

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, January 6, 2009

9:00 a.m.

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

MINUTES

Committee: Robert V. Nichols, Chair Patrick McAllister, Vice Chair Thomas J. Ryan
Joseph J. Hauryski

Legislators: Philip J. Roche Scott J. Van Etten Lawrence P. Crossett
John S. Walsh

Staff: Mark R. Alger Vincent Spagnoletti Jack Wheeler Bryce Foster
Philip Hink John Emo Mike Stone Steve Catherman
Doreen Ames Pete Messmer Steve Orcutt Frederick H. Ahrens
David English James Gleason Deb Cotter

Other: Frank Haftl Robert Brown Wayne Wells Mary Perham, *Leader*

Absent: Thomas C. Schwartz

I. CALL TO ORDER

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

II. PUBLIC COMMENT

Frank Haftl, Cameron, spoke in regards to Casella operating in Steuben County. He stated they have a history of violations and if they get their foot in the door with the gas generation project, the County is going to have problems. Discussion followed. Mr. Nichols thanked Mr. Haftl for his comments.

Robert Brown, owner of Brownie's Mini-Mart, spoke in regards to how replacing the bridge (CR73) near his store will have a significant negative impact on his business. I have lost 50 percent of my business with the construction of I-99 and if this bridge is closed during construction, I'm afraid we'll have to close our doors. I understand the work needs to be done. If the closure was only going to last a couple months I could get by, but if it goes 6 or more months we'll have to close. I've had to lay off 12 people already. The impact is felt not only by me and my employees, it will also affect the county. The sales tax I collect from my store averages \$30,000 a month. That's \$360,000 a year in tax revenue you will lose if I close. Discussion followed.

Mr. Catherman stated the projected time for construction is 4 months but it could take up to 6 months. We could do some of the preliminary work without closing the bridge. They will see what they can do to keep the closure as short as possible. Discussion followed. Mr. Ryan thanked Mr. Brown for coming in, noting that he wishes we could help him out more.

Wayne Wells, Cameron, spoke in regards to the deterioration of CR25. Portions of the road were previously rebuilt but the foundation wasn't good. They have patched some of the holes, but they haven't been filled enough to conform with the crown of the road. One pothole in particular that they recently patched is five feet in diameter and already has 2 inches of concavity. A lot of the older road is better than the newer road so there is something in the road program that isn't being addressed in the proper way. I realize we have a lot of roads and money is tight, but a road isn't going to last if there isn't a good foundation. Discussion followed.

Mr. Nichols stated the last few years we have made an effort to increase the foundations of the roads. We haven't made it to all of them yet but we are working on it. We recently hired Pete Messmer to handle quality control on the roads.

Mr. Spagnoletti stated we rebuilt that road from the CR24 intersection North to Lewis Road. We built the section with a foot and half of gravel and fabric. We did this construction 14 years ago and it held up well. There is a section where we have a problem with the base. I agree we have to have a good base and I believe the road crews are now up to par as far as the quality of the work. Mr. Nichols thanked Mr. Wells for his comments.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE DECEMBER 2ND AND DECEMBER 22ND, 2008, MEETINGS MADE BY MR. RYAN. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. LANDFILLS

A. Landfill Hours – Mr. Spagnoletti stated they currently close the transfer stations at Noon on Saturdays but have kept the Bath landfill open until 12:30pm to accommodate the commercial haulers. We've spoken with the commercial haulers about bringing their material directly to the landfill. They are now to the point where it is not necessary to be open until 12:30pm on Saturdays. He requested authorization to change the closing time for the Bath Landfill to Noon on Saturdays.

MOTION: AUTHORIZING THE BATH LANDFILL TO CLOSE AT NOON ON SATURDAYS RATHER THAN 12:30 P.M. MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Wayland Transfer Station – Mr. Spagnoletti stated they previously received authorization to close the Wayland Transfer Station on Wednesdays. Mr. McAllister stated he has been asked by several people to have it open on Wednesdays and would like to change it if it isn't going to cost much money. Mr. Spagnoletti stated having it closed really hasn't provided much of a cost savings to the County. Discussion followed.

MOTION: AUTHORIZING THE WAYLAND TRANSFER STATION TO REMAIN OPEN ON WEDNESDAYS MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Tipping Fee Change – Mr. Spagnoletti stated when the roll offs come and tip the garbage during the winter months, many times the garbage is frozen in the box. As a courtesy, landfill employees have dug out the frozen garbage from the boxes at no additional cost. However, they have spoken with several other landfills and they charge between \$25 and \$50 for this same service. He stated they also require the haulers to sign a release form holding the landfill harmless for any damage that may occur to a hauler's truck box during the process. He requested authorization to institute a charge of \$25 for this service and require haulers to sign a release form. Discussion followed.

Mr. Ryan stated every time we raise tipping fees, more trash ends up on the side of the road. Mr. Spagnoletti stated our fees are very reasonable; in fact, they are on the low side. Mr. Emo noted that this is a specialty item that not everyone would utilize. The haulers want this service and do not have a problem with paying the fee. Mr. Spagnoletti stated regardless of whether or not the fee is approved, it is a good idea to require a release form to finalize the process.

Mr. McAllister stated you have to charge for what you do in order to keep taxpayers from funding the landfill. Mr. Spagnoletti stated next month would be a good time to review the fee schedule as he will have the gas collection and carbon credit revenue figures available. Discussion followed.

MOTION: INSTITUTING A \$25 CHARGE FOR REMOVING FROZEN GARBAGE FROM TRUCK BOXES AND REQUIRING A RELEASE FORM FOR THOSE REQUESTING THIS SERVICE MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. IN FAVOR: MCALLISTER, HAURYSKI AND NICHOLS. OPPOSED: RYAN. MOTION CARRIES 3-1. Resolution Required.

D. Change Order – Mr. Spagnoletti stated the cost for Cell 2 is currently below the bid. One item that wasn't included in the Cell 2 bid was the cleanout access for the leachate. There are two pipes that are used to carry leachate to the plant, but they meet the line at a right angle. They needed to install a cleanout access so the pipes can be cleaned out periodically. He requested approval of a change order in the amount of \$10,630.40 to install the cleanout access. He noted that he checked with Barton Loguidice and they believe the cost is reasonable. Discussion followed.

MOTION: APPROVING A CHANGE ORDER FOR THE CELL 2 CONTRACT IN THE AMOUNT OF \$10,630.40 FOR A CLEANOUT ACCESS FOR LEACHATE MADE BY MR. HAURYSKI. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. Informational – Mr. Spagnoletti announced that there is a seminar on recycling of agricultural plastics being held Tuesday, February 3rd from 10:00 a.m. to 2:30 p.m. at the Big Flats Community Center. He noted they will be sending people from his department to the seminar.

IV. HIGHWAYS AND BRIDGES

A. Road Ratings and Funding – Mr. Spagnoletti stated we rate the roads once a year. He reviewed how they rate the roads for the Committee. We began using the Cornell system in 1998. Mr. Messmer stated our poor road map is what is important to everyone. There are roads that are on the lower half of fair and close to being poor. Mr. Spagnoletti stated the basic philosophy with road repair is to keep a good road good. It is more economical. Considerable discussion followed.

Mr. Spagnoletti stated the overall system is getting better because of the grind and chip system they are using. Even without receiving the minimum funding for maintaining roads, they've managed to improve the overall condition of the roads. He stated Mr. Messmer, Mr. Foster and Mr. Hink are all doing a great job on the roads.

B. 2009 Road and Bridge Projects – Mr. Spagnoletti reviewed the proposed 2009 road and bridge projects. He noted this budget is contingent upon receiving CHIPS funding. We're expecting a \$715,000 decrease in the CHIPS funding. What could save us is the projected costs are based upon the October 2008 asphalt index. If we use today's asphalt index, we would have a \$900,000 surplus on the proposed projects. We want to get these bids out early and get the work done earlier to beat the raise in the prices. Mr. Alger noted that the decrease in CHIPS funding doesn't include the \$500,000 they had already removed as it was additional funding last year. Discussion followed.

C. 2009 Overtime Budget – Mr. Spagnoletti stated when he budgets for snow overtime, he doesn't try to predict the winter. He uses a three year average and adds 12 percent for inflation. At the current rate of overtime usage, he projected they will be out of overtime money by the end of March.

Mr. Nichols stated he asked Mr. Spagnoletti to pay close attention to the overtime this season to see if there is a significant difference between having highway crews working five 8-hour days versus the current four 10-hour days. Mr. Spagnoletti stated they are tracking actual costs at the Woodhull shop to be used to compare the difference between the two systems.

D. CR39 Reimbursement – Mr. McAllister handed Mr. Spagnoletti a check for \$55,636.67 from the Town of Cohocton, which covers the balance due by the town for the CR39 construction project.

E. Morgan Creek Road – Mr. Spagnoletti stated there is .45 miles of a town road in Lindley that, once the CR73 bridge is completed, will be a lone, short section of town road between two county roads. Therefore, he believes it would be appropriate to take over that section of road from the town and make it part of CR73. Discussion followed.

MOTION: AMENDING THE STEUBEN COUNTY MAP TO INCLUDE MORGAN CREEK ROAD IN THE TOWN OF LINDLEY AS PART OF CR73 AFTER THE CR73 BRIDGE CONSTRUCTION IS COMPLETED MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution required (upon CR73 bridge project completion).

F. Shared Services – Mr. Catherman stated there are 140 partial maintenance (PM) bridges in Steuben County. Mr. Spagnoletti stated PM bridges are where the County owns the driving surface and the town takes care of the railing on the approach to the bridge. Our county crews install the railing for the towns and then charge them for doing the work. He noted this is the only instance where we charge them for labor and equipment. They recently completed a bridge in the Town of Prattsburgh and issued them a bill for \$9,134.21 for this service. However, the town pointed out that town crews worked on the County's portion of the bridge and didn't charge us for labor and equipment. Mr. Spagnoletti requested authorization to amend the bill to the Town of Prattsburgh to remove the charges for labor and equipment and accept shared services from the town in lieu of payment, not including materials. He also requested authorization to amend the standard Memorandum of Understanding with the towns to reflect that this option would also be available.

MOTION: ACCEPTING SHARED SERVICES FROM THE TOWN OF PRATTSBURGH IN LIEU OF PAYMENT FOR THE COUNTY INSTALLING RAILING ON THE APPROACH TO A PM BRIDGE IN THE TOWN OF PRATTSBURGH, NOT INCLUDING MATERIALS, AND AMENDING THE STANDARD MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY AND TOWNS RELATIVE TO PM BRIDGES TO REFLECT THIS OPTION, SUBJECT TO APPROVAL OF THE WORDING BY THE LAW DEPARTMENT MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

V. PARKS

A. Camping Fees – Mr. Spagnoletti stated the Finance Committee asked about the possibility of adjusting the camping fees at Kanakadea Park to offset the cost of upgrading the electric sites. He introduced Deb Cotter, who conducted an analysis of the County's camping fees versus what is charged at State Parks. He noted that the State Parks offer swimming, either in a lake or pool, as part of their camping fees, whereas the County does not offer that amenity. To camp overnight with no electric, the County charges \$13/night and the State charges \$15/night. For a 15/20/30 electric service campsite, we charge \$15/night and the State charges \$21/night. For the upgraded electric service site, we charge \$15 and the State charges \$23/night. We receive approximately \$23,000 a year in revenue for camping. He recommended increasing the fees to \$15/night for a non-electric site, \$17/night for a 15/20/30 amp electric service site and \$23/night for the upgraded electric service sites. Discussion followed.

MOTION: SETTING THE 2009 CAMPING FEES AT KANAKADEA PARK AS FOLLOWS: \$15/NIGHT FOR A NON-ELECTRIC SITE; \$17/NIGHT FOR A 15/20/30 AMP ELECTRIC SERVICE SITE AND \$23/NIGHT FOR AN UPGRADED ELECTRIC SERVICE SITE MADE BY MR. MCALLISTER. SECONDED BY MR. NICHOLS. IN FAVOR: MCALLISTER, NICHOLS AND HAURYSKI. OPPOSED: RYAN. MOTION CARRIES 3-1. Resolution Required.

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. RYAN. SECONDED BY MR. HAURYSKI. 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. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Spagnoletti stated he was reminded that they should also adjust the two week camping rate to accommodate the new fee schedule. He recommended increasing the two week camping fee from \$150 to \$170 for a non-electric site, from \$170 to \$200 for a low amp electric site and from \$170 to \$250 for an upgraded electric site.

MOTION: SETTING THE 2009 TWO WEEK CAMPING RATE AT KANAKADEA PARK AS FOLLOWS: \$170 FOR A NON-ELECTRIC SITE, \$200 FOR A LOW AMP ELECTRIC SITE AND \$250 FOR AN UPGRADED ELECTRIC SITE MADE BY MR. HAURYSKI. SECONDED BY MR. MCALLISTER. IN FAVOR: HAURYSKI, MCALLISTER AND NICHOLS. OPPOSED: RYAN. MOTION CARRIES 3-1. Resolution Required.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, February 3, 2009
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, February 3, 2009

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Legislative Committee Conference Room

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MINUTES

Committee: Robert V. Nichols, Chair Patrick McAllister, Vice Chair Thomas J. Ryan
Joseph J. Hauryski Thomas C. Schwartz

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Philip J. Roche

Staff: Mark R. Alger Vincent Spagnoletti Bryce Foster Phil Hink
John Emo Jacques Begin Pete Messmer Mike Stone
James Gleason Doreen Ames Steve Catherman Greg Heffner
Steve Orcutt Frederick Ahrens David English Mike Hughes

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. McAllister led the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE JANUARY 6, 2009, MEETING MADE BY MR. RYAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILLS

A. Methane Analyzer Bid – Mr. Spagnoletti stated they received one bid and it was higher than expected. The bidder added extra items to it so we agreed that they were non-responsive.

MOTION: REJECTING THE METHANE ANALYZER BID DUE TO THE LONE BIDDER BEING NON-RESPONSIVE MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Change Order – Mr. Spagnoletti stated they met with Zoladz Construction, the contractor for the Cell 2 construction, and asked if we would include the purchase and installation of a methane analyzer as a change order. They agreed to this for a price of \$31,476.90. Discussion followed.

Mr. Alger recommended they transfer the funding for the methane analyzer from the major equipment budget to the capital project to pay for this. Mr. Orcutt stated he spoke with the Deputy County Treasurer this morning and she told him that from an accounting perspective, they wouldn't need to because it is already encumbered in a purchase order. Mr. Alger stated they should reflect the cost from the appropriate project. Discussion followed.

MOTION: APPROVING A CHANGE ORDER WITH ZOLADZ CONSTRUCTION IN THE AMOUNT OF \$31,476.90 FOR THE PURCHASE AND INSTALLATION OF A METHANE ANALYZER AT THE BATH LANDFILL AND AUTHORIZING THE TRANSFER OF \$31,476.90 FROM THE LANDFILL MAJOR EQUIPMENT ACCOUNT TO THE CELL 2 CAPITAL PROJECT MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Tipping Fee Analysis – Mr. Spagnoletti stated he does this analysis to make sure our fees are where they need to be in order to pay the bills and pay for the closure of the landfill. From the last year of operation of Cell 4,

they begin with the 30 year post-closure maintenance period. The cost of running the leachate plant is approximately \$21 million, the cost of capping and gas well installation is \$2 million and the post closure maintenance is \$9.8 million. The revenue coming in during the post closure will equate to \$27 million. The total post closure expenses equal \$32.8 million, which leaves them \$6 million short to cover the post-closure costs. After interest earning revenues there is a balance of \$4.2 million. This is the figure we use as being needed in the end of year account balance for the first year of closure. Using that figure, and assuming we will continue receive 110,000 tons per year, we are able to determine what the tipping fees should be. Our fees are \$40/ton at the Bath Landfill, \$54/ton at transfer stations and \$2 per bag for residents. He noted that our tipping fee is in line compared to other landfills as Ontario County charges \$40/ton and Allegany County charges \$35/ton. He noted that Chemung charges \$55/ton.

