

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Monday, April 3, 2023

10:05 a.m.

*Legislative Chambers, 3rd Floor, Annex Building
Bath, New York*

****MINUTES****

COMMITTEE:	Robert V. Nichols, Chair Nicholas D. Pelham	Frederick G. Potter, Vice Chair	Wendy Lozo
STAFF:	Jack K. Wheeler Todd Housel Nate Alderman Tammy Hurd-Harvey	Christopher Brewer Lisa Tracy Andy Morse	Jennifer Prossick Steve Orcutt Nate Holmes
LEGISLATORS:	Scott J. Van Etten Jeffrey P. Horton	Kelly H. Fitzpatrick Hilda T. Lando	Carol A. Ferratella John V. Malter
ABSENT:	Steven P. Maio		
OTHERS:	Mary Perham		

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 6, 2023, MEETING MADE BY MR. POTTER. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. HIGHWAY

A. *Requesting Authorization to Enter into a Temporary Easement Purchase Agreement* – Mr. Housel requested authorization to enter into a temporary easement purchase agreement with AEK Property Management, LLC for \$250.00. We are doing a bridge replacement on Cemetery Road in the Town of West Union and the owner has requested the County sign this agreement to allow us to work on their property. Additionally, it will also allow us to have an onsite detour.

MOTION: AUTHORIZING THE EXECUTION OF A TEMPORARY EASEMENT PURCHASE AGREEMENT WITH AEK PROPERTY MANAGEMENT, LLC FOR \$250.00 RELATED TO THE CEMETERY ROAD BRIDGE REPLACEMENT IN THE TOWN OF WEST UNION MADE BY MR. POTTER. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

B. *Requesting Authorization to Bid Paint Truck Controls and Software* – Mr. Housel stated in 2022 we had many issues without the paint application software. After many phone calls with the vendor it was determined that the software that controls the paint thickness and reflective beads is obsolete and will need to be updated. He noted they purchased the truck in 2007. The cost to upgrade the software will be \$35,000 - \$40,000.

Mr. Nichols asked is the truck still usable? Mr. Housel replied yes. With the outdated software it is just not putting out the correct thickness of paint. Mr. Nichols asked will we purchase the software and then bill Schuyler and Yates counties? Mr. Housel explained we pay 60 percent of the maintenance costs each year. A total of \$10,000 is put into the

fund for repairs and maintenance with Steuben contributing \$6,000, Yates contributing \$2,500 and Schuyler contributing \$1,500. We will use a similar structure to pay for the new software.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR THE PAINT TRUCK CONTROLS AND SOFTWARE MADE BY MRS. LOZO. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. *Year-End Budget Transfer* – Mr. Housel requested authorization to transfer \$78,714.50 from various accounts into the Machine Rent/Chargeback line. He noted this was approved by the Finance Committee in March.

MOTION: APPROVING THE TRANSFER OF \$78,714.50 FROM VARIOUS ACCOUNTS INTO THE MACHINE RENT/CHARGEBACK LINE ITEM IN THE HIGHWAY 2022 BUDGET MADE BY MR. PELHAM. SECONDED BY MRS. LOZO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

IV. **LANDFILL**

A. *Requesting Authorization to Issue RFP for Leachate Plant Engineering Study* – Mr. Housel commented the leachate pretreatment plan was built in 1996 at which time an engineering study was done. After 27 years of operation, this would be a good time to solicit an updated engineering study for the facility. Since the original design, the ability to test and identify PFOA's and other emerging contaminants and their prevalence in the environment will change the way waste water is treated. Mr. Orcutt stated we will just be updating what we have.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE AN RFP FOR THE LEACHATE PLANT ENGINEERING STUDY MADE BY MR. POTTER. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. *Authorization to Enter Into a Natural Gas Pipeline Easement with Corning Natural Gas Corporation* – Mr. Housel explained this is for the WAGA Energy RNG facility that is being constructed at the Landfill. Corning Natural Gas will be installing a natural gas pipeline that will receive the Landfill gas from the landfill and transport it to their pipeline at the intersection of CR 10 and Unionville. This line will traverse south on the Landfill property onto neighboring parcels. He requested authorization to enter into an easement for this purpose.

