

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Tuesday, January 5, 2010**

**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: Gary B. Roush Carol A. Ferratella John Walsh

Staff: Mark R. Alger Jack Wheeler Vincent Spagnoletti Bryce Foster  
Pete Messmer Frederick Ahrens David English John Emo  
Steve Catherman Doreen Ames Steve Orcutt Jacques Begin

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

**I. CALL TO ORDER**

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

**II. PUBLIC COMMENT**

Mr. Wells, Cameron, stated I spoke to you last year regarding the potholes on CR25. I've been looking at the potholes and there is a definite improvement in the way they've been filled. However, the edges of the roads are in bad shape. I'm wondering if, in the maintenance of the road, anybody considers building up the edges. Also, what role does the County have in the potential road impact for the big trucks coming in to do the gas drilling? This is something that is going to happen and the County should think about how to handle it. Do the individual towns have to negotiate with the drilling companies, does the County take the lead or is the State involved?

Mr. Spagnoletti stated on CR25 Mr. Foster had the paver from Schuyler County brought in and it is in much better shape. There is a section where the edges have unraveled. The shoulders are a big part of the maintenance and we try to keep up with it so we will take another look at CR25. Discussion followed.

Mr. Spagnoletti stated Pete Messmer worked out an agreement with the windmill companies when they were working in the County. As for the gas drilling companies, we anticipate doing the same thing. Discussion followed.

Mr. Hauryski asked have we done any of the base work on this road in prior years or hasn't that been done yet? Mr. Spagnoletti stated the south end has been done but not on the north end.

Frank Haftl, Cameron, stated last time I was here I requested data on the cost of 3 years of upkeep for CR10a and I never received a reply. If you are going to look at CR25 today, you should also look at CR10A because there are potholes there already. Last year I mentioned Casella Waste and how it is going to affect the County landfill. Now they are being seen around the County quite a lot and I believe they are undercutting the County's tonnage at the landfill. They have a drop off just outside of Bath and many of the businesses use them. As for the gas generation project, I've read that in order for the gas to be generated, a landfill has to be at least 2 acres. Your acreage is just under that amount. If Casella keeps their prices down they are going to end up taking over your landfill. What are you going to do about it? I would recommend reducing your prices or initiate flow control. You need to do something in order to compete with them. Discussion followed.

Mr. Wells stated there is an ideological difference here on privatizing the landfill. The problem I've tried to articulate before is the people of the County have to understand that there is a cost for their garbage. The County has done a great job running the landfill. If it is privatized, we're going to see garbage coming in from everywhere. The government runs the landfill for the benefit of the people. If the public understands that they don't have to make a profit to run it, it might make a difference. I would like to see the County stay on top of it for the benefit of the people rather than the short term with privatizing it.

Mr. Haftl stated DEC doesn't allow people to burn their garbage so there should be more coming into the landfill. If not, there is going to be more along the road. The highway department should stop and take care of it if they are driving along the road and see it.

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

**MOTION APPROVING THE MINUTES OF THE DECEMBER 1, 2009, MEETING MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

### **IV. LANDFILLS**

A. Agreement Amendment – Mr. Ahrens stated in order to obtain some property tax benefits from the gas to energy project, we would like to convey the property for the gas production project to the Steuben County Industrial Development Agency. This will improve the bottom line on the gas production. Discussion followed.

**MOTION: AMENDING THE MASTER AGREEMENT BETWEEN STEUBEN COUNTY AND STEUBEN RURAL ELECTRIC CORPORATION TO AUTHORIZE THE CONVEYANCE OF THE PROPERTY FOR THE GAS TO ENERGY PROJECT TO THE STEUBEN COUNTY INDUSTRIAL DEVELOPMENT AGENCY MADE BY MR. MCALLISTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

Mr. Nichols asked if he and Mr. Hauryski are able to vote on this as they are members of the Board of Directors for the Steuben Rural Electric Corporation. Mr. Ahrens stated there is no conflict of interest as this action only sends the amendment to the full Legislature. Mr. Alger noted the final approval rests with the Legislature.

B. Budget Transfer – Mr. Spagnoletti requested authorization to transfer \$50,000 from the Landfill Cap account to the Landfill Gas Collection System to fund the completion of the gas collection system. He noted that the total between the two funds is \$950,000 which is enough money to complete payment for Cell 2 and pay for the capping and gas collection project that we did in 2009.

**MOTION: AUTHORIZING THE TRANSFER OF \$50,000 FROM THE LANDFILL CAP CAPITAL PROJECT TO THE LANDFILL GAS COLLECTION SYSTEM CAPITAL PROJECT MADE BY MR. HAURYSKI. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

### **V. BIDS**

A. Marketing of Recyclable Material – Mr. Spagnoletti stated we solicited requests for proposals on the marketing of recyclable material (glass, paper, cardboard, tin and plastic). We asked for the average price they've been receiving (per ton price) and the amount of commission they are requesting. Based upon the proposals they received, he recommended awarding the RFP to CE Consulting & Marketing, Inc. (CECM). He noted that the other two vendors didn't provide commission information, which would reduce the amount of money the County receives for recyclable materials. We've used CECM before and they do a good job. Discussion followed.

**MOTION: AWARDING THE MARKETING OF RECYCLABLE MATERIAL RFP TO CECM MADE BY MR. MCALLISTER. SECONDED BY MR. HAURYSKI. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**VI. OTHER BUSINESS**

A. February Meeting Date – Mr. Spagnoletti requested authorization to change the February meeting date to January 28<sup>th</sup> or January 29<sup>th</sup> as he will be out of town the first week of February and the NYSAC Conference is the second week of February. The Committee agreed to meet on Friday, January 29<sup>th</sup> at 9:00 a.m.

Mr. Ryan asked if there has been any feedback on the changes to the days the transfer stations are open. Mr. Spagnoletti stated they had one hauler call but everybody else is just bringing it directly to Bath. Mr. Emo stated there have been a few residents upset but the haulers are fine with it. He noted the residents are happy to have the landfill open all day Saturday.

**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  
Friday, January 29, 2010  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

**Friday, January 29, 2010**

**9:00 a.m.**

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

**MINUTES**

**Committee:** Joseph J. Hauryski, Chair Michael Hanna Brian C. Schu

**Legislators:** Patrick F. Donnelly Thomas J. Ryan John Walsh Lawrence P. Crossett  
Scott J. Van Etten Gary Roush Carol Ferratella

**Staff:** Mark R. Alger Jack Wheeler Vincent Spagnoletti Bryce Foster  
Phil Hink Pete Messmer James Gleason Doreen Ames  
Jacques Begin John Emo Steve Catherman Amanda Chapman  
David English Steve Orcutt

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

**Absent:** Patrick F. McAllister, Vice Chair Robert V. Nichols

**I. CALL TO ORDER**

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

Mr. Hauryski welcomed Legislators Schu and Hanna to the Committee. I foresee the Committee having to make difficult decisions this year. I'm confident that we will be up for the challenges. This is our agenda for conducting the business of public works so if you want something placed on the agenda, please let me know. He noted our Department Heads are great people trying to do their best.

**II. APPROVAL OF MINUTES**

**MOTION APPROVING THE MINUTES OF THE JANUARY 5, 2010, MEETING MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**III. LANDFILLS**

A. 2010 Town Cleanup Days – Mr. Spagnoletti stated last year we were requested to hold a County-wide cleanup day to address the several “mini-dumps” in various towns throughout the County. The Committee ultimately decided to allow four towns to participate in order to get an idea on the cost of the program. The Towns of Wayne, Hornby, Tuscarora and Rathbone were selected to participate. The four towns combined brought in a total of 89 tons, which would have cost the Towns \$7,000. The cost to the County for the space in the landfill was approximately \$440 each. This year we'd like to open it up to one quadrant of the County, which equates to 8 towns. He suggested holding the cleanup days around Earth Day, which is April 22<sup>nd</sup>. Discussion followed.

**MOTION: AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ALLOW EIGHT TOWNS TO PARTICIPATE IN TOWN CLEANUP DAYS, SAID TOWNS TO BE LOCATED IN ONE QUADRANT OF THE COUNTY WITH THE QUADRANT BEING SELECTED BY STRAW VOTE MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

*A straw vote was held and Quadrant 2 was selected, consisting of the following towns: Cameron, Canisteo, Greenwood, Hartsville, Jasper, Troupsburg, West Union and Woodhull.*

B. Cell 2 Change Orders – Mr. Spagnoletti stated the total cost to build cell 2 was \$6.5 million for construction, \$466,000 for design and inspection and \$81,000 for electrical. There is a net change order for the contract for approximately \$7,000 but there is also the potential for litigation so he would like to discuss this in executive session at the end of the meeting.

C. Gibson Road, Lindley – Mr. Spagnoletti stated when we closed the Lindley landfill, the County agreed to restore Gibson Road with blacktop for the Town of Lindley. We have already put down a 12 inch gravel base and double chip sealed it. Our leachate tanker truck travels the road daily so Mr. Messmer has recommended 4 inches of blacktop. This final blacktop was contingent upon receiving final payment from DEC for the closing. We have received \$380,600 from DEC and there is a retainage due of approximately \$42,000. The cost would be somewhere between \$160,000 and \$200,000 and he would like to pay for that out of the Enterprise Fund. Mr. Donnelly suggested they get a release for the road from the town once the job is completed. Mr. Spagnoletti stated he will get a final written release.

**MOTION: AUTHORIZING THE TRANSFER OF NOT MORE THAN \$200,000 FROM THE LANDFILL ENTERPRISE FUND TO THE ROAD CONSTRUCTION FUND TO COMPLETE THE GIBSON ROAD, LINDLEY, PAVING PROJECT MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.**

**IV. ROADS AND BRIDGES**

A. 2009 Budget Adjustments – Mr. Spagnoletti requested approval to make the final 2009 budget adjustments. He requested authorization to transfer \$34,586.03 from the diesel fuel account to cover wages, clerical and overtime and \$36,869.93 from the diesel fuel account to cover the social security, workers' compensation, insurance and retirement accounts.

**MOTION: AUTHORIZING THE TRANSFER OF \$34,586.03 FROM THE 2009 DIESEL FUEL ACCOUNT TO WAGES, CLERICAL AND OVERTIME ACCOUNTS AND \$36,869.93 FROM THE 2009 DIESEL FUEL ACCOUNT TO COVER SOCIAL SECURITY, WORKERS' COMPENSATION, INSURANCE AND RETIREMENT ACCOUNTS MADE BY MR. HANNA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. County Route 10A Cost – Mr. Spagnoletti stated Frank Haftl of Cameron asked for this information at last month's meeting. County Route 10A is 2.6 miles long. The material cost was \$276,000 and the labor cost plus insurance, retirement, social security and workers' compensation was \$243,000. The cost for the use of equipment was \$195,000 bringing the total cost of the project to \$714,000. He estimated if they had an outside contractor do the job it would have cost approximately \$892,000. Discussion followed.

C. 2010 Maintenance and Capital Funds Road Projects – Mr. Spagnoletti provided a list of contiguous counties that shows how many miles and bridges each County has and their population. Based upon this information, it takes 98 Steuben County taxpayers to pay for each mile of road and each bridge. In comparison with neighboring counties, we have a much bigger system and relatively fewer residents to pay for them.

Mr. Spagnoletti presented the 2010 Capital Improvement Plan and the 2010 Maintenance Plan. He noted the projects are numbered in order of priority so if we lose the CHIPS funding, we would begin eliminating projects starting with the lowest priority in the capital improvements plan. Discussion followed.

**V. BIDS**

A. Stone Fill – Mr. Spagnoletti recommended awarding the FOB bid to all bidders and to the low bidder by quadrant. Discussion followed.

**MOTION: AWARDING THE STONE FILL FOB BID TO ALL BIDDERS AND THE STONE FILL BID BY QUADRANT TO THE LOW BIDDER, BLADES CONSTRUCTION PRODUCTS (ALL FOUR QUADRANTS) MADE BY MR. HANNA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

B. Aggregates – Mr. Spagnoletti stated that bidder Glenn O. Hawbaker is considered non-compliant. Mr. Begin explained that they weren't guaranteeing that they would have stone as is mandated in the bid documents. Mr. Spagnoletti recommended awarding the quarry stone and crushed gravel FOB plant site bid to all bidders except Hawbaker and awarding the aggregates bid by quadrant to the lowest bidder on a line item basis.

**MOTION: AWARDING THE QUARRY STONE AND CRUSHED GRAVEL FOB PLANT SITE BID TO ALL BIDDERS EXCEPT GLENN O. HAWBAKER WHO IS DEEMED NON-COMPLIANT; AND AWARDING THE AGGREGATES BID BY QUADRANT AS FOLLOWS: QUADRANT 1 – DALRYMPLE GRAVEL FOR TYPE #1A AND SIRI SAND & STONE FOR TYPE 3 AND 4; QUADRANT 2 – BUFFALO CRUSHED STONE FOR TYPE #1A AND SIRI SAND & STONE FOR TYPE 3 AND 4; QUADRANT 3 – ELAM MATERIALS FOR TYPE #1A AND BUFFALO CRUSHED STONE FOR TYPE 3 AND 4; QUADRANT 4 – ELAM MATERIALS FOR TYPE #1A AND SIRI SAND & STONE FOR TYPE 3 AND 4 MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

C. Tree Services – Mr. Spagnoletti recommended awarding the bid to True Cut Tree Services.

**MOTION: AWARDING THE TREE SERVICES BID TO TRUE CUT TREE SERVICES MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

D. Ready Mix Concrete – Mr. Spagnoletti recommended awarding the bid to the lowest bidder on a line item basis for each quadrant. He noted that there were two low bidders for the Quadrant 3 bid so they determined the award by a coin toss.

**MOTION: AWARDING THE READY MIX CONCRETE BID TO THE LOWEST BIDDER ON A LINE ITEM BASIS FOR EACH QUADRANT AS FOLLOWS: QUADRANT 1 – COOTS CONCRETE FOR CLASS A, HANSON AGGREGATES FOR CLASS HP AND WADES CONCRETE FOR CLASS H AND CLSM; QUADRANT 2 – HANSON AGGREGATES FOR CLASS HP AND WADES CONCRETE FOR CLASS A, H AND CLSM; QUADRANT 3 – HANSON AGGREGATES FOR ALL FOUR CLASSES; QUADRANT 4 – COOTS CONCRETE FOR CLASS A, H AND CLSM AND HANSON AGGREGATES FOR CLASS HP MADE BY MR. HANNA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

E. Concrete Blocks – Mr. Spagnoletti recommended awarding the bid to all bidders as the purchase will be based on the lowest total cost including County trucking cost.

**MOTION: AWARDING THE CONCRETE BLOCKS BID TO AUSTIN'S CONSTRUCTION AND LAKELANDS CONCRETE PRODUCTS MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

F. Disposal of Deer Carcasses – Mr. Spagnoletti recommended awarding the bid to Dicks Enterprises.

**MOTION: AWARDING THE REMOVAL AND LAWFUL DISPOSAL OF DEER CARCASSES BID TO DICKS ENTERPRISES MADE BY MR. HANNA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

G. Lubricants – Mr. Spagnoletti stated two bidders were non-compliant as they didn't bid all of the line items. He recommended awarding the bid to Williams Lubricants.

**MOTION: DECLARING MONROE TRACTOR AND NOCO ENERGY CORP AS NON-RESPONSIVE BIDDERS AND AWARDING THE LUBRICANTS BID TO WILLIAMS LUBRICANTS MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

H. Landfill Compactor Rebuild – Mr. Spagnoletti recommended awarding the bid to Ohio Machinery for \$278,643.11. He noted that this should extend the life of the machine another 10 years. Discussion followed.

**MOTION: AWARDING THE CATERPILLAR CERTIFIED POWER TRAIN REBUILD BID TO OHIO MACHINERY FOR \$278,643.11 MADE BY MR. HANNA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

**VI. OTHER BUSINESS**

A. 2009 Accomplishments – Mr. Spagnoletti reviewed the goals they set for 2009 and what they have accomplished. Discussion followed.

Mr. Spagnoletti noted that in October they received word that DEC was reducing funding to new landfills. Under the original program, we would receive 50 percent reimbursement to cap the new landfill which would have equated to \$1,435,487. However, it looks like we'll only receive \$582,917. Discussion followed.

B. Cell Phone Request – Mr. Alger presented a cell phone request for Pete Messmer for the Committee's approval.

**MOTION: APPROVING THE CELL PHONE REQUEST FOR PETE MESSMER IN THE DEPARTMENT OF PUBLIC WORKS MADE BY MR. HANNA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

C. Meeting Dates – The Committee agreed to meet the first Wednesday of every month at 9:00 a.m.

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

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

**MOTION: REDUCING THE ZOLADZ CONTRACT BY \$18,927.77 FOR REIMBURSEMENT OF COUNTY EQUIPMENT AND MATERIALS; REDUCING THE ZOLADZ CONTRACT BY \$116,811.15 FOR ADDITIONAL ENGINEERING FEES; INCREASING THE BARTON & LOGUIDICE CONTRACT BY \$116,811.15 FOR ADDITIONAL ENGINEERING FEES; AND INCREASING THE BARTON & LOGUIDICE CONTRACT BY \$26,542.42 FOR EXTRA ENGINEERING INSPECTION FOR A NET CHANGE ORDER OF \$7,614.65 FOR THE CELL 2 CONSTRUCTION PROJECT MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 3-0.**

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

Respectfully submitted by,

Brenda K. Mori  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, March 3, 2010  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Wednesday, March 3, 2010

9:00 a.m.

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

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

<b>COMMITTEE:</b>	Joseph J. Hauryski, Chair Patrick F. McAllister	Robert V. Nichols, Vice Chair Brian C. Schu	Michael Hanna
<b>STAFF:</b>	Mark R. Alger Bryce Foster Steve Catherman Doreen Ames Jacques Begin John Leyden	Gregory P. Heffner Phil Hink Steve Orcutt Brenda Mori Frederick H. Ahrens, Jr.	Vincent Spagnoletti Pete Messmer Jerry Miller Jim Gleason David English
<b>LEGISLATORS:</b>	Patrick F. Donnelly Thomas J. Ryan	Lawrence P. Crossett Gary D. Swackhamer	Gary B. Roush John S. Walsh
<b>OTHERS:</b>	Dean Mason, Barton & Loguidice Don Perry Gerald Hedman Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

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

**II. OPPORTUNITY FOR PUBLIC COMMENTS**

Mr. Hauryski opened the floor for comments by members of the public.

