

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Monday, March 6, 2017

10:40 a.m.

Legislative Committee Room
Steuben County Office Building
Bath, New York

****MINUTES****

COMMITTEE: Gary D. Swackhamer, Chair Gary B. Roush, Vice Chair John V. Malter
Aaron I. Mullen Robert V. Nichols

STAFF: Jack K. Wheeler Mitchell Alger Vince Spagnoletti
Jennifer Prossick Steve Orcutt Lorelei Wagner
John Emo Tim Leonard Bryan Bailey
Andy Morse

LEGISLATORS: Carol A. Ferratella

OTHERS: Mary Perham
Doug Rapalee
Sarah Robbins, Southern Tier Tobacco Awareness Coalition

I. CALL TO ORDER

Mr. Swackhamer called the meeting to order at 10:40 a.m. and lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 6, 2017, MEETING MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. INTRODUCTION

Mr. Spagnoletti introduced Doug Rapalee who will be the new Deputy Commissioner of Public Works effective April 3, 2017.

IV. HIGHWAYS

A. *Grinder Rental Agreement* - Mr. Spagnoletti requested authorization to extend the grinder rental agreements with Schuyler and Yates counties for three years. The current cost to Schuyler and Yates counties is \$4,000 per day and we provide the operator and ground person. The cost for the rental of the Zipper is \$1,000 per day. The price for 2017 and 2018 will stay at \$4,000 per day and will increase to \$4,200 per day for 2019. Our cost to rent is \$2,200 per day without fuel. Schuyler and Yates provide the fuel.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO EXTEND THE GRINDER RENTAL AGREEMENTS WITH SCHUYLER AND YATES COUNTIES FOR THREE YEARS WITH THE COSTS FOR 2017 AND 2018 AT \$4,000 PER DAY AND THE COST FOR 2019 TO INCREASE TO \$4,200 PER DAY MADE BY MR. ROUSH. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *Bridge NY Project* – Mr. Spagnoletti informed the committee that with the additional Bridge NY Project funding, we will be able to complete two major bridge projects this year. The first project is the CR 22 Bridge over the

Canisteo River in Cameron. He requested authorization to enter into an agreement with NYSDOT for \$450,000 for the design and right-of-way incidentals. This project is 95 percent federal funding and 5 percent local share. He requested authorization to appropriate \$427,500 of the federal share to this project and appropriate \$22,500 County share from the Future Bridge Projects Account.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE NYSDOT FOR \$450,000 FOR THE DESIGN AND RIGHT-OF-WAY INCIDENTALS RELATIVE TO THE CR 22 BRIDGE OVER THE CANISTEO RIVER IN CAMERON; APPROPRIATING \$427,500 OF FEDERAL SHARE REVENUE AND APPROPRIATING \$22,500 COUNTY SHARE FROM THE FUTURE BRIDGE PROJECTS ACCOUNT TO THIS PROJECT MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. *Temporary Prefabricated Bridge* – Mr. Spagnoletti requested authorization to purchase an “Acrow” bridge from Yates County for a total cost of \$17,500. This bridge has a span of 60 feet and originally cost \$85,000. It has only been used one time. He requested authorization to purchase and add to his Major Equipment List.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PURCHASE AN “ACROW” BRIDGE FROM YATES COUNTY FOR \$17,500 AND AMENDING THE MAJOR EQUIPMENT LIST TO REFLECT THIS PURCHASE MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. PARKS

A. *No Tobacco Policy* – Mr. Spagnoletti introduced Sarah Robbins from the Southern Tier Tobacco Coalition and Lorelei Wagner from Public Health, who have been assisting with the development of a non-smoking policy at County parks. Ms. Prossick commented this policy is similar to the policy for the County Office Building and is for enforcement purposes. The major issue with the parks is littering with chew and cigarette butts. We took samples of policies from different counties. This is just a policy that does away with the use of all products near the buildings and playground. They will put up signs 15 feet away from those areas. Warnings will be provided, and if they are not compliant, then an individual’s ability to come to the park may be revoked.

Mr. Wheeler commented the proposal before you is a good compromise. As with the County Office Building, we can revoke the license of someone to be on our premises. This really will be self-policing.

MOTION: ADOPTING THE NO TOBACCO POLICY FOR STEUBEN COUNTY PARKS AS PRESENTED BY THE COMMISSIONER OF PUBLIC WORKS MADE BY MR. ROUSH. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. BIDS

A. *Asphalt Concrete, FOB Plant Site*

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

B. *Asphalt Concrete, Miscellaneous In-Place*

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

C. *Cold In-Place Recycling Project(s)*

MOTION: AWARDING THE BID FOR COLD IN-PLACE RECYCLING PROJECT(S) TO THE LOW BIDDER, SUIT-KOTE CORPORATION FOR A TOTAL COST OF \$1,206,554.04 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. *Asphalt Milling*

MOTION: AWARDING THE BID FOR ASPHALT MILLING TO THE FOLLOWING BIDDERS, BASED ON LOWEST PRICE AND AVAILABILITY: VILLAGER CONSTRUCTION, INC.; BOTHAR CONSTRUCTION, LLC; KILLIAN CONSTRUCTION, LLC; DONEGAL CONSTRUCTION CORP.; AND SUIT-KOTE CORPORATION MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. *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.

F. *Geotextile Materials and Waterproofing Membrane*

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

G. *Cutting Edges, Sander Chains & Shoes – One Time Purchase*

MOTION: AWARDING THE BID FOR CUTTING EDGES, SANDER CHAINS & SHOES; ONE TIME PURCHASE, THE LOW BIDDER, ON A LINE ITEM BASIS, CHEMUNG SUPPLY CORP. MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

H. *New Structural Steel*

MOTION: AWARDING THE BID FOR NEW STRUCTURAL STEEL TO THE LOW BIDDER, CHEMUNG SUPPLY CORPORATION, FOR A TOTAL COST OF \$57,244.60 MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

I. *Uniform Rental & Cleaning Service* – Mr. Spagnoletti requested authorization to extend the bid with Cintas Corp. through April 1, 2020 for a total cost of \$29.46 per week.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC TO EXTEND THE BID WITH CINTAS CORP. (COYNE TEXTILE) FOR UNIFORM RENTAL & CLEANING SERVICES THROUGH APRIL 1, 2020 AT A RATE OF \$29.46 PER WEEK MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VII. OTHER BUSINESS

A. *Deputy Commissioner Residency Requirement* – Mr. Spagnoletti requested authorization to waive the residency requirement for the Deputy Commissioner of Public Works. Mr. Rapalee, who will begin work on April 3, 2017, lives in Penn Yan.

Mr. Wheeler explained there is a residency requirement and in the event of a vacancy of the Commissioner, the Deputy Commissioner would serve until an appointment was made. He would recommend supporting waiving the residency requirement.

Mr. Mullen asked how much time would the Deputy Commissioner spend out of the office? Mr. Spagnoletti stated his expectation is that the Deputy Commissioner would be out in the field most of the day. Mr. Wheeler commented in his view, living in Penn Yan, he would be closer than he would be in some places within the County. He feels comfortable that Mr. Rapalee could respond and be on site in a reasonable amount of time.

MOTION: RECOMMENDING WAIVING THE RESIDENCY REQUIREMENT FOR THE DEPUTY COMMISSIONER OF PUBLIC WORKS MADE BY MR. MALTER. SECONDED BY MR. NICHOLS FOR DISCUSSION.

Mr. Nichols asked if Mr. Spagnoletti retires, would we require Mr. Rapalee to move to the County? If not, would he be eligible to become Commissioner? Mr. Wheeler replied in his view, that to be appointed Commissioner, the person selected would be required to move to the County within a reasonable timeframe of six months to one year. To be Commissioner, they would need to be a resident of the County. Historically we have waived the residency requirements for Deputies. *Mr. Wheeler commented that in the event that Mr. Spagnoletti retired, then the Deputy would likely need to move to the County in the event that he wanted to become the Commissioner. Mr. Mullen said that it didn't seem logical that the Commissioner would need to be a resident, but not the Deputy, as the Deputy is the one who is out in the field more often.*

VOTE ON PREVIOUS MOTION: MOTION CARRIES 4-1. (MR. MULLEN OPPOSED). *Resolution Required.*

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

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

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

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

Monday, April 3, 2017

10:00 a.m.

Please send your agenda items to the Clerk of the Legislature's Office

NO LATER THAN NOON

Monday, March 27, 2017.