

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Monday, July 6, 2020

10:00 a.m.

2nd Floor Conference Rooms

Annex Building

Bath, New York

****MINUTES****

COMMITTEE:	Robert V. Nichols, Chair Aaron I. Mullen	Frederick G. Potter, Vice Chair Thomas J. Ryan	Jeffrey P. Horton
STAFF:	Jack K. Wheeler Jennifer Prossick Lisa Tracy	Christopher Brewer Vince Spagnoletti Andy Morse	Brenda Mori Doug Rapalee
LEGISLATORS:	Scott J. Van Etten K. Michael Hanna Gary B. Roush	Carol A. Ferratella Hilda T. Lando Gary D. Swackhamer	Kelly H. Fitzpatrick John V. Malter
OTHERS:	Mary Perham		

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 10:00 a.m. and asked Mr. Potter to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 1, 2020, MEETING MADE BY MR. MULLEN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. HIGHWAYS

A. *Shared Service Agreement with NYSDOT* – Mr. Spagnoletti stated the four-year shared services agreement with NYSDOT recently expired. He requested authorization to enter into a new shared services agreement for an additional four years. The intent of the agreement is to have a record to keep the exchange equal. This includes a hold harmless clause, indemnification and the amount of shared services is capped at \$25,000 per year. Mr. Mullen asked what is the \$25,000? Mr. Spagnoletti replied we keep track of what we do, as does NYSDOT and that is not to exceed \$25,000 in value. This works well.

MOTION: AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FOUR YEARS, WITH THE VALUE OF SHARED SERVICES BY EACH PARTY TO BE CAPPED AT \$25,000 PER YEAR MADE BY MR. POTTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *Budget Transfer* – Mr. Spagnoletti stated last month the committee approved transferring \$139,000 from the salt account to pay for the new sand contract. Today I am requesting authorization to transfer \$50,000 from the Crack Seal line item and \$53,000 from the Slurry Seal line item into the Salt/Calcium line item. This will allow us to purchase more salt and this will fill our barns for the upcoming winter.

Mr. Mullen asked with the potential 20 percent cut in State funding, would there be a better area to pull from rather than these line items for road maintenance? Mr. Spagnoletti replied I think this is best. We have been doing less crack seal as

the bikers do not like it as it is slippery. Also, slurry seal has gotten very expensive. Mr. Mullen asked should we pull this \$103,000 from other line items and use it to do another mile of road? Mr. Wheeler replied the problem is that there are limited areas to take those kinds of funds from. There would not be enough in the consultants/professionals and training/conferences line item. The other options are salt, plowing or road projects. The only other place to take it out of would be equipment. Mr. Nichols commented these funds are still being used for road maintenance in the winter.

Mr. Spagnoletti stated I was not going to do slurry seal anymore which is a sand mix with liquid asphalt injected. It is too expensive. Mr. Nichols asked what is the life expectancy of slurry seal? Mr. Spagnoletti replied Cornell will tell you 7 years and 5 years for chip seal.

Mr. Malter stated the last he knew CHIPS money from the State was not being cut; or is this something new? Mr. Wheeler replied the State is only giving us 80 percent of our allocation. They are holding the remaining 20 percent and if the federal stimulus funding comes in, then they will release that 20 percent.

Mr. Malter asked with oil prices dropping, how is that affecting asphalt prices? Mr. Spagnoletti replied normally oil is about \$60.00 per barrel. When it gets down to \$40.00 per barrel, we save a significant amount of money. Now the price is at \$40.00 per barrel and we are estimating our project costs on that.

MOTION: AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS TO TRANSFER \$50,000 FROM THE CRACK SEAL LINE ITEM AND \$53,000 FROM THE SLURRY SEAL LINE ITEM AND APPROPRIATING THE TOTAL OF \$103,000 INTO THE SALT/CALCIUM LINE ITEM MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. *Budget Transfer to Create New Road Project* - Mr. Spagnoletti requested authorization to transfer \$85,000 from the patching line item to a new road project for CR 30 in Canisteo. He stated CR 30 is breaking up and we will be stabilizing 1.4 miles of road base with liquid asphalt. He stated he is pretty certain that he would like to do this with a salt injection instead of the liquid asphalt. If he does that, then the project will be reduced by \$50,000, but he would like to transfer the \$85,000.

