISELLI HIGHWAY AND BRIDGE FUNDING MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. 2004 Bridge Projects – Mr. Catherman reported the Bridge Projects for 2004 include four bridge replacement projects as follows: Riff Road, Corning; Bell Hill, Lindley; Stocking Hollow, Bath; and CR 65, Hornell. Three box culverts as follows: CR71 Jasper; CR60 Greenwood; and CR119 Cameron. Two Boiler Shells as follows: CR76 Pulteney; and CR56 Howard.

Mr. Spagnoletti stated we had to take two bridges off of the list: Kanakadea Park entrance for site distance but the CR 65 Bridge was so bad we had to replace that first. Also one in Jasper is ready to be replaced but the Stocking Hollow bridge was worse.

D. NYSDOT Snow and Ice Agreement – Mr. Spagnoletti stated this is the 2004/2005 agreement. The County plows 123 miles of State road, at their request. He requested approval of the agreement.

MOTION: APPROVING THE 2004/2005 SNOW AND ICE AGREEMENT WITH NYSDOT MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. Major Equipment List – Mr. Spagnoletti stated the Troupsburg Fire Department has a pumper truck for sale and we could use it to wash bridges and wash out culverts. He requested authorization to add the truck to the equipment list for \$5,000, with no increase in funding. Mr. Stanley stated he looked at the truck and it is in perfect shape. He noted it has a high pressure power recoil hose and we don't have that capability now.

Mr. Nichols asked how much does it cost to hire a contractor to wash the bridges? Mr. Catherman stated it costs approximately \$400 a bridge, but they only contract out the washing of large bridges. This equipment would be used on the small bridges. Mr. Nichols asked will this save us money? Mr. Spagnoletti stated he can't say it is going to save money, but it will be more convenient. Right now they use County personnel to wash them. Use this equipment will save us time so it would show a cost savings on that end. Discussion followed.

MOTION: AMENDING THE HIGHWAY DIVISION'S MAJOR EQUIPMENT LIST TO INCLUDE A FIRE PUMPER TRUCK FOR \$5,000 WITH NO INCREASE IN FUNDING AND AUTHORIZING THE PURCHASE OF SAID TRUCK MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

F. Right of Way – Mr. Ahrens stated this property is along State Route 54A. He requested authorization to convey the County's interest in Map 146C, Parcel 172, to Patricia C. Shuart as the right-of-way is no longer needed.

MOTION: CONVEYING THE COUNTY'S INTEREST IN MAP 14C, PARCEL 172, ALONG STATE ROUTE 54A TO PATRICIA C. SHUART AS THE RIGHT-OF-WAY IS NO LONGER NEEDED MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

V. OTHER

A. 2003 Summary Annual Report – Mr. Spagnoletti distributed copies of the 2003 Summary Annual Report for the Public Works Department. He reviewed the report for the Committee.

B. 2004 Goal List – Mr. Spagnoletti distributed copies of the 2004 Major Goals List for the Public Works Department. He reviewed the report for the Committee. Considerable discussion followed.

VI. BIDS

A. Received from Past Month

1. Geotextiles – Mr. Spagnoletti recommended awarding the bid to AH Harris & Sons and Chemung Supply Corporation on a line item basis. Discussion followed.

MOTION: AWARDING THE GEOTEXTILE MATERIALS BID ON A LINE ITEM BASIS TO AH HARRIS & SONS OF SYRACUSE, NY AND CHEMUNG SUPPLY CORPORATION OF ELMIRA, NY, MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. Liquid Bituminous – Mr. Spagnoletti recommended awarding the bid on a line item basis to AL Blades and Central Asphalt. Discussion followed.

MOTION: AWARDING THE LIQUID BITUMINOUS MATERIALS (STATE) BID ON A LINE ITEM BASIS TO AL BLADES & SONS OF HORNELL, NY, AND CENTRAL ASPHALT OF WATKINS GLEN, NY, MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. Cutting Edges, Wings and Blades – Mr. Spagnoletti recommended rejecting the bid and solicit new bids with exact quantities listed. Discussion followed.

MOTION: REJECTING THE CUTTING EDGES, WINGS AND BLADES BID AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SOLICIT NEW BIDS WITH EXACT QUANTITIES LIST MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

VII. OTHER

MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.C. INFORMATION RELATING TO CURRENT OR FUTURE INVESTIGATION OR PROSECUTION OF A CRIMINAL OFFENSE WHICH WOULD IMPERIL EFFECTIVE LAW ENFORCEMENT IF DISCLOSED; 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION; 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; AND 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. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, April 6, 2004
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Special Meeting

Monday, March 22, 2004

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Harley R. Mayo, Chair Robert V. Nichols, Vice Chair Francis L. Gehl
Kenneth E. Isaman L. Ronald Nielsen

STAFF: Mark R. Alger Vincent Spagnoletti Steve Orcutt
Scott Martinez Sam Hadley Doreen Ames
Frederick H. Ahrens, Jr. James Gleason Jaques Begin
Lawrence Crossett Gregory P. Heffner

LEGISLATORS: Philip J. Roche, Esq. DeWitt T. Baker, D.V.M. Donald B. Creath
Patrick F. Donnelly Thomas J. McIntyre Thomas C. Schwartz
Gary D. Swackhamer John Walsh

OTHERS: Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Mayo called the meeting to order at 9:30 a.m.

II. OPPORTUNITY FOR PUBLIC COMMENT

Mr. Mayo opened the floor to members of the public for comment. There being none, he declared the opportunity for public comment closed.

III. GENERAL BUSINESS

New Structural Steel Bid – Mr. Spagnoletti informed the committee that the price of steel has gone up fifty percent. He noted that they are not purchasing as much steel as they did last year. He requested authorization to award the bid to Lancaster in the amount of \$1,982.80.

MOTION: AWARDING THE BID FOR NEW STRUCTURAL STEEL TO LANCASTER IN THE AMOUNT OF \$1,982.80 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Bath Landfill Cell 1 Expansion – Mr. Spagnoletti showed the committee a design of the proposed new cell and noted that Cell 1 will piggyback on the existing cell. They received a bid for No. 1A – General Construction from Patrick in the amount of \$6,190,690.00. This will cover the Cell No. 1 liner extension and site work, landfill gas collection system and capping system. He recommends award bid No. 1A to Patrick. He stated that with regard to the third item, capping system, they are required to cap as we go and the contractors will cap a portion of the existing cell.

Mr. Spagnoletti informed the committee that they received a bid for No. 1B – Electrical Construction from Blackmon-Farrell Electric, Inc. in the amount of \$99,250.00 which will include the Cell No. 1 liner extension and site work and the landfill gas collection system. He reviewed the funding with the committee. They have a bond in the amount of \$5.8 million, they have \$750,000.00 in the 2004 budget for capping. The Department of Environmental Conservation will reimburse us fifty percent of the gas system and fifty percent of the capping. We currently have \$7.2 million funded in our County budget or coming from DEC for the \$6.2 million project. There is also a surplus of \$608,000.00 for the design/permit/inspection.

MOTION: AWARDING THE BID FOR THE BATH LANDFILL EXPANSION CELL NO. 1 AND SITE IMPROVEMENTS CONTRACT NO. 1A – GENERAL CONSTRUCTION TO PATRICK CONSTRUCTORS, INC. IN THE AMOUNT OF \$6,190,690.00 AND AWARDING CONTRACT NO. 1B – ELECTRICAL CONSTRUCTION TO BLACKMON-FARRELL ELECTRIC, INC. IN THE AMOUNT OF \$99,250.00 MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN.

Mr. Isaman asked are we within the budget of what you had anticipated? Mr. Spagnoletti replied yes. We are well within budget. Mr. Isaman asked do we still have to secure the bonding? Mr. Alger replied the bonding has been secured. Mr. McIntyre asked have you allowed for design changes? Mr. Spagnoletti replied they always try to figure in additions. They will watch the project very closely. Sometimes site conditions will be different than what we anticipate.

Mr. Nichols asked what is the life expectancy of the cell? Mr. Spagnoletti replied at the present rate of 90,000 tons this cell should last 6 – 7 years. Mr. Schwartz asked were these all reputable bidders? Mr. Spagnoletti replied yes. We have researched the bidders and have received good recommendations.

Mr. Swackhamer asked with regard to income, how much will this cell take in over the next six years? Will it pay for itself? Mr. Spagnoletti replied he thinks it will. Casella has purchased the Ontario County Landfill and they will be taking more garbage from Steuben County. Mr. Swackhamer asked will this cell have a double liner? Mr. Spagnoletti replied yes. It will have a clay and membrane liner and another clay and membrane liner.

Mr. Schwartz asked how does this morning's paper affect us? Mr. Spagnoletti replied Oneida County has received their final approval. When they build their landfill, it means there is more space in New York for garbage. This will have the tendency of lowering prices statewide. It will affect us, but not significantly. It will take Oneida County a couple of years to build the landfill.

Mr. Spagnoletti noted that with regard to our landfill, they estimate that it takes approximately six years to fill a cell. We have another three cells that we can put on behind the new cell so that would be approximately 24 years. We have 400 acres. These cells take up 30 acres, however, we need mining areas for top soil to cap and do daily cover.

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

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 AND 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. MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING AND DIRECTING THE CLERK OF THE STEUBEN COUNTY LEGISLATURE TO MAKE APPLICATION TO THE COMMISSIONER OF THE OFFICE OF GENERAL SERVICES TO GRANT THE LAND AUTHORIZED PURSUANT TO CHAPTER 412 OF THE LAWS OF 2003, CONSISTING OF 10.083 ACRES + IN THE TOWN OF ERWIN FOR THE EXCLUSIVE PURPOSE OF CONSTRUCTING AND OPERATING A SOLID WASTE TRANSFER STATION MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN EXECUTIVE SESSION MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, April 6, 2004

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Harley R. Mayo, Chair Robert V. Nichols, Vice Chair L. Ronald Nielsen
Francis L. Gehl

Legislators: Philip J. Roche, Esq. Thomas J. McIntyre John Walsh

Staff: Mark R. Alger Vincent Spagnoletti Frederick H. Ahrens, Jr.
James Gleason Jacques Begin Scot Martinez
Steve Catherman Michele Smith Steve Orcutt
Doreen Ames Bruce Stanley Gregory P. Heffner

Other: Mary Perham, *The Leader* Rob Price, *Evening Tribune* Larry Celeste, C&S
Scott Poley, BOCES

Absent: Kenneth E. Isaman

I. CALL TO ORDER

The meeting was called to order by Mr. Mayo at 9:05 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE MARCH 2 AND MARCH 22, 2004, MEETINGS MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nichols not present for vote.

III. LANDFILL

A. Bath Landfill Expansion Status – Mr. Spagnoletti stated the preconstruction conference is this afternoon at 1:30 p.m. and we expect to start construction this month. The schedule is to complete Cell 1 by November this year. We'll start accepting select garbage for the cell over the winter.

B. Erwin Transfer Station Status – Mr. Spagnoletti stated the Law Department received the final agreement on the purchase of the cornfield and they did an outstanding job. The land is now the County's for \$22,000. Mr. Ahrens stated this is not the end of it in terms of price, as they could still squabble over it. He noted Michele Smith handled this project and she did a good job on it. The County does have the title and they can move forward with construction. Mrs. Smith stated this is a 9.5 acre plot. Mr. Spagnoletti stated they expect to finish design the end of this month and advertise for construction the beginning of May. They will receive bids on June 2nd, award the bid on June 8th and begin construction in July.

Mr. Spagnoletti reviewed the preliminary construction cost estimate for the transfer station. They started with the DOT having to build a bridge at the location of our transfer station. We made an agreement for them to contribute \$2 million to build us a new transfer station. The State then agreed to come up with an additional \$300,000 to improve the aesthetics of the transfer station. Currently the projected cost is at \$2,140,276 and the cost for the engineers is at \$438,391. The total cost would then be \$2,578,667. He noted the engineering is about 21 percent of the cost of the construction.

Mr. Spagnoletti stated the cost does not include the prentice arm which is a boom with a bucket to move the garbage around the transfer trailer. However, he thinks with the level of garbage being taken in they could probably do without it for now. He noted the State is considering paying for that equipment. He stated the cost also doesn't include seven garbage bins, a loading ramp, scale approach slabs and a second scale. He noted they have the money for another scale set aside in their budget. They are talking with DOT to negotiate some of these other items. We're fairly close to being fully funded for this project. Discussion followed.

Mrs. Smith stated the Legislature approved a resolution authorizing a public hearing on the eminent domain proceeding for this property at it's January meeting. She requested permission to cancel the public hearing.

MOTION: CANCELLING THE PUBLIC HEARING ON THE EMINENT DOMAIN PROCEEDING RELATIVE TO THE PROPERTY ASSOCIATED WITH THE ERWIN TRANSFER STATION LOCATION MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Truckload Tire Price Change – Mr. Spagnoletti stated when someone brings in a tire they pay \$1.50 per tire and \$120 per ton for a bulk load. The bid we received to have a hauler take those tires was for \$135/ton. He requested authorization to change the tipping fee for bulk loads to \$135/ton to cover the County's costs.

MOTION: SETTING THE TIPPING FEE FOR A BULK LOAD OF TIRES AT \$135 PER TON MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Resolution required.

D. Space Cost Calculation – Mr. Spagnoletti stated last month he distributed a financial analysis of the Enterprise Fund. According to the analysis, they are ahead by approximately \$218,000. He stated in arriving at that cost he used a space cost. He stated he would like to take a few minutes to explain that and how the County Treasurer accounts for that costing. Last year they had 93,155 tons come in and he determines that it costs \$12.37 per ton for that space. That amount is comprised of \$7.99 for construction and financing. It cost \$10,213,000 to build and finance the landfill. The remainder of that is for the closure and cap which is \$1.17 and post closure (testing water for 30 years after closure) is \$3.21. When they set up the Enterprise Fund, the \$10 million to build and finance the landfill was expensed off. When the Treasurer's Office keeps track of the cost of the landfill, that part of the expense isn't shown. So where he shows \$8 per ton on 93,155 tons, the Treasurer's Office wouldn't show that. When the Independent Auditor comes in to review the statements, where he says we're ahead \$218,000 in the Enterprise Fund, they may show we're ahead \$800,000 to \$900,000. It is just because the cost of construction was expensed off ahead of time. Mr. Alger noted the bonds were paid off so there's no debt service on it, that's why they don't show that expense. Discussion followed.

E. Garbage and Recycling Bins – Mr. Spagnoletti stated we're set up to have 15 bins at the new transfer station. There will be 3 cardboard, 3 plastic, 3 paper, 2 tin, 2 glass and 2 bagged garbage. We've looked at many methods to do this. What we are considering is standardizing for the type of bins where

they can use a recycling truck with a side lift that can hook onto the bins and dump them into the truck from the side. However, we've only found one manufacturer of this type of system, the Haul-All Recycling System. Discussion followed.

