

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Monday, April 2, 2018

10:00 a.m.

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

****MINUTES****

COMMITTEE:	Gary D. Swackhamer, Chair Aaron I. Mullen	Gary B. Roush, Vice Chair Robert V. Nichols	John V. Malter
STAFF:	Jack K. Wheeler Steve Orcutt Andy Morse Tim Leonard Tammy Hurd-Harvey	Mitchell Alger Lisa Tracy Doug Rapalee Jennifer DeMonstoy Pat Donnelly	Vince Spagnoletti Jennifer Prossick Eric Rose Nate Alderman
LEGISLATORS:	Carol A. Ferratella Thomas J. Ryan	Hilda T. Lando Scott J. Van Etten	Frederick G. Potter
OTHERS:	Mary Perham James Post, <i>The Leader</i>		

I. CALL TO ORDER

Mr. Swackhamer called the meeting to order at 10:00 a.m. and led the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 5, 2018, AND MARCH 13, 2018, MEETINGS MADE BY MR. MALTER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILLS

A. *Sheep Grazing* – Mr. Spagnoletti requested authorization to extend the contract with George Zemak to graze sheep at the Landfill for three years.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXTEND THE CONTRACT WITH GEORGE ZEMAK TO GRAZE SHEEP AT THE LANDFILL FOR THREE YEARS MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *Carbon Credit Proposal* – Mr. Spagnoletti informed the committee that they had a contract with Google to receive \$3.6 million over a ten year period as an offset for not putting greenhouse gases into the atmosphere. The price for carbon credits have gone way down. Google is offering to pay us \$2.75 per ton for three years. We will probably have 60,000 – 70,000 tons per year. He requested authorization to contract with Google for the carbon credits.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH GOOGLE TO RECEIVE CARBON CREDITS AT A RATE OF \$2.75 PER TON FOR THREE YEARS MADE BY MR. ROUSH. SECONDED BY MR. MULLEN FOR DISCUSSION.

Mr. Mullen asked was there any other interest? Mr. Spagnoletti replied this price was well above the going price and Google is very good to work with.

Mr. Nichols asked will this affect our renewable energy credits? Mr. Spagnoletti stated right now we are able to get paid for **both carbon credits and REC's**. However, New York State is talking about considering that double dipping. For now, it is not a problem. Mr. Orcutt explained the State is going to change the requirements based on the age of the project. Anything before 2015 will not be eligible to sell to NYSERDA. That has killed our market.

Mr. Mullen asked how much are the renewable credits? Mr. Spagnoletti replied they are worth approximately \$375,000 per year. It does not disqualify the renewable credit, as they are not being sold in New York. They are being sold in New England.

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

C. *Authorizing RFP for Carbon Offset Verification* – Mr. Spagnoletti explained when you sell the carbon credits to Google, they have to go on an exchange and be verified that they are legitimate. We have to be licensed on a registry to show that we are keeping 60,000 tons of carbon credits from going into the atmosphere. He requested authorization to issue an RFP for Carbon Credit Verification. Mr. Swackhamer asked how do they verify? Mr. Orcutt replied they go through our records and do calculations.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A REQUEST FOR PROPOSALS FOR CARBON CREDIT VERIFICATION MADE BY MR. MULLEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. *Cell 4 Payment Method* – Mr. Spagnoletti informed the committee that Cell 3 will be full next year. The question is how do we pay for Cell 4. We have \$16 million in cash. We could also borrow money at a very low interest rate and then reinvest it. Mr. Donnelly commented he would not recommend borrowing the entire amount. Mr. Spagnoletti stated he would like to put in the application to borrow and see what the interest rate will be. Mr. Donnelly stated the application would be made to the State Environmental Facilities Corporation.

Mr. Mullen asked what are we doing with the \$16 million cash? Mr. Donnelly replied a portion is in cash and the remainder is invested in Treasury Bills which have an interest rate close to 2 percent. Borrowing may be less than that.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE COMMISSIONER OF FINANCE, TO PUT IN AN APPLICATION TO BORROW THROUGH THE STATE ENVIRONMENTAL FACILITIES CORPORATION MADE BY MR. MULLEN. SECONDED BY MR. ROUSH FOR DISCUSSION.

Mr. Van Etten asked is it legal for us to borrow and then reinvest the funds? Mr. Donnelly replied yes, we can invest our money. There are rules about arbitrage since it is a construction project. Mr. Malter asked what is the total cost of the project? Mr. Spagnoletti replied it is \$6 million. Mr. Donnelly stated we would probably borrow \$4.5 million.

