

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Tuesday, January 4, 2005

9:00 a.m.

Legislative Committee Conference Room  
Steuben County Office Building  
3 E. Pulteney Square  
Bath, New York

**MINUTES**

<u>Committee:</u>	Harley R. Mayo, Chair Robert V. Nichols	Kenneth E. Isaman, Vice Chair Francis L. Gehl	L. Ronald Nielsen
<u>Legislators:</u>	Philip J. Roche, Esq.	Thomas J. McIntyre	John Walsh
<u>Staff:</u>	Mark R. Alger Steve Orcutt Frederick H. Ahrens, Jr. Tony Clark David English Doreen Ames	Vincent Spagnoletti Scot Martinez James Gleason Edward J. Castellana Sally MacDougal Eric Prutsman	Gregory P. Heffner Bruce Stanley Jacques Begin Steve Catherman Bonnie Kastner Mike Hughes
<u>Other:</u>	Mary Perham, <i>The Leader</i>	Rob Price, <i>Evening Tribune</i>	Dave Shoen, WENY

**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 DECEMBER 7 AND DECEMBER 20, 2004, MEETINGS MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Nichols not present for vote.**

Mr. Spagnoletti stated we discussed the CR85 Bridge and how quickly the detour bridge went in. He recognized Eric Prutsman, who was on site while the detour bridge went in, for all he does. He does a good job and even gave a presentation at the NYSAC State Bridge Conference. The Committee thanked him for all he does; they appreciate his hard work.

**III. LANDFILL**

A. Bath Landfill and Building Fire – Mr. Spagnoletti gave an overview of the fire at the Bath Landfill. It started around 10:00 p.m. He noted Mary Perham was in The Leader office above the Bath Police Department and heard what was going on. She called Bonnie Kastner, who proceeded to contact everyone else. He displayed some photos of the damage to the building and equipment. He drew a diagram and explained the location of the equipment and office space. He stated they are currently using the backup equipment, but they need to address replacing the equipment.

Mr. Spagnoletti stated the fire suppression systems are only for the gas fueling systems. The gas and diesel fuel were outside the building. There are other things we’ve looked into that are more appropriate for discussion in executive session.

Mr. Isaman asked Mr. Castellana was there blanket coverage and extra expense coverage on the building? Mr. Castellana stated yes and the deductible is \$25,000 per occurrence. The insurance adjuster is coming up today to look at the equipment. He believes they will determine the equipment a total loss. He noted they will only recover the depreciated value on the equipment, but they will receive full value for the building. Mr. Isaman stated it sounds like our coverage is very good.

B. Bath Landfill Expansion Status – Mr. Spagnoletti stated they are ready to accept garbage but they have to wait for DEC to approve the working drawings. They have 30 days to approve the drawings, which would be January 14<sup>th</sup>. As soon as they approve those, we will be taking select garbage to cover 5 to 8 feet of the landfill.

C. Transfer Station – Mr. Spagnoletti stated the concrete work is done except for the floor in the main building. The building itself is coming in on Friday. It should take 6 to 8 weeks to build it. After it is built, they will put in the concrete slab. Probably in April, when the weather breaks, they will do the gravel and trim work. He noted the State will be letting Stage 3 of their construction bid on March 17<sup>th</sup> so we are ahead of the State's road construction schedule.

D. Safety Grant Application – Mr. Spagnoletti stated the Department of Labor has a one-year grant available that will pay for all of the training on all aspects of safety for everyone in the department. In addition, the grant will pay 30 percent of the salary of the department's designated Safety Administrator. The County's cost for this would be \$600 under the RFP to prepare the grant. He requested approval to apply for the grant.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPLY FOR A SAFETY GRANT FROM THE DEPARTMENT OF LABOR HAZARD ABATEMENT BOARD MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Property Purchase at Bath Landfill – Mr. Spagnoletti stated the County owns 400 acres at the landfill but in the middle of it there are 3 pieces of property; two of which have houses on them. They have the opportunity to purchase 5.74 acres of vacant property for \$10,000. Discussion followed.

Mr. Ahrens stated they need a motion ratifying the purchase offer. They have a purchase offer signed by property owner Silva.

**MOTION: RATIFYING THE PURCHASE OFFER WITH PROPERTY OWNER SILVA FOR 5.74 ACRES NEAR THE BATH LANDFILL FOR \$10,000 MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTON CARRIES 5-0. Resolution Required.**

**MOTION: CLOSING FUND HL9901.5.250.000 AND TRANSFERRING THE \$16,579.97 BALANCE TO HL.6201.5.250.000 BATH LANDFILL EXPANSION PROJECT TO PAY FOR THE PURCHASE OF 5.74 ACRES ADJACENT TO THE BATH LANDFILL MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

#### **IV. HIGHWAYS AND BRIDGES**

A. 2005 Road/Bridge Project Map and Bridge List – Mr. Spagnoletti reviewed the proposed 2005 Bridge, Box Culvert and Boiler Shell projects.

B. Road Rating Report and Backup Material – Mr. Spagnoletti stated Hunt Engineers rates the roads according to eight areas: transverse cracking, alligator cracking, edge cracking, patching/potholes, rutting, bleeding, drainage and roughness. They visit each road to gather the information and Bryce Foster enters it into the computer. Cornell Local Roads uses a number for their system, but he likes to use something that the public can relate to. They worked out a range that signifies poor, fair, good and excellent. Based upon the data that is entered into the computer, if the PCI (Pavement Condition Index) is 85 to 100, they call the road Excellent. If it is 70-84, it is Good; 55-69 is Fair and 0-54 is Poor. In bridge analysis, it is a very standard procedure. A consultant hired by DOT analyzes all of the bridges. Roads aren't like that. There are a fair number of counties that don't do this and even more that don't tell you publicly what their conditions are. Considerable discussion followed.

Mr. Spagnoletti stated there are many factors that go into the road rating such as car count or the importance of the road due to a hospital or school being located on it. Occasionally the safety factor must be figured into the overall picture, so they don't follow the system blindly. This is a good system to guide us and give us an overall picture of which are the most important roads. However, it doesn't take into account when a road deteriorates so bad it becomes a safety issue.

C. Mulholland Bridge – Mr. Spagnoletti stated the Mulholland Bridge is completed and they need to finalize the contract with AL Blades. He requested approval of a change order to reduce the contract with AL Blades by \$30,763.

**MOTION: APPROVING A CHANGE ORDER FOR AL BLADES FOR THE MULHOLLAND BRIDGE PROJECT BY REDUCING THE CONTRACT BY \$30,763 MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. CR85, Tuscarora – Mr. Spagnoletti stated when you open up more than an acre of land when doing a project, you need a SPDS permit. Initially they didn't ask Bergmann to include it in the cost because they thought they'd put the temporary bridge next to the current bridge. However, it didn't work out that way. In addition, they didn't think they would have to have a public hearing on eminent domain. The total cost for these two items are \$8,252; \$5,400 for pollution prevention and \$2,800 for preparing for and attending the public hearing.

Mr. Spagnoletti stated these changes have been approved by DOT. Mr. Catherman stated there is enough in the budget to cover the cost. Mr. Spagnoletti noted we are receiving 80 percent Federal reimbursement. Mr. Catherman stated they haven't been guaranteed the Marcheselli funding for this project at this point in time. Discussion followed.

**MOTION: APPROVING A CHANGE ORDER FOR BERGMANN ENGINEERS IN THE AMOUNT OF \$8,252 FOR THE CR85, TUSCARORA BRIDGE PROJECT MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Replacement of CR110 Bridge – Mr. Spagnoletti stated five bids were received with the low bidder being Ramsey Constructors. He recommended awarding the bid to the low bidder.

**MOTION: AWARDING THE BID FOR THE REPLACEMENT OF CR110 BRIDGE TO RAMSEY CONSTRUCTORS OF LAKEVILLE, NY FOR \$1,835,466.60 MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. CR110 Construction Inspection – Mr. Spagnoletti stated the contract with Erdmann Anthony was for the design of CR110 Bridge. He liked to increase their contract by \$191,000 for the construction inspection. This will bring the total contract to \$396,000 for the Erdmann Anthony. He noted this has been reviewed and approved by DOT.

**MOTION: INCREASING THE CONTRACT WITH ERDMAN ANTHONY BY \$191,000 FOR THE CONSTRUCTION INSPECTION OF THE CR110 BRIDGE REPLACEMENT, BRINGING THE TOTAL CONTRACT AMOUNT TO \$396,000 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

G. DOT Supplemental Agreement – Mr. Spagnoletti stated every time you make a change in the construction contract, they have to make a change in the contract with DOT. He requested approval of a supplemental agreement with DOT, increasing the contract to \$2,275,000.

**MOTION: APPROVING A SUPPLEMENTAL AGREEMENT WITH DOT FOR THE REPLACEMENT OF CR110 BRIDGE, BRINGING THE TOTAL CONTRACT AMOUNT TO \$2,275,000 MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

H. CR39 Drainage Project – Mr. Spagnoletti stated the project is approximately \$1.5 million. We have \$60,000 in a fund for the design, but they may need \$5,000 to \$10,000 more. They met with DOT and they think they can find the money for their part of the project. Our part of the project is \$800,000. He stated there is no way they can justify completing the project unless they get some State funding. Meanwhile, they will proceed with the design using the money they have in the fund. This will cover our share of the design cost, as well as the State's share. In exchange, the State has agreed to pay the full cost of the inspection.

I. Town Mowing Contract Rates – Mr. Spagnoletti stated before they let out the mowing bids, they find out which towns are going to mow County roads. They had a three-year contract with the towns, which has expired. He'd like to come up with a new payment schedule for the towns. In 2003 the County paid \$53/mile and in 2004 they paid \$54.50/mile to the Towns for mowing. The private contractors were paid \$49 to \$50/mile in 2003 and \$59 to \$60/mile in 2004. He stated due to the increase in fuel costs, he recommends increasing the town rates to \$63/mile in 2005, \$65/mile in 2006 and \$67/mile in 2007. He wants to be fair and attract more towns to do the mowing. Discussion followed.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO INCREASE THE TOWN MOWING CONTRACT RATES TO \$63/MILE IN 2005, \$65/MILE IN 2006 AND \$67/MILE IN 2007 MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**V. BIDS**

A. Ready Mix Concrete – Mr. Spagnoletti recommended awarding the bid to the low bidder for each quadrant.

**MOTION: AWARDING THE READY MIX CONCRETE BID TO WADES COAL & CONCRETE, INC., OF ADDISON, NY FOR QUADRANT 1, QUADRANT 2 AND QUADRANT 4; ELAM SAND & GRAVEL CORP. OF WEST BLOOMFIELD, NY, FOR QUADRANT 3; AND KNIGHT SETTLEMENT SAND & GRAVEL OF BATH, NY FOR CLASS H READY MIX CONCRETE IN QUADRANT 4 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Tree Services – Mr. Spagnoletti recommended awarding the bid on a line item basis to the low bidders.

**MOTION: AWARDING THE TREE SERVICES BID ON A LINE ITEM BASIS TO BEERS TREE SERVICE, INC., OF CAMERON MILLS, NY, AND LAKE TO LAKE TREE SERVICE OF PENN YAN, NY, MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Traffic Signs – Mr. Spagnoletti recommended awarding the bid on a line item basis to Vulcan Signs and Rocal, Inc.

**MOTION: AWARDING THE TRAFFIC SIGNS BID ON A LINE ITEM BASIS TO VULCAN SIGNS OF FOLEY, AL AND ROCAL, INC. OF FRANKFORT, OH MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Scrap Metal and Whitegoods – Mr. Spagnoletti stated this year they had three bidders. There is a benchmark for the price of metals. In the past, the bidders have been saying they will pay us 25 percent of the benchmark. The new bidder is willing to pay 40 percent to 52 percent and they are all paid up. He recommended awarding the bid to Swarthout Recycling of Beaver Dams, NY.

**MOTION: AWARDING THE WHITE GOODS AND SCRAP METAL BID TO SWARTHOUT RECYCLING OF BEAVER DAMS, NY MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Recycling – Mr. Spagnoletti stated two bids were received. He recommended awarding the bid to CECM Corporation. It is estimated the County will receive approximately \$268,043.

**MOTION: AWARDING THE RECYCLING BID TO CECM CORPORATION OF SUNDUSKY, NY MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. Lubricants – Mr. Spagnoletti stated they only had one bidder this year. He asked Mr. Stanley to call other counties to see how they handle their bid for lubricants. He learned that they either don't bid this item or they bid it on a line item basis. He noted they did have a decrease in the bid price so he recommended accepting this bid and, in the future, bid it on a line item basis. Discussion followed.

**MOTION: AWARDING THE LUBRICANTS BID TO WILLIAMS LUBRICANTS OF TOWANDA, PA, MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**VI. OTHER BUSINESS**

A. February Meeting Date – Mr. Spagnoletti stated the NYSAC Conference falls on the day of their regularly-scheduled meeting. He requested the Committee change the February meeting date. Next Regular Meeting Scheduled for: Thursday, February 3, 2005, at 9:00 a.m.

Mr. Spagnoletti announced they will also be having a Special Meeting prior to the January 24<sup>th</sup> Legislative Meeting at 9:30 a.m. regarding the CR85 Bridge Project.

**VII. REVIEW OF 2004 GOALS**

A. 2004 Goals Year-End Report – Mr. Spagnoletti reviewed the status of the 2004 goals for the Department of Public Works. Considerable discussion followed.

**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; 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 5-0.**

**MOTION: AUTHORIZING THE PAYMENT OF \$1,800 TO ATLANTIC TESTING FOR THE TESTING THEY DID FOR THE COUNTY ON LIQUID ASPHALT MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: RESCINDING A PRIOR MOTION MADE DECEMBER 7, 2004, AWARDING THE GUIDERAIL MATERIALS BID AS THE BUDGET DOESN'T CONTAIN ENOUGH MONEY TO COVER THE COST OF THE BID MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

**THE FOLLOWING MOTION WAS MADE BY MR. NIELSEN, SECONDED BY MR. GEHL:**

WHEREAS, the County has the responsibility to properly prepare trash and garbage for disposal at its landfill in accordance with DEC requirements and internal requirements to properly protect the environment, and

WHEREAS, the use of the landfill compactor is essential to the accomplishment of this responsibility to the environment, and

WHEREAS, the loss of the compactor through an unanticipated casualty loss through a fire occurring on December 28, 2004, has left the County without an essential tool for the accomplishment of this responsibility, and

WHEREAS, the County has enlisted the use of an old landfill compactor which was previously taken out of frontline service but is considered unreliable for frontline service, and

WHEREAS, the Commissioner of Public Works has performed an analysis of the availability of a new landfill compactor and has advised the committee as follows:

a. That a new landfill compactor is available provided it is procured not later than January 7, 2005 and it is the exact make and model of the unit lost in the December 28, 2004 fire, which was acquired in September 2004.

b. That at least three vendors have been contacted and there are no other new units available within 3 months of procurement lead time from those contacted.

WHEREAS, the price of the replacement unit is comparable to the price of the unit just lost which was purchased in September 2004 upon a competitive bid process, and given the rising cost of material such as steel, the quoted price is considered competitive and appropriate, and

WHEREAS, failure to procure the replacement unit will result in great risk of failure of the old unit and the inability of the County to accomplish its responsibility of processing trash and garbage for a substantial period of time while a different unit is being procured.

NOW THEREFORE, BE IT

RESOLVED, the fire occurring December 28<sup>th</sup>, 2004, has caused an emergency situation to exist, and be it further

RESOLVED, that the procurement of a replacement unit is hereby authorized in order to obtain the exact make and model unit available forthwith, and be it further

RESOLVED, the funding of this procurement will be accomplished in accordance with the direction and advice of the County Treasurer.

**ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**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, February 3, 2005  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Special Meeting**

Monday, January 24, 2005

9:30 a.m.

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

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

**STAFF:** Mark R. Alger    Vincent Spagnoletti                      Steve Catherman  
Bruce Stanley    James Gleason                      David English  
Frederick H. Ahrens, Jr.

**LEGISLATORS:** Donald B. Creath    Patrick F. McAllister                      Thomas J. McIntyre  
David Stachnik

**ABSENT:** Harley R. Mayo, Chair

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:30 a.m. He asked Mr. Isaman to lead the Pledge of Allegiance.

**II. GENERAL BUSINESS**

Mr. Spagnoletti stated that last month the Legislature authorized the commencement of eminent domain procedures regarding the CR 85 bridge replacement and also authorized a public hearing to explain the project. We did hold the public hearing. There are two parcels of land that we will need to purchase, as the Addison back road is not suitable. The new location will be just downstream from the existing bridge. This is the preferred location for Public Works and the Department of Transportation has agreed. There is the Putnam property, which is 2.76 acres for purchase and 1/10 acre for easement, and the Pavlick property, which is 7/10 acre for purchase and 6/10 acre for easement. The SEQR has been done and there are no significant impacts to the public.

Mr. Spagnoletti informed the committee that today they will be voting on a resolution that states that we have found that the project serves a public purpose as we are replacing a bridge that collapsed, that the new location will be away from the stream forces that are the strongest and that this will be a positive effect for the residents.

**MOTION: APPROVING THE DETERMINATIONS AND FINDINGS RELATING TO THE PROPOSED REPLACEMENT OF THE CR 85 BRIDGE CROSSING TUSCARORA CREEK IN THE TOWN OF TUSCARORA MADE BY MR. GEHL. SECONDED BY MR. NIELSEN.**

Mr. Gehl asked as soon as spring comes will you be putting blacktop on the bridge? Mr. Nielsen asked can't you do something with it now? Mr. Spagnoletti replied that they will see if there is something they can do with that. Mr. Catherman commented that Whitford is coming out this week. They may just grind it off and leave the wood timber deck and just put sand on it. Mr. Spagnoletti explained this is a 12 x 12 deck and oil and stone was put on and now it has pushed up into rumble strips from breaking. We will see what we can do.

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

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**STEUBEN COUNTY PUBLIC WORKS COMMITTEE**

Thursday, February 3, 2005

9:00 a.m.