Mr. Spagnoletti stated what started this is we decided not to bale on site. The containers for this system are watertight and can be replaced to the exact location after they are emptied. This system drives along side instead of backing in and out. The system has a pressure washer system attached to the truck. These containers have been used by the National Parks System for over 20 years. They are constructed to prevent scavengers from gaining access. He noted because they are side loading and only get lifted 5 feet from the ground, it minimizes wind exposure. Also, the truck has two separate compartments to separate the garbage from recyclables. Discussion followed.

Mr. Spagnoletti stated the cost for the Haul-All System truck is \$120,000 and a truck with the fork lift type of system is \$150,000. The cost for 15 containers for the Haul-All System is \$105,000 (\$7,000 each). If we went with roll-offs, the cost would be \$21,000 for 7 of them. Another option would be to purchase 15, 6cy plastic boxes at \$800 each or \$12,000. Considerable discussion followed.

Mr. Spagnoletti stated there are a number of distributors for this type of system. Therefore, we would need to standardize this type of system for our transfer stations. Mr. Ahrens suggested they solicit bids and see what comes back. Then, if there is only one type of system, you can standardize.

MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SOLICIT BIDS FOR A HAUL-ALL SYSTEM TRUCK AND 15 BINS OR EQUIVALENT SYSTEM MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

F. Change Order for C&S Engineers – Mr. Spagnoletti stated the engineering, design, siting, permitting and site selection and construction inspection started out at \$303,837. We need to increase that amount by \$137,000. This is primarily because we ended up changing sites after they had already started work on the initial site. He reviewed the list of additional services provided by C&S for this project. Discussion followed.

MOTION: APPROVING THE CHANGE ORDER FOR C & S ENGINEERS IN THE AMOUNT OF \$137,000 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

IV. HIGHWAYS/BRIDGES

A. Scrap Steel at Mt. Washington – Mr. Spagnoletti requested approval to solicit bids on the boneyard equipment scrap steel. Discussion followed.

MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SOLICIT BIDS ON SELLING THE BONEYARD EQUIPMENT AT MT. WASHINGTON AS SCRAP STEEL MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Life Cycle Analysis of Road Funding – Mr. Spagnoletti reviewed a chart depicting the number of roads requiring each type of treatment and the life expectancy of each treatment. He noted he uses the life expectancy of each treatment to determine how many miles of road would need to be repaired using each treatment on an annual basis. Then he included the cost for each type of treatment. He stated these total to 147 miles needing to be repaired each year at an annual cost of \$3,042,982. He stated this year they have budgeted \$1,808,500 for road construction. Discussion followed.

Mr. Alger noted that for the amount of money we are paying in Medicaid, we could pave with blacktop, half of our roads in one year and all our roads in two years. That's how much Medicaid is impacting our ability to keep our roads driveable. He also noted that the \$3,042,982 annual cost figure equals the cost of 6.5 weeks of Medicaid.

C. Tandem Dump Trucks – Mr. Spagnoletti requested authorization to get an automatic transmission on one of the tandem dump trucks they've ordered for \$15,250 with no additional funding.

MOTION: AMENDING THE PUBLIC WORKS DEPARTMENT HIGHWAY DIVISION'S 2004 MAJOR EQUIPMENT LIST TO INCLUDE AN AUTOMATIC TRANSMISSION FOR ONE OF THE TANDEM DUMP TRUCKS ON THE LIST FOR \$15,250 WITH NO ADDITIONAL FUNDING AND AUTHORIZING THE PURCHASE OF SAID EQUIPMENT MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

V. **BIDS**

A. Received from past month

1. **Steel Sign Posts** – Mr. Spagnoletti recommended awarding the bid on a line item basis.

MOTION: AWARDING THE STEEL SIGN POSTS BID ON A LINE ITEM BASIS TO CHEMUNG SUPPLY CORPORATION OF ELMIRA, NY, AND EBERL IRON WORKS OF BUFFALO, NY, MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

2. **Heavy Steel Pipe & Boiler Shells** – Mr. Spagnoletti recommended awarding the bid to Allegany Pipe & Tubular on a line item basis.

MOTION: AWARDING THE HEAVY STEEL PIPE AND BOILER SHELLS BID ON A LINE ITEM BASIS TO ALLEGANY PIPE & TUBULAR PRODUCTS OF ANDOVER, NY MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

3. **Asphalt FOB** – Mr. Spagnoletti recommended awarding the bid on a line item basis to all bidders.

MOTION: AWARDING THE ASPHALT CONCRETE FOB PLANT BID ON A LINE ITEM BASIS TO BLADES CONSTRUCTION PRODUCTS CORP OF HORNELL, NY; DALRYMPLE GRAVEL & CONTRACTING CO OF PINE CITY, NY; INNOVATIVE MUNICIPAL US INC., OF LYNDONVILLE, NY; AND VALLEY ASPHALT OF BATH, NY; MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

4. **Asphalt Unspecified** – Mr. Spagnoletti recommended awarding the asphalt unspecified bid to Suit-Kote Contracting for Quadrants 1, 2, 3 and 4.

MOTION: AWARDING THE ASPHALT CONCRETE – UNSPECIFIED IN-PLACE BID TO SUIT-KOTE CONTRACTING OF BATH, NY, FOR QUADRANTS 1, 2, 3 AND 4 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

5. **Bridge Supplies** – Mr. Spagnoletti recommended awarding the bridge supplies bid to AH Harris and Sons for a total extended price bid of \$5,013.

MOTION: AWARDING THE BRIDGE SUPPLIES BID TO AH HARRIS & SONS OF SYRACUSE, NY, FOR A TOTAL EXTENDED BID PRICE OF \$5,013 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

6. **Reinforcing Steel Bars** – Mr. Spagnoletti recommended awarding the reinforcing steel bars bid to Chemung Supply Corporation.

MOTION: AWARDING THE REINFORCING STEEL BARS BID TO CHEMUNG SUPPLY CORPORATION OF ELMIRA, NY FOR THE EXTENDED PRICE OF \$32,964 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

7. **Crushed Limestone** – Mr. Spagnoletti recommended awarding the crushed limestone bid to Seneca Stone Corporation.

MOTION: AWARDING THE CRUSHED LIMESTONE BID TO SENECA STONE CORPORATION OF PINE CITY, NY FOR \$388,174.70 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

8. **Cleaning & Washing of Bridges** – Mr. Spagnoletti recommended awarding the cleaning & washing of bridges bid on a line item basis to United Eagle Painted Corporation for \$64,900.

MOTION: AWARDING THE CLEANING & WASHING OF BRIDGES BID ON A LINE ITEM BASIS TO UNITED EAGLE PAINTED CORPORATION FOR \$64,900 MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

9. **Undercarriage Repair – Caterpillar 963C** – Mr. Spagnoletti recommended awarding the undercarriage repair bid for the Caterpillar 963C to Southworth-Milton, Inc. as the low bidder was non-responsive.

MOTION: AWARDING THE UNDERCARRIAGE REPAIR – CATERPILLAR 963C BID TO SOUTHWORTH-MILTON, INC. OF ROCHESTER, NY, FOR \$24,312 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

B. Status of Bids

1. **Call Hill Timber Sale** – Mr. Gleason stated they solicited new bids for the sale of timber on Call Hill and they only received one response. They determined the problem is the insurance requirements and he was directed to discuss it with the Risk Manager. He met with Mr. Castellana and when he brought up the topographical map of the area, they learned it was very hilly. Because of this, the Risk Manager stated at the very least he would require Workers' Compensation and that will also probably discourage foresters from bidding on it. Mr. Ahrens suggested acquiring the insurance ourselves. Mr. Nichols suggested they place the person on the payroll temporarily. Discussion followed. Mr. Mayo asked Mr. Ahrens and Mr. Gleason to work something out and bring it back to the Committee.

VI. **OTHER BUSINESS**

A. **Equipment Rental** – Mr. Stanley requested authorization to exceed the equipment rental amount of \$15,000 on a John Deere 270 clc hydraulic excavator. Discussion followed.

MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO EXCEED THE EQUIPMENT RENTAL AMOUNT OF \$15,000 ON A JOHN DEERE 270 CLC HYDRAULIC EXCAVATOR MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

B. Request from BOCES – Mr. Spagnoletti introduced Scott Poley of Steuben Allegany BOCES. Mr. Poley stated for many years BOCES has used the County as training worksites for the heavy equipment class. They haven't done this the past few years so he approached Mr. Spagnoletti to see if they could send them to various sites located near the students' homes to help ease the problem of transportation. He noted they carry \$1 million liability insurance on any site they use. He requested authorization to place 8 students at County sites for work experience. Mr. Stanley stated he discussed the issue with the Risk Manager and he said it is fine as long as the students do not operate the equipment. Considerable discussion followed. *The Committee directed Mr. Alger, Mr. Ahrens and Mr. Spagnoletti to speak with Mr. Castellana to determine what his concerns are relative to this issue.*

MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.C. INFORMATION RELATING TO CURRENT OR FUTURE INVESTIGATION OR PROSECUTION OF A CRIMINAL OFFENSE WHICH WOULD IMPERIL EFFECTIVE LAW ENFORCEMENT IF DISCLOSED; 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; AND 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. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

MOTION: AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO SOLICIT BIDS FOR A SECURITY SYSTEM AT THE SHOPS MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

MOTION TO ADJOURN MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for vote.

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, May 4, 2004
9:00 a.m.**

STEUBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, May 4, 2004

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

****AMENDED****

MINUTES

Committee: Harley R. Mayo, Chair Robert V. Nichols, Vice Chair L. Ronald Nielsen
Kenneth E. Isaman Francis L. Gehl

Legislators: Thomas J. McIntyre

Staff: Mark R. Alger Gregory P. Heffner Vincent Spagnoletti
James Gleason Frederick H. Ahrens, Jr. Steve Catherman
Mike Stone Bruce Stanley Sally MacDougal
Kent Longacre Kenneth Peaslee Doreen Ames

Other: Rob Price, *Evening Tribune* Mary Perham, *The Leader*

I. CALL TO ORDER

The meeting was called to order by Mr. Mayo at 9:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE APRIL 6, 2004, MEETING MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILL

A. Bath Landfill Expansion Status – Mr. Spagnoletti stated the contractor is setting up offices and moving in equipment. They expect Cell 1 to be ready November 4th and then they will start accepting select garbage. The project will be completed December 4th and then they will accept all types of garbage in Spring of 2005. He noted they will run out of space in the existing landfill sometime between March and June, 2005.

B. New Erwin Transfer Station Status – Mr. Spagnoletti stated DOT and the Federal Highway Administration conducted a walk-through of the existing transfer station yesterday to see if it is comparable to what we're currently building. DOT is asking the Federal Highway Administration to pay the entire cost of the \$2.5 million project. He stated they expect to solicit bids May 10th, hold a prebid site conference May 25th and receive bids June 9th. If the bids are in line, they will award the bid within a week or two after that. They will start construction the end of July or beginning of August and put the finishing touches on the site in the Spring of 2005. He noted the State will bid the third part of the interchange in March 2005 and close down the bridge to the existing transfer station in June 2005, so they have plenty of time for the construction.

C. State's Tire Surcharge Fees – Mr. Spagnoletti stated at the April Legislative Meeting Mr. Schwartz asked if the County received a portion of the State's surcharge on tire collections. He checked with the State and that money goes to DEC to remove the big tire piles located throughout the State.

D. Sole Source Haul All Bins and Truck – Mr. Spagnoletti stated at the last meeting they discussed sole sourcing the recycling bins and truck for the transfer station. What we discovered is Haul All seems to be the only company that has what we need. Regardless, we thought we should bid it anyway because they have franchises everywhere. However, we learned the manufacturer doesn't allow franchises to respond to bids so we need to go sole source. He noted Mr. Gleason will negotiate with Haul All to get the lowest price.

E. Lindley Landfill Closure Bid – Mr. Spagnoletti stated we solicited bids for the closure of the Lindley Landfill and received five responses. He recommended awarding the bid to Dendis Sand & Gravel. He noted DEC will pay 50 percent of the cost of the closure. He budgeted \$1,051,000 and the bid came in at \$723,000.

MOTION: AWARDING THE LINDLEY LANDFILL CLOSURE BID TO DENDIS SAND & GRAVEL OF PHELPS, NY, FOR \$723,000 MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. HIGHWAYS & BRIDGES

A. State Snow Fund – Mr. Spagnoletti stated he needs additional funding in the State Snow Fund. He noted that the adjustment will include an increase in revenue as the State pays us for plowing their roads. He requested authorization to increase the State snow revenues by \$46,700 and appropriate it to various line items within the State Snow fund.

MOTION: ANTICIPATING \$46,700 IN ADDITIONAL STATE REVENUE INTO ACCOUNT #514400.4.2302.200 STATE SNOW AND APPROPRIATING \$14,200 TO #514400.5.1100.000 SALARIES; \$3,900 TO #514400.5.1100.582 PLOW & SAND; \$28,200 TO #514400.5.1900.000 OVERTIME AND \$400 TO #514400.5.1100.583 HAUL MIX LOAD MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Major Equipment – Mr. Spagnoletti stated they need to add a phone system to the Highway Division's Major Equipment List for \$6,138 with no increase in funding. Mr. Peaslee stated Station 2's phone system is obsolete and if the phones break, they cannot get replacement parts. He stated he'd like to utilize the fiber that was installed years ago and the phone switch at 911 to provide them with voice mail and direct inward dial (DID). This is the most economical way to upgrade their phones because it would cost between \$10,000 and \$15,000 to completely replace the system.

MOTION: AMENDING THE DEPARTMENT OF PUBLIC WORKS HIGHWAY DIVISION'S MAJOR EQUIPMENT LIST TO INCLUDE "EQUIPMENT REPAIR SHOP PHONE SYSTEM" FOR \$6,138 WITH NO INCREASE IN FUNDING AND AUTHORIZING THE PURCHASE OF SAID EQUIPMENT MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Bridge 85-1 Design Agreement – Mr. Spagnoletti stated this bridge is under the Federal program. Mr. Catherman stated at this time there is no State funding allocated for the design but they are applying for funding for both the design and construction. Mr. Spagnoletti stated under the Federal guidelines, they had to interview the engineers who apply for the job without any discussion of cost. Once they select the engineer, then they can discuss money. They selected Bergmann Associates as the engineer and they quoted a design cost of \$239,617 which includes everything except inspection. He noted DOT has reviewed and approved the design. He noted they have \$250,000 budgeted for the design.

MOTION: APPROVING AN AGREEMENT WITH BERGMANN ASSOCIATES IN THE AMOUNT OF \$239,617 FOR THE DESIGN OF BRIDGE 85-1 IN THE TOWN OF TUSCARORA MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. CR 65 Property Purchase – Mr. Spagnoletti stated they're proposing to build a bridge on the Arkport end of CR 65. This will involve a property purchase issue, which should be discussed in Executive Session.