Dr. Donald Perry, Branchport stated that he owns Ecotram, LLC and has been working in Costa Rica developing a tramway system to provide access to nature. He would like to bring his invention to this area and develop a tram system in Pulteney near a bridge that spans Wagner Gully in the Town of Pulteney. The land is owned by the County. He would like to be able to install towers and cable on some of that land, understanding that there would be issues with regard to the maintenance and repair of the bridge. That is a very beautiful area and he would envision putting up ten foot high steel towers and string guy wire cables 50 – 100 feet above the ground. Single, electric vehicles would be used to ride over the wires and people would be able to look down at the waterfalls. The other portion of land is owned by the Town of Pulteney. Dr. Perry stated that he will meet all standard insurance requirements.

Mr. Hanna asked how many people do you anticipate using this? Dr. Perry replied he would have ten cars and would expect a minimum of 15,000 – 20,000 people over the span of six months.

Mr. Catherman commented that we did not talk about attaching this to the bridge, but rather going under and utilizing the same rock foundation as the bridge. Dr. Perry stated that the towers will sit on a concrete footer and he has no intention of using the structure of the bridge. He would love to maybe go under the bridge, but that would be up to everyone here as to whether or not that would be feasible.

Mr. McAllister asked who would pay for this? Dr. Perry replied this is a private business venture.

Mr. Donnelly asked what would your investment be? Dr. Perry replied it would be a minimum of \$200,000 for a small system and up to \$500,000 for a large system, not including the infrastructure.

Mr. Ryan asked would you need to do an environmental impact study? Dr. Perry replied that yes, he would need to work with the DEC. This really is up to the town and property owners, but he would still need to do a SEQR. Mr. Ryan asked what would be the County's liability? Dr. Perry replied it would be insured and the County would be protected under that. Mr. Ryan asked would revenue come back to the County? Dr. Perry replied we haven't discussed that.

Mr. Ahrens asked how do you get around the constitutional prohibition of a private business using a public asset? Dr. Perry replied other projects have been done in State parks elsewhere. Mr. Ahrens commented we would need to have a contractual relationship where you would provide a service to us and we would pay you for operating that service. Dr. Perry commented that he would be open to that. Mr. Ahrens asked how did you work this in Costa Rica? Dr. Perry replied they have regulations and requirements there and he needed to get permits. The private property that he located his system on was adjacent to a national park and we worked with them.

There being no further comments by members of the public, Mr. Hauryski declared the opportunity for public comment closed.

## **II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JANUARY 29, 2010 MEETING MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

## **III. ROADS AND BRIDGES**

A. Road Use Agreement with Howard Wind, LLC – Mr. Spagnoletti informed the committee that Mr. Messmer and Mr. English have been working on a road use agreement for Howard Wind, LLC. The roads in Howard that they would be traveling involves 3.47 miles of CR27 and CR109 which are classified as Class III roads. We do a preconstruction survey which includes measuring cracks, rut depths and videotaping the surface. In this case, that will all be done prior to March 15, 2010. After completion of the project, December 15, 2010, we will again do another survey and determine the amount of damage and the County reserves the right to make the final decision on what the repairs will be.

Mr. English stated the road agreement includes a surety bond as security. The percent that the company will pay for the roads is not to fix the road to the condition it was, but to fix it to the condition of a new road.

Mr. Donnelly asked is the condition of the road enumerated in the contract so that the company agrees to the condition of the road as stated? Mr. Messmer stated the County and wind company agree to the condition of the road before the road use agreement is signed.

**MOTION: APPROVING THE ROAD USE AGREEMENT WITH HOWARD WIND, LLC MADE BY MR. NICHOLS. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Gravel Roads – Mr. Hauryski stated that there was an article in USA Today that he distributed to the committee. In the article, it cited other states that were going back to gravel roads in order to reduce costs. He had asked Mr. Spagnoletti to provide the committee and Legislature with some more information. In light of the budget situation in New York, he is not too optimistic that we are going weather 2011 without some major hits. Mr. Alger has told us numerous times that Public Works will get cut. Mr. Hauryski stated that he wants to instill the thought process now, rather than in September, about what we are going to do.

Mr. Spagnoletti handed out an analysis of gravel roads versus paved roads. Communities around the country have gone to changing some of their roads to gravel based on traffic averages of less than 200 cars per day that would mean all of the roads in District 10 would go to gravel.

Mr. Spagnoletti asked Mr. Messmer to do an analysis of the cost to pave versus gravel. Currently we have 78 miles of poor paved roads in the County. The agency cost for a gravel road is \$5,830 per mile, per year. If we looked at redoing the paved roads, this includes materials, labor and equipment, that would be \$6,514 per mile, per year. It would be more costly to maintain a poor paved road than a gravel road, however, it is important to keep in mind that having both paved and gravel roads would require two separate maintenance crews and two different methods of snow removal. Mr. Spagnoletti stated that he would not recommend going to gravel roads. However, if we had the scenario where the State stopped CHIPS funding and the County did not replace it, our road material budget would be reduced by \$3.6 million and we would be left with \$1.7 million. It would cost \$700,000 to chip seal 70 miles of road at \$10,000 per mile. To do 150 miles of bad and fair road patching would cost \$400,000. That would leave us with approximately \$600,000 for the remaining 456 miles of road, and we couldn't do it. Then we would have to slowly transition to gravel roads. Discussion followed.

#### **IV. BIDS**

A. Pothole Machine – Five Month Lease – Mr. Spagnoletti commented this year they will be using two trucks during April and one truck for the remaining months of May, June, July and August.

**MOTION: AWARDING THE BID FOR THE LEASE/RENTAL OF POTHOLE MACHINES TO PATCH MANAGEMENT, INC. FOR A COST OF \$7,500.00 FOR THE MONTH OF APRIL 2010 FOR TWO MACHINES; \$7,500.00 PER MONTH FOR ONE MACHINE DURING MAY, JUNE AND JULY 2010 AND \$5,000.00 FOR ONE MACHINE FOR THE MONTH OF AUGUST 2010 MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Roller Rental

**MOTION: AWARDING THE BID FOR PAD FOOT ROLLERS AND STEEL DOUBLE DRUM ASPHALT ROLLERS TO SOUTHWORTH-MILTON FOR A THREE MONTH COST OF \$34,800.00 MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Hydro-Seeding Services

**MOTION: AWARDING THE BID FOR HYDRO-SEEDING SERVICES TO THE STEUBEN COUNTY SOIL & WATER CONSERVATION DISTRICT AS FOLLOWS: CROWN VETCH MIXTURE \$282.00 PER TANK; BIRDSFOOT TREFOIL MIXTURE \$227.00 PER TANK; LAWN MIXTURE \$302.50 PER TANK; NON-NATIVE ROADSIDE MIXTURE \$250.00 PER TANK AND ANNUAL RYE \$200.00 PER TANK MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. Chainsaw Training – Mr. Spagnoletti stated they did issue an RFP a few years back and at that time the training was performed by Forestry Applications of Georgia. Their pricing stayed the same and rather than rebidding, he requested authorization to contract with them for training at a cost of \$6,066.00, with an RFP. Mr. Swackhamer asked do we offer this training to the towns and villages? Mr. Foster replied no. They charge \$1,200 for a full-day and will only train 12 people at a time as it is hands-on training.

**MOTION: AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO CONTRACT WITH FORESTRY APPLICATIONS FOR CHAINSAW TRAINING AT A TOTAL COST OF \$6,066.00 MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Heavy Steel Pipe and Boiler Shells – Mr. Spagnoletti stated this bid is typically awarded to both bidders in case the low bidder has trouble finding the steel pipe. However, in the case of the boiler shells they are disqualifying Chemung Supply as they bid new steel pipes and that was not according to bid specifications. He recommends awarding the Heavy Steel Pipe to both Allegany Pipe and Chemung Supply and the Boiler Shells to Allegany Pipe.

**MOTION: AWARDING THE BID FOR HEAVY STEEL PIPE TO ALLEGANY PIPE AND CHEMUNG SUPPLY CORP. AND DISQUALIFYING CHEMUNG SUPPLY CORP. FROM THE BID FOR BOILER SHELLS AND AWARDING ONLY TO ALLEGANY PIPE MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. Guide Rail Materials

**MOTION: AWARDING THE BID FOR GUIDE RAIL MATERIALS TO R. G. STEEL CORP. FOR A TOTAL PRICE OF \$197,270.00 MADE BY MR. McALLISTER. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

G. Reinforcing Steel Bars

**MOTION: AWARDING THE BID FOR REINFORCING STEEL BARS TO CHEMUNG SUPPLY CORP. FOR A TOTAL PRICE OF \$57,900.00 MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

H. Crushed Limestone – Mr. Hanna asked do you stockpile this? Mr. Spagnoletti replied we look at what we will need for the upcoming year projects.

**MOTION: AWARDING THE BID FOR CRUSHED LIMESTONE TO HANSON AGGREGATES NEW YORK, INC. FOR A TOTAL COST OF \$221,806.25 MADE BY MR. NICHOLS. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

I. Liquid Bituminous Material (AEPM) – Mr. Spagnoletti commented this is the dust oil.

**MOTION: AWARDING THE BID FOR LIQUID BITUMINOUS MATERIAL (AEPM) TO VESTAL ASPHALT, INC. FOR A COST OF \$1.287 PER GALLON MADE BY MR. McALLISTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

J. Liquid Bituminous Material (Non-State)

**MOTION: AWARDING THE BID FOR LIQUID BITUMINOUS MATERIAL (NON-STATE) ON A LINE ITEM BASIS TO MIDLAND ASPHALT, SUIT-KOTE AND VESTAL ASPHALT MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

K. Liquid Bituminous Material (State) – Mr. Spagnoletti presented the bid for FOB – Plant Site. Discussion followed.

**MOTION: AWARDING THE BID FOR LIQUID BITUMINOUS MATERIAL (STATE) FOB – PLANT SITE TO MIDLAND ASPHALT, SUIT-KOTE AND VESTAL ASPHALT; AWARDING THE BID FOR EMULSION WITH DISTRIBUTOR ON A LINE ITEM BASIS TO THE LOW BIDDERS, MIDLAND ASPHALT AND SUIT-KOTE; AWARDING THE BID FOR EMULSION FOR COLD MIX/PUGMILL MACHINE ON A LINE ITEM BASIS TO THE LOW BIDDERS, MIDLAND ASPHALT AND SUIT-KOTE AND AWARDING THE BID FOR RENTAL EQUIPMENT TO A. L. BLADES, MIDLAND ASPHALT, SUIT-KOTE AND VESTAL ASPHALT MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

L. Steel Sign Posts

**MOTION: AWARDING THE BID FOR STEEL SIGN POSTS TO CHEMUNG SUPPLY CORP. FOR CONFIGURATION #2 IN THE AMOUNT OF \$56,496.00; STUDDERED “T” POSTS FOR \$7,440.00 AND “Z” STRINGERS FOR \$7,340.00 MADE BY MR. NICHOLS. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

M. Steel Sign Posts; Replacement Parts

**MOTION: AWARDING THE STEEL SIGN POSTS; REPLACEMENT PARTS TO EBERL IRON WORKS, INC. FOR CONFIGURATION #1 AND TO CHEMUNG SUPPLY CORP. OF ELMIRA, NY FOR CONFIGURATION #2 AND STUDED "T" POSTS MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

N. Geotextile Materials and Waterproofing Membrane – Mr. Spagnoletti stated that there was no award for the fourth item on this bid. Mr. Begin explained you would be paying much more than you should if we awarded that line item. He recommended rejecting the bid for the Sheet-Applied Waterproofing Membrane. Mr. Spagnoletti stated he would recommend awarding the other three items on a line item basis to the low bidder.

**MOTION: MOTION AWARDING THE BID FOR GEOTEXTILE MATERIALS AND WATERPROOFING MEMBRANE ON A LINE ITEM BASIS FOR THE FIRST THREE ITEMS TO THE LOW BIDDERS; KEYSTONE BUILDERS SUPPLY AND VELLANO BROTHERS, INC. AND REJECTING THE BID FOR THE FOURTH ITEM (SHEET-APPLIED WATERPROOFING MEMBRANE) MADE BY MR. NICHOLS. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

O. New Structural Steel

**MOTION: AWARDING THE BID FOR NEW STRUCTURAL STEEL TO CHEMUNG SUPPLY CORP. FOR A TOTAL PRICE OF \$32,335.32 MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

P. Cleaning, Washing and Sealing of Steuben County Bridges

**MOTION: AWARDING THE BID FOR THE CLEANING, WASHING AND SEALING OF STEUBEN COUNTY BRIDGES TO AMSTAR OF WESTERN NEW YORK, INC. FOR A TOTAL PRICE OF \$85,950.00 MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

V. **2010 GOALS**

Mr. Spagnoletti distributed the 2010 goals for review. If you have questions, additions or deletions please let him know.

Mr. Hanna asked what is the County-wide plan for Marcellus Shale road use agreements? Mr. Spagnoletti replied Sullivan County has a county-wide plan for road use agreements with regard to Marcellus Shale and what he would like to do is set up a seminar at the Leadership Conference in April. He would like to have someone from Sullivan County come in and talk about how a county-wide plan could be developed. In the past, we have tried to let people in the towns know that we are here to help in any way we can with regard to road use agreements, but there is concern that there should be a county-wide agreement.

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

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

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, April 7, 2010  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Wednesday, April 7, 2010*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

**COMMITTEE:** Joseph J. Hauryski, Chair                      Robert V. Nichols, Vice Chair                      Patrick F. McAllister  
                         Brian C. Schu

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

**LEGISLATORS:** Patrick F. Donnelly    Carol A. Ferratella    Scott J. Van Etten  
                         John S. Walsh

**ABSENT:** Michael Hanna

**OTHERS:** Kevin Williams, Institute for Human Services

**I. CALL TO ORDER**

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

**II. OPPORTUNITY FOR PUBLIC COMMENT**

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

**III. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MARCH 3, 2010 MEETING MADE BY MR. SCHU. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. McALLISTER ABSENT FOR VOTE)**

**IV. LANDFILLS**

A. Sale of Power – Mr. Spagnoletti that he would like to withdraw this item. The New York Power Authority wanted proposals regarding the sale of power to Orange County, but they wanted the plant to actually be located in Orange County. Our plant is expected to be operational in July or August of this year.

**V. ROADS AND BRIDGES**

A. CR 115 Bridge Over Cowanesque River, Lindley – Mr. Spagnoletti informed the committee that this was US 15 that went into Lawrenceville, PA and they turned over the first mile to us and we now own that bridge. We put out a bid and the low bidder was Ramsey Constructors at \$2,039,042.70. The engineer had estimated the cost would be \$2.8 million, so this is a very good bid. The problem is that the State has stopped any projects that involve capital funding. With this project, the State would have paid 15 percent and the Federal would have paid 80 percent, however, the State has to up front the 80 percent and since that would require capital funding this has put the project on hold. We were concerned that if we didn't get our order for the steel in by Thursday that it would put the project out into October and then we would have to heat the deck, which would be very expensive.

Mr. Catherman explained Ramsey Constructors have indicated that they can place the steel order without a bid award from us and that they will hold the order and the delivery date for June. We would have until May 28<sup>th</sup> to cancel the order without penalty. We should have the steel by Labor Day.

Mr. Spagnoletti stated this way we will not have to heat the decking. He is proposing tabling this item until the State Legislature approves an extension for the budget which would include the capital projects and then he will come back to get the committee's approval for the bid. With regard to the bid, they did add a design change from Bergmann, but the Department of Transportation will pay 100 percent of the cost of that. Mr. Catherman commented the cost of the addition was \$5,000 and the State agrees with paying the additional money.

Mr. Nichols asked when we do this project, will there be a bypass? Mr. Spagnoletti replied we are not putting a detour bridge at the site. Drivers will be able to exit down on the new exit ramp. Mr. Nichols asked if we don't get to this project in the next year or two, then will there be an issue with a bypass? Mr. Spagnoletti replied the worst case scenario is if the State didn't come up with the 15 percent, that would be \$300,000 that we would have to come up with and he would recommend, in that case, cutting back on other road work to get this bridge done so that we would not lose the federal funding. He anticipates that the project will be done this year.

B. 2010 Capital Projects – Mr. Spagnoletti stated that during the course of the winter we had a couple of our roads break up and they need to be repaired. We have 2.7 miles on CR 45, 5.1 miles on CR 126 and 2.6 miles on CR 61. In order to fund those roads, we will not be doing roadwork on 3 miles on the east end of CR 70A. Originally we were going to recycle and blacktop those 3 miles. That portion of the road has a concrete base and is not deteriorating into a significantly dangerous situation, although it is rough. In addition, we were going to do work on a 4.9 mile stretch of CR 70A through Howard and instead we will only do 4 miles of that and then rehabilitate the remainder of CR 70A.

At your request, this year we listed the road projects individually on our capital project list. He requested authorization to reduce funding in the CR 70A capital project for 3 miles of road by \$574,464.00 and CR 70A for 4 miles of road by \$90,536.00 and increase the capital projects for CR 45 for 2.7 miles of road by \$173,000, CR 61 for 2.6 miles of road by \$166,000 and CR 126 for 5.1 miles of road by \$326,000.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO DECREASE THE CAPITAL PROJECT FOR 3 MILES OF CR 70A BY \$574,464.00, AND FOR 4 MILES OF CR 70A BY \$90,536.00 AND INCREASE FUNDING FOR 2.7 MILES ON CR 45 BY \$173,000.00, 2.6 MILES ON CR 61 BY \$166,000.00, AND 5.1 MILES ON CR 126 BY \$326,000.00 MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

C. GIS (Geographical Information System) – Mr. Spagnoletti informed the committee that GIS is a tool that the Department of Public Works uses to do analysis and reports of the road system, bridges, etc. Mr. Hauryski had asked for information on what other Public Works departments do with GIS

Mr. Spagnoletti stated that Southern Tier Central Regional Planning & Development Board is looking to set up a GIS Center for Chemung, Schuyler and Steuben counties and have asked that each county contribute \$2,000.00. They will pay for the remainder of the cost and set up a GIS database. Mr. Sears explained STC had received a State Archives grant and with that they will be able to produce a data warehouse. By the end of the year we would be able to put maps on the county web site for anyone to see or set it up for only particular individuals to see. He stated that the individual at STC setting this up would be training him and anyone else who would be interested on how to do this so we can do the same thing here ourselves.