MOTION: AUTHORIZING THE EXECUTION OF A NATURAL GAS PIPELINE EASEMENT WITH CORNING NATURAL GAS CORPORATION MADE BY MR. POTTER. SECONDED BY MRS. LOZO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. *Memorializing Resolution* – Mr. Housel requested the Legislature adopt a resolution opposing waste disposal surcharges and requesting an exemption for planning units. New York State is proposing legislation to institute a disposal surcharge for packaging and printed papers. He noted that both NYSAC and NYSASWM have issued a joint letter opposing this and he is asking that the Legislature adopt a resolution opposing this surcharge. Mr. Nichols asked who would end up with the surcharge? Mr. Housel replied the State wants to add the surcharge to our tip fees. We are requesting that the surcharge instead go to the producers of the packaging and printed papers.

MOTION: OPPOSING WASTE DISPOSAL SURCHARGES AND REQUESTING AN EXEMPTION FOR PLANNING UNITS MADE BY MR. POTTER. SECONDED BY MRS. LOZO. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

D. *Requesting Authorization to Transfer Funds to the Bath Landfill Cell 7 and Cell 8 Capital Project* – Mr. Housel explained we budgeted \$15,181,165.26 into the Bath Landfill Cell 7 and Cell 8 Capital project. The actual construction cost has come in at \$17,211,721.47 and our project is underfunded. We do have funds available in other existing capital project lines, however, after reviewing the budget with Mr. Wheeler and Mrs. Hurd-Harvey, it was determined that we should transfer funds from the Landfill's Fund Balance rather than shorting the other capital projects. We have determined that we can safely access \$2.1 million from the Landfill Fund Balance. We would also like to appropriate \$190,000 as a separate capital project for updating the scale house and scales, which was incorporated into the

Cell 7 and Cell 8 project. He requested authorization to transfer a total of \$2,030,556.21 from the Landfill Fund Balance and \$190,000 from the scale house capital project for a total of \$2,190,000 to be appropriated to the Landfill Cell 7 and Cell 8 Capital Project. That will leave us with a \$159,000 cushion for the overall project.

Mr. Malter asked what will be the Fund Balance after this transfer? Mr. Wheeler stated we have \$22 million in cash for the Enterprise Fund. Mr. Nichols asked and we are going to take \$17 million out of that? Mr. Wheeler replied correct. Mr. Malter commented we need to look to see what we have been putting in the reserve so we know how long it will take to build it up again. How long will the cells last? Mr. Orcutt replied each cell will last 7 – 8 years. Mr. Wheeler stated we will work with Finance to get that number. Mr. Nichols commented that comes from the tip fees.

Mr. Potter asked was the Enterprise Fund set up for this purpose? Mr. Wheeler replied it was set up for Landfill purposes. This is a dedicated purpose that is also revenue generating. We keep the revenues from tip fees in this fund. When you look in the budget the “EL” is this separate fund.

Mr. Horton asked are we going to look at raising the tip fees? Mr. Orcutt replied we may need to look at doing that.

MOTION: AUTHORIZING THE TRANSFER OF \$2,030,556.21 FROM THE LANDFILL FUND BALANCE AND \$190,000 FROM THE SCALE HOUSE CAPITAL PROJECT AND APPROPRIATING THE TOTAL OF \$2,190,000 TO THE BATH LANDFILL CELL 7 AND CELL 8 CAPITAL PROJECT MADE BY MR. PELHAM. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

E. *Year-End Budget Transfer* – Mr. Housel requested authorization to transfer \$600,000 from various accounts into the Judgments and Claims line item in the 2022 Landfill Budget. He noted this was approved at the March Finance Committee.

MOTION: AUTHORIZING THE TRANSFER OF \$600,000 FROM VARIOUS ACCOUNTS INTO THE JUDGMENTS AND CLAIMS LINE ITEM IN THE 2022 LANDFILL BUDGET MADE BY MRS. LOZO. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. **BIDS**

A. *Gravel/Stone Crushing*

MOTION: AWARDING THE BID FOR GRAVEL/STONE CRUSHING TO THE LOW BIDDER, EMPIRE CRUSHING, LLC FOR \$103,750.00 MADE BY MR. POTTER. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. *Steel Sign Posts*

MOTION: DECLARING EBERL IRON WORKS A NON-RESPONSIVE BIDDER AND AWARDING THE BID FOR STEEL SIGN POSTS TO THE LOW BIDDER, CHEMUNG SUPPLY CORP. FOR A TOTAL EXTENDED PRICE OF \$34,424.00 AND \$14,670 FOR DELINEATOR POSTS MADE BY MR. POTTER. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

MOTION: AWARDING THE BID FOR PORTABLE TOILET RENTALS AND SERVICE(S) TO THE LOW BIDDER, JEFF'S PORTABLE TOILETS FOR A TOTAL COST OF \$13,328 AND AWARDING THE BID FOR SEPTIC TANK PUMPING TO THE LOW BIDDER, O'BRIENS SEPTIC FOR A TOTAL PRICE OF \$8,900.00 MADE BY MR. POTTER. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. *Compressors and Air Dryers*

MOTION: AWARDING THE BID FOR COMPRESSORS AND AIR DRYERS TO THE SOLE BIDDER, SOUTHWORTH MILTON, INC. FOR A TOTAL PRICE OF \$60,000.00 MADE BY MR. POTTER. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. *Subsurface Exploration and Geotechnical Engineering Service* – Mr. Housel explained this bid was just opened on Friday afternoon. He requested award to the Geotechnical Engineering Services pending approval from Delta Engineering and our engineers, Steve Catherman and Nate Holmes. He noted this will keep us on the construction schedule for CR 129 “The Wall”. They are recommending award to the lowest bidder, Atlantic Testing Labs for a total cost of \$23,600.00.

MOTION: AWARDING THE BID FOR SUBSURFACE EXPLORATION AND GEOTECHNICAL ENGINEERING SERVICE TO THE LOW BIDDER, ATLANTIC TESTING LABS FOR A TOTAL COST OF \$23,600.00 MADE BY MR. POTTER. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

VI. PERSONNEL

A. *Reclassifications* – Mr. Alderman requested authorization to reclassify a vacant Senior Account Clerk position, CSEA Grade G to a Senior Account Clerk-Typist, CSEA Grade I.

MOTION: AUTHORIZING THE RECLASSIFICATION OF A VACANT SENIOR ACCOUNT CLERK POSITION, CSEA GRADE G, TO A SENIOR ACCOUNT CLERK-TYPIST, CSEA GRADE I, IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. PELHAM. SECONDED BY MRS. LOZO. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. POTTER ABSENT FOR VOTE). Resolution Required.

Mr. Alderman requested authorization to fund and reclassify a zero-based District Supervisor position, CSEA Grade F, to a Building Supervisor, CSEA Grade M. Mr. Potter asked is this budgeted? Mr. Wheeler explained we have enough funded vacancies that we can absorb this.

MOTION: AUTHORIZING THE FUNDING AND RECLASSIFICATION OF A ZERO-BASED DISTRICT SUPERVISOR POSITION, CSEA GRADE N, TO BUILDING SUPERVISOR, CSEA GRADE M, IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. POTTER. SECONDED BY MRS. LOZO. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

VII. OTHER

A. *Introduction of Professional Engineer* – Mr. Housel introduced Nate Holmes who is their new Professional Engineer. Mr. Holmes started on March 20th. He graduated from RIT with a Bachelor’s Degree in Civil Engineer Technology and worked for the New York State Department of Transportation for six and a half years. *Welcome!*

MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. PELHAM. 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 1, 2023

9:30 a.m.

Please send agenda items to the Clerk of the Legislature’s Office

NO LATER THAN NOON

Monday, April 24, 2022