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

IV. HIGHWAYS

A. *Bath Sand/Salt Storage* – Mr. Spagnoletti requested authorization to extend the agreement with the Town of Bath for sand and salt storage through April 2021.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXTEND THE CONTRACT WITH THE TOWN OF BATH FOR SAND AND SALT STORAGE THROUGH APRIL 2021 MADE BY MR. NICHOLS. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *Quotes for Analysis of Structural Steel Fire Damage at Cohocton Shop* – Mr. Spagnoletti informed the committee that they received quotes to do an analysis of the structural steel fire damage at the Cohocton Shop. He recommended contracting with Labella who provided the lowest quote at \$1,840.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO CONTRACT WITH LABELLA TO PROVIDE AN INSPECTION OF THE STRUCTURAL STEEL FIRE DAMAGE AT THE COHOCTON SHOP FOR A PRICE OF \$1,840 MADE BY MR. MULLEN. SECONDED BY MR. MALTER FOR DISCUSSION.

Mr. Mullen asked will the insurance cover that inspection? Mr. Wheeler replied eventually the hope is yes. This is a code requirement and we would be doing this anyhow.

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

C. *MEO Supervisor Reclassification* – Mr. Spagnoletti requested authorization to move the MEO Supervisor position from a Grade 12 to a Grade 13. This will result in a \$2,000 per year increase for eight positions, which will equate to about 5 percent. Mr. Alderman commented the Grade 12 pay range is \$35,582 - \$50,235 and the Grade 13 pay range is \$37,260 - \$52,601. There are eight highway shops, each with one supervisor. He commented Bridge Supervisors are at a Grade 13.

Mr. Wheeler explained all the positions are filled now, but we have had a hard time with individuals wanting to take on the additional responsibilities. This provides another incentive to people to want to become supervisors. This is subject to approval by the Full Board as well as a ratification of the MOU with the Union. Mr. Spagnoletti stated the Supervisors average \$49,600 per year and about \$12,000 per year overtime.

Mr. Mullen stated this is an important position and having the right people can potentially save the County money.

MOTION: AUTHORIZING THE RECLASSIFICATION OF THE MEO SUPERVISOR POSITIONS FROM A GRADE XII TO A GRADE XIII WITHIN THE PUBLIC WORKS DEPARTMENT MADE BY MR. MULLEN. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

V. **BIDS**

A. *Asphalt Concrete; FOB Plant Site*

MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; FOB PLANT SITE TO THE FOLLOWING BIDDERS: DALRYMPLE GRAVEL & CONTRACTING CO., INC.; DOLOMITE PRODUCTS CO., INC. D/B/A A.L. BLADES; ELMIRA ROAD MATERIALS, LLC; AND SPALLINA MATERIALS, INC. MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *Asphalt Concrete; Miscellaneous In-Place Projects*

MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; MISCELLANEOUS IN-PLACE PROJECTS TO THE FOLLOWING BIDDERS: BOTHAR CONSTRUCTION, LLC; DALRYMPLE GRAVEL AND CONTRACTING CO., INC.; DOLOMITE PRODUCTS CO., INC., D/B/A A.L. BLADES AND SPALLINA MATERIALS, INC. MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. *Pavement Grinding*

MOTION: AWARDING THE BID FOR PAVEMENT GRINDING TO SUIT-KOTE CORPORATION AND MIDLAND ASPHALT MATERIALS, INC. MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. *Roadside Mowing* – Mr. Spagnoletti recommended awarding to Morgan Hill Land Care. He commented the County will do the mowing in the northwest quadrant.

Mr. Mullen asked why not bid this by quadrant? Mr. Spagnoletti replied that he would like to see how this works out first.

Mr. Potter stated the County used to contract with the towns for mowing and the towns mowed further back and the County required the towns to mow three times per year. It has not gone unnoticed by the towns that now you are not requiring they mow back as far or as often. Mr. Spagnoletti explained we changed the contracts with the towns to match what the subcontractor was doing. If the towns mowed a third time, we paid them. The towns did do the best mowing, but they would not do it for this price.