MOTION: AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS TO TRANSFER \$85,000 FROM THE PATCHING LINE ITEM, CREATE A NEW ROAD PROJECT ENTITLED CR 30, CANISTEO AND APPROPRIATE THE \$85,000 INTO THE NEW PROJECT MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. *Road Plan Update* – Mr. Spagnoletti informed the committee that the 2020 Road Plan has been updated to reflect the 20 percent reduction in State funds. We had originally budgeted \$6.1 million for State funding (CHIPS, Pave NY and Extreme Winter Recovery). The State sent a letter that they might stop the funding at 80 percent. He talked with Mr. Wheeler and we are deleting \$1.2 million in projects. If we end up not getting the remaining 20 percent allocation, these projects will go to the top of next years' list. Four projects are being removed from this year; CR 74 in Prattsburgh, CR 57 in Fremont, CR 100 in Woodhull and CR 122 in Prattsburgh. We are modifying the project on CR 70 in Howard to liquid asphalt injection to stabilize the base and will change from blacktop to chip seal. Mr. Spagnoletti explained net, we need \$6.5 million per year to keep the roads where they are or to slowly improve. With this 20 percent cut in State funds, we are down to \$5 million, and we will be able to take care of the bad roads that are breaking up.

IV. BIDS

A. *Asphalt Concrete Project for Village of Bath* – Mr. Spagnoletti explained we routinely pave village streets in the County. The Village of Bath wanted us to pave four streets. I don't have the people or the time as we do not have any summer help this year, which is about 25 people, and we are also down 12 people in the department and we are not filling vacancies. I am trying to find ways to fill in. We worked with Purchasing to put out a bid; three contractors responded and Spallina was the low bid at \$122,540.80.

Mr. Spagnoletti stated I would rather award the bid and have the Village take it and use the contractor if they want. I don't want to use up our crew to do this. From the Village's point of view, they will pay Spallina, but if we did it, the Village would only pay \$87,000 for the blacktop and the County would pick up the \$35,000 in equipment and labor costs. He recommended awarding the bid, but if the committee does not want to do that, then he will take three days out of the schedule to do this, but that is three days we won't be working on County projects.

Mr. Wheeler stated the Village has contacted me also. This is a policy decision for you. As Mr. Spagnoletti mentioned, he has put the municipalities on notice with shared services. We do them and we like to do them, but obviously we cannot short the County work. In this case, the Village of Bath feels this is a different position because we are the home, and good and bad comes with that. They have also cited the purchase of the mental health building that came off the Village tax rolls.

Mr. Malter asked because this is a shared service, and we report that dollar amount to the State, if we do not do this, will that have an effect on our shared services? Mr. Wheeler replied we submit a report every year. We submitted our shared services plan in February and the response back from the State was that shared road projects are not reimbursed because we have always done them. We argued that each project is new. He is not sure if we will get any reimbursement for that. There would be no penalty in not doing this with the Village. If the State changes their stance, that would then have an impact.

Ms. Fitzpatrick stated as one of the representatives for the Town of Bath, I have been in touch with the Mayor and the Village Highway Superintendent. This is a delicate situation for them. Some of the stuff we have done in the past couple of years has hit their tax base, particularly the purchase of the mental health building. I would like to see a way to do something for the Village of Bath, not necessarily the entire project, recognizing that we made significant changes to their tax base. We should do something to help, but I don't know what that would be.

Mr. Potter stated one thought would be if you split the cost and the municipality paid for the materials and we paid the cost for the contractor to put down the materials that may be a way to resolve it. Mr. Nichols asked are you saying that we would pay the \$35,000 to the Village? Mr. Potter stated we would pay the contractor that amount. That might be a possible solution. Mr. Spagnoletti stated I would pave it for them before I would take that out of the budget.

Mr. Mullen stated he will not be voting as he is the Village Attorney. Mr. Mullen suggested long-term that may be look at a road building policy for these villages throughout the County as it is so expensive to do one street. Would it be a savings to the villages and the County to have a long-term road building policy with a crew designated to do that, or **for the County to assist the different municipalities**? Mr. Spagnoletti replied it will not reduce the unit cost. We bought a paver and the primary reason was that the bridge crew was building six bridges a year. Under the paving contract we would call the contractor and they would not show up for two weeks and the bridges had to remain closed. One reason we purchased the paver was to pave and open the bridges. That turned into an item where the towns and villages wanted us to be the paving contractor and it was not intended to be that.

Mr. Spagnoletti explained in the villages, there is a lot of work and preparation to pave a street, especially with the curb cuts. Our paving operation was not formed to do that kind of work. I don't have enough people to do that and I don't have enough people to do the work I have. I will not get all my work done if I start paving for the municipalities. Everything changed this year with COVID and things require extreme steps.

Mr. Van Etten stated I get a little tired of hearing about the Village of Bath and their dissatisfaction with the County. We are the largest employer in this area. We have the best real estate in the Village and we provide a lot for the Bath economy just by having hundreds of people working here. We are not a bad neighbor. This is a taxpayer issue; not one municipality versus another municipality. We do not mistreat the Village in any way. We don't owe them anything.

Mr. Wheeler explained if you wanted Mr. Spagnoletti and his crew to do the project, you would reject the bid. If you want the Village to do it, you would award the bid and they could procure the service. He stated I don't want to be in the position of determining which projects get done. That is a Legislature decision.

Ms. Prossick commented the procurement in the bid is a shared service; we could consider putting the bid together as a shared service.

Mr. Ryan asked so we would have to pay the \$35,000? Mr. Wheeler replied there would be no additional cost to us. The question is do you want to allocate three days to a shared service, or award the bid for the Village to take and use. Mr. Nichols stated it is three days of production on County roads or the Village.

Mrs. Lando commented the City of Corning approved \$100,000 every year to go into road repairs. If you do this, maybe the City of Corning will ask for money as well.

Mr. Potter stated one of the towns in my district asked Mr. Spagnoletti to do a small paving job and Mr. Spagnoletti told them it was more cost effective to have a contractor come in and do it. If we do this for the Village of Bath, that town will get wind of that and will ask how come you did it for the Village of Bath and not us.

Mr. Malter stated there is a shortage of personnel this year. We would be using personnel to do other municipalities work and not get our own work done. We have to take care of our own scenarios. Mr. Wheeler commented with staff, we had no orientation during COVID and we are holding vacancies in anticipation of revenue cuts.

MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; SPECIFIED IN-PLACE PROJECT(S) ON BEHALF OF THE VILLAGE OF BATH TO THE LOW BIDDER, SPALLINA MATERIALS, INC. FOR A TOTAL COST OF \$122,540.80 MADE BY MR. HORTON. SECONDED BY MR. POTTER. MOTION CARRIES 4-0-1. (MR. MULLEN ABSTAINED AS HE IS THE ATTORNEY FOR THE VILLAGE OF BATH)

Mr. Spagnoletti stated we support shared services and will continue; it's just this area with regard to paving. Mr. Wheeler commented we also do shared services with the Village with the utilities and we value our relationship with all of the municipalities.

Ms. Fitzpatrick commented it is important for those individuals from the Village of Bath who are listening to this meeting to have heard the discussion. We have had discussion and debated and the Village has been put on notice. I am happy that it was discussed thoroughly. Mr. Nichols stated our first priority is to make sure the County projects get done.

Mr. Mullen stated the paver is going steady all summer for the County. We did have a crusher consortium. Mr. Spagnoletti stated we got out of that. Mr. Mullen commented his thought was that if the paver has available times and the Village wanted to train their staff to use it, maybe they could. Mr. Wheeler stated there were previous discussions from ten years ago to only have our crews operate that, due to liability issues. Mr. Nichols stated we don't want other people using our equipment.

V. OTHER BUSINESS

A. *Trucks* – Mr. Van Etten stated we have three new ten-wheel trucks sitting at the shop ready to go. I noticed that they have chrome fenders over the rear wheels and I can tell you that with flash and bling on municipal vehicles the taxpayers will see that as a waste of money. This is just the perception and we need to be aware of that. This is just a comment. Mr. Rapalee stated I'm pulling up the specs now. Mr. Van Etten stated you probably didn't spec it, but it is just a perception issue. Mr. Rapalee stated the spec is for a full stainless steel fender. We are only specifying the material for it to be made from, not the finish.

Secretary's Note: Commissioner Spagnoletti provided a copy of a letter from Utica General stating that Peterbilt Motor Company uses high quality components and suppliers. Alcoa Company who manufactures and supplies the aluminum rims has a proprietary machined finish on the aluminum surface. The grill, mirror brackets, battery box, fuel tank, fenders, etc. are made from stainless steel or aluminum.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

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

**Monday, August 3, 2020
Legislative Committee Room
9:00 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, July 27, 2020**