

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Monday, March 5, 2018

10:15 a.m.

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

****MINUTES****

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| COMMITTEE: | Gary D. Swackhamer, Chair Aaron I. Mullen | Gary B. Roush, Vice Chair Robert V. Nichols | John V. Malter |
| STAFF: | Jack K. Wheeler Doug Rapalee Tim Leonard Andy Morse | Mitchell Alger Steve Orcutt Lisa Tracy | Vince Spagnoletti Jerry Miller Jennifer Prossick |
| LEGISLATORS: | Carol A. Ferratella Frederick G. Potter | Kelly H. Fitzpatrick Scott J. Van Etten | Hilda T. Lando |

I. CALL TO ORDER

Mr. Swackhamer called the meeting to order at 10:15 a.m. and led the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 5, 2018, AND FEBRUARY 26, 2018 MEETINGS MADE BY MR. MULLEN. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILLS

A. *Cell 4 Payment Method* – Mr. Spagnoletti informed the committee that they have enough cash to pay for Cell 4; however, the Commissioner of Finance is working on something that may be more advantageous for us. He will bring that to committee next month.

B. *NYS Electronics Recycling Act* – Mr. Spagnoletti explained NYSAC and the New York State **Solid Waste Management** Association are recommending adopting a resolution calling for amendments to the New York State Electronic Equipment Recycling and Reuse Act. He explained when the Legislation was first enacted, the Department of Environmental Conservation required all electronics to be recycled. This resolution is memorializing the State to increase the pounds of recycling that is required by manufacturers and to increase the reimbursement to municipalities for the expenses incurred for collecting and recycling electronics waste.

MOTION: MEMORIALIZING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO AMEND THE NEW YORK STATE ELECTRONIC EQUIPMENT RECYCLING AND REUSE ACT AND REQUESTING ADDITIONAL REIMBURSEMENT TO MUNICIPALITIES FOR EXPENSES INCURRED FOR COLLECTING AND RECYCLING ELECTRONICS WASTE MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. *Carbon Credits* - Mr. Spagnoletti stated over the course of ten years the County earned \$3.6 million from Google because we collected gas at the Landfill and flared it. Now Denise Farrell, who brokered that deal, is in the process of working another deal for us. He requested authorization for him and Mr. Wheeler to act on behalf of the County to negotiate terms of an agreement. He stated he will bring any agreement back to the committee for approval.

Mr. Orcutt explained basically we are looking at going through a carbon requisition to submit reports, and other information in order to get the carbon credits ready for sale and verified as good credits. Mr. Nichols asked will these be considered dirty credits? Mr. Wheeler replied not now, but that is something that could impact us in the future. Mr. Spagnoletti stated there are three ways we can get paid; the first is by selling electricity, the second is by not putting the carbon into the air and the third is by creating electricity out of garbage. Mr. Wheeler commented they view this as double dipping (dirty credits), but it has not been an issue here yet.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS AND THE COUNTY MANAGER TO ACT ON BEHALF OF THE COUNTY TO NEGOTIATE ON CARBON CREDITS MATTERS MADE BY MR. ROUSH. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. HIGHWAYS

A. *Road Repairs at County Fairgrounds* – Mr. Spagnoletti informed the committee that the road at the County Fairgrounds is in need of repair. They have a 0.2 mile stretch that is 18’ wide and a 0.1 mile stretch that is 9’ wide. Both are in bad condition. If we were to grind and chip, the cost would be about \$25,000. If we did blacktop, the cost would be \$40,000. He commented that they have set aside \$500,000 in the road projects for unforeseen projects and for higher prices on materials. Right now, they will be adding CR 42 for repairs that will need to be made.

Mr. Potter asked who owns this roadway? Mr. Wheeler replied the Steuben County Agricultural Society. We do have a good relationship with them. This is a potential benefit to both the Village of Bath and the County. We do have some interest in seeing their grounds maintained in good shape.

Mr. Mullen asked what the life expectancy is of grind and chip versus blacktop? Mr. Spagnoletti replied grind and chip will last six to seven years and blacktop will last fifteen to twenty years.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO BLACKTOP A TOTAL OF 0.3 OF A MILE OF THE STEUBEN COUNTY FAIRGROUNDS FOR A TOTAL COST OF \$40,000 MADE BY MR. MULLEN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *Excavator Purchase* – Mr. Spagnoletti informed the committee that they have a 1989 Cat 235 with 29,000 hours. This excavator has some issues with the boom. We could try to repair it, however, Mr. Miller has indicated that it will affect the machine’s performance. It would be in our best interest to purchase a new one. He recommended purchasing a Cat 336 for a total cost of \$353,941. Mr. Spagnoletti commented this machine does come with a six-year warranty.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PURCHASE A CAT 336 TRACK EXCAVATOR FOR A TOTAL PRICE OF \$353,941 MADE BY MR. ROUSH. SECONDED BY MR. MALTER FOR DISCUSSION.

Mr. Malter asked what will you get for the old machine if you go to auction? Mr. Miller replied he would not take anything less than \$30,000. He would expect to get \$40,000 - \$45,000 through Auctions International. It will cost the County \$35.00 to sign up.

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

V. BIDS

A. *Liquid Bituminous Material(s)*

MOTION: AWARDING THE BID FOR LIQUID BITUMINOUS MATERIAL(S) FOB PLANT SITE TO THE FOLLOWING BIDDERS: MIDLAND ASPHALT MATERIALS, INC.; SUIT-KOTE CORP. AND VESTAL ASPHALT, INC.; AWARDING EMULSION WITH DISTRIBUTOR AND EMULSION FOR COLD MIX ON A LINE ITEM BASIS TO SUIT-KOTE CORPORATION AND VESTAL ASPHALT, INC.; AWARDING AEPM TO THE LOW BIDDER, SUIT-KOTE CORPORATION AND RENTAL OF EQUIPMENT TO THE FOLLOWING BIDDERS: MIDLAND ASPHALT MATERIALS, INC.; SUIT-KOTE CORPORATION AND VESTAL ASPHALT, INC. MADE BY MR. MULLEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *Crushed Limestone*

MOTION: AWARDING THE BID FOR CRUSHED LIMESTONE TO THE LOW BIDDER, HANSON AGGREGATES NEW YORK, LLC FOR A TOTAL COST OF \$316,282.00 MADE BY MR. MULLEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. *Slurry Seal Bituminous Overlay Project(s)*

MOTION: AWARDING THE BID FOR SLURRY SEAL BITUMINOUS OVERLAY PROJECT(S) TO THE LOW BIDDER, VESTAL ASPHALT, INC. FOR A TOTAL COST OF \$126,815.19 MADE BY MR. MULLEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: AWARDING THE BID FOR COLD IN-PLACE RECYCLING PROJECT(S) TO THE SOLE BIDDER, SUIT-KOTE CORPORATION FOR A TOTAL COST OF \$1,225,854.69 MADE BY MR. MULLEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. *Asphalt Concrete; Specified In-Place Project(s)*

MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; SPECIFIED IN-PLACE PROJECT(S) TO THE LOW BIDDER, DALRYMPLE GRAVEL & CONTRACTING FOR A TOTAL PRICE OF \$2,572,671.50 MADE BY MR. MULLEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. *Asphalt Milling*

MOTION: AWARDING THE BID FOR ASPHALT MILLING TO THE FOLLOWING BIDDERS: BOTHAR CONSTRUCTION, LLC; KILLIAN CONSTRUCTION, LLC; DONEGAL CONSTRUCTION CORP.; AND SUIT-KOTE CORPORATION MADE BY MR. MULLEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

G. *Crane Rental Services*

MOTION: AWARDING THE BID FOR CRANE RENTAL SERVICES TO THE FOLLOWING BIDDERS: C.P. WARD, INC.; AND SILVERLINE CONSTRUCTION, INC. MADE BY MR. MULLEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

H. *Prestressed Concrete Bridge Beams; Steuben County Bridge – BIN 2218070, Bridge #129-1, CR 129 Over Tuscarora Creek, Town of Woodhull*

MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY BRIDGE – BIN 2218070, BRIDGE #129-1, CR 129 OVER TUSCARORA CREEK, TOWN OF WOODHULL TO THE LOW BIDDER, L.C. WHITFORD MATERIALS CO., INC. FOR A TOTAL COST OF \$125,000.00 MADE BY MR. MULLEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

I. *Guide Rail Materials*

MOTION: AWARDING THE BID FOR GUIDE RAIL MATERIALS TO THE SOLE BIDDER, CHEMUNG SUPPLY CORP. FOR A TOTAL COST OF \$180,432.45 MADE BY MR. MULLEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: AWARDING THE RFP FOR THE COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE TO THE LOW BIDDER, ENVIRONMENTAL SERVICE GROUP FOR A TOTAL COST OF \$21,926.50 MADE BY MR. MULLEN. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. **OTHER BUSINESS**

A. *Snowstorm* – Mr. Spagnoletti stated his snowplow crews did a great job during last week’s snowstorm. Mr. Wheeler commented they did an excellent job. We were the hardest hit county north and west of Delaware.

B. *Mobile Work Crew* – Mr. Spagnoletti showed the committee pictures of a church they have been working on in Hornby. They have been painting and rehabilitating it, and have been doing a real nice job.

C. *Cohocton Shop* – Mr. Spagnoletti announced they had a fire at the Cohocton Shop on Friday evening. We are waiting for the insurance company to come in; although we do know that our deductible for the building is \$25,000 and the deductible for the property is \$25,000. Mr. Wheeler commented thankfully nobody got hurt. Mr. Spagnoletti stated they had two plow trucks inside the building. The Town of Dansville and the Town of Wayland have indicated they will plow for us in that area. He stated they do have two trucks **purchased from the Town of Erwin**, that they will outfit with plows and send over to Cohocton. Mr. Wheeler stated we are also talking about getting a work trailer over there which would be reimbursed by our insurance. Mrs. Lando asked do we know the cause of the fire? Mr. Spagnoletti replied it is still under investigation, but he believes one of the trucks was the cause.

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 ONE WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. MALTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Nichols was excused from the meeting as he has a conflict with the matters which will be discussed.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS AND THE COUNTY MANAGER TO EXECUTE A LEASE AGREEMENT WITH ARIA AS PRESENTED, AFTER CONFIRMING WITH STEUBEN RURAL ELECTRIC COOPERATIVE THEIR REQUEST FOR THE COUNTY TO WAIVE THE TERMS OF THE CURRENT LEASE AGREEMENT WITH THEM REGARDING THEIR NOTICE TO TERMINATE, THE COUNTY’S RIGHT OF FIRST REFUSAL, AND THE REQUIREMENT OF STEUBEN RURAL ELECTRIC COOPERATIVE RETURNING THE REAL PROPERTY BACK TO ITS ORIGINAL STATE MADE BY MR. ROUSH. SECONDED BY MR. MALTER. MOTION CARRIES 3-1. (MR. MULLEN OPPOSED, MR. NICHOLS ABSENT FOR VOTE). *Resolution Required.*

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. MULLEN. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. ROUSH. 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, April 2, 2018
10:00 a.m.**

**PLEASE PROVIDE AGENDA ITEMS
NO LATER THAN NOON
Monday, March 26, 2018**