

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Tuesday, January 2, 2007**

**Legislative Committee Conference Room**

**Steuben County Office Building**

**3 East Pulteney Square**

**Bath, New York**

**MINUTES**

Committee: Robert V. Nichols, Chair                      Kenneth E. Isaman, Vice Chair                      L. Ronald Nielsen  
Thomas J. McIntyre                      Patrick F. McAllister, Esq.

Legislators: John Walsh

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

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

**I. CALL TO ORDER**

The meeting was called to order by Mr. Nichols at 9:07 a.m. He asked Mr. McIntyre to lead the group in the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE DECEMBER 5, 2006, MEETING MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. LANDFILL**

A. Cell 2 Design – Mr. Spagnoletti stated we need to hire a designer for Cell 2 at the Bath Landfill. He stated they expect to fill the first cell by 2010. In order to provide enough time to construct the second cell, he'd like to hire a designer by 2008. He requested authorization to solicit requests for qualifications for the design of Cell 2 at the Bath Landfill.

**MOTION: AUTHORIZING THE SOLICITATION OF REQUESTS FOR QUALIFICATIONS FOR THE DESIGN OF CELL 2 AT THE BATH LANDFILL MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Change Order – Mr. Spagnoletti stated he'd like to have metal canopies installed over the 3 doors at the new equipment shop. He requested approval of a change order for the canopies in the amount of \$6,666.

**MOTION: APPROVING THE CHANGE ORDER FROM ELMIRA STRUCTURES IN THE AMOUNT OF \$6,666 FOR THE INSTALLATION OF 3 METAL CANOPIES AT THE NEW EQUIPMENT SHOP MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. HIGHWAYS AND BRIDGES**

A. Saunders Bridge, Rathbone – Mr. Spagnoletti stated the design is about complete and they hope to begin construction this year. He has property purchase items regarding this bridge that he'd like to discuss in executive session at the end of the meeting.

V. **BIDS**

A. Guide Rail – Mr. Spagnoletti stated they are receiving good competition. He recommended awarding to the low bidder, Gregory Industries for a total bid price of \$122,946.50.

**MOTION: AWARDING THE GUIDE RAIL MATERIALS BID TO GREGORY INDUSTRIES OF CANTON, OH, FOR A TOTAL BID PRICE OF \$122,946.50 MADE BY MR. MCALLISTER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Tree Services – Mr. Spagnoletti recommended awarding the bid to the low bidder, Beers Tree Service. He noted that Hess submitted a bid on a per hour price and the bid documents specifically stated per diameter inch price. Mr. Gleason stated Hess was deemed a non-responsive bidder.

**MOTION: AWARDING THE TREE SERVICES BID TO BEERS TREE SERVICE, INC., OF CAMERON MILLS, NY, MADE BY MR. MCINTYRE. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Building Materials for Equipment Shop – Mr. Spagnoletti stated they received 3 bids and Shirley's Lumber was the lowest bidder. Mr. Gleason noted that Shirley's didn't include an extension on the cost per pound for nails but they discussed it with the Law Department and were told that they could get the price clarified with Shirley's. Therefore, they are recommending they award the bid to Shirley's Lumber. Discussion followed.

**MOTION: AWARDING THE BUILDING MATERIALS BID FOR THE EQUIPMENT SHOP TO SHIRLEY'S LUMBER OF BATH, NY, FOR \$11,000.50 CONTINGENT UPON THE PURCHASING DEPARTMENT RECEIVING A CLARIFICATION ON THE PER POUND PRICE FOR NAILS MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0-1. Mr. McIntyre abstained.**

D. Scrap Tires – Mr. Spagnoletti stated they bid this item differently this year and included the option of having the County deliver the scrap tires. Based upon the prices, it is cheaper for the County to truck the scrap tires to the low bidder than what it would cost for us to have them come pick them up.

**MOTION: AWARDING THE SCRAP TIRES BID, ALTERNATE 2, TO SENECA MEADOWS, INC., OF WATERLOO, NY, FOR \$65 PER TON MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Final Engineering Design – Mr. Spagnoletti stated this is to design the inside of the Bath Landfill Maintenance Facility. He recommended awarding the bid to LDG Engineers & Architects, PC, of Corning, NY, for \$29,000. Discussion followed.

**MOTION: AWARDING THE RFP FOR THE FINAL ENGINEERING DESIGN OF THE BATH LANDFILL MAINTENANCE FACILITY TO LDG ENGINEERS & ARCHITECTS OF CORNING, NY, FOR \$29,000 MADE BY MR. ISAMAN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. OGS Bids

1. **Liquid Petroleum Gas** – Mr. Spagnoletti requested authorization to purchase this item off of the OGS bid as necessary.

**MOTION: AUTHORIZING THE PURCHASE OF LIQUID PETROLEUM GAS OFF OF THE OGS BID AS NECESSARY MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

2. **Tires; New** – Mr. Spagnoletti stated the County normally purchases Goodyear tires off of the OGS bid. The last time the County solicited bids on this item was 1994. He stated they are considering soliciting bids for new tires again this year. He noted that Mr. Begin is checking to see if it would be feasible. Discussion followed.

**MOTION: AUTHORIZING THE PURCHASE OF NEW TIRES OFF OF THE OGS BID AND AUTHORIZING THE PURCHASING DEPARTMENT TO REVIEW THE FEASIBILITY OF SOLICITING COUNTY BIDS FOR NEW TIRES MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Snow, Ice Control Treated Salt** – Mr. Spagnoletti requested authorization to purchase this item off of the OGS bid. Discussion followed.

**MOTION: AUTHORIZING THE PURCHASE OF TREATED SALT OFF OF THE OGS BID AS NECESSARY MADE BY MR. ISAMAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

4. **Automotive Filters** – Mr. Spagnoletti stated they tried to use the OGS bid in the past but it didn't work out very well. He stated they'd like to try it again, as it is a different vendor. Mr. Begin noted that they will get more information from them and see if they can meet our needs.

**MOTION: AUTHORIZING THE PURCHASE OF AUTOMOTIVE FILTERS OFF OF THE OGS BID PROVIDED THE PURCHASING DEPARTMENT DETERMINES THE VENDOR CAN MEET THE COUNTY'S NEEDS ON THIS ITEM MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

5. **Automotive Replacement Parts** – Mr. Spagnoletti stated the bidder on OGS for this item is out of Elmira and they have a franchise in Bath that will work with us. He stated they'd like to utilize the OGS bid for this item if it's practical.

**MOTION: AUTHORIZING THE PURCHASE OF AUTOMOTIVE REPLACEMENT PARTS OFF OF THE OGS BID MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

6. **Calcium Chloride Flakes/Pellets** – Mr. Spagnoletti stated they purchase approximately 25 tons a year. He noted they can purchase it delivered off of the OGS bid.

**MOTION: AUTHORIZING THE PURCHASE OF CALCIUM CHLORIDE FLAKES/PELLETS OFF OF THE OGS BID MADE BY MR. ISAMAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

7. **Corrugated Pipe** – Mr. Spagnoletti stated the two main bidders on the OGS bid both have a local supplier.

**MOTION: AUTHORIZING THE PURCHASE OF CORRUGATED PIPE OFF OF THE OGS BID MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

## **VI. OTHER BUSINESS**

Mr. Nielsen asked about the status of the timber in Prattsburgh. Mr. Ahrens stated he spoke with John Leyden, Prattsburgh's Town Attorney, and he is going to discuss it with the town board at their next meeting.

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

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

**MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO NEGOTIATE WITH REA FOR THE GAS TO ENERGY PROJECT AT THE BATH LANDFILL MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0-1. *Mr. Nichols abstained.***

**MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO MAKE PURCHASE OFFERS ON PROPERTY NECESSARY FOR THE SAUNDERS ROAD BRIDGE PROJECT MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

Respectfully submitted by,

Brenda K. Mori  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, February 6, 2007  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Tuesday, February 6, 2007*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

**COMMITTEE:** Robert V. Nichols, Chair Patrick F. McAllister L. Ronald Nielsen

**STAFF:** Mark R. Alger Gregory P. Heffner Vincent Spagnoletti  
Steve Catherman Steve Orcutt Phil Hnk  
John Emo Kevin Voorhees Pete Messmer  
Doreen Ames Carol Whitehead James Gleason  
Jaques Begin Frederick H. Ahrens, Jr. David English

**LEGISLATORS:** John Walsh

**ABSENT:** Kenneth E. Isaman, Vice Chair Thomas J. McIntyre

**OTHER:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:07 a.m. He asked Mr. Nielsen to lead the Pledge of Allegiance.

**II. OPPORTUNITY FOR PUBLIC COMMENT**

Mr. Nichols opened the floor for public comment. There being none, he declared the opportunity for public comment closed

**III. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JANUARY 2, 2007 MEETING MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**IV. LANDFILL**

A. **“Official Regulations for Solid Waste Management”** – Mr. Spagnoletti distributed copies of the updated “Official Regulations for Solid Waste Management” and reviewed the changes with the committee. *A copy is filed with the official minutes in the Clerk of the Legislature’s Office.*

**MOTION: ACCEPTING THE CHANGES TO THE “OFFICIAL REGULATIONS FOR SOLID WASTE MANAGEMENT” AS PRESENTED BY THE COMMISSIONER OF PUBLIC WORKS MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**V. HIGHWAYS & BRIDGES**

A. **CR 46, Dansville – Release of Highway Option** – Mr. English explained there are a couple of old options on CR 46 that go back to the 1960’s. We actually relocated the bridge back then as well as changed the alignment of the road. After those jobs were done, the deeds were delivered. We are now being asked to release the option, but acknowledge that the present configuration will remain the county’s. That has been done and he is requesting permission to execute the release of the highway option.

**MOTION: AUTHORIZING THE LAW DEPARTMENT TO RELEASE THE HIGHWAY OPTION ON CR 46 IN THE TOWN OF DANVILLE MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. Call Hill Road, Hartsville – Transmission Line Easement – Mr. English informed the committee that the wind farm, Airtricity, is looking to put wind towers in Hartsville on Call Hill Road. That is a town road and they dealt with the town to run a transmission line in the right of way. The county has property on Call Hill Road, the wildlife refuge. Before the towers can go up, they need to obtain permission and acknowledgement from the landowners, and the County is one of the landowners.

**MOTION: GRANTING PERMISSION TO AIRTRICITY TO RUN A TRANSMISSION LINE IN THE RIGHT OF WAY ON CALL HILL ROAD FOR THE PURPOSES OF SUPPLYING POWER TO THE PROPOSED WIND FARM IN THE TOWN OF HARTSVILLE ON CALL HILL ROAD MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

C. CR 39, Cohocton – Mr. Spagnoletti explained this project deals with approximately a mile of this road that has bad drainage and storm water is going into front yards. We intersect with the State road with the bad drainage. He contacted Senator Winner and Assemblyman Bacalles about getting funding to do this project. They expect to bid the project on April 23, 2007 and finish it by the end of October.

Mr. Spagnoletti stated they received a letter from Senator Winner and Assemblyman Bacalles informing them that they have been awarded a \$331,000 multi-modal grant. We are required to approve a contract agreement with New York State for this funding.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A CONTRACT AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR A \$331,000 MULTI-MODAL FUNDING GRANT FOR CR 39 IN COHOCTON MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.**

Mr. Spagnoletti informed the committee that the New York State Department of Transportation portion of this project is \$870,000. We are the lead agency and we are contracting the project out. He requested approval of a resolution to contract with DOT for them to fund their portion of the project.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR \$870,000 WHICH REPRESENTS THEIR PORTION OF THE CR 39 PROJECT MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.**

Mr. Spagnoletti commented the total project is \$345,000 more than they had budgeted. Because they are up fronting the funding, he requested authorization to transfer \$345,000 from “Outside Funding” to “Total Appropriation”.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$345,000 FROM “OUTSIDE FUNDING” TO “TOTAL APPROPRIATION” TO COVER THE CR 39 PROJECT MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.**

D. D5 Dozer – Mr. Spagnoletti informed the committee that last year they bought a D5 Dozer and paid for it with last year’s funding. We were told that we would receive \$50,000 in funding from Senator Winner and Assemblyman Bacalles to fund it and now DOT requires us to execute an agreement to provide for the reimbursement of the \$50,000.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXECUTE AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE \$50,000 FUNDING GRANT FROM SENATOR WINNER AND ASSEMBLYMAN BACALLES FOR THE PURCHASE OF THE D5 DOZER MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.**

E. Pavement Striping Truck – Mr. Spagnoletti informed the committee that they are looking at purchasing a pavement striping truck in conjunction with Yates and Schuyler counties. The cost of the pavement striping truck is \$285,000 and the broom truck is \$40,000. The Purchasing Department is working on a bid.

Mr. Messmer explained we received a shared services grant award of \$292,368 and that includes the paint truck and the one ton pickup with broom. In the agreement, the ownership will be split one-third across the three counties. We are the lead agency and we will be receiving the funding. Each county will contribute \$10,000 - \$12,000, which will come back to us. The compensation for the operation of the paint truck will come back to us through in-kind shared services. A joint account for repairs will be set everyone will contribute to that. The other element is the insurance. We will have to pick up additional auto insurance to cover the truck, but the other counties will reimburse us with in-kind services. When the truck is operated and stored in the other counties, they will be liable through their insurance. The one-ton pickup will be built into that agreement. Mr. Messmer stated they reviewed this with the Law Department and they have the final draft out.

Mr. Ahrens commented the vehicular insurance will stay in our name. The other insurance with the other counties is for general liability issues. We will be registering the vehicle.

Mr. McAllister asked what types of in-kind services would there be? Mr. Messmer replied shared equipment. For example, at one time, we borrowed a Jersey gravel spreader and dump truck and the operator. Mr. Spagnoletti commented we have a really good relationship with these counties.

Mr. English commented we provide the drivers for the truck, but each county provides their own flagmen, etc. Mr. Messmer commented there were other counties who put in for a paint truck and didn't get it. This is a feather in our cap.

Mr. McAllister asked what happens if one municipality wants out? Mr. English explained the contract has a certain minimum length that is determined by the grant document. It may go longer. Any county can opt out on notice of what he believes is six months. There will be no compensation at that time because the other two counties may want to continue on. There is no reason to share in any grader than one-third of the disposal proceeds. When we dispose of the equipment, whatever is realized from the proceeds will be divided equally.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT A GRANT IN THE AMOUNT OF \$292,368 FOR A PAINT STRIPING TRUCK AND PICKUP TRUCK WITH BROOM BASED UPON THE NOTICE OF AWARD AND APPROVING AN AGREEMENT WITH SCHUYLER AND YATES COUNTIES FOR THE USE OF SUCH TRUCK MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.**

Mr. Spagnoletti requested authorization to add the paint striping truck and broom truck to their major equipment.

**MOTION: AUTHORIZING THE ADDITION OF ONE PAINT STRIPING TRUCK AND ONE BROOM TRUCK TO THE PUBLIC WORKS MAJOR EQUIPMENT LIST MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

F. 2006 Road and Bridge Ratings – Mr. Spagnoletti explained bridge ratings are done every year throughout the State by consulting engineers. Our rating in 1992 was 39 percent deficient and in 2006 we had a rating of 18 percent deficient. This is a credit to Steve Catherman, the engineering staff and the field crews.

Mr. Alger commented bear in mind, we have more bridges than any other county. When you look at the State, he thinks we are in really good shape and that is a credit to the engineering staff and bridge crews and what they have been able to do. Mr. Spagnoletti commented the State and Federal funding has been huge. Over the last five years, we have received \$15 million. With the four or five huge bridge projects we had, the \$15 million was a big help.

Mr. Messmer stated he has been doing soil testing on ten county roads. There is a lot of material we can reclaim and reuse. He explained the middle of the roads, there is a structure that has asphalt, below that there is another layer of penetration macadam which dates back to the 1920's – 1930's. There are three inches underneath and then they applied asphalt from the top which came down through and glued it together. That made a new tough layer. Underneath that is 6 – 8 inches of stone base. That stone is large fieldstone. This is the type of structure that we have under 80 – 90 percent of county roads. The structure on those roads is 10 – 12 feet wide and after that is where we run into problems. The roads are pushed out 5 feet on each side, although it's not always on each side. This gives us a good 8 – 10 inches of material to work with. Through recycling technology, we are trying to capture that. We are setting up the soils lab so we can understand what is out there and how we can most effectively recycle it.

Mr. Spagnoletti stated that the ratings on poor roads in 2005 were 90 miles poor and in 2006 60 miles were poor. That is approximately 9 percent of our roads. He would like to try to get that down to 5 percent. This year, the big decrease is a credit to Bryce Foster as he had talked about getting a new four-foot grinder and fixing the real bad parts. Mr. Foster got a ten-foot grinder and they go through the poor roads and grind them, roll and put a coat of oil and chips. That keeps those roads smooth for two to four years and that has made a huge difference.

Mr. Spagnoletti stated the road system as a whole has a rating of almost three. The system as a whole is getting better. Poor roads historically in the county are split between the northern portion and southern portion. In 2006 there were 20 in the northern part and 32 in the southern part. During 2006 we worked on CR 120, 116, 84, 117, 82, 21, 110, 10A, 12 Birdseye Hollow, 14, 55, 54 and 50. Slide areas in 2005 were on CR 46, 68, 60, 101, 80, 8, 89 and 116. Mr. Nichols commented the decrease shows we have a good team and that they are getting something done.

G. 2007 Road and Bridge Project Schedule – Mr. Spagnoletti reviewed the 2007 road and bridge project schedule with the committee. He commented that they do not have any specific guide rail projects, but they will concentrate on getting caught up. They need to spend approximately \$4.3 million per year to keep the roads even and this year there was \$4.5 million budgeted.

## VI. BIDS

A. Prestressed Beams – CR 129, Bridge 2, Woodhull – Mr. Spagnoletti recommended awarding the bid to the low bidder, L.C. Whitford.

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS FOR CR 129, TUSCARORA CREEK TO L.C. WHITFORD MATERIALS CO., INC. OF WELLSVILLE, NY FOR \$95,841.00 MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. Prestressed Beams – Dry Run Road over Dry Run Creek, Town of Hornby – Mr. Spagnoletti recommended awarding the bid to the low bidder, L.C. Whitford.

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS FOR DRY RUN ROAD OVER DRY RUN CREEK, TOWN OF HORNBY TO L.C. WHITFORD MATERIALS CO., INC. OF WELLSVILLE, NY FOR \$76,743.00 MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

C. Undercarriage Repair – Caterpillar 963B – Mr. Spagnoletti recommended awarding the bid to the sole bidder, Milton Caterpillar. Mr. Nielsen asked how bad is the machine? Mr. Emo replied they will be doing the complete undercarriage. It is a good machine and with this repair we will get a three-year, 40,000-hour warranty.

**MOTION: AWARDING THE BID FOR THE UNDERCARRIAGE REPAIR – CATERPILLAR 963B TO MILTON CATERPILLAR OF ROCHESTER, NY FOR \$18,647.04 MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

D. High Sulfur Diesel Fuel – Mr. Spagnoletti requested authorization to extend their current contract with Griffith Oil of Rochester, NY. The original agreement expired in September 2006 and he requested that the extension be retroactive to that date. The price varies depending upon the market.

**MOTION: EXTENDING THE BID FOR HIGH SULFUR DIESEL FUEL TO GRIFFITH OIL OF ROCHESTER, NY RETROACTIVE TO SEPTEMBER 2006 MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

E. Concrete Blocks – Mr. Spagnoletti recommended awarding the bid to the low bidder, Knight Settlement Sand & Gravel, L.L.C. of Bath, NY.

**MOTION: AWARDING THE BID FOR CONCRETE BLOCKS TO KNIGHT SETTLEMENT SAND & GRAVEL, L.L.C. OF BATH, NY FOR \$28,900.00 MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

F. Ready Mix Concrete – Mr. Spagnoletti recommended awarding the bid to the low bidder on a line item, per quadrant basis.

**MOTION: AWARDING THE BID FOR READY MIX CONCRETE FOR QUADRANT ONE TO WADES COAL & CONCRETE, INC. OF ADDISON, NY AND HANSON AGGREGATES BRD, INC. OF PAVILION, NY; QUADRANT TWO TO HANSON AGGREGATES BRD, INC. OF PAVILION, NY, L.C. WHITFORD CO., INC. OF WELLSVILLE, NY AND WADES COAL & CONCRETE, INC. OF ADDISON, NY; QUADRANT THREE TO ELAM SAND & GRAVEL CORPORATION OF WEST BLOOMFIELD, NY AND L.C. WHITFORD CO., INC. OF WELLSVILLE, NY AND QUADRANT FOUR TO HANSON AGGREGATES BRD, INC. OF PAVILION, NY AND KNIGHT SETTLEMENT SAND & GRAVEL, L.L.C. OF BATH, NY MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

G. Sale of Scrap Steel – Mr. Spagnoletti recommended awarding the bid for Pile No. 1 to Hornell Waste Materials, Co., Inc. of Hornell, NY and Pile No. 2 to Swarthout Recycling of Beaver Dams, NY.

**MOTION: AWARDING THE BID FOR THE SALE OF SCRAP STEEL, PILE NO. 1 TO HORNELL WASTE MATERIALS, CO., INC. OF HORNELL, NY AND PILE NO. 2 TO SWARTHOUT RECYCLING OF BEAVER DAMS, NY MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

## VII. OLD/NEW BUSINESS

A. Tours – Mr. Catherman informed the committee that a couple of months ago, representatives from county highway departments in Minnesota, along with State and Federal representatives came out and toured some of our bridges. We were able to share ideas, designs and problems. This was very good and is something we should think about doing ourselves, with regard to going and touring other states and seeing how they do things. Mr. Spagnoletti stated Ontario County recently sent engineers down to look at our box culverts.

B. Doppler System – Mr. Hink informed the committee that they have a new Doppler system at Station 3 that forecasts snow. It tells us how much salt we should be putting down. He explained this is a satellite system and we purchased points throughout the County. It tells us the road temperature, the precipitation that is expected, the NYSDOT recommended applications for what we should start out with before we even leave the shops.

C. Soils Lab – Mr. Spagnoletti stated that Mr. Messmer is currently building the soils lab. They have Steve Flaitz who is working with them during this process and is building the cabinets.

D. Meeting Date – Mr. Spagnoletti requested the March meeting be changed, as he will be in Washington at a meeting. The committee was in agreement to move the March meeting to Thursday, March 8<sup>th</sup> at 9:00 a.m.

E. Funding Proposals – Mr. Nichols commented that he saw that in the Governor's funding proposals he took out \$100,000. That will cost us in CHIPS funding. Mr. Spagnoletti stated CHIPS funding is decreasing by \$13 million. Mr. Nichols stated that he would recommend sending a letter to the Legislature requesting restoring that funding. If the State steps up and takes over the County share of Medicaid in exchange, he wouldn't complain. But they aren't and we still have that major expense.

**MOTION: MEMORIALIZING THE GOVERNOR AND THE STATE LEGISLATURE TO RESTORE CHIPS FUNDING MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.**

## VIII. 2006 GOAL REVIEW

Mr. Spagnoletti reviewed the major goals accomplished during 2006.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. 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. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**  
**\*\*PLEASE NOTE CHANGE\*\*Thursday, March 8, 2007\*\*PLEASE NOTE CHANGE\*\***  
**9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Thursday, March 8, 2007**

**9:00 a.m.**

**Legislative Committee Conference Room  
Steuben County Office Building  
3 East Pulteney Square  
Bath, New York**

**MINUTES**

Committee: Robert V. Nichols, Chair                      Kenneth E. Isaman, Vice Chair                      L. Ronald Nielsen  
Patrick F. McAllister, Esq.                      Thomas J. McIntyre

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

Staff: Mark R. Alger                      Vincent Spagnoletti                      Frederick Ahrens, Esq.  
Bryce Foster                      Mike Stone                      James Gleason  
Jacques Begin                      Doreen Ames                      Bonnie Kastner  
Phil Hink                      Steve Orcutt                      David English, Esq.  
Steve Catherman

Other: Kevin Voorhees, Barton Loguidice                      Mary Perham, *Leader*

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE FEBRUARY 6, 2007, MEETING MADE BY MR. ISAMAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. LANDFILL**

A. Green Glass – Mr. Spagnoletti stated in 2003 people had asked if we would begin accepting green glass. We set up a bin at the Bath Landfill to test the practice. They'd mix it in with the clear glass on a steady basis so it wouldn't decrease the value of the clear glass. He stated Mrs. Kastner and the crew were able to ensure the value wasn't decreased so he is recommending doing this same procedure at the other sites.

Mr. Alger stated they need to monitor the other sites it to make sure they don't get too much green glass. Mr. Spagnoletti stated there is a recycling person at each site so they would monitor it. Discussion followed.

**MOTION: ALLOWING THE RECYCLING OF GREEN GLASS AT ALL SITES MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Incinerator Ash – Mr. Spagnoletti stated there is a market now to use incinerator ash as a beneficial use determined material (BUD). This is used as a daily cover for the garbage. We currently use 3 types of BUD material. They can charge \$12/ton for incinerator ash. He asked Mr. Voorhees to explain the use of the ash.

Mr. Voorhees stated there are 10 waste energy plants in the state and it comes out of each plant in a moist condition. The one we will be working with is in Hudson Valley, NY. The ash weighs a lot because it is moist but the space it takes up is minimal. It is a real nice material to bring in and it just replaces the soil.

Mr. Nichols asked would the ash hinder the gas collection? Mr. Voorhees stated it would not. He noted that these plants are heavily regulated by DEC and they have to test the ash on a frequent basis before it is sent out. This particular plant is operated privately under contract with Warren County. Discussion followed.

**MOTION: SETTING THE PRICE FOR INCINERATOR ASH AT \$12 PER TON MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**IV. HIGHWAYS/BRIDGES**

A. CR39 Construction Inspection – Mr. Spagnoletti stated the state originally was going to send their inspector to inspect the construction but they don't have the staff available. He requested authorization to contract with Fisher Associates do the construction inspection for \$116,781 and it is 100 percent State funded.

**MOTION: AUTHORIZING AN AGREEMENT WITH FISHER ASSOCIATES FOR CONSTRUCTION INSPECTION ON THE CR39, COHOCTON, ROAD DRAINAGE PROJECT FOR \$116,781 MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. CR73 Bridge over Tioga River Design Funding – Mr. Spagnoletti requested authorization to enter into an agreement with NYSDOT for \$305,000 for the funding of the design and right of way work associated with the CR73 Bridge over Tioga River.

**MOTION: AUTHORIZING AN AGREEMENT WITH THE NYS DEPARTMENT OF TRANSPORTATION FOR \$305,000 FOR THE DESIGN AND RIGHT OF WAY WORK ASSOCIATED WITH THE CR73 BRIDGE OVER TIOGA RIVER MADE BY MR. ISAMAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. CR73 Bridge over Tioga River Design – Mr. Spagnoletti requested authorization to contract with Fisher Associates for the design and right of way incidentals associated with the CR73 bridge project. He noted the project is eligible for 80 percent Federal funding and they have applied for Marcheselli funding. They are waiting for Federal and State authorization on this project.

**MOTION: AUTHORIZING AN AGREEMENT WITH FISHER ASSOCIATES UP TO \$285,000 FOR THE DESIGN AND RIGHT OF WAY INCIDENTALS FOR THE CR73 BRIDGE OVER TIOGA RIVER PROJECT PENDING STATE AND FEDERAL APPROVAL MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Pothole Killer – Mr. Spagnoletti requested authorization to lease the Pothole Killer for 3 months at \$20,000 and, if necessary, a fourth month for an additional \$5,000. Discussion followed.

**MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO LEASE THE POTHOLE KILLER FOR 3 MONTHS FOR \$20,000 AND, IF NECESSARY, A 4<sup>TH</sup> MONTH FOR \$5,000 MADE BY MR. MCINTYRE. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**V. BIDS**

A. Liquid Bituminous Materials – AEPM – Mr. Spagnoletti stated they had good competition on this bid. He recommended awarding it to Vestal Asphalt for \$1.05/gallon.

**MOTION: AWARDED THE LIQUID BITUMINOUS MATERIALS - AEPM BID TO VESTAL ASPHALT OF VESTAL, NY, FOR \$1.05/GALLON MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Liquid Bituminous – State – Mr. Spagnoletti recommended awarding the bid on a line item basis to Central Asphalt, Midland Asphalt for emulsion with distributor and to Vestal Asphalt and Central for emulsion for cold mix; and award the rental of equipment to all bidders based upon availability. Discussion followed.

**MOTION: AWARDING THE LIQUID BITUMINOUS MATERIALS BID ON A LINE ITEM BASIS TO CENTRAL ASPHALT OF WATKINS GLEN, NY; MIDLAND ASPHALT OF TONAWANDA, NY, FOR EMULSION WITH DISTRIBUTOR; TO VESTAL ASPHALT OF VESTAL, NY, AND CENTRAL ASPHALT OF WATKINS GLEN, NY, FOR EMULSION FOR COLD MIX; AND TO CENTRAL ASPHALT OF WATKINS GLEN, NY; MIDLAND ASPHALT OF TONAWANDA, NY; VESTAL ASPHALT OF VESTAL, NY; AND AL BLADES OF HORNEILL, NY, FOR THE RENTAL OF EQUIPMENT BASED UPON AVAILABILITY MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Liquid Bituminous – Non-State Specifications – Mr. Spagnoletti recommended awarding the bid on a line item basis to Central Asphalt and Vestal Asphalt.

**MOTION: AWARDING THE LIQUID BITUMINOUS - NON-STATE SPECIFICATIONS BID ON A LINE ITEM BASIS TO CENTRAL ASPHALT OF WATKINS GLEN, NY, AND VESTAL ASPHALT OF VESTAL, NY, MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Prestressed Concrete Bridge Beams – Mr. Spagnoletti recommended awarding the bid to Jefferson Concrete Corporation for \$44,383.

**MOTION: AWARDING THE PRESTRESSED CONCRETE BRIDGE BEAMS BID FOR BR.#21-32-1 TUTTLE ROAD OVER FIVE MILE CREEK, TOWN OF PRATTSBURGH, TO JEFFERSON CONCRETE CORPORATION OF WATERTOWN, NY, MADE BY MR. ISAMAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

## **VI. OTHER BUSINESS**

A. 2007 Major Goals – Mr. Spagnoletti presented and reviewed the major goals for the Public Works Department for 2007. *A copy of the goals can be found on file with the official minutes in the Clerk of the Legislature's Office.*

B. Meeting Date Change – The Committee agreed to change the date of their April meeting to Wednesday, April 4<sup>th</sup> at 1:00 p.m.

C. Conference Update – Mr. Spagnoletti stated he attended the NACO Conference in Washington and went to the Transportation Committee meeting. He stated the meeting was centered on traffic congestion. The comment was made that now that road systems are built we need to expand them to handle the congestion. However, now that the systems are finished being built, they need to be constructed to current standards. The cost to maintain the system is \$250 million and the cost to improve the system is \$107 billion. He also noted that fuel consumption could decline by 20 percent by 2025, which would result in a decrease in revenue. Discussion followed.

Mr. Spagnoletti stated they also spoke positively regarding the need for rail. The problem is, 4 major companies control the rails so it is hard to deal with them. Mr. Nichols stated the rails would work better if the government owned the lines. Then the tracks could be toll miles and you would have competition on the rail.

**MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. ISAMAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

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

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

**NEXT MEETING SCHEDULED FOR  
Wednesday, April 4, 2007  
1:00 p.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Wednesday, April 4, 2007*

*1:00 p.m.*

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

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

**COMMITTEE:** Robert V. Nichols, Chair Patrick F. McAllister Thomas J. McIntyre  
L. Ronald Nielsen

**STAFF:** Mark R. Alger Vincent Spagnoletti James Gleason  
Jacques Begin Bryce Foster Phil Hink  
Steve Orcutt John Emo Mike Stone  
Steve Catherman Peter Messmer Doreen Ames  
Frederick H. Ahrens, Jr. David English

**LEGISLATORS:** John Walsh

**ABSENT:** Kenneth E. Isaman, Vice Chair

**OTHER:** Mary Perham, *The Leader*

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 1:05 p.m. He asked Mr. McIntyre to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MARCH 8, 2007 MEETING MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. PUBLIC COMMENT**

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

**IV. DEPARTMENTAL REPORTS/REQUESTS**

A. Landfill

1. **Change Order** – Mr. Spagnoletti informed the committee they need to do a change order to the design for the Bath Landfill Maintenance Building as they did not include the Lubricant Oil and Compressed Air Supply System in the scope of requirements. The amount of the change order is \$1,854.

**MOTION: APPROVING A CHANGE ORDER FOR LARSON DESIGN GROUP FOR THE BATH LANDFILL MAINTENANCE BUILDING FOR A LUBRICANT OIL AND COMPRESSED AIR SUPPLY SYSTEM IN THE AMOUNT OF \$1,854.00 MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Cell 2 Design Engineer** – Mr. Spagnoletti informed the committee they will have Cell 1 filled in 2010. We want to give ourselves a year ahead of that to have Cell 2 finished and we would like to do the design this year and build in 2008. Usually we ask for proposals from different engineers, but there is a law that would allow us to pick one engineer and not have to go through multiple proposals.

Mr. Ahrens explained a number of years ago, when you had a professional service you hired who you wanted and there was no bidding. This led to corruption. The State passed an amendment to 103 of the Municipal Law with

respect to the procurement policy. With regard to professional services you have to put out an RFP, however, they did set forth circumstances that in the discretion of the governing body, the selection of alternative proposals will not be in the best interest of the political subdivision therein. In talking with Mr. Spagnoletti, he made a compelling case for going with Barton Loguidice who designed cell 1. Mr. Ahrens stated his opinion is that with this statute, if you are going to waive the proposal requirement, that needs to be done in an open meeting. He would point out that Barton Loguidice has designed cell 1 and a new engineer coming in would have to reinvent the wheel and there would be overhead associated with that. Legally you can do this. You can still say no and solicit bids. That is your choice.

Mr. Spagnoletti commented Barton Loguidice is recognized as being one of the, if not the best landfill engineer in the State. There are 21 publicly operated facilities in the State and Barton Loguidice does 13 of those. The Department of Environmental Conservation has a huge level of comfort with them. We have had experience with them at the Bath, Lindley and Erwin landfills. When they designed cell 1, the Department of Environmental Conservation could have made us put a cap on the existing landfill and that would have cost \$1.8 million and used 20,000 tons of space. Barton Loguidice explained that we had a good landfill and the Department of Environmental Conservation agreed. As the engineer for the Erwin Landfill, that was listed as a toxic waste dump and Barton Loguidice had the contract to design the cleanup of the landfill and showed the Department of Environmental Conservation that it was not toxic and we were delisted. In the end, we didn't have to do anything to it. That could have easily been a \$2 million project.