V. BIDS

A. Scrap Steel Bid – Mr. Spagnoletti stated they received a bid for the sale of scrap steel for \$48 per ton. Since the prices are so high at the mill, last month the Committee questioned whether they should take the steel directly to the mill. The mills are paying \$130/ton and there are approximately 120 existing tons. This would result in \$15,600 in revenue. However, we'd have to pay employees to collect and load the steel and use County trucks to transport it. The end result being less revenue after the expenses. He recommended awarding the bid to Metalico for \$48.00/ton resulting in \$5,760 in revenue. Discussion followed.

MOTION: AWARDING THE SALE OF HIGHWAY AND BRIDGE SCRAP STEEL TO METALICO LYELL ACQUISITIONS, INC. OF ROCHESTER, NY FOR \$48/TON MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Dump Trucks – Mr. Spagnoletti stated at the December 2nd meeting we brought to you the bids on the two tandem dump trucks. At that time he told the Committee he wanted to make sure the specifications were good and he'd call them back to get permission on the bid as they had to finalize it by December 9th. He had called the Committee the next day and everyone approved the price so he let Mr. Gleason know to go ahead with the purchase order. He stated he should have formalized the approval at the next regularly-scheduled meeting but he didn't. So he never received formal approval for the awarding of the purchase of two tandem dump trucks to Tracy Equipment for a total cost of \$231,156.

MOTION: APPROVING THE PURCHASE OF TWO TANDEM DUMP TRUCKS FROM TRACY EQUIPMENT FOR \$231,156 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. OTHER BUSINESS

A. House Demolition – Mr. Spagnoletti stated they did a house demolition in Hornell as requested by the County Treasurer's Office. The house had asbestos in it and the total cost of the demolition was \$17,452.06. He provided the Committee with a slide show of the various stages of demolition. Mr. Mayo commended the employees who worked on that demolition especially since the houses were in such close proximity. It shows that they have great talent.

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; 105.1.E. COLLECTIVE NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW; 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; AND 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. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: RETAINING THE SERVICES OF CONSULTANTS DAN DARRAGH AND BARTON LOGUIDICE TO PREPARE AND DISTRIBUTE AN RFP FOR THE PRIVATIZATION/LEASE OF THE LANDFILL OPERATIONS AND LETTING THE RECORD REFLECT THAT THESE CONSULTANTS WERE CHOSEN WITHOUT BIDS OR QUOTES FROM OTHERS VENDORS DUE TO THE WORK THEY HAVE PREVIOUSLY DONE FOR THE COUNTY TO ALLOW FOR CONTINUITY; AMOUNT TO BE PAID TO EACH CONSULTANT IS NOT TO EXCEED \$5,000 EACH FOR A TOTAL COST OF \$10,000 PENDING FINAL APPROVAL OF THE FULL LEGISLATURE MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. *Resolution required.*

MOTION: AUTHORIZING EMINENT DOMAN PROCEDURES FOR REAL PROPERTY IN RELATION TO KEITH GLOVER, HORNELLSVILLE MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0. *Resolution required.*

MOTION TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by:

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

STEUBEN COUNTY PUBLIC WORKS COMMITTEE

June 1, 2004

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

<u>Committee:</u>	Harley R. Mayo, Chair Francis L. Gehl	L. Ronald Nielsen Robert V. Nichols	Kenneth E. Isaman
<u>Legislators:</u>	Philip J. Roche, Esq.	Thomas J. McIntyre	John Walsh
<u>Staff:</u>	Mark R. Alger Steve Orcutt Bruce Stanley Jacques Begin Frederick H. Ahrens, Jr.	Vincent Spagnoletti Scot Martinez Michele Smith Doreen Ames	Lawrence P. Crossett Stephen Catherman James Gleason Bonnie Kastner
<u>Other:</u>	Jeffrey Parker	Mary Perham, <i>The Leader</i>	Lauren Sivan, Channel 18

I. CALL TO ORDER

The meeting was called to order by Mr. Mayo at 9:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE MAY 4, 2004 MEETING MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Nichols not present for vote.

III. LANDFILLS

A. Bath Landfill Expansion Status – Mr. Spagnoletti stated the landfill expansion is on schedule. They've put down subgrade material to serve as the sealer and they expect to have it ready for the select garbage in November.

Mr. Gehl stated he's been asked several times by the public why you're so adamant about selling or leasing the landfill. Mr. Spagnoletti stated he's of the belief that if people can do it for themselves, government should let them. Considerable discussion followed.

B. New Erwin Transfer Station Status – Mr. Spagnoletti stated we were set to solicit bids on June 8th but he's reviewed the plans and there are a few changes he'd like to make. In order to make the changes, he'd like to let the bid on June 30th, have it awarded in July and start construction in August.

C. Tire Amnesty Day – Mr. Spagnoletti stated we receive many compliments about this program. This year we accepted 8,757 tires, of which 5,000 were let in for free. Those free tires

plus labor cost the County \$11,000 total for disposal. He reported they accepted 5,600 at Bath, 3,000 at Wayland, 4,500 at Hornell and 5,000 at Erwin.

D. Green Glass/Antifreeze Recycling – Mr. Spagnoletti stated they've been conducting a Green Glass Pilot Program. They've learned that if they keep the amount of green glass mixed in with clear glass under a 10 percent contamination rate, it doesn't reduce the price of the clear glass. Since they are allowed to do this, they'd like to continue accepting green glass at the Bath Landfill permanently.

Mr. Spagnoletti stated the Antifreeze Program was started to keep the antifreeze from being mixed in with oil. They've accepted 385 gallons at \$1/gallon at all locations and they'd like to continue this program as well.

IV. HIGHWAYS & BRIDGES

A. Soil and Water Conservation District – Mr. Parker stated he wanted everyone to know that the cooperation and working relationship we have with the department is immense. He's working together with everyone in the Department of Public Works on every level. He appreciates the County allowing Soil and Water to work with them as we're getting a lot of good work done. For example we've taken gravel out of Bennetts Creek to reduce the amount of gravel purchased to put sub-base down on County roads. We've done the same thing on other creeks in the County.

Mr. Parker stated they've tried something new on CR76, which has a stream that runs directly into the lake. We tried a rock sediment dam and, of course, the rain has made it difficult to get the work done. He stated a DEC Conservation Officer stopped by to look at the project and he was in agreement with the procedure we decided on. Everyone's doing a great job and you have a top notch engineering and field staff. They've worked on the East Avenue bridge in the Village of Arkport. Sam Hadley and the design crew came up with a great design for the box culvert. They also worked on the Old State Road in the Town of Jasper. They saved the structure from replacement for a couple years, thereby saving the taxpayers money. Mr. Parker stated he just wanted to say thank you for your assistance. Mr. Mayo thanked Mr. Parker for all his hard work as well.

B. Road Funding – Mr. Spagnoletti stated the American Society of Civil Engineers included an article in their magazine about the condition of the Nation's highways and bridges, and the decline thereof. He read a portion of the article. He stated the article shows that our budget problems are consistent with the problems of other municipalities all over the country.

Mr. Spagnoletti reviewed a chart comparing the 2004 Public Works Budget and the County Budget, with the same budgets of 1991. He noted the chart shows they received more road funding in 1991 than they received in 2004. He stated the cost of inflation is such that the number of roads they are able to work on in 2004 is considerably less than what they worked on in 1991. Discussion followed.

Mr. Spagnoletti displayed a chart depicting how to repair a typical section of road. This consists of using the original road asphalt, 6" gravel grind, 3" cold mix, 2 coats chip seal and going back in a year to put on another coat chip seal. However, when the budget is reduced, sometimes they can't do the second chip seal. It holds up pretty good, but they still get some potholes. He just wanted to let them know what is happening with the roads. As for the bridges, they had 39 percent deficient bridges in 1992 and 18 percent deficient bridges in 2002. Relatively speaking,

the bridges are in good shape. He also reviewed the road ratings. As of the end of 2003, they had 108.5 miles of poor roads and 284.8 miles of poor and fair roads. Discussion followed.

V. BIDS

A. Dry Chemical Fire Suppression System – Mr. Spagnoletti stated two bids were received. He recommended awarding the bid to the lowest bidder.

MOTION: AWARDING THE PRE-ENGINEERED DRY CHEMICAL FIRE SUPPRESSION SYSTEM BID FOR THE CURTIS SHOP TO NORTHEAST PETROLEUM TECHNOLOGIES, INC. OF SCHENECTADY, NY FOR \$14,234.00 MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Salt Storage Structure – Mr. Spagnoletti stated this is for the Curtis Shop. The low bid was \$78,613.85. He recommended awarding the bid to the lowest bidder.

MOTION: AWARDING THE SALT STORAGE STRUCTURE BID TO GUDABRI, INC., OF SAVANNAH, NY FOR \$78,613.85 MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Prestressed Concrete Bridge Beams – Mr. Spagnoletti recommended awarding the bid to LC Whitford of Wellsville, NY.

MOTION: AWARDING THE PRESTRESSED CONCRETE BRIDGE BEAMS BID FOR BIN #2216280, STOCKING HOLLOW ROAD, TOWN OF BATH, TO LC WHITFORD OF WELLSVILLE, NY, FOR \$54,783 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Roadside Mowing – Mr. Spagnoletti recommended awarding the bid on a line item basis to Phelan's Farm and Michael White.

MOTION: AWARDING THE ROADSIDE MOWING BID ON A LINE ITEM BASIS TO PHELAN'S FARM OF PAINTED POST, NY AND MICHAEL WHITE OF ADDISON, NY MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Pavement Grinding Equipment Rental – Mr. Spagnoletti requested an executive session to discuss this item.

F. Asphalt Specified In-Place – Mr. Spagnoletti stated he'd like to postpone this bid award until they've had time to analyze the bids.

VI. OTHER BUSINESS

Mr. Spagnoletti showed the Committee a video about a machine that repairs potholes. He noted they're renting the machine for month to try it out. He noted the cost is \$10,000/month. Discussion followed.

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; 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 AND 105.1.G. THE PREPARATION, GRADING OR ADMINISTRATION OF EXAMINATIONS MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AWARDED THE PAVEMENT GRINDING EQUIPMENT RENTAL BID TO AL BLADES & SONS OF HORNELL, NY MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by:

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, July 6, 2004
9:00 a.m.**

STEUBEN COUNTY PUBLIC WORKS COMMITTEE

Special Meeting

Monday, June 28, 2004

9:45 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Harley R. Mayo, Chair L. Ronald Nielsen	Robert V. Nichols, Vice Chair	Francis L. Gehl
STAFF:	Mark R. Alger Frederick H. Ahrens, Jr.	Vincent Spagnoletti Michele Smith	Steven Orcutt
LEGISLATORS:	Philip J. Roche, Esq. Thomas J. McIntyre	DeWitt T. Baker, D.V.M. David R. Stachnik	Patrick F. Donnelly Gary D. Swackhamer
ABSENT:	Kenneth E. Isaman		

I. CALL TO ORDER

Mr. Mayo called the meeting to order at 9:45 a.m.

II. GENERAL BUSINESS

Erwin Transfer Station – Mr. Spagnoletti informed the committee that during May/June 2005 the New York State Department of Transportation will be removing the Lumber Street bridge. The resolution on today's agenda provides for our turning over to the DOT the existing transfer station in return for them paying us \$1.00, which is waived. They will convey to us 10.038 acres and provide funding up to \$2.7 million for the building of a new transfer station. Mr. Spagnoletti commented this is a very good deal for us.

MOTION: AUTHORIZING THE EXECUTION OF THE REQUISITE DOCUMENTATION FOR THE CONVEYANCE OF THE TRANSFER STATION PROPERTIES IN THE TOWN OF ERWIN MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN.

Mr. Gehl asked where the DOT is doing work on the bridge, in the area where the trucks come in, are they making a road? Mr. Nichols stated that is going to be the new ramp. Mr. Spagnoletti explained that will be the northbound exit ramp and approximately 300 feet down from that will be the entrance to the transfer station.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. OTHER BUSINESS

Mr. Swackhamer informed the committee that this year's Father's Day Car Show had 283 cars registered, some from as far away as 100 miles. They received comments that this is one of the best areas for the car show and the park is very beautiful. The show went very well.

Mr. Gehl stated that he spoke with Mr. Spagnoletti and last week they took Corning officials to watch the pothole machine. It was amazing. Potholes are fixed in a matter of minutes. As the County is renting this machine, he encouraged the legislators to see it. Mr. Spagnoletti stated the machines come from New Jersey and they will have the use of the machine for a month, probably two.

MOTION: TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, July 6, 2004

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Harley R. Mayo, Chair Robert V. Nichols, Vice Chair Francis L. Gehl
Kenneth E. Isaman L. Ronald Nielsen

STAFF: Mark R. Alger Vincent Spagnoletti Scott Martinez
Steve Orcutt Steve Catherman Bruce Stanley
Frederick H. Ahrens, Jr. James Gleason Michele Smith
Doreen Ames Lawrence Crossett Gregory P. Heffner

LEGISLATORS: Philip J. Roche, Esq. Thomas J. McIntyre John Walsh

OTHERS: Dan Williams, VP, Edger Enterprises of Elmira, Inc.
Cindy Hutchinson, Sales, Evans, Brayton, Palmer & Tich, Church Street, Elmira
Bill Mobbs, C&S Engineers
Dan Jackson, C&S Engineers

Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Mayo called the meeting to order at 9:00 a.m.

II. OPPORTUNITY FOR PUBLIC COMMENT

Mr. Mayo opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.

III. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 1, 2004 AND JUNE 28, 2004 MEETING MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Mr. Gehl Absent for Vote).

IV. LANDFILL

A. Bid: Erwin Transfer Station –

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. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Mr. Gehl Absent for Vote).

Mr. Spagnoletti informed the committee that the low bidder for the general construction bid for the new Erwin Transfer Station was Edger Enterprises of Elmira, Inc. in the amount of \$3,055,750.00. Our engineers, C&S Engineers had estimated the project at \$2,221,425.00. Edger, the next day, wrote us a letter saying that their computer made a mistake and did not enter the 5 percent overhead and profit into their bid and they would like to withdraw their bid. *A copy of the letter is filed with the Official Minutes, located in the Clerk of the Legislature's Office.*

MOTION: DENYING THE REQUEST OF EDGER ENTERPRISES OF ELMIRA, INC. TO WITHDRAW THEIR BID OF \$3,055,750.00 FOR THE CONSTRUCTION OF THE ERWIN TRANSFER AND RECYCLING CENTER IN THE TOWN OF ERWIN MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AWARDING THE BID FOR THE CONSTRUCTION OF THE ERWIN TRANSFER AND RECYCLING CENTER IN THE TOWN OF ERWIN TO EDGER ENTERPRISES OF ELMIRA, INC. IN THE AMOUNT OF \$3,055,750.00 MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

Mr. Spagnoletti informed the committee that they have received a Memorandum of Understanding from the New York State Department of Transportation amending the amount of the project cost to \$3,758,429.00 for the construction of the Erwin Transfer Station. This amount includes the three contractor bids plus the cost of C&S Engineers to design, site and inspect the job.