Mr. Spagnoletti stated we are assuming that our operation will close in 2021. If we stayed in the business and it kept operating out to 2051, those post-closure costs would be spread out over 43 years instead of over the current analysis of 13 years. Discussion followed.

Mr. Spagnoletti stated the cost to operate the leachate plant for 30 years of closure is approximately \$21 million. If the landfill remained open, the operating cost would be paid for through tipping fees.

Mr. Nichols stated our carbon credits end in 2012 but we have the possibility of more revenue from that. Mr. Spagnoletti stated yes, we played it safe on our figures because we don't know what the future holds. Discussion followed.

Mr. Voorhees stated this is a snapshot of what it would be if you had to close after four cells. The analysis will hold, they just don't know at what point in time they will close.

Mr. Van Etten asked do you have a model for including additional cells? Mr. Spagnoletti stated they have not done a model as they are only permitted for 4 cells by NYSDEC. However, he is confident that they would want us to continue on if we applied for another permit.

IV. HIGHWAYS AND BRIDGES

A. Funding Appropriation – Mr. Spagnoletti stated Mr. Messmer has been working with the windmill company and he was able to get an irrevocable letter of credit from the bank guaranteeing the funding to repair CR35 and CR121. However, we don't want to appropriate the funding until we actually have the check. Mr. Ahrens stated there is another component of this that needs to be discussed in executive session.

Mr. Nichols asked are they done trucking over these roads? Mr. Spagnoletti stated they are almost done; the heavy stuff is done. Mr. McAllister stated he heard that if the Prattsburgh windmill project goes forward, they are going to be using CR121 to transport gravel. Mr. English stated that would be covered under a different agreement. Discussion followed.

B. Economic Stimulus Proposal – Mr. Spagnoletti stated the only roads eligible for stimulus money are federal-eligible roads and it is his understanding that they would want these roads built this year. That is possible if you are doing an overlay of blacktop or a recycle with blacktop overlay. There are eligible roads in our system that would be well served if we reconstructed them, but we wouldn't be able to use this money for that because the federal government requires an environmental review, which would delay those projects. Discussion followed.

Mr. Messmer stated we had to respond quickly to get the letter out, as we've been told that it is first come first served.

Mr. Van Etten asked what is the criteria for a road to be eligible for federal funding? Mr. Messmer stated they have to be major collectors for federal roads.

C. CR73 Bridge, Tioga River, Lindley – Mr. Spagnoletti stated we received 9 bids and were lower than expected. The engineer's estimate for the project was \$3,389,000 and the lowest bid was \$2,886,000. This will

allow them to proceed with paving CR116 to the County line. He requested authorization to transfer funds to the CR73 bridge project to cover the NYSDOT supplemental agreement. Discussion followed.

MOTION: AUTHORIZING THE TRANSFER OF \$169,600 FROM THE FEDERAL ISTE A PROGRAM LINE ITEM, \$31,800 FROM THE STATE BRIDGE AID LINE ITEM AND \$10,600 FROM THE SAUNDERS ROAD BRIDGE PROJECT AND APPROPRIATING A TOTAL OF \$212,000 TO THE CR73 BRIDGE CAPITAL PROJECT MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti requested approval to increase the NYSDOT supplemental agreement for the CR73 Bridge project from \$3,462,300 to \$3,674,300.

MOTION: INCREASING THE NYSDOT SUPPLEMENTAL AGREEMENT FOR THE CR73 BRIDGE, TIOGA RIVER PROJECT FROM \$3,462,300 TO \$3,674,300 MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Spagnoletti requested authorization to increase the design agreement with Fisher Engineers from \$290,000 to \$323,900. He noted the cost increased as they had to conduct additional environmental and historic studies. Mr. Catherman stated they found artifacts at the job site and the State Historic Preservation Office required a Phase One and Phase Two study on it. They also made us conduct a detailed bridge rehabilitation estimate to justify constructing a replacement bridge rather than rehabilitating the existing bridge. In addition, during the course of signing the agreement the new LRFD (Load & Resistance Factor Design) codes went into effect, which required additional work for the engineer. Discussion followed.

MOTION: INCREASING THE DESIGN AGREEMENT WITH FISHER ENGINEERS FOR THE CR73 BRIDGE FROM \$290,000 TO \$323,900 MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti requested authorization to sign an agreement for construction inspection with Fisher Engineers in the amount of \$276,000. He noted the funding is included in the previous Federal and State funding calculation.

MOTION: AUTHORIZING AN AGREEMENT WITH FISHER ENGINEERS FOR CONSTRUCTION INSPECTION ON THE CR73 BRIDGE PROJECT IN THE AMOUNT OF \$276,000 MADE BY MR. HAURYSKI. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti stated of the nine bidders on the CR73 Bridge project, Ramsey Constructors, Inc., was the lowest with a price of \$2,886,618.95. They've done work for us in the past and they are a good company. He recommended awarding the bid to Ramsey Constructors, including the paving piece for CR116 to the State line. Discussion followed.

MOTION: AWARDED THE REPLACEMENT OF THE CR73 BRIDGE OVER THE TIOGA RIVER CONSTRUCTION CONTRACT TO RAMSEY CONSTRUCTORS, INC., FOR \$2,886,618.95 INCLUDING PAVING OF CR116 MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. BIDS

A. Geotextile Materials – Mr. Spagnoletti recommended awarding the bid to Vellano Brothers for the first three items and rejecting the fourth item.

MOTION: AWARDED THE GEOTEXTILE MATERIALS BID TO VELLANO BROTHERS, INC., FOR GEOTEXTILE DRAINAGE, GEOTEXTILE, STABILIZATION AND PREFABRICATED COMPOSITE STRUCTURAL DRAIN; AND REJECTING THE BID FOR SHEE-APPLIED WATERPROOFING MEMBRANE MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Schwartz absent for the vote.

B. Asphalt Concrete – CR103 and CR120 – Mr. Spagnoletti recommended awarding both bids to Chemung Contracting.

MOTION: AWARDING THE ASPHALT CONCRETE; SPECIFIED IN-PLACE PROJECT BIDS TO CHEMUNG CONTRACTING FOR \$211,875 FOR CR103 AND \$355,950 FOR CR120 MADE BY MR. RYAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Schwartz absent for the vote.

C. Guiderail Materials – Mr. Spagnoletti recommended awarding the bid to Gregory Industries.

MOTION: AWARDING THE GUIDERAIL MATERIALS BID TO GREGORY INDUSTRIES FOR \$153,347 MADE BY MR. HAURYSKI. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Removal and Lawful Disposal of Deer Carcasses – Mr. Spagnoletti recommended awarding the bid to Dick's Enterprises for \$30 per unit.

MOTION: AWARDING THE REMOVAL AND LAWFUL DISPOSAL OF DEER CARCASSES BID TO DICK'S ENTERPRISES FOR \$30 PER UNIT MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Heavy Steel Pipe & Boiler Shells – Mr. Spagnoletti recommended awarding the bid to all bidders. He also requested they declare Gateway Pipe as a non-responsive bidder. Discussion followed.

MOTION: AWARDING THE HEAVY STEEL PIPE & BOILER SHELLS BID TO ALL BIDDERS EXCEPT GATEWAY PIPE & SUPPLY, INC., AND DECLARING GATEWAY PIPE & SUPPLY AS A NON-RESPONSIVE BIDDER MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Komatsu Dozer; Parts – Mr. Spagnoletti recommended awarding the bid to Anderson Equipment Company for \$14,077.70. Discussion followed.

MOTION: AWARDING THE KOMATSU DOZER; PARTS BID TO ANDERSON EQUIPMENT COMPANY FOR \$14,077.70 MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. 2008 GOALS

Mr. Spagnoletti reviewed the status of the Department of Public Works' 2008 goals.

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. MCALLISTER. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

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

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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. Hauryski led the group in the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE FEBRUARY 3, 2009, MEETING MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILLS

A. Hornell Solid Waste Contract – Mr. Spagnoletti stated we currently charge the City of Hornell \$28/ton to bring their garbage to the Bath Landfill. The rate for everybody else is \$40/ton. We began this special rate with Hornell in 2005 and the contract expired December 31, 2008. The reasoning behind agreeing to the lower rate with Hornell was because we accept outside garbage from Tioga County and the City of Middletown for \$29/ton. However, it should be taken into consideration that those municipalities pay a considerable amount of money to truck their garbage to the Bath Landfill. In addition, that outside garbage brings an additional \$200,000 in revenue into the landfill. We need to decide what we want to do as far as continuing the special rate for Hornell. He requested permission to speak with the City of Hornell about increasing the contract price. He just doesn't think it is right to have a special price for the City of Hornell and nobody else in the County. Considerable discussion followed.

Mr. Ahrens stated he thinks at some point in time you need to conduct an analysis of flow control. Mr. Spagnoletti stated he and Mr. Ahrens disagree about flow control but he will complete an analysis of it the next time he does his 50-year landfill analysis. Discussion followed.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR AND COMMISSIONER OF PUBLIC WORKS TO NEGOTIATE WITH THE CITY OF HORNELL ON THE LANDFILL CONTRACT MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. HIGHWAYS AND BRIDGES

A. Box Culverts – Mr. Spagnoletti stated we previously had discussion about building box culverts for other municipalities. He asked the Committee if they would like to schedule a time to go see the operation. Discussion followed. Mr. Spagnoletti will call the Committee to set up a tour on a warmer day.

V. BIDS

A. Prestressed Bridge Beams #3-7-2, Bath – Mr. Spagnoletti recommended awarding the bid to Husted Concrete for \$48,895.

MOTION: AWARDING THE PRESTRESSED BRIDGE BEAMS; BRIDGE #3-7-2, TOWN OF BATH, BID TO HUSTED CONCRETE PRODUCTS FOR \$48,895 MADE BY MR. MCALLISTER. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Prestressed Bridge Beams #17-29-3, Hornellsville – Mr. Spagnoletti recommended awarding the bid to Husted Concrete for \$41,748.

MOTION: AWARDING THE PRESTRESSED BRIDGE BEAMS; BRIDGE #17-29-3, TOWN OF HORNELLSVILLE, BID TO HUSTED CONCRETE PRODUCTS FOR \$41,748 MADE BY MR. HAURYSKI. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Liquid Bituminous Material; AEPM – Mr. Spagnoletti recommended awarding the bid to Central Asphalt for \$1.628/gallon.

MOTION: AWARDING THE LIQUID BITUMINOUS MATERIAL; AEPM BID TO CENTRAL ASPHALT FOR \$1.628/GALLON MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Liquid Bituminous Material; State Specifications – Mr. Spagnoletti recommended awarding the FOB Plant Site bid to all bidders.

MOTION: AWARDING THE LIQUID BITUMINOUS MATERIAL; STATE SPECIFICATIONS FOB PLANT SITE BID TO CENTRAL ASPHALT, MIDLAND ASPHALT AND VESTAL ASPHALT MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti recommended awarding the emulsion with distributor bid on a line item basis to the lowest bidder.

MOTION: AWARDING THE LIQUID BITUMINOUS MATERIAL; STATE SPECIFICATIONS EMULSION WITH DISTRIBUTOR BID ON A LINE ITEM BASIS TO CENTRAL ASPHALT, MIDLAND ASPHALT AND VESTAL ASPHALT MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti recommended awarding the emulsion for cold mix/pugmill machine bid on a line item basis to the lowest bidder.

MOTION: AWARDING THE LIQUID BITUMINOUS MATERIAL; STATE SPECIFICATIONS EMULSION FOR COLD MIX/PUGMILL MACHINE BID ON A LINE ITEM BASIS TO CENTRAL ASPHALT AND VESTAL ASPHALT MADE BY MR. MCALLISTER. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti recommended awarding the rental equipment bid on a line item basis to all bidders.

MOTION: AWARDING THE LIQUID BIUMINOUS MATERIAL; STATE SPECIFICATIONS RENTAL EQUIPMENT BID ON A LINE ITEM BASIS TO AL BLADES, CENTRAL ASPHALT, MIDLAND ASPHLAT AND VESTAL ASPHALT MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Crushed Limestone – Mr. Spagnoletti recommended awarding the bid to Hanson Aggregates New York for \$127,400.

MOTION: AWARDING THE CRUSHED LIMESTONE BID TO HANSON AGGREGATES NEW YORK FOR \$127,400 MADE BY MR. HAURYSKI. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Slurry Seal Bituminous Overlay – Mr. Spagnoletti recommended awarding the bid to Vestal Asphalt for \$1.58/square yard.

MOTION: AWARDING THE SLURRY SEAL BITUMINOUS OVERLAY BID TO VESTAL ASPHALT FOR \$1.58/SY FOR A TOTAL EXTENDED PROJECT PRICE OF \$124,208.54 MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

G. Roller Rental – Mr. Spagnoletti requested authorization to lease two pad foot rollers for \$3,600 each per month and two steel double drum asphalt rollers for \$3,600 each per month for 3 months. The cost to rent all four of these for three months is \$43,200. He noted to purchase this equipment it would cost approximately \$130,000 apiece. Discussion followed.

MOTION: AUTHORIZING THE LEASE OF TWO PAD FOOT ROLLERS AND TWO STEEL DOUBLE DRUM ASPHALT ROLLERS FOR 3 MONTHS FOR \$43,200 FROM LIFTECH EQUIPMENT COMPANIES MADE BY MR. MCALLISTER. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

H. Pothole Machine – Mr. Spagnoletti requested authorization to lease the Pothole Killer from Patch Management for \$21,000 for the first three months and \$5,000 for the fourth month. Discussion followed.

MOTION: AUTHORIZING THE LEASE OF THE POTHOLE KILLER FROM PATCH MANAGEMENT FOR \$21,000 FOR THE FIRST THREE MONTHS AND \$5,000 FOR THE FOURTH MONTH MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

I. Liquid Bituminous Materials; Non-State Specifications – Mr. Spagnoletti stated this bid is for the towns' use. He recommended awarding the bid on a line item basis to all bidders.

MOTION: AWARDING THE LIQUID BITUMINOUS MATERIAL; NON-STATE SPECIFICATIONS BID ON A LINE ITEM BASIS TO CNETRAL ASPHALT, VESTAL ASPHALT AND MIDLAND ASPHALT MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

J. Cold In-Place Recycling Projects

1. **CR7, Avoca – 1.4 miles** – Mr. Spagnoletti recommended awarding the bid to Suit-Kote Corporation for \$202,745.60.

MOTION: AWARDING THE COLD IN-PLACE RECYCLING PROJECT; CR7, AVOCA BID TO SUIT-KOTE CORPORATION FOR \$202,745.60 MADE BY MR. MCALLISTER. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. **CR35, Cohocton – 3.05 miles** – Mr. Spagnoletti recommended rejecting the bid. He noted they can do the job under another bid.

MOTION: REJECTING THE COLD IN-PLACE RECYCLING PROJECT; CR35, COHOCTON BID MADE BY MR. RYAN. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. **CR40, Corning – 2.61 miles** – Mr. Spagnoletti recommended awarding the bid to Suit-Kote Corporation for \$546,624.62.

MOTION: AWARDING THE COLD IN-PLACE RECYCLING PROJECT; CR40, CORNING BID TO SUIT-KOTE CORPORATION FOR \$546,624.62 MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. **CR41, Hornby – 1.55 miles** – Mr. Spagnoletti recommended awarding the bid to Suit-Kote Corporation for \$229,752.01.