Mr. Spagnoletti stated they have an in-depth knowledge of our landfill and did a 50-year analysis of it. They designed the cap and gas pipe system that will connect to the electric plant. The gas lines will be connected together and this will minimize any omissions and we will have one engineer working on the entire thing. It will be less costly for them to design cell 2. He commented that he believes the award should be given to Barton Loguidice. They will give us their prices and we will look at those very closely and work up an agreement with them.

Mr. McIntyre asked are we approving a contract with them prior to knowing what the price will be? Mr. Alger stated we are asking you to approve no soliciting RFP's and authorizing Mr. Spagnoletti to negotiate a contract.

Mr. McIntyre asked how long are the cells good for? Mr. Spagnoletti replied cell one is good until 2010, cell 2 will be good until 2015 and the following cell would be five years after that and so on.

**MOTION: APPROVING THE REQUEST OF THE PUBLIC WORKS DEPARTMENT TO NOT SOLICIT RFP'S FOR CELL 2 DESIGN ENGINEER AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO NEGOTIATE A CONTRACT WITH BARTON LOGUIDICE FOR THOSE SERVICES MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. **Earth Day** – Mr. Spagnoletti informed the committee that April 22, 2007 is Earth Day. On April 21, 2007 we will do electronics recycling day in conjunction with Corning Incorporated at the Erwin Landfill from 9:00 a.m. – noon. Tire Amnesty Day will be held on April 28, 2007 at the Bath Landfill from 8:00 a.m. – noon.

B. Highways and Bridges

1. **Saunders Road Town Bridge, Rathbone** – Mr. Spagnoletti informed the committee that they received a bid for the Saunders Road Bridge in the Town of Rathbone. He requested authorization to enter into an agreement with the New York State Department of Transportation for \$2,483,800.00 for construction and inspection of the bridge. This is 80 percent federally funded and we are responsible for 5 percent, which equates to \$124,190.00.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR \$2,483,800.00 FOR CONSTRUCTION AND INSPECTION OF THE SAUNDERS ROAD BRIDGE IN THE TOWN OF RATHBONE MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

Mr. Spagnoletti requested authorization to enter into an agreement with Bergman Associates for construction inspection and support for \$225,821.00. He explained that approximately \$4,000 of that is design change orders.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH BERGMAN ASSOCIATES FOR CONSTRUCTION INSPECTION AND SUPPORT FOR THE SAUNDERS ROAD BRIDGE IN THE TOWN OF RATHBONE IN THE AMOUNT OF \$225,821.00 MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Spagnoletti requested authorization to award the bid for construction of the Saunders Road Bridge in the Town of Rathbone to the low bidder, Ramsey in the amount of \$2,384,326.00.

**MOTION: AWARDING THE BID FOR THE CONSTRUCTION OF THE SAUNDERS ROAD BRIDGE IN THE TOWN OF RATHBONE TO THE LOW BIDDER, RAMSEY CONSTRUCTORS, INC. OF LAKEVILLE, NY FOR \$2,384,326.00 MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Spagnoletti requested authorization to transfer \$100,000 from account #5120H5, CR 110 into account #5120H7, Saunders Road Bridge.

**MOTION: AUTHORIZING THE TRANSFER OF \$100,000 FROM ACCOUNT #5120H5, CR 110 TO ACCOUNT #5120H7, SAUNDERS ROAD BRIDGE MADE BY MR. McALLISTER. SECONDED BY MR. McINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

Mr. Spagnoletti commented they expect substantial completion of the bridge in July and final completion in August.

2. **Change Order, Great Lakes Building System** – Mr. Spagnoletti informed the committee that Great Lakes Building System wants to put in our fire and security system for the soils lab facility. They have the contract for our other buildings. The cost is \$3,531.00.

Mr. Nichols asked how is that project coming? Mr. Messmer replied the framing is done and the utilities are in. We are waiting on the electrical inspection so that we can close up the walls. We are probably three to four weeks away from moving in. We have the temporary lab at Station 3.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO AWARD THE CHANGE ORDER FOR THE SECURITY AND FIRE ALARMS FOR THE SOILS LAB FACILITY TO GREAT LAKES BUILDING SYSTEM FOR \$3,531.00 MADE BY MR. McINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Bids

1. **Liquid Bituminous Materials (State and Non-State)** – Mr. Spagnoletti asked the committee to rescind their motion from last month for the last two pages of the bids as they were for information only. This applies to the third page of the State specs and the last two sections on the Non-State specs.

**MOTION: RESCINDING THE PREVIOUS MONTH'S MOTION REGARDING PAGE 3 OF THE STATE SPECS AND THE LAST TWO SECTIONS ON THE NON-STATE SPECS REGARDING THE LIQUID BITUMINOUS MATERIALS BID AS THEY WERE FOR INFORMATIONAL PURPOSES ONLY MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

2. **Pavement Grinding Equipment Rental** – Mr. Spagnoletti stated they received one bid from Central Asphalt. He recommended awarding the bid to Central Asphalt.

Mr. Nichols asked how much would it cost to purchase our own grinder? Mr. Spagnoletti replied \$1.2 - \$1.3 million.

**MOTION: AWARDING THE BID FOR PAVEMENT GRINDING EQUIPMENT RENTAL TO CENTRAL ASPHALT, DIVISION OF SUIT-KOTE OF WATKINS GLEN, NY MADE BY MR. McINTYRE. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

3. **Asphalt Concrete FOB Plant** – Mr. Spagnoletti stated the price has gone up 21 percent from last year. He recommended awarding to all bidders.

**MOTION: AWARDING THE BID FOR ASPHALT CONCRETE FOB PLANT TO ELAM MATERIALS, INC. OF MT. MORRIS, NY, BLADES CONSTRUCTION PRODUCTS CORP., OF HORNEILL, NY AND DALRYMPLE GRAVEL & CONTRACTING CO., INC. OF PINE CITY, NY MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

4. **Asphalt Concrete – Miscellaneous In-Place** – Mr. Spagnoletti recommended awarding the bid on a per quadrant basis to the low bidder.

**MOTION: AWARDING THE BID FOR ASPHALT CONCRETE – MISCELLANEOUS IN-PLACE TO CHEMUNG CONTRACTING CORPORATION OF PINE CITY, NY FOR QUADRANT 1 - \$56.00 PER TON, QUADRANT 2 - \$59.00 PER TON AND QUADRANT 3 - \$58.00 PER TON AND QUADRANT 4 TO A.L. BLADES & SONS, INC. OF HORNEILL, NY \$69.60 PER TON MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

5. **Cold In-Place Recycling** – Mr. Spagnoletti recommended awarding to Central Asphalt for CR 121 and CR 123.

**MOTION: AWARDING THE BID FOR COLD IN-PLACE RECYCLING TO CENTRAL ASPHALT, DIVISION OF SUIT-KOTE OF WATKINS GLEN, NY FOR CR 121, TOWN OF WAYLAND FOR \$311,551.00 AND CR 123, TOWN OF JASPER FOR \$352,087.00 MADE BY MR. McINTYRE. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

6. **Crushed Limestone** – Mr. Spagnoletti requested to discuss this in Executive Session.

7. **Aggregates** –

a. **FOB Plant Site – Quarry Stone** – Mr. Spagnoletti recommended awarding to all bidders with the exception of Belanger's Gravel & Stone and SJ Kula, Inc. as they failed to submit their bid bonds.

**MOTION: AWARDING THE BID FOR AGGREGATES – FOB PLANT SITE – QUARRY STONE TO ALL BIDDERS AND DISQUALIFYING BELANGER'S GRAVEL & STONE AND SJ KULA, INC. AS RESPONSIBLE BIDDERS MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

b. **FOB Plant Site – Crushed Gravel – Quadrant 1, 2 and 3** – Mr. Spagnoletti recommended awarding the bid to Austin Construction, LLC, Rhinehart Sand & Gravel and Dolomite Products, Co., Inc.

**MOTION: AWARDING THE BID FOR CRUSHED GRAVEL FOR QUADRANT ONE, TWO AND THREE TO AUSTIN CONSTRUCTION, LLC OF CAMPBELL, NY, RHINEHART SAND & GRAVEL OF CORNING, NY AND DOLOMITE PRODUCTS CO., INC. OF ROCHESTER, NY MADE BY MR. McINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

c. **FOB Plant Site – Crushed Gravel – Quadrant 4** – Mr. Spagnoletti recommended awarding the bid to Elam Sand & Gravel and Dolomite Products, Co., Inc.

**MOTION: AWARDING THE BID FOR CRUSHED CRUSHED GRAVEL – QUADRANT FOUR TO ELAM SAND & GRAVEL CORP. OF WEST BLOOMFIELD, NY AND DOLOMITE PRODUCTS CO., INC. OF ROCHESTER, NY ON A LINE ITEM BASIS MADE BY MR. McINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

d. **Crushed Gravel – Delivered to Shops** – Mr. Spagnoletti recommended awarding the bid to the lowest bidder by shop.

**MOTION: AWARDING THE BID FOR CRUSHED GRAVEL – DELIVERED TO SHOPS AS FOLLOWS: CATON SHOP – HANSON AGGREGATES OF PAVILION, NY, DOLOMITE PRODUCTS, CO., INC. OF ROCHESTER, NY AND RHINEHART SAND & GRAVEL OF CORNING, NY; COHOCTON SHOP – ELAM SAND & GRAVEL OF WEST BLOOMFIELD, NY AND DOLOMITE PRODUCTS, CO., INC. OF ROCHESTER, NY; CURTIS SHOP – ELAM SAND & GRAVEL OF WEST BLOOMFIELD, NY AND DOLOMITE PRODUCTS, CO., INC. OF ROCHESTER, NY; GREENWOOD SHOP – BUFFALO CRUSHED STONE, INC. OF BUFFALO, NY AND DOLOMITE PRODUCTS, CO., INC. OF ROCHESTER, NY; HOWARD SHOP – ELAM SAND & GRAVEL, OF WEST BLOOMFIELD, NY AND DOLOMITE PRODUCTS, CO., INC. OF ROCHESTER, NY; MT. WASHINGTON SHOP – HANSON AGGREGATES OF PAVILION, NY, DOLOMITE PRODUCTS, CO., INC. OF ROCHESTER, NY AND ELAM SAND & GRAVEL OF WEST BLOOMFIELD, NY; PRATTSBURGH SHOP – HANSON AGGREGATES OF PAVILION, NY, DOLOMITE PRODUCTS, CO., INC. OF ROCHESTER, NY AND ELAM SAND & GRAVEL OF WEST BLOOMFIELD, NY; WOODHULL SHOP – BUFFALO CRUSHED STONE, INC. OF BUFFALO, NY, DOLOMITE PRODUCTS, CO., INC. OF ROCHESTER, NY AND RHINEHART SAND & GRAVEL OF CORNING, NY MADE BY MR. NIELSEN. SECONDED BY MR. McINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

8. **Prestressed Concrete Bridge Beams – Whiteman Gully Road, Town of Wayland** – Mr. Spagnoletti recommended awarding to the low bidder, Jefferson Concrete Corporation of Watertown, NY.

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS FOR BRIDGE #28-13-1 WHITEMAN GULLY ROAD OVER LITTLE MILL CREEK, TOWN OF WAYLAND TO JEFFERSON CONCRETE CORPORATION OF WATERTOWN, NY FOR \$60,663.00 MADE BY MR. McINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

9. **Durable Pavement Marking – Year 2007** – Mr. Begin commented we sent out 12 bids and received 1 back. Mr. Spagnoletti recommended awarding the bid to Atlantic Pavement Marking.

**MOTION: AWARDING THE BID FOR DURABLE PAVEMENT MARKING FOR YEAR 2007 TO ATLANTIC PAVEMENT MARKING OF PROSPECT, CT FOR \$203,392.00 MADE BY MR. McINTYRE. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

10. **Reinforcing Steel Bars** – Mr. Spagnoletti recommended awarding to the low bidder, Chemung Supply Corporation of Elmira, NY.

**MOTION: AWARDING THE BID FOR REINFORCING STEEL BARS TO CHEMUNG SUPPLY CORPORATION OF ELMIRA, NY FOR \$79,500.00 MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

11. **Heavy Steel Pipe & Boiler Shells** – Mr. Begin commented this is a multiple bid. This will be awarded to the low bidder first and if the material is not available, it will then go to the next bidder.

**MOTION: AWARDING THE BID FOR HEAVY STEEL PIPE & BOILER SHELLS TO ALLEGANY PIPE & TUBULAR PRODUCTS OF ANDOVER, NY MADE BY MR. McINTYRE. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

12. **New Structural Steel** – Mr. Spagnoletti recommended awarding to the low bidder, Chemung Supply Corporation of Elmira, NY.

**MOTION: AWARDING THE BID FOR NEW STRUCTURAL STEEL TO CHEMUNG SUPPLY CORPORATION OF ELMIRA, NY FOR \$14,101.00 MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

13. **Geotextile Materials** – Mr. Spagnoletti recommended awarding to the low bidder, A.H. Harris & Sons, Inc. of Syracuse, NY.

**MOTION: AWARDING THE BID FOR GEOTEXTILE MATERIALS TO A.H. HARRIS & SONS, INC. OF SYRACUSE, NY MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

14. **Lubricants & Related Services** – Mr. Spagnoletti recommended awarding the bid to the low bidder, Niagara Lubricants, Co., Inc. of Buffalo, NY.

**MOTION: AWARDING THE BID FOR LUBRICANTS & RELATED SERVICES TO NIAGARA LUBRICANTS, CO., INC. OF BUFFALO, NY FOR \$102,873.43 MADE BY MR. McALLISTER. SECONDED BY MR. McINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

15. **Traffic Signs** – Mr. Spagnoletti recommended awarding on a line item basis to the low bidder.

**MOTION: AWARDING THE BID FOR TRAFFIC SIGNS ON A LINE ITEM BASIS TO THE FOLLOWING: OSBURN ASSOCIATES, INC. OF LOGAN, OH, VULCAN SIGNS OF FOLEY, ALABAMA AND SUBCON INTERNATIONAL, LLC OF GRAND RAPIDS MI MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

16. **Roadside Mowing** – Mr. Spagnoletti recommending awarding on a line item basis to the low bidder.

**MOTION: AWARDING THE BID FOR ROADSIDE MOWING ON A LINE ITEM BASIS TO THE FOLLOWING: BRUSH HOGGERS OF CAMERON, NY, HEREFORD FARMS OF PULTENEY, NY, K & R FARMS OF ADDISON, NY, MICHAEL WHITE OF ADDISON, NY AND PHELAN'S FARM OF PAINTED POST, NY MADE BY MR. McINTYRE. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

17. **Cleaning and Washing of Steuben County Bridges** – Mr. Spagnoletti recommended awarding to the low bidder, Dandrow's Painting, Inc. of Plattsburg, NY.

**MOTION: AWARDING THE BID FOR THE CLEANING AND WASHING OF STEUBEN COUNTY BRIDGES TO DANDROW'S PAINTING, INC. OF PLATTSBURG, NY FOR \$86,499.00 MADE BY MR. McALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

18. **Materials Testing** – Mr. Spagnoletti stated they received three bids from CME, Atlantic Testing and SJB. SJB of Cortland was disqualified. He recommended awarding the bid to Atlantic Testing for \$1,382.00.

**MOTION: AWARDING THE BID FOR MATERIALS TESTING TO ATLANTIC TESTING OF HORSEHEADS, NY FOR \$1,382.00 MADE BY MR. NIELSEN. SECONDED BY MR. McINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Informational

1. **Excavator** – Mr. Spagnoletti informed the committee that they received a letter from Senator Winner and Assemblyman Bacalles informing them that they will be receiving funding in the amount of \$100,000 for 2007 – 2008 to purchase a rubber tired excavator.

2. **CHIPs** – Mr. Spagnoletti informed the committee that we may receive up to an additional \$32,000 more in CHIPs funding. Mr. McAllister asked with regard to the CHIPs budget, did that decrease 5 or 6 percent? Mr. Alger replied they restored that funding and supposedly put in an additional \$5 million.

3. **STC Leadership Conference** – Mr. Spagnoletti informed the committee that Mr. Messmer will be presenting a seminar on rural road design.

4. **CR 46** – Mr. Spagnoletti informed the committee that CR 46 in Dansville has had a problem with slides. We are going to try a lightweight fill wrapped in fabric. If that doesn't work, there is a method of nailing back into the slope. Disruption to the site would be minimal as they are exploded in. That could cost \$80,000.

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION AND ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. McINTYRE. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, May 1, 2007  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Special Meeting**

*Monday, April 23, 2007*

*9:50 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

|                     |  |  |                       |
|---------------------|--|--|-----------------------|
| <b>COMMITTEE:</b>   | Robert V. Nichols, Chair<br>Thomas J. McIntyre | Kenneth E. Isaman, Vice Chair<br>L. Ronald Nielsen | Patrick F. McAllister |
| <b>STAFF:</b>       | Gregory P. Heffner<br>Frederick H. Ahrens, Jr. | Vincent Spagnoletti<br>David English               | James Gleason         |
| <b>LEGISLATORS:</b> | Francis L. Gehl                                | John Walsh   |                       |

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 9:50 a.m.

**II. DEPARTMENTAL REPORTS/REQUESTS**

1. **Limestone Bid** – Mr. Spagnoletti informed the committee they received three bids. He recommends awarding the bid to Hanson Aggregates New York, Inc. for \$346,225.00.

**MOTION: AWARDING THE BID FOR LIMESTONE TO HANSON AGGREGATES NEW YORK, INC. OF PAVILION, NY FOR \$346,225.00 MADE BY MR. NIELSEN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Tuesday, May 1, 2007**

**9:00 a.m.**

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

**MINUTES**

Committee: Robert V. Nichols, Chair                      Kenneth E. Isaman, Vice Chair                      L. Ronald Nielsen  
Thomas J. McIntyre                      Patrick F. McAllister

Legislators: Philip J. Roche                      Thomas J. Ryan

Staff: Mark R. Alger                      Vincent Spagnoletti                      Bryce Foster  
Phil Hink                      Steve Orcutt                      John Emo  
Doreen Ames                      Bonnie Kastner                      Frederick Ahrens  
David English                      Pete Messmer                      Carol Whitehead

Other: Mary Perham, *Leader*

**I. CALL TO ORDER**

The meeting was called to order at 9:00 a.m. by Mr. Nichols. Mr. McIntyre lead the group in the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE APRIL 4 AND APRIL 23, 2007, MEETINGS MADE BY MR.NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. LANDFILL**

A. Gas Collection System – Mr. Spagnoletti stated the State has agreed to pay 50% of the cost of installing a gas collection system. We estimated the total cost of the system at \$4.2 million and the State will pay up to \$2 million. He requested authorization to sign an agreement with the State of New York.

Mr. Spagnoletti stated regardless of whether or not they build the electric plant, they are still required to install the gas pipes. Discussion followed.

Mr. McIntyre asked would the County recoup the expense of this through the sale of the product? Mr. Spagnoletti stated that is what we are projecting. Discussion followed.

Mr. Alger stated we're applying for the maximum amount of grant possible now. When it comes time to decide if the electric plant is worthwhile, they will have to approve that separately.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPLY FOR A GRANT FROM NEW YORK STATE FOR THE MAXIMUM AMOUNT ALLOWABLE FOR A GAS COLLECTION SYSTEM, SAID AMOUNT BEING \$2 MILLION MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

B. Cell 2 Design – Mr. Spagnoletti stated he'd like to review the agreement with Barton & Loguidice more thoroughly and will bring it back to the Committee in June.

C. Computer/Electronics Recycling Day – Mrs. Kastner stated they held a computer electronics recycling day in conjunction with Corning, Inc.'s, birthday celebration. They had 450 cars and they filled 2 semi trailers and 1 box trailer. They collected a total of 60,000 pounds. She noted collection day was efficiently handled by all of the crews and it moved along very well. They received many compliments. They will be holding another computer/electronics recycling day on June 9<sup>th</sup> at the Bath Landfill.

Mrs. Kastner stated they also held a tire amnesty day last Saturday (April 28<sup>th</sup>) at the Bath Landfill. They collected 14.93 tons. The next collection day will be held in Hornell.

D. Other – Mr. Spagnoletti stated Sheriff Tweddell has transferred a 350-btu heater to the Landfill Division. He noted the Sheriff said they didn't need the heater anymore. He noted the Landfill would be able to use it in one of their buildings.

#### IV. HIGHWAYS AND BRIDGES

A. Road Life Cycle Cost Analysis – Mr. Spagnoletti stated once a year we put together an analysis of what it costs each year for the types of road treatments we use and what that translates into for the minimum amount of funding needed to keep the roads in good shape.

Mr. Spagnoletti reviewed the cost analysis for 2007. He noted that for 158 miles of road construction this year the total cost would be \$4,305,872 and they have \$4,493,875 in the budget. He noted they set aside \$200,000 for the unexpected needs such as floods, landslides, etc.

B. Equipment Life Cycle Analysis – Mr. Spagnoletti stated they conducted the same type of analysis on equipment. He stated using the number of each type of equipment needed, multiplied by the price per item and then divided by the life of the equipment, shows that they needed \$1,528,813 for equipment this year and they received \$900,000. He noted that he feels fortunate to have received that amount, as it is more than they received in past years.

C. Informational – Mr. Spagnoletti announced they would be putting the pipe across CR73 on May 17<sup>th</sup>. The road will be closed for 3 weeks. Also, CR17 will be completed in July and CR39 was approved by DEC.

Mr. Spagnoletti informed the Committee that the Department of Social Services has established another Mobile Work Crew and has agreed to it being dedicated to the Department of Public Works.

Mr. Spagnoletti stated they would be holding a public meeting on May 9<sup>th</sup> in Lindley regarding the new bridge.

D. Cell Phone Request – Mr. Spagnoletti requested a cell phone for the new mobile work crew supervisor.

**MOTION: APPROVING THE CELL PHONE REQUEST FOR THE NEW MOBILE WORK CREW SUPERVISOR MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

#### V. BIDS

A. Roadside Mowing – Mr. Spagnoletti informed the Committee that the low bidder was able to secure insurance.

B. Crusher rental – Mr. Spagnoletti informed the Committee that they've worked through the issues and they are now using the crusher.

#### VI. OLD/NEW BUSINESS

A. June Meeting Date – Mr. Spagnoletti informed the Committee that he has a Cornell Local Roads meeting scheduled for the same day as the regularly-scheduled Public Works Committee Meeting. He requested approval to change the date of the June Public Works Committee meeting. *Next month's meeting will be held on Thursday, June 7, 2007 at 9:00 a.m.*

**MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.E. COLLECTIVE NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW MADE BY MR. MCINTYRE. 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. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

Respectfully submitted by,

Brenda K. Mori  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Thursday, June 7, 2007  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Thursday, June 7, 2007**

**9:00 a.m.**

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

**MINUTES**

|                     |  |  |   |
|---------------------|--|--|---|
| <u>Committee:</u>   | Robert V. Nichols, Chair<br>L. Ronald Nielsen  | Kenneth E. Isaman, Vice Chair<br>Patrick F. McAllister             | Thomas J. McIntyre  |
| <u>Legislators:</u> | Philip J. Roche  | Thomas J. Ryan   | John Walsh  |
| <u>Staff:</u>       | Gregory P. Heffner<br>Phil Hink<br>Doreen Ames<br>Steve Catherman<br>Frederick H. Ahrens | Vincent Spagnoletti<br>John Emo<br>Bonnie Kastner<br>James Gleason | Bryce Foster<br>Steve Orcutt<br>Mike Stone<br>Jacques Begin |
| <u>Other:</u>       | Bill Mobbs, C & S Engineers<br>Andrew Robie, Law Intern                                  | Dan Jackson, C & S Engineers                                       | Mary Perham, <i>Leader</i>                                  |

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE MAY 1, 2007, MEETING MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. LANDFILL**

A. Design Award – Mr. Spagnoletti introduced Bill Mobbs and Dan Jackson who were the engineer and architect of the Erwin Transfer Station. Mr. Mobbs stated our company belongs to the American Council of Consulting Engineers and every year, they present awards based upon various types of building designs. We submitted this facility for their annual award program.

Mr. Jackson stated American Council of Consulting Engineers is a national organization with a chapter in nearly every state. We submitted this project to the New York State chapter. A panel of professionals across the State reviewed the nominations and we were invited to New York City in March for the awards program. This particular project fit into their special project category. They were impressed with the traffic flow patterns, landscaping and innovative equipment. There were several aspects they were pleased with and that is why we received this award. It is a big deal for architects and engineers to get to that level.

Mr. Mobbs stated it was a great working relationship with Mr. Spagnoletti, Scot Martinez, Rich Dunn and Steve Orcutt. Therefore, we thought it was appropriate that they allow us to present the staff with an award similar to what we received. He asked Mr. Orcutt to come forward and receive the American Council of Consulting Engineers of New York's Silver Award of Excellence for the Erwin Transfer Station. It was a pleasure working with you on this project. Mr. Spagnoletti thanked Mr. Mobbs and Mr. Jackson. We're pleased with the end product. Mr. Nichols stated the only comments he has ever received on the facility were positive. I think that shows you went out of your way to make it community friendly.

B. Major Equipment List – Mr. Spagnoletti stated we have a power vacuum at the landfill that is used in the adjacent fields of the landfill to pick up litter. However, they have to tow the vacuum around and a pickup truck

can't get around most of the terrain up there. They've been renting an all terrain vehicle (ATV) for \$475/month to tow the power vacuum. It has worked very well and they would like to purchase an ATV rather than continue to rent one. He requested authorization to add an ATV to the 2007 Landfill Major Equipment List for \$9,000 and remove a 5' brush hog for \$5,000 and a gas monitor for \$5,000 each. Discussion followed.

**MOTION: AMENDING THE 2007 LANDFILL MAJOR EQUIPMENT TO REMOVE A 5' BRUSH HOG FOR \$5,000 AND A GAS MONITOR FOR \$5,000; ADD AN ATV FOR \$9,000 AND AUTHORIZE THE PURCHASE OF SAID ATV MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. State Assistance Contract – Mr. Spagnoletti stated we had previously purchased two skid steers. One is located at the Erwin Transfer State and the other is at the Bath Landfill. He stated they are eligible for 50% funding for that purchase and he would like approval to enter into a NYSDEC Assistance Contract for that funding. Discussion followed.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A NYSDEC ASSISTANCE CONTRACT FOR 50 PERCENT FUNDING TOWARDS TWO PREVIOUSLY PURCHASED SKID STEERS MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Recycling Truck for Erwin Transfer Station – Mr. Spagnoletti stated we use a recycling truck to empty the recycling bins and all of the recycling is trucked to Bath in this truck. On Saturdays when the lines are long, we drop the bins on the truck so people can just drop their recycling into it directly. The truck cost \$121,000 when they purchased it in 2005. We have warranty work that needs to be done on it but it is hard to get this done because the recycling will fall behind at the station. The same manufacturer has a similar truck that's smaller in size. It would serve as a backup for the other. He requested authorization to purchase an additional, smaller recycling truck. He noted that this is a sole source vendor. Discussion followed.

Mr. Spagnoletti stated there is 50% funding available from DEC for this purchase. The total cost of the smaller truck is \$97,999.71. Mr. Isaman stated if they could receive 50% funding, why wouldn't they purchase another large truck? Mr. Spagnoletti stated they could check into the current price of the larger recycling truck and bring it back to the Committee next month.

E. Cell 2 Design – Mr. Spagnoletti stated Cell 1 will be filled in 2010 and the Committee gave authorization to negotiate an agreement with Barton and Loguidice for designing Cell 2. He stated the agreement is for services paid by the hour for an amount not to exceed \$322,720. Discussion followed.

Mr. Spagnoletti stated the Law Department has reviewed and approved the contract. He noted that since Barton and Loguidice designed the first cell, it would save the County money to continue with them for Cell 2. Mr. Gleason stated it is a professional service and we are authorized to waive the RFP process. Mr. Spagnoletti stated Barton and Loguidice could design it cheaper and better because they have the knowledge of the site.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SIGN AN AGREEMENT WITH BARTON & LOGUIDICE, PC, ENGINEERS FOR THE DESIGN OF CELL 2 AT THE BATH LANDFILL FOR AN AMOUNT NOT TO EXCEED \$322,720 MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

A. CHIPS Funding – Mr. Spagnoletti stated the Assembly and Senate pushed hard for counties to receive more CHIPS funding. Steuben County's funding increased \$29,657.33 over what was budgeted. He requested authorization to accept that revenue into #4350.1000 and appropriate it to the Road Construction account #5112.5250.

**MOTION: ACCEPTING \$29,657.33 IN ADDITIONAL STATE CHIPS FUNDING INTO ACCOUNT #4350.1000 AND APPROPRIATING IT INTO THE ROAD CONSTRUCTION ACCOUNT #5112.5250 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. State Budget Grant – Mr. Spagnoletti stated Senator Winner and Assemblyman Bacalles have notified him that they had enabled the State budget to include \$100,000 for Steuben County for the rubber-tired excavator the County previously purchased. He noted these excavators are shared with the towns. He requested authorization to accept \$100,000 in revenue into account #4308.9300 and appropriate it to the major equipment account #5130.5290.

**MOTION: ACCEPTING \$100,000 IN STATE BUDGET GRANT FUNDING INTO ACCOUNT #4308.9300 AND APPROPRIATING IT TO THE MAJOR EQUIPMENT ACCOUNT #5130.5290 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

V. **BIDS**

A. North Cohocton-Atlanta Drainage Project – Mr. Spagnoletti stated this is a shared project between the County, State and Town. Two bids were received and he recommended awarding the bid to D&H Excavating for \$1,451,901.60. Mr. Catherman stated that the State requires the contractor to submit a uniform contracting questionnaire. He noted that D&H Excavating is in the process of completing the questionnaire.

**MOTION: AWARDING THE NORTH COHOCTON-ATLANTA DRAINAGE PROJECT BID TO D&H EXCAVATING OF ARCADE, NY, FOR \$1,451,091.60 CONTINGENT UPON THE CONTRACTOR SUBMITTING A UNIFORM CONTRACTING QUESTIONNAIRE TO NEW YORK STATE MADE BY MR. MCALLISTER. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Roadside Mowing – Mr. Spagnoletti stated in April, the Committee awarded the roadside mowing bid on a line item basis to the low bidder. The low bidder for Lindley and Caton could not meet the insurance requirements. He recommended awarding the bid for those two jurisdictions to the second lowest bidder.

**MOTION: AWARDING THE ROADSIDE MOWING BID FOR LINDLEY TO HEREFORD FARMS OF PULTENEY, NY, FOR \$65/MILE FOR 17.99 MILES AND FOR CATON, TO MICHAEL WHILE OF ADDISON, NY, FOR \$65/MILE FOR 17.67 MILES MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Isaman was not present for the vote.**

C. Fire Suppression System – Mr. Spagnoletti stated it is the same price as last year. He recommended awarding the bid to Northeast Petroleum Technologies for \$15,595.

**MOTION: AWARDING THE PRE-ENGINEERED DRY CHEMICAL FIRE SUPPRESSION SYSTEM BID FOR THE GREENWOOD SHOP TO NORTHEAST PETROLEUM TECHNOLOGIES, INC., OF SCHENECTADY, NY, FOR \$15,595 MADE BY MR. MCALLISTER. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Isaman was not present for the vote.**

D. Steel Signposts – Mr. Spagnoletti stated that this year they bid it with two configurations. They are basically the same signposts; there's only a difference in the connection. They bid it that way to get posts that would fit with the previous post that already has the stub in the ground. He noted the prices have increased because the price of steel has increased. He recommended awarding it to the low bidder for each configuration.

**MOTION: AWARDING THE STEEL SIGNPOSTS BID ON A LINE ITEM BASIS TO CHEMUNG SUPPLY CORPORATION OF ELMIRA, NY, AND EBERL IRON WORKS OF BUFFALO, NY, MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Snow Plow Trucks – Mr. Spagnoletti stated they had made a change to the type of truck they were bidding so they expected the price to increase. The price increase was only \$5,000 more than expected. Mr. Spagnoletti noted that Jacques Begin and Phil Hink put a lot of work into this bid to make it the best possible buy.

**MOTION: AWARDING THE BID FOR TWO HEAVY DUTY 10-WHEEL TRUCKS TO INTERNATIONAL TRUCK AND ENGINE CORPORATION OF ALBANY, NY, FOR \$348,482 MADE BY MR. ISAMAN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. Refuse Transfer Trailer for Wayland – Mr. Spagnoletti stated the low bidder didn't meet the bubble gate requirement. He recommended awarding the bid to the second lowest bidder.

**MOTION: AWARDING THE REFUSE TRANSFER TRAILER TO STECO - DIVISION OF BLUE TEE, OF ENID OK, FOR \$82,700 MADE BY MR. NIELSEN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

G. Pavement Striping Truck – Mr. Spagnoletti stated they estimated the total cost to be \$321,602 and the State agreed to pay \$292,358. This bid as it is leaves us with about \$50,000 to purchase the pickup truck and broom to complete the package. The bid is below what we expected and it fits the grant we were approved for by the State. He recommended awarding the bid Linetech for \$274,700.

**MOTION: AWARDING THE PAVEMENT MARKING VEHICLE BID TO LINETECH DESIGN & MANUFACTURING, LTD, OF ST. CATHARINES, ON, FOR \$274,700 MADE BY MR. MCINTYRE. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION; 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 MADE BY MR. MCINTYRE. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

*Secretary's Note: Mr. Nichols excused himself from the Executive Session for an item concerning Article 7§ 105.1.F. as the subject matter involves a corporation of which he serves as a Board member.*

**MOTION TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.** *Mr. Nichols was not present for the vote.*

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

Respectfully submitted by,

Brenda K. Mori  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, July 3, 2007  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Tuesday, July 3, 2007**

**9:00 a.m.**

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

**MINUTES**

**Committee:** Robert V. Nichols, Chair      L. Ronald Nielsen      Thomas J. McIntyre

**Legislators:** Philip J. Roche      Thomas J. Ryan      John Walsh

**Staff:** Mark R. Alger      Vincent Spagnoletti      Bryce Foster  
Pete Messmer      John Emo      James Gleason  
Mike Stone      Jacques Begin      Steve Orcutt  
Doreen Ames      Steve Catherman      Fred Ahrens  
David English

**Absent:** Kenneth Isaman, Vice Chair      Patrick F. McAllister

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE JUNE 7, 2007, MEETING MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**III. LANDFILL**

A. Recycling Truck – Mr. Spagnoletti stated Mr. Orcutt researched the price of the larger recycling truck and the cost is \$188,000. The smaller truck is \$90,000 less and is more maneuverable. He doesn't believe they need to spend the extra money on another large recycling truck.

