

STEBEN COUNTY PUBLIC WORKS COMMITTEE

Monday, August 7, 2023

10:40 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 Eric Rose Lisa Tracy	Christopher Brewer Todd Housel Brenda Scotchmer	Jennifer Prossick Steve Orcutt
LEGISLATORS:	Scott J. Van Etten James Kuhl Gary D. Swackhamer	Kelly H. Fitzpatrick Hilda T. Lando Paul E. Van Caesele	Carol A. Ferratella John V. Malter
OTHERS:	Mary Perham Jeff Smith, <i>The Leader</i>	Robert Miles	Ursula Stone

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 10:40 a.m. and asked Mrs. Lozo to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JULY 3, 2023, AND JULY 24, 2023, MEETINGS MADE BY MR. PELHAM. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. HIGHWAY

A. *NYSDEC Gas Well Plugging* – Mr. Rose stated that NYSDEC and NYSOGS are seeking permission to seal and cap two abandoned natural gas wells located at Boyd’s Corners Park. Ms. Prossick commented some of these abandoned gas wells lie on County property and we expect there will be some publicity attached to this. Mr. Wheeler commented NSYDEC and NYSOGS would like to do a press event and it looks like it will be a good thing.

MOTION: AUTHORIZING NYSDEC AND NYSOGS TO SEAL AND CAP TWO ABANDONED NATURAL GAS WELLS LOCATED AT BOYD’S CORNERS PARK MADE BY MR. POTTER. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *Appropriate CHIPs Funding for Wood Road Bridge Improvements* – Mr. Rose requested authorization to appropriate \$100,000 in CHIPs funding for the Wood Road Bridge Improvements. This will include a new wood deck, connections and paving. Mr. Maio asked how old is the bridge? Mr. Wheeler replied it is a very old and historical bridge. Mr. Rose stated he believes it was built in 1890.

MOTION: AUTHORIZING COMMISSIONER OF PUBLIC WORKS TO APPROPRIATE \$100,000 IN CHIPS FUNDING FOR THE WOOD ROAD BRIDGE IMPROVEMENTS MADE BY MRS. LOZO. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. *Budget Transfer* – Mr. Rose informed the committee that they have completed work on the Dry Run Bridge and Five Corner Bridge. He requested authorization to transfer \$37,763.52 in Extreme Winter Recovery funds from the Dry Run Bridge and \$46,592.52 in Extreme Winter Recovery funds from the Five Corner Bridge and appropriate to the CR 41 Bridge.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER \$37,763.52 IN EXTREME WINTER RECOVERY FUNDS FROM THE DRY RUN BRIDGE AND \$46,592.52 IN EXTREME WINTER RECOVERY FUNDS FROM THE FIVE CORNER BRIDGE AND APPROPRIATE TO THE CR 41 BRIDGE MADE BY MR. PELHAM. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. *Authorization to Add Two Air Compressors to Major Equipment* – Mr. Rose requested authorization to add two air compressors to the Highway Major Equipment. Total cost is \$17,580 and one will be located at the Mt. Washington Shop and the other at the Curtis Shop.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ADD TWO AIR COMPRESSORS TO THE HIGHWAY MAJOR EQUIPMENT, TALLING \$17,580 MADE BY MR. MAIO. SECONDED BY MRS. LOZO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. *Consulting Engineer* – Mr. Rose stated we currently contract with Delta for bridge work consulting. Two of their key lead engineers are leaving the firm and this means there will be delays in getting information as we will no longer be assigned an engineer. We are at a good stopping point with Delta and we will be cancelling the remaining contract. Mr. Rose stated they do need assistance with their FEMA projects and they will be putting out an RFP for a firm to assist with the FEMA work.

F. *Heavy Duty Plow Truck Purchase* – Mr. Rose informed the committee that Peterbilt had quoted \$370,000 per truck for the 2023-2024 budget number. Two towns recently made purchases from Freightliner and Western Star and the specs were comparable to the County's. The Town of Woodhull purchased a truck from Western Star for \$275,000 and the Town of Hornellsville purchased a truck from Freightliner for \$256,000. Both trucks have an 8LL transmission. An automatic transmission would add \$15,000 per truck. We will look to possibly go out to bid for the other trucks.

Mr. Nichols asked is the \$370,000 per truck? Mr. Rose replied yes. He stated Mr. Housel has done a good job working on this. It looks like the EPA is pushing the same requirements onto the manufacturers and that everything with a DEF system, the manufacturers will have to warranty everything for up to 500,000 miles. Mr. Housel commented the actual component is \$5,000, but then they add \$10,000 for the warranty work.

Mr. Van Etten asked what are your thoughts on electric trucks? Mr. Rose replied we discussed this at our conference. At this point, it is not feasible. The State is focusing on school buses first. Mr. Housel stated the transition to plow trucks, cement mixers, etc. will be last.

IV. LANDFILL

A. *Authorization to Add Walking Floor Trailer to Major Equipment* – Mr. Rose requested authorization to add a walking floor trailer to the Landfill Major Equipment list. He stated that Memorial Day weekend they had a fire at the Hornell Transfer station. The 2023 Titan walking floor refuse trailer was damaged and covered by the insurance carrier for \$92,088. When we purchased it in 2022 we paid \$122,088.42. They currently have \$386,000 in the account. He noted the insurance carrier did allow us to keep the damaged trailer.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ADD A WALKING FLOOR TRAILER FOR THE HORNELL TRANSFER STATION TO THE LANDFILL MAJOR EQUIPMENT LIST MADE BY MR. PELHAM. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *Authorization to Purchase Walking Floor Trailer* – Mr. Rose requested authorization to purchase a walking floor trailer for the Hornell Transfer Station for \$127,472.14 from the National Cooperative HGAC through Ken's Truck Repair, Inc. Mr. Rose stated the manufacturer did inform us on Friday that there could be a price increase of up to 5 percent and we are waiting for a revised quote.

Mr. Malter asked what will be the price to rehabilitate the old trailer? Mr. Rose replied between \$5,000 and \$8,000. Mr. Wheeler stated kudos to Mr. Rose and his crew for working on this. Our insurance carrier was comfortable with the process and with us keeping the damaged trailer.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PURCHASE A WALKING FLOOR TRAILER FROM THE NATIONAL COOPERATIVE HGAC THROUGH KEN'S TRUCK REPAIR, INC. FOR AN ESTIMATED COST OF \$127,472.14 WITH A POTENTIAL FOR UP TO A FIVE PERCENT INCREASE MADE BY MR. POTTER. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. *Authorization to Enter into Easement with Corning Natural Gas* – Mr. Rose requested authorization to enter into an easement with Corning Natural Gas to utilize the site road to the Landfill Gas to Energy Facility to ensure access to their metering station and pipeline infrastructure.

MOTION: AUTHORIZING AN EASEMENT WITH CORNING NATURAL GAS TO UTILIZE THE SITE ROAD TO THE LANDFILL GAS TO ENERGY FACILITY MADE BY MR. MAIO. SECONDED BY MRS. LOZO. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Rose reported that everything is out of the plant and things are going smoothly with WAGA and they are doing a wonderful job. Mr. Nichols asked what are we doing with the building? Mr. Orcutt replied WAGA is utilizing a small portion of the building and we will need to determine what to do with the remaining portion.

D. *Village of Addison Demolition Project* – Mr. Wheeler stated in the Village of Addison, a roof collapsed on a building on Main Street. The structure was deemed unsafe by an engineer consulting for the Village and an asbestos survey was not conducted. The project was classified as a controlled demolition due to the potential for asbestos. The municipal tip fee for friable asbestos is \$125.00 per ton and the commercial rate is \$250.00 per ton. The Village disposed of 535.24 tons for a total cost of \$66,905. The Village has approached us to ask for a fee reduction. Mr. Wheeler stated there are a couple of options to consider. The first option would be to offer the commercial C&D rate of \$47.00 per ton, which would total \$25,156.28. The second option would be to offer the municipal C&D rate of \$30.00 per ton, which would total \$16,057.20. Mr. Wheeler stated the recommendation, given the unique situation, would be to offer the municipal C&D rate of \$30.00 per ton.

Mr. Maio asked why is the Village bearing this cost? Robert Miles, Addison Village Mayor, stated the building is owned by an individual and they are behind on their water and sewer bills. When the roof collapsed we had to close SR 417 and NYSDOT wanted the building down so they could reopen the road. We are asking for a reduction in the tip fee. The property owner did not have insurance on the building and the Village had to take action to get the building down.

Mr. Maio asked, assuming the Village can recover the cost, can we still bill for the entire amount? Mr. Wheeler replied our recommendation would be to either not take action or drop the rate to the municipal C&D rate of \$30.00 per ton. Mr. Nichols stated we have a policy for five building demolitions per year with no tip fee if the municipality owns the building. Because the Village does not own the building, we cannot go to zero and we have set that policy. Mr. Pelham commented at the end of the day the property will end up in the tax sale.

Mr. Van Etten commented my concern is the building collapsed and could not be managed as an asbestos abatement project. If we give a break on that, I don't want to set a precedent for the future. The property already has back taxes and the County will be foreclosing in the next year or so. I would want to make sure the Village does not place any liens against the property.

Mr. Malter commented if the Village goes after the individual and they place a lien for \$60,000, that will not be extinguished in the tax sale. We have some liability here. If the owner deeded the property to the Village, what would happen with the liens at that point as the Village would then own the property? Mayor Miles stated we could not sell the property for what is owed. Ms. Prossick clarified there are back taxes that are owed to the County.

Ms. Fitzpatrick stated we could choose to not take title. What dollar amount would we be making the Village whole for? Ms. Prossick replied it depends what is on the tax bill. Mayor Miles replied there is \$24,000 in back taxes and they are on the second year.