MOTION: AWARDING THE COLD IN-PLACE RECYCLING PROJECT; CR41, HORNBY BID TO SUIT-KOTE CORPORATION FOR \$229,752.01 MADE BY MR. HAURYSKI. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

5. **CR52, Dansville – 1.22 miles** – Mr. Spagnoletti recommended awarding the bid to Suit-Kote Corporation for \$162,765.32.

MOTION: AWARDING THE COLD IN-PLACE RECYCLING PROJECT; CR52, DANSVILLE BID TO SUIT-KOTE CORPORATION FOR \$162,765.32 MADE BY MR. MCALLISTER. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

6. **CR55, Howard/Fremont – 3.65 miles** – Mr. Spagnoletti recommended awarding the bid to Suit-Kote Corporation for \$484,839.

MOTION: AWARDING THE COLD IN-PLACE RECYCLING PROJECT; CR55, HOWARD/FREMONT BID TO SUIT-KOTE CORPORATION FOR \$484,839 MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

7. **CR116, Lindley** – Mr. Spagnoletti stated this is part of the bridge project in Lindley. He recommended awarding the bid to Suit-Kote for \$135,928.32.

MOTION: AWARDING THE COLD IN-PLACE RECYCLING PROJECT; CR116, LINDLEY BID TO SUIT-KOTE CORPORATION FOR \$135,928.32 MADE BY MR. RYAN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

K. **Heavy Steel Pipe** – Mr. Spagnoletti stated at last month's meeting, we awarded the bid to all bidders on a line item basis. However, there was a typographical error on the bid sheet for Allegany Pipe. The bid sheet listed their price for 24" diameter pipe as being \$37.50/linear foot and the actual price they bid was \$27.50/linear foot. He requested authorization to accept that price.

MOTION: RECOGNIZING AND ACCEPTING THE ACTUAL BID PRICE FROM ALLEGANY PIPE FOR A 24" DIAMETER HEAVY STEEL PIPE AS \$27.50/LINEAR FOOT MADE BY MR. RYAN. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. 2009 GOALS

Mr. Spagnoletti reviewed his department's top ten major goals.

Mr. Ryan stated he noticed one of the goals of the Mobile Work Program is to build hiking trails. He commented that he's philosophically opposed to creating hiking trails as they destroy natural habitat. I don't think hikers pay their fair share towards the State's Conservation Fund and I'm especially against plowing new trails through forestlands with taxpayers footing the bill. I know it's nice to have some of these trails, but I don't think we should be building new ones. They sometimes infringe on areas used by trappers and fishermen along the streams.

Mr. Spagnoletti stated we don't cut trees down when working on the trails. We just clear the brush out in a three foot area for the trail. Discussion followed.

Mr. Van Etten stated he questions the credit card implementation being listed as #12 on the landfills. I hope that doesn't mean it is lower in importance because it needs to get done. Mr. Spagnoletti stated the reason it is lower on the list is because it is in the final stages of implementation.

Mr. Van Etten asked about the status of the agricultural plastic issue. Mr. Orcutt stated they have investigated it and there is no market for the material. If a market opens up for this material, we will look into it further. Discussion followed.

VII. OTHER BUSINESS

Mr. Nichols stated he will not be available on the date of the regularly-scheduled April meeting and asked if the Committee would consider changing the date of the meeting. *The Committee agreed to move the meeting to Thursday, April 2nd at 9:00 a.m.*

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

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

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Thursday, April 2nd, 2009
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Thursday, April 2, 2009

9:00 a.m.

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

MINUTES

Committee: Robert V. Nichols, Chair Patrick F. McAllister, Vice Chair Joseph J. Hauryski
Thomas C. Schwartz

Legislators: Philip J. Roche John Walsh Donald B. Creath

Staff: Mark R. Alger Gregory P. Heffner Jack Wheeler Vincent Spagnoletti
Bryce Foster Phil Hink John Emo Peter Messmer
Amy Dlugos Lewis Eason Doreen Ames Mike Stone
Bonnie Kastner Jacques Begin James Gleason Steve Orcutt
Frederick Ahrens David English

Other: Joseph Sproule, Rathbone Town Councilman
Kevin Voorhees, Barton Loguidice
Mary Perham, *Leader*
Mark Ryckman, Corning City Manager

Absent: Thomas J. Ryan

I. CALL TO ORDER

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

II. PUBLIC COMMENT

Joseph Sproule, Rathbone, stated I've become quite involved with matters of local government and currently serve as a Councilman for the Town of Rathbone. My purpose today is to encourage a broader partnership between the County and towns as it relates to the control and riddance of junk and garbage along the roads throughout Steuben County. He distributed copies of photos taken within a ½ mile radius of his residence depicting a collection of various piles of junk. He stated all of these junk piles are eyesores as well as potential hazards. Part of his motivation has to do with the comprehensive plan he has been working on for the Town of Rathbone. The Comprehensive Planning Committee, which he chaired, conducted a survey of the residents and they received 800 responses to the survey. An 80 percent majority of the respondents had an overwhelming desire to dispose of this junk in their town. This problem permeates throughout the county.

Mr. Sproule stated I've been communicating with members of the County Legislature regarding this issue and, with the help of Commissioner Spagnoletti, developed a proposal to present to the county. The Legislature needs to indicate to the general public that there is a desire to fix this problem and bring the County back to the beauty it once was. They could probably accomplish this with a public proclamation and hopefully that would bring the towns on board. In addition, they could consider sponsoring a competition between the towns to present a plan to deal with the control and riddance of this junk. After reviewing each town's plan, the county could decide which plan is best and allow the winning town to receive a reduced cost on tipping fees to dispose of the junk. This would offer the opportunity for all towns to become involved and the towns that are committed to ridding their area of this problem would be rewarded through reduced tipping fees. Thank you.

Mr. Creath stated this is a call to action to declare publicly that we care about how our roadsides look by creating a roadside beautification program. I see this as a part of pride in your community and pride in how your environment looks. It's hard to measure the economic benefit of this with the visitors to the county, but it would make the residents of Steuben County feel better about their county.

Mr. Nichols stated over the years we've tried to get people to clean up their junk cars and piles, and some of them get very angry when you try to encourage them to dispose of their junk. Discussion followed.

Mr. Hauryski stated he supports this effort as he also has areas that could benefit from it. Mr. McAllister stated everybody has this problem. He noted that this is a town issue and the enforcement of it needs to be done at the town level. Every town is facing it. They should have the town attorney, town board and code enforcement officer get a plan together for enforcement of the law.

Mr. Spagnoletti stated we have a more definite proposal that he would like to address later in the meeting.

III. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE MARCH 3, 2009, MEETING MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES

IV. LANDFILLS

A. Environmental Assessment - Cameron Mills Bridge Shop – Mr. Orcutt stated in the responses we received from different engineering firms on the environmental assessment, it was brought to our attention that this location was part of a 1,500 mile pipeline for crude. Mr. Spagnoletti stated based upon that information, they solicited requests for proposals to do a thorough investigation of the site. TVGA Consultants was the lowest bidder. He recommended awarding the bid to them for \$13,950. Discussion followed.

MOTION: ACCEPTING THE PROPOSAL FROM TVGA CONSULTANTS OF ELMA, NY, TO CONDUCT THE PHASE II ENVIRONMENTAL SITE ASSESSMENT OF THE OLD CAMERON MILLS BRIDGE SHOP FOR \$13,950 MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Recycling – Mr. Spagnoletti stated every four or five years we conduct an analysis of our recycling. Currently we do not charge for recycling. It is a good system and the public responds well to it.

Mr. Spagnoletti reviewed the cost for recycling metals and appliances. The total cost for recycling those items after revenue is applied is \$36 per ton. He also reviewed the cost for recycling glass, paper, cardboard, plastic, tin and tires. After revenue and state aid for these items, the net unit cost to handle this tonnage is \$7 per ton. He stated it costs \$40 per ton to bury garbage so financially it is cheaper to recycle. Discussion followed.

Mr. Schwartz asked how much do the cities save by sending their garbage to Casella rather than bringing it to the County? Mr. Spagnoletti stated about 4 or 5 dollars per ton.

Mr. Schwartz stated the residents of Steuben County pay for the landfill and while I can see it is a savings for the cities, they need to have vision for the future. We need garbage to produce methane for our gas collection system. Maybe in the future we could partner with the cities to benefit everybody.

Mr. Ryckman stated right now for us the gap is just a little too wide to justify us bringing our garbage to the County. Certainly we would like to be partnering with the County if possible.

Mr. McAllister stated traditionally we haven't charged for recycling but generally that's because they bring their garbage to us.

Mr. Nichols stated because of the gas project, we need to have a certain flow of garbage every year to keep it going. The methane only comes out of the landfill for 20 to 25 years.

Mr. Schwartz stated in the spirit of cooperation, he recommended not charging the cities for recycling at this time. He suggested they establish a committee to look into various options for partnering with the cities to get them to bring their garbage to our landfill. Discussion followed.

Mr. Ahrens stated they should include flow control in their study in order to ensure adequate refuse. Mr. Voorhees noted on the power sale side, they have to be careful of potential changes to the original agreement because Steuben Rural Electric Cooperative would have to sign off on that.

C. Roadside Beautification Plan – Mr. Spagnoletti stated we hold a town lottery program annually which allows the winning town to bring garbage to the landfill for disposal at no cost. Last year we floated the idea of doing it county wide, but the concern was we would be inundated with garbage. Instead, we chose three towns to be eligible for this program. Two of the towns didn't bring anything in and the other brought in a load of tires.

Mr. Spagnoletti stated the new proposal is to ask the towns to provide a one page summary of what they would be cleaning up and have Ms. Dlugos from the Environmental Management Council review the plans and determine if they are feasible. Based upon the number of plans submitted, some or all of the towns would get a reduced fee or no fee for disposal. Discussion followed.

Mr. Voorhees stated he knows of one county that provides each town an annual allotment of tonnage for roadside cleanups. They review the amounts every year and adjust it annually. The benefit to your countryside and roadside is tremendous. Considerable discussion followed.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SEND A LETTER TO THE TOWNS PRESENTING THE COUNTY'S ROADSIDE BEAUTIFICATION PLAN; REQUIRING SUBMISSIONS TO BE MADE IN A TIMELY FASHION SO THE PLANS CAN BE REVIEWED BY THE ENVIRONMENTAL MANAGEMENT COUNCIL WITH THE FINALISTS BEING PRESENTED TO THE PUBLIC WORKS COMMITTEE AT THEIR MAY 5TH MEETING AND THE CLEANUP BEING CONDUCTED SOMETIME IN JUNE; AND BASED UPON THE NUMBER OF RESPONSES, THE COMMITTEE WILL DETERMINE THE NUMBER OF PLANS TO ACCEPT AND THE AWARD, WHICH WOULD BE ANYWHERE BETWEEN FREE TO A REDUCED RATE MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Hauryski stated if this falls flat like the lottery last year, we should sit down and look at how we can improve and do a better job of getting the initiative out there.

D. Landfill Gas Utilization Project – Mr. Spagnoletti announced that they will be holding the groundbreaking of the landfill gas utilization project on Earth Day, which is Wednesday, April 22nd at 2:30 p.m.

V. **HIGHWAYS AND BRIDGES**

A. Snowplowing Contract with Towns – Mr. Spagnoletti stated the 08/09 price was \$4,250/mile for the towns to plow for the County. He offered the towns a price of \$4,400 for the 09/10, with increases for year 2 and 3 of the contract. He noted the contract includes a clause for a salt price adjustment and they already have a fuel price adjustment clause. Discussion followed.

MOTION: APPROVING THE TOWN SNOW CONTRACTS WITH A PRICE OF \$4,400 FOR 09/10 MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Spagnoletti invited the Legislators to attend a tour of the bridge shop, where they make the box culverts, on Wednesday, April 8, 2009 at 9:00 a.m. He noted they will be able to see the process of loading up the box culverts for transport to a job site.

VI. **BIDS**

- A. Asphalt Concrete – FOB Plant – Mr. Spagnoletti recommended awarding the bid to all bidders.

MOTION: AWARDING THE ASPHALT CONCRETE; FOB PLANT BID TO ALL BIDDERS: BLADES CONSTRUCTION PRODUCTS, DALRYMPLE GRAVEL, ELAM MATERIALS AND INNOVATIVE MUNICIPAL PRODUCTS MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

- B. Asphalt Concrete – Miscellaneous in Place – Mr. Spagnoletti recommended awarding the bid to the lowest bidder by quadrant.

MOTION: AWARDING THE ASPHALT CONCRETE; MISCELLANEOUS IN PLACE PROJECTS AS FOLLOWS: QUADRANT 1 – BOTHAR CONSTRUCTION, LLC; QUADRANT 2 – AL BLADES & SONS, INC.; QUADRANT 3 – BABCOCK ENTERPRISES, LTD; AND QUADRANT 4 – AL BLADES & SONS, INC. MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 3-0.
Mr. Schwartz absent for the vote.

- C. Asphalt Concrete; Specified in place – Mr. Spagnoletti recommended awarding the bid to AL Blades.

MOTION: AWARDING THE ASPHALT CONCRETE PROJECT; CR 35 – TOWN OF COHOCTON BID TO AL BLADES & SONS FOR A TOTAL EXTENDED BID PRICE OF \$256,107.50 MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 3-0.
Mr. Schwartz absent for the vote.

- D. Microsurfacing Bituminous Overlay Project – Mr. Spagnoletti recommended awarding the bid to Suit Kote.

MOTION: AWARDING THE MICROSURFACING BITUMINOUS OVERLAY PROJECT; CR121 – TOWNS OF WAYLAND AND COHOCTON BID TO SUIT KOTE FOR A TOTAL EXTENDED BID PRICE OF \$147,419.10 MADE BY MR. HAURYSKI. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

- E. Pavement Grinding Equipment Rental – Mr. Spagnoletti recommended awarding the bid to Midland Asphalt.

MOTION: AWARDING THE PAVEMENT GRINDING EQUIPMENT RENTAL BID TO MIDLAND ASPHALT FOR ALL FOUR QUADRANTS MADE BY MR. MCALLISTER. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

- F. Asphalt Milling Equipment Rental – Mr. Spagnoletti recommended awarding the bid to Villager Construction.

MOTION: AWARDING THE ASPHALT MILLING EQUIPMENT RENTAL BID TO VILLAGER CONSTRUCTION FOR ALL FOUR QUADRANTS MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

- G. Prestressed Concrete Bridge Beams - #27-115-1 – Mr. Spagnoletti recommended awarding the bid to Husted Concrete.

MOTION: AWARDING THE PRESTRESSED CONCRETE BRIDGE BEAMS BID FOR BRIDGE #27-115-1 IN THE TOWN OF URBANA TO HUSTED CONCRETE FOR \$43,524.25 MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

H. Prestressed Concrete Bridge Beams - #16-11-1 – Mr. Spagnoletti recommended awarding the bid to LC Whitford.

MOTION: AWARDING THE PRESTRESSED CONCRETE BRIDGE BEAMS BID FOR BRIDGE #16-11-1 IN THE TOWN OF HORNBY TO LC WHITFORD FOR \$42,037 MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

I. Cleaning/Washing Bridges – Mr. Spagnoletti recommended awarding the bid to C.P. Ward.

MOTION: AWARDING THE CLEANING/WASHING OF BRIDGES BID TO C.P. WARD FOR A TOTAL BID PRICE OF \$92,925 MADE BY MR. HAURYSKI. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

J. Steel Sign Posts – Mr. Spagnoletti recommended awarding the bid to Eberl Iron Works and selecting the Marion post, and to Garden State Highway Products for the studded “T” posts and “Z” stringers.

MOTION: AWARDING THE STEEL SIGN POSTS BID TO EBERL IRON WORKS FOR A TOTAL EXTENDED BID PRICE OF \$54,870 FOR THE MARION POST; AND TO GARDEN STATE HIGHWAY PRODUCTS FOR THE STUDDED “T” POSTS FOR \$1.36 PER UNIT AND “Z” STRINGERS FOR \$3.14 PER UNIT MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

K. Steel Sign Posts; Replacement Parts – Mr. Spagnoletti recommended awarding the bid on a line item basis to all bidders except Eberl Iron Works, who is considered to be a non-responsive bidder.

MOTION: AWARDING THE STEEL SIGN POSTS; REPLACEMENT PARTS BID ON A LINE ITEM BASIS TO ALL BIDDERS; CHEMUNG SUPPLY CORP AND GARDEN STATE HIGHWAY PRODUCTS; AND DECLARING EBERL IRON WORKS A NON-RESPONSIVE BIDDER MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

L. Vegetation Control – Application of Herbicides – Mr. Spagnoletti recommended awarding the bid to DeAngelo Brothers; utilizing Option B for \$23,880.

MOTION: AWARDING THE VEGETATION CONTROL – APPLICATION OF HERBICIDES BID TO DEANGELO BROTHERS FOR \$23,880; UTILIZING OPTION B MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

VII. OTHER BUSINESS

Mr. Wheeler stated they received notification from NYSERDA about available EPA grant funding for diesel emission reduction. He is working on applying for the grant through a joint application with NYSERDA. Mr. Alger stated if we receive the grant, we’ll come back to the Committee for approval.

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

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

MOTION: STIPULATING THAT ANY EQUIPMENT THE COUNTY LOANS TO OTHER MUNICIPALITIES WILL INCLUDE AN OPERATOR EMPLOYED BY THE COUNTY MADE BY MR. MCALLISTER. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, May 5, 2009
9:30 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, May 5, 2009

9:00 a.m.

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

MINUTES

Committee: Robert V. Nichols, Chair Thomas C. Schwartz Thomas J. Ryan
Joseph J. Hauryski

Legislators: John Walsh Scott J. Van Etten

Staff: Mark R. Alger Jack Wheeler Gregory Heffner Vincent Spagnoletti
Bryce Foster John Leyden Doreen Ames Steve Catherman
Sam Hadley Eric Prutsman Pete Messmer Amy Dlugos
James Gleason Mike Stone Lewis Eason Kathryn Muller
Robert Biehl

Other: Mary Perham, *Leader*

Absent: Patrick F. McAllister, Vice Chair

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE APRIL 2, 2009, MEETING MADE BY MR. HAURYSKI. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

III. LANDFILLS

A. Roadside Beautification – Mrs. Dlugos stated the Towns of Wayne, Hornby, Tuscarora and Rathbone all submitted proposals for the Roadside Beautification Program. Mr. Spagnoletti asked if the Committee wished to have them receive a reduced fee or to let them bring it in for free. Discussion followed.

Mr. Alger noted that the resolution creating this program gives authority to the Public Works Committee to set the fees. He wants to make it clear that even if they decide to allow them to bring it to us for free this year, they will still have the capability to vary the fees every year based upon the number of responses. Discussion followed.

MOTION: AUTHORIZING THE TOWNS OF WAYNE, HORNBY, TUSCARORA AND RATHBONE TO BRING ROADSIDE GARBAGE TO THE LANDFILL AT NO COST THROUGH THE ROADSIDE BEAUTIFICATION PROGRAM MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. IN FAVOR: SCHWARTZ, RYAN, HAURYSKI. MR. NICHOLS ABSTAINED AS HE IS THE TUSCARORA TOWN SUPERVISOR. MOTION CARRIES 3-0-1.

B. Environmental Engineer – Mr. Spagnoletti stated Barton & Loguidice has handled the design work at the Bath Landfill, including the design of cell one, the cap, and the gas collection system. They have submitted a quote of \$224,000 for the next phase of the project. Normally the next phase of the project would require us to solicit RFPs. However, he would like authorization to designate Barton & Loguidice as the County's Environmental Engineer to handle the remainder of the project. Discussion followed.

Mr. Alger stated they discussed this with the Purchasing Director and the Law Department. Procurement policies would normally require an RFP. Under the circumstances, when we picked Barton & Loguidice from the original RFP, there was some expectation that they would design all of the cells at the landfill so there would be consistency with the design. When you change firms in the middle of a project, you could run into trouble. Therefore, we are asking to waive the procurement policy and designate Barton & Loguidice as the engineer for the remainder of the project. Should we determine at some point that their rates aren't competitive, we can still change. But from a procurement standpoint, we anticipate continuing with them through the duration of the project. Considerable discussion followed.

MOTION: WAIVING THE PROCUREMENT POLICY AND DESIGNATING BARTON & LOGUIDICE AS STEUBEN COUNTY'S ENVIRONMENTAL ENGINEER FOR THE DURATION OF THE EXPANSION OF THE BATH LANDFILL MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

IV. HIGHWAYS AND BRIDGES

A. CHIPS Funding – Mr. Spagnoletti stated we were budgeted to receive \$3,219,000 in CHIPS funding and it looks like we will receive \$3,688,392. This matches what we received last year, which was already considerably above what we have received in past years. Discussion followed.

MOTION: ACCEPTING \$469,392 IN ADDITIONAL CHIPS FUNDING INTO ACCOUNT #999901.4.3501000 CHIPS AND APPROPRIATING IT TO ACCOUNT #511200.5.250000 ROAD PROJECTS MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. First Wind Holdings Funding – Mr. Spagnoletti stated First Wind had originally agreed to pay for any repairs related to CR35 and CR121, the roads they traveled during the construction of their wind farm. Using the May index, they are projecting the cost of these two projects to total \$844,084. He requested authorization to accept \$728,133 for the CR35 project and \$115,951 for the CR121 project, contingent upon the receipt of a check from First Wind Holdings. Discussion followed.

MOTION: ACCEPTING \$728,133 FOR THE CR35 PROJECT AND \$115,951 FOR THE CR121 FROM FIRST WIND HOLDINGS CONTINGENT UPON THE RECEIPT OF THEIR PAYMENT MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Economic Stimulus Funding – Mr. Spagnoletti stated they received notification that we were chosen to receive Economic Stimulus funding for two projects on County Route 14. He requesting authorization to accept \$545,000 to reconstruct 2.9 miles along CR14 in the Towns of Bath and Howard and \$309,000 to reconstruct 1.9 miles along CR14 in the Town of Bath. Discussion followed.

MOTION: ACCEPTING \$545,000 IN ECONOMIC STIMULUS FUNDING TO RECONSTRUCT 2.9 MILES ALONG CR14 IN THE TOWNS OF BATH AND HOWARD MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: ACCEPTING \$309,000 IN ECONOMIC STIMULUS FUNDING TO RECONSTRUCT 1.9 MILES ALONG CR14 IN THE TOWN OF BATH MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

V. BIDS

A. Traffic Control Supplies – Mr. Spagnoletti recommended awarding the bid to S&S Signs & Safety Equipment for \$7,432.50.

MOTION: AWARDING THE TRAFFIC CONTROL SUPPLIES BID TO S&S SIGNS AND SAFETY EQUIPMENT FOR \$7,432.50 MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. New Structural Steel – Mr. Spagnoletti recommended awarding the bid to Chemung Supply Corporation for \$13,983.

MOTION: AWARDING THE NEW STRUCTURAL STEEL BID TO CHEMUNG SUPPLY CORPORATION FOR \$13,983 MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Foamed Asphalt Highway Project – Mr. Spagnoletti stated they only received one bid and it was higher than they thought it would be. Mr. Messmer explained that this company uses a portable mixing plant. The main difference between foamed asphalt and the conventional process is that they take hot asphalt cement and shoot water into it. When you mix the hot asphalt with cold water, it foams. It mixes very easily through the gravel mix on the road and when you put it on the road, it is hard like hot mix. You can also mix it with pure gravel to have a stronger road. It's a very versatile process. The stabilizer gravel is equivalent to emulsion made gravel. There's no curing time and you can put traffic on it right away.

Mr. Spagnoletti stated they will continue to research the possibility of using this process on another road. In the meantime, they would like to reject the bid for this project.

MOTION: REJECTING THE FOAMED ASPHALT HIGHWAY PROJECT BID MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

VI. OTHER BUSINESS

A. Informational – Mr. Spagnoletti displayed a picture of the steel wheel on the compactor they have at the landfill. There are 80 caps on the wheel and they are all worn out. Unfortunately, the individual who created the caps for the wheel has a patent on them and, therefore, we can only purchase replacement caps through him at a cost of approximately \$50,000. There is no sense in soliciting bids for this since we would only receive one bid. He discussed this with the sole source committee and they have declared it a sole source item. He just wanted to keep the committee informed.

B. June Meeting Date – Mr. Spagnoletti stated he has a County Highway Superintendent's Conference the same date as the next regular meeting date. *The Committee agreed to move the June meeting to Monday, June 8th at 9:00 a.m.*

C. Box Culverts – Mr. Hauryski stated last month we were invited to the bridge shop where they were loading box culverts. I wanted to thank the crew for giving us that opportunity. Mr. Foster gave me a good tour of the shop area and discussed how they manufacture the box culverts. I must say I was very impressed and pleased with how they move the box culverts. I bring that up because we have had concern on this Committee about manufacturing these for the towns. I would like to state for the record and have the Committee agree to building one or two box culverts a year for any of the towns who might need it.

Mr. Eason stated he observed the box culvert operation through the loading, transporting and unloading process. There were only one or two minor safety issues, and I discussed them with Mr. Spagnoletti and Mr. Foster. Overall, it was very impressive; the guys worked well and I believe it is a safe operation.

Mr. Spagnoletti noted that the Town of Wayne installed a box culvert last year. Their material was \$46,000. Our cost to them would have been \$27,000. Mr. Ryan stated the towns are struggling and they could use all the help they can get. Discussion followed. *The Committee agreed to allow the construction of one or two box culverts each year for any towns in need, contingent upon County projects being completed first.*

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. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Monday, June 8, 2009
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Monday, June 8, 2009

9:00 a.m.

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

MINUTES

Committee: Robert V. Nichols, Chair Patrick F. McAllister, Vice Chair Thomas J. Ryan
Joseph J. Hauryski

Legislators: John Walsh Philip J. Roche

Staff: Mark R. Alger Vincent Spagnoletti Bryce Foster John Emo
Steve Orcutt Pete Messmer Sam Hadley Doreen Ames
Phil Hink Mike Stone Jack Wheeler Frederick Ahrens
David English Carol Whitehead Steve Catherman James Gleason
Jacques Begin

Other: Mary Perham, *Leader*

Absent: Thomas C. Schwartz

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE MAY 5, 2009, MEETING MADE BY MR. RYAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. LANDFILLS

A. July 4th Holiday – Mr. Spagnoletti stated County Offices are closed on Friday, July 3rd, for the Fourth of July Holiday. He requested authorization to close the landfill at Noon on Friday, July 3rd and all day Saturday, July 4th.

MOTION: AUTHORIZING THE STEUBEN COUNTY LANDFILL TO CLOSE AT NOON ON FRIDAY, JULY 3RD AND ALL DAY SATURDAY, JULY 4TH FOR THE FOURTH OF JULY HOLIDAY MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Tipping Fee for Auto Fluff – Mr. Spagnoletti requested authorization to reduce the tipping fee for auto fluff from \$12/ton to \$8/ton to reflect changes in the market. Discussion followed.

MOTION: REDUCING THE AUTO FLUFF TIPPING FEE FROM \$12/TON TO \$8/TON AT THE BATH LANDFILL MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

IV. HIGHWAYS AND BRIDGES

A. Property Transfer to Village of Avoca – Mr. Catherman stated in June of 2006, we accepted property in the Village of Avoca from the State Department of Transportation. We'll be conveying that property to the Village of Avoca through a quit claim deed. This is for informational purposes only.

B. Easement – Mr. English stated the Town of Erwin is doing a water project and they need to put the water across Meads Creek. The County acquired the creek and creek banks back in the 1920's. The Town has requested an easement to run the water line under the creek bed. He noted that the State Department of Environmental Conservation has already issued the town a work permit to place the water line under the creek bed. Discussion followed.

MOTION: GRANTING AN EASEMENT TO THE TOWN OF ERWIN TO RUN A WATER LINE UNDER MEADS CREEK MADE BY MR. HAURYSKI. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution required.

C. 5-Year Road Plan Guidelines – Mr. Spagnoletti stated the minimum required to maintain the roads in the County is \$5,234,479. This year, with the wind farm money, additional chips and economic stimulus money, we have \$7,471,000 to use for road construction. We currently have 80 miles of poor roads. With this extra funding, we'll be able to work on more of these poor roads. Discussion followed.

Mr. Spagnoletti stated in future years for the road construction budget, they will request the minimum required to maintain the roads and include a prioritized list of road construction projects.

V. **BIDS**

A. Refuse Trailer – Mr. Spagnoletti recommended awarding the bid to Pardo's Truck Service for \$76,750.

MOTION: AWARDING THE REFUSE TRAILER BID TO PARDO'S TRUCK SERVICE OF SEAWELL, NJ, FOR \$76,750 MADE BY MR. RYAN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Household Hazardous Waste – Mr. Spagnoletti recommended awarding the bid to Clean Harbors Environmental Services for \$12,238.59.

MOTION: AWARDING THE COLLECTION AND DISPOSAL OF HOUSEHOLD AND AGRICULTURAL HAZARDOUS WASTE BID TO CLEAN HARBORS ENVIRONMENTAL SERVICES OF NORWELL, MA, FOR \$12,238.59 MADE BY MR. RYAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Roadside Mowing – Mr. Hauryski stated before they award the bid for roadside mowing, he'd like the Committee to be aware that some of the vendors don't have the proper equipment necessary for true roadside mowing. They aren't able to reach across the ditch with their equipment so I don't think we're getting our money's worth on this bid. I think we need to do something differently to make sure they can cut the grass that grows across the ditch. Discussion followed.

Mr. Spagnoletti stated our contract is to mow to the center of the ditch. In the winter, we've been doing the cutting of the brush on the other side of the ditch. We could let the bid next year under two options, with one of those options to include cutting 8 foot to the other side of the ditch. Discussion followed.

Mr. Spagnoletti stated it would require four boom mowers for the County to be able to do the mowing. Then, on an annual basis, it would cost the county \$84,000 for depreciation, fuel, parts and repairs, and to hire temporary help to run the mowers. He stated the bid to be awarded today came in at \$72,000 not including the \$20,000 to spray after they are done mowing. Discussion followed.

Mr. Alger noted the first year cost would be \$450,000. That's if you buy all of the mowers. Also, even if you only hire them for the summer, you'll probably end up paying unemployment. One way to handle this is to put a person on the existing boom mower for the entire summer to see how much mowing they get done. You might find you won't need to purchase 4 mowers. Discussion followed.

Mr. Spagnoletti stated he would like to award this bid and see how the vendor does with it this year as far as quality. He recommended awarding the bid to Town & Country Equipment for \$52.85/mile per mowing. The lowest bidder, Brook Valley Industries, provided a list of equipment that was not adequate for roadside mowing. In addition, we require a list of references with the bid, which they did not provide.

MOTION: DECLARING THE LOW BIDDER NON-RESPONSIVE BECAUSE THEY FAILED TO PROVIDE REFERENCES AND A LIST OF ADEQUATE EQUIPMENT TO DO THE JOB MADE BY MR. RYAN. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: AWARDING THE ROADSIDE MOWING BID TO TOWN & COUNTRY EQUIPMENT FOR \$52.85/MILE PER MOWING MADE BY MR. RYAN, SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

VI. OTHER BUSINESS

A. Informational – Mr. Spagnoletti stated they hired a contractor to install the electric sites at Kanakadea Park and the materials alone came in almost as much as what they budgeted. Legislator Farrand has arranged for the County to utilize BOCES students to do the work under the supervision of the licensed contractor. He noted they will wait until the students return to school in the fall.

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. RYAN. 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. HAURYSKI. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, July 7, 2009
9:00 a.m.**

STEUBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, July 7, 2009

9:00 a.m.

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

MINUTES

Committee: Robert Nichols, Chair Joseph J. Hauryski Thomas C. Schwartz Thomas Ryan

Legislators: John Walsh

Staff: Mark R. Alger Jack Wheeler Gregory P. Heffner Vincent Spagnoletti
Bryce Foster Phil Hink John Emo Steve Orcutt
Pete Messmer Steve Catherman David English James Gleason
Jacques Begin Todd Swimelar

Absent: Patrick McAllister, Vice Chair

Other: Dan Nightingale

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE JUNE 8, 2009, MEETING MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. LANDFILLS

A. Recycling Grant Applications – Mr. Spagnoletti stated the Department of Environmental Conservation will pay 50 percent of various items related to the County’s Recycling Program. He requested authorization to apply for a grant to pay 50 percent of the Recycling Manager’s Salary and various costs related to the program’s operation for the years 2011, 2012 and 2013. In addition, he requested authorization to apply for a grant to pay 50 percent of the cost of the recycling baler and the wheel loader. Discussion followed.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPLY FOR THREE RECYCLING GRANTS FROM THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO PAY 50 PERCENT OF THE RECYCLING MANAGER’S SALARY (AND ASSOCIATED ITEMS) FOR THE YEARS 2011, 2012 AND 2013; 50 PERCENT OF THE COST OF THE RECYCLING BALER; AND 50 PERCENT OF THE COST OF THE WHEEL LOADER MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Budget Transfer – Mr. Spagnoletti requested authorization to transfer \$20,000 from the Pave Haul Road to Shop Capital Project to the Pave/Fence Wayland Transfer Station Capital Project. He noted there is \$139,000 available in the project. In addition, if this item is approved he will not include capital project funding in the 2010 budget for the Wayland Transfer Station. Discussion followed.

MOTION: AUTHORIZING THE TRANSFER OF \$20,000 FROM THE PAVE HAUL ROAD TO SHOP CAPITAL PROJECT TO THE PAVE/FENCE – WAYLAND TRANSFER STATION CAPITAL PROJECT MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

IV. HIGHWAYS AND BRIDGES

A. Overtime Analysis – Mr. Spagnoletti stated last year they experimented with working four ten hour days during the winter. They tracked actual costs at the Woodhull and Cohocton shops. According to the analysis, they saved 62 hours in overtime at the Woodhull shop and 92 hours in overtime at the Cohocton shop. If you average that over all of the shops, it would result in \$24,000 in payroll savings. In addition, there is a \$55,000 savings just for diesel fuel by not mobilizing on Friday. It also saves on the wear and tear of the vehicles. Discussion followed.

Mr. Spagnoletti stated between the overtime, labor and fuel there is about \$80,000 in cash savings and \$150,000 in savings on the wear and tear of the vehicles. He had always been of the opinion that 5 eight hour days was the way to go. However, the crews really produced working the four ten hour days. They are doing a great job with it and getting a ton of work done. Discussion followed.

B. First Wind – Mr. Spagnoletti stated we've received a check for \$771,294 and their letter of credit was for \$1,142,930. He stated First Wind is requesting the County reduce the amount on the letter of credit. Mr. English stated the reduction was due to the recalculation of the work done based upon the asphalt index in May. The agreement calls for a final reconciliation after we finish the construction of these roads. As far as the letter of credit, it is appropriate to exonerate a significant amount of this letter credit, but hold back \$125,000 as the final balance until we are finished and know the actual cost of the rehabilitation of these roads. Discussion followed.

MOTION: AUTHORIZING THE LAW DEPARTMENT TO REDUCE THE LETTER OF CREDIT FROM FIRST WIND HOLDINGS TO \$125,000 MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. CR103 – Mr. Spagnoletti requested approval of a change order in the amount of \$84,750 to place 1 ½ inches of blacktop on CR103 instead of the 1 inch that was included in the bid. The purpose is to help protect the road from the logging trucks.

MOTION: APPROVING A CHANGE ORDER FROM CHEMUNG CONTRACTING IN THE AMOUNT OF \$84,750 TO INCLUDE AN ADDITIONAL HALF INCH OF BLACKTOP IN THE CR103 ROAD PROJECT BID MADE BY MR. HAURYSKI. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

V. BIDS

A. BOMAG Engine Replacement – Mr. Spagnoletti stated the only bidder that responded didn't adhere to the bid specifications. He recommended rejecting the bid and soliciting new bids. Discussion followed.

MOTION: REJECTING THE BOMAG ENGINE REPLACEMENT BID AND AUTHORIZING THE SOLICITATION OF NEW BIDS MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Spagnoletti noted that they've let the bid for the four tri-axle trucks. It was a whole new bid and Jacques Begin had to completely rewrite it and he did a great job with it.

B. Special Meeting – Mr. Spagnoletti requested a special meeting to award the bid for the Bath Landfill Cap/Gas Collection/Force Main. Special meeting scheduled for *Monday, July 27th at 9:30 a.m.*

VI. OTHER BUSINESS

A. Hogweed – Mr. Spagnoletti distributed information regarding the continuing hogweed problem in the County. They discovered a patch of it at one of the bridge sites they were going to be working on. He asked Todd Swimelar to explain the precautions they took to remove the plants. Discussion followed.

B. Road Construction Projects – Mr. Foster provided an overview of the status of the 2009 road construction projects.

C. Bridge and Box Culvert Projects – Mr. Catherman provided an update on the 2009 box culvert and bridge projects.

D. Stimulus Funding – Mr. Messmer reported they have received the stimulus funding for the CR14 project and they will be holding a preconstruction meeting with the contractor.

VII. PUBLIC COMMENT

Dan Nightingale, Lindley, stated the last 30 yards of my driveway runs along CR106. When the County worked on CR106, they raised the road bed and the small ditch that was there no longer exists. Now, the snowmelt and rain runoff goes right across our driveway instead of into the ditch and down to the creek. The situation has continued to get worse with all the rain we've recently had, and now there is a hole where my driveway used to be. The sluice pipe has caved and needs to be replaced.

Mr. Nightingale stated the washout is out of the 25 foot right of way. I understand you are only responsible for the right of way. However, the runoff goes across the driveway and Ivan Wheeler and Mike McFall at one time told me that if we bought the pipe, they would put the pipe in. Now he has learned that Mr. Wheeler has retired and the offer is no longer on the table.

Mr. Spagnoletti stated are you saying on the side of our road to your driveway there was a ditch? Mr. Nightingale stated there was a drainage ditch that went between the road and my driveway, which kept runoff from coming across the driveway. Now the runoff comes across the driveway.

Mr. Spagnoletti stated maybe we could come in and cut more of a swale to divert that water. However, the pipe itself isn't the County's responsibility. We've taken care of your driveway to the pipe and we can do the ditch, but I don't think we can do anymore than that. Discussion followed.

Mr. Spagnoletti stated they would also be willing to do a watershed to let him know what size pipe he needs for the driveway if the Soil and Water Conservation District is unable to do that for him in the near future.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, August 4, 2009
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Special Meeting

Monday, July 27, 2009

9:35 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Robert V. Nichols, Chair Patrick F. McAllister, Vice Chair Joseph J. Hauryski
Thomas C. Schwartz

STAFF: Mark R. Alger Gregory P. Heffner Jack Wheeler
Vincent Spagnoletti Steve Orcutt James Gleason
David English

LEGISLATORS: Donald B. Creath Lawrence P. Crossett Patrick F. Donnelly
Dan C. Farrand Francis L. Gehl David Stachnik
Scott J. Van Etten John S. Walsh Randolph J. Weaver

ABSENT: Thomas J. Ryan

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:35 a.m.

II. GENERAL BUSINESS

1. **Bid Award** – Mr. Spagnoletti informed the committee they put out a bid for the Bath Landfill Closure and Site Improvements which include the Capping System, Landfill Gas Collection System, Valve Chamber Replacement and Cleanout Installation. The first two items, Capping System and Landfill Gas Collection System will be reimbursed 50 percent by the Department of Environmental Conservation. He recommended awarding the bid to the lowest bidder, Penn Environmental & Remediation, Inc. for \$1,101,374.00. Mr. Spagnoletti informed the committee that he has enough money in existing funds to fund this project.

MOTION: AWARDING THE BID FOR THE BATH LANDFILL CLOSURE AND SITE IMPROVEMENTS TO PENN ENVIRONMENTAL & REMEDIATION, INC. OF HATFIELD, PA FOR \$1,101,374.00 MADE BY MR. SCHWARTZ. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, August 4, 2009

9:00 a.m.

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

MINUTES

Committee: Robert V. Nichols, Chair Patrick F. McAllister, Vice Chair Thomas C. Schwartz
Thomas Ryan Joseph Hauryski

Legislators: John Walsh

Staff: Mark R. Alger Vince Spagnoletti Jack Wheeler John Emo
Steve Orcutt Bryce Foster Jerry Miller Doreen Ames
Jacques Begin Phil Hink Tammy Hurd-Harvey Gregory Heffner
Frederick Ahrens David English Pete Messmer James Gleason

Other: Alvin Schoonover Jacob Gross Mary Perham, *Leader* Dean Mason, Barton Loguidice

I. CALL TO ORDER

The meeting was called to order at 9:00 a.m. Mr. McAllister led the Pledge of Allegiance.

II. PUBLIC COMMENT

Jacob Gross, Lindley, stated I'm very disappointed with the way you're spending our money on the roads. County Route 120 was supposed to be done 3 years ago, but you used the money from that project to work on County Route 106, which became a disaster. Now you're working on CR120, but I'm hearing that you aren't doing the asphalt until next year, maybe, if we get stimulus money. Yesterday morning they put 4 1/2" of gravel down and rolled it. I asked them why they weren't vibrating it and was told they would vibrate it today. However, today they just rolled it again, instead of vibrating it. They could have put asphalt on it if they hadn't used so much gravel on it. I'm told the reason they put the gravel in there is because the road wouldn't support the blacktop. They took the original blacktop off, put more dirt on it as a base for the new blacktop that we aren't going to get now. Lindley has 3 roads that are like this now; Church Creek, CR116 and now CR120. We could've done another road somewhere with all the money they spent on hauling all of this gravel. Now you're telling me that you are taking the money from our blacktop to do other roads somewhere. These roads just aren't going to hold. When the snow comes, the plows are going to rip the road up.

Alvin Schoonover, Lindley, stated on April 21st Mr. Spagnoletti wrote a letter to the residents on CR120 providing a step-by-step on how they were going to fix the road. I compliment them on keeping with that schedule. However, the road was to get 1" of hot mix blacktop. On July 24th he wrote another letter telling us that the blacktop would cost \$415,000 and they've been notified of possible federal funding to pay for 2" of blacktop next year, so they decided to hold off on the blacktop this year. I found out that we had a bid from Chemung Contracting for that job for \$355,950. That's a substantial difference between the amount quoted by Mr. Spagnoletti as the cost and what the bid was. Mr. Foster stated the initial bid called for 22 foot wide pavement and it went to 26 foot wide. Mr. Schoonover asked why is it necessary to go from 1" of blacktop to 2" of blacktop? Mr. Spagnoletti stated 1" is a good strong seal coat. If you add more material, it makes it stronger. There is a possibility of federal funding for 2" of blacktop and that extra money they are willing to pay would give the road extra life. Mr. Schoonover asked what are you going to seal the top with this fall? Mr. Spagnoletti stated we will give it a coat of liquid asphalt and stone chips to protect it for the winter. Discussion followed.

Mr. Schwartz asked is the issue getting the 1" of blacktop on the road? Mr. Schoonover stated yes; from everything I'm reading, I think your chance of receiving stimulus money is zero. I have to assume this job was budgeted and instead, you have chosen to do five other projects which account for more than the \$355,000 you were going to spend on the 1" of blacktop. Mr. Spagnoletti stated whether we get federal money or not, the blacktop on CR120 is at the top of the list for next year.

Mr. Nichols stated it is to the advantage of the residents to get 2" of blacktop next year. As long as we put a protective coat on top this year, it'll be ready to go next year.

Mr. Schoonover stated we will receive the hot mix top next spring? Mr. Spagnoletti stated yes. Mr. Schoonover asked how much is it going to cost for chip sealing the road? Mr. Spagnoletti stated \$50,000 and they are planning on one coat.

Mr. Schoonover stated it has been said that politics is dirty business. But I would like to point out that Abraham Lincoln said "nothing is politically right which is morally wrong." I feel that we have been shortchanged and lied to again. Thank you very much for listening to me.

Mr. Schwartz stated I gave the Commissioner the letter from Congressman Massa's office about funding being requested for CR120. I understand you wanting it finished, but this was one of the roads that might be eligible for the money.

Mr. Spagnoletti stated we built CR102 exactly the same way this road is built. You will see how good that road has turned out. Discussion followed.

III. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE JULY 7 AND JULY 21, 2009, MEETINGS MADE BY MR. MCALLISTER. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. LANDFILLS

A. Budget Transfer – Mr. Spagnoletti requested authorization to transfer \$70,000 from the Cap Bath Landfill Capital Project to the LFG System Upgrade Capital Project.

MOTION: AUTHORIZING THE TRANSFER OF \$70,000 FROM THE CAP BATH LANDFILL CAPITAL PROJECT (HL/EL6205.5250000) TO THE LFG SYSTEM UPGRADE CAPITAL PROJECT (HL/EL6208.5250000); REDUCING CAP BATH LANDFILL STATE AID (HL/EL6205.43989400) BY \$35,000 AND CAP BATH LANDFILL INTERFUND (HL/EL6205.45031900) BY \$35,000; AND INCREASING LFG SYSTEM UPGRADE STATE AID (HLEL6208.4398400) BY \$35,000 AND LFG SYSTEM UPGRADE INTERFUND (HL/EL6208.45031900) BY \$35,000 MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. Barn Demolition – Mr. Spagnoletti stated the Finance Committee received a request to partner with the Town of Cameron to demolish a barn owned by the County on CR22. They have referred the issue to the Public Works Committee for approval. The town would handle the asbestos investigation and the County would provide the equipment to take down the barn, help with the trucking and take it to the landfill. Mr. Nichols noted that we own the property, but the town wants the barn removed.

MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO PARTNER WITH THE TOWN OF CAMERON TO REMOVE A BARN LOCATED ON COUNTY-OWNED PROPERTY ON CR22 MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. BIDS

A. BOMAG Engine Replacement – Mr. Spagnoletti recommended awarding the bid to Anderson's Diesel of New Wilmington, PA, Option A - New Engine for \$44,919 with an \$80/hour fixed price plus a fixed percent discount of 10%.

MOTION: AWARDING THE BOMAG ENGINE REPLACEMENT TO ANDERSON'S DIESEL OF NEW WILMINGTON, PA, OPTION A – NEW ENGINE FOR \$44,919 WITH AN \$80/HOUR FIXED PRICE PLUS A FIXED PERCENT DISCOUNT OF 10 PERCENT MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Heavy Duty Highway Trucks – Mr. Spagnoletti stated this bid is for tri-axle trucks and is a transformation from the way the department currently operates. This year we manufactured and hauled 120,000 tons of gravel. We currently use a 13-ton load, hauling 9,231 loads and with this bigger truck we're going to a 23.5-ton load hauling 5,106 loads. We will haul almost half the loads to get the same work done. The trucks have been designed to plow the roads as well. Discussion followed.