Legislative Committee Conference Room  
3 East Pulteney Square  
Bath, New York

**MINUTES**

<u>Committee:</u>	Robert V. Nichols, Vice Chair Kenneth E. Isaman	L. Ronald Nielsen	Francis L. Gehl
<u>Legislators:</u>	Philip J. Roche, Esq.	John Walsh	
<u>Staff:</u>	Mark R. Alger Vincent Spagnoletti Scot Martinez Lawrence Crossett Edward J. Castellana	James Gleason Sam Hadley Gregory P. Heffner Kent Longacre David English	Jacques Begin Bryce Foster Steve Orcutt Steve Catherman
<u>Other:</u>	Donald Bosket	Dave Shoen, WENY	Mary Perham, <i>Leader</i>
<u>Absent:</u>	Harley R. Mayo, Chair		

**I. CALL TO ORDER**

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

**II. COMMENTS BY MEMBERS OF THE PUBLIC**

Mr. Bosket, Town of Campbell, stated I was at the Legislative meeting and I told you what I thought of County Route 26. Obviously, it didn't make much of an impression because nobody said anything. I hear somebody went up and looked at it and said it was a nice road. Well it looks nice but it needs to be built right. That turn should've been taken out. My wife got killed on it and there have been 5 accidents there since. To top it all off, they put slick blacktop in the worst place on the road. Everybody calls it black ice. I don't know who your engineers are but they ought to look for another job. The road doesn't even slant in the right direction. I'm not an engineer but even I know better than that.

Mr. Nichols stated we are terribly sorry for your loss. We Legislators are not engineers, but we count on our Public Works Department and there is always another side to the story.

Mr. Isaman stated that certainly our roads have been the same since the turn of the century. Apparently the road you are talking about has been that way for many years. We don't have enough money to rebuild and construct roads the way you think they should be. We're not taking this lightly.

Mr. Spagnoletti stated the main reason we rebuilt that road was it was breaking up. It originally was built basically on clay, there was a hump that hindered sight distance and there are also double S curves. To get rid of the S curve, they would have had to go into the bank. The bank has power lines in it and it costs \$10,000 each to move them. Another option to straighten out the S curve would've been to fill into the creek. This would require DEC permission and would have been very costly. It would've become a 2-season project and would have tripled the cost. On the creek side, the slope was settling and dropping into the creek and the guiderail was tipping over. We widened the shoulders and put new guiderail in. Did we improve it, yes. Is it what DOT would've done with their big budgets, probably not. The blacktop is a 6F high friction blacktop. It is one of our highest traveled roads, which is why we used blacktop. We have to do what we can with the money we get. Mr. Nichols stated the engineers did the best they could with the budget they have. Considerable discussion followed.

Mr. Isaman stated Mr. Bosket claimed earlier that he didn't think he made an impression. His personal feelings when Mr. Bosket spoke are that he was listened to very carefully by all of us and that isn't the typical forum where we respond to people. We were affected by what you said.

Mr. Spagnoletti stated we have been looking at the road and we take to heart what you said. We didn't just ignore what you said. We were concerned about the death of your wife and we have not ignored you.

Mr. Bosket stated he is going to file a claim against the County. Mr. Isaman stated they shouldn't let this go any further as they would have to adjourn into executive session. Discussion followed.

### **III. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE JANUARY 4, 2005, MEETING MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION APPROVING THE MINUTES OF THE JANUARY 24, 2005, MEETING MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

### **IV. LANDFILL**

A. Bath Landfill Expansion Status – Mr. Spagnoletti stated Monday or Tuesday they will start the gas flare. DEC has the drawings. The cell is finished, they are just waiting for DEC approval. We submitted a report for the Clean Air Act. It is a new and very involved report. They still have some site grading, seeding and gas piping left to do, but they are still within budget.

B. Erwin Transfer Station Status – Mr. Spagnoletti stated the building is going up. The scale house is pretty well built, they just have to finish the inside. They have trimming and topsoil to do in the spring, but they expect they'll be ready in May to begin handling garbage. The budget will stay within what was allotted by the Department of Transportation.

C. Tarps – Mr. Spagnoletti stated when someone comes in with a load of loose garbage, the law says it is supposed to be covered and if not, we aren't allowed to let them in. When we turn people away, they are getting angry about it. They question the sense of turning them away uncovered to spread loose garbage over the highway. Mr. Spagnoletti stated they have a point. One option would be to charge a surcharge when they come in uncovered and give them three chances before they are turned away. Another option would be to sell tarps for \$10 or \$15. They are working with DEC on how to handle this situation. DEC is going to survey the State to see what can be done. Discussion followed.

D. Budget Information – Mr. Spagnoletti stated they could have a \$500,000 surplus in the Bath Landfill Expansion budget and a \$200,000 surplus in the Lindley Landfill Cap budget. He noted there is approximately \$6 million in the Landfill Closure fund for closure and post-closure.

### **V. HIGHWAYS AND BRIDGES**

A. CHIPS Revenue – Mr. Spagnoletti stated the Governor's budget included the CHIPS funding. He spoke with Mr. Alger about appropriating it, but he's not that confident that it would remain in the State budget. Mr. Gehl agreed that we should wait on appropriating it.

Mr. Spagnoletti stated if they receive the funding, they would include projects for CR119 and CR76 in the budget. He stated they are going to bid these jobs with the other projects so they will be ready to go if the funding is approved in the State's budget. We have a big system and our people do a good job handling it with the money we have.

B. Supplemental Agreement- Mulholland Bridge – Mr. Spagnoletti stated the Mulholland bridge is done, they just need to finalize the paperwork with the State. This requires a revision to their agreement to change the amount of the contract to \$3,625,000.

**MOTION: APPROVING A SUPPLEMENTAL AGREEMENT WITH THE NYS DEPARTMENT OF TRANSPORTATION FOR THE MULHOLLAND BRIDGE PROJECT REFLECTING THE PROJECT COST AS \$3,625,000 MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

C. Supplemental Agreement - CR85 Bridge – Mr. Spagnoletti stated they have discovered that there is approximately 12 foot of weathered rock where they are placing the columns of the bridge. Therefore, they need to drill until they get to the good rock. This will increase the cost of the design, but will offset any additional construction cost. The amount of the increase in Bergman's contract would be \$7,758. He noted the design is 80 percent funded and won't require additional money.

**MOTION: APPROVING A SUPPLEMENTAL AGREEMENT WITH BERGMANN ENGINEERS IN THE AMOUNT OF \$7,758 FOR DESIGN OF THE CR85 BRIDGE MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**VI. BIDS**

A. Received from Past Month

1. **Vegetation Control** – Mr. Spagnoletti recommended awarding the bid to the lone bidder, DeAngelo Brothers, Inc.

**MOTION: AWARDING THE VEGETATION CONTROL BID, OPTION B, TO DEANGELO BROTHERS, INC. OF HAZELTON, PA, MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Liquid Bituminous Materials; Towns** – Mr. Spagnoletti stated this bid is for the town and not for items that are not under State specifications. He recommended awarding the bid on a line item basis.

**MOTION: AWARDING THE LIQUID BITUMINOUS MATERIALS; TOWNS BID ON A LINE ITEM BASIS TO CENTRAL ASPHALT OF WATKINS GLEN, NY; AND VESTAL ASPHALT OF VESTAL, NY MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

**MOTION: AWARDING THE LIQUID BITUMINOUS MATERIALS – AEPM BID TO CENTRAL ASPHALT OF WATKINS GLEN, NY, FOR \$0.855/GALLON MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

4. **Aggregates** – Mr. Spagnoletti recommended awarding the Quarry Stone and Crushed Gravel, FOB Plant bids on a line item basis to all bidders and recommended awarding Quadrant One to Savona Sand & Gravel; Quadrant Two to Skuba Construction Materials; Quadrants Three and Four to Hanson; the Caton Shop to Savona Sand & Gravel; the Cohocton Shop to Elam Sand & Gravel; the Curtis Shop to Austin Construction LLC; the Greenwood Shop to Skuba Construction Materials; the Howard, Mt. Washington and Prattsburgh Shops to Hanson Aggregates; and the Woodhull Shop to Savona Sand & Gravel.

**MOTION: AWARDING THE AGGREGATES BID AS FOLLOWS: QUARRY STONE AND CRUSHED GRAVEL, FOB PLANT BIDS ON A LINE ITEM BASIS TO ALL BIDDERS; QUADRANT ONE TO SAVONA SAND & GRAVEL; QUADRANT TWO TO SKUBA CONSTRUCTION MATERIALS; QUADRANTS THREE AND FOUR TO HANSON AGGREGATES; THE CATON SHOP TO SAVONA SAND & GRAVEL; THE COHOCTON SHOP TO ELAM SAND & GRAVEL; THE CURTIS SHOP TO AUSTIN CONSTRUCTION LLC; THE GREENWOOD SHOP TO SKUBA CONSTRUCTION MATERIALS; THE HOWARD, MT. WASHINGTON AND PRATTSBURGH SHOPS TO HANSON AGGREGATES; AND THE WOODHULL SHOP TO SAVONA SAND & GRAVEL MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**VI. OTHER BUSINESS**

Mr. Spagnoletti stated he'd like to clarify the County's policy regarding snowplowing and mailboxes. If our drivers are negligent, we replace the mailboxes. He noted they tend to go in the favor of the person owning the mailbox.

**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.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.**

**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, March 1, 2005  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Thursday, March 3, 2005

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                      Francis L. Gehl  
L. Ronald Nielsen

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

Staff: Mark R. Alger                      Vincent Spagnoletti                      Gregory Heffner  
Scot Martinez                      Bryce Foster                      James Gleason  
Jacques Begin                      Steve Orcutt                      Kent Longacre  
Steve Catherman                      Frederick H. Ahrens, Jr.                      Doreen Ames

Other: Dave Shoen, WENY                      Mary Perham, *Leader*

Absent: Kenneth E. Isaman

**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 FEBRUARY 3, 2005, MEETING MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

**III. LANDFILL**

A. Bath Landfill Expansion Status – Mr. Spagnoletti showed pictures displaying the progress of the expansion project. Mr. Orcutt stated they issued a substantial completion form to the contractor yesterday. They are just waiting for certification from DEC. Mr. Martinez noted they have space in the existing landfill until June. Discussion followed.

B. Erwin Transfer Station Construction Status – Mr. Spagnoletti showed pictures displaying the progress of the expansion project. Mr. Orcutt stated the date for substantial completion is April 29<sup>th</sup>. That is when they can begin accepting garbage. May 27<sup>th</sup> is the scheduled date for final completion. Discussion followed.

C. Farm Hazardous Waste Day – Mr. Spagnoletti informed the Committee that Mrs. Kastner received a \$700 check for the Farm Hazardous Waste Day.

Mr. Mayo stated Mr. Spagnoletti has been selected as a delegate to go to Washington to serve on a Transportation Committee. He is one of only 4 selected across the State and that is quite an honor.

**IV. HIGHWAYS AND BRIDGES**

A. Equipment Bond – Mr. Spagnoletti stated he and Bryce Foster have been going over the equipment to determine which pieces would be best for the department to purchase with the bond money.

Mr. Spagnoletti stated if they based it upon a \$500,000 bond, they would like to get two rubber-tired excavators. Right now they have six shops with either a gradall or rubber-tired excavator. They have five gradalls and one rubber-tired excavator. Two more would give us one in each shop. They'd also like to purchase one loader, and two power brooms. That would leave \$42,000 towards another boom mower. They believe Senator Winner would put in another \$42,000 to cover half of the cost.

Mr. Alger stated this isn't exactly what we talked about. The original discussion on purchases with the bond money was for trucks and loaders because of the age of the fleet and the repairs they've had to make to the loaders.

Mr. Spagnoletti stated that is true, but they believe these items would be most effective for the department. Mr. Foster stated he discussed this with the staff and they felt the trucks could slide by. It would be a better use to have the excavators to do the general maintenance that they haven't been able to do. Mr. Nichols stated he's concerned that they won't be able to do this again in a few years to cover the purchase of trucks and loaders. Discussion followed.

**MOTION: AUTHORIZING A BOND IN THE AMOUNT OF \$500,000 FOR THE PURCHASE OF EQUIPMENT NECESSARY FOR THE OPERATION OF THE HIGHWAY DEPARTMENT, SAID EQUIPMENT TO BE AGREED UPON BY THE COMMISSIONER OF PUBLIC WORKS, THE COUNTY ADMINISTRATOR AND FINALLY APPROVED BY THE FINANCE COMMITTEE MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

B. Mulholland Bridge – Mr. Spagnoletti stated he thought the paperwork was complete on this project but the County Auditor believes there are a couple of items that should have been change orders. The net change in funds is \$2,219 due to changes in the cost for medical testing and exposure monitor sample analysis, an asphalt price adjustment and a fuel price adjustment. He noted this project is 80% federal funding and 15% state funding. He requested approval of the change order to pay AL Blades for the Mulholland Bridge project.

**MOTION: APPROVING A CHANGE ORDER FOR AL BLADES IN THE AMOUNT OF \$2,219 FOR THE MULHOLLAND BRIDGE PROJECT MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

C. Informational – Mr. Spagnoletti stated there have been comments and questions regarding why they put salt down before storms hit the County. He stated each shop has a Doppler radar system so they can track the storms. They begin putting salt down when the storm first reaches the area so it keeps the roads from becoming icy. He noted the salt is effective only if there is moisture on the roads.

D. Pictometry System – Mr. Spagnoletti displayed an aerial photo of CR65 near Blades Construction. Mr. Catherman stated this is the project where last summer the Committee approved purchasing land from two owners in order to straighten this stretch of road. The land purchase was delayed so the project couldn't be done last year. Mr. Spagnoletti stated they now have access to the pictometry system that will provide them with aerial photos of the roads throughout the County.

V. **BIDS**

A. Received from Past Month

1. **Painting of Traffic Lines** – Mr. Spagnoletti stated two bids were received. He recommended awarding the bid to Zebra Traffic Lines.

**MOTION: AWARDING THE PAINTING OF TRAFFIC LINES BID TO ZEBRA PAINT STRIPING OF N. HORNELL, NY, MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

2. **Steel Sign Posts** – Mr. Spagnoletti recommended awarding this 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; EBERL IRON WORKS OF BUFFALO, NY; AND NORTHERN SUPPLY, INC. OF HOLCOMB, NY, MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

3. **Liquid Bituminous Materials (State)** – Mr. Spagnoletti recommended awarding the bid to all bidders on a line item basis.

**MOTION: AWARDING THE LIQUID BITUMINOUS MATERIALS BID TO THE LOWEST BIDDERS ON A LINE ITEM BASIS: AL BLADES & SONS, INC., OF HORNELLS, NY; CENTRAL ASPHALT OF WATKINS GLEN, NY; AND VESTAL ASPHALT, INC., OF VESTAL, NY; MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

4. **Prestressed Concrete Bridge Beams, CR65** – Mr. Spagnoletti recommended awarding the bid to LC Whitford Materials.

**MOTION: AWARDING THE PRESTRESSED CONCRETE BRIDGE BEAMS: CR65 BRIDGE OVER THE CANISTEO RIVER BID TO LC WHITFORD MATERIALS CO., INC., OF WELLSVILLE, NY FOR \$67,532 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

5. **Asphalt Concrete FOB Plant** – Mr. Spagnoletti recommended awarding the bid to all bidders on a line item basis except for Innovative Municipal US, Inc., as their bid was non-compliant.

**MOTION: AWARDING THE ASPHALT CONCRETE FOB PLANT BID ON A LINE ITEM BASIS TO ELAM SAND & GRAVEL OF WEST BLOOMFIELD, NY; DALRYMPLE GRAVEL & CONTRACTING CO., INC., OF PINE CITY, NY; BLADES CONSTRUCTION PRODUCTS CORP., OF HORNELLS, NY; AND REJECTING THE BID FROM INNOVATIVE MUNICIPAL US, INC., OF LYNDONVILLE, NY, FOR NON-COMPLIANCE MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

6. **Heavy Steel Pipe and Boiler Shells** – Mr. Spagnoletti recommended awarding the bid to all bidders and buying from the lowest bidder based upon availability. Mr. Ahrens asked are they going to allow Chemung Supply to withdraw their bid? Mr. Spagnoletti stated they received a letter this morning from Chemung Supply requesting to withdraw their bid as the price they submitted for the 5, 6 and 6 ½ foot diameter pipes was for a different thickness. Discussion followed.

**MOTION: AWARDING THE HEAVY STEEL PIPE AND BOILER SHELLS BID TO ALLEGANY PIPE & TUBULAR PRODUCTS OF ANDOVER, NY; AND CHEMUNG SUPPLY CORPORATION OF ELMIRA, NY; AND AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO MAKE PURCHASES FROM THE LOWEST BIDDER BASED UPON AVAILABILITY MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

7. **New Structural Steel** – Mr. Spagnoletti recommended awarding the bid to Chemung Supply Corporation.

**MOTION: AWARDING THE NEW STRUCTURAL STEEL BID TO CHEMUNG SUPPLY CORPORATION OF ELMIRA, NY, FOR \$2,661 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

8. **Geotextile Materials** – Mr. Spagnoletti stated three bids were received. Allied/Keystone Building Projects put two numbers on each line and Mr. Begin couldn't determine which number was to

be used for the price, so he would like to disqualify them for non-compliance. AH Harris wouldn't hold to the dates of our contract. They provided a price and then stated after April 1<sup>st</sup> the price would increase 15 percent and keep increasing as the material costs increased. The specifications called for a specific price for the term of the contract. He recommended they disqualify them as well. He recommend awarding the bid to Chemung Supply. Discussion followed.

**MOTION: AWARDING THE GEOTEXTILE MATERIALS BID ON A LINE ITEM BASIS TO CHEMUNG SUPPLY CORPORATION OF ELMIRA, NY, AND DISQUALIFYING BIDDERS AH HARRIS & SONS, INC., AND ALLIED/KEYSTONE BUILDING PROJECTS FOR NON-COMPLIANCE MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

9. **Pickup Trucks** – Mr. Spagnoletti stated they are requesting authorization to purchase three new pickup trucks off of the State bid. In addition, they are requesting authorization to keep the trucks the new pickups would be replacing, rather than placing them in the County auction. One would be used for the Erwin Transfer Station, one for the Bath Landfill and one for a spare. Discussion followed.

**MOTION: AUTHORIZING THE PURCHASE OF THREE PICKUP TRUCKS OFF OF THE STATE BID MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. DISCUSSION FOLLOWED.**

Mr. Gleason asked which dealer are you obtaining the Dodge from? Mr. Martinez stated Albany Dodge. Mr. Gleason stated he has some concerns regarding the dealer. Mr. Ahrens suggested they discuss this issue in executive session.