Mr. McAllister asked can we do this without having to hire an employee specifically designated for this? Mr. Spagnoletti replied we have two CAD (Computer Aided Design) individuals in our department that do the bridge plans on the computer. When one of them retires, we would like to replace them with someone who is familiar with GIS as well as CAD. There would not be an additional person. Mr. Catherman stated that we currently have a very accurate GPS instrument with an antenna which is mounted onto a backpack. This instrument is accurate to within a meter and we are able to feed information back to the office.

Mr. Hauryski commented that in his experience with working with GIS it is very beneficial. He asked that the committee look at the information that Mr. Spagnoletti received from other counties regarding their use of GIS. He is amazed at how other counties are using it and he can see a real benefit to it.

Mr. Alger stated this would be an expansion of what we already do. Mr. Sears already does extensive GIS work. This would allow us, by working with the other counties, to assist Public Works with this. Our major use of GIS was the 911 operations and Mr. Sears did the addressing for the entire County and as a result, 911 has very good locational information. This system will give you the same kind of capability for those items that Public Works decides are critical for its operation and would allow for that information to be displayed geographically.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH SOUTHERN TIER CENTRAL REGIONAL PLANNING & DEVELOPMENT BOARD TO DEVELOP A GIS DATA WAREHOUSE CENTER FOR CHEMUNG, SCHUYLER AND STEUBEN COUNTIES AND TO PROVIDE TRAINING AT A COST OF \$2,000.00 MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Town of Hornellsville – Mr. Spagnoletti informed the committee that he has received a request from the Town of Hornellsville to purchase corrugated pan decking to repair one of their bridges. We have sold this material to municipalities in the past. They will require 936 square feet and the price is \$3.00 per square foot bringing the cost to \$2,800.00. He explained that he no longer purchases this material, but we still have a stockpile and use it for repairs to bridges that still have the pan decking. Mr. Catherman commented that by the Town putting on new decking, that will protect our beams. Mr. Spagnoletti stated this is a partial maintenance (PM) bridge which means that the town is responsible for taking care of the driving surface.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SELL 936 SQUARE FEET OF CORRUGATED PAN DECKING MATERIAL TO THE TOWN OF HORNELLSVILLE AT A COST OF \$3.00 PER SQUARE FOOT FOR A TOTAL OF \$2,800.00 MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Van Etten asked do we assume any liability when we sell this material to the towns? Mr. Catherman replied we offer our help, but in this case, they will hire a contractor to do the work.

E. STC Regional Leadership Conference – Mr. Spagnoletti stated that they have been asked to do a Marcellus Shale Drilling Impact seminar next Thursday from 9:15 a.m. – 10:15 a.m. Mr. Messmer will give a presentation on our road use agreements. We also have representatives coming from Sullivan County. Sullivan County has put together a group of eight towns and villages that have a uniform road use agreement and are currently working on a law to enforce it. This would be the most advanced road use agreement in the State. Our intent from the beginning has been for the towns to prepare agreements and policies before the gas drilling gets here.

Mr. Messmer stated a lot of towns are interested in these agreements, but they want them to be generic so that it would cover any activity in which heavy trucks are coming through. He commented that one of the speakers will be the attorney who is trying to get the law passed in Sullivan County.

## **VI. BIDS**

A. Asphalt Concrete; FOB Plant Site – Mr. Spagnoletti commented that the prices have dropped and now are back in line with what surrounding counties are paying. He recommended awarding to all bidders.

**MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; FOB PLANT SITE TO BLADES CONSTRUCTION, DALRYMPLE, ELAM MATERIALS, ELMIRA ROAD MATERIALS, INNOVATIVE MUNICIPAL PRODUCTS AND NARDE MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Asphalt Concrete - FOB Plant Site; Specified Purchase Quantity Range(s) – Mr. Spagnoletti commented that they had done a special bid with the expectation that we would get significantly lower prices, however, the prices came in about \$1.00 under the previous bid. Because there is not a significant savings, he recommended rejecting all bids.

**MOTION: REJECTING ALL BIDS FOR THE ASPHALT CONCRETE – FOB PLANT SITE; SPECIFIED PURCHASE QUANTITY RANGE(S) MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Asphalt Concrete; Miscellaneous In-Place Projects

**MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; MISCELLANEOUS IN-PLACE PROJECTS TO THE LOW BIDDER, A. L. BLADES FOR QUADRANTS 1, 2, 3 AND 4 MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Asphalt Concrete; Specified In-Place Projects

**MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; SPECIFIED IN-PLACE PROJECTS TO THE LOW BIDDERS AS FOLLOWS: CR 1 – TOWN OF ADDISON TO CHEMUNG CONTRACTING AT A COST OF \$206,980.00; CR 74 – TOWN OF PRATTSBURGH TO A. L. BLADES AT A COST OF \$96,675.00; CR 76 – TOWN OF PULTENEY TO A. L. BLADES AT A COST OF \$104,278.00; AND CR 120 – TOWNS OF CATON/LINDLEY TO A. L. BLADES AT A COST OF \$424,415.00 MADE BY MR. McALLISTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

E. Slurry Seal Bituminous Overlay Project(s)

**MOTION: AWARDING THE BID FOR SLURRY SEAL BITUMINOUS OVERLAY PROJECT(S) TO THE LOW BIDDER, CENTRAL ASPHALT AT A RATE OF \$1.207 PER SQUARE YARD FOR A TOTAL PRICE OF \$512,657.56 MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

F. Cold In-Place Recycling Projects – Mr. Spagnoletti requested that all bids be rejected as originally it was to be for 7.9 miles of CR 70A and now they will only be doing 4 miles and will need to rebid.

**MOTION: REJECTING ALL BIDS FOR THE COLD IN-PLACE RECYCLING PROJECTS MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

G. Pavement Grinding – Mr. Spagnoletti noted that he would award to all bidders for 1 day and 2-4 days. Both bidders came in at the same price for 5 or more days and they determined the low bidder to be Suit-Kote by way of a coin toss.

**MOTION: AWARDING THE BID FOR PAVEMENT GRINDING FOR QUADRANTS 1, 2, 3 AND 4 FOR 1 DAY RENTAL AND 2-4 DAYS RENTAL TO MIDLAND ASPHALT AND SUIT-KOTE CORPORATION AND AWARDING THE BID FOR 5 OR MORE DAYS RENTAL TO THE LOW BIDDER, SUIT-KOTE AT A COST OF \$4,125.00 PER DAY FOR QUADRANTS 1, 2, 3 AND 4 MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

H. Asphalt Milling

**MOTION: AWARDING THE BID FOR ASPHALT MILLING FOR QUADRANTS 1, 2, 3 AND 4 TO VILLAGER CONSTRUCTION, DONEGAL CONSTRUCTION, BOTHAR CONSTRUCTION, SUIT-KOTE CORPORATION AND MIDLAND ASPHALT MADE BY MR. SCHU. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

I. Prestressed Concrete Bridge Beams; Steuben County Bridge #4-2-1

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY BRIDGE #4-2-1 TO LOW BIDDER L. C. WHITFORD AT A COST OF \$62,400.00 MADE BY MR. McALLISTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

J. Prestressed Concrete Bridge Beams; Steuben County Bridge #14-15-4

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY BRIDGE #14-15-4 TO LOW BIDDER HUSTED CONCRETE AT A COST OF \$52,052.00 MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

K. Prestressed Concrete Bridge Beams; Steuben County #19-27-1

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY #19-27-1 TO LOW BIDDER, L. C. WHITFORD AT A COST OF \$39,600.00 MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

L. Prestressed Concrete Bridge Beams; Steuben County Bridge - #84-1

**MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY BRIDGE #84-1 TO LOW BIDDER, L. C. WHITFORD AT A COST OF \$77,900.00 MADE BY MR. SCHU. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

M. Closed Door Horizontal Baler – Mr. Spagnoletti informed the committee that this baler will be used to bale recycling materials at the Erwin Transfer Station. Currently we put the recyclables loose in a truck and haul it to the Bath Landfill to be baled. That is very expensive and if we had a baler that would cut down on our trucking costs. Mr. Nichols asked what would be the payback period? Mr. Emo replied six to eight months.

**MOTION: AWARDING THE BID FOR A CLOSED DOOR HORIZONTAL BALER TO THE LOW BIDDER, REACTION DISTRIBUTING FOR A COST OF \$49,995.00 MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**VII. OTHER BUSINESS**

A. Carbon Credits – Mr. Spagnoletti informed the committee that currently we sell our carbon credits to Google. We put in a gas collection system at the Bath Landfill and also installed a flare. The gas is burned off and that keeps the greenhouse gases from going into the atmosphere. The carbon credits are what people will pay you for. We set up an agreement with Google to purchase our carbon credits and we burn off 50,000 – 70,000 tons. With our contract with Google, we are getting the highest prices in the country. We gave them the option of which market they sell to and they are choosing to sell to the California Climate Action Registry. With Google going with the California model, the eligible tonnage we have has decreased. We did ask them for \$1.00 more per ton and they have agreed to that for 2009, 2010 and 2011.

Mr. McAllister asked does the \$1.00 increase per ton compensate us for the amount that was reduced? Mr. Spagnoletti replied no. We will have a loss of \$188,000, but in the past Google has done a lot of things that they haven't had to. Mr. English asked can we sell the tonnage they are rejecting to someone else? Mr. Spagnoletti replied no. Mr. Alger stated that they own that tonnage as we sold it to them. Discussion followed.

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

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

**NEXT MEETING SCHEDULED FOR**

**Wednesday, May 5, 2010**

**9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE  
STEUBEN COUNTY FINANCE COMMITTEE  
SPECIAL JOINT MEETING**

*Monday, April 26, 2010*

*9:30 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, NY 14810*

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

<b>COMMITTEE:</b>	Joseph J. Hauryski, Chair Patrick F. McAllister	Robert V. Nichols, Vice Chair Brian C. Schu	Michael Hanna
	Lawrence P. Crossett, Chair	Donald B. Creath	Scott J. Van Etten
<b>STAFF:</b>	Mark R. Alger Bryce Foster	Jack Wheeler	Vince Spagnoletti
<b>LEGISLATORS:</b>	Patrick F. Donnelly Philip A. Palmesano	Dan C. Farrand John S. Walsh	Carol F. Ferratella Randolph J. Weaver
<b>ABSENT:</b>	Gary B. Roush	Gary D. Swackhamer	

**I. CALL TO ORDER**

The meeting was called to order at 9:30 a.m. by Finance Committee Chairman Crossett.

**II. GENERAL BUSINESS**

A. **Road Improvement Capital Project Transfer** – Mr. Spagnoletti informed the committee that they have a project scheduled for CR 120 which will involve paving from Caton to Lindley. Originally they had budgeted for using 1 inch of blacktop, however, they have changed that to using 1 ½ inches of blacktop. He requested authorization to transfer \$123,897.00 from the General Road Improvement Capital Project to the CR 120 Road Project.

**MOTION: AUTHORIZING PUBLIC WORKS TO TRANSFER \$123,897.00 FROM THE GENERAL ROAD IMPROVEMENT CAPITAL PROJECT TO THE CR 120 PAVING ROAD PROJECT MADE BY MR. VAN ETTEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0 (PUBLIC WORKS) AND 3-0 (FINANCE).**

**MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MR. CREATH AND DULY CARRIED.**

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Wednesday, May 5, 2010*

*9:00 .am.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, NY*

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

<b>COMMITTEE:</b>	Joseph J. Hauryski, Chair Brian C. Schu	Robert V. Nichols, Vice Chair	Patrick F. McAllister
<b>STAFF:</b>	Mark R. Alger Vincent Spagnoletti Steve Orcutt Steve Catherman Jacques Begin Frederick H. Ahrens, Jr.	Gregory P. Heffner Bryce Foster John Emo Doreen Ames James Gleason	Jack Wheeler Phil Hink Peter Messmer Debra Cotter David English
<b>LEGISLATORS:</b>	Patrick F. Donnelly Thomas J. Ryan	Lawrence P. Crossett Scott J. Van Etten	Carol A. Ferratella John S. Walsh
<b>OTHERS:</b>	Frank Haftl Wayne Wells Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

Mr. Hauryski called the meeting to order and led the Pledge of Allegiance.

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

Mr. Hauryski opened the floor for comments by members of the public.

Frank Haftl, Cameron, thanked Commissioner Spagnoletti for giving him the cost of CR 10A, however, it is a shame that it started from potholes and now has become a \$1 million highway. He commented another thing is that when he goes SR 415 to Corning, he drives by the maintenance shop in Erwin and has seen the guys cleaning the wheels of the 10-wheelers. What is the purpose behind having 10-wheelers that are so fancy? He would like to know the justification for that. Mr. Haftl stated another issue of concern is that in Chemung County, Casella wants to expand and they had a meeting last Tuesday, but there was nothing in the paper about it. His concern is if they expand, are they going to take garbage to Chemung County instead of here? We will probably lose more revenue. He stated that he has no qualms about privatizing as long as it is kept under control.

Wayne Wells commented that he just came back from a meeting with the Department of Environmental Conservation (DEC) regarding complaints against Dickson's. He followed trucks that are water carriers for the fracking process and those trucks carry over 21,000 pounds. He stated that he wants the county to be aware of the weights. Also, he has received personal reports from other people that there are 90 trucks lined up to service those wells in Pennsylvania and there are complaints that the water tankers are drawing water from creeks where volunteers had put in boat ramps and they are destroying those ramps. Again, this is happening in Pennsylvania. Mr. Wells stated that he has also heard rumors that the landfill may want to be privatized. He would strongly urge that the landfill be kept within the County for the sake of the people. The Chemung County Landfill is operated by Casella and they are bringing in sludge waste from Pennsylvania with questionable toxicity due to the chemicals and the potential radiation. You have to realize that the operation of waste is real and costs money and we have to weigh this against the potential for contamination that we could not correct as a County once the

landfill is privatized. The DEC is not providing oversight and this will be compounded when gas drilling does come to this County.

Mr. Hauryski thanked them for their comments and declared the opportunity for public comment closed.

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

**MOTION: APPROVING THE MINUTES OF THE APRIL 7, 2010 AND APRIL 26, 2010 MEETINGS MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

### **IV. LANDFILLS**

A. **Gas Drilling** – Mr. Spagnoletti commented that a lot of people have been asking about Chemung County bringing in what he refers to as Marcellus Mud. This is a huge revenue source. What we want to do over the next couple of months is look at this Marcellus mud and drill cutting materials to see what kind of long-term effect it will have on our leachate, landfill, etc. Mr. Nichols asked that during his two-month review to include information on the radioactivity of those materials. Mr. Spagnoletti stated that we did get a report and the radioactivity is very low. We have concerns about whether it will concentrate in the leachate and those are the things we want to look at. Another question has been: could we put the fracking water in the leachate treatment plant and the answer is no. You could do a \$7 - \$8 million expansion of the leachate treatment center to handle part of that or a \$30 million expansion to do a complete treatment of that water. Right now our focus is on the third engine at the gas to energy plant.

B. **Manufacturer Financed Collection of Electronic Wastes** – Mr. Spagnoletti informed the committee that if someone manufactures an electronic product, for example a cell phone, we shouldn't have to be responsible for the recycling of that product. The belief is the product should go back to the manufacturer. He requested approval of a supporting resolution backing the concept that the manufacturer of electronic products be ultimately responsible for taking care of the old product. Mr. Nichols asked who would send the old product back? Mr. Orcutt replied there are a number of different ways. One distributor of electronics has an agreement with the manufacturer to take the old products back. In some areas, the manufacturer is funding county programs to take and collect materials and then send the county a check. There are a lot of different mechanisms that would come into play. Mr. Spagnoletti stated from our point of view, we want to say that if you mail the old product back, the manufacturer will take care of it. Mr. Orcutt commented most of these types of programs are pretty user friendly. We would like to place the burden for recycling back on the producer.

**MOTION: SUPPORTING ELECTRONICS RECYCLING AND EXTENDED PRODUCER RESPONSIBILITY LEGISLATION FOR ELECTRONIC WASTES MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

C. **Gas to Energy Plant** – Mr. Spagnoletti informed the committee that the gas to energy plant is producing electricity and throwing off heat. There are landfills that use this excess heat to set up a lumber yard to dry lumber. Another landfill uses the excess heat for a greenhouse to produce flowers. He stated that he had the idea of processing food waste. Could we have a composting operation and produce more methane and more electricity? Mr. Spagnoletti requested authorization to solicit a request for proposals for developers to submit ideas that they have that could help the landfill use the excess heat and see if that could also help us produce more electricity and in turn provide more methane.

Mr. McAllister asked does the plant produce a substantial amount of heat? Mr. Spagnoletti replied yes. You could process food waste and when you do it would throw off methane. There are some real possibilities here.

**MOTION: AUTHORIZING THE PUBLIC WORKS DEPARTMENT IN CONJUNCTION WITH THE PURCHASING DIRECTOR TO SOLICIT REQUESTS FOR PROPOSALS FROM DEVELOPERS FOR IDEAS FOR THE USE OF EXCESS HEAT BEING GENERATED FROM THE LANDFILL'S GAS TO ENERGY PLAN AND THE USES FOR THAT EXCESS HEAT MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. **2010 Draft Solid Waste Management Plan Modification** – Mr. Spagnoletti informed the committee that a public meeting will be held on May 26, 2010 at 7:00 p.m. with regard to the 2010 Draft Solid Waste Management

Plan Modification. The DEC requires us to have a new revised solid waste management plan in place. In this new plan they want us to look at recycling electronic waste, composting, recycling at schools and construction and demolition recycling. They are focusing on expanding the recycling program. The other significant thing we put in there is that we plan to put laws in place for flow control and we want to have that ready in case you want to implement it.

