

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Monday, May 1, 2023

10:00 a.m.

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

****MINUTES****

COMMITTEE:	Robert V. Nichols, Chair Steven P. Maio	Frederick G. Potter, Vice Chair Nicholas D. Pelham	Wendy Lozo
STAFF:	Jack K. Wheeler Jennifer Galvan Steve Orcutt Brenda Scotchmer	Christopher Brewer Eric Rose Lisa Tracy	Jennifer Prossick Todd Housel Tammy Hurd-Harvey
LEGISLATORS:	Scott J. Van Etten James Kuhl	Kelly H. Fitzpatrick Hilda T. Lando	Carol A. Ferratella 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. Maio to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 3, 2023, MEETING MADE BY MR. PELHAM. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. HIGHWAY

A. *CR 41 Bridge Over Cutler Creek, Town of Corning* – Mr. Rose requested authorization to appropriate \$200,000 from the Road Improvement Account to the CR 41 Bridge Over Cutler Creek, Town of Corning project.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPROPRIATE \$200,000 FROM THE ROAD IMPROVEMENT ACCOUNT TO THE CR 41 BRIDGE OVER CUTLER CREEK, TOWN OF CORNING PROJECT MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *CHIPs Funding* – Mr. Rose requested authorization to appropriate a total of \$3,200,000 in CHIPs funding to the CR5, CR16, CR37, CR70, CR74, CR125, CR65 and CR112 road projects.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$3,200,000 IN CHIPS FUNDING TO THE FOLLOWING ROAD PROJECTS: CR5, CR16, CR37, CR70, CR74, CR125, CR65 AND CR112 MADE BY MR. POTTER. SECONDED BY MRS. LOZO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. *Appropriation from Road Improvement Account to Surface Treatment Account* – Mr. Rose requested authorization to appropriate \$61,329 from the Road Improvement Account to the Surface Treatment Account.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPROPRIATE \$61,329 FROM THE ROAD IMPROVEMENT ACCOUNT TO THE SURFACE TREATMENT ACCOUNT MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. *Approving Surface Treatment Road Projects* – Mr. Rose requested approval of Surface Treatment Road Projects on CR4, CR8, CR11, CR14, CR18, CR21, CR25, CR41, CR42, CR46, CR47, CR70, CR72, CR84, CR89, CR100, CR111, CR114, CR116 and CR119.

MOTION: APPROVING THE FOLLOWING SURFACE TREATMENT ROAD PROJECTS: CR4, CR8, CR11, CR14, CR18, CR21, CR25, CR41, CR42, CR46, CR47, CR70, CR72, CR84, CR89, CR100, CR111, CR114, CR116 AND CR119 MADE BY MRS. LOZO. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. LANDFILL

A. *Bath Landfill Cell 7 and 8 Change Order* – Mr. Rose explained during the cell excavation the contractor encountered a bedrock shelf between cell 7 and cell 8 where the two cells tie in. Multiple test pits and borings were conducted prior to excavation and the bedrock was not accounted for. This bedrock will need to be removed and the cost will be \$439,750. This exceeds the \$200,000 extra work allowance that was included in the project. He requested authorization to transfer \$500,000 from the Gas Collection Improvements Capital Project to cover this work. Mr. Rose noted that Barton & Loguidice has offered us a \$50,000 deduction from the final bill to help offset some of the cost.

Mr. Maio asked what is the square footage of the bedrock? Mr. Rose replied the bedrock is about 11,000 cubic yards and the additional site work is 23,000 cubic yards. Mr. Wheeler commented the contractor will need to go an additional 100 feet back from where they were.

Mr. Maio asked what is the standard for test borings? Mr. Rose replied they were within the industry standards. The question is do we set the contracts up differently in the future. Mr. Wheeler commented we have never run into this level of shale. We followed the same procedures we always have as they have worked. We will need to structure the bids differently in the future. This has been a big mess, but Barton and Loguidice are stepping up and helping us out with this. We will need to be ten feet from the bedrock.

Mr. Van Etten stated in my opinion we have to do this. The thing that upsets me is how did we get to \$200,000 for the contingency on a \$17 million project? Mr. Wheeler replied we talked about that and for the future we will carry a minimum of \$500,000.

Mr. Malter commented the project is \$2.5 million over from the original estimate and the cells last seven years. Will we generate enough revenue to do the next cell? Mr. Wheeler replied that is a discussion for you for next month and we are concerned about that. Mr. Van Etten stated that is a discussion, but also the continuation of the rate increases as well as the mix of what you are letting in. Mr. Nichols stated we will need to look at the whole thing. My personal opinion is that we have no choice but to remove the bedrock.

Mr. Wheeler stated what we can communicate to the contractor is that the standing committee has approved, but that it also has to go to the Full Legislature and that we cannot officially give them the go ahead. We have seen this in other projects and it is up to the contractor how they want to handle it.

MOTION: AUTHORIZING A CHANGE ORDER TO MARCY EXCAVATION IN THE AMOUNT OF \$439,750 FOR THE REMOVAL OF BEDROCK BETWEEN CELL 7 AND CELL 8 AT THE BATH LANDFILL AND AUTHORIZING THE TRANSFER OF \$500,000 FROM THE GAS COLLECTION IMPROVEMENTS CAPITAL PROJECT INTO THE BATH LANDFILL CELL 7 AND CELL 8 CAPITAL PROJECT TO COVER THE COST OF THE CHANGE ORDER MADE BY MR. PELHAM. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

V. BIDS

A. *Al-Jon Compactor for Parts*

MOTION: AWARDING THE BID FOR AN AL-JON COMPACTOR FOR PARTS TO THE SOLE BIDDER, KNIGHT SETTLEMENT SAND & GRAVEL FOR \$22,500 MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *Industrial Electrical Services*

MOTION: AWARDING THE BID FOR INDUSTRIAL ELECTRICAL SERVICES TO THE LOW BIDDER, MATCO ELECTRIC CORPORATION FOR \$101.95/HOUR FOR NORMAL HOURS; \$132.48/HOUR FOR EVENING/SATURDAY HOURS AND \$163.00/HOUR FOR HOLIDAYS AND SUNDAY HOURS MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. *Sale of Two Used CAT G3520C Gas Generator Sets and Ancillary Components*

MOTION: AWARDING THE BID FOR THE SALE OF TWO USED CAT G3520C GAS GENERATOR SETS AND ANCILLARY COMPONENTS TO THE SOLE BIDDER, CHRIN BROTHERS, INC. FOR \$750,000 MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. *Treatment Plant Chemicals*

MOTION: AWARDING THE BID FOR TREATMENT PLANT CHEMICALS TO THE LOW BIDDER, PVS-CDI CHEMICALS FOR SILICONE ANTIFOAM FOR A TOTAL PRICE OF \$28,875 AND FOR 32-40% FERRIC CHLORIDE SOLUTION FOR A TOTAL PRICE OF \$11,140 MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. *Hydroseeding*

MOTION: AUTHORIZING A ONE-YEAR CONTRACT WITH THE STEUBEN COUNTY SOIL & WATER CONSERVATION DISTRICT FOR HYDROSEEDING AT A RATE OF \$336.00 PER TANK OF CONSERVATION MIXTURE 2 AND \$422.00 PER TANK OF LAWN MIXTURE MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. OTHER BUSINESS

A. *Special Meeting* – Mr. Rose stated with the adoption of the State budget, they are expecting the award of CHIPS funding along with Extreme Winter Recovery, PaveNY and Pave Our Potholes funding. He requested authorization for a special meeting prior to the May Legislative Meeting to accept and appropriate those funds so that their vendors can start the projects.

B. *Striping* – Mr. Malter commented he received a complaint from a constituent regarding why there is no white stripe on CR36 from Atlanta to SR415? Mr. Rose stated not all roads call for a white stripe. He stated that he will check into that.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION AND 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. PELHAM. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY LOCATED IN THE TOWN OF ERWIN, FOR THE PURPOSE OF REPLACING AND MAINTAINING THEREON THE SMITH ROAD BRIDGE OVER THE COHOCTON RIVER MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: AUTHORIZING THE PURCHASE OF A TEMPORARY EASEMENT ON AND OVER CERTAIN REAL PROPERTY, LOCATED IN THE TOWN OF ERWIN, FOR THE PURPOSE OF REPLACING THEREON THE SMITH HILL ROAD BRIDGE OVER THE COHOCTON RIVER MADE BY MR. MAIO. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. PELHAM. SECONDED BY MR. POTTER. 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 5, 2023
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Tuesday, May 30, 2023**