**MOTION: AUTHORIZING THE PURCHASE OF A SMALL RECYCLING TRUCK FOR THE ERWIN TRANSFER STATION THROUGH A SOLE SOURCE PROVIDER AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SIGN A NYSDEC ASSISTANCE CONTRACT FOR 50% FUNDING TOWARDS SAID PURCHASE MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. RFP Authorization for Carbon Credit Verification – Mr. Spagnoletti asked Mr. Ahrens to explain this issue. Mr. Ahrens stated he was speaking with Rick McCarthy, whom he has worked on other various environmental issues with that handle financing for environmental projects. The group he works for is selling carbon credits on the Chicago Climate Exchange. They are selling carbon credits for approximately \$3.25 to \$3.75 per metric ton. Steuben County has approximately 50,000 tons so it would generate considerable revenue if we sold it. He noted currently this is an optional program but it could become mandatory, which could impact the price. Other counties are pursuing this same program.

Mr. Ahrens stated they are requesting authorization to solicit requests for proposals to assist with the sale of these carbon credits. He noted in order to sell carbon credits, they would have to belong to the exchange, which requires an annual fee. He has checked with Bond Counsel and this would not adversely impact our relationship with our fiscal advisors, as they currently do not venture into this type of financial area.

Mr. Spagnoletti stated that there are costs associated with this venture. It will cost \$33,000 up front. Each year we can sell 50,000 tons of credits. Currently, the price is \$3.25/metric ton which equates to \$150,000 in revenue each year. They would have to pay an annual commission of six to ten percent, which is approximately \$15,000 and then there is an annual fee of \$15,000. Therefore, they would net \$120,000 each year. If they did this for four years, they would net approximately \$480,000.

Mr. Ahrens noted there would be some additional engineering costs associated with this. Discussion followed.

**MOTION: AUTHORIZING THE SOLICITATION OF REQUESTS FOR PROPOSALS FOR CARBON CREDIT VERIFICATION MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**IV. HIGHWAYS/BRIDGES**

A. Budget Appropriation – Mr. Spagnoletti requested authorization to accept and appropriate funding towards the purchase of the pavement striping truck and pickup truck with broom for the shared services program. He stated the funding includes \$10,828.43 each from Schuyler and Yates Counties and \$292,368 from the Shared Services program. He noted Steuben County's funding is already included in the budget.

**MOTION: ACCEPTING \$10,828.43 FROM SCHUYLER COUNTY, \$10,828.43 FROM YATES COUNTY AND \$292,368 FROM NEW YORK STATE AND APPROPRIATING \$314,024.86 TO MAJOR EQUIPMENT FOR THE PURCHASE OF A PAVEMENT STRIPING TRUCK AND PICKUP TRUCK WITH BROOM MADE BY MR. NIELSEN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. NYSDOT Project Agreement - CR85 – Mr. Catherman stated they received approval of the full Marchiselli funding on the CR85 Bridge project. He requested authorization to sign an agreement with NYSDOT for this funding.

**MOTION: APPROVING AN AGREEMENT WITH NYSDOT FOR FULL MARCHISELLI FUNDING MADE BY MR. NIELSEN SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

C. Seeding Agreement – Mr. Spagnoletti requested authorization to contract with the Soil and Water Conservation District for seeding. He noted it is the same agreement as the past few years.

**MOTION: APPROVING THE CONTRACT BETWEEN THE DEPARTMENT OF PUBLIC WORKS AND THE SOIL AND WATER CONSERVATION DISTRICT FOR SEEDING MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**V. BIDS**

A. Wheeled Excavators – Mr. Spagnoletti recommended awarding the bid to the low bidder, Vantage Equipment, for the purchase of two excavators.

**MOTION: AWARDING THE WHEELED EXCAVATORS BID TO VANTAGE EQUIPMENT, LLC, OF SYRACUSE, NY, FOR \$312,174 FOR TWO EXCAVATORS MADE BY MR. NIELSEN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. Compactor – Mr. Spagnoletti stated they solicited bids for the repair of the Caterpillar Compactor and one bid was received. He recommended awarding the bid to the lone bidder.

**MOTION: AWARDING THE CATERPILLAR 826G COMPACTOR DRIVE TRAIN REPAIR BID TO MILTON CAT OF ROCHESTER, NY, FOR \$20,147.74 MADE BY MR. NIELSEN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**VI. OTHER BUSINESS**

A. Cell Phones – Mr. Alger stated he's received a request for 7 cell phones from the Department of Public Works. They are requesting four phones for the bridge crew supervisors, one for the survey crew and one for the QA/QC technician. Discussion followed.

**MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO BE ASSIGNED 7 ADDITIONAL CELL PHONES FOR THE BRIDGE CREW SUPERVISORS, SURVEY CREW AND THE QA/QC TECHNICIAN MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. NIELSEN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**MOTION: AWARDING THE ROADSIDE MOWING BIDS TO THE SECOND LOWEST BIDDER IN THOSE INSTANCES WHERE TODD FENNER (DBA BRUSHHOGGERS) WITHDREW HIS BID MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

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

**MOTION TO ADJOURN MADE BY MR. MCINTYRE. 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, August 7, 2007  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Tuesday, August 7, 2007**

**9:00 a.m.**

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

**MINUTES**

**Committee:** Robert V. Nichols, Chair Patrick F. McAllister L. Ronald Nielsen  
Thomas J. McIntyre

**Legislators:** Philip J. Roche John Walsh Thomas Ryan

**Staff:** Mark R. Alger Vincent Spagnoletti Steve Orcutt  
John Emo Phil Hink Bryce Foster  
Pete Messmer Gregory P. Heffner James Gleason  
Mike Stone Carol Whitehead Bonnie Kastner  
Doreen Ames Jacques Begin Tammy Hurd-Harvey  
Steve Catherman David English

**Other:** Jacob Gross, Lindley Al Schoonover, Lindley Andrew Roby, Law Intern

**Absent:** Kenneth Isaman, Vice Chair

**I. CALL TO ORDER**

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

**II. COMMENTS BY THE PUBLIC**

Al Schoonover, Lindley, stated I'd like to discuss County Route 120, also known as the Caton-Lindley Road. I've been driving it over 56 years. It is 5.8 miles long and is used by commuters to get to Elmira. This road has a large amount of heavy truck traffic. The Town of Caton runs over 200 dump trucks over this road every year. It is indeed a main road. The last major work done on it was in 1990, apart from patching on the shoulders. I don't think anyone wants to see a repeat of road building that has been seen on CR6. That road is still rough. Oil and stone covering is not the answer. That will merely follow the bumps and curves in the road.

Mr. Schoonover stated Mr. Spagnoletti has started a design analysis and says that the Lindley end can be recycled and the Caton end should have 10" of gravel with asphalt injection. The county has no long-term history for this design. Remember that the existing road base hasn't broken up. This road doesn't need 10" of gravel with asphalt injection. I would rather see it trued up with asphalt and paving. I would like to ask you to consider starting the ditching work on this road now. It is something you can do for 3 more months. While doing that, you can dump the material on the north side of Terwilliger Hill. I would like to see the integrity of the highway department remain, and have the work done on this road as promised in 2007. Thank you for listening to me and I hope you hear my plea for the work to be done on CR120. Chairman Nichols thanked Mr. Schoonover for his comments.

**III. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE JULY 3, 2007, MEETING MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**IV. LANDFILL**

A. Bottle Bill – Mr. Spagnoletti stated approximately 25 years ago, the State approved a bottle bill that improved the clean up on the roads. Another bill has been introduced that, if passed, would include #1 plastic. He noted they've received several calls requesting the landfill to accept #1 plastic. Mrs. Kastner stated DEC

Commissioner Grannis is supporting the "Bigger Better Bottle Bill". The bill would include new categories of containers like fruit juices, bottled water and sports drinks. These drinks make up approximately 25 percent of beverage sales. They project that an additional 3 billion containers would be returned under this bill. The funds would be used for important environmental programs.

Mr. Spagnoletti stated they are very interested in adding the County's acceptance to this bottle bill, as it would improve our recycling program. Mr. Nichols stated farmers have a problem with these bottles because people throw them out their windows and they end up in fields. I believe the farmers would be supportive of the bill to clean up the environment and help protect their cows. Discussion followed.

**MOTION: MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO APPROVE S.03272/A.6069 IN RELATION TO RETURNABLE BEVERAGE CONTAINERS MADE BY MR. MCINTYRE. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution required.**

B. Other – Mr. Nichols stated he's received a request for a town cleanup day. The Town of Rathbone is asking if the County would consider holding another lottery for this purpose. Mr. Spagnoletti stated many of the towns that won the lottery never followed through with it. Mr. McIntyre stated the Town of Wayne participated in it about 6 years ago and I think they benefited from it. I think we should continue with it. Mr. Spagnoletti stated a lot of the towns lost interest because those that really wanted it didn't win it and then the ones that did win the lottery never used it. Discussion followed.

**MOTION: DIRECTING THE COMMISSIONER OF PUBLIC WORKS TO SEND A LETTER TO THE TOWNS OFFERING PARTICIPATION IN TOWN CLEANUP DAY LOTTERY MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

A. Pan Decking – Mr. Spagnoletti stated the Town of Bradford has a bridge with corrugated decking and they would like to use pan decking for it to extend the life of the bridge. We currently don't use pan decking but we have some in supply. The cost for 26' wide x 50' long decking would be \$54,000 and if you subtract the amount we paid for it in the 1980's, the value is \$4,000.

**MOTION: AUTHORIZING THE SALE OF PAN DECKING TO THE TOWN OF BRADFORD FOR \$4,000 MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Bridge Capital Projects – Mr. Spagnoletti stated we have a number of completed federal bridge projects with a total balance of \$232,045.49. He requested authorization to close those projects and transfer their balances into a new capital project for undesignated bridge projects. Discussion followed.

**MOTION: CLOSING VARIOUS COMPLETED FEDERAL BRIDGE PROJECTS AND TRANSFERRING THEIR TOTAL BALANCE OF \$232,045.49 TO A NEW CAPITAL PROJECT FOR UNDESIGNATED BRIDGE PROJECTS MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

C. Saunders Road Bridge – Mr. Spagnoletti stated the bid for this project came in two percent higher than estimated due to it being a two-season project, as it required an additional season of inspection. He requested authorization to increase the amount of the agreement with NYSDOT from \$2,788,800 to \$2,910,000. Mr. Catherman noted this would also increase the Marchiselli funding associated with this project. Discussion followed.

**MOTION: AMENDING THE AGREEMENT WITH NYS DOT FOR THE SAUNDERS ROAD BRIDGE PROJECT BY INCREASING THE AMOUNT FROM \$2,788,800 TO \$2,910,000 MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

D. Saunders Road Bridge Project Appropriation – Mr. Spagnoletti requested authorization to appropriate an additional \$80,000 to the Saunders Road Capital Project from the Undesignated Bridge Capital Project. He noted that overall, they'll be anticipating 95% of the cost in State and Federal revenue, resulting in a total transfer of \$4,500, which is the County's share.

**MOTION: AUTHORIZING THE TRANSFER OF \$80,000 FROM THE UNDESIGNATED BRIDGE CAPITAL PROJECT TO THE SAUNDERS ROAD BRIDGE PROJECT AND ANTICIPATING 95% REVENUE FROM THE STATE AND FEDERAL GOVERNMENTS MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

E. Bergmann Associates – Mr. Spagnoletti requested approval of a supplemental agreement with Bergmann Associates for the new quality control requirement. He noted the Federal government is requiring another layer of review under quality control and it was implemented after the original agreement was signed. The additional cost for this requirement is \$4,889.

**MOTION: APPROVING A SUPPLEMENTAL AGREEMENT WITH BERGMANN ASSOCIATES FOR \$4,889 TO MEET THE QUALITY CONTROL REQUIREMENT INITIATED BY THE FEDERAL GOVERNMENT MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR MOTION CARRIES 4-0.**

F. CR73 Bridge over Tioga River – Mr. Spagnoletti stated they are currently in the process of designing the project. The Federal Highway Administration has discovered that some of the right of way procedures aren't being followed so they would like the State to take over more control of this process. He requested approval of a supplemental agreement with NYS DOT for the CR73 Bridge over Tioga River in the amount of \$25,000 for the right of way work, with the county's share being \$5,000.

**MOTION: APPROVING A SUPPLEMENTAL AGREEMENT WITH NYSDOT FOR THE CR73 BRIDGE OVER TIOGA RIVER IN THE AMOUNT OF \$25,000 FOR THE RIGHT OF WAY WORK MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

G. Review of Roadwork – Mr. Spagnoletti stated since 1984, they've converted 20 miles of one-lane roads into two-lane roads. They've upgraded 181 miles of road with new gravel bases. They've built 112 large bridges and reduced the number of deficient bridges by half.

## **VI. BIDS**

A. Leachate Hauling – Mr. Spagnoletti stated they have this bid in case something happens to our trucks or we can't haul all of it ourselves. He noted they award this to all bidders, but they would use the lowest bidder.

**MOTION: AWARDING THE LEACHATE HAULING BID TO AD CALL & SONS OF STAFFORD, NY, AND LEO DICKSON & SONS OF BATH, NY, MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Household/Agricultural Hazardous Waste Day – Mr. Spagnoletti recommended awarding the bid to Care Environmental Corporation.

**MOTION: AWARDING THE COLLECTION & DISPOSAL OF HOUSEHOLD AND AGRICULTURAL HAZARDOUS WASTE RFP TO CARE ENVIRONMENTAL CORPORATION OF LANDING, NJ, FOR \$18,104.60 MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Landfill Monitoring Wells – Mr. Spagnoletti recommended awarding the bid to Upstate Laboratories.

**MOTION: AWARDING THE LANDFILL MONITORING WELLS BID TO UPSTATE LABORATORIES OF E. SYRACUSE, NY, MADE BY MR. MCALLISTER. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Freon Removal – Mr. Spagnoletti recommended awarding the bid to Arctic Air Refrigeration.

**MOTION: AWARDING THE REMOVAL & RECYCLING OF FREON FROM WHITE GOODS & SMALL APPLIANCES BID TO ARCTIC AIR REFRIGERATION FOR \$7.95/UNIT MADE BY MR. MCINTYRE. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

E. High Density Polyethylene Pipe – Mr. Spagnoletti stated this is for the gas collection system at the landfill. He recommended awarding the bid to ISCO Industries, Inc., of Louisville, KY, for \$10,769.20.

**MOTION: AWARDING THE HIGH DENSITY POLYETHYLENE PIPE BID TO ISCO INDUSTRIES, INC., OF LOUISVILLE, KY, FOR \$10,769.20 MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

## **VII. OTHER BUSINESS**

A. Truss Bridges – Mr. Catherman stated he's received several emails over the past three days regarding the bridge collapse in Minnesota. He stated we don't have any bridges like this in our County right now. He's heard several theories as to what may have caused the collapse. Discussion followed.

Mr. McIntyre asked how often are our bridges inspected? Mr. Catherman stated they are inspected every 2 years. If they are in poor condition or flagged, they are inspected every year.

B. Hogweed – Mr. Foster stated we have a fair amount of hogweed in our County and the shop supervisors have been in contact with Cornell Cooperative Extension about how to remove it. It is easily mistaken for other plants. We're looking into developing some type of system to take care of it. Now is not the time to take care of it, as it is in the seeding stage. It is highly caustic and can cause severe burns and blindness. It is basically found along the roadside and it likes water. They wanted the Committee to know that they are working on the problem.

**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. MCINTYRE. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

**MOTION: DETERMINING THAT NIAGARA LUBRICANT COMPANY INC IS IN BREACH OF THE CONTRACT WITH STEUBEN COUNTY FOR LUBRICANTS AND SAID CONTRACT IS TO BE TERMINATED IMMEDIATELY MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: AUTHORIZING THE PURCHASING DEPARTMENT TO PROCEED WITH OBTAINING BIDS FOR LUBRICANTS EFFECTIVE IMMEDIATELY MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

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

**NEXT MEETING SCHEDULED FOR  
Tuesday, September 4, 2007  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**SPECIAL MEETING**

*Monday, August 27, 2007*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

|                     |  |  |                                      |
|---------------------|--|--|--------------------------------------|
| <b>COMMITTEE:</b>   | Robert V. Nichols, Chair<br>Thomas J. McIntyre | Kenneth E. Isaman, Vice Chair<br>L. Ronald Nielsen | Patrick F. McAllister                |
| <b>STAFF:</b>       | Mark R. Alger<br>Bryce Foster<br>David English | Gregory P. Heffner<br>Pete Messmer                 | Vincent Spagnoletti<br>James Gleason |
| <b>LEGISLATORS:</b> | Philip J. Roche, Esq.<br>Thomas J. Ryan        | Dan C. Farrand<br>John Walsh                       | Francis L. Gehl                      |
| <b>OTHER:</b>       | Mary Perham, <i>The Leader</i>                 |  |                                      |

**I. CALL TO ORDER**

Mr. Isaman called the meeting to order at 9:10 a.m.

**II. GENERAL BUSINESS**

A. *Road Use and Repair Agreement* – Mr. Spagnoletti informed the committee there is a wind farm going up in Cohocton and the company is Canandaigua Power Partners. Mr. English commented there is also a wind farm in Prattsburgh that is breaking ground.

Mr. Spagnoletti stated they have been working on an agreement since last fall and as part of that we have come up with road classifications. The crux of the agreement is that we expect the wind management companies to go in and tell us which roads they are using and then do an analysis of those roads. This would be done prior to their use. When they are done with the project, we will look at what the condition of the road was prior to and after the project and they will pay us a certain percentage of the cost to repair those roads.