**PREVIOUS MOTION AND SECOND WITHDRAWN.**

10. **Backhoe Excavator** – Mr. Spagnoletti stated the low bidder, Monroe Tractor, didn't meet specifications and the second lowest bidder, George & Swede Sales & Service, bid a machine that was too high. The third bidder had warranty information that was conflicting. At that point, they decided they should reject the bid and solicit new bids.

**MOTION: REJECTING THE HYDRAULIC TRACK BACKHOE EXCAVATOR BID AND AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SOLICIT NEW BIDS MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

11. **Track Loader** – Mr. Spagnoletti recommended awarding the bid to Five Star Equipment, Option A. Discussion followed.

**MOTION: AWARDING THE TRACK LOADER BID TO FIVE STAR EQUIPMENT, INC., OF ROCHESTER, NY, FOR OPTION A FOR \$194,500 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Nielsen not present for the vote.**

## **VI. NEW BUSINESS**

A. **Organization Chart** – Mr. Spagnoletti stated they've been interviewing for the Deputy Commissioner position. They had 24 applicants and he conducted interviews with the assistance of Steve Orcutt, Scot Martinez, Bruce Stanley and Phil Hink. Of the 24 applicants, there were 2 that they believed could bring something new and added to the department to help make us better. Those two were approached and one of them declined because they didn't know that the County didn't provide insurance in retirement and the other declined as he had a private business and had a huge contract awarded recently. So, they decided instead to reorganize for now.

Mr. Spagnoletti displayed an organizational chart for the department. He stated he's always tried to set it up with six people reporting to one person. The changes they've made include having Mr. Davenport and the Field Bridge

Division reporting to Steve Catherman. The contractor inspection, surface treatment program, mobile work program and radio system improvement will be Tony Clark's responsibility. Bryce Foster will take the 8 highway shops and equipment shops. Discussion followed.

B. 2005 Goals – Mr. Spagnoletti reviewed for the Committee the 2005 Major Goals of the Public Works Department. Discussion followed.

**VII. OTHER BUSINESS**

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

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

**MOTION: AUTHORIZING THE PURCHASE OF TWO FORD F250 HD 4X4 ¾ TON PICKUP TRUCKS, ONE WITH A PLOW FOR \$24,504 AND ONE WITHOUT A PLOW FOR \$22,652; AND ONE FORD F350 HD 4X4, 1 TON MECHANICS TRUCK FOR \$32,536 OFF OF THE STATE BID MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: WAIVING THE TIPPING FEE FOR THE TOWN OF ERWIN FOR DISPOSAL OF DEBRIS ASSOCIATED WITH THE DEMOLITION OF A CONDEMNED HOUSE IN COOPERS PLAINS MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: APPROVING AN INTERMUNICIPAL AGREEMENT WITH THE CITY OF HORNEILL FOR SOLID WASTE DELIVERED TO THE BATH LANDFILL AT A COST OF \$26/TON FOR SIX MONTHS BEGINNING APRIL 1<sup>ST</sup>, 2005, MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. IN FAVOR: GEHL, NICHOLS, MAYO. OPPOSED: NIELSEN. MOTION CARRIES 3-1. Resolution Required.**

**MOTION TO ADJOURN MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. 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 5, 2005  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORK COMMITTEE**

Tuesday, April 5, 2005

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	Kenneth E. Isaman, Vice Chair Robert V. Nichols	L. Ronald Nielsen
<u>Legislators:</u>	Philip J. Roche, Esq. John Walsh	Gary D. Swackhamer	Thomas J. McIntyre
<u>Staff:</u>	Mark R. Alger Bryce Foster Frederick H. Ahrens, Jr. Steve Orcutt	Vincent Spagnoletti Tony Clark Steve Catherman Doreen Ames	Bonnie Kastner Jacques Begin David English James Gleason
<u>Other:</u>	Billy Morris, Forester Mike Ford, Corning, Inc.	Kevin Voorhees, Barton Loguidice Tracy Horsfall, Corning, Inc.	Dave Schoen, WENY Mary Perham, <i>Leader</i>

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

Mr. Spagnoletti requested an amendment to the March meeting minutes. He stated on page 4, the track loader purchase was for Option A at \$194,500. For the liquid bituminous materials bid, it should be awarded to the lowest bidder on a line item basis, not all of the bidders on a line item basis.

**MOTION APPROVING THE MINUTES OF THE MARCH 1, 2005, MEETING AS AMENDED MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. PRESENTATIONS**

Mr. Spagnoletti stated before they hear the reforestation report Mr. English would like to present an item as he has another meeting to attend.

A. Gas Lease – Mr. English stated Columbia Natural Resources, LLC, would like to lease 0.78 acres of land on CR7 from the County. They are offering \$300 for a 4-year lease. If there are royalties, we would receive 1/600<sup>th</sup> of the royalties. Discussion followed.

**MOTION: APPROVING A 4 YEAR GAS LEASE ON 0.78 ACRES OF LAND LOCATED ON COUNTY ROUTE 7 WITH COLUMBIA NATURAL RESOURCES, LLC, FOR \$300 MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Forester’s Report – Mr. Morris stated there is a tremendous resource on the Call Hill County Forest property. There’s approximately \$400,000 worth of value of standing timber at the present time. However, they shouldn’t be looking to take all of the valuable timber right now. They should look at a long-term plan for it. The top priority is to get some signs up on the property. There are also a few boundary lines that need to be surveyed. Mr. Morris read a brief description of his suggested plan for the forest. He stated for 2005, the activity will happen in the Carney lot, which is where the bulk of the value is located. In this acreage, one lot is a 30-year

stand. He's trying to keep in mind what the people of the County would want to see happen with this land. There are 329.1 acres in 3 parcels. Out of those there are 100 acres of conifers and the balance is hardwood. If they cut this in a copious manner, nature will take care of the replanting for us, but we will need to replant some of it. The Committee needs to determine if they would like to follow this plan. Discussion followed.

Mr. Mayo suggested Mr. Morris, Mr. Gleason and Mr. Ahrens should determine the next steps. Mr. Ahrens stated part of what Mr. Morris is proposing is having some of the proceeds be diverted back into the renewable resource. It is an excellent plan and he'd really like to see it take off.

Mr. Mayo stated he'd like to see a forestry job done here that they can be proud of. Mr. Alger suggested using some of the income to do the survey. Mr. Ahrens stated they should also do a title search first. The Committee thanked Mr. Morris for his report.

#### **IV. LANDFILL**

A. Computer/Electronics Collection Day – Mr. Spagnoletti introduced Mike Ford and Tracy Horsfall of Corning, Inc. They would like to work with us on a Computer/Electronics Collection Day. Mrs. Kastner stated she's been working with them for over a month. They have agreed to hold the collection in the Corning, Inc. parking lot on April 23, 2005, from 9:00 a.m. to 2:00 p.m. She stated Steuben County residents will be able to drop off their home electronic equipment at no charge. She stated Corning, Inc. will pay for the contractor picking up the material and the County will pay for its workers and the advertising. RC&R of Rochester is the contractor and they recycle electronic equipment. Mr. Ford stated this is a great opportunity to work with the County and raise awareness about recycling.

Mr. Swackhamer asked will they be holding an electronics equipment collection day in Hornell? He noted people from Hornell probably won't drive to Corning to participate. He thinks there should be one in the western area of the County. Mrs. Kastner stated they hold one in Bath every year. Mr. Spagnoletti stated maybe they should consider rotating the collection day between the different areas of the County.

Mr. Roche suggested they see if they can locate a sponsor from the Hornell area to participate in the program. Mr. Swackhamer stated there is the possibility of finding a corporation to sponsor it. Discussion followed.

B. Bath Landfill Expansion Status – Mr. Spagnoletti stated they are now putting garbage in the Bath Landfill. They received a letter from DEC certifying the landfill except there was a leachate line that needed to be cleaned up. They have done that and the new cell is operational as of last Friday. Mr. Orcutt stated they are currently using select fill. Mr. Swackhamer asked what was the total cost of the project? Mr. Spagnoletti stated the exact figure is in his office, but he does know that they came in \$750,000 under budget.

C. Erwin Transfer Station – Mr. Spagnoletti stated the project is on schedule and due to open by the end of May, which is when the contractor will be knocking down the bridge into our existing station. It looks like they will be staying within the \$4 million budgeted by DOT. They will, however, be using most of the contingency budget, but they are still within the amount allowed within the contingency for change orders. Discussion followed.

D. Budget Appropriation – Mr. Spagnoletti stated there is approximately \$500,000 in question as far as reimbursement from the Bath Landfill fire on December 28<sup>th</sup>. They have a \$767,000 surplus in the Bath Landfill Expansion capital project. He would like authorization to transfer \$500,000 from that project to pay for the 3 pieces of equipment we need.

**MOTION: AUTHORIZING THE TRANSFER OF \$500,000 FROM THE BATH LANDFILL EXPANSION CAPITAL PROJECT (HL.6201) TO THE LANDFILL'S MAJOR EQUIPMENT ACCOUNT TO PURCHASE A COMPACTOR, TRACK LOADER AND TRACKHOE EXCAVATOR MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: AMENDING THE LANDFILL'S MAJOR EQUIPMENT LIST TO INCLUDE A COMPACTOR, TRACK LOADER AND TRACKHOE EXCAVATOR FOR A TOTAL OF \$500,000 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. EPA Air Report – Mr. Spagnoletti stated they have a Federal Air Report due in June. He stated Kevin Voorhees is here today from Barton Loguidice. They are an outstanding consulting engineer. Their initial contract was to take care of permitting, design and construction inspection. This EPA requirement is for an air report on the gas system they installed at the landfill. The appropriate thing to do was to have a change order add-on to Barton Loguidice's contract to complete this report.

Mr. Voorhees stated there are two components to the report. The County has more air requirements to follow for the landfill due to the expansion. It put them into the category where they want to know what emissions are occurring there. It requires the submittal of reports two times per year. He's prepared those reports for the County even though it wasn't part of their contract. The first report was done in January and another one is due April 15<sup>th</sup>. The bigger item is to take samples from the gas collection system and have them tested. The results then need to be plugged into a computer model to show the EPA what's being emitted from the landfill. On the positive side, if the emissions level is under what is required by the EPA, it will reduce the amount of monitoring that would need to be done by the staff. So, this testing should help the County and it could help them reduce what the staff has to monitor. He noted the cost for completing these reports will be not more than \$20,000.

**MOTION: AMENDING THE CONTRACT WITH BARTON LOGUIDICE TO INCLUDE THE COMPLETION OF THE FEDERAL AIR REPORT REQUIREMENTS FOR THE BATH LANDFILL EXPANSION FOR NOT MORE THAN \$20,000 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. 2004 Revenue/Expenses – Mr. Spagnoletti reviewed the Landfills 2004 Revenue versus Expenses. He stated they accepted 81,000 tons of garbage from within the County in 2004. That amount was 76,000 for 2003 and 68,000 tons for 2002. Middletown and Tioga brought us 20,000 tons in 2004; previously that amount was 18,000 tons. They accepted 32,000 tons of beneficial use determined (BUDS) materials last year. They realized \$294,000 in revenue from recyclables in 2004. In 2003 that amount was \$226,000. They generated \$100,000 in revenue for leachate from sources other than our landfill. He noted Mr. Orcutt and Mr. Kingsbury are marketing the leachate treatment plant to make it a revenue source. In 2003 they generated \$77,000 in revenue from leachate. Overall, the landfill generated \$4.8 million in revenue. In 2003, that figure was \$4.3 million and in 2002, it was \$3.7 million. He noted they had a good year until 9:00 p.m. on December 28<sup>th</sup>.

Mr. Spagnoletti displayed a chart showing the 2004 Landfills: Revenue/Expenses. He stated the expense cash outlay was \$3,445,701 with revenue of \$4,801,995 resulting in a surplus of \$1,356,294. On an accrual basis, expenses were \$4,249,487 and expenses were \$4,801,995 resulting in a surplus of \$552,508 in the Enterprise Fund. For the operating landfill on an accrual basis the expenses were \$3,705,546 and revenue was \$4,801,995 bringing the surplus to \$1,096,449.

Mr. Spagnoletti reviewed the figures showing the cost of the space in the landfill, burial costs, and the cost per ton to operate the transfer stations. Discussion followed.

## V. HIGHWAYS/BRIDGES

A. Flooding – Mr. Foster stated County Route 110 and County Route 39 were closed down due to flooding. Other than those roads, the flooding was minimal.

B. CHIPS Funding – Mr. Spagnoletti stated he budgeted \$2,232,000 for CHIPS revenue. The State budget includes an extra \$468,000. In addition, they apparently included another \$6 million statewide which, to Steuben County, means another \$58,000. He noted his State association started an ad campaign and printed cards to encourage more state funding for roads. He distributed the cards to the Committee and asked them to send them to their State representatives. Mr. Spagnoletti stated that the bond act they are proposing would also translate into another \$180,000 for Steuben County.

C. Wood Road Bridge – Mr. Spagnoletti stated the Wood Road Bridge has been placed on the NYS Register of Historic places and it is currently being reviewed at the National level. He stated Steve Catherman should be commended for saving this bridge. Mr. Catherman stated he recently received word that the bridge was placed on the National Register of Historic places. This could result in funding for maintenance of the bridge.

D. CR85 Agreement – Mr. Catherman requested approval of a supplemental agreement with NYS Department of Transportation for the CR 85 Bridge construction and inspection in the amount of \$2,220,000. He noted they have applied for funding through the Marchiselli grant, but they are not sure yet if they will receive it.

**MOTION: APPROVING A SUPPLEMENTAL AGREEMENT WITH THE NYS DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION AND INSPECTION PHASE OF THE CR85 BRIDGE IN THE AMOUNT OF \$2,220,000 MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

E. Wood Road Agreement – Mr. Catherman stated they need to finalize the agreement with the State. He noted this agreement will increase the Marchiselli funding from 13 percent to 15 percent.

**MOTION: APPROVING THE FINAL AGREEMENT WITH THE NYS DEPARTMENT OF TRANSPORTATION FOR THE WOOD ROAD CONSTRUCTION TO INCREASE THE MARCHISELLI FUNDING FROM 13 PERCENT TO 15 PERCENT MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

F. Budget Transfer – Mr. Spagnoletti stated the Environmental Protection Agency has been inspecting our highway shops. They've inspected three of them and they say we have to do something about the liquid draining into the drain in the center of the floor, as there is no leachfield. He would like to set up a capital project entitled "Highway Shops Drain Remediation". Initially he was going to request the money be taken from the Fire Suppression System capital project. However, Mrs. Whitehead located \$22,684.41 in H9999 Other Projects that could be used for this fund. This money will enable them to start addressing those drains.

**MOTION: AUTHORIZING THE TRANSFER OF \$22,684.41 FROM H9999 OTHER PROJECTS TO A NEW CAPITAL PROJECT ENTITLED "HIGHWAY SHOPS DRAIN REMEDIATION" MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

G. Equipment Bond – Mr. Spagnoletti stated he has two proposals for equipment to purchase with a \$500,000 Bond. The first option is to purchase 3 dump trucks for \$375,000, one wheel loader for \$100,000 and one boom mower for \$42,000; a total of \$517,000. The other option would be to purchase 2 rubber-tired excavators for \$300,000, one front end loader for \$100,000, 2 power brooms for \$58,000 and one boom mower for \$42,000. He noted for both options, the amount of the boom mower is half of what is needed as they have applied for funding from Senator Winner. Mr. Spagnoletti asked the Committee which proposal would they like to proceed with? Discussion followed.

**MOTION: REQUESTING THE LEGISLATURE APPROVE A BOND IN THE AMOUNT OF \$517,000 FOR THE PURCHASE OF THREE DUMP TRUCKS, ONE WHEEL LOADER AND ONE BOOM MOWER FOR THE PUBLIC WORKS DEPARTMENT MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

## **VI. BIDS**

A. Pothole Killer Rental – Mr. Spagnoletti stated last year they paid \$10,000 per month for 2 months of use. This year, Mr. Foster was able to get a quote for \$20,000 for 3 months of use. In addition, they'll allow us to keep it a 4<sup>th</sup> month for \$5,000 for use by the City of Corning. He requested approval to lease the equipment. Discussion followed.

**MOTION: APPROVING A LEASE WITH PATCH MANAGEMENT, INC., OF MORRISVILLE, PA, FOR RENTAL OF THE "POTHOLE KILLER" FOR 3 MONTHS FOR \$20,000 MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Asphalt Concrete/FOB Plant – Mr. Spagnoletti stated last month they awarded this bid, but they failed to list both plants owned by Blades. He requested authorization to accept all bids on a line item basis FOB plant.

**MOTION: AWARDING THE ASPHALT CONCRETE/FOB PLANT BID TO ALL BIDDERS ON A LINE ITEM BASIS MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Isaman not present for vote.**

C. Asphalt Concrete/Unspecified In Place – Mr. Spagnoletti stated the prices have increased 22 percent. They received two bids with the low bidder being AL Blades for all quadrants.

**MOTION: AWARDING THE ASPHALT CONCRETE – UNSPECIFIED IN-PLACE BID TO AL BLADES & SONS, INC., OF HORNELL, NY FOR ALL QUADRANTS MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Isaman not present for vote.**

D. Asphalt Concrete/Specified in Place – Mr. Spagnoletti recommended rejecting the bid for 0.5 miles on CR1 – Addison. He stated if they used the unspecified bid, the price will be lower.

**MOTION: REJECTING THE ASPHALT CONCRETE/SPECIFIED IN PLACE BID FOR 0.5 MILES ON CR1 – ADDISON MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti recommended awarding the bid for 2.8 miles on CR28 – Hartsville to AL Blades & Sons for \$147,339.

**MOTION: AWARDING THE ASPHALT CONCRETE/SPECIFIED IN PLACE BID FOR 2.8 MILES ON CR28 – HARTSVILLE TO AL BLADES & SONS OF HORNELL, NY, FOR \$147,339 MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti recommended rejecting the bid for 0.1 miles on CR65 – Hornellsville, as the price will be lower if they use the unspecified bid.

**MOTION: REJECTING THE ASPHALT CONCRETE/SPECIFIED IN PLACE BID FOR 0.1 MILES ON CR65 – HORNELLSVILLE MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Prestressed Concrete Bridge Beams – Mr. Spagnoletti stated 5 bids were received for prestressed concrete bridge beams of McCaslin Road over Holden Creek in the Town of Woodhull. He recommended awarding the bid to Husted Concrete Products for \$32,375.