MOTION: ACCEPTING THE MEMORANDUM OF UNDERSTANDING FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION AMENDING THE PROJECT COST TO \$3,758,429.00 FOR THE CONSTRUCTION OF THE ERWIN TRANSFER STATION MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Ahrens commented that Mr. Alger is authorized to sign the executed documents and this does not need to go to the Full Legislature.

Mr. Spagnoletti presented the bids for the electrical work for the new Erwin Transfer Station. He recommended awarding the bid to the low bidder, G.O. Wick in the amount of \$157,538.00.

MOTION: AWARDING THE ELECTRICAL BID FOR THE CONSTRUCTION OF THE ERWIN TRANSFER STATION TO G.O. WICK IN THE AMOUNT OF \$157,538.00 MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti presented the bids for the mechanical work for the new Erwin Transfer Station. He recommended awarding the bid to the low bidder, Lin Dot, Incorporated in the amount of \$91,750.00.

MOTION: AWARDING THE MECHANICAL BID FOR THE CONSTRUCTION OF THE ERWIN TRANSFER STATION TO LIN DOT, INCORPORATED IN THE AMOUNT OF \$91,750.00 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Bath Landfill Expansion Status – Mr. Spagnoletti stated the landfill expansion project is on budget and on time. Mr. Orcutt elaborated and said that they will finish grading this week and will also be putting in the

clay liner, weather permitting. Everything is on schedule. They are monitoring the wells and putting in new gas lines.

C. Add to Major Equipment: Landfills, Crawler Tractor w/ Bulldozer \$159, 500 and Compactor \$449,232 – Mr. Spagnoletti requested authorization to amend his major equipment list for Landfills to include a Crawler Tractor w/ Bulldozer and a Compactor. .

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO AMEND HIS MAJOR EQUIPMENT LIST FOR THE LANDFILL TO INCLUDE A CRAWLER TRACTOR W/ BULLDOZER AT A COST OF \$159,500 AND A COMPACTOR AT A COST OF \$449,232 MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Authorize Steuben County Treasurer to Issue a Budget Note – Mr. Spagnoletti requested the committees approval to authorize the Treasurer to issue a Budget Note in the amount of \$608,732 for the purchase of the Crawler Tractor w/ Bulldozer and Compactor for the landfill. He noted these items were something they had originally included to do as a five-year rental and was included in the budget for one year. Mr. Crossett said that it would be better to do a budget note, however, he cautioned that we do need to be careful about purchasing equipment next year.

MOTION: AUTHORIZING THE STEUBEN COUNTY TREASURER TO ISSUE A BUDGET NOTE IN THE AMOUNT OF \$608,732.00 FOR THE PURCHASE OF A CRAWLER TRACTOR W/ BULLDOZER AND A COMPACTOR FOR THE LANDFILL MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Finance Committee Approval Required and Resolution Required.

E. Bid: Crawler Tractor w/ Bulldozer – Mr. Spagnoletti requested authorization to accept the bid from Anderson for a Komatsu Crawler Tractor w/ Bulldozer in the amount of \$159,500.

MOTION: AWARDING THE BID FOR THE CRAWLER TRACTOR W/ BULLDOZER TO ANDERSON EQUIPMENT COMPANY IN THE AMOUNT OF \$159,500 CONTINGENT UPON FULL LEGISLATURE'S APPROVAL OF THE BUDGET NOTE MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Bid: Compactor – Mr. Spagnoletti requested authorization to accept the bid for the Compactor from S.C. Hansen in the amount of \$449,232.

MOTION: AWARDING THE BID FOR THE COMPACTOR TO S.C. HANSEN, INC. IN THE AMOUNT OF \$449,232 CONTINGENT UPON FULL LEGISLATURE'S APPROVAL OF BUDGET NOTE MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. HIGHWAYS & BRIDGES

A. 2004 Road Project Schedule – Mr. Spagnoletti reviewed the 2004 Road Project Schedule with the committee.

1. CR 17 and CR 18 – The gas company will pay to have those roads redone after the drilling is complete.

2. CR 119 – They will be doing off road excavation during the fall and winter. They made an application to Senator Kuhl for \$375,000.

3. CR 101 – They still plan to pave, but there is a fair amount to true and level.

4. CR 82 – This was going to be a chip/seal, but we will not do that unless we can get gravel. The New York State Legislature may put \$618,000 into operation for maintenance for CHIPS and that will provide \$600,000 above the budget in revenue. The Senate and Assembly are supposed to have agreed. If we get that amount, then we will put gravel on CR 82, CR 57 and CR 35. We were just going to grind and chip those areas.

5. CR 21 – chip/seal as well as CR 71, but we will put gravel if we get money.

6. CR 28 – It will cost \$100,000/mile to do cold mix recycle. If we do hot mix recycle the cost will be \$50,000/mile, however, that doesn't widen the road. We will do a cold mix chip/seal and blacktop next year. He noted that they will not be doing the bridge on CR 65 because of eminent domain and they also will not do the CR 66 bridge.

7. CR 35 – Grinding/Chipping – Originally they were going to do the entire thing, but right now the east and west section may just be built up and then chip/seal and widen.

8. CR 70a – Will not slurry that end. It physically is okay, just losing topcoat.

9. CR 74 – Originally we were going to grind and chip, but now we are going to solid cold mix and chip/seal. We really should have liquid asphalt mixed in. This will be a blacktop and then chip/seal.

Considerable discussion followed.

B. Bid: Specific Blacktop Projects – Mr. Spagnoletti recommended awarding the bid for specific blacktop projects on a line item basis. He stated that the pricing is only up \$1.00 - \$2.00 from last year.

MOTION: AWARDING THE BID FOR ASPHALT CONCRETE SPECIFIED IN-PLACE PROJECTS TO AL BLADES & SONS, INC.; CHEMUNG CONTRACTING CORPORATION AND SUIT-KOTE CONTRACTING, LLC ON A LINE ITEM BASIS MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Change Order: Wood Road Bridge – Mr. Spagnoletti requested approval for a change order for Erdman & Anthony Engineers in the amount of \$35,000.00. He stated that this is in regards to the 100 year old bridge that they are rehabilitating in the Town of Campbell. The project is 95 percent State and Federally funded. They had given the contractor until the end of July this year to complete the inspections. Mr. Catherman explained the contractors came in late, started late and then the County rejected a portion of the timber deck and the painting took longer than expected. They are still within the timeframe for the inspections, but we didn't budget enough.

MOTION: APPROVING A CHANGE ORDER IN THE AMOUNT OF \$35,000.00 TO ERDMAN & ANTHONY FOR THE WOOD ROAD BRIDGE IN THE TOWN OF CAMPBELL MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. BIDS

A. Freon Removal & Recycling from White Goods & Small Appliances – Mr. Spagnoletti stated they received two bids. He recommended awarding the bid to the low bidder, Arctic Air Refrigeration, Inc.

MOTION: AWARDING THE BID FOR THE FREON REMOVAL & RECYCLING FROM WHITE GOODS & SMALL APPLICANCES TO ARCTIC AIR REFRIGERATION, INC. OF HORNELL, NY IN THE AMOUNT OF \$5.95 PER UNIT MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. RFP: The Collection & Disposal of Household and Agricultural Hazardous Waste – Mr. Spagnoletti stated they received one bid from Clean Harbors Environmental Services, Inc.

MOTION: AWARDING THE BID FOR THE RFP: THE COLLECTION & DISPOSAL OF HOUSEHOLD AND AGRICULTURAL HAZARDOUS WASTE TO CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. OF BRAINTREE, MASSACHUSETTS IN THE AMOUNT OF \$11,596.58 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Traffic Control Supplies – Mr. Spagnoletti recommended awarding the bid to the low bidder.

MOTION: AWARDING THE BID FOR TRAFFIC CONTROL SUPPLIES TO EASTERN METAL/USA-SIGN IN THE AMOUNT OF \$17,014.00 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Ice Control Sand (FOB) – Mr. Spagnoletti recommended awarding the bid to all bidders on a line item basis.

MOTION: AWARDING THE BID FOR ICE CONTROL SAND (FOB) ON A LINE ITEM BASIS TO BLADES CONSTRUCTION PRODUCTS CORPORATION; BUFFALO CRUSHED STONE, INC.; DALRYMPLE GRAVEL & CONTRACTING CO., INC.; ELAM SAND & GRAVEL CORPORATION; HANSON AGGREGATES NEW YORK, INC.; HUB BOY GRAVEL; KNIGHT SETTLEMENT SAND & GRAVEL, LLC; AND SKUBA CONSTRUCTION MATERIALS MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Ice Control Sand – Delivered to County Shops – Mr. Spagnoletti recommended awarding the bid on a line item basis.

MOTION: AWARDING THE BID FOR ICE CONTROL SAND – DELIVERED TO COUNTY SHOPS TO BUFFALO CRUSHED STONE, INC.; ELAM SAND & GRAVEL CORPORATION; HANSON AGGREGATES NEW YORK, INC.; KNIGHT SETTLEMENT SAND & GRAVEL, LLC AND SKUBA CONSTRUCTION MATERIALS ON A LINE ITEM BASIS MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Ice Control Sand – Delivered to Town Shops – Mr. Spagnoletti recommended awarding the bid on a line item basis.

MOTION: AWARDING THE BID FOR ICE CONTROL SAND – DELIVERED TO TOWN SHOPS TO BUFFALO CRUSHED STONE, INC.; ELAM SAND & GRAVEL CORPORATION; HANSON AGGREGATES NEW YORK, INC.; KNIGHT SETTLEMENT SAND & GRAVEL, LLC AND SKUBA CONSTRUCTION MATERIALS ON A LINE ITEM BASIS MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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 AND 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. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE VILLAGE AND/OR TOWN OF ADDISON FOR THE DEMOLITION OF 44 FRONT STREET, SUBJECT TO THE PAYMENT OF ALL TAXES MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: TO ADJOURN MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, August 3, 2004
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Special Meeting

Monday, July 26, 2004

8:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Harley R. Mayo, Chair Kenneth E. Isaman	Robert V. Nichols, Vice Chair L. Ronald Nielsen	Francis L. Gehl
STAFF:	Mark R. Alger Frederick H. Ahrens, Jr.	Vincent Spagnoletti James Gleason	Steve Catherman Jacques Begin
LEGISLATORS:	Philip J. Roche, Esq.	Thomas J. McIntyre	John Walsh

I. CALL TO ORDER

Mr. Mayo called the meeting to order at 8:00 a.m.

II. GENERAL BUSINESS

A. Bid: Painting of Traffic Lines

Mr. Spagnoletti stated they received three bids. He recommended awarding the bid to the low bidder, Zebra Paint Striping in the amount of \$133,395.60. He noted that their bid is the same from last year. This year they did not have a line item for surveying roads because that has been completed.

MOTION: AWARDING THE BID FOR PAINTING OF TRAFFIC LINES TO ZEBRA PAINT STRIPING IN THE AMOUNT OF \$133,395.60 MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Bid: Precast Concrete Containment Bin Walls

Mr. Spagnoletti explained these are walls that are 8 feet high and they build the pole barn around them for the salt sheds. This one is for the Curtiss Shop and is the last one. He recommended awarding the bid to Sollenberger in the amount of \$11,890.00.

MOTION: AWARDING THE BID FOR PRECAST CONCRETE CONTAINMENT BIN WALLS TO SOLLENBERGER SILOS CORPORATION IN THE AMOUNT OF \$11,890.00 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Bid: Cold Mix Recycle

Mr. Spagnoletti informed the committee that under the State Budget, both the Senate and the Assembly agreed to put in CHIP's funding. This would amount to \$618,000.00 for Steuben County. He is not proposing that they appropriate this funding at this time as the State Budget has not been passed. Mr. Spagnoletti stated that he had wanted to do County Route 10 from Bath – Cameron which is approximately 8.2 miles. This is a high volume

road and he would like to recycle the entire thing if they get this funding. They are bidding Cold Mix Recycle for County Route 28 and he would like permission to include County Route 10 in that bid. Mr. Alger noted that they may not know what the funding will be until September/October. Mr. Spagnoletti stated that he would like to include a completion date of next June.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO INCLUDE COUNTY ROUTE 10 IN THE BID FOR COLD MIX RECYCLE FOR COUNTY ROUTE 28 MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. County Route 110

Mr. Spagnoletti informed the committee that they have a Federal Aid bridge project on County Route 110 in the Town of Rathbone. They have been negotiating with the property owners to acquire .158 acres which would enable them to straighten out the curve when they building the new bridge. He would like authorization to pay the property owner \$1,400.00 for that parcel of land. Mr. Mayo commented that the County's cost would only be five percent of that amount.

MOTION: AUTHORIZING THE PAYMENT OF \$1,400.00 FOR .158 ACRES OF LAND ON COUNTY ROUTE 110 IN THE TOWN OF RATHBONE MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY PUBLIC WORKS COMMITTEE

August 3, 2004

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Harley R. Mayo, Chair Kenneth E. Isaman L. Ronald Nielsen
Francis L. Gehl

Legislators: Philip J. Roche, Esq. Thomas J. McIntyre John Walsh

Staff: Mark R. Alger Vincent Spagnoletti Bruce Stanley
Steve Orcutt Frederick H. Ahrens, Jr. Doreen Ames
Steve Catherman James Gleason Jacques Begin
Gregory P. Heffner Sally MacDougal

Other: Mary Perham, *The Leader*

Absent: Robert V. Nichols, Vice Chair

I. CALL TO ORDER

The meeting was called to order by Mr. Mayo at 9:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE JULY 6 AND JULY 26, 2004, MEETINGS MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. LANDFILL

A. Bath Landfill Expansion Status – Mr. Orcutt stated they're on schedule despite the weather. They are still hauling in clay for the liner system. They are preparing the east slope for capping the existing landfill. The liner system should be going in next week or the week after. The leachate lines are all completed, they just need to add the sleeves, and the sediment basins are complete at this point. Discussion followed.

B. Change Order – Mr. Spagnoletti requested approval of a change order for Blackmon-Farrell Electric that will result in an overall decrease in the amount of the contract of \$4,882. He stated the first change will provide an electric service from the flair skid to the pole. Mr. Orcutt stated the original plans called for a three-phase electric run and the run is going to be shortened by $\frac{3}{4}$ distance. This will result in a decrease in cost of \$12,253. Mr. Spagnoletti stated the second change will remove a leachate pump out system. Mr. Orcutt stated they need to tie that into the electric junction which will cost an additional \$5,714. Mr. Spagnoletti stated they also need to

replace a switch at the road for the leachate storage area for an additional \$1,657. The net result is a \$4,882 credit. Discussion followed.

MOTION: APPROVING THE CHANGE ORDER FROM BLACKMON-FARRELL ELECTRIC FOR THE BATH LANDFILL EXPANSION PROJECT AND DECREASING THE AMOUNT OF THEIR CONTRACT BY \$4,882 MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Erwin Transfer Station – Mr. Spagnoletti stated the bid documents and bonds are in for the Erwin Transfer Station construction project. Mrs. Smith, Mr. Castellana and Mr. Orcutt are in the process of reviewing them. The Notice to Proceed will be sent to the contractors in the next couple of days and they expect construction to begin August 16th. The agreement with NYSDOT is for \$3.7 million that includes \$232,000 in additional recycling equipment consisting of 15 recycling bins and a recycling truck. They've included that in the total cost that will be submitted to the Federal Highway Administration. He noted that DOT says it looks good and that the pricing and funding is in place. The steel building needs to be lined up and the delivery time should be okay as he doesn't believe they'll close the current transfer station down until next May or June. Mr. Isaman asked what is the projected completion date? Mr. Spagnoletti stated they expect to have construction completed by December except for the steel building, which might not be delivered until spring. Therefore, they're thinking it will be totally completed by April. Discussion followed.

Mr. Ahrens stated they're waiting to receive the right of way on the State land. He noted they need permission to cross the cornfield as that is State-owned land. Discussion followed.

IV. HIGHWAYS AND BRIDGES

A. 2004 Road Work Status – Mr. Spagnoletti stated they had budgeted \$1,809,000 for road projects this year and they are currently projecting the actual cost to be \$2,044,000, leaving a deficit of \$235,000. They are projecting a savings of \$170,000 in the personal services line item. One reason for this saving is because when employees are on Workers' Compensation, they aren't paid out of the personal services line item. They are also realizing a savings from not filling a funded vacant position. In addition, they've been assigning employees to the landfill to complete access roads, do litter control, and other various jobs. When they are assigned to work at the landfill, they are paid from the landfill budget. If they applied the \$170,000 towards the road projects, it will still leave a deficit of \$65,000. However, if the CHIPS budget is approved with the State budget, they could offset that deficit.

Mr. Spagnoletti stated they budgeted \$330,000 in the fuel line item. They're projecting the cost to be \$458,000 so they will be short \$128,000. That is going to be hard to cover within their budget. The CHIPS funding would solve that problem, but there's no guarantee it will be approved by the State. He stated in 2001, diesel cost \$0.69/gallon and in 2002 it was \$0.73/gallon. For budgeting purposes, he increased the projection to \$0.80/gallon and also included an additional \$15,000 to the line item. However, the price for diesel has averaged \$1.15/gallon. We'll watch everything closely and see what happens when they pass the State budget.

Mr. Spagnoletti asked Mr. Stanley to review the status of the road projects. Mr. Stanley stated first of all, he would like to say that the road and bridge crews are doing a terrific job this year. He noted Bryce Foster has been of significant help to him this year. They are pretty much on schedule. The chip seals and surface treatments are done in the southwest part of the County. The

grind and double surface treat projects are mostly done. The reclaim projects are also almost done. The hot mix asphalt contractors are starting today. They've had a few landslides this year and they are addressing those as they come along. Also, the bridge crews are on schedule. Discussion followed.

B. Property Purchases – Mr. Spagnoletti stated Mr. Catherman has been working with the landowners regarding the bridge project on CR65 in the Town of Hornellsville. He noted that originally they thought they were going to have to initiate eminent domain proceedings. However, property owner Horan has agreed to accept \$1,000 for 0.2 acres of land. As for the Glover property, Mr. Glover would like \$4,500 for 0.6 acres of land. In addition, Mr. Glover is a descendant of the Norton's and the bridge used to be called the Norton Bridge. He noted that Mr. Glover would like a sign placed on the bridge stating that its name is Norton Bridge, once it is completed. Mr. Spagnoletti recommended approval of these property purchases. Discussion followed.

MOTION: APPROVING THE PURCHASE OF 0.2 ACRES OF LAND FOR \$1,000 FROM PROPERTY OWNER HORAN AND 0.6 ACRES OF LAND FOR \$4,500 FROM PROPERTY OWNER GLOVER ON CR65 IN THE TOWN OF HORNELLSVILLE TO COMPLETE WORK ON BRIDGE 65-2 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

V. BIDS

A. Sale of Highway and Bridge Scrap Steel – Mr. Spagnoletti stated two bids were received with the highest bid being \$117.50/ton. He recommended awarding the bid to the highest bidder, Metalico. Discussion followed.

MOTION: AWARDING THE SALE OF HIGHWAY AND BRIDGE SCRAP STEEL BID TO METALICO LYELL ACQUISITIONS, INC., OF ROCHESTER, NY FOR \$117.50/TON MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

VI. NEW BUSINESS

Mr. Spagnoletti announced that the Wood Road Bridge Opening will be held today at 1:00 p.m. and everyone is invited to attend.

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 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. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

**MOTION TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING
IN FAVOR. MOTION CARRIES 4-0.**

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, September 7, 2004
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, September 7, 2004

9:00 a.m.

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Harley R. Mayo, Chair Robert V. Nichols, Vice Chair Kenneth E. Isaman
L. Ronald Nielsen

Legislators: Philip J. Roche, Esq.

Staff: Mark R. Alger Vincent Spagnoletti Scot Martinez
Sam Hadley Steve Orcutt Jim Gleason
Bonnie Kastner Doreen Ames Steve Catherman
Lawrence Crossett Christine Kane Frederick H. Ahrens
Bruce Stanley Jacques Begin

Other: Mary Perham, *The Leader*

Absent: Francis L. Gehl

I. CALL TO ORDER

The meeting was called to order by Mr. Mayo at 9:00 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE AUGUST 3, 2004, MEETING MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. CERTIFICATE OF APPRECIATION

Mrs. Kane presented Sam Hadley with a Certificate of Appreciation, coffee cup and a 25-year pin in recognition of his 25 years of service to Steuben County.

Mrs. Kane presented Susan Lott with a Certificate of Appreciation, clock and a 25-year pin in recognition of her 25 years of service to Steuben County.

IV. LANDFILL

A. Bath Landfill Expansion Status – Mr. Spagnoletti stated the project is pretty much on schedule. They are a few weeks behind because of the rain. They will probably have some change orders coming in soon. Steve Orcutt stated we should be seeing the figures on the change orders in a couple of weeks. Discussion followed.

B. Transfer Station – Mr. Spagnoletti stated things are moving along well and he believes they will finish construction before the Department of Transportation closes off the bridge in June.

C. Warranty for Back Dump – Mr. Spagnoletti stated they purchased the back dump a year ago from SC Hansen and there is an existing warranty on the motor. They can purchase a 2-year bumper to bumper warranty for \$7,000 excluding the motor and normal maintenance. He requested authorization to purchase the warranty.

MOTION: AUTHORIZING THE PURCHASE OF AN EXTENDED WARRANTY ON THE LANDFILL BACKDUMP FOR \$7,000 MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. Recycling Grant – Mrs. Kastner stated they received the Recycling grant for 2003. The recycling contract with CECM was for \$11,000 but they will probably receive less than that. She noted they are on the list for 2004 recycling grant funding.

E. Other – Mr. Spagnoletti announced that Steve Orcutt has successfully completed his 2-year probation. He's doing a good job and we're glad to have him working for the County.

V. **HIGHWAYS/BRIDGES**

A. Lottery for Town Roadside Cleanup – Mr. Spagnoletti stated 20 towns requested to be included in the lottery. Mr. Mayo drew the winner, which was the Town of Cohocton.

B. Wood Road Bridge – Mr. Spagnoletti stated the contract is done but they need a change order to finish up the paperwork. There were increases of \$4,304.76 and decreases of about \$11,984.47 for an overall change order of \$7,679.71. He requested approval of the change order with Vector Construction Corporation.

MOTION: APPROVING A CHANGE ORDER WITH VECTOR CONSTRUCTION CORPORATION RESULTING IN AN OVERALL DECREASE OF \$7,679.71 FOR THE WOOD ROAD BRIDGE PROJECT IN THE TOWN OF CAMPBELL MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Route Change in Prattsburgh – Mr. Spagnoletti stated due to some addressing issues, the E911 Department is requesting a route change in Prattsburgh. Currently CR7 ends at SR53 and CR122 starts at SR53 then runs along the Prattsburgh Town Square where it then turns into North Main Street. They would like to extend CR7 across State Route 53 to end at North Main Street. This has been approved by resolution of the Town of Prattsburgh.

MOTION: APPROVING A ROUTE CHANGE IN THE TOWN OF PRATTSBURGH WHEREBY CR7 WILL EXTEND ACROSS SR53 TO END AT NORTH MAIN STREET MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution required.

D. CR85 Bridge, Tuscarora – Mr. Spagnoletti stated they completed a Phase I Environmental Study on the CR85 Bridge project in the Town of Tuscarora and they are recommending a Phase 1B study which is called Cultural Resource Reconnaissance. Mr. Catherman stated Bergmann attempted to argue against this but the State Historic Preservation Office is requiring it to be done. The cost of the study is \$3,267.99 and will be completed by Bergmann Associates. Discussion followed.

MOTION: APPROVING THE PAYMENT OF \$3,267.99 TO BERGMANN ASSOCIATES TO CONDUCT A PHASE 1B CULTURAL RESOURCE RECONNAISSANCE STUDY AT THE CR85 BRIDGE SITE IN TUSCARORA MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. Cameron Mills Bridge Shop Site/Phase II Environmental Assessment – Mr. Spagnoletti requested this item be discussed in Executive Session.

F. Flood Damage – Mr. Stanley stated the damage was kept to a narrow band in the southeast part of the County. They estimated portions of the County had 4 inches of rain in 2 hours. Shoulder damage was sustained on CR5, CR86 and CR85. CR1, CR2 and CR3 sustained more severe damage. By far CR4 was hit the worst. Both 2 lower bridges on the road were covered with water.

Mr. Spagnoletti stated the total cost of the damage was \$189,000 including equipment, material and labor. The material cost is \$67,000, mostly for riprap. He noted the Town of Campbell 1999 Flood Mitigation Plan recognized flooding on CR4 as being a problem. The Code Enforcement Officer had recommended 1 to 3 detention ponds in that area to hold the flood waters. The damage is primarily the town’s responsibility because they recognized that but didn’t install the detention ponds. He noted Rebecca Lewis, who lives on CR4, wrote a nice letter about the County crews to the media, which Mr. Spagnoletti read to the Committee.

Mr. Spagnoletti stated they’ll have to see what happens this week as the rain is supposed to come in heavy on Thursday. He noted Mike Sprague will be contacting him as soon as they have a more definite forecast.

G. CHIPS Funding – Mr. Spagnoletti stated the State included additional CHIPS funding for the Counties and the action wasn’t vetoed by the Governor. Therefore, Steuben County is eligible to receive \$602,271. He stated this year they had the following overruns:

1)	Roads materials and contracts:	\$235,000
2)	Blacktop projects Index	\$ 40,000
3)	Chip seal Index	\$ 50,000
4)	Gas & Diesel Fuel	\$150,000
5)	Flood	\$ 67,000
	Total	\$542,000

Mr. Spagnoletti stated Personal Services is less than projected by \$170,000 bringing the new total to \$372,000 over budget. The CHIPS funding is \$602,271, which would cover the overrun. It would also leave him with \$230,271, of which he’d like to use \$191,841 to recycle and chip seal 3 miles of CR10 and \$38,430 for contingency. Discussion followed.

MOTION: ACCEPTING \$602,271 IN CHIPS FUNDING INTO #D.999901.4.3501000 AND APPROPRIATING \$100,000 TO #DM.513000.5.450330 DIESEL; \$50,000 INTO #DM.513000.5.450320 GAS; \$70,000 INTO #D.511000.5.416521 FLOOD SUPPLIES; \$382,271 INTO #D.511200.5.250000 CAPITAL PROJECTS MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

F. Budget Transfer – Mr. Spagnoletti requested authorization to transfer \$35,000 from Highway Maintenance personal services to Highway Construction personal services and \$5,000 from Bath Landfill personal services to Inactive Landfills personal services.

MOTION: AUTHORIZING THE TRANSFER OF \$35,000 FROM #D.511000.5.1100000 SALARIES & WAGES TO #D.511200.5.1100000 SALARIES & WAGES AND \$5,000 FROM #EL.816062.5.1100000 TO #EL.816063.5.1100000 MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

VI. BIDS

A. Leachate Hauling – Mr. Spagnoletti stated one bid was received from Leo Dickson & Sons. He recommended awarding the bid to the lone bidder. Discussion followed.

MOTION: AWARDING THE LEACHATE HAULING BID TO LEO DICKSON & SONS, INC. OF BATH, NY FOR \$9.49/TON FROM LINDLEY TO BATH; \$13.75/TON FROM BATH TO ITHACA AND \$12.76/TON FROM LINDLEY TO ITHACA MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Concrete for Box Culverts – Mr. Spagnoletti stated three bids were received and he recommended awarding the bid to the lowest bidder.

MOTION: AWARDING THE PORTLAND CEMENT CONCRETE FOR PRECAST BOX CULVERTS BID TO HANSON AGGREGATES NEW YORK, INC., OF PAVILION, NY MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Premix Ice Control Sand And Road Salt – Mr. Spagnoletti recommended awarding the sand and road salt/FOB plant bid to all bidders and the sand and road salt bid for county and town shops on a line item basis.

MOTION: AWARDING THE PREMIX ICE CONTROL SAND AND ROAD SALT – FOB PLANT BID TO THE FOLLOWING BIDDERS: HUB BOY GRAVEL OF AVOCA, NY (\$3.25/TON); HANSON AGGREGATES NEW YORK OF PAVILION, NY (\$3.75/TON); ELAM SAND & GRAVEL OF WEST BLOOMFIELD, NY (\$3.79/TON); KNIGHT SETTLEMENT SAND AND GRAVEL OF BATH, NY (\$4.10/TON); BUFFALO CRUSHED STONE OF BUFFALO, NY (\$4.50/TON); AND SKUBA CONSTRUCTION MATERIALS OF ALMOND, NY (\$5.50/TON); AND AWARDING THE PREMIX ICE CONTROL SAND AND ROAD SALT BID FOR THE COUNTY AND TOWN SHOPS ON A LINE ITEM BASIS TO HANSON AGGREGATES NEW YORK OF PAVILION, NY AND HUB BOY GRAVEL OF AVOCA, NY MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. CR28 Hartsville Recycling – Mr. Spagnoletti stated this will finish CR28. He recommended awarding the bid to the lowest bidder.

MOTION: AWARDING THE CR28 HARTSVILLE – COLD IN PLACE RECYCLING WITH CHIP SEAL BID TO CENTRAL ASPHALT OF WATKINS GLEN, NY FOR \$170,747.00 MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. CR10 Bath-Cameron Recycling – Mr. Spagnoletti stated two bids were received. The bid was let on a per square yard basis and the extended price was based upon 4 miles of recycling. He recommended awarding the bid to Suit-Kote on a per square yard basis not to exceed \$191,841, which would equate to 3 miles of recycling. Discussion followed.

MOTION: AWARDING THE CR10 BATH-CAMERON – COLD IN PLACE RECYCLING WITH CHIP SEAL BID TO SUIT-KOTE OF WATKINS GLEN, NY ON A PER SQUARE YARD BASIS, NOT TO EXCEED THE TOTAL PRICE OF \$191,841 MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

F. Consulting Forester Services RFP – Mr. Gleason stated they received 2 proposals from consulting foresters. The bid was structured to include rates with and without Workers' Compensation insurance. Susan Keister's rate is \$60/hour with Workers' Compensation and Billy Morris's rate is \$50/hour without Worker's Compensation and \$75/hour with Workers' Compensation. For the management plan preparation, Keister's proposal is \$3,840 and Morris's proposal is \$4,800 not to exceed \$6,750 with Workers' Compensation and \$3,200 not to exceed \$4,500 without Workers' Compensation.

Mr. Gleason stated for the timber harvest work, Keister would charge (not to exceed) 13.5% of the gross sale for the softwood harvest and (not to exceed) 16.5% of gross sale of the hardwood harvest. He stated Morris estimates less than 8% of gross sales, not to exceed 10%, for either hardwood or softwood. Discussion followed.

Mr. Gleason stated there are 320 acres of reforestation land. There are two phases to this project. First they do an assessment of the reforestation land and then they act on the results of the assessment for harvesting. He stated the RFP Review Committee consisting of Greg Heffner, Tony Clark and himself recommend awarding the proposal to Billy Morris. Discussion followed.

MOTION: ACCEPTING THE CONSULTING FORESTER SERVICES PROPOSAL FROM BILLY MORRIS WITH WORKERS' COMPENSATION MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

G. Security System – Mr. Spagnoletti requested an executive session to discuss this issue.

VI. OTHER BUSINESS

A. Reappointment – Mr. Spagnoletti stated he has been with the County since November 9, 1992, and his term is due to expire.

MOTION: REAPPOINTING VINCENT SPAGNOLETTI AS COMMISSIONER OF PUBLIC WORKS TO A FOUR-YEAR TERM MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.C. INFORMATION RELATING TO CURRENT OR FUTURE INVESTIGATION OR PROSECUTION OF A CRIMINAL OFFENSE WHICH WOULD IMPERIL EFFECTIVE LAW ENFORCEMENT IF DISCLOSED; 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION; 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; 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. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SOLICIT REQUESTS FOR PROPOSALS FOR A PHASE II ENVIRONMENTAL STUDY AT THE CAMERON MILLS SHOP MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: REJECTING THE BID FOR THE EXPANSION OF THE SECURE PERFECT SECURITY SYSTEM MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. IN FAVOR: ISAMAN, NIELSEN, NICHOLS. OPPOSED: MAYO. MOTION CARRIES 3-1.

MOTION: AUTHORIZING THE TRANSFER OF \$109,000 FROM THE SECURITY SYSTEM CAPITAL PROJECT TO THE CAPITAL PROJECT FOR CONSTRUCTION AND AMENDING THE PREVIOUS MOTION AWARDED THE COLD MIX IN-PLACE RECYCLING WITH CHIP SEAL ON CR10 BATH-CAMERON BY INCREASING THE NOT TO EXCEED AMOUNT FROM \$191,841 TO \$255,788 MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION TO ADJOURN MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully submitted by:

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, October 5, 2004
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

STEBEN COUNTY FINANCE COMMITTEE

Special Joint Meeting

Monday, September 27, 2004

9:45 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Harley R. Mayo, Chair Kenneth E. Isaman	Robert V. Nichols, Vice Chair L. Ronald Nielsen	Francis L. Gehl
	Gary D. Swackhamer, Chair	Patrick F. Donnelly, Vice Chair	Donald B. Creath
STAFF:	Mark R. Alger	Vincent Spagnoletti	Frederick Ahrens, Jr.
LEGISLATORS:	Philip J. Roche, Esq. John Walsh	DeWitt T. Baker, D.V.M.	Thomas J. McIntyre

I. CALL TO ORDER

Mr. Mayo called the meeting to order at 9:45 a.m.

II. GENERAL BUSINESS

Erwin Transfer Station – Mr. Spagnoletti stated that when we signed the original agreement with the Department of Transportation, they agreed to pay \$3.7 million for the construction of the Erwin Transfer Station. We had asked about recycling equipment that we would purchase directly and asked them if they would include this in the payment and they agreed. He requested authorization to amend the agreement in the amount of \$4,006,280.

MOTION: AUTHORIZING THE AMENDMENT OF THE AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION RELATIVE TO THE ERWIN TRANSFER STATION IN THE AMOUNT OF \$4,006,280. 00 MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES. (PUBLIC WORKS VOTE 5-0, FINANCE VOTE 5-0).

MOTION: TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEUBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, October 5, 2004

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

<u>Committee:</u>	Harley R. Mayo, Chair Robert V. Nichols	Kenneth E. Isaman Francis L. Gehl	L. Ronald Nielsen
<u>Legislators:</u>	Philip J. Roche, Esq.	John Walsh	
<u>Staff:</u>	Mark R. Alger Scot Martinez Frederick H. Ahrens, Jr. Steve Catherman	Vincent Spagnoletti James Gleason Doreen Ames	Steve Orcutt Jacques Begin Gregory P. Heffner
<u>Other:</u>	Mary Perham, <i>The Leader</i>	Tony Borelli, Bergmann	Ken Avery, Bergmann

I. CALL TO ORDER

The meeting was called to order by Mr. Mayo at 9:02 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE SEPTEMBER 7 AND SEPTEMBER 27, 2004, MEETINGS MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Gehl not present for vote.

III. LANDFILL

A. Bath Landfill Expansion Status – Mr. Spagnoletti stated the project is moving along well. The weather-related work is finished, particularly the base of the landfill. They are also doing the pipework to collect the gas from the old landfill. Discussion followed.

B. Change Orders – Mr. Spagnoletti requested approval of a change order for the landfill expansion project. They have a 700,000-gallon leachate tank that needs to be caulked and the quote is for \$25,437.50. Mr. Alger stated the tank stores leachate, which is partially why the work costs so much. Mr. Gehl asked how old is the tank? Mr. Orcutt stated it was built in 1992 and it would cost \$750,000 to replace it.

MOTION: APPROVING THE CHANGE ORDER FROM PATRICK CONCRETE CONSTRUCTORS FOR \$25,437.50 TO CAULK THE LEACHATE STORAGE TANK MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. New Erwin Transfer Station Status – Mr. Spagnoletti stated the contractor is doing a good job and things are going very well. They'll be open by the time NYS DOT tears down the bridge going to the existing transfer station. Mr. Gehl asked is the off ramp coming from the south going along where the transfer station is going to be permanent? Mr. Spagnoletti stated yes and that was taken into account when we did the design. It is a permanent exit ramp and the advantage is there will be a stop light there. In addition, it will keep our tractor-trailers off of the local roads. Discussion followed.

IV. HIGHWAYS AND BRIDGES

A. CR85, Tuscarora – Mr. Spagnoletti stated this bridge had been approved for reconstruction in 2005 by the Federal Government. The original design would move the bridge further down the river. While the bridge is being reconstructed, they would like to put a detour bridge in where the old bridge is. The detour bridge will cost between \$300,000 to \$500,000 and it would be used for approximately 1 year. The Federal government knows it was declared a disaster for government infrastructure following the floods. When repairs are done for a flood disaster, they receive 87.5 percent reimbursement. When they are reimbursed under the Federal Local Bridge Program, they receive 95 percent. Obviously, the Federal government would like us to go with the flood option. The difference based upon the \$500,000 figure would bring the County's cost to \$62,500 under FEMA, while it would be \$25,000 under the Federal Local Bridge Program.

Mr. Spagnoletti stated DOT has always worked well with us when trying to secure funding. Therefore, he's recommending they abide by their wishes and use FEMA funding to replace the bridge. He noted they should have enough flood money to pay the local share. Considerable discussion followed.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SOLICIT BIDS FOR A DETOUR BRIDGE ON CR85 TUSCARORA AND DIRECTING THE COMMISSIONER TO FINALIZE THE SEORA REQUIREMENT DOCUMENTATION, IF NECESSARY MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Mulholland Bridge, Erwin – Mr. Spagnoletti stated they had to close the Mulholland Bridge twice in two weeks during the storms this Fall. As a result of the bridge construction, a portion of SR417 is now 18" lower. NYS DOT has agreed to pay 95 percent of the cost to raise the approach road. The total cost is estimated at \$79,000 with a local share of \$5,000. He noted this is part of the Mulholland Bridge design. Discussion followed.

MOTION: AUTHORIZING THE RAISING OF A PORTION OF THE APPROACH ROAD TO THE MULHOLLAND BRIDGE MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Budget Transfer – Mr. Spagnoletti requested authorization to transfer \$200,000 from the Road Maintenance Personal Services account (5110) to the Road Construction Personal Services account (5112).

MOTION: AUTHORIZING THE TRANSFER OF \$200,000 FROM 511000.5.1100000 TO 511200.5.1100000 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. **BIDS**

A. 2005 Schedule – Mr. Spagnoletti reviewed the 2005 bid schedule for the Public Works Department. He requested approval of the bid schedule.

MOTION: APPROVING THE PROPOSED 2005 BID SCHEDULE FOR THE PUBLIC WORKS DEPARTMENT MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. High Sulfur Diesel Fuel Bid – Mr. Spagnoletti requested authorization to extend the current bid with the Griffith Oil Company. Discussion followed.

MOTION: EXTENDING THE HIGH SULFUR DIESEL FUEL BID WITH GRIFFITH OIL COMPANY FOR ONE YEAR MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. IN FAVOR: NIELSEN, NICHOLS, GEHL, MAYO. OPPOSED: ISAMAN. MOTION CARRIES 4-1.

C. Scrap Tire Bid – Mr. Spagnoletti requested authorization to extend the current bid with Huron Recovery. Mr. Orcutt stated some of our tire channels are shutting down or putting restrictions on what they will accept. One of last year's bidders isn't even accepting tires. Discussion followed.

MOTION: EXTENDING THE SCRAP TIRE BID WITH HURON RECOVERY FOR ONE YEAR MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. **OTHER BUSINESS**

The Committee agreed to set the date of the November Meeting for Thursday, November 4, 2004, at 9:00 a.m.

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 AND 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. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO HAVE THE GRAVEL INITIALLY INTENDED FOR CR5 BE USED INSTEAD FOR CR26, AND AUTHORIZING THE DEPARTMENT TO MOVE THE REMAINING GRAVEL TO A COUNTY LOCATION TO EVENTUALLY BE USED ON CR106 MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

**MOTION TO ADJOURN MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING
IN FAVOR. MOTION CARRIES 5-0.**

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Thursday, November 4, 2004
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Thursday, November 4, 2004

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Harley R. Mayo, Chair Robert V. Nichols, Vice Chair Francis L. Gehl
Kenneth E. Isaman L. Ronald Nielsen

STAFF: Mark R. Alger Vincent Spagnoletti Steve Catherman
Sam Hadley Bruce Stanley Doreen Ames
Scott Martinez James Gleason Jacques Begin
Lawrence Crossett Frederick H. Ahrens, Jr. Mike Sprague

LEGISLATORS: Philip J. Roche, Esq. Thomas J. McIntyre John Walsh

OTHERS: Tom Hopper
Missy Hopper
Mary Perham, *The Leader*
Dave Shoen, WENY

I. CALL TO ORDER

Mr. Mayo called the meeting to order at 9:00 a.m.

II. OPPORTUNITY FOR PUBLIC COMMENT

Mr. Hopper stated that he is here today regarding the bridge in Tuscarora and traffic on the Addison back road. You are working on a temporary bridge to abate traffic on the back road. The back road is a Town road and is not situated to the type of traffic on it. There are dangerous drop-off points. The school buses have to travel it regularly and it is a dangerous situation. He would encourage the County to bypass this road and go with the temporary solution.

III. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE OCTOBER 5, 2004 MEETING MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. HIGHWAYS & BRIDGES

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. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

A. CR 85 Temporary Bridge

Bid Award - Mr. Spagnoletti informed the committee that in the flood, the CR 85 bridge settled and we closed it. The question came up should we build another bridge instead of taking the Addison back road. The original plan was to use the existing old bridge. Now traffic is going down the back road. We did let a bid for a detour bridge. The low bidder was LC Whitford at \$357,753. The County portion of this is \$31,500 and that money would come from the federal bridge program, not from the flooding money. The advantage of this is that it is 95 percent federal funding. The question is do you want to build this bridge? The purpose of the bridge is for the winter months.

Mr. Nielsen asked what is the cost to upgrade the back road? Mr. Spagnoletti replied to upgrade the road as much as you could, we could put up a couple of miles of guide rails within the next month. To upgrade to make the road wider and crown it right would be a major project. The Department of Transportation would not fund the cost of maintaining that detour because they don't think **it is appropriate for a detour**. Mr. Spagnoletti stated that he would recommend building the temporary bridge.

MOTION: AWARDING THE BID FOR THE TEMPORARY BRIDGE ON CR 85 TO L.C. WHITFORD AT A COST OF \$357,753.00 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL.

Mr. Isaman asked what happens after we are done? Mr. Spagnoletti replied the contractor is renting the bridge. It is a pre-fabricated unit. Mr. Isaman asked what is the estimate for the full new bridge? Mr. Catherman replied \$2 million. Mr. Gehl asked what's our share? Mr. Catherman replied there is the 5 percent, plus possibly the Marchiselli aid because that is never guaranteed. Mr. Spagnoletti explained Federal pays 80 percent and the State 15 percent. This one we have Federal funding and State funding for the construction, but there is a question on the design. Mr. Catherman stated the Marchiselli is for construction and that is never guaranteed until the budget comes out. We have been paying 20 percent for design on the last two projects we have done. Mr. Spagnoletti stated there is always a question, but in the past we have always gotten 95 percent. Mr. Isaman asked is the Department of Transportation in favor of this? Mr. Spagnoletti replied yes, they would rather have the detour bridge. Mr. Nichols commented the people want a temporary bridge.

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

Mr. Spagnoletti informed the committee that the completion date for this would be 30 days from award.

Funding – Mr. Spagnoletti informed the committee that he could close the following capital projects to come up with the \$31, 500 County share for the temporary bridge:

Woodhull Storage	\$ 953.62
New Ceiling for Greenwood Shop	1,482.37
Roof – Cohocton Shop	6,133.04
Station II Ventilation	2,957.63
Lights – Caton Shop	819.55
Fire Suppression System	<u>19,153.79</u>
Total	\$31,500.00

Mr. Gehl asked what will you do if the County share is higher? Mr. Nichols replied he will have to come up with another \$50,000. Mr. Spagnoletti stated that if the County share was higher it would probably be

about \$45,000. We have always gotten this in the past. He requested authorization to close these capital projects and transfer the money into the Capital Project for the CR 85 Bridge Design.

MOTION: CLOSING THE FOLLOWING PUBLIC WORKS CAPITAL PROJECTS: WOODHULL STORAGE \$953.62; NEW CEILING FOR GREENWOOD SHOP \$1,482.37; ROOF – COHOCTON SHOP \$6,133.04; STATION II VENTILATION \$2,957.63; LIGHTS – CATON SHOP \$819.55 AND FIRE SUPPRESSION SYSTEM \$19,153.79 AND TRANSFERRING THE TOTAL OF \$31,500.00 TO THE CAPITAL PROJECT FOR THE CR 85 BRIDGE DESIGN MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. (Resolution Required).

Mr. Spagnoletti stated that he will need to go to the Finance Committee. He asked if at the November 15, 2004 Legislative Meeting if they could have a special Legislative meeting prior to that to approve this.

Bergmann Engineering Payment – Mr. Spagnoletti informed the committee that Bergmann Engineering is on this project and our agreement was to design a new bridge. We need to adjust the agreement with them for the other bridge design for \$42,107. Our portion is about 20 percent or best case, 5 percent. Mr. Catherman has reviewed this with the Department of Transportation and they are okay with the price. Mr. Catherman explained, Bergmann did another alternative and they spent time doing that as well as time doing the detour bridge itself.

MOTION: APPROVING THE CHANGE ORDER FOR BERGMANN ENGINEERING IN THE AMOUNT OF \$42,107 FOR THE DESIGN OF THE TEMPORARY BRIDGE FOR CR 85 MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti informed the committee that the Department of Transportation requires a supplemental agreement if there is a change to the original agreement. He requested approval of a supplemental agreement with the New York State Department of Transportation to pay for this project. The costs break down as follows: \$370,000 for construction, \$50,000 for design and \$15,000 for right-of-way.

MOTION: AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO DO A SUPPLEMENTAL AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$435,000 FOR THE CR 85 BRIDGE MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. SR #54A Property Abandonments - Mr. Spagnoletti informed the committee that there is a .089 acres of property owned by Van C and Susan M Campbell that they would like us to turn over to them.

MOTION: AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO TURN OVER .089 ACRES OF PROPERTY OWNED BY VAN C AND SUSAN M CAMPBELL BACK TO THE PROPERTY OWNERS MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti informed the committee that he recently attended the New York State Bridge Conference in Syracuse. The two focus projects they used were the Mulholland Bridge and the Wood Road Bridge. He noted that Mr. Catherman did a good presentation with the Wood Road Bridge.

V. LANDFILL

A. Bath Landfill – Mr. Spagnoletti informed the committee that garbage will be in the new cell by December or January. This cell will hold 500,000 tons and we are getting approximately 100,000 tons per year. They figure that this cell should be good for five years. The gas flare will be operating in January and they may

want to put something in the paper to let the residents know. He stated that right now, with the amount of space left in the existing cell, it probably will be good until June.

B. Erwin Transfer Station – Mr. Spagnoletti informed the committee that it looks like we will have final completion in May 2005 before they take down our bridge. Our completion date with the contractors is February 2005, but at the next meeting he may ask for an extension until May 2005. The contractor is doing a good job. He stated that they have changed the approach entrance road and now it is down more toward the exit ramp. This is a better location and we were able to save a big hickory tree.

C. Change Orders – Mr. Spagnoletti stated that with the Erwin Transfer Station contract, we set it up with something that is being done across the State. We put into the contract a contingency allowance of \$95,000 for construction change orders, \$7,000 for electrical change orders and \$4,500 for mechanical change orders. He explained that he still intends to come here with change orders for approval, but the money will already be there.

Mr. Spagnoletti stated that they have told the contractors that the Legislature does not like change orders. With contractors, you have unit prices. The problem is the engineers that come in, you pay them for the time of doing it and they put a multiplier on it. We are getting the bills, checking them and they have outlined the breakdown. He stated that he would like to have the unit price, although he doesn't know how to do that. With the transfer station, at some point they come to us with an RFP with the price, and if it goes way over, we don't pay. That's something that should kick in with the engineering pricing. Change orders are part of construction.

Mr. Gehl asked with the \$95,000 for construction for the Erwin Transfer Station, say they used \$50,000, what happens to the other \$45,000? Mr. Spagnoletti replied that remains in the capital fund for the Erwin Transfer Station.

Mr. Spagnoletti stated that he has one change order for the Bath Landfill. When they build the smaller leachate building, we found that they installed three-line electrical instead of four-line electrical. We would like to change that over to the four-line electrical. The cost is \$5,022.16.

MOTION: APPROVING A CHANGE ORDER IN THE AMOUNT OF \$5,022.16 FOR THE BATH LANDFILL TO CHANGE THE ELECTRIC FROM THREE-LINE TO FOUR-LINE IN THE SMALLER LEACHATE BUILDING MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti stated that he has one change order for the Erwin Transfer Station. Originally, NYSEG had put a pole up at the transfer station and said that they would also put in the meter boxes. Now, they are not putting in the meter boxes and are telling us that is our responsibility. The cost to do that would be \$4,422.13. Mr. Isaman asked did they put the original plan in writing? Mr. Spagnoletti replied that he would be interested to know that, and would check.

MOTION: APPROVING A CHANGE ORDER IN THE AMOUNT OF \$4,422.13 FOR THE ERWIN TRANSFER STATION TO INSTALL METER BOXES ON THE POLE THAT NYSEG PUT UP, SUBJECT TO LETTER FROM THEM DETAILING THAT IT IS COUNTY'S RESPONSIBILITY MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Authorization to be Open December 24th and December 31st – Mr. Spagnoletti stated this year Christmas and New Year's Day fall on Saturday and the Friday prior to that is a holiday for County employees. We want to stay open at the transfer stations and landfill until noon on both those days. He stated that if they

worked a half-day, that would be five hours of pay for seventeen people. The cost per hour plus time and a half for the holiday would be \$38.00 per hour for a total of \$4,000 for each of those half days extra that we stay open. He recommends doing this.

MOTION: AUTHORIZING PUBLIC WORKS TO OPERATE THE LANDFILL AND TRANSFER STATIONS UNTIL NOON ON FRIDAY, DECEMBER 24, 2004 AND FRIDAY, DECEMBER 31, 2004 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Lindley Landfill – Mr. Spagnoletti informed the committee that they have completed the capping of the Lindley Landfill and they need to put fencing up around it. There is a capital project for this and we may be able to do it this year or next year. They will be fixing **Gibson Road off** CR 5 to just past the building next year.

VI. OTHER BUSINESS

County Maps – Mr. Spagnoletti introduced Peggy Coleman, Director, Steuben County Conference & Visitors' Bureau. When we redid the maps, we put tourism information on the back. We are now getting ready to make the new maps. Do we want to put the tourism information on the back? Mr. Catherman explained they have three inset maps on the front of Bath, Corning and Hornell. There are an additional 10 – 12 villages that we could put on the back. Mr. Spagnoletti stated instead of tourism information, we could put the village maps on the back and then put a note about who they could contact to get more tourism information. Ms. Coleman stated that this has been our wish for quite some time. The maps have been great. This would help users to get into the villages. We are asking if we could even have one of those panels to be used for additional tourism information.

MOTION: AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO INCLUDE A SMALL PANEL ON THE FRONT OF THE COUNTY MAP FOR THE CONFERENCE & VISITORS BUREAU FOR TOURISM INFORMATION AND DIRECTING THAT MAPS OF THE VARIOUS VILLAGES BE PUT ON THE BACK OF THE MAP MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Ms. Coleman asked what would be the volume of printing and how often would you print? Mr. Spagnoletti replied it depends on how much money it would cost. Right now we pay \$21,000. Mr. Catherman commented it would cost more this year.

Out-of-County Garbage – Mr. Spagnoletti informed the committee that we get 80,000 tons of garbage into the landfill each year from within the County and another 18,000 tons with two municipalities outside of the county that we have special agreements with. We many times will get calls from haulers in neighboring counties asking if they can bring garbage in. He requested permission to let neighboring counties bring in up to 20,000 tons per year to the Landfill. They would pay the same price that is posted at our facilities for county residents. Mr. Nichols commented this may help keep us from raising the dumping fee.

MOTION: AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO ALLOW WASTE FROM NEIGHBORING COUNTIES UP TO 20,000 TONS OF GARBAGE PER YEAR INTO THE COUNTY LANDFILL MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. ISAMAN ABSENT FOR VOTE).

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 AND 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. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, December 7, 2004
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, December 7, 2004

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

3 East Pulteney Square

Bath, New York

MINUTES

Committee: Harley R. Mayo, Chair Robert V. Nichols, Vice Chair L. Ronald Nielsen
Kenneth E. Isaman Francis L. Gehl

Legislators: Philip J. Roche, Esq. Thomas J. McIntyre John Walsh

Staff: Mark R. Alger Gregory Heffner Lawrence Crossett
Vincent Spagnoletti Steve Catherman James Gleason
Scot Martinez Steve Orcutt Bruce Stanley
Frederick Ahrens, Jr.

Other: Paul Truenski, Barton Loguidice Kevin Voorhees, Barton Loguidice
Bill Mobbs, C&S Bob Catalina, C&S
Mary Perham, *The Leader* Dave Shoen, WENY

I. CALL TO ORDER

The meeting was called to order by Mr. Mayo at 9:03 a.m.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE NOVEMBER 4, 2004, MEETING MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Nichols not present for vote.

III. LANDFILL

A. Bath Landfill Expansion Status – Mr. Spagnoletti introduced Paul Truenski and Kevin Voorhees of Barton Loguidice. He asked Mr. Truenski to provide the Committee with an update on the status of the expansion. Mr. Truenski stated the overall construction is 92 percent complete. The landfill cell itself is complete except for some piping. They are finishing the piping right now. We're in the process of finalizing the construction certification report. It should be submitted by the end of this week and then DEC has 30 days to review it.

Mr. Spagnoletti stated there was \$1.9 million in the capital project. They have been putting aside funding over the life of the landfill to pay for the cap. DEC is paying 50 percent of the funding for the design and construction of the cap and the design and construction of the gas system as well. The remaining costs are \$971,783 to Barton Loguidice, \$6,190,690 to Patrick Construction and \$99,250 to Blackmon-Farrel Construction. This will leave \$529,449 surplus in the fund.

Mr. Spagnoletti stated there were many delays with the project due to rain. The contract includes a clause for liquidated damage amounts if the project isn't completed on time. However, that didn't happen. It was because of the rain that they couldn't be timely on the project. He recommended an extension of the contract without liquidated damages. He recommended extending the cell one and the leachate line completion date to December 30, 2004. He also recommended extending the balance of the site work completion date to January 30, 2005, and the restoration and completion date to June 10, 2005. Discussion followed.

MOTION: EXTENDING THE CONTRACT WITH PATRICK CONSTRUCTION AS FOLLOWS: CELL ONE AND LEACHATE LINE COMPLETION DATE TO DECEMBER 30, 2004, BALANCE OF SITE WORK COMPLETION DATE TO JANUARY 30, 2005, AND RESTORATION AND COMPLETION DATE TO JUNE 10, 2005, MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Nichols not present for vote.

B. Change Order – Mr. Spagnoletti stated he needs a change order approval for Patrick Construction. Mr. Truenski stated we're putting in larger capacity pumps at the leachate plant. When we did the design drawings, they lacked three valves that would allow the system to operate as it was designed. The cost of the valves was \$1,656.

MOTION: APPROVING THE CHANGE ORDER FOR PATRICK CONSTRUCTION IN THE AMOUNT OF \$1,656 MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Nichols not present for vote.

C. B&L Engineers Design/Inspection Contract Increase – Mr. Spagnoletti stated originally we set aside \$1.4 million for Design and Construction. Currently \$672,000 has been approved under the contract. We need to increase it to the \$971,783. Mr. Spagnoletti distributed a spreadsheet showing a summary of the engineering fees and project status report. He reviewed the report for the Committee. Discussion followed.

Mr. Spagnoletti stated the initial major cost is \$96,151 for a full environmental assessment that DEC insisted must be done. Then DEC requested the closure plan (capping) be done in 2004. The cost for this was \$18,123. They needed a separate report to modify the existing operating report to get soil cover from the mining areas sooner than the permit allowed, which cost \$6,959. Then DEC required a separate report for drilling gas wells at the Old Bath Landfill. This cost an additional \$12,032. A separate air permit was required by DEC and Barton Loguidice worked with DEC to get them to agree that the leachate plant could be permitted separately. This cost \$9,259. We had to update the plan on the pump and Barton Loguidice provided the design improvements for the cost of \$2,677. We had to get a design for a haul road along the side of the landfill. They did this as requested for \$6,280. In addition, an individual had a well with some sediment in it that he thought was coming from the landfill. We looked at it thoroughly and it wasn't coming from us. Barton Loguidice provided analyses and information to the County and DEC in response to this neighbor's complaints. That cost \$2,811. The total actual fees involved \$417,913. The final design and bid documents cost went from \$143,347 to \$144,121. The additional costs for the construction modification and certification went from \$218,474 to \$403,705. The totals went from \$676,688 to \$971,783. He noted this wasn't a surprise, he knew this was coming. He just wanted to stay below the \$1.4 million budgeted.

Mr. Spagnoletti noted that DEC grants for the landfill capping and gas collection systems should ultimately reimburse the county for approximately \$646,657 of the project's construction costs and engineering fees. They obtained a variance from DEC in the permitting phase to allow an

unlined, piggyback expansion of the landfill. This saved approximately \$2 million in construction costs and gained disposal capacity worth approximately \$695,000. In regards to the Lindley Landfill, Barton Loguidice is well under budget for the final design and construction monitoring of the Lindley Landfill capping project. They have spent approximately \$90,000 out of the \$132,000 engineering contract fee.

Mr. Isaman stated some of these items could've come to us before now. One particular item he's questioning is the additional activity at site capping that required a 2nd inspector for 30 weeks instead of 12. Mr. Truenski stated the extra 18 weeks was the duration of the cap only construction. Discussion followed.

Mr. Isaman stated he just thinks some of these items could have been brought to us as they occurred. He's surprised to see a 30 percent increase in the cost. Mr. Spagnoletti stated he probably should've brought them before the Committee in increments, but that doesn't change the need for the contract increase.

MOTION: APPROVING AN INCREASE IN THE BARTON & LOGUIDICE CONTRACT FOR THE DESIGN AND INSPECTION OF THE LANDFILL EXPANSION PROJECT IN THE AMOUNT OF \$295,095 BRINGING THE NEW CONTRACT AMOUNT TO \$971,783 MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Erwin Transfer Station Status – Mr. Spagnoletti stated DOT is paying \$4,006,000 and the County is contributing \$74,764, bringing the total funding to \$4,080,764. He introduced Bill Mobbs and Bob Catalina of C&S Engineers.

Mr. Spagnoletti stated the expenses with the contractors are at \$3,939,202 to date. The funds available to complete the project are \$141,562. The original C&S contract specified that their inspection would be 20 weeks at 40 hours per week. When the contractors started, they said they wanted to work overtime. An inspector must be present when the contractors are working. He recommended increasing their contract by \$17,594 to cover that expense through December 24, 2004. The cost for C&S Construction Management to completion is 22 weeks at \$500/week plus \$100/week in expenses. This is an additional \$15,000 to cover that cost through the end of the project. The cost to have the inspector there for 22 weeks if they went through C&S would be \$69,920. Therefore, he suggested they hire the inspector through an agency to work for the County for 22 weeks at \$1160/week plus \$100/week expenses for a total cost of \$27,720. This means a total project increase of \$60,314 and brings the surplus to \$81,248. Discussion followed.

Mr. Spagnoletti stated rain also affected this project. He recommended extending the Edger Enterprises contract to April 29, 2005, for substantial completion. The final checklist phase would be extended to May 27, 2005. He noted they'll be ready to accept garbage before they close off the existing station.

MOTION: EXTENDING THE COMPLETION DATE WITH EDGER ENTERPRISES TO APRIL 29, 2005 AND THE FINAL CHECKLIST PHASE TO MAY 27, 2005 MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: APPROVING A CHANGE ORDER FOR C&S ENGINEERS FOR \$17,594 FOR OVERTIME WORK UNTIL DECEMBER 24, 2004, AND APPROVING A DECREASE IN THE EDGER ENTERPRISES CONTRACT BY THE SAME AMOUNT MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: APPROVING THE PAYMENT OF UP TO \$15,000 TO C&S ENGINEERS FOR CONSTRUCTION MANAGEMENT THROUGH PROJECT COMPLETION AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO HIRE AN INSPECTOR FOR 22 WEEKS FOR \$27,720 FOR PROJECT INSPECTION FROM DECEMBER 24, 2004 THROUGH MAY 27, 2005 MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. HIGHWAYS AND BRIDGES

A. 2004 Road Condition Survey – Mr. Spagnoletti displayed the road-rating map for Steuben County. Currently we have 74 miles of poor roads, 117 miles of fair roads, 322 miles of good roads and 164 miles of excellent roads. We are just below the average of the system. Most of the poor roads are in the southern portion of the County. Discussion followed.

B. Road Lifecycle Funding Analysis – Mr. Spagnoletti stated according to the road lifecycle funding analysis, they would need \$3,429,289 each year to do 179 miles of road to have all the roads in good and excellent condition. We've been at a \$1.8 to \$2 million per year funding level and the number of poor roads has decreased. He believes it is because they have done more roads using less expensive processes.

C. Road Timing Analysis – Mr. Spagnoletti stated another reason they have managed to keep the number of poor roads down is because of the road timing analysis. For every \$1 spent repairing a road that is 70 percent good, it costs \$5 to repair when it gets to 30 percent. Keeping the good roads good saves money.

D. 2005 Road Project Schedule – Mr. Spagnoletti distributed and reviewed the 2005 Road Project Schedule. Discussion followed.

Mr. Spagnoletti noted that the drainage needs to be fixed on CR39 where it meets SR21. The cost of that project is \$1,250,000. The Town of Cohocton has agreed to pay \$80,000. If DOT would pay \$470,000, the County's share would be \$700,000. If DOT agrees to pay the \$470,000 and Cohocton already committed the \$80,000; we would need to find the balance. There is a possibility of obtaining half of that funding from the Senator. However, we'd still have to come up with the balance of \$350,000.

Mr. Spagnoletti stated as far as CHIPS funding goes, if they do obtain \$602,000 in additional CHIPS funding, they would do 2.35 miles of CR119 from CR2 for \$329,000 and 2.6 miles of CR76 from the Hammondsport Village Line for \$273,000.

E. County Property – Mr. Spagnoletti stated the County owns property on SR415 in Erwin that he'd like to place in the County Tax Auction. It is 6.49 acres located near Costa's Airport. Mr. Crossett stated the County acquired it through a condemnation in 1929. We never knew it until somebody wanted to purchase it.

MOTION: DECLARING 6.49 ACRES OF COUNTY PROPERTY ON SR415 IN THE TOWN OF ERWIN AS NO LONGER NECESSARY AND PLACING THE PROPERTY IN THE COUNTY TAX AUCTION MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution required.

F. Flood Agreement – Mr. Spagnoletti requested approval of an agreement with the Federal Highway Administration to fund the August/September flood damage on CR22, CR73 and

CR119. He noted emergency work done within 180 days of occurrence will be reimbursed 100 percent.

MOTION: APPROVING AN AGREEMENT WITH THE FEDERAL HIGHWAY ADMINISTRATION TO FUND THE AUGUST/SEPTEMBER FLOOD DAMAGE ON CR22, CR73 AND CR119 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution required.

G. Gravel Crusher – Mr. Spagnoletti stated in December of 1988, the County Public Works Department wrote a letter to the individual whom the County bought a crusher from. It stated "This letter constitutes a formal notice to you by the County of its formal rejection of the delivery of the AEI Portable Jaw Crusher. It cannot meet specifications." This was followed up by another letter to come get the crusher and return the \$122,000 paid for the crusher. The County writes another letter stating that it would pay another \$31,500 if some modifications are made to the crusher. The guy writes back that the crushed stone "will still be over 2'" and will not meet specifications. The county then agreed to pay the additional \$31,500 and signed a release of the retained monies.

Mr. Spagnoletti stated when he started with the County in 1992, the crusher was rusting at Conrad's gravel pit and some of the MEO Supervisors didn't want the gravel from it. There were stones we call dinner plates going through it; oversized and difficult to grade and compact. I told the mechanic to tighten up the jaws, which he did, but it still wasn't operating right. When people estimate costs, especially those who don't know construction, they don't include all of the expenses. Therefore, they are off on their figures. The cost to operate machinery starts when the employee leaves the shop to go operate the crusher. We did the analysis. It cost \$1.69/ton to produce gravel from this crusher and produced material that did not meet specifications. I had the landfill bring up their screen. The way a screen works is they drop the gravel on top of the screen and the gravel that is too big rolls off to the side and 2" minus gravel is collected, and it meets the specifications. Using the landfill screen cost \$0.92/ton to produce gravel that met specifications.

Mr. Spagnoletti stated they bought an oddball crusher. It wasn't even in the Blue Book. We had a crusher that was starting to accumulate a lot of repair costs and it was hard to get parts for it. The crusher cost more to produce gravel than our screens, the screens produced material that met specifications and the crusher could not produce material that met specifications. I recommended to the Committee that they sell it.

Mr. Spagnoletti stated when he first started, they agreed that they were going to institute a program of building gravel bases under County roads. Since that time we have built gravel bases under 130 miles of road. This year we made 100,000 tons of gravel at our Conrad gravel pit, which the County owns, and at Bennetts Creek off of State Route 36. By the way, we make sure the County has permits to dig gravel in the creeks so the County doesn't get fined. It cost us \$0.80/ton to screen gravel in 2004 and it met specifications. So the County cost went from \$1.69/ton to \$0.80/ton and the County went from gravel that doesn't meet specifications to gravel that does meet specifications.

Mr. Spagnoletti stated the southern end of the County doesn't have a lot of gravel. I know you saw trucks hauling gravel from one end of the county to another. We put out a bid for contractors to furnish and haul the gravel for us. Their costs were less than just our labor and fuel costs. Bought and delivered the highest cost to the County was \$8.50/ton. The cost to the County to crush was \$1.69/ton. Some people compare \$8.50 per ton to \$0.50 cents per ton. That is wrong.

\$8.50 is a furnished and delivered price. The \$0.50 cents price is really \$1.69/ton and is a material price only.

Mr. Spagnoletti stated we sold the crusher for \$67,000. He asked the crusher dealer in Syracuse why would anybody buy that type of crusher. The dealer said it was a concrete recycling and rebar crusher. It could also be used to crush the big rocks first and then the gravel would be taken to another crusher to finish the job.

Mr. Walsh asked wasn't the crusher also a screen? Mr. Spagnoletti stated there was a scalping operation that had a screen that was 4 ft x 14 ft. They'd dump it on there first and then the oversized would come into the jaws. Am I going to keep a machine that doesn't work for what it was supposed to do just for the screen portion of it when I have a landfill screen? No. He noted while the repair records were hazy, the cost for the crusher with modifications was at least in the \$270,000 to \$275,000.

Mr. Walsh asked didn't we have a set of corrugated jaws that wouldn't have allowed the over 2" gravel to go through, but they never got installed? Mr. Walsh asked didn't we purchase them? Mr. Spagnoletti stated we had them but if you put them on there it wouldn't have changed anything. The opening size of 2 ½" would've stayed the same.

Mr. Walsh stated the rating on that machine was 100 tons/hour. Mr. Spagnoletti stated the first letter from the County to the vendor stated it didn't produce 100 tons/hour so it didn't meet specifications. This type of crusher should produce 200 tons/hour. They didn't even know what it was supposed to be capable of. The guy that sold it to them said if they could get all the material through it, they could get 400 tons/hour. The most we ever got was 185 tons/hour.

V. **BIDS**

A. OGS bids – Mr. Spagnoletti requested approval to use the OGS bid for automotive replacement parts, batteries, automotive filters, retread tires, liquid petroleum gas, automotive fuel – gas, automotive fuel – diesel, and fuel oil.

MOTION: AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO USE THE OGS BID FOR AUTOMOTIVE REPLACEMENT PARTS, BATTERIES, AUTOMOTIVE FILTERS, RETREAD TIRES, LIQUID PETROLEUM GAS, AUTOMOTIVE FUEL – GAS, AUTOMOTIVE FUEL – DIESEL, AND FUEL OIL MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Stone Fill – Mr. Spagnoletti recommended awarding the stone fill FOB plant bid to all bidders and award Quadrant one, two and four to Blades and award Quadrant three to Hanson and Blades.

MOTION: AWARDING THE STONE FILL FOB PLANT BID TO BLADES CONSTRUCTION PRODUCTS OF HORNELL, NY; HANSON AGGREGATES OF PAVILION, NY AND SENECA STONE CORPORATION OF PINE CITY, NY; AWARDING QUADRANT ONE, TWO AND FOUR TO BLADES CONSTRUCTION PRODUCTS OF HORNELL, NY; AND AWARDING QUADRANT THREE TO BLADES CONSTRUCTION PRODUCTS FOR HEAVY STONE FILL AND TO HANSON FOR MEDIUM STONE FILL AND DRY RIP RAP MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Guide Rail – Mr. Spagnoletti stated three bids were received. He recommended awarding the bid to the lowest bidder for the total bid price of \$90,035.

MOTION: AWARDING THE GUIDE RAIL MATERIALS BID TO GREGORY HIGHWAY PRODUCTS OF CANTON, OH, FOR THE TOTAL BID PRICE OF \$90,035 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Cutting Edges – Mr. Spagnoletti stated last year they rejected the bid because the cost of steel was so high. However, the prices haven't changed much from last year. Since we have competition, he recommended awarding the bid to the low bidder.

MOTION: AWARDING THE CUTTING EDGES, WINGS AND BLADES BID ON A LINE ITEM BASIS TO GC CASTINGS, CHEMUNG AND NORTHERN SUPPLY MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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 AND 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. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Secretary's Note: Proposed resolutions relative to the purpose of real estate remain outstanding pending the receipt of duly executed purchase offers.

MOTION: INCREASING THE CONTRACT WITH CLEAN HARBORS ENVIRONMENTAL SERVICES FOR HOUSEHOLD HAZARDOUS WASTE DAY COLLECTION FROM \$11,950 TO \$14,837 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE RELEASE AND PAYMENT OF \$186,000 TO AL BLADES FOR 2004 OIL AND CHIP PROJECTS AND WITHHOLDING THE REMAINING \$14,000 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully submitted by, Brenda K. Mori, Deputy Clerk, Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, January 4, 2005
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Special Meeting

Monday, December 20, 2004

9:45 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE:	Harley R. Mayo, Chair Kenneth E. Isaman	Robert V. Nichols, Vice Chair L. Ronald Nielsen	Francis L. Gehl
STAFF:	Mark R. Alger Steve Catherman	Vincent Spagnoletti Frederick H. Ahrens, Jr.	James Gleason David English
LEGISLATORS:	DeWitt T. Baker, D.V.M. John Walsh	Patrick F. Donnelly	Thomas J. McIntyre
OTHERS:	Dave Shoen, WENY		

I. CALL TO ORDER

Mr. Mayo called the meeting to order at 9:45 a.m.

II. GENERAL BUSINESS

Setting Public Hearing for CR 85 Bridge Project – Mr. Spagnoletti stated today there is a resolution for setting the date, time and place for a public hearing to inform the public of and review the public use to be served by the proposed CR 85 bridge project. The public hearing has been set for Wednesday, January 12, 2005 at 6:30 p.m. and will be held at the Tuscarora Town Hall in Freeman.

MOTION: SETTING THE DATE FOR THE PUBLIC HEARING FOR THE CR 85 BRIDGE PROJECT FOR WEDNESDAY, JANUARY 12, 2005 AT 6:30 P.M. AT THE TUSCARORA TOWN HALL IN FREEMAN MADE BY MR. NIELSEN. SECONDED BY MR. GEHL.

Mr. English informed the committee that we need to publish the notice of public hearing in the two official papers five times and the first publication needs to be not less than ten days from the date of the public hearing. Mr. Alger suggested that you may also want to include a notice in the Addison Post so that there is a more localized focus area. Mr. Ahrens commented that as this is a hearing for the public, it would be nice to have good representation and participation by this committee and the Full Legislature. We will need another meeting of this committee to make the necessary recommendation and presentation to the Legislature by Mr. Spagnoletti and the engineers. If we have the public hearing on January 12, 2005, then we will need another meeting of this committee as there will be a resolution going to the Legislature at their monthly meeting on January 24, 2005. We could hold a special meeting prior to the Legislative Meeting. *The committee was in agreement to schedule a special Public Works meeting for prior to the Legislative Meeting on January 24, 2005 at 9:30 a.m.*

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

Mr. Gehl asked what is the eminent domain procedure for? Mr. Ahrens replied that as this has to do with some litigation, he would prefer to discuss it in Executive Session.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE §105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature