

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Monday, April 1, 2019

10:00 a.m.

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

****MINUTES****

COMMITTEE: Gary D. Swackhamer, Chair John V. Malter Robert V. Nichols
Frederick G. Potter

STAFF: Jack K. Wheeler Amy Dlugos Vince Spagnoletti
Jennifer Prossick Steve Orcutt Tim Leonard
Doug Rapalee Rich Bills Jerry Miller
Lisa Tracy Andy Morse

LEGISLATORS: Carol A. Ferratella Kelly H. Fitzpatrick K. Michael Hanna
Hilda T. Lando Aaron I. Mullen Scott J. Van Etten

ABSENT: Gary B. Roush, Vice Chair

OTHERS: Mary Perham

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 4, 2019, MEETING MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. LANDFILLS

A. *Carbon Credits* – Mr. Spagnoletti requested authorization to assign the RFP award for the Environmental Attribute and Financial Advisor to both Environmental Capital, LLC and Environmental Attribute Advisor, LLC. Previously it was only assigned to Environmental Attribute Advisor, LLC.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ASSIGN THE RFP AWARD FOR ENVIRONMENTAL ATTRIBUTE AND FINANCIAL ADVISOR TO BOTH ENVIRONMENTAL ATTRIBUTE ADVISOR, LLC AND ENVIRONMENTAL CAPITAL, LLC MADE BY MR. MALTER. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. *RFP – Solar Farm Development Project* – Mr. Spagnoletti informed the committee they received two responses from Abundant Solar Power, Inc. and Brownfield Group. He distributed a handout showing the possible sites that we have available. There is potential for a total of 33 MWs in projects. Mr. Wheeler explained the minimum project size would be approximately 5 MW, and would definitely work for the Landfill. Mr. Spagnoletti stated Abundant Solar Power is an international company and they already have funding in place. Brownfield Group is out of Canandaigua and would need to secure funding. He stated Abundant Solar Power is also the solar developer for Central New York. He requested authorization to award the RFP to Abundant Solar Power.

Mr. Wheeler stated they have looked at all of the sites, but the contractor will need to work with NYSEG on the interconnect issues. Realistically, it may only happen at the Bath Landfill. Mr. Nichols commented we already have the

three phase line at the Landfill. Mr. Swackhamer asked why would they need to subdivide the property? Mr. Wheeler explained the subdivision is only of the parcel. Under State law, they can do 5 MW per tax map ID. To maximize the site, they would do a simple subdivision.

MOTION: AWARDING THE RFP FOR THE SOLAR FARM DEVELOPMENT PROJECT TO ABUNDANT SOLAR POWER, INC. MADE BY MR. MALTER. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. *BEG&WS Industrial User Permit and Utilization Agreement* – Mr. Spagnoletti informed the committee they continue to negotiate with Bath Electric. They are in the process of getting information from both Bath Electric and Barton & Loguidice.

IV. HIGHWAYS

A. *CR 115 Bridge Design* – Mr. Spagnoletti requested authorization to enter into an agreement Bergmann Associates for the design of the CR 115 Bridge Over the Canisteo River, in the Town of Erwin. The cost is not to exceed \$427,500.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH BERGMANN ASSOCIATES FOR THE DESIGN OF THE CR 115 BRIDGE OVER THE CANISTEO RIVER IN THE TOWN OF ERWIN, NOT TO EXCEED \$427,500 MADE BY MR. NICHOLS. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

V. BIDS

A. *Cold In-Place Recycling Project(s)* – Mr. Spagnoletti stated we have decided to remove CR 15 from the list as we have determined that it will be better to do that project in 2020. Also, we are looking at just blacktopping CR 114, so we may remove that as well. However, he stated for the purposes of awarding the bid, they will remain in the proposal.

MOTION: AWARDING THE BID FOR COLD IN-PLACE RECYCLING PROJECT(S) TO THE SOLE BIDDER, SUIT-KOTE CORPORATION FOR A TOTAL PRICE OF \$2,246,951.29 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. *Asphalt Concrete; Specified In-Place Project(s)* – Mr. Spagnoletti stated we have decided to do CR 15 next year, but for the purposes of awarding the bid, it will still be included.

MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; SPECIFIED IN-PLACE PROJECT(S) TO THE LOW BIDDER, DOLOMITE PRODUCTS CO., INC. D/B/A A.L. BLADES, FOR A TOTAL PRICE OF \$2,489,295.15 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. 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 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 4-0.

D. *Slurry Seal Bituminous Overlay Project(s)* – Mr. Spagnoletti recommended rejecting all bids as the price has doubled from last year.

MOTION: REJECTING THE BIDS FOR SLURRY SEAL BITUMINOUS OVERLAY PROJECT(S) MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. *Pavement Grinding*

MOTION: AWARDING THE BID FOR PAVEMENT GRINDING TO THE FOLLOWING BIDDERS: SUIT-KOTE CORPORATION; AND MIDLAND ASPHALT MATERIALS, INC. MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

F. *Asphalt Milling*

MOTION: AWARDING THE BID FOR ASPHALT MILLING TO THE FOLLOWING BIDDERS: BOTHARD CONSTRUCTION, LLC; DONEGAL CONSTRUCTION CORP.; KILLIAN CONSTRUCTION, LLC; AND SUIT-KOTE CORPORATION MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

G. *Asphalt Concrete; FOB Plant Site, Specified Purchase Quantity Range(s)*

MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; FOB PLANT SITE, SPECIFIED PURCHASE QUANTITY RANGE(S) 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 4-0.

H. *Crushed Limestone* – Mr. Spagnoletti stated Hanson was a non-responsive bidder as they did not bid all items listed. He recommended awarding to the next low bidder, Seneca Stone Corporation.

MOTION: DECLARING HANSON AGGREGATES NEW YORK, LLC A NON-RESPONSIVE BIDDER, AND AWARDING THE BID FOR CRUSHED LIMESTONE TO THE NEXT LOWEST BIDDER, SENECA STONE CORPORATION FOR A TOTAL PRICE OF \$143,605.00 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

I. *Pavement Marking Paint*

MOTION: AWARDING THE BID FOR PAVEMENT MARKING PAINT TO THE LOW BIDDER, SENECA PAVEMENT MARKING, FOR A TOTAL PRICE OF \$6,666.00 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

J. *Construction Materials Testing* – Mr. Spagnoletti explained CME Associates' unit pricing was lower than the other bidders. This is just an estimate and we are looking at the price per test. He recommended awarding to CME Associates, Inc.

MOTION: AWARDING THE BID FOR CONSTRUCTION MATERIALS TESTING TO THE CME ASSOCIATES, INC. FOR A TOTAL PRICE OF \$11,936.00 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

MOTION: AWARDING THE BID FOR PORTABLE TOILET RENTAL AND SERVICE(S) AND SEPTIC TANK PUMPING TO THE LOW BIDDER, O'BRIEN'S SEPTIC FOR A TOTAL PRICE OF \$13,710 FOR RENTAL AND SERVICE(S) AND \$7,960 FOR PUMPING OF SEPTIC TANKS MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

L. *New Structural Steel*

MOTION: AWARDING THE BID FOR NEW STRUCTURAL STEEL TO THE LOW BIDDER, SHIRLEY'S LUMBER FOR A TOTAL PRICE OF \$54,344.22 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

M. *Steel Sign Posts; Replacement Parts*

MOTION: TABLING THE AWARDING OF THE BID FOR STEEL SIGN POSTS; REPLACEMENT PARTS UNTIL THE MAY 6, 2019 MEETING MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

N. *Geotextile Materials and Waterproofing Membrane* – Mr. Spagnoletti stated H.D. Supply is a non-responsive bidder as they did not submit all of the proper forms.

MOTION: DECLARING H.D. SUPPLY A NON-RESPONSIVE BIDDER AND AWARDING THE BID FOR GEOTEXTILE MATERIALS AND WATERPROOFING MEMBRANE ON A LINE ITEM BASIS TO THE FOLLOWING BIDDERS: CHEMUNG SUPPLY CORP. AND EXPANDED SUPPLY PRODUCTS, INC. MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

O. *Rubber Tire Excavator* – Mr. Spagnoletti stated Service Tire Truck Centers is a non-responsive bidder as they did not bid all items. He informed the committee this machine will be going to the Caton Shop and will include a boom mower.

MOTION: DECLARING SERVICE TIRE TRUCK CENTERS A NON-RESPONSIVE BIDDER AND AWARDING THE BID FOR RUBBER TIRE EXCAVATOR TO THE LOW BIDDER, GEORGE & SWEDE SALES & SERVICES FOR A TOTAL PRICE OF \$214,500.00 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

P. *Purchase of Altec 75' Bucket Truck*

Mr. Mullen asked will you have a special crew for this truck? Mr. Spagoletti replied we will keep the crew the same. Mr. Rapalee commented there are two guys who are slated to use this truck. Mr. Mullen asked do we need to have special insurance? Mr. Wheeler replied it will be added. We do provide chainsaw training, and that has been factored in.

MOTION: AWARDING THE QUOTE FOR THE PURCHASE OF AN ALTEC 75' BUCKET TRUCK FOR \$171,450.00 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Q. *RFP – Land Surveying Services for Steuben County Gravel Pit*

MOTION: AWARDING THE RFP FOR LAND SURVEYING SERVICES FOR STEUBEN COUNTY GRAVEL PIT TO MCCONNELL & MULLER LAND SURVEYORS FOR A TOTAL PRICE OF \$41,970.00 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

R. *RFP – Collection and Disposal of Household Hazardous Waste*

MOTION: AWARDING THE RFP FOR COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE TO THE LOW BIDDER, ENVIRONMENTAL SERVICE GROUP FOR A TOTAL PRICE OF \$24,626.50 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

S. *Prestressed Concrete Bridge Beams; Steuben County Bridge #27-29-1, Taggart Road Over Keuka Inlet, Town of Urbana*

MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY BRIDGE #27-29-1, TAGGART ROAD OVER KEUKA INLET, TOWN OF URBANA TO THE LOW BIDDER, L.C. WHITFORD MATERIALS CO., INC. FOR A TOTAL PRICE OF \$44,900.00 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

VI. OTHER BUSINESS

A. *State Funding* – Mr. Malter asked did we get additional CHIPs funding? Mr. Spagnoletti replied the State budget does include \$4.4 million in CHIPs funding and \$1 million in PAVE NY funding. It looks like the \$642,000 in Extreme Winter Recovery funding will go through the final State budget. We did not include that in our budget, but those numbers were figured in with the road program. If we do not get that funding, we will cut back on blacktop and just chip seal.

B. *2019 Road and Bridge Projects* – Mr. Spagnoletti briefly reviewed the 2019 road and bridge projects. The road projects include 20 miles of poor roads from 2018. With the bridge projects, there are 5 on Town Roads and two on County Roads.

C. *Emergency Purchase* – Mr. Spagnoletti informed the committee that they had to do an emergency purchase to install a new blower at the Leachate Plant. The cost was \$6,524.39. Mr. Orcutt explained we had lost a blower a couple of weeks ago and put in the spare. The one on the other side also went out and we had to do an emergency purchase.

D. *Legal Consultant* – Ms. Prossick stated the committee had given her authorization to have help with the SREC transfer. She spoke with Barton & Loguidice and they recommended Nixon Peabody Law Firm; who are very knowledgeable. When they sent us their retainer agreement, their municipal rate is \$625.00 per hour. This firm also represents Seneca Meadows. She stated that she had asked Barton & Loguidice for more names, but this firm knows the answers to questions immediately and does not have to do a great deal of research. She has not signed the retainer yet. She is recommending a not to exceed amount of \$10,000 and see what happens. Mr. Mullen commented you may also want to check with Hodgson and Russ Law Firm. Ms. Prossick stated she believes they have a conflict.

MOTION: AUTHORIZING THE COUNTY ATTORNEY TO RETAIN THE LEGAL CONSULTANT SERVICES OF NIXON PEABODY LAW FIRM RELATIVE TO THE SREC PROPERTY IN AN AMOUNT NOT TO EXCEED \$10,000 MADE BY MR. MALTER. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. *Earth Day* – Mr. Spagnoletti distributed a handout entitled “Steuben County Earth Day Sheet”.

MOTION: TO AJDOURN MADE BY MR. NICHOLS. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

****NEXT MEETING SCHEDULED FOR**
Monday, May 6, 2019
10:00 a.m.
PLEASE PROVIDE AGENDA ITEMS
NO LATER THAN NOON
Monday, April 29, 2019.**