Mr. McAllister asked what is the life of these trucks? Mr. Spagnoletti stated at least 15 years, especially with the aluminum bodies and cabs. The bidders mostly didn't meet the bid specifications except for Utica General Truck Co. Their engine is slightly smaller than the 13 liter in the specifications, but that is not significant enough to declare them non-responsive. He noted that all of these other bidders do have 13 liter or larger engines that they could have bid, but they didn't submit them. If you compare the bid from Utica for a Caterpillar engine with the one from Kenworth for a Cummins engine, the fuel use alone will save the County money. The Caterpillar engines get 4.8 mpg and the Cummins engines get 4.05 mpg. The trucks travel 28,000 miles per year so the difference between the engines results in a savings of 1,080 gallons per year per truck. At today's prices this would result in a savings of \$34,000 per truck for a total savings of \$137,000 for all four trucks over a 15 year life. Discussion followed.

MOTION: AWARDING THE HEAVY-DUTY HIGHWAY TRUCKS BID TO UTICA GENERAL TRUCK CO., INC., OF UTICA, NY, FOR \$851,756 FOR THE PURCHASE OF FOUR TRUCKS AT \$212,939 EACH AND DECLARING BIDDERS KENWORTH OF BUFFALO, INC., FLEET MAINTENANCE, INC., TRACEY ROAD EQUIPMENT INC., AND NAVISTAR, INC., AS NON-RESPONSIVE BIDDERS MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. 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 MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, September 1, 2009
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE
Thursday, September 3, 2009
9:00 a.m.
Legislative Committee Conference Room
Steuben County Office Building
Bath, New York
MINUTES

<u>Committee:</u>	Robert V. Nichols, Chair Joseph J. Hauryski	Patrick F. McAllister, Vice Chair Thomas C. Schwartz	Thomas J. Ryan
<u>Legislators:</u>	Philip J. Roche	Scott J. Van Etten	John Walsh
<u>Staff:</u>	Mark R. Alger Bryce Foster Bonnie Kastner John Emo	Gregory P. Heffner Phil Hink Doreen Ames Brenda Campbell	Jack Wheeler James Gleason Steve Catherman David English Vincent Spagnoletti Jacques Begin Steve Orcutt Frederick Ahrens
<u>Other:</u>	Peter White, NYSDOT Frank Haftl	Paul McAneny, NYSDOT	Mary Perham, <i>Leader</i>

I. CALL TO ORDER

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

II. PUBLIC COMMENT

Frank Haftl, Cameron, stated I'm filing a Notice of Defect with the County relative to County Route 25. This road is unsafe for travel. There are potholes that have been there for over a year and the road has been neglected for some time. The County should be liable for any injury or damage to vehicles due to this neglect. I also have pictures of the areas of neglect that I will include with the complaint. I just don't understand why we have so many problems with fixing the potholes. Why does it take so long to repair them?

Mr. Haftl stated I'd also like to know how much it cost to repair CR10a over the past 10 years and how much did it cost the taxpayers to rebuild the road this year. There aren't many houses on it and hardly anybody travels it. I'm wondering if rebuilding the road was a good use of taxpayer money. Mr. Nichols thanked Mr. Haftl for his comments.

III. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE AUGUST 4, 2009, MEETING MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. HIGHWAYS AND BRIDGES

A. NYSDOT Five Year Program – Mr. Spagnoletti introduced Peter White, NYSDOT Regional Director, and Paul McAneny, NYSDOT Coopers Plains. Mr. White stated our purpose is to tell you about our new 5 year program for roads and bridges. We're faced with many challenges. Our plan includes locally administered projects and federal funding for those projects. What's coming before the State Legislature this Fall is the reauthorization of the five year program. This program needs the support of the local municipalities. I'm asking for your comments, thoughts and priorities for the overall program. In short, we need everybody in partnership to advocate our legislators for the passage of funding in the budget for the program.

Mr. White stated currently we are facing reduced budgets. The State is constrained financially and the Federal fiscal year is ending September 30th. We expect a reauthorization of Federal funding, or at least a continuing

resolution, but the needs far outweigh the available funding; it needs to be increased. At best, the next Federal continuing resolution will keep the funding at the same level. There is a Federal rescission that was in the original Highway Bill. There is approximately \$400 million that the Federal government may not let us spend in terms of their reauthorization. On the State side, we are all aware that the State dedicated fund is already going to debt service and next year is going to approach 75% of that fund. We need to partner and all have the same presentation to the Legislature on funding.

Mr. White stated our five year program is largely the funding for engineering, administration, operations (not snow and ice) highway and bridge capital investments, CHIPs and Marcheselli funds, and grant programs. We need to collectively advocate for the continuation of these funds or additional funds. We all need to understand the challenges. We have an aging infrastructure, inflation that is undermining our buying power, emerging transportation needs, and we have a highway fund that is basically broke.

Mr. White stated we have many bridges that are approaching deterioration that need attention. It doesn't mean they are unsafe, but they do require maintenance. In the last year we have reduced the number of fair and poor roads in the State. Overall, we need a total of \$175 billion to bring things into a state of good repair. New York received a stimulus bill for \$1.1 billion. We spread it around and tried to give everybody something, but it certainly was a small amount of money compared to the \$175 billion that is needed. The needs are larger but the money is smaller. In the last 10 years, this region has received \$86.6 million in local system Federal aid funding and \$19.9 million in CHIPs funding.

Mr. White stated we want to partner with you in developing our new five year program. I'd like to know if we need to do something different. I also have a list of projects and a chart showing the current activity in this region. The list of projects shows State system, and then local system projects. This is a list of what we feel our needs are, but not a list of what is funded. The value of this 5 year program is \$26 billion. He asked the Committee what their priorities are.

Mr. Spagnoletti stated we have a very good relationship with NYSDOT. We did hear there is movement in Washington to eliminate the requirement of having the states split the 15 percent contribution to the bridge projects. Mr. White stated he is not aware of that and it is not the State's intent. There may be priorities and tradeoffs, but we work well together. If they eliminate that requirement, it isn't a good thing, but I hope you all understand we have the same goal.

Mr. Nichols stated the towns heavily depend on CHIPs funding. Losing that funding would have a huge affect on them. Mr. White stated your operating capability would be eliminated. We will definitely take that message back.

Mr. Nichols stated what is the status of the I-99 project? Mr. White stated this phase includes the embankment, utilities and pavement. The second phase will be the bridge. We'd rather do the bridges first but because of the funding restraints, we had to get the project done. It is a three year job utilizing funding from the Appalachian Regional Commission, stimulus funding, and Legislative earmarks. Mr. White noted that there is \$1.5 billion in stimulus funding available nationally, so we are applying for it with this job. Whether this project will compete, I don't know but we're fighting very hard for that. Discussion followed.

Mr. McAllister stated are you asking us to partner with you to get these projects funded? Mr. White stated our legislators are going to be voting to fund this program and it includes money to fund these local projects. If there are issues from the local legislators, I want to be able to say we have spoken to you and listened to you and that you are supportive of this program. I'm asking for you to be advocates of this program.

Mr. Nichols stated it would be devastating to the County if we lost the Marcheselli funding. That is important to our county. Mr. White stated several counties have mentioned that and we will take that message back with us.

Mr. White asked if there were any rail issues. Mr. Spagnoletti stated the Route 54a crossing in Hammondsport. Mr. McAneny stated they are looking to remove the 54A crossing asphalt of it. Mr. Foster mentioned the rail crossings on CR13 and CR88. The only other one is CR73, which is a different rail system out of Pennsylvania.

Mr. White stated I bring it up because there has been some short line interest. We try to be a multi-modal agency, which includes rail. Allegany County is very interested in the Western New York-Pennsylvania line.

Mr. Van Etten stated if all the horror stories about the State's finances come to fruition, how do you prioritize your funding? Are there any items that you wouldn't touch? Mr. White stated this year we were very concerned about the snow and ice control funding, but it looks like we are funded okay for that. We were shortchanged on equipment and equipment maintenance/rentals. McAneny stated snow and ice funding is critical for our county. Right now we want to maintain our roads to the standards we have. We're trying to tighten it up.

Mr. Ryan stated are we competing with downstate for a certain amount of money? Mr. White stated certainly there are needs downstate but that is definitely a decision of the executive part of our department. We're concerned about the whole pie; there isn't an issue of upstate and downstate.

The Committee thanked Mr. White and Mr. McAneny for coming to the meeting and stated that they look forward to working with them in the future.

B. County Road and Bridges Update – Mr. Spagnoletti presented an overview of the status of the county's road projects. He noted that CR10a was completely rebuilt at the request of the town. He noted that the road count on that road was 70 cars per day. Also, CR25 does need to be rebuilt on the north end. Mr. Catherman reviewed the status of the bridge projects.

Mr. Spagnoletti reviewed the poor road chart. We've repaired 31 miles of poor road this year. With the crude oil prices being down, we have funding to complete more roads this season. Also, Mr. Foster and Mr. Hink worked with the Purchasing department to get the projects going earlier, which resulted in a savings. He stated they looked for quick and easy projects to use this money on. He reviewed the additional projects they will be completing. Discussion followed.

Mr. Schwartz stated how much was saved from the projects this year in order for you to add these projects? Mr. Foster stated the total saved on all of the projects initially on the schedule was close to \$1 million just with the de-escalation of the crude oil prices. Mr. Schwartz stated your department should be commended.

Mr. Van Etten stated does the \$1 million in savings include the blacktop work on CR120 that is being held over until next year with the possibility of utilizing Federal stimulus money? Mr. Foster stated he believes that \$300,000 in blacktop is included in this figure.

Mr. Catherman noted that the Marcheselli funding was approved for the CR73 bridge project. He'll bring it to the Committee next month for approval.

V. LANDFILLS

A. Reclassification – Mr. Spagnoletti requested authorization to reclassify a vacant Grade 10 Heavy Motor Equipment Operator position to a Grade 8 Motor Equipment Operator position.

MOTION: RECLASSIFYING A VACANT GRADE X HEAVY MOTOR EQUIPMENT OPERATOR POSITION TO A GRADE VIII MOTOR EQUIPMENT OPERATOR POSITION MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Hours of Operation – Mr. Spagnoletti stated over the years we've had the public request us to stay open all day on Saturdays. To do so would require overtime. He proposed closing the transfer stations on Monday and be open Tuesday through Saturday. This would keep them as a straight time operation. We would also like to keep the Bath landfill open on Saturday afternoons with a small crew. He discussed this with the cities and the commercial haulers. There are only two commercial haulers that have told him that the change may result in them taking their garbage elsewhere. If those two haulers left, it would result in a decrease in revenues of approximately \$28,000. However, it would result in a savings of overtime. Mr. Schwartz stated have you discussed this issue with the union? Mr. Spagnoletti stated he met with the employees yesterday and also met with

the Personnel Office and they agreed with us trying it out. He proposed they implement this change effective October 19, 2009.

MOTION: CHANGING THE HOURS OF OPERATION IN THE LANDFILL DIVISION MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN FOR DISCUSSION.

Mr. McAllister stated doesn't the union have to approve of this change? Mr. Alger stated if they wish to discuss union negotiations, they should discuss it in Executive Session.

PREVIOUS MOTION AND SECOND WITHDRAWN.

VI. BIDS

A. Ice Control Sand – Mr. Spagnoletti recommended awarding the FOB bid to all bidders and awarding the delivered to County and Town shops bid on a line item basis to the lowest bidder.

MOTION: AWARDING THE ICE CONTROL SAND FOB BID TO ALL BIDDERS (ELAM, HANSON, GLENN O. HAWBREAKER, DALRYMPLE, BLADES AND BUFFALO CRUSHED STONE) AND AWARDING THE ICE CONTROL SAND BID DELIVERED TO COUNTY SHOPS AND TOWN SHOPS ON A LINE ITEM BASIS TO THE LOWEST BIDDER (BUFFALO CRUSHED STONE, ELAM, GLENN O. HAWBREAKER AND HANSON) MADE BY MR. RYAN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Schwartz not present for the vote.

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

MOTION: AWARDING THE REMOVAL AND RECYCLING OF FREON BID TO ARCTIC AIR REFRIGERATION FOR \$7.95 PER UNIT MADE BY MR. HAURYSKI. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. Schwartz not present for the vote.

C. Vibratory Compactor – Mr. Spagnoletti recommended declaring the lowest six bidders as non-responsive and awarding the bid to Milton Cat.

MOTION: DECLARING BASCHMANN SERVICES, MONROE TRACTOR (2 BIDS), LIFTECH EQUIPMENT, TRACEY ROAD EQUIPMENT, AND ANDERSON EQUIPMENT AS NON-RESPONSIVE BIDDERS AND AWARDING THE VIBRATORY COMPACTOR BID TO MILTON CAT OF MILFORD, MA, FOR \$114,798 MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Leachate Hauling – Mr. Spagnoletti stated they didn't receive any bids on this item because they hardly ever use the bid. It is less expensive for the County to haul it. If something comes up and they need to use the bid, they can get quotes on it as needed.

VII. OTHER BUSINESS

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. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: CHANGING THE HOURS OF OPERATION AT THE STEUBEN COUNTY LANDFILL TO 7:00 A.M. TO 3:30 P.M. MONDAY THROUGH SATURDAY AND CHANGING THE HOURS OF OPERATION AT THE TRANSFER STATIONS TO 7:00 A.M. TO 3:30 P.M. TUESDAY THROUGH SATURDAY EFFECTIVE

OCTOBER 19, 2009, MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION TO ADJOURN MADE BY MR. SCHWARTZ. 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
Tuesday, October 6, 2009
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, October 6, 2009

9:00 a.m.

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

MINUTES

Committee: Robert V. Nichols, Chair Patrick F. McAllister, Vice Chair Thomas J. Ryan
Joseph J. Hauryski Thomas C. Schwartz

Legislators: Philip J. Roche John Walsh

Staff: Mark R. Alger Jack Wheeler Vincent Spagnoletti Bryce Foster
John Emo Phil Hink Steve Orcutt Tammy Hurd-Harvey
Steve Catherman Doreen Ames Frederick Ahrens David English
James Gleason Jacques Begin

Other: Jeff Parker, Soil and Water Conservation John McIntire, Wayne Highway Superintendent
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.

II. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE SEPTEMBER 3, 2009, MEETING MADE BY MR. SCHWARTZ. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Mr. McAllister not present for the vote.

III. PRESENTATION – SHARED SERVICES

Jeff Parker stated John McIntire, Town of Wayne Highway Superintendent, asked the Soil and Water Conservation District to assist them on a few projects this year. Mr. McIntire stated I have been Highway Superintendent of the Town of Wayne for 6 years. As you will see from this presentation, we've had a lot of problem areas along the lake. I would also like to say that the working relationship between the Department of Public Works and the County Highway Superintendents is the best it's ever been.

Mr. Parker provided a power point presentation showing the different projects they have worked on in the Town of Wayne; specifically on culverts and retaining wall stabilization. Mr. Parker also showed slides of other shared services projects they have completed throughout the County. Discussion followed.

Mr. Nichols stated this shows how well the funds we provide to the Soil and Water Conservation District are used. The Committee thanked Mr. Parker and Mr. McIntire for the presentation.

IV. LANDFILLS

A. Middletown Contract – Mr. Spagnoletti stated we receive approximately 14,000 tons per year from the Town of Middletown and another 6,000 tons from Tioga County, and they both pay \$29 per ton. Our gate rate is \$40 per ton. If we tried to charge them the gate rate, they would take their business elsewhere. The 20,000 total tons at \$29 per ton generates \$580,000 in revenue. The cost for the space they are using at \$18 per ton uses \$360,000 of that revenue. We bring in 78,000 tons each year from County residents but we could, with the same crew, bring in about 150,000 tons. If we calculated in an additional \$2 per ton for fuel, parts and repairs, it would result in an additional cost of \$40,000 bringing the overall profit from these contracts to \$180,000.

Mr. Spagnoletti stated the prices at other landfills are very low so to try to increase their price would be futile. Therefore, we are proposing to renew the five year contract with Middletown at \$29 per ton for 2010 and 2011, with the option to review the price for the remainder of the contract. Discussion followed.