E. **Tire Amnesty Day** – Mr. Spagnoletti reported that Tire Amnesty Day was very successful. We have five tractor trailers loads. In the past we had done this over a period of four days and this year we did one day and allowed people to bring in eight tires instead of four tires.

V. **ROADS AND BRIDGES**

A. **CR 115 Bridge Over Cowanesque River, Lindley**

- *Construction Bid Award* – Mr. Spagnoletti stated that last month he had wanted to award this, however, the State had stopped the capital funding for projects. This project is 80 percent Federal funding and the Feds pay the State and then the State pays us. It appears that the Department of Transportation (DOT) does not have a problem awarding this. The risk is in the 80 percent Federal funding as the payment from the State may be delayed. Mr. Spagnoletti states that he expects to get the 80 percent funding. The Marchiselli funding is 15 percent and the engineering and inspection will cost \$350,000 which is State funded and at this point we do not know if the State will stop that funding completely. Mr. Spagnoletti recommended awarding the bid knowing that there is a risk that we won't get that \$350,000 Marchiselli funding. We will hold back on some road work in case we need to pay for this. We don't want to lose over \$2 million Federal funding.

Mr. McAllister asked if the State does not come through, do we cut other projects? Mr. Spagnoletti replied if the State does not pay, he will meet with Mr. Foster and put a hold on some of our road projects. We will do this project and if we don't get the State funding, we will do less roads.

Mr. Van Etten asked do you have a sense of the timing in terms of when the State will pay you? Could you not do this project this year? Mr. Spagnoletti replied at the June meeting we will have to decide if we do road projects. This is a \$2.8 million construction project and the bids are coming in very low all over the State. If we rejected the bids, then they would go higher the next time around.

Mr. McAllister asked have you identified the projects you would be cutting out? Mr. Spagnoletti replied no. Mr. Schu commented that you don't have much choice.

Mr. Nichols asked are we guaranteed the 80 percent funding? Mr. Spagnoletti replied yes. Mr. Nichols stated the bids are lower than what was anticipated. If we wait a year or two, by then the bids could be \$500,000 more.

Mr. Donnelly asked does the State give us the money and then make a claim for the Federal funding? Mr. Spagnoletti replied you always pay up front.

**MOTION: AWARDING THE BID FOR THE REPLACEMENT OF THE CR 115 BRIDGE OVER THE COWANESQUE RIVER, TOWN OF LINDLEY, TO RAMSEY CONSTRUCTORS, INC. OF LAKEVILLE, NY FOR A TOTAL COST OF \$2,039,042.70 MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

- *80 Percent Funding Agreement w/ DOT for Construction and Inspection* – Mr. Spagnoletti requested authorization to sign an agreement with the NYS DOT for the construction and inspection of the CR 115 bridge over the Cowanesque River in the Town of Lindley.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR 80 PERCENT FUNDING FOR THE CONSTRUCTION AND INSPECTION OF THE CR 115 BRIDGE OVER THE COWANESQUE RIVER, TOWN OF LINDLEY MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

- *Construction Inspection Agreement w/ Bergman Engineers* – Mr. Spagnoletti explained this is 80 percent Federal, 15 percent State and 5 percent local. The agreement is approved by the State. Mr. Catherman stated the cost is \$249,419.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH BERGMAN ENGINEERS FOR \$249,419.00 FOR THE CONSTRUCTION INSPECTION OF THE CR 115 BRIDGE OVER THE COWANESQUE RIVER, TOWN OF LINDLEY MADE BY MR. McALLISTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

- *100 Percent Funding Agreement w/ NYSDOT for Bergman Supplemental Design* – Mr. Spagnoletti requested authorization to enter into a supplemental agreement with the New York State DOT for the supplemental design by Bergman Engineers. Mr. Catherman explained it is an additional cost of \$5,000.00 and covers abutment design work and low grading. This is the result of some changes in DOT policy from the time we started until now. This is 100 percent State funded.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR 100 PERCENT FUNDING FOR BERGMAN ENGINEERS SUPPLEMENTAL DESIGN FOR THE CR 115 BRIDGE OVER THE COWANESQUE RIVER, TOWN OF LINDLEY MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

- *Supplemental Agreement w/ Bergman Engineers for Design* – Mr. Spagnoletti requested authorization to enter into a supplemental agreement with Bergman Engineers for supplemental design work at a cost of \$5,000.00.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH BERGMAN ENGINEERS FOR THE DESIGN FOR THE CR 115 BRIDGE OVER THE COWANESQUE RIVER, TOWN OF LINDLEY MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

Mr. Catherman informed the committee that they will start work on this project in June and close the bridge in July. They anticipate completion sometime in November.

B. **CR 26 Connecting to I-86 Bridge Project** – Mr. Spagnoletti informed the committee that New York State DOT is rebuilding the bridge in Campbell that goes over I-86. The ends of the bridge will connect onto CR 26 and after they rebuild that, we will retain the maintenance of those improvements to CR 26.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS OF CR 26 CONNECTING TO THE I-86 BRIDGE PROJECT IN CAMPBELL MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

C. **CHIPs Funding** – Mr. Spagnoletti informed the committee that we have \$5.7 million funded for maintenance and construction projects and there is \$3.7 million of that covered by CHIPs. The Governor, Assembly and Senate included \$363 million statewide CHIPs to localities, but the longer this goes on, the longer I think it is questionable whether we will get all of it, a portion of it or none of it. Our plan is to do three jobs in May and then in June we will have to decide to stop construction because we doubt we will get the CHIPs funding.

Mr. Nichols commented when they decide to do something in Albany, then all the towns and counties will have 1 ½ months to do their projects and there will not be enough vendors. Mr. Spagnoletti stated we have our bids out so that should not affect us. This is being discussed statewide.

**VI. BIDS**

A. Cold In-Place Recycling Projects; Re-Bid

**MOTION: AWARDING THE BID FOR COLD IN-PLACE RECYCLING PROJECTS, RE-BID TO SUIT-KOTE FOR A TOTAL PROJECT PRICE OF \$607,419.20 MADE BY MR. SCHU. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Heavy-Duty Highway Trucks – Mr. Spagnoletti informed the committee that these trucks do have aluminum boxes and aluminum wheels. The tri-axle trucks will carry 40 – 100 percent more material per truck.

Mr. Van Etten commented that with the tri-axle trucks you are not buying the sidewinder box and then in the winter when you are in the snow it is putting the sand behind the wheel instead of in front of it. Mr. Spagnoletti explained we have gone to trucks to dump sideways and the conveyor belt brings the sand to just behind the driver and then the sand is put just ahead of the rear wheel. With these tri-axle trucks we dump out the back and the salt/sand is in the front of the tire, but we are hauling so much gravel for the roads that it is taking forever. If the driver is on 70A we felt that they don't necessarily have to have the sand in front of the tires as it is a fairly level road. We are not going 100 percent to all tri-axle trucks. We would like to have 12 which would give us a fleet to haul gravel on some of the more level roads. Right now we have four, we are purchasing four more and we would like to get four more in addition to those. Mr. Crossett asked are you taking trucks off the road? Mr. Spagnoletti replied yes and we put them in the auction.

**MOTION: AWARDING THE BID FOR HEAVY-DUTY HIGHWAY TRUCKS TO UTICA GENERAL TRUCK CO., INC. OF UTICA, NY AS FOLLOWS: LINE ITEM A - \$223,653.00; LINE ITEM B - \$447,306.00; LINE ITEM C - \$670,959.00; AND LINE ITEM D - \$894,612.00 MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

C. Closed Door Horizontal Baler – Mr. Ryan asked can this be used for agricultural plastics? Mr. Spagnoletti replied he does not believe this baler has that capability however, farmers can bring in their agricultural plastics at no charge until June 30, 2010. Mr. Orcutt commented Chemung County has a baler that they can take to different sites and if we get into baling plastic, we may be able to partner with them. Mr. Spagnoletti stated this baler is for the Wayland Transfer Station.

**MOTION: AWARDING THE BID FOR A CLOSED DOOR HORIZONTAL BALER TO UNITED SERVICES GP, INC. OF ROCHESTER, NY IN THE AMOUNT OF \$53,995.00 MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

D. Caterpillar D6H Dozer; Undercarriage Parts – Mr. Begin stated that Morrison Supply was a non-compliant bidder as the parts do not meet OEM requirements. OEM parts have a longer life span. He recommended awarding the bid to the next lowest bidder, Milton Cat.

**MOTION: AWARDING THE BID FOR CATERPILLAR D6H DOZER; UNDERCARRIAGE PARTS TO MILTON CAT FOR A TOTAL EXTENDED PRICE OF \$18,291.26 MADE BY MR. SCHU. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

E. Inertia Aggregate Crusher Parts

**MOTION: AWARDING THE BID FOR INERTIA AGGREGATE CRUSHING PARTS TO EMERALD EQUIPMENT SYSTEMS, INC. OF LIVERPOOL, NY FOR A TOTAL EXTENDED PRICE OF \$19,185.00 MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**VII. OVERTIME ANALYSIS**

Mr. Spagnoletti presented an overview on the pros and cons of going to four ten-hour days versus five eight-hour days. Currently our highway division works four ten-hour days from 6:00 a.m. – 4:30 p.m. and Fridays now become overtime. Mr. Spagnoletti explained the contract says that employees have to go to their shop first and then go to the work site. We are losing about two hours of time everyday for travel to and from the site. He stated that he likes the four ten-hour days and believes they are ahead of the game in doing that.

Mr. McAllister commented anytime you have government workers and the public sees them working four days instead of five, it looks bad. That is a consideration for him, although he assumes you have less overtime when you do it this way.

Mr. Nichols stated that the only time in this program that you would get hammered with overtime would be if there was a blizzard that happened on a Friday and lasted two days. In that case you would be opening yourself up to three overtime days instead of two.

Mr. Foster commented that with the five eight-hour days you are only getting six hours of work by the time you factor in travel to and from the work site. Working four ten-hour days you are getting two hours of additional work.

Mr. Schu commented the only thing that is a variable is the productivity. Mr. Spagnoletti stated that he has not seen a decrease in productivity the last two hours of the day because we are running equipment.

Mr. Hauryski asked how did it work last summer with all of the rain that we had? Mr. Foster replied we didn't have a day that we got rained out and any overtime we had on Friday and Saturday was early in the year when we were crushing gravel.

Mrs. Ferratella asked by working four ten-hour days instead of five eight-hour days are the projects being completed faster? Mr. Foster replied yes. Mr. Spagnoletti stated that he believes we are getting more work done. If you have longer days you can get more work done. Mr. Foster stated it also helps keep our prices down for rental equipment because we are working longer days.

Mr. Van Etten asked are there additional break times in a ten-hour day? Mr. Spagnoletti replied no. Mr. Van Etten commented that with machine work you don't see the fatigue factor as much as you would with manual labor. You also have to look at the percent of total labor worked and then you see if you are understaffed or abusing overtime. A percentage of 10 percent of overtime is not outlandish. Having overtime is still cheaper than having additional people.

Mr. Spagnoletti reviewed the overtime figures by shop. Having one-person plowing has helped with our overtime. We have eight shops each with a Supervisor. With regard to plowing, our trucks come in at 9:00 p.m. unless there is some type of snow event. They do not go out any earlier than 3:00 a.m. unless there is an emergency. We do have our Supervisors go out and check the roads as our snow removal and roads are the most important thing. Our snowplows do a complete run before the school buses go out. During a storm they go out to keep traction and then go out three hours after to bare it up.

Mr. Hauryski thanked Mr. Spagnoletti and his staff for putting the overtime report together. This is something that we always have to look at.

**MOTION: TO ADJOURN MADE BY MR. McALLISTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. SCHU ABSENT FOR VOTE)**

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

**NEXT MEETING SCHEDULED FOR**

**Wednesday, June 2, 2010**

**9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Wednesday, June 2, 2010*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

<b>COMMITTEE:</b>	Joseph J. Hauryski, Chair Patrick F. McAllister	Robert V. Nichols, Vice Chair Brian C. Schu	Michael Hanna
<b>STAFF:</b>	Mark R. Alger Vincent Spagnoletti Steve Orcutt Jim Gleason Frederick Ahrens, Jr.	Gregory P. Heffner Bryce Foster John Emo Jacques Begin	Jack Wheeler Phil Hink Pete Messmer David English
<b>LEGISLATORS:</b>	Patrick F. Donnelly Gary B. Roush	Lawrence P. Crossett John S. Walsh	Carol A. Ferratella

**I. CALL TO ORDER**

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

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

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

**III. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE MAY 5, 2010 MEETING MADE BY MR. McALLISTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. LANDFILLS**

1. **Gas to Energy Plant** – Mr. Spagnoletti informed the committee that a ribbon cutting ceremony will be held on Wednesday, June 23<sup>rd</sup> at 10:00 a.m. and an open house will be held on Thursday, June 24<sup>th</sup> from noon until 6:00 p.m.

2. **Clean Fill** – Mr. Spagnoletti informed the committee that Corning, Inc. has some clean fill that they would like to bring to the landfill. This consists of approximately 7,500 tons of earth and 300 tons of crushed concrete. They are willing to deliver this material to the landfill at no charge. We can use this clean fill for daily cover and he would like to accept this material at no charge.

Mr. Nichols asked when we take ash, are they charged? Mr. Spagnoletti replied yes because that is a BUD material and that material is included in our tipping fees. Mr. Orcutt stated the material we are receiving from Corning, Inc. is not required to go to the landfill.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT CLEAN FILL FROM CORNING, INC. CONSISTING OF 7,500 TONS OF EARTH AND 300 TONS OF CRUSHED CONCRETE AT NO CHARGE MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

3. **Agricultural Plastics** – Mr. Spagnoletti informed the committee that they have been offering a no-charge program for agricultural plastic. The no charge program ends at the end of June. So far we have only had one person that has participated and he asked if the committee would want him to extend this program to the end of the year.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXTEND THE NO-CHARGE AGRICULTURAL PLASTIC PROGRAM THROUGH THE END OF THE YEAR MADE BY MR. NICHOLS. SECONDED BY MR. SCHU FOR DISCUSSION.**

Mr. Nichols stated that part of the problem is that the farmers need to use this program. His fear is that the large majority of farmers are burning their plastics or just letting it blow around through the country. We should give it six more months and do more public education and work with the Farm Bureau. Mr. Spagnoletti stated we have done mailings and advertising through Cooperative Extension and the Farm Bureau. Mr. Nichols commented it is much easier to burn the plastic, but that needs to end.

Mr. Hanna asked is there a problem with us rolling the plastics? Mr. Spagnoletti replied the balers we have are not made to bale agricultural plastics. Right now we would bury the plastics in the landfill which would be better than burning them. Mr. Nichols commented the plastics recyclers don't want the agricultural plastic because there are organic materials in it that would need to be cleaned. Mr. Spagnoletti stated we have been working with Cornell Cooperative Extension and we will expand our advertising. Mr. Nichols commented if the DEC would start issuing tickets that would promote the farmers using this program.

Mr. Hauryski asked that Mr. Spagnoletti let the Farm Service Agency at the USDA know about this and ask them to include something in the newsletter they send out as that goes to all of the farmers in the County.

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

4. **Flow Control** – Mr. Spagnoletti stated this year we wanted to set up a process so that we could implement flow control if you decided you wanted to do it. He requested the committee's approval to proceed with the process to put this in place. Flow Control would be a law that would say that any garbage generated in Steuben County must be brought to the County landfill.

Mr. McAllister asked would you be better off making a decision and then getting ready to put it into effect? Mr. Ahrens replied you have to at least make an exploration with an expert and there are costs/fees associated with that. You could vote on this conceptually. We have the expert, Michael Cahill, who is the leading expert on Flow Control in New York State. Mr. McAllister asked this proposal would set forth what we would do? Mr. Ahrens replied yes this would provide you with a timeline and the critical steps that would need to be taken.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO INITIATE THE PROCESS OF PROCURING A PROPOSAL FOR FLOW CONTROL IN STEUBEN COUNTY MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**V. ROADS AND BRIDGES**

1. **2009 Bridge Construction and Design Award – CR73 Bridge Over Tioga River, Lindley** – Mr. Spagnoletti introduced Steve Gauthier and Emily Smith from Fisher Associates who are here to present the 2009 Bridge Construction and Design Award.

Mr. Gauthier stated that Fisher Associates submitted the CR 73 Bridge Over Tioga River project to the Association for Bridge Construction and Design. This project competed with six other bridges in Western New York. This project stood out because of its engineering and the approach used to complete the project. Mr. Gauthier presented the 2009 Bridge Construction and Design Award to Steve Catherman, Steuben County and Ramsey Constructors for the best bridge over \$1 million. **CONGRATULATIONS!!**

2. **County Routes and Traffic Counts by District** – Mr. Spagnoletti distributed handouts depicting the average annual daily traffic counts for county roads in each district. Mr. Hauryski thanked Mr. Spagnoletti and his staff

for putting this information together. This is important when we are talking about capital projects and is good information for the committee to keep on hand.

3. **CHIPS Funding for 2010 Projects** – Mr. Spagnoletti distributed handouts showing the 2010 Steuben County Department of Public Works Maintenance Plan as well as the 2010 Capital Projects Plan. He stated the total amount of the capital projects and maintenance projects is \$5,392,264.00 and our budgeted CHIPS amount is \$3,688,392.00. We have county funds in the amount of \$1,703,872.00 available to us. In addition, we have \$1,971,806.00 that has been set aside for slurry seal, the CR 70A project, Marchiselli bridges and chip seal stone. Mr. Spagnoletti stated we are maxed out right now on what we can spend in county dollars. The maintenance plans would be our first priority. He explained the handout with the capital projects have certain lines that are highlighted and those represent projects that we have already spent money on or have reserved money for. The projects for CR16, CR17, CR1, CR74, CR76, CR45, CR126 and CR61 are in question.

Mr. Spagnoletti explained the projects that we have not yet done would take us about two months to complete. If you wanted to wait until the beginning of July to see what happens with the State budget that would give us July and August to complete work. If you waited until August, then we would be looking at August and September for completion and it would be more difficult as we need warm nights for the roads to cure. We have some time before we need to make decisions on the capital projects. Right now the Governor's, Assembly and Senate budget proposals have \$363 million set aside for CHIPS funding statewide and our part would be \$3.6 million. If you decided that you did not want to do the maintenance plan projects, then we do have patching money that we would use to keep the roads patched.