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS: BIN 2217970, MCCASLIN ROAD OVER HOLDEN CREEK, TOWN OF WOODHULL, TO HUSTED CONCRETE PRODUCTS, INC., OF NEW YORK MILLS, NY, MADE BY MR. NICHOLS. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. Cleaning & Washing of Bridges – Mr. Spagnoletti stated the prices have dropped from last year. Six bids were received and he recommends awarding it to Dandrow's Painting for \$51,750.

**MOTION: AWARDING THE CLEANING & WASHING OF BRIDGES BID TO DANDROW'S PAINTING, INC., OF PLATTSBURGH, NY, FOR A TOTAL EXTENDED PROJECT BID PRICE OF \$51,750 MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

G. Roadside Mowing – Mr. Spagnoletti stated two bids were received. He recommended awarding the bid to the lowest bidder on a line item basis.

**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. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

H. Aggregates – Specific Projects – Mr. Spagnoletti stated he'd like to withdraw this item until they see what happens with the CHIPS funding.

I. Crushed Limestone – Mr. Spagnoletti stated two bids were received. He recommended awarding the bid to Hanson Aggregates for \$164,769.50. Considerable discussion followed.

**MOTION: AWARDING THE CRUSHED LIMESTONE BID TO HANSON AGGREGATES OF PAVILION, NY, FOR \$164,769.50 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

J. Guide Rail Bid – Mr. Spagnoletti stated they rejected the guide rail bid last month because they didn't have enough money to pay for it. Sam Hadley has reviewed the OGS bid and, while the prices are a little more expensive, they wouldn't be purchasing very much. He requested authorization to utilize the OGS bid for guide rail.

**MOTION: AUTHORIZING THE USE OF THE OGS BID FOR GUIDE RAIL MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

K. Crushed Gravel – Mr. Spagnoletti stated Tony Clark was talking with the Town of Howard and learned that they sold their screening plants. They now have a contractor that crushes their gravel for \$3.80/yard. He requested authorization to solicit bids for gravel crushing.

**MOTION: AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO SOLICIT BIDS FOR GRAVEL CRUSHING MADE BY MR. NIELSEN. 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.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; 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. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION TO ADJOURN MADE BY MR. NIELSEN. 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, May 3, 2005  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Tuesday, May 3, 2005

9:00 a.m.

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

**MINUTES**

<u>Committee:</u>	Harley R. Mayo, Chair L. Ronald Nielsen	Robert V. Nichols, Vice Chair Francis L. Gehl	Kenneth E. Isaman
<u>Legislators:</u>	Philip J. Roche	Thomas J. McIntyre	John Walsh
<u>Staff:</u>	Mark R. Alger Bryce Foster Stephen Catherman Jacques Begin	Vincent Spagnoletti Frederick H. Ahrens Doreen Ames David English	Steve Orcutt Lawrence Crossett James Gleason Scot Martinez
<u>Other:</u>	Dave Schoen, WENY James Trondsen	Mary Perham, <i>Leader</i>	Rachel Treichler

**I. CALL TO ORDER**

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

**II. COMMENTS BY MEMBERS OF THE PUBLIC**

Rachel Treichler, Hammondsport, stated I understand the County is harvesting some of the woodlands on Call Hill. I'm a member of the Sierra Club and we're interested in learning more about what your plans are. Mr. Spagnoletti stated the County has contracted with Forester Bill Morris, who is very environmentally conscious. I can have him get in contact with you to discuss our plans. Mr. Ahrens noted that he could also provide you with our comprehensive plan for the management of the forest.

**III. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE APRIL 5, 2005, MEETING MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. LANDFILL**

A. Landfill Expansion Project – Mr. Spagnoletti stated we're putting the select garbage in the new cell of the landfill. He displayed photos of the progress of the project. The cell cost \$6.3 million, which includes \$1 million for capping and gas collection work. They will have approximately \$300,000 in change orders that he will be bringing to the Committee in the future. The change orders bring the total cost to \$6.6 million. The contract with Barton & Loguidice was \$1.6 million. NYS Department of Environmental Conservation will pay for half of the cap and gas system work so the final total of the project is approximately \$7.1 million, which is less than projected. Discussion followed.

B. Erwin Transfer Station – Mr. Spagnoletti stated they are paving the road into the station right now. He displayed photos of the progress of the project. They expect substantial completion by May 15, 2005, with final acceptance on May 27<sup>th</sup>, so we are on schedule. The recycling bins will be here in a couple of weeks. It looks like the cost of the project will stay below the \$4 million provided by NYSDOT. The change orders are inside of the contractor line item in a contingency fund. Edger Enterprises, the General Contractor, has change

orders totaling \$95,000 and the mechanical and electrical contractors have change orders totaling \$7,000 in change orders. He will provide the Committee with a detailed list of all the change orders.

Mr. Spagnoletti stated Mr. Orcutt and Mr. Martinez are thinking about holding an open house for one week to let the public come in to view the station before they begin accepting garbage. Mr. Nichols suggested they have a ribbon cutting ceremony and invite Assemblyman Bacalles and Senator Winner due to the amount of State money involved in the project. Mr. Spagnoletti stated they will set it up.

C. 2005 Projected Revenues/Expenses – Mr. Spagnoletti stated the projected 2005 cash flow looks like expenses will be at \$4,750,000 and revenue at about \$4,500,000; a deficit of \$250,000. On an accrual basis using a space cost per ton, he is projecting \$4.5 million in revenue and \$4.6 million in expenses. Last month the Committee had asked him to find out what the tipping fees are for the surrounding counties. Based on what he learned, he doesn't believe they should raise the tipping fees as they are only off by \$100,000 and they can make that up throughout the year. For garbage, Allegany County charges \$30/ton; Broome County charges \$40/ton; Chautauqua County charges \$23.50/ton; Chemung County charges \$65/ton (they are in the process of privatizing so that amount will decrease); Ontario County charges \$30/ton, but they are privatized; and Seneca Meadows charges \$35/\$50 based upon the load. Steuben County currently charges \$36/ton at the landfill and \$50/ton at the transfer stations. In the future if the costs keep going up, on the per bag price we are low compared to other counties so they could increase the per bag charge. Broome County charges \$2/bag; Chautauqua County charges \$1/bag; Chemung County charges \$3/bag; and Ontario County and Seneca Meadows do not take bags at their landfills. Steuben County currently charges \$1.50/bag. Mr. Spagnoletti stated they will monitor the revenues and expenses, especially towards the end of the year, primarily to make sure they are alright for next year.

Mr. Isaman asked how much revenue do we take in from the bags? Mr. Spagnoletti stated we take in 300,000 bags at \$1.50/bag for a total of \$450,000. If they increase the price to \$2/bag, it would generate an additional \$150,000 for 300,000 bags. However, he doesn't want to increase the price at this time.

## V. HIGHWAYS/BRIDGES

A. CHIPs Funding – Mr. Spagnoletti stated Steve Acquario, Executive Director of NYSAC, sent a printout of what Counties could expect in CHIPs funding. Steuben County is going to receive \$2,899,515.62 and we budgeted \$2,232,000. He requested authorization to appropriate \$667,515.62 to Permanent Improvements No. D511200.5.250.000 Capital Projects to enable us to do CR119 and CR76.

**MOTION: APPROPRIATING \$667,515.62 IN UNANTICIPATED CHIPS REVENUE TO PERMANENT IMPROVEMENTS NO. D511200.5.250.000 CAPITAL PROJECTS MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti noted that in the new Bond Act, they are forecasting an increase in the CHIPs funding of \$100 million per year for 5 years. The total appropriation for CHIPs funding statewide currently is \$280 million. The first part of the increase was this year.

## VI. BIDS

A. Received from Past Month

1. Aggregates/Specific Projects – Mr. Spagnoletti stated last month he held the bid award on the Aggregates Specific Projects. They have reviewed the bid and it is cheaper for the County to buy it delivered. He recommended awarding the bid for CR106 to EWR at \$8.20/ton for a total price of \$311,600; CR100 to Hanson Aggregates at \$8.30/ton for a total price of \$92,130; and CR112 to Hanson Aggregates at \$8.40/ton for a total price of \$71,400 contingent upon the final project design.

**MOTION: AWARDING THE BID FOR CR106 TO EWR AT \$8.20/TON FOR A TOTAL PRICE OF \$311,600; CR100 TO HANSON AGGREGATES AT \$8.30/TON FOR A TOTAL PRICE OF \$92,130; AND CR112 TO HANSON AGGREGATES AT \$8.40/TON FOR A TOTAL PRICE OF \$71,400 CONTINGENT UPON THE FINAL PROJECT DESIGN MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Hydroseeding Contract** – Mr. Spagnoletti stated after they do excavation work the Soil and Water Conservation District comes in to reseed the area. He requested authorization to contract with Soil and Water for \$176/tank for trefoil conservation mix and \$236/tank for crownvetch, which is equivalent to \$1180/acre.

**MOTION: APPROVING THE CONTRACT WITH THE SOIL AND WATER CONSERVATION DISTRICT FOR HYDROSEEDING FOR \$176/TANK FOR TREFOIL CONSERVATION MIX AND \$236/TANK FOR CROWNVETCH MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

## **VII. OTHER BUSINESS**

Mr. Isaman stated he is still bothered by the projected deficit in the landfill this year. He asked does the deficit include an increase for the cost of fuel? Mr. Spagnoletti stated the projection does include additional fuel costs. He stated he will closely monitor the budget situation and, if needed, he will propose an increase in the per bag price. He just doesn't think it is necessary to increase it at this point in time. Discussion followed.

**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; 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. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS AND THE COUNTY ADMINISTRATOR TO OFFER UP TO \$15,000 FOR THE PUTMAN PROPERTY ON CR85, TOWN OF TUSCARORA MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.** *Secretary's Note: Release of the above motion was contingent upon the outcome of a court proceeding.*

**MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. 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,

Brenda K. Mori  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, June 8, 2005  
9:00 a.m.**



**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Wednesday, June 8, 2005

9:00 a.m.

Legislative Committee Conference Room  
3 East Pulteney Square  
Bath, New York

**MINUTES**

<u>Committee:</u>	Harley R. Mayo, Chair Kenneth E. Isaman	Robert V. Nichols, Vice Chair	Francis L. Gehl
<u>Legislators:</u>	Philip J. Roche, Esq.	Thomas J. McIntyre	John Walsh
<u>Staff:</u>	Mark R. Alger Bryce Foster James Gleason Bonnie Kastner David English	Vincent Spagnoletti Scot Martinez Jacques Begin Doreen Ames	Lawrence Crossett Steve Orcutt Steve Catherman Frederick H. Ahrens, Jr.
<u>Other:</u>	Mary Perham, <i>Leader</i> Brent Franklin, Law Intern	Dave Schoen, WENY	Rachel Treichler

**I. CALL TO ORDER**

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

**II. COMMENTS BY MEMBERS OF PUBLIC**

Rachel Treichler, Hammondsport, member of Sierra Club. At the last meeting we mentioned our concerns on the cutting of Call Hill. They toured the woodlands with Billy Morris. We were impressed by his judicious plans for the harvesting. There are some beautiful areas there that would make good hiking trails. We urge you to consider that.

**III. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE MAY 3 AND MAY 23, 2005, MEETINGS MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**IV. LANDFILL**

A. Bath Landfill Expansion – Mr. Spagnoletti stated they need to finalize the contract with Blackmon & Farrell Electric, Inc. He requested a credit to the contract in the amount of \$785. Discussion followed.

**MOTION: APPROVING A \$785 CREDIT TO THE BLACKMON & FARRELL ELECTRIC, INC., CONTRACT FOR THE BATH LANDFILL EXPANSION MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Erwin Transfer Station – Mr. Spagnoletti stated we have to complete the paperwork with the Department of Transportation so they will pay for the project. He noted the Treasurer's Office has been fronting the money for the project. On Friday, June 10, 2005, at 3:00 p.m. they'll be holding an Open House and ribbon-cutting ceremony at the new transfer station. It will officially open for business on Monday, June 13, 2005, at 7:30 a.m.

Mr. Isaman asked how many employees will be operating the new facility? Mr. Martinez stated for the first week or two they will have five people working there but then they will reduce the number down to three.

C. State Funding Grants – Mr. Spagnoletti requested authorization to apply for various State grants. He stated the first grant is for a scrap metal loading dock storage area at the Bath Landfill. He noted this is a \$75,000 project and the grant would cover 50 percent of the cost. Mr. Spagnoletti stated the second grant they would like to apply for would cover 50% of the Recycling Manager's salary over three years (2005-2007). The third grant would cover 50 percent of the cost for the Household Hazardous Waste Day over 3 years (2005-2007).

**MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO APPLY FOR THREE STATE GRANTS TO COVER 50 PERCENT OF THE COST FOR A SCRAP METAL LOADING DOCK STORAGE AREA AT THE BATH LANDFILL, THE RECYCLING MANAGER'S SALARY OVER THREE YEARS AND HOUSEHOLD HAZARDOUS WASTE DAY OVER THREE YEARS MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

*Mr. Mayo noted that he and the Committee appreciate everything Mrs. Kastner has done for the County.*

D. Safety and Health Training Grant – Mr. Spagnoletti stated Mr. Orcutt applied for and was approved for a \$75,775 grant for safety and health training. He requested authorization to solicit proposals for on-site trainers to conduct the training sessions.

**MOTION: AUTHORIZING THE SOLICITATION OF PROPOSALS FOR ON-SITE TRAINERS TO CONDUCT SAFETY AND HEALTH TRAINING SESSIONS MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

E. Change Order – Mr. Spagnoletti stated this is a change order from Fagan Engineers. They would like additional time to review it so he'll bring it to the Committee next month.

F. Lindley Landfill Road – Mr. Spagnoletti stated they solicited bids to complete the road to the Lindley Landfill. The road is one mile and they received one bid for \$313,500 from AL Blades. He noted according to his figures, the cost should be approximately \$111,000 for materials only. Therefore, he'd like to reject the bid and request authorization to solicit bids for gravel specifically for this project. He stated they'll do the job in-house. Discussion followed.

**MOTION: REJECTING THE GIBSON ROAD, TOWN OF LINDLEY, ROAD PROJECT BID MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: AUTHORIZING THE SOLICITATION OF BIDS FOR GRAVEL FOR THE GIBSON ROAD, TOWN OF LINDLEY, ROAD PROJECT MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

G. Tire Amnesty Day – Mrs. Kastner reported they collected 79.48 tons of tires, which equates to 7,188 tires. She stated the cost for disposal for 57.85 tons was \$110.50 per ton and the remainder cost \$90/ton. The difference in price was due to issues with the vendor. She stated individuals were allowed to bring in 4 tires at no cost with a charge of \$1.00 for any tire over the 4 tire limit. The total cost for tire amnesty day was \$18,242 but they collected \$3,346 in revenue.

V. **HIGHWAYS AND BRIDGES**

A. CR85 Bridge, Tuscarora

1. **Construction Contract** – Mr. Spagnoletti stated Mr. Catherman has learned that we did receive Marchiselli funding where the state pays 15 percent of the project. He noted that was a big concern because they included the funding in the budget. Mr. Catherman noted the funding is for construction not design. Mr. Spagnoletti stated the Law Department has finalized the land purchase as well. Therefore, he recommends awarding the bid for the CR85 Bridge construction to LC Whitford for \$1,532,000. Discussion followed.

**MOTION: AWARDING THE BID FOR THE REPLACEMENT OF CR85 BRIDGE OVER TUSCARORA CREEK TO LC WHITFORD CO., INC., OF WELLSVILLE, NY, FOR \$1,532,000 MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Bergmann Engineers** – Mr. Spagnoletti requested approval of an agreement with Bergmann Engineers for the construction inspection of the CR85 Bridge in the amount of \$164,077. He noted this is funded 95 percent through Federal and State money.

**MOTION: APPROVING AN AGREEMENT IN THE AMOUNT OF \$164,077 WITH BERGMANN ENGINEERS TO CONDUCT THE CONSTRUCTION INSPECTION OF THE CR85 BRIDGE REPLACEMENT PROJECT MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. **Supplemental Design Agreement** – Mr. Spagnoletti requested approval of a supplemental agreement in the amount of \$18,036 with Bergmann Engineers for design work associated with the CR85 Bridge Replacement Project. Mr. Catherman stated they already have an agreement for \$8,000 for the drilled shafts, but they never formally approved it. That amount is being included in this agreement along with other issues such as the right of way, separating the contract for prestressed concrete beams from the bridge construction, and answering comments from the State regarding the design. He noted initially the State didn't make a lot of comments; they approved it as is. However, once it was time to start the construction, they came back with 11 pages of comments that Bergmann had to go through and make changes to the design. He noted this is funded 80 percent with Federal money. Discussion followed.

**MOTION: APPROVING THE SUPPLEMENTAL DESIGN AGREEMENT WITH BERGMANN ENGINEERS IN THE AMOUNT OF \$18,036 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

4. **Supplemental NYSDOT Funding Agreement** – Mr. Spagnoletti requested approval of a supplemental funding agreement with the NYS Department of Transportation to include \$11,500 for the Right of Way and \$12,000 for the design.

**MOTION: APPROVING THE SUPPLEMENTAL DESIGN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$23,500 (\$11,500 FOR RIGHT OF WAY AND \$12,000 FOR DESIGN) MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

*Mr. Alger thanked Mr. Catherman for pushing this project through. He stated it was not an easy task.*

B. **04/05 Revised Snowplowing Agreement** – Mr. Spagnoletti stated their contract for plowing State roads includes a fuel adjustment clause. He requested authorization to amend the contract to reflect an additional \$25,275.53 in revenue from the State for the fuel adjustment.

**MOTION: AMENDING THE 2004/2005 SNOWPLOWING AGREEMENT TO INCLUDE AN INCREASE OF \$25,275.53 TO REFLECT THE FUEL ADJUSTMENT MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. **05/06 Snowplowing Agreement** – Mr. Spagnoletti requested approval to contract with the State to plow 125 miles of road for the State. The amount of the project is approximately \$600,000. He noted that he would prefer not to plow any State roads, but has told them that they would. He said they pay for everything, but it puts a lot of wear and tear on the equipment. Discussion followed.

**MOTION: APPROVING THE 2005/2006 SNOW AND ICE AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

D. Road Budget and Life Cycle Update – Mr. Spagnoletti presented a chart depicting an analysis of how much money they need each year for road construction. He reviewed the chart for the committee. Discussion followed.

Mr. Spagnoletti stated for 678 total miles of road, they would have to do work on 155 miles per year (12 chip seal miles, 102 maintenance miles, 36 cap miles) for a total cost of \$3,583,325 just for materials and contract paving; no County equipment and labor cost. We budgeted \$2,623,000 this year. Discussion followed.

E. 2005 Road Project Schedule Update – Mr. Spagnoletti stated they review their road conditions in May to see if any problems have developed on the roads over the winter, and then make any necessary adjustments to the schedule.

Mr. Spagnoletti reviewed the changes to the road project schedule. He noted the biggest change was to CR76. The initial mile would be \$146,000 to recycle and blacktop. However, they've had problems with settling in one section of the road. He noted DOT is having this same problem on some of their roads so they're going to hold off on that until they figure out what the problem is. Most of the changes include changing the chip seal to crack seal. Discussion followed.

Mr. Spagnoletti stated Pete Messmer did the design for CR106, CR112 and CR100. For CR106 he is suggesting grinding, then fabric, 12" of gravel and chip seal because it has such a soft center. Mr. Nichols noted it was because it is mostly clay. On CR112, he found it is mostly clay with cold mix on top so they are going to grind, lay 8" of gravel, mix liquid asphalt with it and then double chip it. On CR100 he found about 10" of material so they're going to grind 2" off the top and use it for shoulder material, then grind it up, inject liquid asphalt and then double chip it. Before that, they are going to strip the shoulders and do the ditches.

Mr. Spagnoletti stated this year they budgeted \$820,000 for snow removal and there is \$93,000 remaining. They'll need another \$100,000 to carry them through next winter. In the Gas and Diesel Fuel line item they budgeted \$477,000 and to date they have \$198,000 remaining. He's projecting they need an additional \$32,000 but they'll have the \$25,000 in State revenue for the fuel adjustment to help fill the gap. In the Parts & Repairs line item they budgeted \$350,000 and they have \$319,000 remaining. He's projecting they'll need an additional \$125,000 by the end of the year.

Mr. Spagnoletti stated the total cost for the 2005 Highway Projects is estimated at \$2,529,820. They already purchased \$107,000 of single surface treatment, bringing this year's cost to \$2,422,820. They budgeted \$1,956,000 and are receiving \$666,727 in additional CHIPs funding. That equals \$2,622,727 in total funding for highway projects, leaving a contingency of \$199,907. He noted he'll use that balance to cover those line items where there will be budget overruns. Discussion followed.

Mr. Isaman stated they're doing a Bond Act this year so maybe this Committee should support that for multi-modal funding. Mr. Spagnoletti stated they aren't seeing anything in that Bond Act for the counties, just for the towns. Mr. Alger stated they should look into it to get clarification on it.

F. Appropriate Flood Funding – Mr. Spagnoletti stated there is nothing to report on at this time.

G. Reclassification – Mr. Spagnoletti stated District Supervisor Lanny Calkins retired in May. He would like to reclassify the District Supervisor position to Highway Engineer. He stated they've done a lot as far as improving the engineering on the roads through more testing and surveying, design inspection, quality control and the scheduling system. In addition, data analysis on the roads was done by Tony Clarke, who recently resigned. A Highway Engineer position could do the data analysis and would provide us with a position similar to Steve Catherman's position, only it would be for the roads. He noted Bryce Foster would remain in charge of the eight shops, and the Highway Engineer would report directly to the Commissioner.

Mr. Nichols asked what is the difference in cost? Mr. Spagnoletti stated the District Supervisor position is a Grade XV (\$31,715 - \$44,772) and the Highway Engineer position would cost approximately \$60,000. He noted he'd like somebody with a 4 year civil engineering degree plus experience, but he doesn't need them to be a PE (Professional Engineer). Considerable discussion followed.

**MOTION: RECLASSIFYING A GRADE XV DISTRICT SUPERVISOR POSITION TO A HIGHWAY ENGINEER POSITION (GRADE TO BE DETERMINED) MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

**VI. BIDS**

A. Received from Past Month

1. **Pavement Recycling** – Mr. Spagnoletti recommended awarding the bids to the lowest bidder for each project.

**MOTION: AWARDING THE COLD IN-PLACE RECYCLING BIDS AS FOLLOWS: TO CENTRAL ASPHALT OF WATKINS GLEN, NY: CR10 FOR \$267,240; CR76 FOR \$257,750.65; AND CR123 FOR \$59,727; TO AL BLADES OF HORNELL, NY: CR119 FOR \$450,910 MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Stone Crushing** – Mr. Spagnoletti stated four bids were received. He recommended awarding the bid to the lowest bidder.

**MOTION: AWARDING THE STONE CRUSHING BID TO RMS GRAVEL, INC., OF DRYDEN, NY, FOR \$2.25/TON FOR A TOTAL BID PRICE OF \$36,000 MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. **Pavement Grinding Equipment Rental** – Mr. Spagnoletti stated they only received one bid, mostly because they specified a 10 foot grinding blade. He stated the price is still less than last year so he recommends awarding the bid to the lone bidder.

**MOTION: AWARDING THE PAVEMENT GRINDING EQUIPMENT RENTAL BID TO CENTRAL ASPHALT OF WATKINS GLEN, NY, FOR \$5,775/DAY FOR 1 DAY; \$5,425/DAY FOR 2 TO 4 DAYS; AND \$5,380/DAY FOR 5 OR MORE DAYS MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

4. **Traffic Control Supplies** – Mr. Spagnoletti stated two bids were received and he recommends awarding the bid to the lowest bidder.

**MOTION: AWARDING THE TRAFFIC CONTROL SUPPLIES BID TO EASTERN METAL/USA-SIGN OF ELMIRA, NY, FOR A TOTAL EXTENDED BID PRICE OF \$17,103.75 MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

5. **Fire Suppression System** – Mr. Spagnoletti stated this system is for the Cohocton Shop. Three bids were received and he recommends awarding the bid to the lowest bidder.

**MOTION: AWARDING THE FIRE SUPPRESSION SYSTEM BID FOR THE COHOCTON SHOP TO LANE FIRE & SAFETY OF BUFFALO, NY, FOR \$15,985 MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

6. **Wheel Loader** – Mr. Spagnoletti stated this is for the Hornell Transfer Station. He requested authorization to purchase a Milton (CAT) wheel loader to replace their current 1995 wheel loader off of the OGS bid for \$51,985.91.

**MOTION: AUTHORIZING THE PURCHASE OF A MILTON (CAT) WHEEL LOADER OFF OF OGS BID FOR \$51,985.91 MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

7. **Truck Tractor** – Mr. Spagnoletti stated he'd like to hold this item over until next month.

8. **Freon Removal** – Mr. Spagnoletti stated last year's bid was from Arctic Air for \$5.95 per unit. They included an extension clause in the contract. He requested authorization to extend the contract for another year.

**MOTION: EXTENDING THE CONTRACT WITH ARCTIC AIR FOR ONE YEAR FOR FREON REMOVAL MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

9. **Track Backhoe Excavator** – Mr. Spagnoletti stated they received eight bids to replace the hydraulic track backhoe excavator lost in the landfill fire. The first three bids do not meet specifications. Hertz Equipment Rental won't adhere to the warranty and they were the apparent low bidder. The second lowest bidder, George & Swede Sales & Service, bid an excavator with the height over specifications. This means the excavator would have to be dismantled on the lowboy every time they transport it. The third lowest bidder, Tracey Road Equipment, wouldn't adhere to the liquidated damages clause. Therefore, he recommends awarding the bid to the fourth lowest bidder, Vantage Equipment, for a Volvo EC360B for \$255,265.

Mr. Isaman asked what is the problem with the warranty with the bid from Hertz? Mr. Gleason stated the bid was written so that if there was any warranty work needed, it would be done by the dealer. Hertz said we would have to go back to the manufacturer for any warranty work. Mr. Martinez stated Hertz Equipment Rental is not a servicing company for Terex (the manufacturer), they are only a dealer. The nearest servicing company would be Baschmann of Buffalo, who also submitted a bid. Discussion followed.

**MOTION: AWARDING THE HYDRAULIC TRACK BACKHOE EXCAVATOR BID TO VANTAGE EQUIPMENT, LLC, OF SYRACUSE, NY, FOR A 2005 VOLVO EC360B FOR \$255,265 MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.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; 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. 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. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

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

**NEXT MEETING SCHEDULED FOR  
Tuesday, July 5, 2005  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Tuesday, July 5, 2005

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 L. Ronald Nielsen	Robert V. Nichols, Vice Chair Francis L. Gehl	Kenneth E. Isaman
<u>Legislators:</u>	Philip J. Roche	John Walsh	Thomas J. McIntyre
<u>Staff:</u>	Mark R. Alger Doreen Ames Scot Martinez David English Christopher Ellis	Vincent Spagnoletti Frederick H. Ahrens, Jr. James Gleason Steve Catherman	Bryce Foster Steve Orcutt Jacques Begin Mike Hughes
<u>Other:</u>	Mary Perham, <i>Leader</i>		

**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 JUNE 8, 2005, MEETING MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Nichols not present for the vote.**

**III. LANDFILL**

A. Bath Landfill Expansion – Mr. Spagnoletti stated the contractor is done and they are finalizing the change orders with Patrick Concrete Constructors. He noted the total change orders are approximately \$150,000 and he will bring them to the Committee for approval once they are done. They are currently researching the possibility of a gas to electric plant. Right now they are measuring the flair for quality and quantity of gas. If it makes economic sense, they'll be interested in pursuing the plant. Discussion followed.

B. Erwin Transfer Station – Mr. Spagnoletti stated the electric contractor, G.O. Wick, had an initial contract of \$157,538. The final contract amount is \$159,101.02. He requested approval of a change order in the amount of \$1,563.02. He noted the cost would be paid for by DOT. Discussion followed.

**MOTION: APPROVING A CHANGE ORDER FOR G.O. WICK IN THE AMOUNT OF \$1,563.02 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti stated they have been reviewing operations at the Erwin Transfer Station to see if there is anything they may need to add or change. A few items of interest where they will be making changes include the following: they don't have gates across the recycling bays and some of the paper and plastic is getting out. Mr. Martinez is having temporary fences installed across the bays. The neighbors have asked for more evergreens for additional coverage when the leaves drop from the trees in the fall. They'd like to add an eavestrough on a part of the building as well as along the recycling bay. When trucks back into the pit, there's a bumper before the pit so

they can dump their load. The newer trucks have lower boxes so they are having a problem dumping the garbage in. Right now they are going to put planking up to the bumper to allow these trucks clearance to dump. They may think of doing something more permanent later. Discussion followed.

C. Fagan Engineers Change Order – Mr. Spagnoletti stated we have wells drilled around the landfill where they can take water samples. They have a contract with Upstate Labs to take the samples and then Fagan Engineers tests the samples. The original contract was to test 41 sample points and they ended up testing 54 sample points. He requested approval of a change order in the amount of \$7,121.27 to cover the additional testing points.

**MOTION: APPROVING A CHANGE ORDER FOR FAGAN ENGINEERS IN THE AMOUNT OF \$7,121.27 FOR ADDITIONAL WATER SAMPLE TESTING MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

#### **IV. HIGHWAYS & BRIDGES**

A. CR110 Bridge Project – Mr. Spagnoletti requested approval of a supplemental agreement with DOT for the CR110 Bridge Project. He stated previously they approved paying 11 percent of the cost through Marchiselli grant funding for the design, construction and right-of-way and now they have agreed to pay 15 percent of the cost.

**MOTION: APPROVING A SUPPLEMENTAL AGREEMENT WITH NYS DOT FOR THE CR110 BRIDGE PROJECT DESIGN, CONSTRUCTION AND RIGHT-OF-WAY TO REFLECT AN INCREASE IN MARCHISELLI FUNDING FROM 11 PERCENT TO 15 PERCENT OF THE TOTAL COST MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

B. CR85 Bridge Project – Mr. Spagnoletti requested approval of a supplement agreement with DOT for the CR85 Bridge Project. He stated previously they weren't going to pay any of the costs associated with the construction and right-of-way and now they will pay 15 percent of the cost.

**MOTION: APPROVING A SUPPLEMENTAL AGREEMENT WITH NYS DOT FOR THE CR85 BRIDGE PROJECT CONSTRUCTION AND RIGHT-OF-WAY TO REFLECT AN INCREASE IN MARCHISELLI FUNDING OF 15 PERCENT OF THE TOTAL COST MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

C. Road Condition Update – Mr. Spagnoletti displayed a copy of a map of Steuben County highlighting the roads rated poor as of last fall's rating. He stated they have 678 miles of road in Steuben County and 74 miles of the roads were rated poor. He reviewed the various problems on the poor rated roads and the current status of repairing the problems. Discussion followed.

#### **V. BID**

A. Truck Tractor – Erwin Transfer Station – Mr. Spagnoletti stated they were going to use the OGS bid but decided to solicit bids instead.

#### **VI. OTHER BUSINESS**

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

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

Respectfully submitted by,

Brenda K. Mori  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, August 2, 2005  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Tuesday, August 2, 2005

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 L. Ronald Nielsen	Robert V. Nichols, Vice Chair Francis L. Gehl	Kenneth E. Isaman
<u>Legislators:</u>	Philip J. Roche John Walsh	Gary D. Swackhamer	Thomas J. McIntyre
<u>Staff:</u>	Mark R. Alger Lawrence P. Crossett Scot Martinez Frederick H. Ahrens, Jr.	Vincent Spagnoletti Edward J. Castellana Jacques Begin Gregory P. Heffner	Bryce Foster Steve Orcutt David English
<u>Other:</u>	Mary Perham, <i>Leader</i>	Brian Kelly, NYSDOT	Dan Farrand

**I. CALL TO ORDER**

The meeting was called to order by Mr. Mayo at 9:04 a.m.

**II. COMMENTS BY MEMBERS OF THE PUBLIC**

Mr. Brian Kelly, Bridge Management Engineer at the Hornell Office of the NYS Department of Transportation, stated I work on inspection and safety. I called Mr. Spagnoletti about a month ago to comment on what a good job we think Steve Catherman does for Steuben County and Mr. Spagnoletti as well. We inspect your bridges every 1 to 2 years. We identify problems and we bring these problems to their attention and their response is prompt and professional. Several of us at the office comment again and again on how well they respond and how much bang for your buck they get on their bridges. Mr. Mayo thanked Mr. Kelly for his comments and stated Mr. Catherman is a very valuable employee and we're lucky to have him working for Steuben County.

Mr. Castellana announced that the insurance company has rescinded their revocation of rights on the compactor and they will be paying for the replacement compactor.

**III. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE JULY 5, 2005, MEETING MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Isaman not present for the vote.**

**IV. LANDFILL**

A. Erwin Transfer Station – Mr. Spagnoletti stated we've been receiving mostly positive comments on how the new transfer station is working. He went there on a Saturday and there were a couple of things he noticed that were problematic. One problem is people have to lift the garbage up waist level to put the bags into the bins instead of throwing them down into the pit. We have people there to help in case they are having a problem with it. Also, people used to be able to throw the entire box in and now they have to fold it down to put it in. We do have surveys for people to fill out that will let us know what they do and do not like about the new facility.

Mr. Gehl stated he had an individual tell him that for all the money we spent on the new transfer station, it isn't user friendly. He had asked the individual why and was told it was because of the bins. The bins were full when he was there. Why aren't the bins being emptied into the trucks when they are full?

Mr. Spagnoletti stated we have now taken the truck out of the building and located it near the bins. Also, if people have 3 bags or more, they can drive to the building and dump it directly into the pit. At the beginning, the bins were getting filled up quickly which is why the truck is now parked there. Discussion followed.

Mr. Roche commented that he has been receiving some very positive comments about the transfer station. Mr. Nichols stated he has also received just positive comments.

B. Gibson Road – Mr. Spagnoletti stated we capped the Lindley Landfill last year and the understanding with the Town of Lindley was that once it was closed, the County would pave the road for the Town. We had a bid to deliver gravel to the site. Skuba was the low bidder at \$105,000 delivered. We checked with them this morning and they didn't realize the bid included a 1,500 ton per day clause. They asked to withdraw their bid. The second lowest bidder, Hanson can deliver it for \$107,625. The total cost for all of the material is \$139,000 and we budgeted \$115,000. The FOB bid for the gravel would cost \$47,250. If the County hauled the gravel, it would take 15 trucks 7 days at \$60/hour per truck or \$50,400. The total cost would be \$98,000. The advantage to using the delivered bid is it frees up our trucks and people. He'd rather not tie up the people and put the wear and tear on the trucks so he recommended awarding the bid to Hanson Aggregates.

**MOTION: AWARDING THE AGGREGATES/ SPECIFIC PROJECTS – GIBSON ROAD, TOWN OF LINDLEY BID TO HANSON AGGREGATES NEW YORK, INC., MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS FOR DISCUSSION.**

Mr. Begin raised concerns about the low bidder not being able to meet his obligations and forcing the County to go to the second lowest bidder. He also believes they need to check with Savona Sand & Gravel as they have the aggregates FOB bid for Quadrant 1, which includes Lindley. Considerable discussion followed.

**MOTION: PREVIOUS MOTION AND SECOND WITHDRAWN.**

C. 2005 Revenue/Expenses Projections – Mr. Spagnoletti stated on a cash basis, the Enterprise Fund is projected to have \$5,401,000 in expenses with a projected \$4,573,500 in revenue, resulting in a deficit of \$138,500. On a per ton accrual basis, the cost to bury garbage in the landfill is \$14.76 per ton. So every ton you put in the landfill pays for the construction, operation and closing of the landfill. On an accrual basis, the expenses for the Enterprise Fund are projected to be \$4,377,856 with a projected revenue of \$4,573,500, resulting in revenue of \$195,644. He noted that they are understaffed at the landfill so he will be speaking with Mr. Alger about hiring 3 or 4 more people at the landfill. They also need to determine what to do with the building that was damaged by the fire. They will continue keeping an eye on the privatization of the landfills surrounding the County. Considerable discussion followed.