MOTION: APPROVING A FIVE YEAR CONTRACT WITH THE TOWN OF MIDDLETOWN TO ACCEPT 14,000 TONS OF SOLID WASTE FROM OUTSIDE OF THE COUNTY FOR \$29 PER TON FOR 2010 AND 2011 WITH THE OPTION TO REVIEW THE PRICE FOR THE REMAINDER OF THE CONTRACT PERIOD MADE BY MR. SCHWARTZ. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. PARKS

A. Budget Transfer – Mr. Spagnoletti stated they would like to make the playgrounds at our parks safer. He proposed they add a 3 inch layer of pea stone to the bottom of the play area with a layer of fabric, then place a foot of wood chips on top of the fabric and box it in with 6x6 treated lumber. The total cost of the project for the 21,000 square feet of play area at all of the parks is \$27,000. He stated there is funding available in the diesel fuel account due to the prices of fuel dropping this year. He requested authorization to transfer \$27,000 from 513000.5.450330 diesel fuel and appropriate \$17,000 to 7110H4.5.250103 Kanakadea Park safety upgrades capital project; \$3,500 to 7110H3.5.250103 Hornby Park safety upgrades capital project; \$3,000 to 7110H2.5.250103 Boyds Corners safety upgrades capital project, and \$3,500 to 7110H1.5.250103 Birdseye Hollow safety upgrades capital project. Discussion followed.

Mr. Ryan stated your surplus in fuel could disappear in a heartbeat so I'm uncomfortable with you making this transfer. Mr. Spagnoletti stated even if the prices went up to last year's level, we'd still have enough money to get us through the end of the year.

Mr. Hauryski stated if you are using pressure treated to box it in, aren't you running the risk of a child tripping and hitting their head on that? Mr. Spagnoletti stated we are looking at going flush to the top with topsoil. Mr. Hauryski stated he'd prefer you do that. Discussion followed.

MOTION: AUTHORIZING THE TRANSFER OF \$27,000 FROM #513000.5.450330 DIESEL FUEL AND APPROPRIATING \$17,000 TO #7110H4.5.250103 KANAKADEA PARK SAFETY UPGRADES CAPITAL PROJECT; \$3,500 TO #7110H3.5.250103 HORNBY PARK SAFETY UPGRADES CAPITAL PROJECT; \$3,000 TO #7110H2.5.250103 BOYDS CORNERS SAFETY UPGRADES CAPITAL PROJECT, AND \$3,500 TO #7110H1.5.250103 BIRDSEYE HOLLOW SAFETY UPGRADES CAPITAL PROJECT MADE BY MR. SCHWARTZ. SECONDED BY MR. MCALLISTER. IN FAVOR: SCHWARTZ, MCALLISTER, NICHOLS AND HAURYSKI. OPPOSED: RYAN. MOTION CARRIES 4-1.

VI. HIGHWAYS AND BRIDGES

A. CR73; Lindley Bridge – Mr. Catherman requested approval of a supplemental agreement with the New York State Department of Transportation to increase the Marchiselli funding to 15 percent for construction.

MOTION: APPROVING A SUPPLEMENTAL AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO INCREASE THE STATE'S MARCHISELLI FUNDING TO 15 PERCENT FOR CONSTRUCTION ON THE CR73, LINDLEY BRIDGE MADE BY MR. HAURYSKI. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. Projects Update – Mr. Foster reviewed the projects they have completed since last month's meeting. Mr. Catherman reviewed the bridge and culvert projects they've been working on since last month's meeting. Discussion followed.

VII. BIDS

A. Portland Cement Concrete; Heated – Mr. Spagnoletti recommended awarding the bid to Wades Concrete.

MOTION: AWARDING THE PORTLAND CEMENT CONCRETE; HEATED BID TO WADES CONCRETE FOR \$98/CY MADE BY MR. MCALLISTER. SECONDED BY MR. SCHWARTZ. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Traffic Signs and Delineators – Mr. Spagnoletti recommended they declare the lowest bidder non-responsive and award the bid on a line item basis to the lowest bidders.

MOTION: DECLARING THE LOWEST BIDDER, IVIS TEK, AS NON-RESPONSIVE AND AWARDING THE TRAFFIC SIGNS AND DELINEATORS BID ON A LINE ITEM BASIS TO THE FOLLOWING BIDDERS: VULCAN SIGNS; OSBURN ASSOCIATES, INC.; ROCAL, INC.; AND ALLIED MUNICIPAL SUPPLY MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VIII. OTHER BUSINESS

A. Surplus Auction – Mr. Spagnoletti stated this year Phil Hink and Kathy Loza made a point of going through our Gasboy list to analyze it and see what equipment wasn't being used so they could place it in the auction. They generated \$99,000 in revenue from the highway sales and \$3,100 in revenue for the landfill. He noted that this is more than they budgeted for in surplus auction revenue.

B. Littering – Mr. Ryan referred to an article he found in the newspaper written by an employee of the tourism industry who stated that Steuben County is the worst out of 14 counties for littering. He stated that bothers me; is there any way they can get the mobile work crews out there to pick up litter along the road? Mr. Spagnoletti stated we can do something like that but he hasn't seen where there is a real problem on our roads. Discussion followed.

Mr. Ryan stated we need to do something. There are several areas throughout the County that are used constantly as "mini-dumps". Mr. Spagnoletti stated the County Clean-up Day is where we wanted the towns to take care of those mini-dumps. Mr. Ryan stated if there was a concerted effort to make an example of one of these locations, I wonder if it would help. Mr. Spagnoletti stated you have to have the towns agree and we've offered to take that garbage in for free during the County Clean-up Day. It seems the County has done everything it can to get these mini-dumps cleaned up but not many towns have taken advantage of it. Discussion followed.

C. Other – Mr. Hauryski stated he would like to propose a future agenda item for this Committee to review. I'm new to this Committee, but I'd like to see some kind of discussion and a map of where we get all of our gravel from that is being used on our County roads, and the methodology you are using when you are doing construction work and trucking gravel from various areas. I'd also like to know the grade of the gravel that we are using. This summer I've seen our trucks traveling between Bath and Corning steadily, transporting gravel. We're putting a lot of miles on our rigs and I want to know if there is a better methodology for transporting or a way of doing it cheaper rather than putting the wear and tear on our trucks. Mr. Spagnoletti stated they can get a presentation together to review at one of the meetings.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Thursday, November 5, 2009
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Thursday, November 5, 2009

9:00 a.m.

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

MINUTES

Committee: Robert V. Nichols, Chair Patrick F. McAllister, Vice Chair Joseph J. Hauryski
Thomas J. Ryan

Legislators: Philip J. Roche John Walsh

Staff: Mark R. Alger Jack Wheeler Vincent Spagnoletti Steve Orcutt
Pete Messmer Bryce Foster Frederick Ahrens Doreen Ames
Jacques Begin Jerry Miller Rick McDonald

Other: William O. Hatch Tony Clark Mary Perham, *Leader*

Absent: Thomas C. Schwartz

I. CALL TO ORDER

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

II. PUBLIC COMMENT

Mr. Hatch stated he'd like to discuss roadside mowing. I think you can save the County money and do something good for the public. If I understand correctly, you mow about 2 times a year on most County roads. I'd like to propose you change that formula to possibly save some money. I'm suggesting you mow one time a year, and have it done sometime after August 1st. It is my feeling that we probably mow the roads too much, too often and spend a lot of money on labor and fuel. Other than saving money, the second reason I'm proposing this is because there are a lot of ground-nesting birds that use the ditches to nest. If they have the proper cover, the survival rate is much higher.

Mr. Hatch stated another issue I'd like you to consider is using native grasses. These are grasses that were native to the Northeast several hundred years ago. Many of these grasses are short and don't grow as high as what we grow in the ditches. I spoke with Tony Clark about what he uses in his ditches after completing a road project and he told me that he buys the cheapest grass seed. I think we might have to spend a little more on the native grasses but there's a 25 year life to them. Discussion followed.

Mr. Hatch stated there's a company in Meadville, Pennsylvania, called Ernst Seeds and they have biologists on staff. They know their stuff and have created mixes of various native grasses. I think there is some money to be saved with this proposal and I just wanted to give you the information on it. Many States are going to or looking at once a year mowing. I think you need to look at these things and consider it.

Mr. Nichols stated if you don't do a mowing in June or the first part of July, we end up with broom grass and sweet clover that gets thick and blocks site distance at intersections. Mr. Hatch stated he has been discussing this with Mr. Spagnoletti and he agrees that they would definitely need to mow intersections. Discussion followed.

Mr. Ryan stated Cooperative Extension is looking at using switch grass to create pellets. Would this yield enough to help that cause? Mr. Hatch stated he doesn't think it would yield enough for that purpose. Discussion followed.

Mr. McAllister stated are you proposing to do this with all of our roads, or just when we do new projects? Mr. Hatch stated this would be more for when you do a new road project. I'm just asking that you use the native grasses to try it out. Discussion followed. *The Committee thanked Mr. Hatch for his comments.*

III. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE OCTOBER 6, 2009, MEETING MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

IV. LANDFILLS

A. Contract Extension – Mr. Spagnoletti requested authorization to extend the contract with Dutchess County for accepting ash. The contract would be for two years at \$12 per ton with the 3rd year rate being negotiable. Discussion followed.

MOTION: EXTENDING THE CONTRACT WITH DUTCHESS COUNTY FOR ASH DISPOSAL MADE BY MR. HAURYSKI. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Bid Extension – Mr. Spagnoletti requested authorization to extend the bid for the Marketing of Recyclable Materials – Scrap Tires with High Tread International. Discussion followed.

MOTION: EXTENDING THE BID FOR THE MARKETING OF RECYCLABLE MATERIALS – SCRAP TIRES WITH HIGH TREAD INTERNATIONAL MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Bid Extension – Mr. Spagnoletti requested authorization to extend the bid for Landfill Monitoring Wells; Collection and Lab Analysis of Samples with Upstate Labs. Discussion followed.

MOTION: EXTENDING THE BID FOR LANDFILL MONITORING WELLS; COLLECTION AND LAB ANALYSIS OF SAMPLES WITH UPSTATE LABS MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. Bid Extension – Mr. Spagnoletti requested authorization to extend the bid for the Cleaning and Inspection of the Landfill Leachate Holding Tanks and Lines with Jamko Industrial. Discussion followed.

MOTION: EXTENDING THE BID FOR THE CLEANING AND INSPECTION OF THE LANDFILL LEACHATE HOLDING TANKS AND LINES WITH JAMKO INDUSTRIAL MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

V. ROADS AND BRIDGES

A. Mowing Guidelines for 2010 – Mr. Spagnoletti stated he and Mr. Hauryski have been discussing the mowing all year. There are three different philosophies converging here. Mr. Hauryski's is the golf course philosophy of keeping the shoulders mowed short like a golf course. Mr. Hatch represents the new movement of paying attention to the wildlife. Then there's the Public Works view of making sure there is site distance for the public's safety. I want it to look good, but I believe in what Mr. Hatch is saying, too. The main problem with the mowing is we get started too late. The individual who mowed for us this year, Town and Country, did a tremendous job and the price is low. He's agreed to mow again for us in 2010 at the same price. I like the idea of mowing to the front of the ditch until August 1st and thereafter, mowing the ditch and past the ditch. He noted there are some instances where there will be exceptions if there is a brush problem. Discussion followed.

Mr. McAllister stated he thought they were going to address the issue of planting native grass. Mr. Spagnoletti stated he will research the cost of that and discuss it with Jeff Parker of the Soil and Water Conservation District. I think it's a great idea and we hope to proceed with it for new road projects.

Mr. Hauryski stated he'd like the use of native grass to be included in the roadside mowing plan so that wherever possible, they can establish the native grasses with any new construction. They did a much better job with the

mowing this year even though they got started late. I agree with the roadside mowing proposal, and I think this will help with what Mr. Hatch is suggesting. Discussion followed.

MOTION: EXTENDING THE MOWING BID WITH TOWN AND COUNTRY FOR 2010 MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. 2009 Road Ratings – Mr. Spagnoletti stated we have the 3rd highest amount of road miles in New York State and the most bridges. Every year, Mr. Messmer conducts a road rating survey to determine the pavement condition index for each road. At the beginning of 2009 we had 81 miles of poor roads. We fixed 31 miles of poor roads this year. However, many of the fair roads dropped down to the poor rating. So we are at 79 miles of poor roads now. Discussion followed.

Mr. Messmer stated roads deteriorate and are on a life cycle. It is always moving down a scale from excellent to poor and you have to keep maintaining them. As we rebuild poor roads, the number of excellent roads increase. However, there is some movement from good and fair roads to poor roads. Discussion followed.

C. Gravel Specification and Testing – Mr. Spagnoletti stated Mr. Hauryski had a question about how we test our gravel. Mr. Messmer introduced Rick McDonald who works in the engineering lab and does all of the testing. One of the biggest myths about gravel is the dirtier the better. That is a common misconception. Mr. McDonald explained how they test the aggregates and determine the best for a good base. Considerable discussion followed.

Mr. Spagnoletti stated in summary, we are within the state specifications for gravel but we use a more extreme specification for our roads.

D. Gravel Crushing, Hauling and Purchasing – Mr. Spagnoletti stated Mr. Hauryski brought up the fact that many of his constituents question the need for our trucks to haul gravel. He explained how they determine the hourly rate for using the tandem dump trucks. Using this formula, a truck costs the county \$37.74 per hour to operate.

Mr. Foster stated for the CR120 project, we hauled 45,000 tons of gravel. During that time, most of the trucks were averaging 5 to 6 loads per day. Using the truck cost and including the personnel costs, the average cost for hauling gravel is \$7.77 per ton or \$1.93 per mile and \$0.11 per ton mile. Therefore, it is over \$2.00 per ton cheaper for the County to haul the gravel. Discussion followed.

Mr. Foster stated the cost per ton to crush gravel is \$1.16. If you include the average trucking cost, the total per ton price was \$8.29 to crush and truck it to CR120. Our aggregate bid is bid in quadrants. The low bid for this job site was \$10 per ton. So we saved the County \$1.71 per ton by doing it ourselves. In addition, if they had to pay a company to crush and deliver the gravel that expense would have had to have been paid directly out of the road improvement line. This would have resulted in less money being available for road construction projects. Discussion followed.

Mr. Spagnoletti stated saving a couple dollars per ton is significant. The crucial point is that the money spent on having gravel crushed and delivered would have reduced the amount of roads we could build. Mr. Hauryski thanked them for the education.

E. Projects Update – Mr. Spagnoletti provided a breakdown of the cost to complete 5.5 miles of CR120. It was approximately \$310,000 per mile to complete the project. We contracted out 3 miles of CR72 in Jasper in 1999 at a cost of \$261,000 per mile. With inflation, that would equate to \$338,000 per mile this year. Mr. Foster provided an update on the status of their final 2009 road projects.

Mr. Spagnoletti stated they are planning on holding the CR73 Bridge ribbon cutting on Tuesday, November 17th.

VI. BIDS

A. Cutting Edges and Shoes; Term Contract – Mr. Spagnoletti recommended awarding the bid on a line item basis to the lowest bidder.

MOTION: AWARDING THE CUTTING EDGES AND SHOES; TERM CONTRACT BID ON A LINE ITEM BASIS TO THE LOWEST BIDDER MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Cutting Edges and Shoes; Specified Quantity – Mr. Spagnoletti recommended awarding the bid on a line item basis to the lowest bidder.

MOTION: AWARDING THE CUTTING EDGES AND SHOES; SPECIFIED QUANTITY BID ON A LINE ITEM BASIS TO THE LOWEST BIDDER MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Sale of Scrap Steel – Mr. Spagnoletti recommended awarding the bid to Swarthout Recycling.