Mr. Nichols asked with regard to the capital projects, will everyone be contracting out at the same time? Mr. Spagnoletti replied most counties are not spending any CHIPS money. We don't think we will have a problem getting the contractors. It is a concern, but we feel that we are in pretty good shape. Mr. Roush asked if you get the CHIPS money and don't spend it, does it roll over? Mr. Spagnoletti replied yes.

Mr. Alger commented it is a crapshoot. He believes that we will get some CHIPS money. It would be safe to do the maintenance plan projects, but to also do the capital projects would be risky. A lot of counties are not doing any projects. Mr. Hauryski asked is it a question of whether we will get the full amount? Mr. Alger replied the State budget is not done. He is pretty sure you will get at least what we have in the maintenance plan projects. You would be pretty safe doing the maintenance projects and waiting a month to see what happens with the State budget.

Mr. Donnelly asked is CHIPS funding borrowed money? Mr. Alger replied it is technically borrowed money. CHIPS, long-term is not sustainable the way they are funding it. They are funding with the lock box motor fuel tax. There is not enough from that to pay what they are spending. For this budget cycle, it should be okay. Mr. Donnelly asked is it reasonable that we would get at least one-third? Mr. Alger replied yes. You should at least get the maintenance plan amount.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PROCEED WITH THE 2010 MAINTENANCE PLAN PROJECTS AND TO DISCUSS THE 2010 CAPITAL PROJECTS AT THE JULY PUBLIC WORKS COMMITTEE MEETING MADE BY MR. McALLISTER. SECONDED BY MR. NICHOLS FOR DISCUSSION.**

Mr. Hanna asked if this continues will this eat away at the road projects? Mr. Alger replied it is going to become an issue at the State level because of how they currently fund it. This is a critical program for road maintenance for counties. We will see program modifications for funding streams. This will become a major issue in the next three to four years.

Mr. Donnelly asked are there county highways in New York City? Mr. Spagnoletti replied no, but they do get CHIPS funding for bridges.

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

4. **2010 – 2011 Snow and Ice Agreement with NYSDOT** – Mr. Spagnoletti informed the committee that we plow approximately 100 miles of state roads. He requested authorization to enter into an agreement with NYSDOT

for 2010-2011 at a cost of \$778,769.97. Mr. McAllister asked what does this agreement do for us? Do we make money? Mr. Spagnoletti replied yes. Every year we are guaranteed two-thirds of the contract amount no matter what happens. The State has standard routes and they keep track of their costs and come up with what they refer to as the J Factor. The amount will depend upon the severity of the winter.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A SNOW AND ICE AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR 2010 – 2011 FOR \$778,769.97 MADE BY MR. NICHOLS. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, July 7, 2010  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

Wednesday, July 7, 2010

9:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

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

**COMMITTEE:** Robert V. Nichols, Vice Chair                      Michael Hanna                      Patrick F. McAllister  
Brian C. Schu

**STAFF:** Mark R. Alger                      Jack Wheeler                      Vincent Spagnoletti  
Bryce Foster                      Steve Catherman                      Steve Orcutt  
John Emo                      Sam Hadley                      Don Divens  
Doreen Ames                      James Gleason                      Jacques Begin  
David English                      Frederick H. Ahrens

**LEGISLATORS:** Patrick F. Donnelly                      Carol A. Ferratella                      Gary B. Roush  
John S. Walsh

**ABSENT:** Joseph J. Hauryski, Chair

**I. CALL TO ORDER**

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

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

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

**III. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JUNE 2, 2010 MEETING MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**IV. RECOGNITIONS**

A. Sam Hadley – Mr. Spagnoletti stated that he would like to recognize Sam Hadley, our Associate Engineer, upon the occasion of his retirement. He has been an employee with the Public Works Department since August 5, 1969. Mr. Spagnoletti reviewed his accomplishments and stated that it has been a pleasure to work with him.

Mr. Hadley stated that it has been a pleasure working for Public Works and he has enjoyed it. Steve Catherman and Vince Spagnoletti are great bosses. **CONGRATULATIONS SAM!**

B. Don Divens – Mr. Spagnoletti stated that Don Divens is the Caton Shop Supervisor. He played an integral role in the CR 120 project. That project turned out very well and he stated that he appreciates all of the work that Mr. Divens put forth going door to door.

**V. ROADS AND BRIDGES**

A. **CR 62** – Mr. Spagnoletti informed the committee that the State is replacing the bridge on SR 248 over Bennetts Creek. As part of that, they will be doing work on both ends of CR 62 and will rebuild that. They are requesting that we enter into an agreement with them so that the County will maintain those areas.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO MAINTAIN CR 62 ON EITHER END OF THE SR 248 BRIDGE OVER BENNETTS CREEK MADE BY MR. McALLISTER. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

B. **Bridge Replacement – Seneca Road Over Canisteo River, Town of Hornellsville** – Mr. Spagnoletti requested authorization to enter into an agreement with the New York State Department of Transportation for the funding of the design and right-of-way for the bridge replacement on Seneca Road over the Canisteo River in the Town of Hornellsville and to appropriate \$400,000 to the 2011 Public Works Budget to pay, in the first instance, 100 percent of the Federal and Non-Federal share of the project costs. We are guaranteed 80 percent federal funding and our portion is normally 5 percent. The other 15 percent is State Marchiselli funding. This is a \$4 million bridge project and our portion of the design work would be \$20,000 - \$80,000 depending on whether we are paying 5 percent or 20 percent if the Marchiselli funding is unavailable.

Mr. McAllister asked if the cost is more than the \$20,000 - \$80,000 can we back out? Mr. Spagnoletti replied he is asking for approval whether it is \$20,000 or \$80,000. The construction of the bridge is \$4 million and Federal funding will pay 80 percent of that. Today he is only asking for approval to contract for the design. The federal funds are already in place for the design. Mr. Catherman commented that he doesn't expect the federal funding for the actual construction to be available until Spring 2013 at the earliest.

Mr. Hanna asked how long will the bridge last? Mr. Catherman replied it should last 50 years. This bridge was originally built in 1938 and a new deck was put on in the late 1970's. With this project, there will also be a share that the City of Hornell will pay, as well as the Town of Hornellsville, for each end of the bridge.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FUNDING OF THE DESIGN AND RIGHT-OF-WAY FOR BRIDGE REPLACEMENT, BIN #2016360, SENECA ROAD OVER THE CANISTEO RIVER, TOWN OF HORNELLSVILLE AND APPROPRIATING \$400,000 to THE 2011 PUBLIC WORKS BUDGET TO PAY, IN THE FIRST INSTANCE, 100 PERCENT OF THE FEDERAL AND NON-FEDERAL SHARE OF THE PROJECT COSTS MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.**

**VI. BIDS**

A. Traffic Control Supplies

**MOTION: AWARDING THE BID FOR TRAFFIC CONTROL SUPPLIES TO S&S SIGNS & SAFETY EQUIPMENT OF BIG FLATS, NY FOR A TOTAL PRICE OF \$12,538.75 MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

B. Self-Propelled Hydrostatic Drive Road Sweeper – Mr. Begin informed the committee that they received three bids; however, he recommended rejecting all bids due to non-compliance and rebidding. He commented that none of the bidders were in full compliance with the specifications in the bid. Two bidders did not meet the CID engine size and one bidder did not meet the road travel speed requirement. They also will redo the specifications as some of the material they used to write the bid was outdated.

**MOTION: REJECTING ALL BIDS FOR THE SELF-PROPELLED HYDROSTATIC DRIVE ROAD SWEEPER DUE TO NON-COMPLIANCE AND DIRECTING THE PURCHASING DIRECTOR TO SOLICIT NEW BIDS MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, August 4, 2010  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Wednesday, August 4, 2010*

*9:00 a.m.*

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

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

<b>COMMITTEE:</b>	Joseph J. Hauryski, Chair Patrick F. McAllister	Robert V. Nichols, Vice Chair Brian C. Schu	Michael Hanna
<b>STAFF:</b>	Mark R. Alger Steve Catherman John Emo James Gleason	Jack Wheeler Bryce Foster Rich Bills Jacques Begin	Vincent Spagnoletti Steve Orcutt Doreen Ames David English
<b>LEGISLATORS:</b>	Patrick F. Donnelly John S. Walsh	Carol Ferratella	Scott J. Van Etten

**I. CALL TO ORDER**

Mr. Hauryski called the meeting to order at 9:00 a.m. He asked Mr. McAllister to lead the Pledge of Allegiance.

**II. PUBLIC COMMENT**

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

**III. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JULY 7, 2010 MEETING MADE BY MR. McALLISTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. LANDFILLS**

A. Request for Proposals: Heat Utilization Project – Mr. Spagnoletti stated that they sent out an RFP for the utilization of the excess heat from the gas to energy plant. The plant will produce energy but will throw off heat and that is a valuable commodity. We were asking for proposals to put up a plant to utilize that heat. We did receive one proposal from Dickson Environmental Services. They are proposing to build a digester which would be a \$4.5 - \$5 million project. They would take food waste from Kraft, Poly-O, etc.; mainly milk whey as well as residue from the Bath sewage plant. The plant would be built by April 2011 and our role would be that we would supply the heat as well as our leachate treatment plant to treat the effluent. Mr. Spagnoletti explained we would pay Dickson for the methane gas produced and we will get more revenue because more electricity would be produced. The money we pay overall would be a little to our benefit. The problem with this plan is right now we would pay for the gas at the low price, however, when the gas prices go up, the expense would go up and that could be a negative. The other issue with this proposal is that we need to give them a price to treat the effluent, but before we can do that we need to analyze and see what it would cost as well as look at whether we could handle the amount of effluent being produced. They are estimating that they would have 60,000 gallons per day which would amount to 20,000,000 gallons per year. Last year we did 13,000,000 gallons at the plant.

Mr. Spagnoletti stated that the DEC is in favor of the project; however, as it is structured right now, he would not recommend moving forward. He would like to talk to Dickson to see if we could restructure the proposal to make it more financially as well as environmentally beneficial. He stated that he would come back to the committee with the results of any negotiations. Discussion followed.

Mr. Van Etten asked would Dickson be bringing in any hydrofracking fluid? Mr. Spagnoletti replied we would not be able to treat hydrofracking fluid at our plant. That fluid is very salty and it would cost \$30 million to build a plant that could treat that fluid. We have no plans at all to bring that material into our treatment plants. We would limit the type of material that they could bring in.

Mr. Nichols commented that the gas and electric prices are tied together. Mr. Spagnoletti stated that he is concerned that there are times during the year when they don't operate in tandem. He would not want to enter into an agreement based upon the assumption that the gas and electricity prices are tied together. Mr. Alger commented you would be taking a pretty significant risk with the way the proposal is set up now. Mr. Spagnoletti stated the only other thing is to provide a heat jacket which would collect the heat and feed that into the digester. The DEC would pay 50 percent of that cost and if we built the heat jacket, we would get that funding. That would be the only thing that we would do toward this project.

Mr. Hanna asked what is the future of the landfill? Mr. Spagnoletti replied we do a 35 year analysis. With the electric plant, we forecast that will pay for itself. We are in a period of bad times for landfills. We have lost 10 percent of our garbage. If we could bring in drill cuttings we would be comfortable and right now we are in the process of conducting a study on doing that. We did put in the management plan to the DEC the option of going to flow control. What that does is says that the people of the county must bring their garbage to our landfill. If you do that, then you are in the positive. The main thing to do is to find out about the drill cuttings and look at flow control. There was a time when the Legislature was looking at leasing the landfill and that was when the economy was good. It is not a good time to do that now. Mr. Hanna asked is the volume of garbage going up? Mr. Spagnoletti replied it is going up slowly. The real question is if it will ever return to the previous level of 120,000 tons per year. Currently we are taking in about 96,000 tons per year.

Mr. Hanna asked are there other things we could do? Mr. Spagnoletti replied he had high hopes with the digester to get more electricity. Now he is concentrating on drill cuttings. We should have the analysis done by September. Chemung County is already taking drill cuttings. Mrs. Ferratella asked if the 5-cent water bottle deposit has had any impact? Mr. Spagnoletti replied that doesn't seem to have affected us.

## V. BIDS

A. Road Sweeper – Mr. Spagnoletti recommended awarding the bid to Hertz Equipment Rental Corporation for a total price of \$43,515.99.

**MOTION: AWARDING THE BID FOR A ROAD SWEEPER TO HERTZ EQUIPMENT RENTAL CORPORATION OF BUFFALO, NY FOR A TOTAL PRICE OF \$43,515.99 MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

## VI. ROADS AND BRIDGES

**MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1H. 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. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PURSUE A LEASE OF A GRAVEL PIT IN THE TOWN OF AVOCA PENDING LEASE FINALIZATION AND BOARD RESOLUTION MADE BY MR. NICHOLS. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, September 1, 2010  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE  
STEBEN COUNTY FINANCE COMMITTEE  
JOINT SPECIAL MEETING**

*Monday, August 23, 2010  
9:45 a.m.*

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

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

<b>COMMITTEE:</b>	Joseph J. Hauryski, Chair Patrick F. McAllister	Robert V. Nichols, Vice Chair Brian C. Schu	Michael Hanna
	Lawrence P. Crossett, Chair Gary B. Roush	Gary D. Swackhamer, Vice Chair Scott J. Van Etten	Donald B. Creath
<b>STAFF:</b>	Mark R. Alger David English	Vincent Spagnoletti Nancy Smith	James Gleason Tammy Hurd-Harvey
<b>LEGISLATORS:</b>	Patrick F. Donnelly Thomas J. Ryan	Dan C. Farrand John S. Walsh	Philip A. Palmesano Randolph J. Weaver

**I. CALL TO ORDER**

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

**II. GENERAL BUSINESS**

1. **Budget Transfers** – Mr. Spagnoletti informed the committee that when they did the preliminary design for CR74 they designed for 1 ½" of blacktop, but due to increased truck traffic; they decided to increase it to 2" of blacktop. This resulted in an increase in the budget for the CR74 paving project of \$41,416.14. He requested authorization to transfer money from five other paving projects to cover that cost.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER A TOTAL OF \$41,416.14 FROM THE FOLLOWING PROJECTS: CR70A (\$6,629.64), CR35 (\$3,515.22), CR50 (\$2,236.30), CR10A (\$4,034.98) AND CR126 (\$25,000.00) INTO THE CR74 PROJECT MADE BY MR. ROUSH. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 10-0.**

Mr. Spagnoletti informed the committee that they have a paving project on CR16 for 6.9 miles of road between Bath and Bradford. When they did the original budget, they put in a \$300,000.00 contingency in case the price of liquid asphalt went up, however, the price of liquid asphalt dropped 5 percent. Instead of doing a chip seal on CR16, he requested authorization to transfer \$97,000.00 from the CR1 project to the CR16 project in order to blacktop this section of road this year. By doing this, the road would be finished.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$97,000.00 FROM THE CR1 PROJECT TO THE CR16 PROJECT TO ALLOW FOR CR16 TO BE BLACKTOPPED THIS YEAR MADE BY MR. NICHOLS. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 10-0.**

**MOTION: TO ADJOURN MADE BY MR. SWACKHAMER. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 10-0.**

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

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Wednesday, September 1, 2010*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, NY*

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

**COMMITTEE:** Joseph J. Hauryski, Chair Robert V. Nichols, Vice Chair Michael Hanna  
Patrick F. McAllister Brian C. Schu

**STAFF:** Mark R. Alger Jack Wheeler Vincent Spagnoletti  
Bryce Foster Phil Hink Steve Orcutt  
Steve Catherman Steve Sick Doreen Ames  
David English James Gleason Jacques Begin

**LEGISLATORS:** Patrick F. Donnelly Carol A. Ferratella Gary B. Roush

**OTHERS:** Matt McGuire, East Resources  
Jack Showers, East Resources  
Cory Kodish, East Resources  
Mary Perham, *The Leader*

**I. CALL TO ORDER**

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

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE AUGUST 4, 2010 AND AUGUST 23, 2010, MEETINGS MADE BY MR. HANNA. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. LANDFILLS**

A. State Assistance Contract for Recycling – Mr. Spagnoletti informed the committee that in the past the State has reimbursed us 50 percent when we purchase equipment for recycling and also reimburse us 50 percent for our Recycling Coordinator. In 2006 we purchased two skid steers at a total cost of \$56,824.00. The State is willing to pay us \$14,724.81. He requested authorization to enter into a contract with the State to receive this reimbursement.

Mr. McAllister asked has the reimbursement from the State increased or decreased? Mr. Spagnoletti replied it has decreased. In the past we would have gotten \$28,412.00 for those two skid steers.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO RECEIVE REIMBURSEMENT IN THE AMOUNT OF \$14,724.81 FOR TWO SKID STEERS PURCHASED FOR THE LANDFILL FOR RECYCLING MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. ROADS AND BRIDGES**

A. CR79, Erwin; Road Use Agreement with East Resources – Mr. Spagnoletti stated the Town of Erwin has a water well at the end of Rita's Way, a cul-de-sac. Representatives from East Resources met with me and David English to discuss a road use agreement. They will be traveling on four-tenths of a mile of Rita's Way to truck water to Pennsylvania and we don't anticipate any significant damage.

Mr. Spagnoletti distributed a draft road use agreement that they have used with the wind farms that they are modifying to use with the gas well drilling companies. We may want to consider requiring them to pay 100 percent of all project costs.

Mr. Spagnoletti reviewed the road use agreement with the committee. We classify all of the roads and this particular road, is classified as a Class I road. East Resources will be contracting with Hunt Engineers to project an estimate of truck traffic. Currently they have been hauling 12 truckloads per day. The project completion date on this particular agreement is open.