Mr. Isaman asked what do they need additional staff for? Mr. Spagnoletti stated they need a couple of people to pick up litter. Mr. Isaman asked why can't they use jail trustees? Mr. Martinez stated they've tried to work that out with the Sheriff but they are never available when he needs them. Also, they don't have the appropriate clothing. Discussion followed.

Mr. Roche stated with the overcrowding at the jail, he doesn't have the staff to do this. Plus, when we board out inmates, we typically send them the better-behaved inmates. I think the way things are right now, it might be a real challenge. *The Committee asked Mr. Spagnoletti to discuss this with the Sheriff and report back to the Committee.*

## **V. HIGHWAYS/BRIDGES**

A. State Funding and Transportation Bond Act – Mr. Spagnoletti stated the Multimodal Program is directly connected to the Transportation Bond Act. They are allotting \$350 million in the Bond Act. The two State roads in Steuben County that are directly affected by the Bond Act are a section of I-390 in Wallace and Route 15

in Presho. It would benefit us if we could get some of that multimodal funding. It is also important to the towns. Discussion followed.

**MOTION: REQUESTING THE LEGISLATURE SUPPORT THE PASSAGE OF THE TRANSPORTATION BOND ACT MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

Mr. Mayo recognized Dan Farrand who is a candidate for County Legislator next year. Mr. Farrand thanked Mr. Mayo and noted that he came here to support Mr. Spagnoletti in the discussion on the Bond Act. He noted there is also \$100 million included in the Bond Act for CHIPS funding for the next 5 years. Discussion followed.

**VI. BIDS**

A. Received from Past Month

1. **Truck/Tractor for Erwin Transfer Station** – Mr. Spagnoletti stated two bids were received. The Purchasing Department had recommended bidding it instead of using the OGS bid. By doing so, we saved \$5,000. He recommended awarding the bid to Albee Truck.

**MOTION: AWARDING THE TRUCK/TRACTOR BID TO ALBEE TRUCK OF ELMIRA, NY, FOR \$83,848 MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Household/Agricultural Hazardous Waste** – Mr. Spagnoletti stated one bid was received and it was for the same amount as last year. He noted they use quantities based upon past collections.

**MOTION: AWARDING THE COLLECTION AND DISPOSAL OF HOUSEHOLD AND AGRICULTURAL HAZARDOUS WASTE BID TO CLEAN HARBORS ENVIRONMENTAL SERVICES OF BRAINTREE, MA, MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Leachate Hauling Bid** – Mr. Spagnoletti requested authorization to extend the contract with Leo Dickson, Inc., for leachate hauling for another year.

**MOTION: EXTENDING THE LEACHATE HAULING CONTRACT WITH LEO DICKSON, INC., FOR ONE YEAR MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **Loader Bid** – Mr. Spagnoletti requested authorization to purchase a John Deere 624J Loader off of the OGS bid for \$102,550. He noted this is one of the items they are purchasing with the highway equipment bond.

**MOTION: AUTHORIZING THE PURCHASE OF A JOHN DEERE 624J LOADER OFF OF THE OGS BID FOR \$102,550 MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

5. **Premix Ice Control Sand and Treated Road Salt** – Mr. Spagnoletti recommended awarding the FOB Plant bid to all bidders.

**MOTION: AWARDING THE PREMIX ICE CONTROL SAND AND TREATED ROAD SALT FOB PLANT BID TO HUB BOY GRAVEL OF AVOCA, NY; HANSON AGGREGATES OF PAVILION, NY; KNIGHT SETTLEMENT SAND AND GRAVEL OF BATH, NY; BUFFALO CRUSHED STONE OF BUFFALO, NY; AND SKUBA CONSTRUCTION MATERIALS OF ALMOND, NY MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti recommended awarding the bid for Premix Ice Control Sand and Treated Road Salt delivered to County shops and Town shops to the lowest bidder on a line item basis.

**MOTION: AWARDING THE BID FOR PREMIX ICE CONTROL SAND AND TREATED ROAD SALT DELIVERED TO COUNTY AND TOWN SHOPS AS FOLLOWS: BUFFALO CRUSHED STONE OF BUFFALO, NY, (COUNTY-GREENWOOD; TOWN-HORNELLSVILLE); HANSON AGGREGATES OF PAVILION, NY, (COUNTY-COHOCTON, CURTIS, HOWARD, MT. WASHINGTON, PRATTSBURGH, SONORA, WOODHULL AND CORNING COMMUNITY COLLEGE; TOWN-CAMERON, COHOCTON, CORNING, FREMONT, PULTENEY, RATHBONE, THURSTON, URBANA, WAYLAND AND WAYNE); HUB BOY SAND AND GRAVEL OF AVOCA, NY, (COUNTY-CATON, WOODHULL; TOWN-HARTSVILLE, HORNBY, JASPER, TROUPSBURGH, TUSCARORA, WEST UNION AND WOODHULL) MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

6. **Ice Control Sand** – Mr. Spagnoletti recommended awarding the FOB Plant bid to all bidders.

**MOTION: AWARDING THE ICE CONTROL SAND FOB PLANT BID TO BLADES CONSTRUCTION PRODUCTS CORPORATION OF HORNELL, NY; BUFFALO CRUSHED STONE OF BUFFALO, NY; DALRYMPLE GRAVEL & CONTRACTING CO., INC., OF PINE CITY, NY; ELAM SAND & GRAVEL CORPORATION OF WEST BLOOMFIELD, NY; HANSON AGGREGATES OF PAVILION, NY; KNIGHT SETTLEMENT SAND AND GRAVEL OF BATH, NY; RHINEHART SAND & GRAVEL OF CORNING, NY; AND SKUBA CONSTRUCTION MATERIALS OF ALMOND, NY MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti recommended awarding the bid for Ice Control Sand delivered to County shops and Town shops to the lowest bidder on a line item basis.

**MOTION: AWARDING THE BID FOR ICE CONTROL SAND DELIVERED TO COUNTY AND TOWN SHOPS AS FOLLOWS: BUFFALO CRUSHED STONE OF BUFFALO, NY, (COUNTY-GREENWOOD; TOWN-GREENWOOD, HARTSVILLE, JASPER, TROUPSBURG AND WEST UNION); ELAM SAND & GRAVEL CORPORATION OF WEST BLOOMFIELD, NY, (COUNTY-CATON, COHOCTON AND WOODHULL; TOWN-CATON, COHOCTON, DANSVILLE, FREMONT, HORNBY, HORNELLSVILLE, TUSCARORA, WAYLAND AND WOODHULL); HANSON AGGREGATES OF PAVILION, NY, (COUNTY-CURTIS, HOWARD, MT. WASHINGTON, PRATTSBURGH, SONORA AND CORNING COMMUNITY COLLEGE; TOWN-ADDISON, BATH, CAMERON, CAMPBELL, CANISTEO, CORNING, ERWIN, LINDLEY, PULTENEY, RATHBONE AND WHEELER); AND KNIGHT SETTLEMENT SAND AND GRAVEL OF BATH, NY, (TOWN-AVOCA, BRADFORD, HOWARD, PRATTSBURGH, THURSTON, URBANA AND WAYNE) MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti requested a special meeting be held prior to the Legislative Meeting to approve additional bid award. *Special Public Works Committee Meeting scheduled for Monday, August 22, 2005, at 9:30 a.m.*

Mr. Spagnoletti noted that they are going to start placing their bid documents on the County Website. They will still send bid notices in the mail to provide them with the web address. It will save a lot of paperwork and time.

**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. 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. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AWARDING THE AGGREGATES; SPECIFIC PROJECTS BID FOR GIBSON ROAD IN THE TOWN OF LINDLEY TO HANSON AGGREGATES NEW YORK, INC., OF PAVILION, NY FOR \$107,625 SUBJECT TO SKUBA CONSTRUCTION MATERIALS WITHDRAWING THEIR BID DUE TO INABILITY TO PERFORM MADE BY MR. GEHL. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE TRANSFER OF \$25,000 FROM THE LANDFILL'S FENCING PROJECT TO THE GIBSON ROAD-TOWN OF LINDLEY PROJECT MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. *Resolution Required.***

**VII. OTHER BUSINESS**

A. Tobacco Securitization Money – Mr. Mayo stated he would like this Committee to support a resolution seeking the use of tobacco fund money. Over the last few years we've strived to improve the condition of County roads. We no longer have 10-foot roads. He would like to use the tobacco funds for road improvements to put hot mix on some of these roads that have a good base in order to preserve our investment. Whatever amount we could possibly secure in tobacco funds would help.

**MOTION: REQUESTING THE LEGISLATURE ALLOW THE DEPARTMENT OF PUBLIC WORKS TO USE PROCEEDS FROM THE REISSUE OF THE TOBACCO SECURITIZATION BONDS FOR ROAD CONSTRUCTION MADE BY MR. GEHL. SECONDED BY MR. NICHOLS FOR DISCUSSION.**

Mr. Gehl asked how much are we talking about? Mr. Roche stated we don't know yet. We'll know the week of August 22<sup>nd</sup>. Mr. Alger stated we won't know until they issue the bonds.

Mr. Isaman asked who else could be vying for this money? Mr. Alger stated he had to tell bond counsel what the funds would be used for and the Finance Committee was leaning towards using it for the jail. That's what we told bond counsel. One issue you need to consider is if you use the funds to fix miles of roads, the money is gone. If you don't put anything towards the jail bond, the payment is going to be higher and, therefore, it will reduce the amount you can use towards roads in the future. You will have to weigh those issues when you make that decision. You also have to meet the capital definition requirement for those funds. The money has to be spent on something that has a useful life period of 10 years or more. These definitions are very clearly stated in the State Finance Law.

Mr. Ahrens stated there are certain types of roads that would meet the requirement but if it is for road maintenance, that won't meet the criteria. The jail definitely would meet the criteria. I know it is unsettling not to give you specific numbers but we've seen projections ranging from \$700,000 to \$1.2 million. Mr. Alger stated they are supposed to be issued the week of the 22<sup>nd</sup> so we should know then.

Mr. Nielsen stated I think we should wait to see how much we get before we make a decision. Mr. Swackhamer noted that we also have interest payments to make on the equipment bond we have for the Public Works Department. Mr. Gehl stated after hearing Mr. Alger's explanation, he also thinks they should wait to see how much money the County will get.

Mr. Swackhamer stated he doesn't think this committee should be telling the Finance Committee where the money should be spent. Mr. Nichols stated it is just a request. Mr. Roche stated the earliest we will hear the number is at the August Legislative Meeting. This committee meets before the Finance Committee in September so maybe they should wait until the September Public Works Committee meeting to make a request. Discussion followed.

**PREVIOUS MOTION AND SECOND WITHDRAWN.**

Mr. Alger noted that if we use some of the money on the roads, you want to be looking at blacktop. I don't know how much that does to the roads that are the worst, but it would hopefully help the roads we've already rebuilt.

Mr. Mayo stated he finds it amazing that in the last couple of months we've approved spending \$35 million for two facilities but we can't find the money to repair the roads that 95 percent of the taxpayers use. I think the time to be concerned about the taxes was when we agreed to build a new Health Care Facility and expand the Jail.

**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, September 6, 2006  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Special Meeting**

Monday, August 22, 2005

9:30 a.m.

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

<b>COMMITTEE:</b>	Harley R. Mayo, Chair Kenneth E. Isaman	Robert V. Nichols, Vice Chair L. Ronald Nielsen	Francis L. Gehl
<b>STAFF:</b>	Mark R. Alger Bryce Foster Carol Whitehead	Vincent Spagnoletti Scott Martinez David English	Steve Orcutt James Gleason
<b>LEGISLATORS:</b>	Donald B. Creath Patrick F. McAllister	Patrick F. Donnelly	Lidon E. Jamison

**I. CALL TO ORDER**

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

**II. GENERAL BUSINESS**

A. Back Dump Bid – Mr. Spagnoletti informed the committee that they are waiting for more information. He will be presenting this at the September Public Works meeting.

B. Dozer Bid – Mr. Spagnoletti stated they have put out a bid for a crawler dozer. This bid has two options. Option A is for new equipment and Option B is for used equipment. Used equipment is classified as being 2001 or newer with 2,000 hours or less use. They have budgeted \$70,000. They received two bids for Option B. He recommends awarding the bid to Anderson Equipment Company for the Kamatsu Crawler Dozer for a cost of \$81,840. Mr. Gehl asked what year is it. Mr. Spagnoletti replied it is a 2004 and we previously have had this piece of equipment on rental.

**MOTION: AWARDING THE CRAWLER DOZER BID TO ANDERSON EQUIPMENT COMPANY UNDER OPTION B – USED EQUIPMENT FOR A 2004 KOMATSU FOR \$81,840 MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Request for Qualifications for Safety Training – Mr. Spagnoletti informed the committee that Mr. Orcutt received a \$75,775 grant from the New York State Department of Transportation for overall workplace safety training. They received three proposals and he recommends awarding the Request for Qualifications to Empire Safety of Chittenango, NY. Mr. Isaman asked was this an RFP? Mr. Spagnoletti replied this was a Request for Qualifications, which is where they tell us what their qualifications and background are. Mr. Gehl asked is this for the entire department or just for the Landfill? Mr. Spagnoletti replied this is for everything, including Highways, Landfill and Mobile Work Program.

**MOTION: AWARDING THE REQUEST FOR QUALIFICATIONS FOR SAFETY TRAINING TO EMPIRE SAFETY, CHITTENANGO, NY MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Transfer to Fund Additional Fuel Costs – Mr. Spagnoletti requested approval to transfer \$100,000 from Road Projects and appropriate \$50,000 into the line item for unleaded gasoline and \$50,000 into the line item for diesel fuel. He commented that in 2002 they spent \$256,000 on gas and diesel. For 2005, they are projecting \$650,000 and in 2006 they are projecting \$750,000. From 2002 – 2006 the price has tripled as the price for gasoline has gone from \$.80

per gallon to \$1.80 per gallon. Mr. Gehl asked did we receive the \$25,000 from the Department of Transportation for last winter? Mr. Spagnoletti replied yes. They have a clause in their contract where they take care of inflation for fuel.

**MOTION: AUTHORIZING THE TRANSFER OF \$100,000 FROM THE ROAD PROJECTS LINE ITEM AND APPROPRIATING \$50,000 INTO THE UNLEADED FUEL LINE ITEM AND \$50,000 INTO THE DIESEL FUEL LINE ITEM FOR THE DEPARTMENT OF PUBLIC WORKS 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. NIELSEN.**

Respectfully Submitted by,

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Tuesday, September 6, 2005

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, Vice Chair	L. Ronald Nielsen
<u>Legislators:</u>	Philip J. Roche	Thomas J. McIntyre	John Walsh
<u>Staff:</u>	Mark R. Alger Steve Orcutt Scot Martinez Sam Hadley David English Mark Fitzwater Steve Sick Phil Hink	Vincent Spagnoletti Frederick H. Ahrens, Jr. Doreen Ames James Gleason Archie Cleland Dave McKerrow Mike Bixby	Bryce Foster Gregory P. Heffner Lucy Whitney Jacques Begin Tim Leonard Bob Crowley Mark Harges
<u>Other:</u>	Mary Perham, <i>Leader</i>		
<u>Absent:</u>	Francis L. Gehl	Kenneth E. Isaman	

**I. CALL TO ORDER**

The meeting was called to order by Mr. Mayo at 9:09 a.m.

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE AUGUST 2<sup>ND</sup> AND 22<sup>ND</sup>, 2005, MEETINGS MADE BY MR. NIELSEN. SECONDED BY MR. ROCHE. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**  
*Mr. Nichols not present for vote.*

**III. DEPUTY COMMISSIONER APPOINTMENT**

Mr. Spagnoletti announced that he has appointed Bryce Foster of Jasper as the Deputy Commissioner of Public Works. He stated Mr. Foster has been working very well with the MEO Supervisors and I'm pleased with the quality and quantity of work they have done this summer.

Mr. Spagnoletti stated he'd like to introduce the people in the field. He introduced the following MEO Supervisors: Phil Hink, Archie Cleland, Tim Leonard, Mark Fitzwater, Dave McKerrow, Bob Crowley, Steve Sick, Mike Bixby, and Mark Harges. He noted that their hard work and cooperation with Mr. Foster was a key factor in his decision to appoint him Deputy Commissioner.

Mr. Mayo stated these people are the backbone of the operation. I thank you all for being responsible and cooperative in working with Mr. Foster. Your work is excellent, you've done a fantastic job and we appreciate it.

**IV. LANDFILL**

A. Erwin Transfer Station: LinDot Change Order – Mr. Spagnoletti stated LinDot was the Mechanical Contractor on the Erwin Transfer Station Project. Their original contract was for \$91,750 and there is a \$2,628.06 change order credit. This brings the total contract amount to \$89,121.94.

**MOTION: APPROVING A CHANGE ORDER FOR LINDOT RESULTING IN A CREDIT OF \$2,628.06 MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. Erwin Transfer Station: Edger Construction Change Order – Mr. Spagnoletti stated Edger Construction was the General Contractor on the Erwin Transfer Station Project. The original contract was for \$3,055,750. There were a number of credits and overruns, resulting in a net increase of \$3,656.13. This brings the total contract amount to \$3,059,406.13. Discussion followed.

**MOTION: APPROVING A CHANGE ORDER FOR EDGER CONSTRUCTION RESULTING IN A NET INCREASE OF \$3,656.13 MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Mr. Spagnoletti stated the total cost of the Erwin Transfer Station project was \$4,025,000. He stated NYSDOT's allowance was \$4,006,000. Right now they are working with them on the land purchase approval.

C. City of Hornell Tipping Fee – Mr. Spagnoletti stated the contract with the City of Hornell for a \$26/ton tipping fee expires September 30<sup>th</sup>. He requested authorization to extend that another 6 months at the same rate. He noted that he's already informed the City that the rate will probably increase after the contract extension. Discussion followed.

**MOTION: EXTENDING THE CONTRACT WITH THE CITY OF HORNELL WHICH SET A \$26/TON TIPPING FEE AT THE BATH LANDFILL MADE BY MR. NICHOLS. SECONDED BY MR. MAYO. IN FAVOR: NICHOLS, MAYO, ROCHE. OPPOSED: NIELSEN. MOTION CARRIES 3-1. Resolution Required.**

**V. HIGHWAYS/BRIDGES**

A. Budget Transfer – Mr. Spagnoletti requested authorization to transfer a total of \$40,242.53 to the Machinery Parts and Repairs account from three 5110 accounts. Discussion followed.