Mr. Spagnoletti stated the roads affected by these two wind projects will be CR 35, CR 36, CR 121, CR 7 and CR 6. We have developed four road classifications. Class I roads have a very good gravel base and very good pavement. The companies would pay 100 percent of the repair cost. Class II roads have a good solid gravel basis with a chip seal. The companies would pay 75 percent of the repair cost. Class III roads do not have a good base, but they have a smooth surface. The companies would pay 50 percent of the repair cost. Class IV roads are bad and have no base and the surface is considered bad as it has potholes and is rough. The companies would pay 25 percent of the repair cost.

Mr. Isaman asked is this formula for the initial work or after? Mr. Spagnoletti replied this is for the initial work. We will bill them what class the roads are. Mr. Isaman asked if they destroyed a road now, are we asking them for 100 percent for the other classes? Mr. English replied we can only charge them for what they do to degrade a road faster than regular traffic would. The theory is that every one of the roads when repaired will be a Class I road. Mr. Spagnoletti commented there may be some cases where we will take a road to a Class II rather than a Class I.

Mr. Farrand asked will you be contracting out the repair work instead of using your own crews? Mr. Spagnoletti replied if we contract that work out, we have to come up with 25 percent cash. Mr. English explained we are not locked into using our own equipment now. That is the County's option. Mr. McAllister asked is the cost of labor figured into the formula? Mr. Spagnoletti replied yes.

Mr. Isaman asked are there three agreements for the County, State and local municipalities? Mr. Spagnoletti replied the towns can use this agreement. The State probably doesn't need it because their roads are bulkier as they have more base and more pavement. He stated that he doesn't believe they are making special agreements.

Mr. Gehl asked are the roads they are going to be using Class III or Class IV? Mr. Spagnoletti replied we think that just about all of the roads they are going to be using are Class III. The only road that could be considered a Class I or Class II is CR 121.

Mr. Walsh asked is there a weight limit on CR 35? Mr. Spagnoletti replied we have requested an inventory of the roads from the wind farm companies. We posted CR 121 and CR 35 for 10 tons because they had not completed the road inventories. Even though they are posted, we are still allowing local deliveries and we have ordered local delivery signs to be posted. The weight limit posting will only be until we get the survey back from the companies. Once we get those, these signs will be taken down. The purpose of these signs is that it prohibits them from bringing their big dump trucks across.

Mr. Nichols asked are these signed agreements? Mr. Spagnoletti replied yes. These agreements have been sent to the companies. They are doing the road surveys now. We will have to do this agreement with each wind farm company. Mr. English commented the intent is to use these agreements as a template for wind farm projects.

Mr. Roche asked are you adopting this as a policy and authorizing Mr. Spagnoletti to sign any agreement? Mr. English replied we could have the Legislature approve the policy and the committee could review each agreement. This is not on the agenda for the Board Meeting. Mr. Spagnoletti stated that he would prefer to have this approved as a policy.

Mr. Alger stated that Mr. Roche's question was if the Legislature is authorizing a policy will the committee implement it through contracts. He thinks this is the best way to do this, however, he is concerned that this isn't necessarily going to come out the same as you will be negotiating with several companies. Mr. Spagnoletti stated they will bring modifications to the committee.

Mr. Nielsen asked does this agreement cover our bridges? Mr. Spagnoletti replied the companies will let Mr. Catherman know what the loads will be. Mr. Messmer replied the bridges are included and they have to do a visual survey of those as well. Mr. McIntyre asked will there be an overlay? Mr. Messmer replied we will make that decision. The entire survey of the roads and bridges will be repeated at the conclusion of the project. We will analyze the data and he will make the design.

**MOTION: ESTABLISHING A POLICY FOR COUNTY ROAD AND RIGHT-OF-WAY PROTECTION AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT FOR ROAD USE AND REPAIR WITH UPC WIND MANAGEMENT, LLC DURING THEIR CONSTRUCTION PROJECT IN THE TOWN OF COHOCTON MADE BY MR. McALLISTER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Tuesday, September 4, 2007**

**9:00 a.m.**

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

**MINUTES**

Committee: Robert V. Nichols, Chair                      Kenneth E. Isaman, Vice Chair                      L. Ronald Nielsen  
Patrick F. McAllister

Legislators: John Walsh    Thomas J. Ryan

Staff: Mark R. Alger    Vincent Spagnoletti    Frederick H. Ahrens, Jr.  
Bryce Foster    Pete Messmer    Philip Hink  
John Emo    Steve Orcutt    Doreen Ames  
James Gleason    Jacques Begin    David English

Other: Mary Perham, *Leader*

Absent: Thomas J. McIntyre

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE AUGUST 7, 2007, MEETING MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION APPROVING THE MINUTES OF THE AUGUST 27, 2007, MEETING MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**III. HIGHWAYS AND BRIDGES**

A. Grant for Excavator – Mr. Spagnoletti stated he previously received approval to accept and appropriate \$100,000 in funds to purchase a rubber tired excavator, but the resolution approving the purchase didn't include accepting and appropriating the revenue.

**MOTION: ACCEPTING \$100,000 IN STATE BUDGET GRANT FUNDING INTO ACCOUNT #999.4308.9300 AND APPROPRIATING IT TO THE MAJOR EQUIPMENT ACCOUNT #5130.5290.000 MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. *Resolution Required.***

B. Road Use and Repair Agreement – Mr. Spagnoletti requested approval to sign a road use and repair agreement with Wind Farm Prattsburgh, LLC. Discussion followed.

Mr. English stated this particular agreement also needs the road surveys to be completed prior to the trucks starting to run on the roads. The agreement is signed and it is the exact same agreement as what we signed in Cohocton. He noted that the agreement is open-ended until the project is completed, but they are hoping to have the project completed by next year.

**MOTION: APPROVING THE ROAD USE AND REPAIR AGREEMENT WITH WIND FARM PRATTSBURGH, LLC., MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Lease for Transmission Line – Mr. Spagnoletti stated a wind farm transmission line for the Cohocton wind farm will crossing the County’s property at the Cohocton Shop. He requested approval of a lease agreement with Canandaigua Power Partners, LLC, to allow the transmission line across our property. They are willing to pay the County \$5,000 for this lease upon execution and another \$10,000 when it becomes operational. The agreement includes the ability for them to extend the agreement after 25 years for another \$10,000. Mr. English noted that if the company goes out of business, the contract calls for them to remove all of their equipment from our property. Discussion followed.

**MOTION: APPROVING THE TRANSMISSION LINE LEASE AGREEMENT WITH CANANDAIGUA POWER PARTNERS, LLC, FOR A 25 YEAR TERM MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**IV. BIDS**

A. Ice Control Sand – Mr. Spagnoletti stated last month we received the bids but there was a question about one of the bidders. A letter was sent and a reply was received and we are in agreement that the reply wasn’t satisfactory. Mr. Ahrens suggested they discuss this issue in executive session at the end of the meeting.

B. Lubricant Bid – Mr. Spagnoletti stated the lowest bidder, NOCO Energy Corporation, didn’t bid on all bidders as required by the bid specifications. He recommended they disqualify NOCO Energy Corporation and award the bid to Williams Lubricants, Inc., for a total bid price of \$109,831.05.

**MOTION: DISQUALIFYING NOCO ENERGY CORPORATION FOR FAILURE TO MEET THE REQUIRED BID SPECIFICATIONS ON THE LUBRICANT BID AND AWARDING SAID BID TO WILLIAMS LUBRICANTS, INC., OF TOWANDA, PA, FOR \$109,831.05 MADE BY MR. ISAMAN. SECONDED BY MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Bath Landfill Maintenance Facility – Mr. Spagnoletti stated the new maintenance building is up, but they need to complete the interior work. They solicited bids for the interior work and the general construction bid came in with ESI as the low bidder. He recommended they award the bid to ESI for \$144,000. He noted they aren’t including the furniture or cover for the oil room in the bid acceptance. Mr. Gleason stated they can purchase the furniture cheaper off the State bid. Mr. Spagnoletti stated they will have County crews construct the cover over the oil room.

Mr. Spagnoletti stated they only received one bid for the Mechanical/HVAC work. He recommended awarding the bid to Frey & Campbell for \$99,830. He noted this award doesn’t include the P-1 Oil Distribution and the P-2 Air Distribution.

Mr. Spagnoletti stated for the electrical portion of the bid, he recommended awarding the bid to the lowest bidder, G.O. Wick, for \$99,500.

Mr. Spagnoletti stated the total building construction cost, including the bids for the interior construction, is \$849,116.63.

Mr. Walsh asked how big is the building? Mr. Spagnoletti stated the building is 70 x 100.

Mr. Isaman asked how much did they receive in the insurance settlement? Mr. Spagnoletti stated he doesn’t know off hand. Mr. Isaman asked him to have that information for him at the next meeting.

Mr. Spagnoletti stated to fund this part of the project he will need to make some budget transfers. He requested authorization to transfer \$3,921.80 from the Lindley Rebuild Road account #HL6404.5.250.000; \$76,489.80 from the Erwin Transfer Station Major Equipment account #816069.5.290000; \$50,000 from the Bath Landfill Major

Equipment account #816062.5.290000; and appropriate the total \$130,411.60 and the \$74,150.91 remaining in the Bath Landfill Equipment Insurance account into the Bath Landfill Equipment Shop account #HL6207.5.250000. He stated this will bring the total transfer to \$204,562.51, which will cover the remaining bids and leave enough money for the remaining items to be completed by County employees. Mr. Spagnoletti noted that because of these transfers, they will not be purchasing the trailer for the Erwin Transfer Station or the truck lift for the Bath Landfill. Considerable discussion followed.

**MOTION: AUTHORIZING THE TRANSFER OF \$3,921.80 FROM THE LINDLEY REBUILD ROAD ACCOUNT #HL6404.5.250.000; \$76,489.80 FROM THE ERWIN TRANSFER STATION MAJOR EQUIPMENT ACCOUNT #816069.5.290000; \$50,000 FROM THE BATH LANDFILL MAJOR EQUIPMENT ACCOUNT #816062.5.290000; AND APPROPRIATE THE TOTAL \$130,411.60 AND THE \$74,150.91 REMAINING IN THE BATH LANDFILL EQUIPMENT INSURANCE ACCOUNT INTO THE BATH LANDFILL EQUIPMENT SHOP ACCOUNT #HL6207.5.250000 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: AWARDING THE BATH LANDFILL MAINTENANCE BUILDING INTERIOR CONSTRUCTION BIDS AS FOLLOWS: GENERAL CONSTRUCTION – ESI OF ELMIRA, NY, FOR \$144,000; MECHANICAL/HVAC – FREY & CAMPBELL OF HAMMONDSPORT, NY, FOR \$99,830 (INCLUDING M-1 FANS); ELECTRICAL – G.O. WICK OF ELMIRA, NY, FOR \$99,500 MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0**

*Mr. Isaman requested an update next month or in November on the status of the new cell at the Bath landfill.*

D. Other – Mr. Spagnoletti stated the County is holding a household hazardous waste and farm hazardous waste collection day on Saturday, September 15<sup>th</sup> at the Erwin Transfer Station. Household hazardous waste will be collected from 9:00 a.m. to Noon and the farm hazardous waste will be collected from 1:00 p.m. until collection is completed.

## V. **OTHER BUSINESS**

A. Shared Services Project – Mr. Spagnoletti stated Mr. Isaman and Pete Messmer have been working on a project in Hornell. Mr. Isaman stated the BOCES center is located in an area that is a narrow road on a back street in Hornell. The two driveways are very steep and one of them is also a town road which goes through the campus. Due to construction taking place in the surrounding area, they've seen increased traffic on campus. Through various discussions, they've decided they really need another entrance into the campus instead of the town road. We've decided to make this a shared service project. He enlisted the help of Pete Messmer and we've found a location for the entrance.

Mr. Messmer displayed an aerial photo of the campus. Mr. Isaman stated BOCES has contacted Alfred State College and they are willing to have their students do the survey and their forestry class will handle the clearing of the trees and brush. In addition, their heavy equipment construction class will help construct the road base. Mr. Messmer stated he estimates the cost for the materials to be approximately \$116,000. Pete stated including materials, diesel fuel and 10% contingency fund, it would be at \$150,000. He noted this includes the blacktop, gravel, hydroseeding, culverts and riprap. Mr. Isaman stated town and state forces will be utilized and he is hoping the County will provide support through the services of Mr. Messmer and equipment. He has contacted Senator Winner and Assemblyman Bacalles to make them aware of the project and they are very supportive of it. He noted he'll keep the Committee informed of their progress.

**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 4-0.**

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

**MOTION: DISQUALIFYING SIRI SAND AND STONE FROM THE ICE CONTROL SAND BID DUE TO BEING NON-RESPONSIVE TO AN INQUIRY FROM THE PURCHASING DEPARTMENT FOR REFERENCES AND AWARDED THE ICE CONTROL SAND BID TO THE BALANCE OF THE BIDDERS ON A LINE ITEM BASIS MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION TO ADJOURN MADE BY MR. MCALLISTER. 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, October 2, 2007  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Tuesday, October 2, 2007**

**9:00 a.m.**

**Legislative Committee Conference Room**

**Steuben County Office Building**

**Bath, New York**

**MINUTES**

Committee: Robert V. Nichols, Chair                      Kenneth E. Isaman, Vice Chair      Thomas J. McIntyre

Legislators: Thomas J. Ryan                      John Walsh                                      Dan C. Farrand

Staff: Mark R. Alger                                      Vincent Spagnoletti                                      Steve Orcutt  
Bryce Foster                                      Phil Hink                                      John Emo  
James Gleason                                      David English                                      Steve Catherman  
Sam Hadley                                      Bonnie Kastner                                      Doreen Ames  
Pete Messmer                                      Frederick Ahrens                                      Gregory Heffner  
Tammy Hurd-Harvey

Other: Mary Perham, *Leader*                      Kevin Voorhees, Barton Loguidice

Absent: Patrick F. McAllister                      L. Ronald Nielsen

**I. CALL TO ORDER**

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

Mr. McIntyre led the group in the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE SEPTEMBER 4, 2007, MEETING MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**III. LANDFILLS**

A. Roadside Cleanup Lottery – Mr. Spagnoletti stated the letters from each town requesting to participate in the roadside cleanup lottery are in sealed, unmarked envelopes. One envelope was drawn and the winner of the lottery is the Town of Hornellsville.

B. Farm and Household Hazardous Waste Day Summary – Mrs. Kastner stated we had 160 people take advantage of the Household Hazardous Waste Day. She noted that even after extensive advertising, none of the farmers signed up for the Farm Hazardous Waste Day. She stated they received 3 tons of waste and the crews were fantastic. They do a good job and keep the traffic moving along. Mr. Spagnoletti stated they organized it very well.

C. Financial Advisor RFP – Mr. Spagnoletti stated they solicited a Request for Proposals for a financial advisor to handle the carbon credits for the Bath Landfill flare. We had three submissions, which were reviewed by Kevin Voorhees of Barton Loguidice, Mr. Ahrens, Mr. Gleason and Mr. Orcutt. They have recommended awarding the RFP to Environmental Capital, LLC. He requested authorization to award the contract and enter into negotiations with them. Discussion followed.

**MOTION: AWARDING THE RFP FOR FINANCIAL ADVISOR FOR THE SOLID WASTE DIVISION TO ENVIRONMENTAL CAPITAL, LLC., OF NEW YORK, NY, AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO NEGOTIATIONS WITH THEM REGARDING THE SALE OF CARBON CREDITS MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

D. RFP to Accept Credit Cards – Mr. Spagnoletti stated right now we are on a ticket system at the landfill and we'd like to continue with that system. When a store or town sells the tickets for us, they receive 75 cents right off the top. People have requested we accept credit cards at the landfill so they don't have to stop elsewhere for the tickets. He's not sure of the charges involved, but would like to solicit requests for proposals from various companies that provide credit card services to see what they have to offer. Discussion followed.

**MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SOLICIT REQUESTS FOR PROPOSALS FROM CREDIT CARD SERVICE COMPANIES TO ACCEPT CREDIT CARDS AT THE BATH LANDFILL MADE BY MR. ISAMAN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

E. Insurance Summary from the 2004 Bath Landfill Fire – Mr. Spagnoletti stated last month Mr. Isaman requested a summary of the insurance money received from the Bath Landfill Fire. They received \$850,000 in insurance money for the equipment and the total cost to replace it was \$1,060,000. They received \$248,000 for the loss of the building and the total cost to replace it was \$900,000. Discussion followed.

F. Balance Sheet for 2006 – Mr. Spagnoletti reviewed the 2006 Landfill Balance Sheet with the Committee. He stated their cash or cash equivalent assets are \$10,528,000. Their liabilities, not including landfill closure or the bond anticipation note, total \$698,705 leaving us with \$9,829,705 in cash. The landfill closure liability as of 2006 is \$7,249,064 so if we had to close the landfill tomorrow, we'd have enough money to do so. He noted they always need to make sure they have enough money to cap the landfill.

G. Space and Cash Flow Projections – Mr. Spagnoletti stated they have enough space to take them to 2021. If they closed the landfill after 2021, they would need to have enough money set aside to take care of it for 30 years. He projected they will need \$18,112,970 to cap the landfill beginning in 2021. He noted that he figured the expenses with a 3 percent increase every year. He based the revenues on 110,000 tons of garbage each year, even though they've received 125,000 tons of garbage this year. He noted that 13,000 tons of that was from a major project at Corning, Inc. In order to reach the \$18,112,970 goal for capping the landfill, he's determined that the tipping fees should be increased to \$39.70 at the Bath Landfill and to \$54.33/ton at the transfer stations. In addition, there are going to be 2 years where they will have double debt payments for cell one and cell two. They have projected they will have a negative cash flow from the second year of the double debt payments but they will have enough cash built up to cover that loss. Discussion followed.

Mr. Spagnoletti noted that he hasn't incorporated the revenues they would receive from the carbon credits into these figures. It is possible that the carbon credits could generate approximately \$120,000 per year.

Mr. Voorhees stated there is a lot more disposal capacity on that hill that you could get a permit for. Somewhere along the way, you should begin getting permission to use that capacity. If you get that permit, you might be able to slow down the rate of the tipping fee increases. Discussion followed.

Mr. Spagnoletti stated they currently charge \$38/ton at the Bath Landfill and \$52/ton at the transfer stations. He reviewed what other operators are charging in the neighboring counties. He stated we have a fairly competitive rate and our bag price is generally lower.

Mr. Ahrens asked have you done an analysis on flow control and how that might affect us? Mr. Spagnoletti stated Madison County, Herkimer/Oneida County have gone to flow control. They charge \$76 and \$72/ton, respectively.

Flow control means you would capture back tonnage that is currently flowing out of the county. Mr. Ahrens stated he believes it would be worth an analysis. Mr. Voorhees noted that Franklin County has passed a flow control law as well. He noted that the current State Administration is proposing that garbage produced in the state be kept in the state, and they are trying to figure out a way to handle that. This could pose a serious problem, especially in New York City. Considerable discussion followed.

*Mr. Isaman requested an analysis on flow control for next month's meeting.*

#### IV. HIGHWAYS

A. Budget Transfer – Mr. Spagnoletti requested authorization to transfer \$55,000 from the surface treatment item (#5110.460100) to the parts and repairs item (#5130.451300) to pay for the repair of four loaders that are currently not working.

**MOTION: AUTHORIZING THE TRANSFER OF \$55,000 FROM ACCOUNT #5110.460100 SURFACE TREATMENT TO #5130.451300 PARTS AND REPAIRS MADE BY MR. ISAMAN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. CR73 Bridge over Tioga River – Mr. Spagnoletti stated the Phase I assessment didn't appear to yield any issues. However, they have since found some old ceramics and remains of a foundation. There's a possibility it would need to be registered on the historic preservation list. He requested authorization to amend the contract with Fisher Associates for \$5,076 for a Phase II Cultural Resources Survey.

**MOTION: AMENDING THE CR73 BRIDGE OVER TIOGA RIVER CONTRACT WITH FISHER ASSOCIATES FOR \$5,076 FOR A PHASE II CULTURAL RESOURCES SURVEY MADE BY MR. ISAMAN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

C. Cowanesque River – Mr. Spagnoletti stated the existing State Route 15 has a truss bridge and the road travels up to Painted Post. They are building a new Route 15 in Pennsylvania and they have the highway built to the Cowanesque River. NYSDOT has let a contract for the 1<sup>st</sup> mile of new Route 15 coming out of Pennsylvania. They will then construct a temporary off ramp to the road up to Painted Post. When that is done, they will be giving the County the old Route 15, including the truss bridge. It is possible that they wouldn't turn the bridge over to us until the rest of the project is completed. If that happens, we would need to build a detour bridge. A detour bridge would be a significant increase to the project as it would cost approximately \$500,000 with the County's share being \$25,000 (5%). Therefore, we'd like them to start the process of turning over the bridge to us now so we won't need to build a detour bridge.

**MOTION: REQUESTING NYSDOT ABANDON STATE ROUTE 15 BRIDGE OVER COWANESQUE RIVER TO STEUBEN COUNTY MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

D. Bridge Ratings – Mr. Spagnoletti distributed copies of a handout that was provided by the New York State Association of Counties. He stated it shows Steuben County having the best bridge rating average in the State. So, we're in good shape.

E. Road Base Construction – Mr. Spagnoletti stated we've been focusing on putting gravel bases under the roads. He displayed a chart showing the work they've done since 1994. They've changed 21 miles of one lane roads into two lane roads. They've put liquid asphalt injection with 8 to 10 inches of gravel on 38 miles of road. They've put 12 to 18 inches of gravel with fabric on 39 miles of road and they've done a dry grind with 4 to 6 inches of gravel on 134 miles. So, they've completed 232 miles of road and built 118 large bridges, reducing the number of deficient bridges by half. Mr. Nichols complimented the department for taking the building of the roads very seriously.

Mr. Spagnoletti reviewed the poor condition roads in the County and how they are going to handle them this year. He noted there are 60 miles of roads in poor condition.

Mr. Farrand stated he's traveled around District 10 and took pictures to show the poor roads he has in his district. He stated he believes it is important to show everyone the importance of this road program. He displayed pictures of CR21, CR2, CR84 and CR83.

Mr. Ryan asked are the poor roads basically in Districts 9 and 10? Mr. Spagnoletti stated historically, the poor roads have been in the southern part of the County. The biggest reason is because of the clay bases.

Mr. Farrand stated he'd like to commend Phil Hink and Bryce Foster on the work they are currently doing on CR2. They are putting down a good 10 inch base and they are doing a fantastic job. It's important not to cut this budget. The people in Districts 9 and 10 deserve good roads too and right now they don't know what they are getting for their money. Discussion followed.

F. Life Cycle Analysis of County Roads – Mr. Spagnoletti displayed a chart that depicted the amount of money needed on an annual basis to keep all the roads even. The total they received this year was \$4,344,375 and the minimum needed for 2007 was \$4,305,872. He reviewed the chart for the Committee. Since 2004, we were on average about \$1 million short of funds to maintain the minimum needed. He noted the past two years they've received more than the minimum required.

G. Backlog of Poor Road Projects – Mr. Spagnoletti stated \$81,000/mile equals \$6,642,000, which is the total amount needed to take care of the 45 miles of poor roads and the 37 miles of roads that don't have a good base. He noted if they paid a contractor to do it, it would cost \$200,000/mile for a total amount of \$16,400,000.

H. CR 106 Review – Mr. Spagnoletti stated it has been 3 years since they began this project and he wanted to show the Committee the mistakes that were made on it and how the County made good on it. In the spring of 2005, the road had soil cement process under the middle 10 to 12 feet of road. It was pretty solid. On the outside, there was another 3 or 4 feet of soil cement that wasn't as solid. Mr. Messmer designed the road so that they would grind the surface, put a layer of fabric down with 10 inches of gravel and then chip seal. When they were grinding off the top of the road, the material looked good and passed the item 4 testing. They had 9 inches of good gravel so they changed the design to put 6 inches of gravel on the whole road (5.5 miles) instead of 12 inches of gravel on 2.5 miles. This was in the summer of 2005. Towards the fall, it didn't stop raining. After the month of rain, they tested the last half mile of the road because it didn't look right. It didn't pass the test. They apparently had received a batch of bad gravel. So, within a month of getting the gravel down, it started to break up. By December, it was really bad. In January of 2006, they decided to take what was there, put fabric down on top of it to stabilize it and then put 12 inches of gravel on top. They used screened creek gravel out of the Canisteo creek channels. This fix worked through the winter. In the spring of 2006, other problem spots developed. We fixed those and then chip sealed the road. We waited to see how it would hold up. It turned out to be okay but they wanted to be sure that it would continue to hold up. So, they used the new system of liquid asphalt injection and then grinded it in 10 inches deep.

Mr. Spagnoletti stated it was a good learning experience. The cost of the whole project was \$1.6 million. The labor and equipment cost \$600,000 and the materials and contractors cost \$1 million. This averages out to \$287,000/mile. When they did CR72 in Jasper, the cost of that was \$325,000/mile. The key question is how much did this mistake cost us? If there hadn't been a mistake on the bad gravel, the materials would have cost a total of \$546,000 instead of \$1 million.

Mr. Spagnoletti stated Steve Catherman, Sam Hadley, and the bridge crew do a good job and they are known around the State. Phil Hink, Bryce Foster and the field crew do a good job given what they have to work with.

Mr. Nichols stated mistakes do happen but the important thing is the department has tried to solve their problems so this doesn't happen again. We have a road engineer now and our own testing lab. Mr. Spagnoletti stated Pete

Messmer now reviews the entire road design with their crews so they are aware as to the reasons for the design. This has been received well by the field crews. The public doesn't like to see these mistakes happen and neither do we.

**V. OTHER BUSINESS**

Due to County Offices being closed on the day of their regularly-scheduled meeting in November, the Committee agreed to meet on Thursday, November 8, 2007 at 9:00 a.m.

**MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

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

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

**NEXT MEETING SCHEDULED FOR  
Thursday, November 8, 2007 @ 9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Thursday, November 8, 2007**

**9:00 a.m.**

**Legislative Committee Conference Room**

**Steuben County Office Building**

**Bath, New York**

**MINUTES**

Committee: Robert V. Nichols, Chair                      Kenneth E. Isaman, Vice Chair                      L. Ronald Nielsen  
Thomas J. McIntyre                      Patrick F. McAllister

Legislators: John Walsh

Staff: Mark R. Alger                      Vincent Spagnoletti                      Steve Orcutt  
Phil Hink                      John Emo                      Steve Catherman  
Carol Whitehead                      Bryce Foster                      James Gleason  
Jacques Begin                      Gregory P. Heffner                      David English  
Doreen Ames                      Frederick Ahrens                      Robert Biehl

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

**I. CALL TO ORDER**

The meeting was called to order by Mr. Nichols at 9:00 a.m. Mr. Nielsen led the group in the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE OCTOBER 2, 2007, MEETING MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Isaman not present for the vote.**

Mr. Spagnoletti thanked Mr. Alger, the Finance Committee and the Chairman of the Public Works Committee for providing additional funding in the 2008 budget for road construction.

**III. LANDFILL**

A. Sale of Carbon Credits – Mr. Spagnoletti stated Mr. Ahrens learned at a conference he attended that there is an opportunity for the County to recoup the investment made in the gas collection system at the landfill, by which we burn the methane gas, thereby stopping that gas from going into the atmosphere. There is a market for the carbon credits we accrue.

Mr. Ahrens stated if you recall, we put Environmental Capital LLC in place as our advisor on this issue. He stated they hope to begin to sell the carbon credits in the first quarter of next year. There are protocols that are prepared by different agencies to ascertain that we are producing greenhouse gases and that we are eliminating them by burning them. We also have to have a “verifier” to verify that we have in fact burned these gases.

Mr. Ahrens stated they will need to approve various resolutions to begin the process. The first resolution is for the investment in equipment and installation in the landfill gas collection and destruction project at the Bath Landfill. In addition, Environmental Capital is recommending that we hire Environmental Resources Trust (ERT) to deal with the Monitoring, Reporting and Verification protocol. Also, they would like to designate the verifier as First Environment. This will complete the team for the project. The cost for ERT is \$13,000 and First Environment is \$7,000.

Mr. Ahrens stated some industries produce a great deal of carbon and, in order to offset those emissions, they purchase these credits. Mr. Voorhees stated in effect, you are being rewarded for doing the right thing in terms of pollution control.

Mr. Isaman asked what is the downside to this? Mr. Ahrens stated the downside is the County has already invested \$816,000 to control the pollution at the Bath Landfill. It wasn't a requirement of the DEC permit that we engage in these activities. We did it for air quality and odor control. The benefit is that we were eliminating greenhouse gases. This will not adversely impact our gas to power program. There will be renewable energy credits associated with that program. Once this is all completed, you will see a nice return on your \$816,000 investment. Discussion followed.

**MOTION: AUTHORIZING THE INVESTMENT IN EQUIPMENT AND INSTALLATION IN THE LANDFILL GAS COLLECTION AND DESTRUCTION PROJECT AT THE BATH LANDFILL MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: WAIVING THE PROCUREMENT POLICY WITH REGARD TO DESIGNATING ENVIRONMENTAL RESOURCES TRUST AS THE MONITORING, REPORTING AND VERIFICATION PROTOCOL PROVIDER RELATIVE TO THE LANDFILL GAS COLLECTION AND DESTRUCTION PROJECT AT THE BATH LANDFILL AND AUTHORIZING A CONTRACT WITH THEM FOR \$13,000 FOR SAID SERVICES MADE BY MR. ISAMAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: WAIVING THE PROCUREMENT POLICY WITH REGARD TO DESIGNATING FIRST ENVIRONMENT AS VERIFIER RELATIVE TO THE LANDFILL GAS COLLECTION AND DESTRUCTION PROJECT AT THE BATH LANDFILL AND AUTHORIZING A CONTRACT WITH THEM FOR \$7,000 FOR SAID SERVICES MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Cash Flow Projection – Mr. Spagnoletti stated last month he provided the committee with the cash flow projections based upon how they are currently operating. The Committee asked him to complete the same analysis using flow control projections. Currently there is a privately-owned transfer station in Bath that takes in 24,000 tons from Steuben County to Ontario County. Flow control would force that tonnage to come to our landfill. He noted that for this analysis, he removed the tonnage they receive from Tioga County and Middletown because they began accepting that tonnage after their tonnage dropped.

Mr. Spagnoletti stated the four cells will be filled in 2021 and we are required to take care of the landfill for 30 years after closure. In our case, it will cost \$18.1 million for the 30 years. In order to reach the \$18.1 million needed for closure, he added \$18.1 million to the annual expenses to determine a total cost of doing business. He estimates that with flow control they will receive 114,340 tons per year.

Mr. Spagnoletti stated based upon these figures, he determined that the average annual amount they would need to increase the tipping fee would be \$1.44/ton at the Bath Landfill. At the transfer stations, they would need an annual increase of \$1.97/ton. In addition, the per bag rate would need to increase \$.08 annually. The result is that by 2021, the cost will be \$58/ton at the Bath landfill (currently \$38/ton), \$80 at the transfer stations (currently \$52/ton) and per bag price will be \$3 (currently \$2).

Mr. Spagnoletti stated with the way we are doing business now, the price would need to increase by \$2.30/ton annually with the cost being \$70 by 2021. At the transfer station, the price would need to increase annually by \$3.15/ton with the cost being \$96/ton by 2021 and the per bag price would need to increase by \$.12/bag with the cost being \$3.70/bag by 2021. Therefore, the average price per year under flow control doesn't increase as much as it would the way we're doing business now.

Mr. Spagnoletti stated what he doesn't know how to quantify under flow control is the haulers' price at the curb. The private hauler that takes the 24,000 tons of Steuben County garbage to Ontario County does so because it is cheaper for him. If he has to begin bringing that garbage to Steuben, his price will increase at the curb. When the other haulers learn what he is charging, they will probably follow suit.

Mr. McIntyre stated but wouldn't the cost of transporting the garbage increase as well? Mr. Spagnoletti stated because he owns his own landfill, he says it is still worth it to him to take it to Ontario County.

Mr. Spagnoletti stated he also cannot calculate the effect of a monopoly, which is what flow control is. Will government gouge the public? Madison County operates under flow control. They currently charge \$62/ton. Oneida/Herkimer also operates under flow control. They currently charge \$71/ton. We charge \$38/ton. We have a very efficient operation. He provided a price sheet for the tonnage over the past 12 years. As you will see, we increased \$10/ton in a space of 2 years before private industry came on the scene. Once private industry came along, we had to get more competitive so our prices decreased and our tonnage increased. Competition made us better.

Mr. Spagnoletti stated if you decide to initiate flow control, we will work just as hard to remain efficient. The real issue that drives flow control for us is Chemung County. They have a permit for 147,000 tons per year. They want to increase that to 218,000 tons. If they receive that permit, they are looking at 71,000 additional tons that they can put into their landfill. We've been afraid of this private landfill for 10 years now. We made our costs lower because of that. However, now that fear is Chemung County. Suppose they come in and take some of our tonnage? It would take away approximately \$537,500 in revenue. So, if the bottom dropped out, you could initiate flow control. Discussion followed.

Mr. McAllister stated he has always looked at this operation as a service we provide to the public. Mr. Nichols stated this landfill is not intended to be a money maker. Mr. Alger stated if they were making money in the enterprise fund, you could transfer that to the general fund. However, we do not recommend you do that. We've always treated them as separate operations. We want to keep the revenues with the enterprise fund to keep it solvent. Mr. Nichols stated we want the users of the operation to pay for the landfill.

Mr. Voorhees stated the Landfill Management Plan expires in 2010 and you will need to submit a new plan in 2009. Therefore, you'll want to begin the plan process in 2008. Mr. Nichols stated we need to decide whether or not to add flow control to the plan. Mr. Voorhees suggested they incorporate an intent to implement flow control in the future if it is needed so it is a tool that is available to the County. Mr. Isaman stated three of us aren't going to be here in January. Should we be making this decision? Mr. Alger stated if you want to go on record, that's fine. The new committee would still need to discuss this. Mr. Nichols stated we need to do the plan anyway as ours expires in 2010. We're not promoting flow control, but we should include it as an option for future committees. Discussion followed.

**MOTION: REQUESTING THE COMMISSIONER OF PUBLIC WORKS TO INCLUDE AN OPTION TO IMPLEMENT FLOW CONTROL IN THE LANDFILL MANAGEMENT PLAN AS AN AVAILABLE TOOL TO THE COUNTY IN THE FUTURE MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES.**

#### **IV. RECLASSIFICATIONS**

Mr. Biehl stated the Public Works Department is requesting the reclassification of two vacant Junior Bridgeworker positions (Grade X) to Motor Equipment Operator positions (Grade VIII). In addition, they would like to reclassify one vacant Heavy Motor Equipment Operator position (Grade X) to an Assistant Landfill Supervisor position (Grade XIV) and one Garage Laborer position (Grade VIII) to a Building Maintenance Mechanic position (Grade IX). He noted that the Personnel Office supports these reclassifications. Discussion followed.

**MOTION: RECLASSIFYING TWO (2) JUNIOR BRIDGEWORKER POSITIONS, GRADE IX, TO MOTOR EQUIPMENT OPERATOR POSITIONS, GRADE VIII, IN THE DEPARTMENT OF PUBLIC WORKS MADE BY MR. NIELSEN. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: RECLASSIFYING ONE VACANT HEAVY MOTOR EQUIPMENT OPERATOR POSITION, GRADE X, TO ASSISTANT LANDFILL SUPERVISOR, GRADE XIV, AND RECLASSIFYING ONE GARAGE LABORER, GRADE VIII, TO BUILDING MAINTENANCE MECHANIC, GRADE IX, IN THE DEPARTMENT OF PUBLIC WORKS MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolutions Required.**

**V. HIGHWAYS AND BRIDGES**

A. Town Mowing Contracts – Mr. Spagnoletti requested authorization to increase the town mowing contracts to \$69/mile/mowing for 2008, \$71/mile/mowing for 2009 and \$73/mile/mowing for 2010. Discussion followed.

**MOTION: INCREASING THE TOWN MOWING CONTRACTS TO \$69/MILE FOR MOWING IN 2008, \$71/MILE IN 2009 AND \$73/MILE IN 2010 MADE BY MR. MCINTYRE. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. CR39, Cohocton – Mr. Spagnoletti requested approval of a change order for D&H Excavating. The total amount is \$30,009 and covers costs associated with the removal of a water main, unanticipated reconstruction at the State Route intersection and unanticipated truing and leveling. He noted that even with this change order, the project is still under budget.

**MOTION: APPROVING THE CHANGE ORDER FOR D & H EXCAVATING IN THE AMOUNT OF \$30,009 MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Budget Appropriation – NYSDOT – Mr. Spagnoletti stated the NYSDOT has paid the balance of their cost for the CR39, Cohocton project. Mr. Catherman stated this will bring their total amount up to the \$870,000 they agreed to for this project. Mr. Spagnoletti requested authorization to accept and appropriate that money to the CR39 Cohocton project.

**MOTION: ACCEPTING \$245,000 IN STATE FUNDING AND APPROPRIATING IT TO THE CR39, COHOCTON PROJECT MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Budget Appropriation – Town of Cohocton – Mr. Spagnoletti stated the town's share of the CR39 Cohocton project is \$107,000. He requested authorization to accept and appropriate that money to the project.

**MOTION: ACCEPTING \$107,000 FROM THE TOWN OF COHOCTON AND APPROPRIATING IT TO THE CR39, COHOCTON PROJECT MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. McAllister thanked everyone for their support on this project. It really came out nice and is aesthetically pleasing.

E. Overtime for Snow Removal – Mr. Spagnoletti stated the overtime line items for State and County snow removal have been expended. He requested authorization to transfer \$30,000 into the State overtime line item and \$60,000 into the County overtime line item to get them through the remainder of the year.

**MOTION: AUTHORIZING THE TRANSFER OF \$30,000 FROM 5144000.5.461120 SALT & CALCIUM (STATE) TO 514400.5.1900000 OVERTIME (STATE) AND \$12,000 FROM 514200.5.444510 TOWN SNOW**

**REMOVAL, \$10,000 FROM 514200.5.461140 ABRASIVES, \$28,000 FROM 514200.5.461180 TREATED SALT, \$7,000 FROM 514200.5.461160 LIQUID ANTI-ICING, \$3,000 FROM 514200.5.461145 ICE CONTROL SAND, A TOTAL OF \$60,000, TO 514200.5.1900000 OVERTIME (COUNTY) MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Change Order – Mr. Catherman stated the State Historic Preservation Office is requesting additional geophysical exploration on the CR73 over Tioga River project. They are looking for soil layers and how they've been deposited over the years. It will require soil boring in the river corridor. The cost is \$1,700 and he is requesting a change order for this purpose with Fisher Associates. Discussion followed.

**MOTION: AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$1,700 FOR FISHER ASSOCIATES ON THE CR73 OVER TIOGA RIVER PROJECT MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**VI. BIDS**

A. Portland Cement Concrete – Heated – Mr. Spagnoletti recommended awarding the bid to Hanson Aggregates New York for \$138/cy. He noted the price is lower than last year.

**MOTION: AWARDED THE PORTLAND CEMENT CONCRETE – HEATED BID TO HANSON AGGREGATES NEW YORK FOR \$138/CY MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**VII. OTHER BUSINESS**

Mr. Spagnoletti stated the Mobile Work Program built a sidewalk in the Town of Woodhull. He wanted the Committee to know that there were individuals on the crew that had already completed their time requirement for the month but still came to work on the project.

Mr. Spagnoletti stated the Sheriff removed a fence and gave it to his department. They are going to put the fence up at the Wayland Transfer Station.

Mr. Spagnoletti stated that a group of students from Alfred requested a disc (Frisbee) golf course at Kanakadea Park. They are currently trying to raise the money to put up four or five of these courses.

Mr. Spagnoletti announced that the ribbon cutting is today for the CR39 Cohocton project. Also, the new plow trucks are in and one of them is parked out front if the Committee would like to see it.

Mr. McIntyre stated the Town of Bradford is very pleased with the work done on CR17. However, they are wondering when the guiderail will be put up. They would like it done before it starts snowing. Mr. Foster stated they are going to line the ditches with stone first to stabilize the slope. Mr. Spagnoletti stated he will meet with Mr. Foster and Mr. Hadley to see when it can be done.

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

Respectfully submitted by,

Brenda K. Mori  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Tuesday, December 4, 2007  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Tuesday, December 4, 2007**

**9:00 a.m.**

**Legislative Committee Conference Room**

**Steuben County Office Building**

**Bath, New York**

**MINUTES**

Committee: Robert V. Nichols, Chair                      Kenneth E. Isaman, Vice Chair                      L. Ronald Nielsen  
Thomas J. McIntyre                      Patrick McAllister

Legislators: Philip J. Roche                      John Walsh                      Thomas Ryan                      Dan Farrand

Staff: Mark R. Alger                      Vince Spagnoletti                      Phil Hink                      John Emo  
Bryce Foster                      Jacques Begin                      Steve Orcutt                      Dennis Abbey  
Pete Messmer                      Steve Catherman                      Doreen Ames                      Bonnie Kastner  
David English                      James Gleason                      Carol Whitehead                      Gregory P. Heffner  
Frederick Ahrens                      Tammy Hurd-Harvey

Other: Tony Clark                      Joseph Hauryski, Legislator-Elect

**I. CALL TO ORDER**

The meeting was called to order by Mr. Nichols at 9:00 a.m. Mr. Nielsen led the group in the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE NOVEMBER 8, 2007, MEETING MADE BY MR. NIELSEN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. Isaman and Mr. McAllister not present for vote.**

**III. LANDFILL**

A. New Tipping Fees – Mr. Spagnoletti requested authorization to raise the tipping fee items at the landfill by \$2/ton effective February 1, 2008. Also, he requested authorization to charge the public \$5 for using the weigh scales for items other than garbage. Discussion followed.

**MOTION: AUTHORIZING A \$2/TON INCREASE IN TIPPING FEES AT THE BATH LANDFILL, TRANSFER STATIONS, CITY OF HORNELL AND LEACHATE; AND SETTING A CHARGE OF \$5 FOR USE OF THE WEIGH SCALES FOR ITEMS OTHER THAN GARBAGE MADE BY MR. NIELSEN. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. McAllister not present for the vote. Resolutions Required (2).**

B. Tire Disposal Contract – Mr. Spagnoletti stated this year we decided to truck the disposed tires right to the processor, Seneca Meadows. That worked out very well and, therefore, he would like to extend their contract for another year at \$65/ton. Discussion followed.

**MOTION: EXTENDING THE CONTRACT WITH SENECA MEADOWS FOR THE DISPOSAL OF TIRES AT \$65/TON MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. McAllister not present for the vote.**

C. Contract for BUDs – Mr. Spagnoletti stated we accept ash at the landfill to be used as BUDs. Dutchess County incinerates their garbage and they would like to send us 6,000 tons at \$12/ton to be used as BUDs material. He noted that he would like them to guarantee the 6,000 tons so they are including that they will pay for 6,000 tons regardless if we receive it. Mr. Orcutt noted that we would accept more than 6,000 tons as well. Mr. Spagnoletti stated we are authorized to accept up to 12,000 tons annually.

**MOTION: APPROVING AN INTERMUNICIPAL AGREEMENT WITH DUTCHESS COUNTY FOR THE ACCEPTANCE OF 6,000 TO 12,000 TONS OF ASH TO BE USED AS BENEFICIAL USE DETERMINED MATERIAL (BUDs) MADE BY MR. MCINTYRE. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. McAllister not present for the vote. Resolution Required.**

**IV. HIGHWAYS/BRIDGES**

A. Budget Transfer – Mr. Spagnoletti requested authorization to transfer a total of \$117,464 into the fuel, parts/repairs and tires/tubes accounts. He noted this should get us through the end of the year.

**MOTION: AUTHORIZING THE TRANSFER OF \$91,718 FROM #511000.5.460100 SURFACE TREATMENTS, \$9,900 FROM #511000.5.460180 GRIND & CHIP AND \$15,846 FROM #511000.5.460300 SHOULDERS (A TOTAL OF \$117,464) AND APPROPRIATE AS FOLLOWS: \$20,000 INTO #513000.5.450320 UNLEADED, \$60,000 INTO #513000.5.450330 DIESEL FUEL, \$12,464 INTO #513000.5.451200 SANDER PARTS, \$15,000 INTO #513000.5.451300 PARTS & REPAIRS, AND \$10,000 INTO #513000.5.451370 TIRES & TUBES MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Crusher Agreement – Mr. Spagnoletti stated the Towns of Cameron, Jasper, Tuscarora and Woodhull purchased a new crusher in 2003 for \$280,000. It was purchased with \$100,000 in funds from Senator Winner and the balance from the towns. They are offering us a share of the crusher for \$36,000. He requested authorization to enter into agreements with the Towns of Cameron, Jasper, Tuscarora and Woodhull for this purpose. He noted they would be able to use the crusher and screen. December through April is when the County would use it. The Towns would use it May through August. Therefore, we would use it about 22 weeks a year while the towns use it about 8 weeks a year. He noted there will be maintenance costs associated with this contract. Considerable discussion followed.

**MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE TOWNS OF CAMERON, JASPER, TUSCARORA AND WOODHULL TO BECOME PARTIAL OWNER OF A JOINTLY-OWNED CRUSHER FOR \$36,000 PLUS MAINTENANCE COSTS MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**MOTION: AMENDING THE 2007 MAJOR EQUIPMENT LIST TO INCLUDE A CRUSHER FOR \$36,000 WITH NO ADDITIONAL FUNDING MADE BY MR. MCALLISTER. SECONDED BY MR. MCINTYRE. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. CR73 Bridge, Lindley – Mr. Catherman requested approval of a change order in the amount of \$11,230 for soil borings. \$24,547 reduction in right of way acquisitions for a total of \$13,317 reduction in contract with Fisher Associates.

**MOTION: APPROVING THE CHANGE ORDER FOR FISHER ASSOCIATES ON THE CR73 BRIDGE IN LINDLEY AS FOLLOWS: INCREASE OF \$11,230 FOR SOIL BORINGS, REDUCTION OF \$24,547 FOR RIGHT OF WAY ACQUISITIONS FOR A TOTAL CONTRACT REDUCTION OF \$13,317 MADE BY MR. ISAMAN. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti announced there will be a public information meeting on the project on Thursday at the Lindley Town Hall at 6:00 p.m.

V. **BIDS**

A. Authorize Annual Bids – Mr. Spagnoletti requested authorization of the 2008 Annual Bids.

**MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO SOLICIT THE 2008 ANNUAL BIDS MADE BY MR. MCINTYRE. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Stone Fill Bid – Mr. Spagnoletti recommended awarding the Stone Fill Bid FOB to all bidders and to the low bidder, Blades Construction Products for Quadrants 1, 2, 3 and 4.

**MOTION: AWARDING THE STONE FILL BID AS FOLLOWS: FOB PLANT TO BLADES CONSTRUCTION PRODUCTS, HANSON AGGREGATES AND SENECA STONE CORPORATION; AND TO BLADES CONSTRUCTION PRODUCTS FOR QUADRANTS 1, 2, 3 AND 4 MADE BY MR. NIELSEN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Aggregates – Mr. Spagnoletti recommended awarding the Quarry Stone FOB to all bidders, Crushed Gravel FOB to all bidders, to the low bidder delivered to projects located in Quadrants 1, 2, 3 and 4, and to the low bidder delivered to each of the shops.

**MOTION: AWARDING THE AGGREGATES BID AS FOLLOWS: QUARRY STONE FOB PLANT TO BLADES CONSTRUCTION PRODUCTS, HANSON AGGREGATES AND SENECA STONE CORPORATION; CRUSHED GRAVEL FOB PLANT TO BLADES CONSTRUCTION PRODUCTS, BUFFALO CRUSHED STONE, DALRYMPLE GRAVEL, ELAM MATERIALS, HANSON AGGREGATES, KNIGHT SETTLEMENT SAND & GRAVEL, AND RHINEHART SAND & GRAVEL; QUADRANT 1 TO HANSON AGGREGATES; QUADRANT 2 TO BUFFALO CRUSHED STONE; QUADRANT 3 & 4 TO ELAM MATERIALS; CATON SHOP – HANSON AGGREGATES FOR TYPE 3 AND 4 AND RHINEHART SAND & GRAVEL FOR TYPE 1A; COHOCTON SHOP – ELAM MATERIALS FOR TYPE 3, 4 AND 1A; CURTIS SHOP – HANSON AGGREGATES FOR TYPE 3 AND 4 AND ELAM MATERIALS FOR TYPE 1A; GREENWOOD SHOP – BUFFALO CRUSHED STONE FOR TYPE 3, 4 AND 1A; HOWARD SHOP – ELAM MATERIALS FOR TYPE 3, 4 AND 1A; MT. WASHINGTON SHOP – HANSON AGGREGATES FOR TYPE 3 AND 4 AND ELAM MATERIALS FOR TYPE 1A; PRATTSBURGH SHOP – ELAM MATERIALS FOR TYPE 3, 4 AND 1A; AND WOODHULL SHOP – ELAM MATERIALS FOR TYPE 3, 4 AND 1A MADE BY MR. ISAMAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Oxygen and Acetylene – Mr. Spagnoletti stated they received two bids for this item. He recommended awarding the bid to the low bidder, Airgas East for \$6,493.73.

**MOTION: AWARDING THE OXYGEN AND ACETYLENE BID TO AIRGAS EAST FOR A TOTAL EXTENDED BID PRICE OF \$6,493.73 MADE BY MR. MCINTYRE. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

VI. **OTHER BUSINESS**

Mr. Spagnoletti announced the new paint truck is in the parking lot for anybody who'd like to see it. Pete Messmer, Bryce Foster and Phil Hink did a great job with this shared services project. Mr. Messmer stated the Soils Lab is done and everyone is invited to come see it after the meeting.

Mr. Nichols stated three of our Committee members are leaving us this year and I'd like to say thank you for serving on the Committee. I wish you the best in your future endeavors. Mr. Spagnoletti thanked them as well.

Mr. Isaman stated I've certainly seen a transformation on this Committee. You have a good team in Public Works and we've served the public well. I think the legislators have made a contribution to the County and it's been an honor to sit in this chair. Thank you.

Mr. Nielsen stated I've been on this Committee for 14 years and it's been interesting. It's been great and I wouldn't have missed it for the world.

Mr. McIntyre stated my replacement is here today and I believe he will be an asset to the County. We've done a lot of positive things and I'm thrilled to be a part of this group.

**MOTION TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.H. THE PROPOSED ACQUISITION, SALE OR LEASE OF REAL PROPERTY OR THE PROPOSED ACQUISITION OF SECURITIES, OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. MCINTYRE. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

**MOTION: AUTHORIZING A BOUNDARY LINE AGREEMENT BETWEEN STEUBEN COUNTY AND ROBERT H. DIVENS OF TURNPIKE ROAD IN THE TOWN OF BATH, AS APPEARS ON JOHN FIMMANO LAND SURVEY MAP DATED 10/29/07, WITH REGARD TO A 0.2 ACRE PARCEL; MAKING THE BOUNDARY LINE AGREEMENT SUBJECT TO THE COUNTY'S RIGHT OF FIRST REFUSAL TO PURCHASE THE ENTIRE PARCEL OF 4.71 ACRES +/- AND AUTHORIZING A LOCAL LAW FOR OUTRIGHT CONVEYANCE OF THE PROPERTY IN THE EVENT ROBERT H. DIVENS SO DESIRES MADE BY MR. MCALLISTER. SECONDED BY MR. NIELSEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required. A copy of the land survey map is on file with the Official Minutes in the Clerk of the Legislature's Office.**

**MOTION TO ADJOURN MADE BY MR. MCINTYRE. 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  
Thursday, January 3, 2008  
9:00 a.m.**