Mr. Van Etten asked if the Village puts a lien on the property for the landfill fee of \$16,000, when we send out the tax bill, will that be included? The County would make the Village right if they did that. Mr. Maio commented we would need a commitment from the Village that they would not do that. Mr. Van Etten stated we have to collect money from everyone that comes to the landfill, other than the five exemptions per year. Mr. Maio stated we have the municipal rate that is discounted already. What is the point of having a municipal rate if we always make an exception? Mr. Wheeler explained you put the policy in place for those instances of a few emergencies. We have a municipal rate in place that are used in other circumstances that are not deemed emergencies.

Mr. Nichols stated if we foreclose down the road, there will be over \$100,000 owed with the back taxes. Mr. Van Etten stated if a lien is placed on the parcel, in that year do we make it right, or only under foreclosure? If you make it right in that year, there is zero cost at the landfill. Mr. Wheeler stated that is the Pandora's box; if the County eats the cost of the lien for the demolition. We don't want that. Mr. Van Etten stated I think more discussion needs to occur.

Mayor Miles stated this demolition was deemed a matter of public safety. Ms. Prossick stated the assumption is that if the owner remains the owner, you are out the money. Mr. Pelham stated the Village of Addison is in the position to pay the County and we would collect our fee. Mr. Wheeler requested the committee just hold this for future discussion and not apply any late charges. The Village has the bill at the haz mat rate. Mayor Miles stated the current bill is \$66,905 and we will proceed until he hears otherwise.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO WAIVE LATE FEE CHARGES RELATIVE TO THE DEMOLITION OF A PROPERTY ON MAIN STREET IN THE VILLAGE OF ADDISON MADE BY MR. MAIO. SECONDED BY MRS. LOZO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. BIDS

A. *Pavement Marking Painting* – Mr. Nichols asked why do we have a contract when we have a paving truck? Mr. Rose explained this is for specialized pavement markings including railroad, stop lines, crosswalks, school crossings, etc.

MOTION: AWARDING THE BID FOR PAVEMENT MARKING PAINTING TO THE SOLE BIDDER, ZEBRA PAINT STRIPING FOR A TOTAL PRICE OF \$11,995.00 MADE BY MR. PELHAM. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *Ice Control Sand: FOB Plant Site*

MOTION: AWARDING THE BID FOR ICE CONTROL SAND: FOB PLANT SITE TO THE FOLLOWING BIDDERS BASED ON F.O.B. PLUS STEUBEN COUNTY PUBLIC WORKS TRUCKING COSTS: DALYRYMPLE GRAVEL & CONTRACTING CO., INC.; KNIGHT SETTLEMENT SAND & GRAVEL; NEW ENTERPRISE STONE & LIME CO., INC.; AND SPALLINA MATERIALS, INC. MADE BY MR. PELHAM. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. *Highway Striping Truck Paint System Controls Replacement*

MOTION: AWARDING THE BID FOR HIGHWAY STRIPING TRUCK PAINT SYSTEM CONTROLS REPLACEMENT TO THE LOW BIDDER, CORE EQUIPMENT USA, INC. FOR A TOTAL AMOUNT OF \$27,049.00 MADE BY MR. PELHAM. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. *Paving Services: Wood Road Metal Truss Bridge – Town of Campbell*

MOTION: AWARDING THE BID FOR PAVING SERVICES: WOOD ROAD METAL TRUSS BRIDGE – TOWN OF CAMPBELL TO THE LOW BIDDER, FELLOWS BLACKTOP, LLC FOR A TOTAL PRICE OF \$11,892.00 MADE BY MR. PELHAM. SECONDED BY MR. MAIO. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. OTHER BUSINESS

A. *Town of Addison's Building Inspector/Code Enforcement* – Mr. Rose informed the committee they solicited quotes for Building Inspector/Code Enforcement Services for the Town of Addison. He recommended awarding the contract to the low quote submitted by Charles A. Cagle at a rate of \$25.00 per hour. This will be a 17-month contract ending December 31, 2024.

Ms. Prossick explained under State law, each town and village has to do their own code enforcement. If they cannot, they may pass a local law to have the County provide that service. We have been providing this service to the Town of Addison since 1994.

MOTION: AWARDING THE CONTRACT FOR BUILDING INSPECTOR/CODE ENFORCEMENT SERVICES FOR THE TOWN OF ADDISON TO CHARLES A. CAGLE AT A RATE OF \$25.00 PER HOURS FOR A 17-MONTH TERM ENDING DECEMBER 31, 2024 MADE BY MRS. LOZO. SECONDED BY MR. PELHAM. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. *2023 Work Zone Equipment Package Competition Award* – Mr. Rose stated that Public Works and PERMA were one of the winners of the 2023 Work Zone Equipment Package Competition which is funded by a grant from the NYS Governor's Traffic Safety Committee. The award is given to agencies in need of replacement equipment due to unforeseen circumstances. He noted they will be using this award for signage and stop/go paddles.

C. *Tire Dollar Days* – Mr. Rose reported at our last tire Dollar Days event we brought in 17,600 tires. This program is doing well. Mr. Nichols asked where do the tires go? Mr. Orcutt replied they go to Lockport and they are shredded for use in playgrounds, etc.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

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

****PLEASE NOTE CHANGE** Monday, September 11, 2023 **PLEASE NOTE CHANGE**
9:30 a.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Tuesday, September 5, 2023**