

**STEBEN COUNTY PUBLIC WORKS COMMITTEE**

*Monday, May 6, 2019*

*10:05 a.m.*

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

**\*\*MINUTES\*\***

<b>COMMITTEE:</b>	Gary D. Swackhamer, Chair Robert V. Nichols	Gary B. Roush, Vice Chair Frederick G. Potter	John V. Malter
<b>STAFF:</b>	Jack K. Wheeler Andy Morse Doug Rapalee Craig Patrick	Amy Dlugos Steve Orcutt Rich Bills Jennifer Prossick	Vince Spagnoletti Jerry Miller Lisa Tracy
<b>LEGISLATORS:</b>	Carol A. Ferratella Steven P. Maio	K. Michael Hanna	Hilda T. Lando
<b>OTHERS:</b>	Peter Baker, Barton & Loguidice Mary Perham		

**I. CALL TO ORDER**

Mr. Swackhamer called the meeting to order at 10:05 a.m. and asked Mr. Nichols to lead the Pledge of Allegiance.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE APRIL 1, 2019, MEETING MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**II. LANDFILLS**

A. *Roadside Cleanup Weeks* – Mr. Spagnoletti requested authorization to hold no charge roadside cleanup weeks for the villages, towns and cities.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO HOLD NO CHARGE ROADSIDE CLEANUP WEEKS FOR THE VILLAGES, TOWNS AND CITIES MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. *Industrial User Permit and Utilization Agreement with Bath Electric, Gas and Water Systems* – Mr. Wheeler explained a number of them have had discussions with Bath Electric, Gas and Water System (BEGWS) since January. They are undergoing a significant upgrade and have proposed a new fee schedule. Historically they have charged us at \$6,600 per month, which is significantly less than market standards. Now they are proposing \$22,200 per month. This is a huge increase. On Friday they held a meeting and our concern is are we paying our fair share. The \$22,200 per month is a little bit more than the fair share, but is within the realm of reasonable. Our concern is what happens as they phase in increased costs. They have indicated in 2020 the rate will increase to \$25,000 per month. Mr. Wheeler stated we are going to work with Barton & Loguidice to look at other options, but really we do not have a choice at this point. As this is a utilization agreement, if you say no, they have the ability to shut you off.

Mr. Malter asked is this a month to month agreement? Mr. Wheeler replied no, it will be an annual agreement and will expire December 31, 2019. Mr. Malter asked is the rate retroactive to January 1, 2019? Mr. Wheeler replied no, the rate of \$22,200 per month will be effective May 20, 2019. All of the significant users saw an increase in the same range.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN INDUSTRIAL USER PERMIT AND UTILIZATION AGREEMENT WITH BATH ELECTRIC, GAS AND WATER SYSTEMS FOR THE REMAINDER OF 2019, AT A RATE OF \$22,200 PER MONTH EFFECTIVE MAY 20, 2019 MADE BY MR. POTTER. SECONDED BY MR. MALTER FOR DISCUSSION.**

Mr. Nichols asked can we also look at putting in a system of our own? Mr. Wheeler replied that is one of the things we will be looking at. We can talk with DEC (Department of Environmental Conservation) to see what it would take to do that. We do know that we would have to put in for a permit with the DEC in order to start the process of getting a cost analysis. If you are comfortable with doing that, that would be the next step.

Mr. Nichols stated he thinks we need to look at other options and we may find that our current arrangement is the best option. Mr. Potter stated we also need to look at the treatment facility as the cost of operating that will continue to go up. Mr. Nichols stated there would have been enough savings in order to consider building our own.

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

#### **IV. HIGHWAYS**

A. *SR 415 Bath Property Transfer* – Mr. Spagnoletti informed the committee the State owns .79 acres of land across the road from T&R Towing on SR 415 in Bath. T&R has indicated that they would like this piece of property. He requested authorization to take over maintenance jurisdiction of this parcel from the State and to then transfer the property to T&R Mobile at no cost.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TAKE OVER MAINTENANCE JURISDICTION FROM THE NYSDOT ON .79 ACRES OF LAND LOCATED ON SR 415 IN THE TOWN OF BATH AND TO TRANSFER, AT NO COST, TO T&R MOBILE MADE BY MR. ROUSH. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

B. *Add Projects and Transfer Funds* – Mr. Spagnoletti informed the committee that they have three roads that over the course of this winter have gone bad; CR 31, CR 72 and CR 30. He requested authorization to add these three projects to the project list, transfer a total of \$464,730 out of the Capital Projects D5112-5250000 line item and appropriate \$98,221 to the CR 31 project, \$140,315 to the CR 72 project and \$226,194 to the CR 30 project.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ADD THE CR 31, CR 72 AND CR 30 TO THE 2019 ROAD PROJECTS LIST, TRANSFER A TOTAL OF \$464,730 OUT OF THE CAPITAL PROJECTS D5112-5250000 AND APPROPRIATE \$98,221 TO CR 31 PROJECT, \$140,315 TO CR 72 PROJECT AND \$226,194 TO CR 30 PROJECT MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Nichols asked did we lose anything in CHIPs funding this year? Mr. Spagnoletti replied we did not lose anything. We had assumed that we would get Extreme Winter Recovery Funding, but we did not receive it. Mr. Wheeler stated there is a push outside of the budget process by State Legislators to get that funding reapproved.

C. *Project Fund Transfer* – Mr. Spagnoletti informed the committee the bids for CR 333 came in higher than expected. He requested authorization to transfer \$153,652 from the CR 97 project to the CR 333 project.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$153,652 FROM THE CR 97 PROJECT TO THE CR 333 MADE BY MR. NICHOLS. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. *Inter-Municipal Agreement for Paint Striping Truck* – Mr. Spagnoletti informed the committee we have an inter-municipal agreement with Schuyler and Yates for the shared use of a paint striping truck. In the original agreement, we included a separate line item (Striper Repairs in Trust) for maintenance and repairs, totaling \$10,000 per year, which each county pays a share of, and Steuben’s share is \$6,900. The paint truck requires a \$25,626 upgrade and Steuben’s share of the upgrade is \$17,785. He requested authorization to amend the inter-municipal agreement to add the \$25,626 to the Striper Repairs in Trust line item, bringing the total to \$35,626 in that account. He noted this increase is only for one year and then will revert back to the \$10,000 per year. Steuben’s share of the paint truck upgrade is \$17,785 and he requested authorization to transfer that amount from the Striping Pavement Account to the Striper Repairs in Trust account.

Mr. Swackhamer asked what type of upgrade does the paint truck need? Mr. Spagnoletti replied over the past couple of years they have had an issue with the application of the reflective beads.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO AMEND THE INTER-MUNICIPAL AGREEMENT FOR THE PAINT STRIPING TRUCK TO INCLUDE AN UPGRADE TO THE TRUCK IN THE AMOUNT OF \$25,626 BRINGING THE TOTAL FOR THE YEAR FOR MAINTENANCE AND REPAIRS TO \$35,626 INSTEAD OF \$10,000 WITH EACH COUNTY PAYING A SHARE OF THAT AND AUTHORIZING A TRANSFER OF \$17,785 FROM THE STRIPING PAVEMENT ACCOUNT TO THE STRIPER REPAIRS IN TRUST ACCOUNT TO ACCOUNT FOR STEUBEN’S SHARE OF THE UPGRADE MADE BY MR. ROUSH. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

E. *County-Wide Shared Services Agreement* – Mr. Spagnoletti stated our county-wide shared services agreement includes the towns and villages. He requested authorization to add the cities to this agreement.

**MOTION: AUTHORIZING THE ADDITION OF THE CITIES OF CORNING AND HORNELL TO THE PUBLIC WORKS COUNTY-WIDE SHARED SERVICES AGREEMENT MADE BY MR. MALTER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

V. **BIDS**

A. *Undercarriage for CAT Dozer at Landfill* – Mr. Spagnoletti recommended rejecting all bids and to rebid as the bids should have been based on total cost, not line item cost.

**MOTION: REJECTING ALL BIDS FOR UNDERCARRIAGE OF CAT DOZER AT LANDFILL AND AUTHORIZING A REBID MADE BY MR. POTTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. *Traffic Control Supplies* – Mr. Spagnoletti recommended awarding on a line item basis.

**MOTION: AWARDING THE BID FOR TRAFFIC CONTROL SUPPLIES ON A LINE ITEM BASIS TO THE FOLLOWING BIDDERS: SHIRLEY’S OF BATH, SHIRLEY’S OF BATH – ALTERNATE BID #1 AND SIGNS & SAFETY EQUIPMENT, INC. MADE BY MR. POTTER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. *Industrial Electrical Services* – Mr. Spagnoletti recommended rejecting the bid as it does not include travel time which was to be included in the per hour price. Mr. Potter asked what does this cover? Mr. Orcutt replied if we have a little project that comes up, we have someone on retainer that can come in and do that. We also use them for anything that comes up that we cannot handle ourselves. This is a county-wide bid for all infrastructure and is done on a time and material basis.

**MOTION: REJECTING THE BID FOR INDUSTRIAL ELECTRICAL SERVICES AND AUTHORIZING A REBID MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

D. *Steel Sign Posts; Replacement Parts* – Mr. Spagnoletti recommended declaring Eberl Iron Works, Inc. a non-responsive bidder relative only to configuration #2 as they must bid all line items in configuration. He recommended awarding on a line item basis to all bidders.

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

E. *HDPE Pipes and Fittings* – Mr. Spagnoletti recommended awarding to Vari-Tech for a total price of \$10,449.84.

**MOTION: AWARDING THE BID FOR HDPE PIPES AND FITTINGS TO THE LOW BIDDER, VARI-TECH FOR A TOTAL PRICE OF \$10,449.84 MADE BY MR. POTTER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**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, June 3, 2019**

**10:00 a.m.**

**PLEASE PROVIDE AGENDA ITEMS**

**NO LATER THAN NOON**

**Monday, May 27, 2019**