MOTION: AWARDING THE SALE OF SCRAP STEEL BID TO SWARTHOUT RECYCLING MADE BY MR. HAURYSKI. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. Heavy Highway Equipment – Gooseneck Trailer – Mr. Begin stated the two lowest bidders were non-responsive. Mr. Spagnoletti recommended awarding the bid to the third lowest bidder, Pardo's Truck Services for \$88,820. Discussion followed.

MOTION: DECLARING LAKESHORE UTILITY TRAILER AND HOLDEN INDUSTRIES, INC., AS NON-RESPONSIVE BIDDERS AND AWARDING THE HEAVY HIGHWAY EQUIPMENT – GOOSENECK TRAILER BID TO PARDO'S TRUCK SERVICES FOR \$88,820 MADE BY MR. RYAN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. Reinforcing Steel Bars – Mr. Spagnoletti recommended awarding the bid to Shirley's Lumber for a total bid price of \$50,400.

MOTION: AWARDING THE REINFORCING STEEL BARS BID TO SHIRLEY'S LUMBER FOR A TOTAL EXTENDED LINE ITEM BID PRICE OF \$50,400 MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

F. Extend Bid – Mr. Spagnoletti requested authorization to extend the bid for Vegetation Control; Application of Herbicides with DeAngelo Brothers.

MOTION: EXTENDING THE BID FOR VEGETATION CONTROL; APPLICATION OF HERBICIDES WITH DEANGELO BROTHERS MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, December 1, 2009
9:00 a.m.**

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Tuesday, December 1, 2009

9:00 a.m.

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

MINUTES

Committee: Robert V. Nichols, Chair Patrick F. McAllister, Vice Chair Joseph J. Hauryski
Thomas J. Ryan

Legislators: Philip J. Roche Patrick F. Donnelly Lawrence P. Crossett
John Walsh Scott J. Van Etten

Staff: Mark R. Alger Jack Wheeler Vincent Spagnoletti James Gleason
Bryce Foster Phil Hink Steve Catherman John Emo
Richard Bills Steve Orcutt Jerry Miller Pete Messmer
Doreen Ames David English Frederick Ahrens Jacques Begin

Other: Mary Perham, *Leader* Carol Ferratella, Legislator-Elect Jeff Parker, SWCD
Mike Hanna, Legislator-Elect Kevin Voorhees, Barton Loguidice Jacob Gross

Absent: Thomas C. Schwartz

I. CALL TO ORDER

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

II. COMMENTS BY THE PUBLIC

Jacob Gross, Lindley, stated I would like to know when you are going to finish the roads on your schedule and how you are going to pay for them. Specifically, County Route 120 and Church Creek Road in Lindley. Both were supposed to be done this year and they aren't finished. I read in the minutes that we saved \$1 million on construction this year, but you haven't finished these roads. I want to know how you are going to finish them next year with all of the State cutbacks. Also, there are two bridge abutments that weren't done. Chairman Nichols thanked Mr. Gross for his comments.

III. APPROVAL OF MINUTES

MOTION APPROVING THE MINUTES OF THE NOVEMBER 5, 2009, MEETING MADE BY MR. RYAN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Mr. McAllister not present for the vote.

IV. LANDFILLS

A. Long Term Financial Analysis – Mr. Spagnoletti presented the financial analysis for the county landfill. *A copy of the analysis is on file with the official minutes in the Clerk of the Legislature's Office.* He reviewed the analysis with the committee. He stated the analysis assumes that closure of the fourth landfill cell will occur in the year 2021. They predict that by the end of 2021, there will be a surplus of \$1,445,104. Discussion followed.

Mr. Spagnoletti stated he also developed an analysis using flow control. Flow control would require all haulers in the County to bring their garbage to our landfill. He noted that we would likely lose the out of county garbage. He

noted this Committee approved a motion to include the option to implement flow control in the Solid Waste Management Plan when it is submitted to DEC.

Mr. Spagnoletti reviewed the financial analysis for the flow control option. *A copy of the analysis is on file with the official minutes in the Clerk of the Legislature's Office.* With this analysis they predict that by the end of 2021 there would be a surplus of \$16,059,821. However, that \$16 million wouldn't be able to go into the General fund. If the Legislature attempted to move that money from the Landfill Enterprise fund to the General fund, they would get sued by the haulers because the Enterprise fund is supported through user fees and is not subsidized by tax dollars. Mr. Ahrens pointed out that the County is subsidizing the gas to energy project with tax dollars and the revenues for that project will be going to the Enterprise fund.

Mr. Nichols stated what would you do with that much surplus? Couldn't tipping fees be adjusted down? Mr. Spagnoletti stated the first thing you wouldn't want to do is lower the tipping fees because the haulers wouldn't pass the savings along to their customers.

Mr. Spagnoletti noted that there is a fallacy to this flow control analysis. This is based upon taking an operation that currently operates efficiently through competitiveness. The Supreme Court opinion states that the harm of flow control is a higher cost of trash removal. Flow control is a monopoly and it is the worst form of it as it is a government monopoly. He doesn't believe we need it right now as we're showing in our projections that we're going to break even. Discussion followed.

Mr. Spagnoletti stated as much as he is philosophically against flow control, he won't say that there wouldn't be a time that we would have to implement it. He just wants to make sure it is necessary before doing so.

Mr. Donnelly asked if he has a break even analysis. Mr. Spagnoletti stated you want a landfill to be at 100,000 to 125,000 tons to make it a comfortably profitable landfill. The price and the volume work together. If you raise the price your volume goes down. Right now we have a good operation and it appears that the balance point for us is right around 95,000 tons. Discussion followed.

Mr. Crossett stated we are only bringing in 75,000 tons from County residents and 20,000 tons come from outside of the County. I have issues with the fact that out of County residents pay a cheaper price than our own residents. It doesn't seem right. Mr. Spagnoletti stated the fact is, we have outside taxpayers paying \$200,000 of our bills that our taxpayers don't have to pay. He noted that if we went with flow control, they would add 30,000 tons from within the county.

Mr. Nichols stated Mr. Spagnoletti's concern is we would get fat and lazy instead of keeping the operation mean and lean through competition. Over time, different people sit in different chairs and it may end up with higher tipping fees.

Mr. Van Etten asked who polices flow control? Mr. Voorhees stated the electorate. If the prices got too high, you'd see a change in the Legislature. Mr. Van Etten asked what if I take my garbage to Chemung County? Who enforces it then? Mr. Voorhees stated the Sheriff's Department, but flow control is only enforced on the haulers, not private citizens. Discussion followed.

B. Agricultural Plastics – Mr. Spagnoletti stated agricultural plastic includes the covered hay bales in the fields; we have tried to find a way to accept it as a recyclable because some farmers are burying or burning them. He proposed that for this one case, we accept it for no charge. They can track the quantities for two or three months to see how much is coming in and determine how to handle it. Mr. Voorhees noted that they will need to be vigilant at the gate to make sure other plastic doesn't come in, especially if you are taking it for free. Discussion followed.

Mr. Ryan asked how many man hours is this going to require? Mr. Emo stated not any more than any other load of garbage. He noted that he doesn't think they'll see much come in. Mr. Voorhees asked is this going to be a temporary offer for further evaluation?

Mr. Wheeler suggested they hold an amnesty day as they do with household hazardous waste and electronic waste. Mr. Nichols stated it's a good suggestion but the problem would be if they select a particular day and it happens to be during a planting or harvesting season, they wouldn't get anybody in as they'll stay at the farm to work. Discussion followed.

Mr. Parker stated farmers are going to need to know about the program and they are going to have to stockpile the plastic themselves until they get enough to make it economical to truck it to the landfill.

Mr. Orcutt stated from an operational standpoint, he'd prefer to hold the program for a year. Mr. Alger stated they can always extend it after the initial six months.

MOTION: AUTHORIZING THE ACCEPTANCE OF AGRICULTURAL PLASTICS AT THE BATH LANDFILL FOR NO CHARGE ON A TRIAL BASIS FOR NO MORE THAN 6 MONTHS MADE BY MR. HAURYSKI. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

V. ROADS AND BRIDGES

A. Hydroseeding – Mr. Parker stated he was asked to look into the possibility of making some changes to the road right of way seeding program. He found the suggestion very interesting and there may be some other states in the Midwest that have programs such as this because they lack significant wildlife habitat. In Steuben County, there is no lack of wildlife habitat land use. Over the years we have made changes to the types of grasses we have used for hydroseeding. He stated that he questions if there is a need to go to a more expensive native grass seed when you have no control over the land use of the landowner. The cost is three to four times greater than what we currently use. Also, these areas are critical to protect for erosion control and prevent sediment runoff. We currently use erosion control grass that is low growing but he will look at using orchard grass and timothy grass mixes on a trial basis. Discussion followed.

B. County Logo – Mr. Spagnoletti stated we have the 4 new tri-axle trucks and they would like to try something new with the logos. He displayed an example of the logo they'd like to use, which was developed in conjunction with the Steuben County Conference and Visitors' Bureau. The cost for the logos they currently use are \$28 each and last three or four years. The new logos cost approximately \$50 each and should last 10 years. Discussion followed.

MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO USE A NEW DECAL DESIGN ON THE FOUR NEW TRI-AXLE TRUCKS AT A COST OF \$50 EACH MADE BY MR. HAURYSKI. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Foster stated he wanted to comment on the fact that there was considerable interest in the new trucks because they were tri-axle and cost approximately \$213,000 each. Just for your information, Chemung County just purchased a 10 wheel dump truck off of the State bid that was almost identical to what we purchased last year for \$223,000. We purchased tri-axes capable of hauling more for \$10,000 less than what Chemung County paid. He stated Jacques Begin, Jim Gleason, Jerry Miller and Phil Hink put a lot of work into this bid to get that great price.

C. Supplemental Agreement – NYSDOT – Mr. Spagnoletti stated the County is taking over what is now US15 to Pennsylvania and naming it CR115. Mr. Catherman requested approval of a supplemental agreement with NYS DOT to cover additional design costs for expenses incurred by the consultant. The amount of the agreement is \$36,000. Discussion followed.

MOTION: APPROVING THE SUPPLEMENTAL AGREEMENT WITH NYSDOT FOR \$36,000 FOR ADDITIONAL DESIGN COSTS ASSOCIATED WITH THE CR115 BRIDGE PROJECT MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

D. Supplemental Agreement – Bergmann Associates – Mr. Catherman requested approval of a supplemental agreement with Bergmann Associates for \$36,000 to pay them for their additional design costs associated with the CR115 bridge project.

MOTION: APPROVING THE SUPPLEMENTAL AGREEMENT WITH BERGMANN ASSOCIATES FOR \$36,000 FOR ADDITIONAL DESIGN COSTS ASSOCIATED WITH THE CR115 BRIDGE PROJECT MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. Morgan Creek Road, Lindley – Mr. Spagnoletti requested authorization to amend the County map to include 0.4 miles of Morgan Creek Road, Lindley, as part of CR73. This was approved already, but we held off on the resolution until the bridge was completed.

MOTION: AMENDING THE COUNTY MAP TO INCLUDE 0.4 MILES OF MORGAN CREEK ROAD, LINDLEY, AS PART OF CR73 MADE BY MR. HAURYSKI. SECONDED BY MR. MCALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

F. Five Year Road Plan – Mr. Messmer stated they determine their road project schedule using the RSMS Survey. They use a priority formula in order to put the projects in a logical order that is fair and objective to the taxpayers. The formula assigns 5% to Importance, 40% to Roughness, 15% to Condition and 40% to Traffic. They multiply the total by 100 to determine the strategy or what category of repair the project is placed in. He noted the formula is based upon the premise of keeping your good roads good. We ranked everything using that formula before creating the project schedule. The capital program deals mainly with the fair and poor roads (rehab and rebuilds). The highest priority scores we try to keep in the maintenance program. Every year we focus on either paving projects or rebuilds. Discussion followed.

Mr. Nichols stated if the bid prices increase, do you go through the list and delete less important projects? Mr. Spagnoletti stated if the money budgeted decreases or costs spike upward, we go to the bottom of the list and remove projects.

Mr. Spagnoletti stated the idea behind doing a paving year and a rebuild year is that we were finding that we were doing so much reconstruction every year, we were falling behind on basic maintenance work. That is why we alternate years. A five year plan has many benefits. For instance, the 2010 year is a paving year. Mr. Hink will be looking forward to 2011 because he knows what roads will be built in 2011. Then, they will crush the gravel necessary for the 2011 projects in 2010 and truck it to the site so they are ready. Also, since you have reconstruction in 2011, historically we have been banking the curves. Making that bank requires a lot of work. With the five year plan, because they know what is going to be reconstructed in 2011, they can do the super-elevation in 2010. Also the soil tests and designs can be done beforehand. Discussion followed.

Mr. Nichols stated wasn't Congressman Massa supposed to provide funding for the CR120 project? Mr. Spagnoletti stated the Congressman has applied for the funding and if we receive it, we wouldn't have to pay the \$373,070 that is currently budgeted for the project. He stated the Congressman has also submitted the CR70A project under the Transportation Bill. If these projects are approved, it will have a huge affect on our budget.

Mr. Hauryski stated at a previous meeting he suggested they blacktop more miles as we can afford it, rather than oil and chip. Does this five year plan put that into place? Mr. Spagnoletti stated the plan does include more blacktop in it. He stated the double surface treatment costs \$18,000/mile as does slurry seal, which they do the following year. If they place another layer of slurry seal in 7 years to make the road last 15 years, it costs another \$18,000/mile so the total cost for a chip seal/slurry seal road is \$54,000/mile for a 15 year road. Blacktop costs \$70,000/mile for the first year and in the 7th or 8th year they would place slurry seal on the road for another \$18,000/mile so the total cost to blacktop is \$88,000/mile for a 15 year road. Mr. Ryan pointed out that you save money in maintenance costs during those years you aren't working on the blacktopped roads. Mr. Spagnoletti stated we always wrestle with this because we only have so much money to work with in the budget. We're not ready to say blacktop everything, but we are doing more of it.

G. 2009 Projects Update – Mr. Foster provided an update on the status of the remaining 2009 road projects and Mr. Catherman provided an update on the status of the remaining bridges and box culvert projects for 2009. Discussion followed.

VI. BIDS

A. Used Self-Propelled Blacktop Paver – Mr. Spagnoletti recommended awarding the bid to Gateway Equipment Corporation for \$85,520. Discussion followed.

Mr. Foster stated we borrowed Schuyler County’s paver this year for emergency paving work. We used it for almost two weeks and put 3,100 tons of hot mix through it. The County bid price to hire a contractor to lay the pavement down was \$96/ton. The County FOB price for us to pick it up was \$72/ton. They saved \$23/ton or \$71,000 total over a two week time frame by using their machine. Discussion followed.

Mr. Spagnoletti stated this would be for small projects that need to get done such as box culverts, bridges and emergency paving. He thinks it would be a good addition to the County. Discussion followed.

MOTION: AWARDING THE BID FOR A USED SELF-PROPELLED BLACKTOP PAVER FOR \$85,520 TO GATEWAY EQUIPMENT CORPORATION MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR.MOTION CARRIES 4-0.

B. Marketing of Recyclable Materials; White goods and Scrap Metal – Mr. Spagnoletti recommended awarding the bid to Hornell Waste Material for Bath, Erwin and Hornell and to Swarthout Recycling for Wayland.

MOTION: AWARDING THE MARKETING OF RECYCLABLE MATERIALS; WHITE GOODS AND SCRAP METAL BID TO HORNELL WASTE MATERIAL FOR THE BATH LANDFILL, ERWIN TRANSFER STATION AND HORNELL TRANSFER STATION; AND TO SWARTHOUT RECYCLING FOR THE WAYLAND TRANSFER STATION MADE BY MR. RYAN. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

Respectfully submitted by,

Brenda K. Mori
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR
Tuesday, January 5, 2010
9:00 a.m.**