MOTION: AWARDING THE BID FOR ROADSIDE MOWING TO THE LOW BIDDER, MORGAN HILL LAND CARE FOR A TOTAL COST OF \$118,626.79 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. *Reinforcing Steel Bars*

MOTION: AWARDING THE BID FOR REINFORCING STEEL BARS TO THE LOW BIDDER, CHEMUNG SUPPLY CORP. FOR A TOTAL PRICE OF \$18,750.00 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. *Tree Bid* – Mr. Spagnoletti stated they did not received any bids. They will attempt to solicit quotes. Mr. Mullen asked are we trying to avoid having to do a tree services bid? Mr. Wheeler replied a few of the vendors have dropped off. Mr. Spagnoletti stated we did add an item for 24-hour emergency call out. We will bid it again next year and will get quotes for this year.

G. *Cleaning, Washing, and Sealing of Steuben County Bridges*

MOTION: AWARDING THE BID FOR CLEANING, WASHING, AND SEALING OF STEUBEN COUNTY BRIDGES TO THE LOW BIDDER, DEANGELO BROTHERS, LLC FOR A TOTAL PRICE OF \$290,058.20 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

H. *Steel Sign Posts; Replacement Parts* – Mr. Spagnoletti recommended declaring Eberl Iron Works, Inc. as non-responsive for Configuration #2 as they were required to bid on all line items within that configuration and only bid on one item. He recommended awarding the bid on a line item basis to the low bidder.

MOTION: DECLARING EBERL IRON WORKS, INC. AS A NON-RESPONSIVE BIDDER RELATIVE ONLY TO CONFIGURATION #2 OF THE STEEL SIGN POSTS; REPLACEMENT PARTS BID AND AWARDING THE BID ON A LINE ITEM BASIS TO THE FOLLOWING BIDDERS: EBERL IRON WORKS, INC.; GARDEN STATE HIGHWAY PRODUCTS, INC.; AND CHEMUNG SUPPLY CORP. MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

I. *Geotextile Materials and Waterproofing Membrane*

MOTION: AWARDING THE BID FOR GEOTEXTILE MATERIALS AND WATERPROOFING MEMBRANE ON A LINE ITEM BASIS TO THE FOLLOWING BIDDERS: H.D. SUPPLY/A.H. HARRIS & SONS, INC.; AND CHEMUNG SUPPLY CORP. MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

J. *Portable Toilet Rental and Service(s) and Septic Tank Pumping*

MOTION: AWARDING THE BID FOR PORTABLE TOILET RENTAL TO THE LOW BIDDER, O'BRIEN'S SEPTIC FOR A TOTAL PRICE OF \$14,790.00 AND AWARDING THE BID FOR PUMPING OF SEPTIC TANKS TO THE LOW BIDDER, LARRY'S LATRINES FOR A TOTAL PRICE OF \$8,300.00 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

K. *New Structural Steel*

MOTION: AWARDING THE BID FOR NEW STRUCTURAL STEEL TO THE SOLE BIDDER, CHEMUNG SUPPLY CORPORATION FOR A TOTAL PRICE OF \$57,174.01 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

L. *Crushed Limestone*

MOTION: AWARDING THE BID FOR CRUSHED LIMESTONE TO THE LOW BIDDER, SENECA STONE CORPORATION FOR A TOTAL PRICE OF \$315,716.50 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

M. *RFP: Collection Services*

MOTION: AWARDING THE RFP FOR COLLECTION SERVICES TO EXELA TECHNOLOGIES FOR 13.5 PERCENT FOR FIRST PLACEMENT AND 23 PERCENT FOR SECOND PLACEMENT MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

N. *Water Cooler Services*

MOTION: AWARDING THE QUOTE FOR WATER COOLER SERVICES TO B & B WATER CONDITIONING, INC. MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti commented "O" will be discussed separately. The bids for "P" and "Q" are being withdrawn at this time.

R. *Industrial Electrical Services*

MOTION: EXTENDING THE BID FOR INDUSTRIAL ELECTRICAL SERVICES WITH INFINITY ELECTRIC THROUGH APRIL 30, 2019, FOR A TOTAL PRICE OF \$85.00 PER HOUR MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

S. *Industrial Mechanical Services*

MOTION: EXTENDING THE BID FOR INDUSTRIAL MECHANICAL SERVICES WITH JOHN KUHN PLUMBING HEATING & COOLING, INC. THROUGH DECEMBER 31, 2018, FOR A TOTAL PRICE OF \$100.00 PER HOUR MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

O. *New Caton Shop* – Mr. Spagnoletti informed the committee that they received three bids for the general construction. He recommended declaring the low bidder, Chrisantha Construction, non-responsive as they did not include the Iranian Energy Sector Divestment Certification. The next low bidder is Elmira Structures; however, we did not receive bids for plumbing, mechanical or electrical. Mr. Spagnoletti requested that we rebid the plumbing, mechanical and electrical and hold the bid for general construction until next month.

Mr. Mullen asked why wouldn't we just reject all bids and rebid? Mr. Spagnoletti stated he has concerns about doing that. There were only three bidders for the general construction and he is not comfortable rejecting the bids. **A rebid**

could come in higher. Mr. Rose commented if you reject, it could go either way. The bidders would all see the numbers and they could possibly come in higher, but they may come in lower. Mr. Wheeler commented under Wicks Law, the plumbing, mechanical and electrical have to be bid separate. This bid is just for general construction.

Mr. Wheeler stated he has concerns about awarding this bid before you know what the plumbing, mechanical and electrical is going to be. With not knowing the total cost, his personal thought is that you would want to see the total cost before you award the general construction bid. Mr. Spagnoletti stated it is getting late in the season and he is hesitant to reject this bid. Mr. Rapalee commented it is a risk and it easily could go either way.

MOTION: TO REJECT THE BIDS FOR THE NEW CATON SHOP GENERAL CONSTRUCTION AND REBID MADE BY MR. MULLEN. MOTION FAILS DUE TO THE LACK OF A SECOND.

MOTION: DECLARING CHRISANTHA CONSTRUCTION A NON-RESPONSIVE BIDDER AND AWARDING THE BID FOR THE NEW CATON SHOP, GENERAL CONSTRUCTION TO ELMIRA STRUCTURES MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS FOR DISCUSSION.

Mr. Wheeler commented that he agrees with Mr. Spagnoletti that the award of the bid should be held over until next month.

PREVIOUS MOTION WITHDRAWN.

MOTION: TABLING THE AWARD OF THE BID FOR THE NEW CATON SHOP GENERAL CONSTRUCTION UNTIL THE MAY 7, 2018, MEETING MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. MOTION CARRIES 4-1. (MR. MULLEN OPPOSED)

VI. OTHER BUSINESS

A. *Emergency Purchase – Cohocton Shop* – Mr. Rapalee informed the committee that they did purchase a 14'x70' office trailer for the Cohocton Shop location off from Federal surplus. The trailer is located in Virginia. We are paying \$1,250 for a trailer that is worth \$40,000. It will cost us \$10,000 to permit it and transport it from Virginia. He requested ratification of the approval to spend \$12,000 - \$13,000 for the purchase and transportation of the trailer from Virginia. Mr. Wheeler commented they worked with Purchasing and the Law Department on this.

MOTION: RATIFYING THE EMERGENCY PURCHASE OF AN OFFICE TRAILER FOR THE COHOCTON SHOP LOCATION FOR A COST NOT TO EXCEED \$13,000 INCLUDING THE TRANSPORTION OF SAID TRAILER FROM VIRGINIA MADE BY MR. MULLEN. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Rapalee commented other expenses related to the Cohocton Shop are \$400 on miscellaneous lumber to board up the shop, \$500 to get gas boy system up and running with temporary electric. They will also be looking to redo the fuel island and that is anticipated to cost \$7,400.

B. *Plow Truck – Town of Avoca* – Mr. Spagnoletti informed the committee that the Town of Avoca has a 2007 International Plow Truck with 80,000 miles. They are willing to sell this truck for \$30,000 - \$35,000. One of the trucks we lost in the fire was a 2003. We do not have a definite price from the town, but he thinks it would be a good idea to purchase this truck. He requested authorization to spend up to \$35,000 to purchase this truck.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PURCHASE A 2007 INTERNATIONAL PLOW TRUCK FROM THE TOWN OF AVOCA FOR A COST NOT TO EXCEED \$35,000 MADE BY MR. MALTER. SECONDED BY MR. ROUSH. MOTION CARRIES 4-0-1. (MR. MULLEN ABSTAINED AS HE IS THE ATTORNEY FOR THE TOWN OF AVOCA)

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. MULLEN. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PURCHASE 121 ACRES OF LAND ADJACENT TO THE LANDFILL FOR A PRICE OF \$5,000 PER ACRE AND AUTHORIZING THE NEGOTIATION FOR RIGHT OF FIRST REFUSAL FOR THE SALE OF SUBSEQUENT, ADJACANT PROPERTIES MADE BY MR. MALTER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

****NEXT MEETING SCHEDULED FOR****

**Monday, May 7, 2018
10:00 a.m.**

**PLEASE PROVIDE AGENDA ITEMS
NO LATER THAN NOON
Monday, April 30, 2018**