**MOTION: AUTHORIZING THE TRANSFER OF \$10,242.53 FROM D.511000.5.455530 BOX CULVERTS; \$15,000 FROM D.511000.5.460610 TREE REMOVAL AND \$15,000 FROM D.511000.5.460300 SHOULDERS (A TOTAL OF \$40,242.53) TO DM.513000.5.451300 MACHINERY PARTS AND REPAIRS MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. Fuel Account – Mr. Spagnoletti stated NYSDOT had adjusted the Snow & Ice Removal contract by \$25,275.53 for work already completed. He requested authorization to appropriate those funds to the fuel account. Discussion followed.

**MOTION: ACCEPTING \$25,275 IN ADDITIONAL STATE REVENUE FOR SNOW REMOVAL AND APPROPRIATING IT TO THE MACHINERY FUND'S DIESEL FUEL ACCOUNT MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

C. Tobacco Funds – Mr. Spagnoletti stated he had previously distributed a list of roads that he'd like to fix using the tobacco securitization funding. He stated he needed to make sure the roads are eligible for the tobacco funds. The initial list was just to put 1 ½" of hot mix on the roads. He has now revised the list to include recycling the roads in addition to the hot mix overlay. He noted he's left on this list two roads that were recycled

this year, but would get a 1 ½” hot mix next year under the bond. The total amount needed to complete these roads is \$1,135,000. Discussion followed.

Mr. Nichols stated if this goes through, when would we do this work? Mr. Spagnoletti stated the recycle roads would have to be done next year but they could possibly do the ones that are just the hot mix overlay this year. Discussion followed.

D. County Route 85 – Mr. Spagnoletti stated he wanted to make the Committee aware that there will be a significant overrun on the CR85 project because of the caissons. He noted the project is 95 funded with outside funding.

## **VI. BIDS**

A. Ready Mix Concrete for Box Culverts – Mr. Spagnoletti stated two bids were received. He recommended awarding the bid to the lowest bidder, Hanson Aggregates New York, Inc.

**MOTION: AWARDING THE READY MIX CONCRETE FOR BOX CULVERTS BID TO HANSON AGGREGATES NEW YORK, INC., OF PAVILION, NY, FOR \$114.50/CUBIC YARD MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. High Sulfur Diesel Fuel – Mr. Spagnoletti stated one bid was received. He recommended awarding the bid to Griffith Oil.

**MOTION: AWARDING THE HIGH SULFUR DIESEL FUEL BID TO GRIFFITH OIL COMPANY, INC., OF ROCHESTER, NY, FOR \$2.0554/GALLON (VARIABLE PRICE) MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

C. Articulated Back Dump – Mr. Spagnoletti stated they bid this item under three options. The first option was for a new piece of equipment, the second option was for a used machine with 2000 hours or less and the third option was for a used machine with 2001 hours to a maximum of 3500 hours. There were no responsive bids for the second or third option. The lowest bid for a new articulated back dump was \$230,000 and they budgeted \$120,000. He recommended awarding the bid to Hertz for \$230,000. To pay the difference, he requested authorization to transfer \$110,000 from the Fire Insurance – Bath Landfill line item to the Major Equipment line item for the landfill. He noted that the old piece of equipment will be sold at the County Auction. Discussion followed.

**MOTION: AUTHORIZING THE TRANSFER OF \$110,000 FROM THE FIRE INSURANCE – BATH LANDFILL LINE ITEM TO THE LANDFILL'S MAJOR EQUIPMENT LINE ITEM, AWARDING THE BID FOR AN ARTICULATED BACK DUMP TO HERTZ EQUIPMENT RENTAL CORPORATION OF TONAWANDA, NY, FOR \$230,000 AND AUTHORIZING THE PURCHASE OF SAID EQUIPMENT FROM THE LANDFILL'S MAJOR EQUIPMENT ACCOUNT MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Mr. Spagnoletti introduced Lucy Whitney. He stated Mrs. Whitney handles all of the bids and works closely with Mr. Gleason and Mr. Begin. She has placed all of the Public Works Department's bids on the County website. The idea began with her and she carried it through. It is a big time savings for us and more convenient for the bidders. The Committee thanked her for her hard work.

**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; 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. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: REJECTING THE BID FOR HEAVY DUTY 10-WHEEL TRUCKS AND AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO SOLICIT NEW BIDS MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION TO ADJOURN MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

Respectfully submitted by,

Brenda K. Mori  
Deputy Clerk  
Steuben County Legislature

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

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Special Meeting**

*9:45 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

<b>COMMITTEE:</b>	Harley R. Mayo, Chair Kenneth E. Isaman	Robert V. Nichols, Vice Chair L. Ronald Nielsen	Francis L. Gehl
<b>STAFF:</b>	Mark R. Alger David English	Vincent Spagnoletti	Lawrence Crossett
<b>LEGISLATORS:</b>	Patrick F. Donnelly	David Stachnik	John Walsh

**I. CALL TO ORDER**

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

**II. GENERAL BUSINESS**

A. Acceptance of Funds – Mr. Spagnoletti informed the committee that they have received notification that they will be receiving \$40,000 from Senator Winner and Assemblyman Bacalles for the paving of CR 123. He requested authorization to accept this funding so that he may sign the necessary agreements with the State.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SIGN AN AGREEMENT TO RECEIVE \$40,000 FROM NEW YORK STATE FOR THE PAVING OF CR 123 MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Mayo requested that a thank you note be sent to Senator Winner and Assemblyman Bacalles for their support on this project.

B. CHIPS Funding – Mr. Gehl asked how much funding did we receive this year? Mr. Spagnoletti replied we will receive \$2.8 million - \$2.9 million. This is an increase of \$64,000 from last year.

C. Transportation Bill – Mr. Gehl commented that the NYSAC Transportation Committee wholeheartedly supports the Transportation Bill. Mr. Mayo commented this is something that is important to our economic development. Mr. Alger stated I-99 is part of the plan for the next five years, but is not included in the bond act. Discussion followed.

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Tuesday, October 4, 2005

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 L. Ronald Nielsen	Robert V. Nichols, Vice Chair Francis L. Gehl	Kenneth E. Isaman
<u>Legislators:</u>	Philip J. Roche	John Walsh	
<u>Staff:</u>	Mark R. Alger Steve Orcutt Steve Catherman Doreen Ames	Vincent Spagnoletti Scot Martinez Phil Hink Frederick Ahrens, Jr.	Bryce Foster James Gleason David English
<u>Other:</u>	Mary Perham, <i>Leader</i>		

**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 SEPTEMBER 6 AND SEPTEMBER 26, 2005, MEETINGS MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. HIGHWAYS AND BRIDGES**

A. Budget Transfer – Mr. Spagnoletti stated the design is complete for the CR39 Drainage Project but they need to finalize it and complete the bid documents. He requested authorization to enter into a contract with Fisher Associates to complete this part of the project. The contract cost is \$67,350 and they have \$60,000 in the capital project. To pay the difference, he requested authorization to transfer \$2,972.07 from the CR56 – Fremont Capital Project and \$5,027.93 from the Fire Suppression System Capital Project into the North Cohocton Drainage Project. Considerable discussion followed.

**MOTION: AUTHORIZING THE TRANSFER OF \$2,972.07 FROM THE CR56 – FREMONT CAPITAL PROJECT (5112H1) AND \$5,027.93 FROM THE FIRE SUPPRESSION SYSTEM CAPITAL PROJECT (HS9902) INTO THE NORTH COHOCTON DRAINAGE CAPITAL PROJECT (5112H2) TO PAY FOR THE FINAL DESIGN AND CREATION OF BID DOCUMENTS MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: APPROVING AN AGREEMENT WITH FISHER ASSOCIATES IN THE AMOUNT OF \$67,350 TO FINISH THE DESIGN AND BID DOCUMENTS ON THE NORTH COHOCTON DRAINAGE PROJECT MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Reclassification – Mr. Spagnoletti stated they have a Stock Clerk at the Equipment Shop who has many responsibilities. He would like to hire an Inventory Aide to assist the Stock Clerk, especially because they are placing emphasis on keeping the equipment updated. He requested authorization to reclassify a vacant MEO position, Grade 8, to Inventory Aide, Grade 8. Discussion followed.

**MOTION: RECLASSIFYING A VACANT GRADE VIII MOTOR EQUIPMENT OPERATOR TO A GRADE VIII INVENTORY AIDE MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Change Order – Mr. Spagnoletti stated the CR110 Bridge, Rathbone, is now open to traffic. He requested approval of a change order for Ramsey Construction, Inc., in the amount of \$8,207.60. He stated it is within the project budget and is 95 percent funded.

**MOTION: APPROVING A CHANGE ORDER FOR RAMSEY CONSTRUCTION, INC., IN THE AMOUNT OF \$8,207.60 FOR THE CR110 BRIDGE CONSTRUCTION MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Fuel Adjustment for Towns – Mr. Spagnoletti stated they contract with the Towns for plowing and they have requested an adjustment to the contract to pay for additional fuel costs. He stated the contracts were signed 3 years ago and included a 3% increase per year for inflation. The price of fuel is \$1.30 more per gallon than the projected cost using the 3% inflation rate. Using the number of miles they plow at a rate of 4 miles per gallon, they determined it will cost an additional \$17,694. This is the equivalent of a 4% increase, which is exactly the percentage increase the State gave the County. He requested authorization to amend the contracts with the Towns for plowing by providing a 4% increase for the fuel adjustment. He noted the additional cost will be included in the 2006 budget.

**MOTION: AUTHORIZING AN AMENDMENT TO THE TOWN CONTRACTS FOR PLOWING BY PROVIDING A FOUR-PERCENT INCREASE FOR A FUEL ADJUSTMENT MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Budget Transfer – Mr. Spagnoletti stated they budgeted \$350,000 for the year for parts and repairs and they are projecting a cost of \$475,000. He requested authorization transfer \$75,000 from the Patching line item to the Machinery Parts and Repairs line item. He noted using the pothole machine is saving them money in the patching line item.

**MOTION: AUTHORIZING THE TRANSFER OF \$75,000 FROM 5110.5.460130 PATCHING TO 5130.5.451300 PARTS AND REPAIRS MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. Change Order — Mr. Spagnoletti requested approval of a change order for LC Whitford for construction of the CR85 bridge in the amount of \$57,932.02. He noted it is within the project budget and is 95% funded. Discussion followed.

**MOTION: APPROVING A CHANGE ORDER FOR LC WHITFORD IN THE AMOUNT OF \$57,932.02 FOR THE CR85 BRIDGE CONSTRUCTION MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. BIDS**

A. Approval of 2006 Bid Schedule – Mr. Spagnoletti presented the list of annual bids for 2006 for the Committee's review.

**MOTION: APPROVING THE 2006 BID SCHEDULE FOR THE PUBLIC WORKS DEPARTMENT MADE BY MR. NICHOLS. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti stated Mr. Orcutt spoke with NYSDOT about the State paying for the land purchase at the Erwin Transfer Station and they have agreed to do so. He noted Mr. Orcutt has been right there working closely with the State throughout this entire process. Mr. Mayo stated our working agreements with the State are second to none. It has been a pleasure working with them. The funding for the transfer station has really come full circle. 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 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. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: AUTHORIZING THE TRANSFER OF \$188,000.00 FROM THE FIRE INSURANCE BLF (#816099.4.2680000) TO ESTABLISH A CAPITAL PROJECT ENTITLED "BATH LANDFILL EQUIPMENT SHOP" (#HL6207.5.250000) MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: REJECTING THE DUMP BOX BODY BID AND AUTHORIZING THE SOLICITATION OF NEW BIDS MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

*There will be a Special Public Works Committee Meeting at 9:45 a.m. prior to the October Legislative Meeting to award the dump box body bid.*

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

Respectfully submitted by,

Brenda K. Mori  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, November 1, 2005  
9:00 a.m.**

**STEUBEN COUNTY PUBLIC WORKS COMMITTEE**  
**Tuesday, November 1, 2005**  
**9:00 a.m.**  
**Legislative Committee Conference Room**  
**Steuben County Office Building**  
**3 East Pulteney Square**  
**Bath, New York**

**MINUTES**

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

Legislators: John Walsh    Thomas J. McIntyre

Staff: Mark R. Alger    Vincent Spagnoletti                      Steve Orcutt  
Bryce Foster    Scot Martinez                      Phil Hink  
Steve Catherman    Doreen Ames                      Gregory P. Heffner  
James Gleason    Jacques Begin                      David English  
Frederick H. Ahrens, Jr.

Other: Bob Cracknell, NYSDOT                      Mary Perham, *Leader*

Absent: Harley R. Mayo, Chair

**I.     CALL TO ORDER**

The meeting was called to order by Mr. Nichols at 9:09 a.m.

**II.    APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE OCTOBER 4, 2005, MEETING MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III.   LANDFILL**

A.     Extension of Contracts – Mr. Spagnoletti stated that instead of extending the contracts for the sale of white goods/scrap metal and marketing of recyclables, they decided to solicit requests for proposals. He stated the Purchasing Department has them ready and they will be awarded in December.

B.     Transfer of Funds – Mr. Spagnoletti stated in the Bath Landfill budget, they had \$99,000 appropriated for fuel and they've spent it all. They had \$92,000 appropriated for parts and repairs and they've spent all of that as well. He stated they have \$80,000 available in the major equipment line item. He requested authorization to transfer \$24,500 into diesel fuel and \$24,500 into parts & repairs.

**MOTION: APPROVING THE TRANSFER OF \$24,500 FROM MAJOR EQUIPMENT INTO THE DIESEL FUEL LINE ITEM AND \$24,500 FROM MAJOR EQUIPMENT INTO THE PARTS & REPAIRS LINE ITEM MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C.     Landfill Consulting Engineer – Mr. Spagnoletti stated he'd like approval to solicit requests for proposal for a landfill consulting engineer. He noted this wouldn't be a person on the payroll. When he first started working for the county, there was one firm that did just about all of the engineering work. We changed that by soliciting bids for the various projects. However, we lack a continuity with outside oversight. If they had a

consulting engineer that could attend the staff meetings and walk the sites, they could double-check us to make sure we aren't making a mistake with all of the DEC rules. He would like to include in these duties the reports of the water well samples, which is an \$80,000 per year expense to the County. He'd also like the consulting engineer to handle the air permit report. The air permit report costs the county \$15,000 each year. As far as the staff meetings and watching over what we're doing, that would be an approximate cost of \$30,000. We run a good landfill, but it is a \$4.5 million operation. He would like to spend another \$30,000 to double check us and tell us how we can do things better. Discussion followed.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SOLICIT RFPS FOR A LANDFILL CONSULTING ENGINEER MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**IV. HIGHWAYS & BRIDGES**

A. Right of Way – Mr. Ahrens stated we had previously asked NYSDOT to give up its right of way to the County of Steuben so we could deed property back to the appropriate homeowners. On Route 54A, the amount of land in question is 200 sq. feet and in another case it is 4/10 of an acre on Route 15 in Wayland. The request has been approved by the State, so we need to present a local law this month to begin the transfer of property.

**MOTION: AUTHORIZING THE TRANSFER OF 200 SQUARE FEET OF PROPERTY ON ROUTE 54A TO R.C. & S.L. BAIRD AND 4/10 OF AN ACRE ON ROUTE 15 IN WAYLAND TO P.C. SHUART MADE BY MR. NIELSEN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. CR110-1 Bridge – Mr. Spagnoletti displayed pictures of the bridge replacement on CR110-1. He stated the bid was \$1,830,000 and the contractor's price is \$140,000 under the bid amount. They have requested a change order for \$4,726.08. The change order includes \$290.48 for a hood on a catch basin, \$1,658.15 for a milling machine to tie the pavement into the existing blacktop, and a \$2,777.45 fuel adjustment. Mr. Spagnoletti noted that the contract doesn't include a fuel adjustment but the State and Federal governments are paying 95% of the cost and their contracts do call for a fuel adjustment and they want to pay him that adjustment. The County would be responsible for 5% of the cost. Discussion followed.

**MOTION: APPROVING A CHANGE ORDER FOR RAMSEY CONSTRUCTORS, INC. IN THE AMOUNT OF \$1,948.53 FOR A CATCH BASIN HOOD AND MILLING MACHINE WORK MADE BY MR. ISAMAN. SECONDED BY MR. GEHL. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Indexed Lump Sum Snowplow Agreement with NYSDOT – Mr. Spagnoletti introduced Bob Cracknell of NYSDOT. The County plows approximately 107 miles of roads for the State and they pay us by the hour for the truck and operator. They also pay the County dollar for dollar per ton of salt that we use. The last three years they have paid the County an average of \$585,000. The State would like us to agree to an indexed snowplow agreement, which means they'll pay us by the mile. If the winter is more severe they will pay us 10% more than the contracted amount. If it is less severe they will pay us 10% less. They will also make adjustments for salary increases, equipment and salt price increases during the contract period. This would eliminate a considerable amount of paperwork in the office. Also, the County has been pushing the towns to go with a per mile agreement. If we agree to do this with the State, we can work in that direction with the towns. He stated it is a proper way for government to operate. Discussion followed.

Mr. Gehl asked what has the towns' reception been on this proposal? Mr. Spagnoletti stated they've switched to a per mile rate for the truck and operator, but they still want us to purchase the salt. They aren't receptive to a per mile rate including salt. Discussion followed.

Mr. Cracknell stated the State supports this change because it doesn't make sense to do it the other way financially. It will also save the State and County time on paperwork.

Mr. Spagnoletti asked could we sign an agreement for one winter on a trial basis? Mr. Cracknell stated the contract is for 3 years but if you don't like it after one winter, you can switch it back. He stated the only problem you could have is if you don't keep track of your operators and how much salt they are using. However, we have a very good rapport with your operators and they are all very conscientious employees. Discussion followed.

Mr. Cracknell stated another benefit is with the new system, the County would get 2/3 payment up front. Under the current system, the County has to bill the State for work they've already done.

**MOTION: AUTHORIZING THE COUNTY TO CONTRACT WITH THE STATE FOR PLOWING OF STATE ROADS ON A PER MILE BASIS MADE BY MR. GEHL. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Road Projects Status – Mr. Spagnoletti stated the only change from the original schedule was they didn't do crack seal this year. He reviewed the projects they completed this year. It was a good year and they got a lot of work done. They've really coordinated the projects quite well.