Mr. McAllister asked does that pose a problem with the requirement for them to bring the road back to 100 percent? At what point in time would they be required to do that if it has an open-ended date? Mr. Spagnoletti replied they will provide a bond and then I will have the authority to stop travel on the road if it is not in the condition that we want it in. At any time we determine that the road is not up to our standards, we can call the bond and have them repair the road. He stated that in this agreement he would like to add a paragraph to Article VIII, Reimbursement for Repair of Roads that will read; the developer will hire and pay a contractor to do the repairs and final construction. The contractor will be approved by the County.

Mr. Spagnoletti stated that East Resources is choosing to stay with a bond of \$75,000 which will cover ½ mile of road. Mr. McAllister stated that he is worried that if this agreement goes on for years, what will be the process to be able to say the road is in bad shape and you would like it brought back to how it was prior to the start of the agreement? Mr. Spagnoletti stated that we would put in wording that he would be able to come in and say that I would like the road back to its original condition. He stated that he could post the road and call in the bond. That is his understanding of this.

Mr. English stated that Mr. Spagnoletti has the authority in the law to post the road, but this agreement needs to be worked on in order to incorporate that system into it.

Mr. Donnelly asked is there a default provision? Mr. Alger replied if they default, you have the bond.

Mr. McGuire commented that if the County wanted, they could do agreements on a yearly basis. Right now we have three trucks an hour and we are running 12 hours a day. We use tri-axle trucks that carry 80,000 pounds.

Mrs. Ferratella asked is there a provision that says that you will inspect the road annually or semi-annually? Mr. Spagnoletti replied this agreement does not specify when that would take place. The wording says that I have the right to go in and say that the road needs to be repaired.

Mr. Nichols commented he doesn't anticipate any problems with Rita's Way. With this road agreement you are putting together something that will be used for other county roads. Mr. Hanna asked is this something that the Natural Gas Task Force will look at? Mr. Alger replied this is something they would be able to distribute to the towns once it is finalized and approved.

Mr. Spagnoletti stated the advantage of doing this now, is this particular road will withstand just about anything they do as it has a concrete base and is in very good condition. This will give us some time to go through the issues that we have discussed. We will look at formalizing an annual or semi-annual inspection of this road. He stated he will bring this contract back to the committee for final approval.

Mr. Hauryski stated with the long-term nature of road use agreements, if we are using this for the future, then we might as well design it right now to cover most of the roads in the County. Mr. Spagnoletti stated that in our talks with East Resources and Chesapeake, there is some concern on their part with regard to the bonding. The bond calls for \$150,000 per mile. When you start talking about 200 miles of road, that amount becomes pretty significant. In Pennsylvania, the law requires a bond of \$12,000 per mile which allows them to keep the roads passable and in good shape. Also, Pennsylvania law provides that the local municipalities can shut the roads down when they want. Discussion followed.

B. CR 115 Bridge – Lawrenceville – Mr. Catherman informed the committee that they received notification that they will be receiving the entire Marchiselli funding for this project, which will be \$345,000. Mr. Spagnoletti requested authorization to enter into an agreement to accept these funds.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR MARCHISELLI FUNDING IN THE AMOUNT OF \$345,000.00 FOR THE CR115 BRIDGE, LAWRENCEVILLE MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

**V. BIDS**

A. Ice Control Sand – Mr. Spagnoletti informed the committee that Rhinehart Sand & Gravel has been declared unresponsive as they did not furnish a bid bond. He recommended awarding the FOB bid to all bidders, with the exception of Rhinehart Sand & Gravel and the delivered to County and Town Shops bid on a line item basis to the lowest bidder.

**MOTION: DECLARING RHINEHART SAND & GRAVEL AS UNRESPONSIVE AND AWARDING THE ICE CONTROL SAND FOB BID TO ALL BIDDERS (ELAM MATERIALS, INC.; BATH SAND & GRAVEL; HANSON AGGREGATES; GLENN O. HAWBAKER, INC.; BUFFALO CRUSHED STONE, INC.; DALRYMPLE GRAVEL & CONTRACTING CO.; AND DOLOMITE PRODUCTS COMPANY, INC. / DBA A. L. BLADES) AND AWARDING THE ICE CONTROL SAND DELIVERED TO COUNTY SHOPS AND TOWN SHOPS BID ON A LINE ITEM BASIS TO THE LOWEST BIDDER (BUFFALO CRUSHED STONE, INC.; DALRYMPLE GRAVEL & CONTRACTING CO.; ELAM MATERIALS, INC.; GLENN O. HAWBAKER, INC.; AND HANSON AGGREGATES) MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Freon Removal & Recycling – Mr. Spagnoletti recommended awarding the bid to the low bidder, Interstate Refrigerant Recovery, Inc., of Foxboro, MA, and recommended declaring JGS Recycling unresponsive as they did not submit pricing in the format requested on the bid documents. The bid documents asked for one price and they submitted two prices.

**MOTION: MOTION AWARDING THE FREON REMOVAL & RECYCLING BID TO INTERSTATE REFRIGERANT RECOVERY, INC. OF FOXBORO, MA FOR \$7.00 PER UNIT AND DECLARING JGS RECYCLING UNRESPONSIVE MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**VI. OTHER**

A. Highway Shops – Mr. Spagnoletti informed the committee that they currently have eight highway shops. Due to retirements, Mr. Foster and Mr. Hink have come up with an idea that if MEO Supervisors are retiring, then instead of replacing them, we pair up two shops and have one supervisor in charge of two shops. The supervisors of the Howard and Curtis Shops have retired. Mike Bixby will now supervise the Howard and Greenwood shops and Don Divens will supervise the Curtis and Caton shops.

Mr. Hanna asked how much does technology help with consolidation and work tasks? Mr. Spagnoletti replied we were having a lot of problems with our radios. We worked with Emergency Management and got that resolved and that helped us a lot. We also have computerized the highway shops and one of the things they are able to do is their payroll. Mr. Hanna asked is there other software that we should be looking at? Mr. Spagnoletti replied Mr. Peaslee had worked with us on the payroll program. Mr. Hanna asked what about equipment maintenance? Mr. Foster replied we have a software program that keeps track of the repairs on all of the equipment. Mr. Spagnoletti stated that he did put a GIS module in Mr. Hink's pickup and he can track him on the computer. We might look at doing that with the trucks and supervisors. It is common practice in the industry.

B. Mobile Work Crew – Mr. Spagnoletti informed the committee that the Corning Rotary called and asked if we could do some work on the Veteran's Memorial. It involved some concrete work and the mobile work crew, along with three of our bridge crew members, worked on putting in a sidewalk and access walk.

C. Truck Decals – Mr. Spagnoletti commented that when we purchased the first four tri-axle trucks we put the Public Works logo on the side along with a picture of a view of Keuka Lake. We have four other trucks and he had

talked to Peggy Coleman about making a decal with the Public Works logo and a plane with Curtis Museum written underneath. She had indicated that she would like to see other areas of the County represented. He distributed pictures of artwork from the Rockwell Museum that he would like to consider using instead.

Mr. McAllister commented that perhaps a landscape of the County or the Finger Lakes would be more appropriate. He doesn't think the public will get the idea of the Rockwell Museum art. Mr. Alger stated he likes the decal with Keuka Lake and we could come up with something similar that would be more reflective of the County; for example, a picture of the tower in Corning. Mr. Spagnoletti stated that he would look into finding a picture of the tower in Corning.

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

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

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

Respectfully Submitted by:

Amanda L. Chapman  
Senior Stenographer  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, October 6, 2010  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Wednesday, October 6, 2010*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

**COMMITTEE:** Joseph J. Hauryski, Chair                      Robert V. Nichols, Vice Chair                      Michael Hanna  
Patrick F. McAllister                      Brian C. Schu

**STAFF:** Mark R. Alger                      Jack Wheeler                      Vincent Spagnoletti  
Bryce Foster                      Steve Catherman                      Steve Orcutt  
John Emo                      Doreen Ames                      James Gleason  
David English

**LEGISLATORS:** Patrick F. Donnelly                      Lawrence P. Crossett                      Gary B. Roush

**OTHERS:** Kevin Voorhees, Barton & Loguidice  
Bob Perry, General Manager, Steuben Rural Electric Cooperative

**I. CALL TO ORDER**

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

**II. PUBLIC COMMENT**

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

**III. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 1, 2010, MEETING MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. LANDFILLS**

A. Final Contract Adjustment for 2009 Closure; Penn E & R – Mr. Spagnoletti informed the committee that the original contract was for \$1,101,374.00 to Penn E & R to cap 3.5 acres at the Landfill. The project came in \$3,399.20 below the original amount. He requested authorization to amend the contract to reflect this change.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO AMEND THEIR CONTRACT WITH PENN E & R FOR THE CAPPING FOR 3.5 ACRES AT THE BATH LANDFILL TO REFLECT A DECREASE OF \$3,399.20 IN THE TOTAL AMOUNT OF THE CONTRACT MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Tioga County Solid Waste Contract – Mr. Spagnoletti informed the committee currently our rate for residents of the County to bring garbage to the Landfill is \$40.00 per ton. We have a contract with Tioga County to bring garbage in at a rate of \$29.00 per ton. The contract is up for renewal and he recommended two options for renewal. The first is to renew with a three-year extension at a rate of \$30.00 per ton year one, \$31.00 per ton year two and \$32.00 per ton year three. The second option is to renew with a five-year extension at the current rate of \$29.00 per ton year one, \$30.00 per ton year two, \$31.00 per ton year three, \$32.00 per ton year four and \$33.00 per ton year five. He requested approval to negotiate the rate and finalize the renewal of the contract.

Mr. Schu asked if they opted not to renew due to the increase, where would they take their garbage? Mr. Spagnoletti replied they could go to Chemung or Seneca Meadows. Mr. McAllister stated the increase in fee adds to our bottom line, but if you charge more, are they likely to go elsewhere? Mr. Spagnoletti replied a solution to that would be flow control. That means that all garbage in the County would be forced into our Landfill. We are looking at that and by the end of the year we should have a proposal ready so if you ever want to, it would be ready to go into effect. Mr. McAllister stated at some point we should probably study that. Mr. Spagnoletti stated even if you go ahead with flow control, you would still be able to take in garbage from out of the county.

Mr. Nichols asked what happens if we lose the 20,000 tons that is currently being brought into the county? Mr. Spagnoletti replied the tipping fees for county taxpayers would go up approximately \$3.00 per ton.

Mr. Hauryski asked have you seen an increase in tonnage? Mr. Spagnoletti replied yes. Our tonnage had gone down to 93,000 tons, but we expect this year that it will be back to 100,000 tons. If we can get back to 110,000 tons, we will be in good shape. Mr. Schu asked if we were to lose Tioga County, are there other municipalities that we could look to? Mr. Spagnoletti replied no.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO NEGOTIATE WITH TIOGA COUNTY TO ENTER INTO EITHER A THREE-YEAR OR FIVE-YEAR CONTRACT EXTENSION OF THEIR SOLID WASTE CONTRACT MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Gas to Energy Plant – 3<sup>rd</sup> Engine Agreement and Schedule Update – Mr. Spagnoletti introduced Kevin Voorhees from Barton & Loguidice and Bob Perry, General Manager of the Steuben Rural Electric Cooperative. He explained, SREC came to us with a proposal to put the third engine in early. Originally that engine was scheduled to go in the third or fourth year. They were made an offer by Cummins to use a prototype engine and would get a good deal on it if they would install it from day one to see how it works. The advantage to us is the first two engines need to make a certain amount of gas in order to run at capacity. If we could put that third engine in right away, then we are guaranteed that we won't be wasting any methane once engines one and two are at full capacity.

Mr. McAllister asked are you sure the market will bear this? Mr. Spagnoletti replied he is pretty certain it will. Mr. McAllister asked is this something where it will only produce just a little something extra? Mr. Spagnoletti stated all forecasts show that there will be enough gas to run a third and fourth engine.

Mr. Spagnoletti stated that this proposal did bring up some concerns. Engines one and two are owned by SREC and engine four is owned by both SREC and Bath Electric & Gas. The ownership of engine three would need to be determined. Also, we have a partnership with SREC to split the net revenues; engine one 50 – 50 split, engine two 50 – 50 split, engine three 25 – 75 split (75 going to SREC) and engine four 50 – 50 split. According to this agreement, SREC gets 2.4 cents per kilowatt hour for operation and maintenance on engines one and two. Once engine three is online, that charge will be 1.9 cents per kilowatt hour. The generator is 1,600 kilowatts. On engine three, SREC would get the first 5 cents per kilowatt in addition to the 1.9 cents per kilowatt for operation and maintenance. This is favorable to SREC because they did not have the financing at a point where they could put the engine in and they needed a better deal to be able to do that.

Mr. Donnelly asked what is the going rate for power? Mr. Perry replied it is about 4 cents per kilowatt. Mr. Donnelly asked would we be at risk for the difference in price? Mr. Spagnoletti replied no matter what happens, we are not at risk. If there is a loss in operation, we do not share that loss. We only share the profits. Over a period of 25 years we expect to receive between \$23 million and \$25 million.

Mr. Swackhamer asked why go with a third engine? Mr. Spagnoletti replied that is the issue with this amendment. We will say okay to putting the engine in, but we will not do the 25 – 75 split until engines one and two are credited with full capacity. Mr. Swackhamer asked why put in the engine now? Mr. Spagnoletti replied if we put it in on day one, engines one and two will each need to be at 14 million BTU's per hour to operate at capacity. In our original contract, it was written that we wouldn't demand that SREC put in engine three until the first two engines were 11 million BTU's over capacity. With this amendment, we want them to start as soon as they can so we can use the methane gas.

Mr. Swackhamer asked if we are making money off the third engine, why don't they come back to us when they get to the capacity of the first two engines? Mr. Voorhees explained the current agreement calls for all of the gas to go to the first two engines. They cannot send any gas to the third engine until the first two engines are fully utilized. SREC came back and said that they had an opportunity to put in, as a field test, a Cummins engine for four thousand hours of testing. After the field test, they would make a decision whether or not to leave the engine there. If they decide to pull the engine out, you will revert back to the original agreement. Mr. Spagnoletti stated if they put in the third engine it will be a 50 – 50 split until the first two engines reach capacity; then it will be a 25 – 75 split. Engines one and two are 1,600 kilowatts and engine three is 2,000 kilowatts. The last 400 kilowatts from engine three will go to the 50 – 50 split, and, under the current contract we would take out the purchase price first, but only if engine three costs more. If it costs less, then we will not pay the capital portion.

Mr. Alger stated the original agreement has been signed, authorized and in place. Mr. Voorhees stated the changes that were negotiated have been signed by SREC. Essentially, the agreement is the same and keeps the County in the same revenue position it was in based on the original agreement. The negotiations dealt with the third engine and that you don't want the 25 – 75 split applied to the extra kilowatts the third engine will generate. You are back to where you basically have the original deal with a larger engine. There is the possibility that the third engine will be here sooner, making power and generating revenue.

Mr. Donnelly asked we will be paying 2.4 cents per kilowatt hour? Mr. Voorhees replied that is the operating cost and you will be paying 1.9 cents per kilowatt hour for operation and maintenance once engine three is operational. Mr. Donnelly commented that means there would be 1.6 cents per kilowatt hour going into revenue. Mr. Voorhees stated yes. Mr. Donnelly asked if we are online, there is no money to pay for the gas because we will be losing money? Mr. Voorhees replied you are close to breaking even. You are receiving revenue from selling power as well as selling Renewable Energy Credits (REC) and having power available when the utility needs it. The power and REC revenues are down. Mr. Donnelly commented long-term, the project price will not be going up.

Mr. Spagnoletti commented that it is not just the cost of power that is significant. We will receive 3.5 cents per kilowatt hour for REC's. Mr. Voorhees stated this is a commodity and the prices will go up and down. Contractually, SREC agreed to take the burden of any losses. Mr. Spagnoletti stated that with the drop in the price of power and the REC, it will still amount to \$1 million per year to the County over 25 years. That is still a significant source of revenue for us.

Mr. Spagnoletti commented the only other thing of significance is that we agreed to let SREC run a spur from the gas line to the electric plant in order to provide a little more gas if needed. The cost for that was \$75,000 and was taken out of the project cost. They will build the line and the County will own it.

Mr. Perry provided a brief update on the plant operations. He stated that they are trying to get the Cummins engine online and up and running. We expect the plant to be up and running by the first of December. Discussion followed.

## **V. ROADS AND BRIDGES**

A. CR 79, Erwin – Mr. Spagnoletti stated they have been working on a road use agreement with East Resources. They would like to send their trucks on .5 miles of our road to draw water from the Town of Erwin. At the last meeting, a number of concerns were voiced regarding the proposed road use agreement. One of those concerns was if the road was torn up, we want our road use agreement to state that they will rebuild the road at any time that we ask, not just at the completion of the project. We also want to make sure that we inspect the road annually with them. Also, if it is determined repairs are required to the haul route; those repairs must be brought up to the condition the road was in prior to the project being completed.

Mr. English stated there was a question regarding including a formal default clause and we will put one in. Mr. Spagnoletti stated the other issue was that we wanted to have a road use agreement that the towns can use. In making it an agreement that the towns can use two issues came up. The first issue was that we are requiring a bond of \$75,000 for .42 miles of road. In Pennsylvania, the law is that they bond \$12,000 per mile of road. At our rate, that would equate to a bond of \$160,000 per mile. This is something that we will work through. The second issue is that we require a very thorough and involved preconstruction analysis of the road and also at the conclusion of the project. There are towns that

would be unable to do this unless they get engineering help. We are trying to develop this into something practical for the towns to use.

Mr. Nichols stated the other issue for the towns is the rating of roads. The towns don't have the capital to do that. Mr. Spagnoletti stated that in the original agreement we used with the wind company in Cohocton, we had four classifications of road. The problem with that is with the gas drillers, if they come up and destroy 50 miles of poor road, we would be responsible for 75 percent of that cost. We changed the agreement so the gas companies will be responsible for 100 percent of the cost, regardless of the classification of road. In addition, we have also included that they need to monitor the road to make sure that it continues to be passable for traffic, as well as to rebuild the road at any time we ask.

B. Sale of Used Pan Decking to Town of Howard – Mr. Spagnoletti informed the committee that they have some pan decking that was purchased in the 1980's. We have used it to repair bridges with pan decking. The Town of Howard has asked to purchase some of it. Mr. Catherman stated they are repairing the bridge on CR 14 and the decking is rotting away, but the beams are still good. This would help to prolong the life of a partial maintenance bridge. We have sold pan decking to the Towns of Bradford and Wheeler and the Village of Arkport. Mr. Spagnoletti requested authorization to sell the pan decking at a total cost of \$2,262.00.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SELL PAN DECKING TO THE TOWN OF HOWARD AT A COST OF \$2,262.00 MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

## VI. BIDS

A. Sampling and Analysis of Landfill Monitoring Wells – Mr. Spagnoletti stated this is a bid that is currently in place and he would like authorization to extend it for one year. The DEC requires us to monitor the wells around the Landfill to check for any contamination. He recommended extending this bid for one year to Upstate Laboratories at a cost of \$149,262.00.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXTEND THEIR CONTRACT WITH UPSTATE LABORATORIES FOR ONE YEAR TO CONDUCT WELL MONITORING AT THE LANDFILL FOR A COST OF \$149,262.00 MADE BY MR. McALLISTER. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

**MOTION: AWARDING THE BID FOR CUTTING EDGES AND SHOES; SPECIFIED QUANTITY, ON A LINE ITEM BASIS TO THE LOWEST BIDDER MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Subsurface Exploration and Geotechnical Engineering Services for Proposed Gravel Pit – Mr. Spagnoletti stated that the purpose of this would be to do boring holes on a parcel of land where we currently purchase gravel by the cubic foot from the landowner. Boring would tell us how much gravel the property has if we wanted to purchase the land in the future. The Soil & Water Conservation District did tell us, from a survey, that the gravel is deep. We would like to open it up in 2011, bore it and make an offer to purchase the property. At this time, he recommended rejecting the bid and possibly rebidding in 2011.

Mr. Nichols asked is the owner interested in selling? Mr. Foster stated that both property owners who sell gravel to us would be interested in entertaining an offer. Mr. Nichols commented you could bond this if you had to. Mr. Foster commented this quote was just for the one property. Since we put this together, the other property owner is now interested. Mr. Spagnoletti stated if we decided to purchase the property, it would be significantly less than what we would pay per cubic foot over the next 15 years. He stated that he would want to do a boring on the other property as well. Mr. Foster stated that you need to keep in mind that both property owners have received offers for \$1 million and \$1.2 million.

Mr. Nichols stated if you are interested in both properties, wouldn't we want to bore them both at the same time? Mr. Gleason stated if you do the other property and the cost exceeds the \$20,000 threshold then you would have to reject these proposals and formally bid. Discussion followed.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT THE QUOTE FOR SUBSURFACE EXPLORATION AND GEOTECHNICAL ENGINEERING SERVICES FROM SJB SERVICES, INC., FOR \$16,800.00 MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**VII. OTHER**

A. Route 115 Bridge and Projects Update – Mr. Catherman informed the committee that the Route 115 bridge should be open the second week in November. Mr. Foster stated that all main projects have been completed. We are doing maintenance paving and have put 14,500 tons of blacktop through the paver. Since we have been using the paver, we have seen a savings of \$300,000.

Mr. Alger stated we have been talking about the way we have been doing projects. We have been putting specific projects in the budget, and one issue we have is the flexibility to transfer the contingency funds to those projects. He is proposing a change to the rules with regard to transfers to allow the Public Works and Finance committees to transfer contingency amounts within those budgets for projects. That will give us the flexibility to use the funds late in the year.

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

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, November 3, 2010  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Wednesday, November 3, 2010*

*9:00 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

<b>COMMITTEE:</b>	Joseph J. Hauryski, Chair Patrick F. McAllister	Robert V. Nichols, Vice Chair Brian C. Schu	Michael Hanna
<b>STAFF:</b>	Mark R. Alger Phil Hink Steve Orcutt	Vincent Spagnoletti Jerry Miller Debra Cotter	Bryce Foster Steve Catherman David English
<b>LEGISLATORS:</b>	Patrick F. Donnelly Gary B. Roush John S. Walsh	Lawrence P. Crossett Thomas J. Ryan Randolph J. Weaver	Carol A. Ferratella Scott J. Van Etten
<b>OTHERS:</b>	Mary Perham, <i>The Leader</i> Robert Popejoy		

**I. CALL TO ORDER**

Mr. Hauryski called the meeting to order at 9:00 a.m. He asked Mr. Nichols to lead the Pledge of Allegiance.

**II. PUBLIC COMMENT**

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

**III. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE OCTOBER 6, 2010, MEETING MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Hauryski commented that he had the opportunity to travel the roads that were discussed at the last meeting. These roads were paved using the paving machine. If you haven't had an opportunity to travel these roads, the work on them was superb for the machine's first time out and by using this machine it is saving us money and enabling us to do more work by the end of the year.

**IV. LANDFILLS**

A. Budget Transfers – Mr. Spagnoletti requested authorization to transfer \$45,000 from the Major/Minor Equipment line items and transferring \$25,102.62 to the Parts line item, \$10,000 to Building Maintenance, \$5,000 to Water Testing and \$5,000 to Consultants. The purpose of this transfer is to cover the cost of credit card fees that we hadn't budgeted for. The new credit card system replaced the ticket system at the landfill and there is a 3 – 5 percent fee on the credit card transactions. Also, the commission from the carbon credits for 2008 – 2009 was not put in the budget and that comes due in 2010.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$45,000 FROM THE MAJOR/MINOR EQUIPMENT LINE ITEMS AND TRANSFERRING \$25,102.62 TO PARTS, \$10,000 TO BUILDING MAINTENANCE, \$5,000 TO WATER TESTING AND \$5,000 TO CONSULTANTS TO HELP PAY FOR CREDIT CARD TRANSACTION FEES AND CARBON CREDIT COMMISSIONS THAT WERE NOT BUDGETED FOR MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti requested authorization to transfer \$19,420 from various line items to the line item for Contractual Labor. They had budgeted for summer help, but did not hire anyone. They did, however, need to hire individuals from Manpower to do pickup and cleanup at the Landfill.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$19,420.00 FROM VARIOUS LINE ITEMS TO THE CONTRACTUAL LABOR LINE ITEM TO PAY MANPOWER FOR INDIVIDUALS THAT WERE HIRED TO WORK AT THE LANDFILL MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Gas to Energy Plant – Mr. Spagnoletti informed the committee that they are tuning up the Cummins engine; the third engine. It is a 2 mega watt engine and currently is running at 1 mega watt, which is 60 percent of its capacity. Once we have that at full capacity, we will turn on the other two engines. We are looking at being up and running in December.

Mr. Nichols asked are you selling electric now? Mr. Orcutt replied no, we are just starting up the engines.

#### **V. ROADS AND BRIDGES**

A. Ribbon Cutting – CR 115 Bridge at Lawrenceville – Mr. Catherman announced the ribbon cutting ceremony will be held on Thursday, November 18, 2010 at 1:00 p.m. They are just finishing up the paving and the approach work, but everything else has been completed.

B. Truck Accident in Hornell – Mr. Hink explained one of our tri-axle trucks was hauling blacktop from Blades. He was heading to Canisteo on Route 36 and a car pulled out in front of him near the Wegman's plaza. Our driver swerved in an attempt to avoid the collision. The truck ended up over the hood of the car and sheered the front axle. Mr. Spagnoletti stated they paid \$3,000 for the tow truck and anticipate that it will cost \$22,000 to repair the truck.

C. Comparison of County Infrastructures vs. Support Populations – Mr. Spagnoletti reviewed a comparison of infrastructure tax base of neighboring counties. In Steuben County we have a total of 1,009 roads and bridges, but only 98 people per road/bridge to help fund it. In comparison, Chemung County has a total of 382 roads and bridges, but they have 238 people per road/bridge to help fund it.

D. 2011 Projects – Mr. Spagnoletti distributed and reviewed the 2011 Reconstruction and Major Rehabilitation Projects. He commented that we are in the second year of a five-year plan. Discussion followed.

E. Road Use Agreements by Marcellus Shale Drillers – Mr. Spagnoletti informed the committee that the Department of Environmental Conservation is proposing including road use agreements in the EIS (environmental impact statement). That would be a lifesaver to us if that was included. Mr. Alger suggested memorializing the DEC to require Marcellus Shale drillers to get road use agreements with the municipalities as part of their SEQR process.

**MOTION: MEMORIALIZING THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION TO REQUIRE MARCELLUS SHALE DRILLERS TO HAVE ROAD USE AGREEMENTS WITH MUNICIPALITIES AS PART OF THE SEQR PROCESS MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

#### **VI. BIDS**

A. Marketing of Recyclables; White Goods and Scrap Metal – Mr. Spagnoletti recommended extending the 2010 bid into 2011.

**MOTION: EXTENDING THE MARKETING OF RECYCLABLES; WHITE GOODS AND SCRAP METAL FOR 2011 ON A LINE ITEM BASIS TO HORNELL WASTE MATERIAL COMPANY, INC. AND SWARTHOUT RECYCLING MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Traffic Signs and Delineators – Mr. Spagnoletti recommended declaring Custom Products and Vulcan Signs as non-responsive bidders as they did not price for multiple colors. He recommended awarding the bid on a line item basis to the low bidder.

Mr. Van Etten asked when do we have to implement the Federal sign requirements? Mr. Spagnoletti replied in 2015. We did put a line item in the budget for the sign requirement. Mr. Van Etten asked what is the cost to do a total replacement? Mr. Catherman replied we have 12,000 signs in the County. Mr. Spagnoletti replied the cost to replace all signs will be \$318,000 not including labor.

**MOTION: DECLARING CUSTOM PRODUCTS AND VULCAN SIGNS AS NON-RESPONSIVE AND AWARDING THE BID FOR TRAFFIC SIGNS AND DELINEATORS TO THE FOLLOWING: ALLMAC SIGNS; CHEMUNG SUPPLY CORPORATION; GARDEN STATE HIGHWAY PRODUCTS, INC.; IBIS TEK; NYSDOCS-CORRECTIONAL INDUSTRIES; AND ROCAL, INC., ON A LINE ITEM BASIS MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Portland Cement Concrete; Heated – Mr. Spagnoletti recommended awarding to the low bidder.

**MOTION: AWARDING THE BID FOR PORTLAND CEMENT CONCRETE; HEATED TO WADES CONCRETE, LLC MADE BY MR. McALLISTER. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**VII. OTHER BUSINESS**

A. Cost to Operate Kanakadea Park – Mr. Hauryski commented that at the Finance Budget Workshop, Mr. Ryan asked that we look at this issue and he has Mr. Spagnoletti to provide us with some background information.

Mr. Spagnoletti stated distributed the 2011 Parks budget along with a comparison showing what the budget would be if we did not allow camping at Kanakadea and also what the budget would be if we were to close Kanakadea Park. Camping at Kanakadea Park provide the County with \$36,000 in revenue; with the County cost for the four parks being \$184,825. He commented that there is no camping at the other three parks. We actually rent Kanakadea Park from the Federal Government and operate the park. If you took away camping at the park, the expenses would go from \$220,000 to \$206,000; however, there would be no revenue. As such, the County cost for operating all four parks would increase to \$206,359. If you opted to eliminate Kanakadea Park, the County cost to operate the remaining parks would be \$183,509 which would result in a savings of \$1,300. Mr. Spagnoletti stated the question has been raised as to whether we are competing with private parks. There are four private parks in Steuben County and all of them have swimming, and other amenities. He stated that he does not believe we compete with those parks as we do not have the types of amenities they do.

Mr. Nichols asked what is the charge to camp at Kanakadea Park? Mr. Spagnoletti replied the cost is \$23.00 per night for a site with electric service and the weekly rate for electric service is \$125.00. We did raise the rates a couple of years ago. In addition, we did upgrade some of our electric sites and the nightly rate for those sites is \$40.00.

Mr. Van Etten asked so what is the rub with having campers there utilizing facilities that are there? Mr. Ryan replied he wanted to justify the cost for the County running a camping site. The day parks are good and for the number of people that utilize camping, he wanted to justify the cost. Mr. Spagnoletti stated it costs us \$14,000 to run the camping, but we gain \$36,000 in revenue.

Mr. Van Etten asked how much do we pay to rent the park from the Federal Government? Mr. Spagnoletti replied we pay \$359.00 fee for an agency permit. Mr. Alger commented if you stop using the Park, then you have to remove all of your structures. Mr. Ryan asked could we lease the Park? Mr. Spagnoletti replied we contract with the Department of the

Army. If we end that contract, we have to vacate and remove all of our property and restore the area to a condition that is satisfactory to them. If you get rid of the camping, you will increase the County's cost by \$15,000. The campers pay us \$36,000 yearly to stay and the cost to us to provide that is \$14,000.

Mr. Weaver asked how many camping units are available and how many are used? Mr. Catherman replied we have 20 – 30 sites, including tent sites. Mr. Weaver asked how many of those of being used? Mr. Catherman replied during the summer all of the improved sites are being used.

Mr. Nichols commented basically you have two choices; operate the park as is or shut all of the parks down and fire the two employees and walk away from it. We spend \$200,000 a year to operate the parks. It doesn't make sense to shut the camping down when it brings in revenue. Mr. Van Etten commented there are better places to save money.

B. Worker Lift – Mr. Spagnoletti informed the committee that they rent a lift for use by the road and bridge crews at a cost of approximately \$8,400 and also rent one occasionally for the Landfill for a cost of \$4,000. If we were to purchase a new lift for the road and bridge crews, that would be \$35,000 and a new lift for Landfill would be \$65,000. The road and bridge crews need to have a lift around the crusher.

Mr. Foster stated they rent one lift all the time and keep it at Conrad's. They are required by MSHA to have a lift at that site. Mr. Spagnoletti asked if we decided to purchase our own lift, would we still have to pay to rent one? Mr. Foster replied we pay \$1,000 per month for the lift at the Conrad pit. The rest of the cost is when we rent a lift by the week and then we are typically paying \$500 - \$600. We have to provide a lift for the workfare crew if they are doing work on our property.

Mr. Van Etten commented if you purchased a lift, it would have a ten-year payback and that is not justifiable. If we are renting a lift, we are not responsible for the maintenance and there is shared liability with the rental company. It makes sense to rent, especially since you have multiple sites.

C. County Auction – Mr. Spagnoletti informed the committee that they had anticipated in the budget revenue of \$31,000 from the auction, however, they made a total of \$59,000.

D. Forested Land – Mr. Hauryski stated that he had brought up to the AIP Committee how a number of years ago the County had brought in Billy Morris to look at our forested land give suggestions. He stated that from his own experience, a forest consultant will come in and with you and determine how to harvest timber. You can manage the forest land and realize revenue from it. Mr. Hauryski stated that he would like to see the County get a complete inventory, including prices, of our forest land. We should have a consultant come in and do this. In the past we gave this over to Purchasing and they did an RFP for marketing. With a consultant you will get the benefit of a long-term plan and they would also do the contracting writing, etc. He stated that he would like to see us move forward with some form of an RFP for a consultant to do this work.

Mr. Spagnoletti stated we have a list of forested properties. We have a total of 699 acres and a lot of that could be forested. Mr. Hanna asked why do we own forested properties? Mr. Spagnoletti replied this is land that the Federal government turned over to the County and it cannot be used for anything else.

Mr. Nichols commented there is no guarantee that you will get money for a while. It may be best to cut all of the junk out, but then 20 – 30 years down the road, you will have a cash crop. This would be an investment in the future.

Mr. Ryan asked is this a serve that Cooperative Extension provides? Mr. Nichols replied no. Mr. Hanna asked is there a management program? Mr. Alger replied we haven't done anything as extensive as this. Mr. Nichols commented we need to hire someone to manage the property.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SOLICIT RFP'S FOR A CONSULTANT FOR A FOREST MANAGEMENT PROGRAM MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR  
Wednesday, December 1, 2010  
9:00 a.m.**

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Wednesday, December 1, 2010*

*9:00 a.m.*

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

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

<b>COMMITTEE:</b>	Joseph J. Hauryski, Chair Patrick F. McAllister	Robert V. Nichols, Vice Chair Brian C. Schu	Michael Hanna
<b>STAFF:</b>	Mark R. Alger Bryce Foster John Emo Steve Catherman	Jack Wheeler Phil Hink Rich Bills David English	Vince Spagnoletti Steve Orcutt Doreen Ames James Gleason
<b>LEGISLATORS:</b>	Lawrence P. Crossett John S. Walsh	Gary B. Roush Randolph J. Weaver	Gary D. Swackhamer
<b>OTHERS:</b>	Kevin Voorhees, Barton & Loguidice Mary Perham, <i>The Leader</i>		

**I. CALL TO ORDER**

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

**II. PUBLIC COMMENT**

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

**III. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE NOVEMBER 3, 2010, MEETING MADE BY MR. McALLISTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**IV. LANDFILLS**

A. Gas to Energy Plant – Mr. Spagnoletti reported that the third engine is running 24 hours a day, 7 days a week and has been for the past couple of weeks. Technicians will be here Monday to work on the CAT engine systems to get them adjusted. He is comfortable that by the end of December the plant will be going full bore producing electricity. The challenge now is that the energy prices are the lowest in years. We are going to go through and do a new analysis and try to project what we can expect to earn and he will bring that back to the committee. When we started the plant, the cost for electricity was 5.95 cents per kilowatt. Mr. Voorhees stated last year the average price for electricity statewide was 4.9 cents per kilowatt. This year it has been one cent higher, but there have been wide swings month to month. We are seeing anywhere between 3 – 7 cents per kilowatt. The revenue will be low until the price of electricity changes. Mr. Spagnoletti stated we cannot predict the prices, but we will try to do a projection. He reminded the committee that we will not share in any losses.

Mr. McAllister asked even though the engines are going 100 percent, we are not selling electricity? Mr. Spagnoletti replied yes, the engines are working and we are selling electricity. We are not making much money now as the cost of the electricity is relative to the price we are getting. Mr. Voorhees commented the County should get a report after the first month with a check. If you do not receive a check, then you will receive an itemization of why you are not receiving a check.

B. Agricultural Plastics – Mr. Spagnoletti stated hay bales in fields are covered with white plastic and we had wanted to find a place to recycle that, but there is no market. We were concerned that if there was no market to recycle this, then the natural thing for people to do would be to burn or bury it. During the past year, we had instituted a six-month no-charge fee for agricultural plastics and then we renewed that for an additional six months. In 2010, we have had 43 people come in with agricultural plastics which have totaled 30 tons. Mr. Spagnoletti stated that he thinks it is a good idea to have a no-charge program, and it is not much tonnage. If you don't have this program, there may be more burning and/or burying. He proposed extending the no-charge program without any end limit.

Mr. McAllister commented there are not many people using the program. Is there any way to force them? Mr. Nichols replied if the DEC issued tickets, then more people would bring it to the landfill. There are some farmers who just haven't brought it in yet and then others are still burying or burning.

Mr. Spagnoletti stated we require that agricultural plastics be brought to the landfill. There is a broad definition with regard to what agricultural plastics are and what can be brought in. The 30 tons we have received in 2010 equates to approximately \$1,200 in revenue if we were charging a fee.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXTEND THE AGRICULTURAL PLASTICS NO-CHARGE PROGRAM INDEFINITELY MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Update of Draft Flow Control Law – Mr. Spagnoletti reviewed the draft Flow Control Law with the committee. Previously, the Public Works Committee voted that when we present the next Solid Waste Management Plan, we would include a provision for an option to have flow control. Essentially, flow control would state that all garbage produced in the County will be brought to the County Landfill. The Solid Waste Management Plan update is due at the end of this year and there will be a 10-year extension.

Mr. Spagnoletti stated that recyclables can continue to be delivered to a material recovery facility other than the County waste management facility. There will be a waste enforcement board that will act in the event of a violation to the flow control policy. This policy will allow us to bring in up to 20,000 tons of solid waste from outside of the County at a cost of \$40.00 per ton. In addition, we will continue to accept special waste such as BUDS material as we use that for our daily cover.

Mr. Schu asked why the limit of 20,000 tons of outside waste? Mr. Spagnoletti replied we wanted to allow for stray loads to come in, but it still gives us control over major amounts of waste coming in and filling up our landfill. With regard to the recycling program, this policy is significant, as it is saying that people in Steuben County will still recycle.

Mr. Swackhamer asked with regard to page 10, Section 6-c; no person shall bury solid waste on public or private property, is that currently a law? Mr. Voorhees replied right now you can bury waste on your own property if you generate it. This would be a change. Mr. Swackhamer commented that he is concerned about that, especially for the farmers. Mr. Voorhees stated that is not part of flow control as a policy matter.

Mr. McAllister commented solid waste, as defined on Page 5, is garbage, refuse, sludge from wastewater treatment plant, etc. You may want to tweak that definition a little. Mr. Spagnoletti stated wood, brick, and mortar can be buried on your property. Mr. Nichols commented if you enact this, you still would be looking at concrete foundations if someone demolished a building. Mr. Voorhees stated in this draft proposal, they would have to bring construction debris and concrete to the landfill. Mr. Spagnoletti stated we will look at this further and compare it to what others are doing in the State.

Mr. Nichols suggested excluding construction debris from the definition of solid waste. Mr. Voorhees stated some counties have given exemptions to farmers to allow them to bury materials on their own farms.

Mr. McAllister stated with regard to penalties for violations to this law, some people figure it is worth the risk. We need to make the penalty something that will deter them from making violations. You would need to be fairly specific as it

would be too difficult to prove tonnage lost. A better way in the permitting process would be agreeing to a liquidated damage clause. Both parties would need to agree to a certain amount if there was a violation.

Mr. Nichols asked with this 10-year plan, do we have to implement flow control, or is that an option at any time? Mr. Spagnoletti replied it is an option. We put in our 10-year plan that it is a consideration for us and we left open the option to implement it as we see necessary.

Mr. Schu asked do you have an idea now of how much solid waste you receive from outside of the County? Mr. Spagnoletti replied we take in 31,684 tons out of county, with most of that going to the Highland Landfill in Allegany County. Our landfill takes in 80,552 tons. It is approximately a 70/30 split. Mr. Weaver asked you are bringing in 20,000 tons? Mr. Spagnoletti replied yes, we receive that from Middletown and Tioga. We take in that tonnage at a rate of \$30.00 per ton. Our gate rate is \$40.00 per ton.

Mr. Weaver asked with regard to the process, the committee will approve this and then you will set it aside? Mr. Spagnoletti replied we will include the Flow Control proposal in our Solid Waste Management Plan as an option to use. If you want to use it, you have it. We will address the concerns that were brought up today, make revisions and bring it back to the Committee for approval. Discussion followed.

D. Credit Card Commission Rates – Mr. Spagnoletti stated that there was discussion at the Finance Committee regarding fees paid to the credit card companies. Credit cards are used by the public and mostly they are Visa and Mastercard along with a few Discover cards. The cards have a transaction fee anywhere from \$.10 to \$.25. Every time someone comes in there is a fee plus an additional 1 percent that the credit card companies get. Our anticipated revenue from credit cards is \$38,000 with the credit card companies getting approximately \$1,700 or 5 percent. At the meeting, both Mr. Swackhamer and Mr. Van Etten had indicated that the percentage should only be between 3 – 3.5 percent.

Mr. Crossett commented the percentage is based on the number of transactions you do. If there is a high volume, generally you will have a lower percentage rate. Mr. Spagnoletti stated we looked at the transactions at the Wayland Transfer Station and we had a total of 550 credit card transactions, which equated to \$4,500 in revenue. We need to negotiate with the credit card companies for a lower rate.

Mr. Alger commented Public Works is the only department that is paying the fee. Mr. Schu asked could we impose a surcharge? Mr. Spagnoletti replied originally when we came to you with this proposal we thought it best to absorb the fees. Mr. Crossett commented the County is using credit cards with other departments. We may need to look at a minimum that people can use their credit cards for. Mr. Alger stated he really thinks that is the issue. You have to weigh if the 5 percent fee is worth paying for small transactions or if you want to have a minimum fee. It may be worth 5 percent because you want them to use their cards and then you don't have to deal with tickets or cash. We need to review this.

Mr. Hanna asked how do you charge people? Mr. Spagnoletti replied we charge by weight. If they bring garbage by the bag, it is \$2.00 per bag.

Mr. Weaver commented he thinks the credit card makes sense. Most cards have a transaction fee and the rates are 2 percent or less. This is a transaction fee due to the number of small transactions that are being made. Mr. Alger stated we will look at this at the end of the year.

E. Letter of Credit/Financial Statement – Mr. Spagnoletti informed the committee that the Department of Environmental Conservation requires private businesses to have cash in place or a letter of credit so that if it was necessary to close the DEC would have enough money to cap a landfill. With governments, they require us to have a good financial statement. Mr. Orcutt explained every year the Treasurer's Office submits our financial assessment to the State. The State has sent back a letter approving our plan.

V. **ROADS AND BRIDGES**

A. **Mowing** – Mr. Spagnoletti stated we pay contractors to mow out to the front of the ditches at a rate of \$53.00 per mile and we pay the towns at a rate of \$73.00 per mile to mow beyond the end of the ditch. The towns usually have boom mowers and that helps to keep the brush down. We have five towns that do mowing for us: Hornby, Jasper, Tuscarora, Wayland and Wayne. We pay them \$14,000 a year to mow a total of 92 miles. Mr. Spagnoletti recommended, due to the price difference between the contractors and the towns, to freeze the rate for the towns at \$73.00 per mile for the next three years. If the towns decide they don't want to mow, then we can put that into the contractor's bid. In the past, we have let the bids for the contractors for one year for mowing and they have requested if we could let it for three years so that they have a bigger contract. With the three years, they would tend to give us a better price. He requested authorization to let out the contractor mowing bid for three years for a single price. We would require a clause in the contract to state that if the County does not have the money, then we would end the contract. At some point we will need to make the specifications the same for the contractors and the towns. The contractors will still only mow to the inside of the ditch.

Mr. McAllister asked what benefit is there to having them mow out further? Mr. Spagnoletti replied if the towns mow that, then we don't have to. We only mow the back slope. Mr. McAllister asked what is most cost effective, us mowing that or the Towns? Mr. Spagnoletti replied we pay \$20.00 more per mile to have the towns make the extra trip.

Mr. Foster commented if you make it the same for the towns and contractors, the price will definitely go up. Most of our ditches, the contractors can't get the back slope and they would have to purchase additional equipment. Mr. Nichols stated if you mow it back, you can keep the brush from coming out into the road and then you are not paying the County crews to cut trees and brush. The question is can the County do the back slope for less than \$20.00 per mile. Mr. Spagnoletti commented that the mowing is done just to the guiderail. We have a spraying bid for the guiderails which is approximately \$28,000 per year and he recommended having a three-year bid on that as well.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO FREEZE THE CONTRACT PRICE FOR MOWING BY TOWNS AT \$73.00 PER MILE FOR THE NEXT THREE YEARS AND ALLOWING HIM TO EXTEND THE CONTRACT PERIOD FOR CONTRACTORS TO DO MOWING FROM ONE YEAR TO THREE YEARS MADE BY MR. SCHU. SECONDED BY MR. HANNA. MOTION CARRIES 4-0-1. (MR. NICHOLS ABSTAINED)**

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXTEND THE CONTRACT PERIOD FOR SPRAYING ALONG THE GUIDERAILS FROM ONE TO THREE YEARS MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

VI. **PARKS**

A. **Birdseye Hollow Park** – Mr. Spagnoletti informed the committee that the Department of Environmental Conservation had a walkway out onto the pond. Now that walkway is gone and they have asked if we would work with them to build a walkway for people to get to the levy to fish. If it is okay with the committee, we would build the concrete supports and provide them with eight steel beams. Mr. Spagnoletti explained we already had these beams on hand for a bridge project. He stated that he would like to use these beams for the DEC project. We will pour the concrete and set the beams. DEC will set the walkway and the railings. Mr. Catherman explained with regard to the beams, they were military surplus and we did use them to build two bridges and do repairs on a few others. We paid \$36,000 for 40 beams.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO WORK WITH THE DEC ON A WALKWAY PROJECT FOR THE BIRDSEYE HOLLOW PARK WITH THE DEPARTMENT OF PUBLIC WORKS POURING THE CONCRETE SUPPORTS AND SETTING 8 BEAMS MADE BY MR. NICHOLS. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

VII. **BIDS**

A. **Marketing of Recyclable Material – Extending 2010 Contract One Year** – Mr. Spagnoletti recommended extending the contract for one year.

**MOTION: AUTHORIZING A ONE-YEAR EXTENSION OF THE MARKETING OF RECYCLABLE MATERIALS BID TO CE CONSULTING & MARKETING, INC. FOR A TOTAL COST OF \$178,539.58 MADE BY MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Marketing of Recyclable Materials – Scrap Tires – Mr. Spagnoletti recommended awarding Alternate 1 to Liberty Tire at a rate of \$105.00 per ton and Alternate 2 to Geiter Done at a rate of \$74.50 per ton.

**MOTION: AWARDING THE BID FOR MARKETING OF RECYCLABLE MATERIALS – SCRAP TIRES, ALTERNATE 1 TO LIBERTY TIRE RECYCLING, INC. AT A RATE OF \$105.00 PER TON AND ALTERNATE 2 TO GEITER DONE OF WNY, INC. AT A RATE OF \$74.50 PER TON MADE BY MR. McALLISTER. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. Concrete Blocks – Mr. Spagnoletti recommended awarding to all bidders.

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

D. Ready Mix Concrete – Quadrant 1, Quadrant 2, Quadrant 3 and Quadrant 4 – Mr. Spagnoletti recommended awarding on line item basis.

**MOTION: AWARDING THE BID FOR READY MIX CONCRETE – QUADRANT 1 AND QUADRANT 2 ON A LINE ITEM BASIS TO HANSON AGGREGATES NEW YORK, INC. AND WADES CONCRETE AND QUADRANT 3 AND QUADRANT 4 ON A LINE ITEM BASIS TO ELAM MATERIALS, INC. AND HANSON AGGREGATES NEW YORK, INC. MADE BY MR. McALLISTER. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. Aggregates – Mr. Spagnoletti commented that the bid for Quadrant 4 was awarded on a coin toss. He recommended awarding the Quarry Stone and Crushed Gravel to all bidders and recommended awarding Quadrants 1, 2, 3 and 4 on a line item basis.

**MOTION: AWARDING THE BID FOR AGGREGATES, QUARRY STONE AND CRUSHED GRAVEL FOB PLANT TO BELANGER’S GRAVEL AND STONE, BUFFALO CRUSHED STONE, INC., DALRYMPLE GRAVEL & CONTRACTING CO., INC., DOLOMITE PRODUCTS D/B/A A. L. BLADES, ELAM MATERIALS, INC., HANSON AGGREGATES NEW YORK, INC., SENECA STONE CORPORATION AND S. T. COOTS, LLC; AWARDING QUADRANTS 1, 2 AND 3 ON A LINE ITEM BASIS TO BELANGER’S GRAVEL & STONE, BUFFALO CRUSHED STONE, INC., DALRYMPLE GRAVEL & CONTRACTING CO., INC., DOLOMITE PRODUCTS D/B/A A. L. BLADES, ELAM MATERIALS, INC., HANSON AGGREGATES NEW YORK, INC., SENECA STONE CORPORATION, AND S. T. COOTS, LLC AND AWARDING QUADRANT 4, BASED ON THE RESULT OF A COIN TOSS, TO ELMA MATERIALS, INC. MADE BY MR. McALLISTER. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

F. Cutting Edges & Shoes – Mr. Spagnoletti recommended awarding on a line item basis to the low bidder.

**MOTION: AWARDING THE BID FOR CUTTING EDGES AND SHOES, TERM CONTRACT, ON A LINE ITEM BASIS TO CHEMUNG SUPPLY CORP., FIVE STAR EQUIPMENT, INC., MONROE TRACTOR AND VALK MANUFACTURING CO. MADE BY MR. MR. NICHOLS. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

G. Lubricants – Mr. Spagnoletti recommended awarding to Superior Bid #1.

**MOTION: AWARDING THE BID TO SUPERIOR LUBRICANTS (BID #1) FOR A TOTAL COST OF \$184,709.72 MADE BY MR. SCHU. SECONDED BY MR. McALLISTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

H. Clean & Inspect Landfill Leachate Holding Tanks and Lines - Mr. Spagnoletti recommended awarding to Jamko Industrial Services, Inc.

**MOTION: AWARDING THE BID FOR CLEAN & INSPECT LANDFILL LEACHATE HOLDING TANKS AND LINES TO JAMKO INDUSTRIAL SERVICES, INC. FOR A TOTAL COST OF \$61,418.50 MADE BY MR. McALLISTER. SECONDED BY MR. SCHU. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

I. Tree Services – Mr. Spagnoletti recommended awarding the bid to True Cut.

**MOTION: AWARDING THE BID FOR TREE SERVICES TO TRUE CUT TREE SERVICE, INC. MADE BY MR. NICHOLS. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

J. Stone Fill – Quadrant 1, Quadrant 2, Quadrant 3 and Quadrant 4 – Mr. Spagnoletti recommended awarding all quadrants to Dolomite.

**MOTION: AWARDING THE BID FOR STONE FILL, ALL QUADRANTS, TO DOLOMITE PRODUCTS COMPANY, INC. MADE BY MR. SCHU. SECONDED BY MR. HANNA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

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

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

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

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**STEBEN COUNTY PUBLIC WORKS COMMITTEE  
STEBEN COUNTY FINANCE COMMITTEE  
JOINT SPECIAL MEETING**

*Monday, December 20, 2010*

*8:45 a.m.*

*Legislative Committee Conference Room*

*Steuben County Office Building*

*Bath, New York*

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

<b>COMMITTEE:</b>	Robert V. Nichols, Chair Brian C. Schu	Michael Hanna, Vice Chair Gary D. Swackhamer	Patrick F. McAllister
	Lawrence P. Crossett, Chair Scott J. Van Etten	Donald B. Creath	Gary B. Roush
<b>STAFF:</b>	Mark R. Alger Bryce Foster Tammy Hurd-Harvey	Jack Wheeler Jerry Miller James Gleason	Vincent Spagnoletti Ken Isaman
<b>LEGISLATORS:</b>	Joseph J. Hauryski Carol A. Ferratella Randolph J. Weaver	Patrick F. Donnelly Thomas J. Ryan	Dan C. Farrand John S. Walsh

**I. CALL TO ORDER**

Mr. Nichols called the meeting to order at 8:45 a.m.

**II. GENERAL BUSINESS**

1. **Truck Repair** – Mr. Spagnoletti stated one of our tri-axle trucks was involved in a rollover accident in Hornell and incurred \$65,000 - \$70,000 in damage. We have received \$50,000 from the insurance for repairs. He requested authorization to appropriate that into the Machinery Fund Parts and Repairs line item. Bid law stipulates that anything over \$20,000 is required to be bid.

Mr. Isaman explained this is a 2010 Tri-Axle truck. The original price is \$207,000. We sent the truck to a specialized shop in Rochester for repairs. He recommended declaring this an emergency repair as this is a front-line truck. Mr. Spagnoletti stated this is a truck that is used for plowing.

Mr. Swackhamer asked how come we did not get the full amount? Mr. Alger replied the \$50,000 was the limit of coverage.

Mr. Donnelly asked will you be pursuing judgment against the other driver? Mr. Isaman replied that has not been determined, but we will look into that.

**MOTION: DECLARING THE REPAIR OF THE 2010 TRI-AXLE TRUCK AN EMERGENCY AND APPROPRIATING \$50,000 RECEIVED FROM THE INSURANCE TO THE MACHINERY FUND PARTS AND REPAIRS LINE ITEM MADE BY MR. ROUSH. SECONDED BY MR. VAN ETEN. ALL BEING IN FAVOR. MOTION CARRIES 5 – 0 PUBLIC WORKS AND 5 – 0 FINANCE.**

**MOTION: TO ADJOURN MADE BY MR. ROUSH. SECONDED BY MR. CROSSETT. ALL BEING IN FAVOR. MOTION CARRIES 5 – 0 PUBLIC WORKS AND 5 – 0 FINANCE.**

Respectfully Submitted by: Amanda L. Chapman, Deputy Clerk, Steuben County Legislature