E. Budget Status – Mr. Spagnoletti stated they currently owe Information Technology \$18,000. They have \$10,000 appropriated for the road survey but they aren't going to do it this year, they'll just use last year's survey. As for the roads, instead of finishing them with blacktop, they are going to seal them for the winter and finish them off with blacktop next year. The box culverts are usually done in November and December but they've cancelled the \$36,000 purchase order because the budget is tight. They will do them in January with next year's money. The snow and ice budget will be tight to get through the end of the year. Also, personal services will be tight but they will get through the end of the year.

**V. BIDS**

A. Dump Truck Boxes – Mr. Spagnoletti stated four bids were received with a low bid of \$30,732. He would like to table awarding the bid until the December meeting to make sure they still have the money to purchase them.

B. Heavy Duty 10-Wheel Trucks – Mr. Spagnoletti stated they received four bids. The low bidder, Regional International, submitted a bid of \$424,281 for *three International 7600 G4 heavy duty 10-wheel trucks*. In the bid we called for a stiffener brace at the ends. This bid didn't include that item. The bid also specified an angle-braced plow and the low bid didn't meet that specification. The second lowest bidder, Tracey Road Equipment, wouldn't adhere to the delivery date. The third lowest bid, also from Regional International, matched all of the specifications. He recommended awarding the bid to Regional International for three (3) 2006 International 7600 10-wheel trucks for *\$142,537* each; a total cost of *\$427,611*. He stated to pay for the trucks he'll need to transfer \$13,500 from shoulder patching to major equipment. Discussion followed.

**MOTION: AUTHORIZING THE TRANSFER OF \$13,500 FROM ACCT#511000.5.460300 SHOULDERS TO ACCT#513000.5.290000 MAJOR EQUIPMENT IN THE HIGHWAY DIVISION'S BUDGET MADE BY MR. GEHL. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: AWARDING THE BID FOR THREE (3) HEAVY DUTY 10-WHEEL TRUCKS TO REGIONAL INTERNATIONAL CORP. OF HENRIETTA, NY, FOR \$427,611 EACH MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

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

Respectfully submitted by,

Brenda K. Mori  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, December 6, 2005  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Tuesday, December 6, 2005**

**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

Robert V. Nichols, Vice Chair

Kenneth E. Isaman

Legislators: Philip J. Roche, Esq.

John Walsh

Thomas J. McIntyre

Staff: Mark R. Alger  
Frederick H. Ahrens, Jr.  
Bryce Foster  
Sam Hadley  
James Gleason

Vincent Spagnoletti  
David English  
Phil Hink  
Steve Orcutt  
Jacques Begin

Steve Catherman  
Scot Martinez  
Thomas Sears  
Doreen Ames

Other: Dave Austin

Tom Kennell, MapWorks

Absent: Francis L. Gehl

**I. CALL TO ORDER**

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

**II. COMMENTS BY MEMBERS OF THE PUBLIC**

Mr. Mayo stated he'd like to speak as a member of the public. He stated this will be my last meeting as Chair of this Committee. It has been a wonderful 14 years serving Steuben County. The employees of this great department are outstanding. There have been changes and changes don't occur without some animosity and hard feelings. Changes are needed in a democracy and changes will continue in the future. I would like to mention a lady who has been by my side for 55 years. Mr. Mayo introduced his wife Phyllis. He stated she's been a great partner and a great help to me and she understands me. We have 4 children; a son and 3 daughters. What a wonderful experience it has been to work with all of the people in Steuben County. The employees have been stupendous as have the department heads. He noted that during these 14 years, this committee has never been shut down from extensive discussion. We welcome criticism as it makes us better people.

**III. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE NOVEMBER 2, 2005, MEETING AS CORRECTED MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Mayo announced that there will be a bridge opening on CR65 in Hornellsville at 2:30 p.m. today. Everyone is welcome to attend.

Mr. Spagnoletti stated one of the changes that has occurred under Mr. Mayo is the implementation of one person plowing. He introduced Dave Austin, the individual who has trained our employees for one person plowing. He stated Mr. Austin is going to be retiring. We truly appreciate him training our employees. He has also trained three of our people to be trainers. Mr. Austin thanked Mr. Spagnoletti for the opportunity to work with the County employees. I've found that County employees are the same as State and Town employees. They are dedicated to their job. Thank you for the opportunity.

#### IV. LANDFILL

A. Tioga County Tipping Fees – Mr. Spagnoletti stated he and Steve Orcutt have been working on the outside garbage contracts to increase the term length. Tioga County pays \$26 a ton and they've agreed to increase it to \$28/ton in 2007 and \$29/ton in 2008. This adds \$200,000 to our cash flow and \$100,000 to our bottom line. He requested approval of the contract with Tioga County.

**MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CONTRACT WITH TIOGA COUNTY FOR THREE YEARS AT A RATE OF \$26/TON FOR 2006, \$28/TON FOR 2007 AND \$29/TON FOR 2008 MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Change Orders – Mr. Spagnoletti requested approval of a change order in the amount of \$17,228 for Fagan Engineers and \$44,825 for Upstate Labs. We have the landfill surrounded with monitoring wells. Upstate Labs takes samples of the wells every quarter and sends them to Fagan Engineers for testing. Our contract with these companies runs from September to September, but DEC's reporting is based upon a calendar year. We'd like to extend these contracts to the end of the year to get on the same calendar as DEC. The change orders are what it will cost to extend these contracts through the end of the year. Discussion followed.

**MOTION: APPROVING THE CHANGE ORDER FOR FAGAN ENGINEERS IN THE AMOUNT OF \$17,228 AND THE CHANGE ORDER FOR UPSTATE LABS IN THE AMOUNT OF \$44,825 AND EXTENDING THEIR CONTRACT TO DECEMBER 31, 2005, MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

#### V. HIGHWAYS AND BRIDGES

A. New Highway Map – Mr. Spagnoletti stated we have completed the new County Highway map and we're really proud of it. He stated Steve Catherman was the lead on the project and he worked closely with Tom Sears of the Planning Department, Pat White of the Steuben County Conference & Visitors' Bureau, Pat McDonald of Public Works, Dan Kahabka of 911 and Tom Kennell of Mapworks.

Mr. Catherman stated we began working on this in March and, three proofs later, the map has been finalized. He displayed the map for the Committee to see. He stated they incorporated all of the 911 addressing changes so that all of the roads are updated for 911 purposes. We included a border around the map and destinations of where the roads go to. It's a bigger format and is easier to read. We added more streams and creeks. Plus, there is a locator map showing where in the state Steuben County is located. All of the photos were courtesy of the SCCVB. The back of the map has the biggest changes. There are more inset maps of the cities and villages. There is an attractions list with phone numbers and a locator grid number. He noted that this is a digital map. He asked Mr. Kennell to speak about this process.

Mr. Kennell displayed two of the proofs to show the kind of work they do. He thanked Mr. Catherman and Mr. Sears for all their work. He is impressed with the level of work and detail they went through. With an existing database that they created prior to this of all of the Finger Lakes, we were able to include all the adjunct roads that tie into the County. That worked out well. That also brought with it some of the data we had. The other benefit of working in this manner is we have a new map tool. The first digital map we have done will allow us to put it on the website and make it accessible. Then any changes that come up can be made immediately. Currently, it was discovered a creek that was misnamed in Canisteo. Everything we've uncovered so far is minor. A lot of work went into it and we're proud of it. Discussion followed.

The Committee thanked Mr. Kennell. Mr. Mayo stated the map is a great improvement that the average person can utilize. He thanked everyone who has worked on it. Mr. Spagnoletti noted that Mr. Catherman has developed a list of 300 people or organizations that they made laminated maps for. They will be in our office if people want to come pick them up.

B. Budget Transfer – Mr. Spagnoletti requested authorization to transfer \$45,933.75 from surplus revenue and appropriate \$10,000 to the Diesel Fuel account and \$35,933.75 to the County Salt account. He noted they are sending another bill to 911 in the amount of \$10,853.11 for work they did and he'd also like to transfer that from surplus revenue to the County salt account.

Mr. Spagnoletti stated they spent about 85 percent of the salt line item at the beginning of the year which is why they need this additional funding.

**MOTION: AUTHORIZING THE TRANSFER OF \$45,933.75 IN SURPLUS REVENUE AS FOLLOWS: \$10,000 TO DIESEL FUEL AND \$35,933.75 TO COUNTY SALT AND \$10,853.11 FROM SURPLUS REVENUE TO COUNTY SALT MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**VI. BIDS**

A. Three Dump Boxes – Mr. Spagnoletti stated last month he brought the dump box bid to the Committee and I didn't know if we had enough money to get to the end of the year to pay for them. The cost for three dump boxes was \$30,732. He requested authorization to award the bid to Thruway Spring for \$30,732 for three boxes. He noted if they can afford to purchase them in 2005, they will. If not, they'll make the purchase order for 2006.

**MOTION: AWARDING THE THREE DUMP BOX BODIES BID TO THRUWAY SPRING OF ROCHESTER, NY, FOR \$30,732 MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Stone Fill – Mr. Spagnoletti recommended awarding the Stone Fill FOB bid to all bidders and awarding the four quadrants to Blades, the low bidder.

**MOTION: AWARDING THE STONE FILL FOB BID TO BLADES CONSTRUCTION PRODUCTS CORPORATION OF HORNELL, NY; HANSON AGGREGATES OF PAVILION, NY; AND SENECA STONE CORPORATION OF PINE CITY, NY; AND AWARDING QUADRANTS ONE, TWO, THREE AND FOUR TO BLADES CONSTRUCTION PRODUCTS MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Guiderail – Mr. Spagnoletti stated in November 2004, we rejected the guide rail materials bid. Because it appears that the steel prices have stabilized, he'd like to award the bid to the lowest bidder, RG Steel Corporation.

**MOTION: AWARDING THE GUIDE RAIL MATERIALS BID TO RG STEEL OF PULASKI, PA, FOR A TOTAL BID PRICE OF \$72,180 MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Cutting Edges, Wings and Blades – Mr. Spagnoletti stated they received five bids, but two bidders have to be rejected. He stated Five Star Equipment made a notation on their bid that their prices didn't include freight and the bid requires delivery prices. GC Castings made exception to the delivery date. They wanted 15 more days than specified in the bid. He recommended awarding the bid to Chemung, American Blade and Winter Equipment on a line item basis. On those items we don't have a bid for, we'll get quotes during the year as needed.

**MOTION: DECLARING THE BIDS RECEIVED FROM FIVE STAR EQUIPMENT AND GC CASTINGS FOR CUTTING EDGES, WINGS AND BLADES AS NON-RESPONSIVE MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: AWARDING THE CUTTING EDGES, WINGS AND BLADES BID ON A LINE ITEM BASIS TO AMERICAN BLADE MFG. LLC OF NORTH NORWICH, NY; CHEMUNG SUPPLY CORP OF ELMIRA, NY AND WINTER EQUIPMENT COMPANY OF WILLOUGHBY, OH; AND AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SOLICIT QUOTES FOR THOSE ITEMS FOR WHICH THERE IS NO RESPONSIBLE BIDDER MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**VII. OLD/NEW BUSINESS**

A. Ribbon Cutting – Mr. Spagnoletti stated as Mr. Mayo previously announced, there is a ribbon cutting for the bridge opening at CR65 in Hornellsville at 2:30 p.m. today. Everyone is invited to attend. He distributed copies of the program and noted that the project was done with County workers, not contractors. They did a great job.

*The January Public Works Committee Meeting will be held at 1:00 p.m. Tuesday, January 3<sup>rd</sup>, 2006.*

*A special Public Works Committee Meeting will be held on Monday, December 19<sup>th</sup> @ 9:30 a.m. for the purpose of awarding various bids.*

Mr. Spagnoletti stated one of the big changes we made under Mr. Mayo was a road trade and with change there is some resistance. In the late 1990's the County maintained Routes 415 and 417. The State maintained Route 333 and the end of Route 119. We made a trade with the State where we took 333 and 119. The idea behind it was in snowplowing and maintenance, it wasn't cost effective. By switching roads it fit into our snowplowing and maintenance and vice versa. Also, these two roads of the State were in bad shape because they were on the bottom of the State's priority list. We knew if we made the trade the people would get an upgraded road. We have a short power point with six slides regarding these four roads. *The Committee viewed the presentation.*

Mr. Mayo stated the State employees have been wonderful to work with. Steve Catherman has the inside track in working with them. He's been a great asset to the County and I think everyone realizes that. When Mr. Spagnoletti first started with the County we looked at the overall operations of the department. One of the things we realized was that there needed to be a consolidation of the districts and shops. We've done that one at a time and it was very beneficial. Mr. Mayo stated we knew there was going to be an uproar, but we agreed that the first consolidation would be in my district, District 10. Things went smoother than anticipated. There were some comments in the Troupsburg area which was the first to be consolidated. The concern was they wouldn't get the same service, but they have received the same service. Today we have 8 shops instead of 13. With those consolidations, there has come only minor comments and I think our own people came to realize it made sense. With this being my last meeting, there will continue to be changes and management realizes we can give people the same service with less cost. Thank you to Mr. Spagnoletti, Mr. Alger and the Committee for your assistance. So long, and it has been interesting. Mr. Spagnoletti stated I've been fortunate to have you here, it has been an honor.

Mr. Roche stated Mr. Mayo has set an example for all of us on how to conduct ourselves with honor. When people retire they sometimes receive gold watches or pins showing that they retire with honor. I hope this gift is something you will wear proudly as you go about your business. Mr. Mayo stated he wasn't expecting a gift as his gift has been the support of his district. *CONGRATULATIONS AND BEST WISHES HARLEY!*

**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 4-0.**

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

**MOTION: APPROVING THE PAYMENT OF A \$2,700 FUEL ADJUSTMENT TO RAMSEY CONSTRUCTION FOR THE CR110 BRIDGE OVER CANISTEO RIVER PROJECT MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. 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, January 3, 2006 at 1:00 p.m.  
STEUBEN COUNTY PUBLIC WORKS COMMITTEE**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Special Meeting**

Monday, December 19, 2005

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

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

<b>COMMITTEE:</b>	Harley R. Mayo, Chair L. Ronald Nielsen	Robert V. Nichols, Vice Chair	Kenneth E. Isaman
<b>STAFF:</b>	Mark R. Alger Bryce Foster James Gleason	Vincent Spagnoletti Frederick H. Ahrens, Jr. Lawrence Crossett	Steve Orcutt David English
<b>LEGISLATORS:</b>	Philip J. Roche, Esq. Patrick F. McAllister	DeWitt T. Baker, D.V.M. Thomas J. McIntyre	Patrick F. Donnelly John Walsh
<b>ABSENT:</b>	Francis L. Gehl		

**I. CALL TO ORDER**

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

**II. GENERAL BUSINESS**

**1. Bids**

a. *Marketing of Recyclable Material; White Goods & Scrap Metal* – Mr. Spagnoletti informed the committee that they received two bids. He recommended awarding the bid to Swarthout.

**MOTION: AWARDING THE BID FOR THE MARKETING OF RECYCLABLE MATERIAL; WHITE GOODS & SCRAP METAL TO SWARTHOUT RECYCLING OF BEAVER DAMS, NY FOR THE BATH LANDFILL SITE AT 48 PERCENT; ERWIN TRANSFER STATION AT 53 PERCENT, HORNELL TRANSFER STATION AT 44 PERCENT AND THE WAYLAND TRANSFER STATION AT 42 PERCENT MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

b. *Oxygen & Acetylene* – Mr. Spagnoletti informed the committee that last time this was bid was in 2003. There is a 30 percent increase in price from that time. There was a single bidder, Abbott Welding, and he recommended awarding the bid to that bidder.

**MOTION: AWARDING THE BID FOR OXYGEN & ACETYLENE TO ABBOTT WELDING SUPPLY CO., INC. OF HORNELL, NY FOR \$5,780.40 MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

c. *Marketing of Recyclable Materials – Scrap Tires* – Mr. Spagnoletti informed the committee they received one bid from Modern Recycling. When this was bid two years ago, the price was \$135.00 per ton. The price has gone up 35 percent to \$185.00 per ton. This year we had Huron, but they did not bid on this as they are filled up. We have 250 tons at \$185.00 per ton and the total price for the year will be \$45,000. If we were to rebid this, he has doubts as to whether we could get a better bid. He recommended awarding the bid to Modern Recycling. Mr. Gleason commented he doesn't think we would be better off to rebid. This is a reasonable bid considering the market.

**MOTION: AWARDING THE BID FOR MARKETING OF RECYCLABLE MATERIALS – SCRAP TIRES TO MODERN RECYCLING OF MODEL CITY, NY FOR \$185.00 PER TON MADE BY MR. NIELSEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **RFP's**

a. *Road Surface Management System* – Mr. Spagnoletti explained this is where we rate every mile of roads according to eight categories. He recommended awarding the bid to Hunt Engineers as they have the low bid and have also done this work for us before.

**MOTION: AWARDING THE RFP FOR THE ROAD SURFACE MANAGEMENT SYSTEM TO HUNT ENGINEERS, ARCHITECTS & LAND SURVEYORS, PC OF HORSEHEADS, NY FOR \$11,264.00 MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

b. *Recycling* – Mr. Spagnoletti recommended awarding the RFP for recycling to CECM for corrugated cardboard, old newspaper, glass, tin, and plastic. He commented that CECM has provided this service to us previously.

**MOTION: AWARDING THE RFP FOR RECYCLING TO CECM CORPORATION OF SUNDUSKY, NY FOR OLD CORRUGATED CARDBOARD, OLD NEWSPAPER, GLASS, TIN AND PLASTIC MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. **Budget Transfer** – Mr. Spagnoletti requested authorization to transfer money within the Hornell and Erwin Transfer Station from their major equipment and computer equipment line items to the building maintenance and parts and repairs line items.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$23,014.09 FROM ACCT #816070.5.290000 AND \$1,500.00 FROM ACCT #816070.5.295020 AND APPROPRIATING \$12,000.00 TO ACCT #816070.5.413000 AND \$12,514.09 TO ACCT #816070.5.451300 AND TRANSFERRING \$10,945.65 FROM ACCT #816069.5.290000 AND \$1,460.00 FROM ACCT #816069.5.295020 AND APPROPRIATING \$6,000.00 TO ACCT #816069.5.413000 AND \$6,405.65 TO ACCT #816069.6.451300 MADE BY MR. NICHOLS. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature