**MINUTES**

COMMITTEE: Gary B. Roush, Vice Chair  
John V. Malter  
Robert V. Nichols  
Frederick G. Potter

STAFF: Jack K. Wheeler  
Christopher Brewer  
Vince Spagnoletti  
Jennifer Prossick  
Craig Patrick  
Steve Orcutt  
Jerry Miller  
Lisa Tracy

LEGISLATORS: Scott J. Van Etten  
Robin K. Lattimer  
Kelly H. Fitzpatrick K.  
Jeffrey P. Horton  
Hilda T. Lando

ABSENT: Gary D. Swackhamer, Chair

OTHERS: Mary Perham

I. CALL TO ORDER

Mr. Roush called the meeting to order at 10:00 a.m. and asked Mr. Nichols to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 2, 2019, MINUTES MADE BY MR. NICHOLS. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. BIDS

A. Prestressed Concrete Bridge Beams – Hurlburt Street Over Marsh Ditch, Town of Hornellsville

MOTION: AWARDSING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS – HURLBURT STREET OVER MARSH DITCH, TOWN OF HORNELLSVILLE, TO THE LOW BIDDER, L.C. WHITFORD FOR A TOTAL PRICE OF $50,300 MADE BY MR. MALTER. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Lubricants

MOTION: AWARDSING THE BID FOR LUBRICANTS TO THE LOW BIDDER, BWE, LLC FOR A TOTAL PRICE OF $192,439.26 MADE BY MR. MALTER. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Heavy Duty Ten Wheel Trucks – Mr. Spagnoletti recommended this bid be awarded for both automatic and standard transmission. His department will be purchasing three automatic transmission trucks, but this is also open to towns that would like to purchase. Mr. Spagnoletti recommended declaring Fleet (1), Fleet (2), and Fleet (3) an unresponsive bidder as they did not meet the bid specifications; they bid a steel cab instead of an aluminum cab.
MOTION: DECLARING FLEET (1), FLEET (2) AND FLEET (3) AS AN UNEFFECTIVE BIDDER FOR BOTH THE AUTOMATIC AND STANDARD TRANSMISSION AND AWARDING THE BID FOR HEAVY DUTY TEN WHEEL TRUCKS AUTOMATIC TRANSMISSION TO THE LOW BIDDER, UTICA GENERAL FOR $228,906 PER UNIT AND FOR STANDARD TRANSMISSION TO THE LOW BIDDER UTICA GENERAL FOR $217,841 PER UNIT MADE BY MR. MALTER. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. MALTER. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

MOTION: TO ADJOURN MADE BY MR. NICHOLS. 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, February 3, 2020
10:00 a.m.

PLEASE PROVIDE AGENDA ITEMS
NO LATER THAN NOON
Monday, January 27, 2020
**MINUTES**

**COMMITTEE:**
- Robert V. Nichols, Chair
- Frederick G. Potter, Vice Chair
- Jeffrey P. Horton
- Thomas J. Ryan

**STAFF:**
- Jack K. Wheeler
- Jennifer Prossick
- Steve Orcutt
- Lisa Tracy
- Christopher Brewer
- Jerry Miller
- Doug Rapalee
- Craig Patrick
- Vince Spagnoletti
- Rich Bills
- Andrew Barbato

**LEGISLATORS:**
- Scott J. Van Etten
- Carol A. Ferratella
- K. Michael Hanna
- Steven P. Maio
- Kelly H. Fitzpatrick
- John V. Malter

**ABSENT:**
- Aaron I. Mullen

**OTHERS:**
- Mary Perham

I. **CALL TO ORDER**

Mr. Nichols called the meeting to order at 10:20 a.m. and asked Mr. Horton to lead the Pledge of Allegiance.

II. **APPROVAL OF MINUTES**

**MOTION:** APPROVING THE MINUTES OF THE JANUARY 6, 2019, MEETING MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. **LANDFILLS**

A. **City of Hornell Request to Waive Tip Fee for Preston Avenue Fire Debris** – Mr. Spagnoletti informed the committee they have received an application from the City of Hornell to waive the tip fee for the Preston Avenue fire debris, which consists of five houses. This would be approximately 900 tons of material. The normal rate is $125 per ton. We estimate the cost would be between $60,000 - $120,000 that we would not be charging them.

Mr. Brewer stated we would like to have two contingencies with this. First, prior to any hauling, the deeds need to be filed in the County Clerk’s Office. Second, all taxes must be paid and current. Mr. Nichols asked are the deeds to the City of Hornell? Mr. Brewer replied yes; they have not been filed yet. Mr. Wheeler explained the concern is that if the deeds are not filed then the question is who are the properties insured under.

Mr. Potter asked our only obligation is for trucking? Mr. Spagnoletti replied yes. The demo and loading will be done by someone else. Mr. Brewer stated there were five parcels. Each parcel by itself is not a buildable lot. However, when combined, they will become two buildable lots and the Mayor plans to have BOCES building two homes.

Mrs. Ferratella asked what about insurance? Mr. Brewer replied the insurance is through the existing homeowner. Three of the five buildings were owned by one owner and they have been paid out by their insurance. The contractor is already paid for and is being held in escrow. Everything has been settled with all insurance companies. Mr. Potter asked with the insurance money that was paid, was any money specified in those policies to cover disposal of debris? Mr. Brewer replied we do not know specifically. Three of the homes are owned by one owner and everything is above board and is
fine. One home had a lien and was indigent and the contractor is doing that for free. The final home had a limited insurance policy. After everything is done, all of the costs will be paid. Mr. Wheeler stated the contract is between the City of Hornell and the contractor.

Mr. Nichols asked is there any money after the demolition that the City is getting to use toward this? Mr. Brewer replied the City is not receiving any funds. The landfill will track what comes in and we will report back with the actual tonnage.

Mr. Maio stated we should have a cap on the waiver. Mr. Nichols stated normally, this would have been the five for the year. Mr. Maio stated it is about how much revenue you are giving up. Mr. Wheeler stated it is, but without the waiver there is no guarantee of what debris would have gone to our landfill. This really is a space cost. Mr. Spagnoletti commented our cost is about $18,000. Mr. Wheeler stated you can view the trucking as a shared service. On the high side, our cost is $30,000.

Mr. Potter asked can the City of Hornell contribute trucks? Mr. Brewer replied no, they do not have the 10-wheel trucks that we have. Mr. Malter commented they are going to have two lots, will put in new housing and that will increase the assessment. Eventually, you will get the money back on the taxes. Mr. Potter asked are there contaminated soils that will need to be removed? Mr. Spagnoletti replied we do not know that yet.

MOTION: APPROVING THE CITY OF HORNELL’S REQUEST TO WAIVE THE TIP FEE FOR THE PRESTON AVENUE FIRE DEBRIS WHICH CONSISTS OF FIVE HOUSES CONTINGENT UPON THE FIVE DEEDS BEING FILED IN THE COUNTY CLERK’S OFFICE AND ALL TAXES BEING PAID AND CURRENT MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Sludge Tip Fee – Mr. Spagnoletti requested authorization to raise the fees we charge for stabilized and unstabilized sludge. Currently the fee for stabilized sludge is $36 per ton and he would recommend raising that to $37 per ton. The fee for unstabilized sludge is $36 per ton and he would recommend raising that to $50 per ton. Mr. Spagnoletti stated we receive about 4,000–5,000 of each type of sludge each year. The market rate is up to around $55 per ton. For the stabilized sludge, we are matching Bath Electric Gas & Water’s rate in our agreement. Ms. Prossick stated the rate for unstabilized sludge is higher as it is more costly for us to process.

MOTION: AUTHORIZING A TIP FEE INCREASE FOR STABILIZED SLUDGE FROM $36 PER TON TO $37 PER TON AND FOR UNSTABILIZED SLUDGE FROM $36 PER TON TO $50 PER TON MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

C. Carbon Credits – Mr. Malter asked what is the status of our carbon credit? Mr. Spagnoletti replied we received $101,000 for 2018. We are currently in the process of verifying the savings for 2019 and then we will turn that into Google. He anticipates it will probably be another $100,000.

D. Gas to Energy Plant – Mr. Van Etten asked did we close on SREC? Ms. Prossick replied yes, a couple of weeks ago. Mr. Spagnoletti stated we are working on the RFP.

IV. HIGHWAYS
A. Maintenance Agreement with NYS DOT – CR 60 – Mr. Spagnoletti requested authorization to enter into a maintenance agreement with NYS DOT for the County to maintain .016 miles of CR 60 upon completion of the NY 248 bridge replacement project over Bennett’s Creek in Greenwood.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A MAINTENANCE AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE COUNTY TO MAINTAIN .016 MILES OF CR 60 UPON COMPLETION OF THE NY 248 BRIDGE REPLACEMENT PROJECT OVER BENNETT’S CREEK IN GREENWOOD MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.
B. Approval to Bid New Stone Chip Spreader Machine – Mr. Spagnoletti requested authorization to bid for a new stone chip spreader machine. We chip seal 40 – 100 miles of County roads per year and use this to do a number of town roads. Last year a car hit our machine, which was 26 years old. The cost to repair would be between $75,000 - $100,000. The cost to purchase new would be $300,000. He stated they received $50,000 for the damage to their machine which they can put toward the cost of the new machine.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR A NEW STONE CHIP SPREADER MACHINE MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

V. PARKS

A. Authorization to Bid Timber Sale at Hornby Park – Mr. Spagnoletti informed the committee that last year a forester came in and looked at all of our land for timber. He stated that Mr. Barbato has been working very closely on this. There is a good Ash stand on the back side of Hornby Park. He requested authorization to solicit bids to log that section of the park. Mr. Barbato explained this section is hardwoods and the logger would be taking the Ash along with lower quality trees which will improve the health of the hardwoods. Once the bid is awarded, they will have a 16-month window and once they start, the logging will take two to three weeks.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR LOGGING OF A SECTION OF HORNBY PARK MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. No Charge to Finger Lakes Trail Volunteer Workers at Kanakadea Park – Mr. Spagnoletti informed the committee that the Finger Lakes Trail connects into Kanakadea Park. There is a lean-to and an outhouse on our land on the trail. A crew of Finger Lakes Trail volunteers will be coming in May to rebuild the lean-to and outhouse. They have asked to be able to stay for four nights, using two cabins and one electric and one non-electric site. The normal charge would be $700, but he is requesting authorization to waive the site fee for the volunteer workers.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO WAIVE THE SITE FEES FOR THE FINGER LAKES TRAIL VOLUNTEER WORKERS FOR FOUR NIGHTS DURING THE MONTH OF MAY FOR TWO CABINS, PLUS ONE ELECTRIC AND ONE NON-ELECTRIC SITE MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

VI. BIDS

A. Pothole Machine Rental

MOTION: AWARDING THE BID FOR POTHOLE MACHINE RENTAL TO THE LOW BIDDER, MONROE TRACTOR FOR A TOTAL COST OF $39,250 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

B. Roller Rental

MOTION: AWARDING THE ROLLER RENTAL BID AS FOLLOWS: 84” DOUBLE DRUM ROLLERS TO THE LOW BIDDER, GEORGE & SWEDER FOR A TOTAL COST OF $46,200; SINGLE DRUM PADFOOT ROLLERS TO THE LOW BIDDER, ADMAR SUPPLY CO., INC. FOR A TOTAL COST OF $11,500; AND RUBBER TIRE ROLLER TO THE LOW BIDDER, STEPHENSON EQUIPMENT, INC. FOR A TOTAL COST OF $15,000 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

C. Prestressed Concrete Bridge Beams; Macadam Road Over Rice Glen Creek, Town of Howard
MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; MACADAM ROAD OVER RICE GLEN CREEK, TOWN OF HOWARD, TO THE LOW BIDDER, L. C. WHITFORD MATERIALS CO., INC. FOR A TOTAL PRICE OF $50,000 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

D. Prestressed Concrete Bridge Beams; Merring Road Over North Branch Tuscarora Creek, Town of Rathbone

MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; MERRING ROAD OVER NORTH BRANCH TUSCARORA CREEK, TOWN OF RATHBONE, TO THE LOW BIDDER, JEFFERSON CONCRETE CORP. FOR A TOTAL PRICE OF $76,185 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

E. Ready Mix Concrete

MOTION: AWARDING THE BID FOR READY MIX CONCRETE TO THE FOLLOWING: QUADRANT 1 TO CUSTOM-MIX CONCRETE AT A RATE OF $142.00/CUBIC YARD FOR CLASS A, $144.00/CUBIC YARD FOR CLASS H AND $120.00/CUBIC YARD FOR CLSM; QUADRANT 2 TO CUSTOM-MIX CONCRETE AT A RATE OF $144.00/CUBIC YARD FOR CLASS A, $146.00/CUBIC YARD FOR CLASS H AND $122.00/CUBIC YARD FOR CLSM; QUADRANT 3 TO SPALLINA MATERIALS, INC. AT A RATE OF $136.00/CUBIC YARD FOR CLASS A, $140.00/CUBIC YARD FOR CLASS H AND $110.00/CUBIC YARD FOR CLSM; AND QUADRANT 4 TO SPALLINA MATERIALS, INC. AT A RATE OF $141.00/CUBIC YARD FOR CLASS A, $145.00/CUBIC YARD FOR CLASS H AND $121.00/CUBIC YARD FOR CLSM MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

F. Concrete Blocks

MOTION: AWARDING THE BID FOR CONCRETE BLOCKS TO THE SOLE BIDDER, CUSTOM-MIX CONCRETE, INC. MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

G. Industrial Mechanical Services

MOTION: AWARDING THE BID FOR INDUSTRIAL MECHANICAL SERVICES TO THE LOW BIDDER, JOHN W. DANFORTH COMPANY AT AN HOURLY RATE OF $91.49 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

H. Dresser Motor Grader Transmission Parts

MOTION: AWARDING THE BID FOR DRESSER MOTOR GRADER TRANSMISSION PARTS TO THE LOW BIDDER, MONROE TRACTOR & IMPLEMENT CO., INC. FOR A TOTAL COST OF $10,188.38 MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

VII. OTHER BUSINESS

A. Budget Transfer – Mr. Spagnoletti requested authorization to transfer $24,000 from the 2019 Major Equipment line to the 2019 contractual line to pay for year-end invoices.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER $24,000 FROM THE 2019 MAJOR EQUIPMENT LINE TO THE 2019 CONTRACTUAL LINE TO PAY FOR YEAR-END INVOICES MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.
B. **New York State Solid Waste Association** – Mr. Spagnoletti informed the committee that Rich Bills is the President of the New York State Solid Waste Association and he recently gave a presentation at the January NYSAC Conference.

C. **Caton Shop** – Mr. Van Etten asked we are still not in the Caton Shop? The bid was awarded on March 4, 2019. Mr. Spagnoletti stated the shop is substantially completed. We are taking our time to get it done right. The final walk through is scheduled for tomorrow morning. Mr. Van Etten asked did we expect that it would take a year? Mr. Spagnoletti replied when we bid it, we expected that it would take all of 2019. By rejecting the bid and rebidding, we changed the scope of work and saved $250,000. We knew it would take longer and the contractor is doing a good job.

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 ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

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

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PURCHASE 1.6 ACRES ADJACENT TO THE CEMETERY BRIDGE ON CR 119 IN THE TOWN OF CAMERON FOR A PURCHASE PRICE NOT TO EXCEED $5,000 MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**  
Monday, March 2, 2020  
Legislative Committee Room  
10:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office  
NO LATER THAN NOON  
I. CALL TO ORDER

Mr. Nichols called the meeting to order at 10:00 a.m. and asked Mr. Ryan to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 3, 2020, MEETING MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. OTHER BUSINESS

A. Soil & Water Conservation District – Mr. Parker stated the County has already done the aggregate bid pricing and we work off those prices for our projects and projects for the municipalities. The issue we have run into is that Seneca Stone is the low bid, however, we are having a tough time getting enough trucks to get the stone from Seneca Stone. This is an 80-mile round trip and we can do four loads in a day which is about 90 tons of rock. The other issue is that he and the bridge crew have small, tight spots that we cannot get the tractor trailer loads dumped into. We were thinking that because we have the FOB price at the quarry that it may be possible to put out our own truck bid to be able to acquire additional trucks when needed. Mr. Potter asked are there are other suppliers that would be closer? Mr. Parker replied not at this point. Mr. Rapalee stated the next closest would be Hanson. Mr. Spagnoletti commented the other issue is that Blades is running out of stone. This would be a simple bid to put out. Mr. Wheeler asked would we be doing this for the County instead of Soil & Water? Mr. Spagnoletti replied the County would put out the bid and Soil & Water would use it. He requested authorization to issue the bid.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE A BID FOR TRUCK HAULING MADE BY MR. RYAN. SECONDED BY MR. HORTON FOR DISCUSSION.

Mr. Van Etten asked would the bid require a set amount per day? Mr. Parker stated no, he thinks it would be per ton. Mr. Rapalee commented Seneca Stone only has one hauler.
III. LANDFILLS
   A. Authorize Tip Fee Waiver for Town of Erwin House Demolition – Mr. Spagnoletti informed the committee they received a request from the Town of Erwin for a tip fee waiver for a house demolition. This demolition is about 130 tons and the fee would be $3,900. He requested authorization to waive the tip fee.

MOTION: AUTHORIZING A TIP FEE WAIVER FOR THE TOWN OF ERWIN FOR A HOUSE DEMOLITION MADE BY MR. MULLEN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Authorize Tip Fee Waiver for Town Roadside Cleanup Week – Mr. Spagnoletti requested authorization to hold the annual Town Roadside Cleanup Week and to waive the tip fee. Last year, the total cost for the two cities, one village and nine towns that participated was $3,000.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO HOLD THE ANNUAL TOWN ROADSIDE CLEANUP WEEK AND TO WAIVE THE TIP FEES FOR THIS EVENT MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Authorize Tip Fee Change for Tire Dollar Days – Mr. Spagnoletti stated last year the Legislature authorized Tire Dollar Days and changed the tip fee for that event to $1 per tire. Last year we brought in 22,300 tires. He requested authorization to hold this event again this year and they will hold it at the Bath Landfill and either the Hornell or Wayland transfer station.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO HOLD TIRE DOLLAR DAYS AND CHANGING THE TIP FEE FOR THAT EVENT TO $1.00 PER TIRE MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Nichols asked will you be holding an electronics day event? Mr. Spagnoletti replied we take electronics all the time and charge $15 for televisions.

D. Boom Mower for Landfill – Mr. Spagnoletti informed the committee that the Woodhull and Cohocton highway shops currently do not have a boom mower and we could use one more. The Town of Hornellsville has a 2018 boom mower that they would like to sell for $130,000. He requested authorization to purchase the boom mower from the Town of Hornellsville and add this purchase to the Landfill Major Equipment list. Additionally, he would like to remove the $160,000 Tractor with Boom Mower from the Highway Major Equipment list. Mr. Van Etten asked since you are pulling that $160,000 out of the Highway Major Equipment line, will you still be spending that on something else? Mr. Spagnoletti replied no, we are just removing it from the list.

MOTION: AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH THE TOWN OF HORNELLSVILLE FOR THE PURCHASE OF A 2018 TRACTOR WITH BOOM MOWER FOR A TOTAL COST OF $130,000; ADDING THE TRACTOR WITH BOOM MOWER TO THE LANDFILL MAJOR EQUIPMENT LIST ($130,000) AND REMOVING THE TRACTOR WITH BOOM MOWER FROM THE HIGHWAY MAJOR EQUIPMENT LIST ($160,000) MADE BY MR. MULLEN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

IV. HIGHWAYS
   A. 2020 Road and Bridge Program – Mr. Spagnoletti reviewed the 2020 Road and Bridge programs with the Committee.

V. BIDS
   A. RFP – Collection and Disposal of Household Hazardous Waste
MOTION: AWARDING THE RFP FOR THE COLLECTION AND DISPOSAL OF HOUSEHOLD HAZARDOUS WASTE TO MXI ENVIRONMENTAL SERVICES FOR A TOTAL PRICE OF $24,050.00 MADE BY MR. MULLEN, SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Guide Rail Materials

MOTION: AWARDING THE BID FOR GUIDE RAIL MATERIALS TO THE LOW BIDDER, SHIRLEY’S OF BATH FOR A TOTAL PRICE OF $167,070.20 MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Concrete Pumping Services

MOTION: AWARDING THE BID FOR CONCRETE PUMPING SERVICES TO THE SOLE BIDDER, CANANDAIGUA CONCRETE PUMPING, INC. MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Reinforced Steel Bars

MOTION: AWARDING THE BID FOR REINFORCED STEEL BARS TO THE LOW BIDDER, SHIRLEY’S OF BATH FOR A TOTAL PRICE OF $35,690 MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Prestressed Concrete Bridge Beams; Steuben County Bridge #26-6-1, Bunker Hill Road Over Mine Creek, Town of Tuscarora

MOTION: AWARDING THE BID FOR PRESTRESSED CONCRETE BRIDGE BEAMS; STEUBEN COUNTY BRIDGE #26-6-1, BUNKER HILL ROAD OVER MINE CREEK, TOWN OF TUSCARORA TO THE LOW BIDDER, L.C. WHITEFORD FOR A TOTAL PRICE OF $59,000 MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Chip Spreader – Mr. Spagnoletti recommended rejecting this bid and rebidding. Mr. Van Etten asked what is the basis for rejecting? Ms. Prossick replied legally speaking, you do not have to have a reason. Mr. Spagnoletti stated he would like to rebid to get more choices and he thinks the pricing will be better.

MOTION: REJECTING THE BIDS FOR THE CHIP SPREADER AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO REBID MADE BY MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

G. Sale of Forest Products – Hornby County Park – Mr. Spagnoletti recommended awarding to the sole bidder, Double Aught Lumber for $27,539. Mr. Ryan commented he feels like you should still sell the tops. Mr. Barbato replied we did not think it would be worth it; you might get a couple thousand dollars and it makes a mess. The tree tops have a lot of nutrients and they will also protect the seedlings that are coming from deer browsing.

Mr. Spagnoletti stated we can talk to the forester and look at the tops. Mr. Potter commented any restoration work will be destroyed if someone else is coming in and taking the tops.

Mr. Malter asked what about the rest of our properties? Mr. Spagnoletti replied we will do those at a later date.

MOTION: AWARDING THE BID FOR SALE OF FOREST PRODUCTS – HORNBY COUNTY PARK TO THE SOLE BIDDER, DOUBLE AUGHT LUMBER FOR A TOTAL PRICE OF $27,539 MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
H. **Liquid Bituminous Materials**

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

I. **Uniform Rental & Cleaning Service - Extension**

**MOTION:** EXTENDING THE BID AWARD FOR UNIFORM RENTAL & CLEANING SERVICE TO CINTAS CORPORATION FOR A TOTAL WEEKLY PRICE OF $29.46 THROUGH APRIL 1, 2021 MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

J. **Portable Toilet Rental and Services and Septic Tank Pumping – Extension**

**MOTION:** EXTENDING THE BID AWARD FOR PORTABLE TOILET RENTAL AND SERVICES AND SEPTIC TANK PUMPING WITH O’BRIEN’S SEPTIC FOR A TOTAL PRICE OF $13,710 THROUGH MARCH 31, 2021 MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

K. **Heavy Steel Pipe & Boiler Shells – Extension**

**MOTION:** EXTENDING THE BID AWARD FOR HEAVY STEEL PIPE & BOILER SHELLS WITH ALLEGANY PIPE & TUBULAR PRODUCTS AND CHEMUNG SUPPLY CORPORATION ON A LINE ITEM BASIS THROUGH DECEMBER 31, 2020 MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

L. **Removal and Lawful Disposal of Deer Carcass(es) – Extension**

**MOTION:** EXTENDING THE BID AWARD FOR THE REMOVAL AND LAWFUL DISPOSAL OF DEER CARCASS(ES) WITH SIMONSEN ENTERPRISES FOR A TOTAL PRICE OF $30.00 PER CARCASS THROUGH MARCH 1, 2021 MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. **PERSONNEL**

A. **Reclassify One (1) Vacant Motor Equipment Operator Position, Grade VIII to an Automotive Mechanic Position, Grade X** – Mr. Alderman stated the Commissioner of Public Works is requesting the reclassification of one vacant Motor Equipment Operator position, Grade VIII to an Automotive Mechanic position, Grade X which would be specific to the Landfill. Mr. Spagnoletti explained we have one mechanic; our equipment at the Landfill is breaking down and it is too much for one person to handle. In 1992 the Landfill took in 70,000 tons of garbage and in 2019 we took in 159,000 tons. Mr. Potter asked can this position be used at other locations as needed? Mr. Spagnoletti replied yes, although as a practical matter, it will not happen. Mr. Malter asked is there a problem with moving people back and forth within divisions? Mr. Wheeler replied no, we are just reclassifying within the same budget.

**MOTION:** AUTHORIZING THE RECLASSIFICATION OF ONE VACANT MOTOR EQUIPMENT OPERATOR POSITION, GRADE VIII TO AN AUTOMOTIVE MECHANIC POSITION, GRADE X IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. MULLEN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.
B. **Reclassify One (1) Vacant Motor Equipment Operator Position, Grade VIII to a District Supervisor, Grade XV** – Mr. Alderman stated the Commissioner of Public Works is requesting the reclassification of one vacant Motor Equipment Operator position, Grade VIII to a District Supervisor, Grade XV. Mr. Spagnoletti explained we started out with thirteen shops and reduced down to eight shops with five District Supervisors. Now we have one District Supervisor. To really oversee properly and coordinate people with the shops, he believes they need one District Supervisor in the northern part of the County overseeing four shops and one District Supervisor in the southern part of the County overseeing the other four shops. The other component is the safety officer. We have agreed that the District Supervisor will absorb the safety officer duties.

Mr. Mullen asked should each shop have a safety officer? Mr. Wheeler stated Mr. Brewer has worked a lot on this; we have talked about having someone here in the chain of command that has the authority over safety. Incorporating that duty into the District Supervisor position is a good happy medium.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE VACANT MOTOR EQUIPMENT OPERATOR POSITION, GRADE VIII TO A DISTRICT SUPERVISOR, GRADE XV POSITION IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. MULLEN. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Malter asked what is the added cost effect for these positions? Mr. Spagnoletti replied for the reclassification to an Automotive Mechanic, the additional cost is $4,000. For the reclassification to a District Supervisor, the additional cost is $15,400. Mr. Wheeler commented that will also depend upon who takes those positions. Mr. Malter stated you already had an idea that you wanted to do this so why not bring this up during the budget process? Mr. Spagnoletti stated this is something we have been talking about for quite a while. Mr. Wheeler replied he did not plan for it in the budget as he was not sold on it at that time. Mr. Malter stated this really messes up the budget process. Mr. Wheeler stated for the District Supervisor position specifically, he was trying to define in his head what we were gaining and what was not being performed.

Mr. Mullen stated sometimes during the budget process it gets less scrutiny. It is good to have these come through committee. Mr. Malter stated that’s fine, but we just need to do it before budget time. Mr. Potter asked will you end up with a vacant position? Mr. Spagnoletti replied yes, this will open up a Shop Supervisor position.

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

C. **Reclassify One (1) Typist Position, Grade IV to an Account Clerk-Typist Position, Grade VI** – Mr. Alderman stated the Commissioner of Public Works is requesting that a Typist position, Grade IV be reclassified to an Account Clerk-Typist, Grade VI. This position has morphed into having higher level duties as well as more financial duties. It would be more appropriate to retitle to an Account Clerk-Typist and would result in an increase of $2,800.

**MOTION: AUTHORIZING THE RECLASSIFICATION OF ONE TYPIST POSITION, GRADE IV TO AN ACCOUNT CLERK-TYPIST, GRADE VI IN THE PUBLIC WORKS DEPARTMENT MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

VI. **OTHER BUSINESS (Cont.)**

A. **Request for Special Meeting** – Mr. Spagnoletti requested a special Public Works meeting prior to the March 23rd Legislative Meeting for the purpose of awarding the bids for the CR 119 bridge project.

B. **Equipment Repair** – Mr. Orcutt stated they had to request a sole source approval from Mr. Wheeler, the County Attorney and the Purchasing Director relative to the vendor Care on Wheels. One of the compactors needs to have the tips replaced and be recapped and there are 160 tips per wheel. The cost to replace a set is $320,000. We can repair for $73,000 and we will get a 10,000 hour warranty. We have had the sole source with Care on Wheels since 2009. Mr. Wheeler stated this is just informational as per the *Administrative Code*, it requires approval by myself, the County Attorney and the Purchasing Director along with an update to the standing committee.
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 PROPELY OR THE PROPOSED ACQUISITION OF SECURITIES, OR OR SALE OR EXCHANGE OF SECURITIES HELD BY SUCH PUBLIC BODY, BUT ONLY WHEN PUBLICITY WOULD SUBSTANTIALLY AFFECT THE VALUE THEREOF MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: AUTHORIZING PROCEEDING WITH THE EMINENT DOMAIN PROCESS RELATIVE TO TWO PARCELS WITH UNKNOWN OWNERS AND AUTHORIZING PURCHASE OF SAID PARCELS FOR THE CR 119 BRIDGE PROJECT MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

MOTION: AUTHORIZING THE COUNTY MANAGER TO ENTER INTO AN EASEMENT AGREEMENT WITH THE FEDERAL RAILROAD FOR THE CR 119 BRIDGE PROJECT MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0, Resolution Required.

MOTION: AUTHORIZING THE PURCHASE, BY THE COUNTY MANAGER, OF 28 ACRES ADJACENT TO THE LANDFILL FOR A PRICE OF $2,000 PER ACRE PLUS ANY SUBDIVISION AND RECORDING COSTS MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

April 6, 2020
Legislative Committee Room
10:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Wednesday, March 25, 2020
I. CALL TO ORDER

Mr. Nichols called the meeting to order at 10:00 a.m.

II. DEPARTMENT REQUESTS

A. Public Works
   1. **CR 119 Bridge Project** - Mr. Spagnoletti stated all three agenda items are for the CR 119 Bridge to be built this summer in Cameron. The first item is for both the Finance Committee and the Public Works Committee. It is to fund our $300,000 increase in estimated project cost by appropriating $285,000 in funding from the Federal and State governments and by appropriating $15,000 in funding from our County’s future bridge projects account.

   **MOTION**: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPROPRIATE A TOTAL OF $285,000 IN FEDERAL AND STATE FUNDING AND APPROPRIATE $15,000 FROM THE COUNTY’S FUTURE BRIDGE PROJECTS ACCOUNT INTO THE CR 119 BRIDGE PROJECT MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 4-0 PUBLIC WORKS (MULLEN UNABLE TO VOTE) AND 4-0 FINANCE.

   Mr. Spagnoletti stated the second item for the Public Works Committee is for approval to enter into an agreement with the New York State Department of Transportation for them to fund 95 percent of the $4,940,000 estimated project cost.

   **MOTION**: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE STATE TO FUND 95 PERCENT OF THE $4,940,000 ESTIMATED PROJECT COST FOR THE CR 119 BRIDGE PROJECT MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
Mr. Spagnoletti stated the third item is to award the bid, by the Public Works committee, to Twin Tier Constructors, Inc. of Scottsville, NY for $3,994,662.00.

**MOTION: AWARDING THE BID FOR CONSTRUCTION OF THE CR 119 BRIDGE IN CAMERON TO THE LOW BIDDER, TWIN TIER CONSTRUCTORS, INC. FOR A TOTAL PRICE OF $3,994,662.00 MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**MOTION: TO ADJOURN MADE BY MR. ROUSH. SECONDED BY MS. FITZPATRICK. ALL BEING IN FAVOR. MOTION CARRIES 5-0 PUBLIC WORKS AND 4-0 FINANCE.**

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature
I. CALL TO ORDER

Mr. Nichols called the meeting to order at 10:10 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 2, 2020, AND MARCH 23, 2020, MEETINGS MADE BY MR. HORTON, SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. HIGHWAYS

A. CR 119 Bridge Over Canisteo River, Cameron – Mr. Spagnoletti stated the first one is to get your approval for an agreement with C&S Engineers to do the construction inspection and the testing of the materials, plus to do the right-of-way/eminent domain proceedings. The agreement is for $498,000. The County’s share is 5 percent. Mr. Horton asked is this in the normal project? Mr. Spagnoletti replied this is part of the normal project… (Secretary’s Note: Audio cut out and was garbled)

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH C&S ENGINEERS TO DO THE CONSTRUCTION INSPECTION, TESTING OF MATERIALS AND THE RIGHT-OF-WAY/EMINENT DOMAIN PROCEEDINGS FOR A TOTAL COST OF $498,000 WITH THE COUNTY’S SHARE AT 5 PERCENT MADE BY MR. RYAN, SECONDED BY MR. HORTON FOR DISCUSSION.

Mr. Nichols stated so everything is covered for 5 percent and this doesn’t go out for bids, right Vince? This is you pick the one you feel is best and you can’t look at the price? Mr. Spagnoletti replied this is the engineering firm that you have already approved to be the engineer for this project. Now we need an agreement with them. They have already designed it and we approved that. This is for the agreement for them to inspect the job out in the field and to do the materials testing. Mr. Nichols stated all right. Are there any other questions?

Mr. Potter replied yes, I have one. On the agenda there are two amounts listed; $462,000 and $36,000 for a total of $498,000. Can you explain the reason for the two separate amounts? Mr. Spagnoletti replied the $462,000 is for the construction inspecting and testing and the $36,000 is for the right-of-way/eminent domain proceedings. Mr. Potter stated okay, that’s what I thought. Mr. Nichols asked is there any other questions?
VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti stated okay now the numbers two, three and four under the County Route 119 Bridge for the railroad crossing; we are moving the bridge so we have a new railroad crossing built. Number two is for an agreement with DOT to fund $640,000 of the total cost of moving the railroad crossing. Mr. Nichols asked now we are not doing all three together, this is two, right? Mr. Spagnoletti replied this is just number two to approve an agreement with DOT to fund $640,000 of the cost.

Mr. Ryan asked if he could ask a question. Mr. Spagnoletti stated yes. Mr. Ryan asked initially, how was it determined to move the bridge in the first place? Why, uh, who determined that it would be best to change the angle? Only because of the additional expense is why I am asking the question. Mr. Spagnoletti explained when we design a bridge like this, the um, we look at different options. The three different options were leave it in the same place, move it, you know, just uh downstream, or, if we left it in the same place to build a detour bridge. If we move the bridge, we have to make a railroad crossing. Those two options are almost the same price. Now we could have instead of, we could have just blocked the traffic; build it in the same place and made the traffic go along these long detours. That option would have been about $1.3 million lower cost. But we, the State DOT who is funding 95 percent of this, I and Steve Catherman, we made the decision, with the engineering firm, to move the bridge; primarily to get rid of that curvewhere there was a triple fatality. So the decision as to where it goes, which design, is between Steve Catherman, me, State DOT and the engineering design firm. Mr. Ryan asked is the existing bridge going to act as a detour bridge while you are building the new one? Mr. Spagnoletti replied yes. The existing bridge will continue to be used while we build the new bridge right next to it.

Ms. Prossick stated just briefly, when there is a fatality or a severe accident on one of our bridges, we are required by law to do a study and the study showed that there should be changes made. So once we have that information and we know changes need to be made, we have to make those changes to release ourselves from further liability for any further accidents at that site. So I think that’s what sparked all of this in the beginning was that road study.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO FUND $640,000 OF THE TOTAL COST OF MOVING THE RAILROAD CROSSING MADE BY MR. HORTON. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Mr. Spagnoletti stated number three is we need another $128,000 to pay for the railroad crossing beyond what the State found for funding. To get that $128,000, we had $80,000 left over in our County Route 22 Bridge Project and we have $48,000 in our Future Bridge Projects account. We want to transfer those two amounts which total $128,000 into this project and that will take care of completing the funding for the new railroad crossing.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER $80,000 FROM THE COUNTY ROUTE 22 BRIDGE PROJECT ACCOUNT AND $48,000 FROM THE FUTURE BRIDGE PROJECTS ACCOUNTS INTO THE COUNTY ROUTE 119 BRIDGE PROJECT ACCOUNT MADE BY MR. MULLEN. SECONDED BY MR. HORTON FOR DISCUSSION.

Mr. Nichols stated one question I have with this is we’ve got to do this, I understand. I’ve heard talk and I don’t know if it will happen or not, but there’s talk that Norfolk Southern may add the other track back that they took up or that Conrail or somebody did and uh if they do that, we shouldn’t have to pay for another track, for another crossing for that other track should we? Mr. Spagnoletti stated I don’t know anything about them adding another track and I don’t know that that’s in this design. Mr. Nichols stated I just heard; to me it should be their expense, it shouldn’t be ours. They’re not going to add another track now, but I’ve heard scuttlebutt that they may in time and a rumor’s worth a rumor you know and it may not amount to anything. Mr. Spagnoletti stated I’ll check into that Bob (Mr. Nichols), and I’ll get back to you. Mr. Nichols stated all I want to know is if they add, if they ever do add another track, I just want a guarantee that we aren’t going to have to help pay for the crossing for the other track, do you see what I’m saying? Mr. Spagnoletti stated I see what you’re saying and I don’t think we would be responsible for paying for that second track. Mr. Nichols stated I don’t either, but I had heard that scuttlebutt that they were thinking about maybe down the road doing that. You know they took up what used to…..(Secretary’s Note – Audio cut out) and my question would be if you add the other track back.
someday we aren’t going to have to pay on it, that was my only concern. Mr. Spagnoletti stated yeah and I don’t think we would. Mr. Nichols stated yeah I agree with you but you never know. Mr. Spagnoletti stated we will keep an eye out for it. Mr. Nichols stated okay.

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

Mr. Nichols stated okay Vince (Mr. Spagnoletti), number four. Mr. Spagnoletti stated number four, so now we have found the money to move the railroad crossing; $40,000 from the State and $128,000 from our other funds. So now we want approval to enter into an agreement with Norfolk Southern to actually build this railroad crossing and the agreement is for $767,305.

**MOTION:** **AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH NORFOLK SOUTHERN FOR THE CONSTRUCTION OF A NEW RAILROAD CROSSING AT THE COUNTY ROUTE 119 BRIDGE FOR A TOTAL COST OF $767,305 MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti stated Bob (Mr. Nichols), I do want to say one thing about this County Route 119 project. It’s been very complicated. The railroad crossing has made it extra more expensive. New York State DOT has done a great job in finding all this funding so that ours is, you know, 5 percent or less of this as these costs have increased. Also, Steve Catherman and Jennifer Prossick have done a lot of work as this project became more and more complicated and they have done, really a great job and there is still more to be done to get this job started on time and finished on time. They are doing a great job on it. Mr. Nichols stated well I say thank you to them and it is a huge project. Any time you deal with the railroad, it becomes nail biting. It’s quite an undertaking when you are dealing with the railroad.

B. **CR 66 Bridge Over Canisteo River, Hornellsville** – Mr. Spagnoletti stated okay the County Route 66 Bridge; the DEC, we already awarded the contract, the DEC came in and said they want a steel sheet wall driven around the old pier for when we remove it so that we don’t allow sediment into the water, into the stream. The DEC also said they wanted more soils testing to check to see if there are heavy metals in the soil, in the river, on the streambank. So this is again, this job is zero percent County share. So the first thing to do, to adhere to the DEC’s directive, is to approve an agreement with DOT for the additional funding; $121,000 for the steel cofferdam, $16,000 for the soils testing for a total of $137,000.

**MOTION:** **AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH NEW YORK STATE DOT FOR ADDITIONAL FUNDING TOTALING $137,000; $121,000 FOR THE STEEL COFFERDAM AND $16,000 FOR THE SOILS TESTING, RELATIVE TO THE CR 66 BRIDGE OVER THE CANISTEO RIVER IN HORNELLSVILLE PROJECT MADE BY MR. MULLEN. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Nichols asked now this steel that they are going to drive into the ground, does that stay in there permanently Vince (Mr. Spagnoletti)? Mr. Spagnoletti replied no that will come out because they will drive it; it will be a ring around the pier, they will remove the old pier, then they will remove the steel sheeting. The new bridge won’t have a pier in the river. Mr. Nichols stated okay.

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

Mr. Spagnoletti stated okay now we have found the funding for it and we want to issue an order on contract to Twin Tier Construction to adhere to the DEC directive for a steel cofferdam. That change order would be $121,000.

**MOTION:** **AUTHORIZING A CHANGE ORDER FOR TWIN TIER CONSTRUCTION FOR $120,000 FOR THE CONSTRUCTION OF A STEEL COFFERDAM RELATIVE TO THE CR 66 BRIDGE OVER THE CANISTEO RIVER PROJECT MADE BY MR. RYAN. SECONDED BY MR. POTTER FOR DISCUSSION.**
Mr. Nichols stated now, so this here is paid 100 percent by the State. Is that correct? Mr. Spagnoletti replied that’s correct Bob (Mr. Nichols). Mr. Nichols stated okay. Any other questions?

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

Mr. Spagnoletti stated okay the second part of the DEC directive is to do soils testing and we would like approval with an agreement with Popli Engineers to do the soils testing for $15,403.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH POPLI ENGINEERS TO DO THE SOILS TESTING RELATIVE TO THE CR 66 BRIDGE OVER THE CANISTEO RIVER PROJECT FOR A TOTAL COST OF $15,403 MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

C. **Inter-Municipal Agreements with Cities, Towns and Villages for Hauling and Transporting of Equipment** – Mr. Spagnoletti stated in the past we hauled equipment with our low-boy for the towns and the villages. Very few of them have a low-boy. Apparently the insurance company is now requiring an inter-municipal agreement in place specifically for hauling of equipment. Jennifer (Ms. Prossick), is there something you want to add to this as far as getting approval for this? Ms. Prossick stated it’s just real quick; as opposed to it being a shared service, Scott Sprague and I spoke with our new broker and they said they would prefer, because it falls under the auto policy, that we enter into inter-municipal agreements so they can put it on the auto policy and then we come up with a process on who loads it and things of that nature in an inter-municipal agreement so that it’s spelled out very clearly who is loading, who is tying it down, things of that nature.

**MOTION: AUTHORIZING INTER-MUNICIPAL AGREEMENTS WITH THE CITIES, TOWNS AND VILLAGES FOR HAULING AND TRANSPORTING OF EQUIPMENT MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

D. **Moore Road Gravel Pit Payments Assigned to New Owner** – Mr. Spagnoletti stated we have a contract with Dennis Gregg of Bath Sand and Gravel to buy gravel for $3.00 per ton. Since we entered into that contract, it was a bid, Gregg sold the gravel pit to Wilkins. Now, because of their agreement between the two of them, they want us to pay $0.50 per ton to Gregg and $2.50 per ton to Wilkins, for the total of $3.00 per ton. It isn’t any more money for us, but it’s a legal thing. Jennifer (Ms. Prossick), do you want to finish this one out? Ms. Prossick stated yeah, we are just trying to capture the agreement between the two entities so we can assign the $2.50 to Wilkins, which was originally to Bath Sand and Gravel, so we can get it paid and vendor ID and have Wilkins assume indemnification clauses so being on his property as opposed to being on Dennis Gregg’s and it still covers us.

**MOTION: AUTHORIZING THE ASSIGNMENT OF THE MOORE ROAD GRAVEL PIT FROM DENNIS GREGG TO WILKINS AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO PAY $0.50 PER TON TO DENNIS GREGG AND $2.50 PER TON TO WILKINS FOR A TOTAL COST OF $3.00 PER TON MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Spagnoletti stated Bob (Mr. Nichols) I had one comment on that. Jennifer (Ms. Prossick) is it necessary for us to put in the minutes Scott Wilkins of Wilkins Dairy Farm, d/b/a Roscoe Holdings, or is it okay the way they did it? Ms. Prossick replied it’s okay. With the assignment it has it written all ways so that we could identify them, but that is good for the record, Vince. We’re good. Mr. Spagnoletti stated okay, thanks.

Mr. Spagnoletti asked, okay Bob (Mr. Nichols) do you want to do the bids now?

Mr. Swackhamer stated I wanted to ask Vince (Mr. Spagnoletti), what happened with that contract for the land next to the Landfill? Mr. Spagnoletti asked the small piece of property down by Route 15? Mr. Swackhamer stated yeah. Mr. Spagnoletti stated they, after the, Jennifer (Ms. Prossick), I don’t know what I should be saying here. Mr. Wheeler stated
that’s probably Executive Session material. Mr. Swackhamer stated okay, I’ll ask him later. Mr. Spagnoletti stated okay. Mr. Swackhamer stated thank you.

IV. BIDS

Mr. Nichols stated now on the bids here we have, before we get into them, there is one bid here, in order to try to save some money because with the circumstances, we are considering not doing the, not washing the bridges this year. What’s the committee think? Mr. Malter asked what is the downside? Mr. Nichols stated the downside is we will be on it for a year…(Secretary’s Note – no audio). Mr. Spagnoletti stated the County Manager has requested us to look for places to save money. In the washing of bridges, we could go a whole year and not wash them. I’ll just put together a County crew to wash the surfaces, the decks, the driving surface and not do the beams. Let it go a year: I think we can do that without significant damage. It’s not something you want to fall into a routine of doing, because if you let it go, maintenance, then the costs skyrocket in construction. But I think we could do that this year and then we could take $300,000 off the County DPW expense side.

Mr. Potter stated next year is going to be a tight budget year, we know that. Will it be harder to put that money back in next year than spend it this year? Mr. Wheeler stated so the money, from a budget to budget, the money would be in there. When we carry over and start the budget, your money will still be in there, so you know it would just be a matter of not spending it this year. Mr. Potter stated I see. Mr. Nichols stated it would just give us some extra money for our carry over I assume? Jack, is that what you’re saying? Mr. Wheeler stated yeah, obviously what we are looking at is a drop of sales tax, so uh, you know, I’ve tasked, and Chris (Mr. Brewer) has tasked, departments to look at areas where they could have a savings in this current budget year. So, yeah it would just help plug the gaps in revenue with less expense. Mr. Nichols asked it would still be in the budget for next year? Mr. Wheeler replied yes, right. It would still be in your base budget for next year unless Vince (Mr. Spagnoletti) proposed to take it out, unless I took it out which I wouldn’t before we talked with you folks as a committee or Finance, or as a Legislature. So in your base budget it would be in there, yes.

Mr. Potter stated another comment. If we lose sales tax revenue, that’s money that’s not going to be there in terms of cash forward, if you will, unexpended cash forward. How is this going to help us because we are still going to have to come up with that money next year. Mr. Wheeler stated so the goal is to just address the current problem; so reduce expenses to offset the reduced revenues where we can. Obviously there are some places that we can’t. Next year, you know, hopefully this is behind us by the time we are developing our budget and the revenues and sales tax starts bouncing back so that, you know we can go forward. We’ll have much better projections of this at that time. This is just the matter of, this is one area that Vince and his crew have identified that they could live without to help us, you know, offset the loss of revenue.

Mr. Nichols stated this would be a project that next year would have to be done. We need to skip something next year and it would have to be something different than this because we will have to wash the bridges next year. Mr. Potter stated agreed. Mr. Spagnoletti stated yeah, this is something that it would be important to do next year. We will do part of it this year with our crews, but it is very important to do it next year.

Mr. Nichols asked didn’t we buy a fire truck a few years ago to wash the upper deck or something? Didn’t we? I thought we bought an old fire truck or something to power wash. Mr. Spagnoletti stated Bob (Mr. Nichols) as best as I can remember, it seems as if years ago we bought an old fire truck, but it really didn’t work out to do the job right. Now maybe, I’m just not sure of that, but I don’t think we have that anymore. If we did have it, it would be all right to wash off the driving surface, but not to get underneath for the beams. Mr. Nichols stated I think we are going back a long ways Vince (Mr. Spagnoletti) on that one. Mr. Spagnoletti stated yeah I’m pretty sure that was bought and maybe put in the auction. Mr. Nichols stated it probably went to the scrap pile. Mr. Malter stated it was bought in the 80’s. Mr. Nichols stated or it was put in the auction. All right, so is there a motion to do that and not award that bid for power washing the bridges? Do you want to do that and then we’ll go down through the bids, but this is one we want to take out.

Mr. Mullen stated I was wondering if we have several bridges that are on salt heavier roads maybe we should still do. I know that maybe like County Route 70A; I think a lot of our roads we put a lot more sand on don’t we? But where we have bridges that get a lot of salt, maybe we should consider just doing those ones. Mr. Nichols stated I don’t know.
Vince (Mr. Spagnoletti)? Mr. Spagnoletti stated yeah Aaron (Mr. Mullen), I think we will be all right to go one year. To ask the contractor now to come in and just do a few bridges, it would be changing the contract so much that it would make a different bid and I think it would be cleaner to just to reject it. The point is good. Some roads we use a lot of salt and others not so much, but I think we’ll be all right to let it go this year. Mr. Mullen stated okay.

**MOTION:** REJECTING THE BIDS FOR THE CLEANING, WASHING AND SEALING OF STEUBEN COUNTY BRIDGES MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Nichols stated okay Vince (Mr. Spagnoletti), we’ll go back to the, start with Bid A. Mr. Mullen asked can I interrupt for a second? Are we going to need an Executive Session, because Brenda (Ms. Mori) will need to get a code out and I know Gary (Mr. Swackhamer) sounded like maybe we would need one. Mr. Nichols stated I don’t know. Mr. Wheeler stated that’s up to you. If there are no more questions, I would say probably not. Vince (Mr. Spagnoletti) sent an email, or I believe Jen (Ms. Prossick) sent an email to everyone about that issue. If that’s your only, I mean you certainly can, but if that’s the only issue, I think we can handle it other ways. Ms. Prossick stated yeah if anybody wants to email me in response to the email I sent, or give me a call, I’m here, so we can talk about that off the record if anyone had any follow-up questions. Mr. Nichols stated okay. Mr. Nichols stated with that then, if everybody is okay with it, let’s proceed with the bids then Vince (Mr. Spagnoletti).

Mr. Spagnoletti stated Bob (Mr. Nichols) if it’s all right with you, I’ll just go right through from one bid to the next and you can vote on all of them. Mr. Nichols stated we will have a motion on all of them at the end, yes. We’ll go one to the other.

**A. Chip Spreader** – Mr. Spagnoletti stated this is the same price that we received last time. This is a rebid. It’s a good machine. The $317,010 to Tracy Road Equipment. I want to say that Doug Rapalee, Jerry Miller and Scott Sprague got $59,250 on insurance from our damaged machine to help pay for this. So I would recommend this one to Tracy Road Equipment.

Mr. Mullen asked wasn’t that the one that we thought we were going to get a better bid on? Mr. Spagnoletti replied yes. We did reject it I think last month or the month before. Primarily to see if we could get, if there was another machine out there, another make, even a much better machine than we had. As it turned out, we got the same price and the same machine. It didn’t turn out exactly the way I wanted, but it is a good machine and I would recommend awarding it. It’s the same price as last time.

**MOTION:** AWARDING THE BID FOR CHIP SPREADER TO THE LOW BIDDER, TRACEY ROAD EQUIPMENT, INC. FOR A TOTAL OF $317,010.00 MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

**B. Asphalt Concrete; Specified In-Place Projects** – Mr. Spagnoletti stated the next one is our asphalt concrete. These are our blacktop projects. The 39 miles of road that we are going to blacktop; the price is up 6 percent from last year. What we are hoping for is, there is a price adjustment if the oil price goes up or goes down. There are reports that crude oil could go down to $20 to $30 per gallon. If that does, we will spend less than what is shown here. As the price is shown, Dolomite is a good contractor. Yes it’s up 6 percent, but he would award it to Dolomite for $3,640,998.35.

**MOTION:** AWARDING THE BID FOR ASPHALT CONCRETE; SPECIFIED IN-PLACE PROJECTS TO THE LOW BIDDER, DOLOMITE PRODUCTS CO., INC., D/B/A A.L. BLADES FOR A TOTAL PRICE OF $3,640,998.35 MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

**C. Cold In-Place Recycling Project(s)** – Mr. Spagnoletti stated this is where the machine goes down and takes the existing blacktop, which has some cracking; grinds it, adds oil and aggregate, rolls it and it’s like new blacktop. This bid is becoming a problem. The price is up 40 percent in two years. Now again, we are looking to see if in the end
we will pay a lot less because of the crude oil prices going down. We are also looking into some other way to substitute for this process. Maybe blacktop for more jobs or use our grinder. As of now, this is the best we can do on the recycling and I would recommend awarding it to Suit-Kote for $1,639,344.73. This has been a problem throughout the State; the recycling bids have been going up quite rapidly and quite high.

D. Cutting Edges – Mr. Spagnoletti stated we would like to postpone until next month.

E. Crushed Limestone – Mr. Spagnoletti stated the Crushed Limestone, this is for when we chip-seal the roads. The price is about the same as last year. I would like to award it to Dolomite.

**MOTION:** AWARDING THE BID FOR CRUSHED LIMESTONE TO THE LOW BIDDER, DOLOMITE PRODUCTS COMPANY, INC., D/B/A A.L. BLADES FOR A TOTAL PRICE OF $147,557.50 MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Cleaning, Washing and Sealing of Steuben County Bridges – Mr. Spagnoletti stated you rejected the bridge washing.

G. Geotextile Materials and Waterproofing Membrane – Mr. Spagnoletti stated geotextile primarily we use it behind the bridge abutments to drain water. There was about a 14 percent increase from last year but I think this is the best we can do. I would recommend awarding it to Chemung Supply.

**MOTION:** AWARDING THE BID FOR GEOTEXTILE MATERIALS AND WATERPROOFING MEMBRANE TO THE SOLE BIDDER, CHEMUNG SUPPLY MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

H Stone Fill Trucking Services – Mr. Spagnoletti stated the top part of it, of the bid is to haul with tri-axles and recommend awarding to all bidders except Sick Brothers. They are rejected because they didn’t put the proper bid bond in. The bottom part of it, only one bidder and award that to Dgien. This is the bid that Jeff Parker requested because we were having trouble finding trucks.

**MOTION:** DECLARING SICK BROTHERS A NON-RESPONSIVER BIDDER AS THEY DID NOT PUT THE PROPER BID BOND IN, AND AWARDING THE BID FOR STONE FILL TRUCKING SERVICES – TRI-AXLE DUMP TO THE FOLLOWING BIDDERS ON A LINE ITEM BASIS: DGIEN TRUCKING, INC.; GOODRICH TRUCKING AND LEON LACY, INC.; AWARDING THE BID FOR STONE FILL TRUCKING SERVICES – TRAILER DUMP, TO THE SOLE BIDDER, DGIEN TRUCKING MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

I. Grinder Teeth, Tooth Holders & Hardware – Mr. Spagnoletti this is for our big grinder. The big item there is the grinder teeth, $4.65 each and that is up about $0.30 in two years. I would recommend awarding that to Monroe Tractor.

**MOTION:** AWARDING THE BID FOR GRINDER TEETH, TOOTH HOLDERS & HARDWARE TO THE SOLE BIDDER, MONROE TRACTOR, INC. MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

J. Asphalt Milling – Mr. Spagnoletti stated asphalt milling is a special milling machine that will grind the blacktop, put it in the conveyor belt and drop it right in our trucks. We only use about five days a year. This price has actually dropped $100 per day since 2019. So I would recommend awarding to all bidders.

**MOTION:** AWARDING THE BID FOR ASPHALT MILLING TO THE FOLLOWING BIDDERS: BOTHAR CONSTRUCTION, LLC; DONEGAL CONSTRUCTION CORP.; KILLIAN CONSTRUCTION LLC; SUIT-KOTE CORPORATION; AND VILLAGE CONSTRUCTION, INC. MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
K. Oxygen & Acetylene – Mr. Spagnoletti stated oxygen and acetylene; one bidder. The price was $2,400 four years ago. This one $3,471.79 and I recommend awarding to Bradley Supply.

MOTION: AWARDDING THE BID FOR OXYGEN & ACETYLENE TO THE SOLE BIDDER, BRADLEY SUPPLY, INC. FOR A TOTAL PRICE OF $3,471.79 MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

L. Removal & Recycling/Disposal of Waste Oil & Antifreeze – Mr. Spagnoletti stated when we drain the oil out of the equipment, we call people to come in and take it to recycle it. I would recommend awarding to both Safety Kleen and Environmental Service. We used Environmental Service; they’re the ones that are usually available. Their price has gone up from $8,400 to a total of $11,550 in four years, so that’s a good price. I would recommend awarding to both of them.

MOTION: AWARDDING THE BID FOR REMOVAL & RECYCLING/DISPOSAL OF WASTE OIL AND ANTIFREEZE TO THE FOLLOWING BIDDERS: SAFETY-KLEEN SYSTEMS, INC. AND THE ENVIRONMENTAL SERVICE GROUP NY, INC. MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0

M. Asphalt Concrete: FOB Plant Site – Mr. Spagnoletti stated this is where we send our trucks to the blacktop plants just to buy the material. Now on this one there has been a 4 percent drop over a year. Again, that doesn’t correlate with what happened with the asphalt projects and the recycling, but I would recommend awarding to all bidders on the FOB.

MOTION: AWARDDING THE BID FOR ASPHALT CONCRETE: FOB PLANT SITE TO THE FOLLOWING BIDDERS: DALRYMPLE GRAVEL & CONTRACTING CO., INC.; DOLOMITE PRODUCTS CO., INC., D/B/A A.L. BLADES; ELMIRA ROAD MATERIALS, LLC; AND SPALLINA MATERIALS, INC. MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

N. Crane Rental Services – Precast Concrete Box Culverts – Mr. Spagnoletti stated we make box culverts in the winter in our bridge shop. This is for the cranes to set them in place. On our 165 ton crane, it has gone up from what, $715 to $725. These bids are good. Multiple award. Very little price increase.

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

O. Crane Rental Services – General Bridge Services – Mr. Spagnoletti stated again, when we build the five or six bridges a year with our crews, we set the beams with these cranes. These prices have only gone up from about $715 to $725 an hour for the cranes that we use most of the time. So I would recommend awarding to all of those bidders.

MOTION: AWARDDING THE BID FOR CRANE RENTAL SERVICES – GENERAL BRIDGE SERVICES TO THE FOLLOWING BIDDERS: CLARK RIGGING AND RENTAL; C.P. WARD, INC.; MANSFIELD CRANE SERVICES; AND SILVERLINE CONSTRUCTION, INC. MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

P. Vegetation Control – Application of Herbicides – Mr. Spagnoletti stated they spray along the guiderail and at the stop signs to keep the brush and grass from growing. Chase Enterprises is willing to extend; this is a price they gave us in 2019 and they are willing to hold it for 2020; the $50,400. I would recommend extending it to them.
MOTION: EXTENDING THE BID FOR VEGETATION CONTROL – APPLICATION OF HERBICIDES, OPTION A, WITH ALLEN CHASE ENTERPRISES, INC FOR ONE YEAR AT THE YEARLY RATE OF $15,800 MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Q. Bottled Water – Mr. Spagnoletti stated this is an extension on the bottled water. We use this in the shops; drinking water. This was a 2018 price and they are willing to extend it to 2020. Let’s see who was it; B&B Water. So I would recommend extending to them.

MOTION: EXTENDING THE BID FOR BOTTLED WATER WITH B & B WATER CONDITIONING, INC. FOR ONE YEAR MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti stated that’s it unless you have any questions.

Mr. Nichols asked are there any questions on any of the bids? Mr. Horton stated Vince (Mr. Spagnoletti) I have one question. On the vegetation control, where they are willing to extend it for a year; so is it one year at the $16,800 or are they actually extending it for another three years? Mr. Spagnoletti replied this is just a one year extension. Mr. Horton stated okay. Mr. Spagnoletti stated that’s a good point, I see now. It’s the Option A, perform roadside treatment to guardrail and stop signs, plus our two lots. So it would be Option A, extend the 2019 price of $15,800. Mr. Horton stated okay, thank you. Mr. Nichols asked if there were any other questions.

MOTION: AWARDING THE BIDS AS PRESENTED BY THE COMMISSIONER OF PUBLIC WORKS MADE BY MR. RYAN. SECONDED BY MR. MULLEN FOR DISCUSSION.

Mr. Mullen stated I had a question too Bob (Mr. Nichols). Mr. Nichols stated sure, go ahead. Mr. Mullen asked are we, and it might be more for Jennifer (Mr. Prossick), but are we, I just was kind of curious on our liability on some of these bigger jobs, like where we; asphalt in-place with Dolomite. If we can’t have equipment in place or the roads lined up due to slowdowns, if we are not able to pay them to do all those jobs, is there going to be language in these contracts that’s per job or something like that? Mr. Spagnoletti stated Jen (Ms. Prossick) let me, excuse me, the contracts include a clause that all projects are not guaranteed. The quantity is not guaranteed. There’s been a few years in the past where we didn’t have enough, ended up we didn’t not have enough money and we deleted certain projects. That’s within the contract language that we have. Mr. Prossick stated yeah we incorporate the bid terms and the proposals into the contract so we don’t lose those on these. We also have the termination clause and we can cancel any contract with thirty days’ notice. So I think we have a backup to that plan as well. Mr. Mullen stated thanks. Mr. Nichols stated that’s a good question because sometimes you run out of money, a project costs more or whatever happens, and we may not get to all of our projects this year. That’s a real possibility. Mr. Spagnoletti stated Bob (Mr. Nichols), I would like to say one more thing on that. These projects are all within a schedule that I have prepared based on receiving some extra that we hadn’t had in our original budget. Like Extreme Winter Recovery money for example. Now, we have been told that that money will be, and this is as recently as last week, however, we are going to have to keep a close watch on it. If we don’t, if we see that we are not getting that money, then I’m going to have to stop some of these projects. It’s something that we’re just going to have to watch day by day, week by week as far as what funding we are actually getting from the State, and then make adjustments to the contracts and the work we are going to do. Mr. Nichols stated that’s very true. We don’t know what this budget is going to come out at the State. If we don’t have the money we can’t spend it. Mr. Spagnoletti stated yep.

Mr. Nichols asked is there anything else for this meeting? Have we voted on the bids? We have a motion and a second. Did we vote? Mr. Mullen replied no. Mr. Nichols stated okay.

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

Mr. Nichols asked is there anything else for the Public Works meeting Vince (Mr. Spagnoletti)? Mr. Spagnoletti replied I don’t have anything. Mr. Nichols asked does anybody else have anything?
MOTION: TO ADJOURN MADE BY MR. MULLEN. 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**
May 4, 2020
Legislative Committee Room
10:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Monday, April 27, 2020
**MINUTES**

COMMITTEE: Frederick G. Potter, Vice Chair  Jeffrey P. Horton  Aaron I. Mullen

STAFF: Jack K. Wheeler  Christopher Brewer  Vince Spagnoletti
       Jeffrey P. Horton  Brenda Mori  Tina Goodwin
       Aaron I. Mullen  Kelly Penziul  Tammy Hurd-Harvey
       Jennifer Prossick  Brenda Mori  Tina Goodwin
       Vicki Olin  Kelly Penziul  Tammy Hurd-Harvey

LEGISLATORS: Scott J. Van Etten  Robin K. Lattimer  Carol A. Ferratella
             Kelly H. Fitzpatrick  K. Michael Hanna  Hilda T. Lando
             John V. Malter  Steven P. Maio  Gary B. Roush
             Brian C Schu  Gary D. Swackhamer  Paul Van Caeseele

ABSENT: Robert V. Nichols, Chair  Thomas J. Ryan

I. CALL TO ORDER

Mr. Potter called the meeting to order at 9:50 a.m.

II. GENERAL BUSINESS

1. Approving Releasing/Quit Claiming County’s Right-of-Way Interest – CR 119 Bridge Project – Mr. Spagnoletti stated we have an existing easement across the railroad on the existing CR 119 bridge. Norfolk Southern would like the county to abandon that easement once the new bridge and road are complete.

MOTION: AUTHORIZING RELEASING/QUIT CLAIMING THE COUNTY’S RIGHT-OF-WAY INTEREST ON THE EXISTING RAILROAD CROSSING ON THE CR 119 BRIDGE ONCE THE NEW BRIDGE AND ROAD ARE COMPLETE MADE BY MR. MULLEN. SECONDED BY MR. HORTON FOR DISCUSSION.

Mr. Mullen asked would there be a reason why we would still need that? Mr. Spagnoletti replied no. That area of existing road will be abandoned to the cemetery association.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required

MOTION: TO ADJOURN MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature
STEUBEN COUNTY PUBLIC WORKS COMMITTEE
Monday, May 4, 2020
10:00 a.m.
Via Teleconference

**MINUTES**

COMMITTEE: Robert V. Nichols, Chair
Aaron I. Mullen
Frederick G. Potter, Vice Chair
Thomas J. Ryan
Jeffrey P. Horton

STAFF: Jack K. Wheeler
Jennifer Prossick
Steve Orcutt
Christopher Brewer
Vince Spagnoletti
Andy Morse
Brenda Mori
Doug Rapalee
Tammy Hurd-Harvey

LEGISLATORS: Scott J. Van Etten
K. Michael Hanna
Gary D. Swackhamer
Carol A. Ferratella
Hilda T. Lando
Kelly H. Fitzpatrick
John V. Malter

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE APRIL 6, 2020, AND APRIL 27, 2020, MEETINGS MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. HIGHWAYS

A. Appropriate Insurance Proceeds for New Stone Chipper Purchase – Mr. Spagnoletti informed the committee that Mr. Sprague, Mr. Rapalee and Mr. Miller were able to secure $59,250 in insurance proceeds as a result of the car collision with our 1994 chip spreader. A new machine will cost us $317,000. He requested authorization to appropriate the $59,250 in insurance proceeds to the major equipment line to help pay for the purchase of the new chip spreader.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPROPRIATE $59,250 IN INSURANCE PROCEEDS TO THE MAJOR EQUIPMENT LINE TO HELP PAY FOR THE PURCHASE OF A NEW STONE CHIPPER MADE BY MR. HORTON. SECONDED BY MR. POTTER FOR DISCUSSION.

Mr. Mullen asked what major equipment are we looking at deferring the purchase of or would this be in addition to? Mr. Spagnoletti replied we had a stone chip spreader listed on our major equipment list for $150,000. We had thought we could buy a good used machine, but it turns out there are very few machines, and the ones that are available are not worth buying. He stated he has $1.2 million in the budget for major equipment and there is a lot of equipment that we cannot buy.

Mr. Malter asked what’s the useful life of the machine? Mr. Spagnoletti replied I think the one that was involved in the accident was about 26 years old. You should be able to get 25 – 30 years out of these machines.

Mr. Nichols asked is the machine you are purchasing brand new? Mr. Spagnoletti replied yes.

Mrs. Lando asked are we going to loan this machine out? Mr. Spagnoletti replied we use this machine in our shared services program and the towns depend on us to do quite a bit of chip sealing. When we do that, it is with our own operator and we only do it for towns within Steuben County.
VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Authorization to Rent an Excavator for Bridge Projects – Mr. Spagnoletti stated our excavator is down for repairs and he requested authorization to rent an excavator for bridge projects for two to four months at a cost of $5,000 per month.

Mr. Ryan asked the repairs will take three to four months? Mr. Spagnoletti replied we don’t know. This is the machine that we were working on the side of the road and when we were digging there was ice and the machine went over the side. We did significant repairs and started using it and the operator stated he just didn’t feel comfortable in the machine. We sent the machine to Rochester and we are not sure what it will take to repair it. We want to give ourselves the option to have another machine if the repairs take longer than we expect.

Mr. Ryan asked would there be other expenses that would be on us when we rent the excavator? Mr. Spagnoletti stated in this case when we rent, we would do the normal maintenance. As far as any major repairs, that would not be on us. If we were negligent in some way, then yes, we would be responsible for repairs.

Mr. Van Etten asked the machine that we own, if that has significant damage, are those costs covered by insurance? Mr. Spagnoletti replied I think there is some insurance on that. In fact, the first round of repairs did get covered by some insurance. I will find out and let you know.

Mr. Nichols asked is it the hydraulics or the electrical? Mr. Spagnoletti replied I don’t remember actually what the operator said. When he got on it and was cranking the boom back and turning, there was something in it that didn’t feel right to him.

Mr. Rapalee stated we have a detailed list from Five Star and there were some issues with the hydraulic system and those were reviewed. They also looked at the pin and boom. The operator does not feel comfortable using the machine as it is. Until this is resolved, we are looking at not using the machine.

Mr. Malter stated you said you had a quote. How much was the quote? Mr. Rapalee stated the quote was in excess of $50,000 so that is the reason we brought the machine back. We need to review the repairs with Mr. Sprague and check that against what the first vendor did before we proceed with the second round. We want to make sure the work being quoted for the second round shouldn’t have already been done the first time.

Mr. Malter asked what is the age of the machine, and what was the cost to purchase? Mr. Rapalee stated this is a 2008 John Deere and he is not sure how much the machine cost. Mr. Spagnoletti stated a new track hoe is up around $250,000.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO RENT AN EXCAVATOR FOR BRIDGE PROJECTS FOR A MAXIMUM OF FOUR MONTHS FROM MAY TO JUNE FOR A COST OF $5,000 PER MONTH MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Appropriate State Funding for Permanent Improvement D 511200, Capital Projects 5 250 000 – Mr. Spagnoletti stated we have received verbal indication that we will be getting Extreme Winter Recovery Funding and Pave NY funding totaling $1,653,718.95. Before we spend it, I would like to have written notice from the State that we are getting it. Once we get the notice in writing, the Governor reserves the right to cut the budget or change the budget. Mr. Spagnoletti stated he will be going to Mr. Wheeler and getting his approval before he proceeds. Even if Mr. Wheeler approves proceeding with construction, if we find even then that it looks like we are not getting this funding, then I will go to the blacktop projects and delete those and do chip seal instead. This is funding that we have received in the past.

Mr. Wheeler stated in the calls that we have had, the best we can tell is we feel the money is pretty secure. The Governor has broad authority to propose cuts based on revenue shortfalls. The first round of proposed cuts should come out in the next few days. I will keep you posted. The State Legislature does have the ability to come back and propose cuts of their own; the Governor cannot make universal cuts. This is needed funding for every municipality.
Mr. Swackhamer asked does this money have to be spent this year? Mr. Wheeler replied I believe so, yes. Mr. Nichols stated I would not leave it for next year. Mr. Wheeler stated his understanding is that it has to be used during the State’s budget year. Mr. Nichols commented you have to have warm temperatures to use this and that limits them to doing projects during the summer.

Mr. Ryan asked do you have an expected date to get this in writing? Mr. Spagnoletti replied we had been told we would receive a notice last week or before. I expect that we would receive notice in May. The brunt of the season is July and August and you finish in September. He would like to get it on the books so we can make our purchases and would be able to determine those purchases based on the State funding. He commented the Pave NY funding is the Governor’s own program.

Mr. Van Etten stated there are three different times that the Governor will be able to make changes and the first one is coming up at the end of this week. Then I believe there will be one at the end of June and one in the fall. Mr. Wheeler stated that is correct.

Mr. Maio asked how do you expect the blacktop prices to be this summer given the market? Mr. Spagnoletti replied this is a strong time of opportunity. The prices of crude oil are typically $60.00 per barrel. When that goes down to $40.00 per barrel then we can do significantly more work. Right now the price is $25.00 per barrel and we expect that price will keep dropping. If we can do the project this year, it will be at a relatively low cost. The prices will go down this summer.

Mr. Maio asked with the prices going down, will we be able to spend all of this funding or add additional projects? Mr. Spagnoletti replied in the next agenda item I have added five additional projects. Mr. Maio asked with the additional projects, is that based on the price of oil now, or the previous price? Mr. Spagnoletti replied this was based on the previous price of $50.00 - $60.00 per barrel. If the price drops as we expect, we will need a portion of that. He stated he put in a $250,000 contingency on the projects. If the price drops some and I have enough contingency and the price drops more, then we can go back and do more paving of some of the roads that in the past year or so were chip sealed. There could be more projects that we could do with our paver and grinder.

Mr. Swackhamer stated there is a clause in the contracts that they have to drop their prices also. That is built into the contracts.

Mr. Mullen asked would it be too late, if the price of asphalt goes down substantially, do we have projects that are more asphalt heavy that we should shift to and get the long-term bang for our buck? Mr. Spagnoletti replied we address that by doing many of the asphalt jobs early in June. As the summer goes on, the price will go up. We try to get as much blacktop done early in the season. It really doesn’t serve a purpose to shift the projects as it is the same number of miles and the same amount of chip seal. The main thing that Mr. Rapalee will do is once we have a base price that seems to bottom out, then he will go in and get as much work done as we can.

Mr. Swackhamer stated we have done real well with our five year schedule and that is coming to an end. Hopefully we don’t have any major projects by the time we get done this year. Mr. Spagnoletti stated 2020 is the last year of the current five year plan. We will be done except for 3.5 miles of CR 6 which will cost about $700,000. He stated that Mr. Wheeler and Mr. Brewer had asked for areas where we could reduce our budget and I could delete CR 6 and that will be the only job that will not have been finished.

Mr. Van Etten stated the point of having a five year plan is to have a long-term vision. We should continue to have updated five year plans rolling forward. Granted, the big projects will be taken care of. We should always have a five year plan going forward and just update it. Mr. Spagnoletti stated that’s right, I agree with that. Our five year plan is not written in stone and we keep revising. Last year we had three of our engineers make the next five year plan and that starts in 2021. I will be giving that to you this year. The other real benefit to the five year plan is that when the field supervisors have it, they know what will be built next year and they do the pipes so they can settle for a year before we lay the blacktop.
Mr. Potter asked is CR 117 slated for 2021? Mr. Spagnoletti replied no. I will check that out and find out where that is and look at why it is not on the schedule for 2021. Mr. Potter stated we had talked about the west end of that road. Mr. Spagnoletti stated I know and I will take a look at it and get back to you.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO APPROPRIATE $642,568.88 IN EXTREME WINTER RECOVERY FUNDING AND $1,011,150.07 IN PAVE NY FUNDING INTO THE PERMANENT IMPROVEMENTS D 511200, CAPITAL PROJECTS 5 250 000 MADE BY MR. POTTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

D. Add Road Projects – Mr. Spagnoletti requested authorization to add five road projects to the Permanent Improvements D 511200 line. The projects are CR 5 in Tuscarora, 1.4 miles; CR 15 in Bath, 3.3 miles; CR 21 in Canisteo, 1.5 miles; CR 70 in Howard, 2.9 miles and CR 100 in Woodhull, 3.1 miles.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ADD CR 5, CR 15, CR 21, CR 70 AND CR 100 TO THE PERMANENT IMPROVEMENTS D 511200 LINE MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

E. Transfer from Permanent Improvements to Individual Road Projects – Mr. Spagnoletti requested authorization to transfer funds from the Permanent Improvements line into each of the road projects, including the five new projects the committee just approved.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER FUNDING FROM THE PERMANENT IMPROVEMENTS LINE INTO INDIVIDUAL ROAD PROJECTS AS FOLLOWS: CR 4 - $10,000; CR 27 - $75,000; CR 32 - $56,000; CR 74 - $8,000; CR 66 - $83,000; CR 109 – $41,000; CR 10 - $56,000; CR 64 - $40,000; CR 28 - $110,000; CR 57 - $132,000; CR 15 - $143,000; CR 5 - $105,000; CR 21 - $226,000, CR 100 - $339,000 AND CR 70 - $422,000 MADE BY MR. HORTON. SECONDED BY MR. RYAN FOR DISCUSSION.

Mr. Mullen asked I’m assuming that these last five projects are contingent upon receiving funding from the State? Mr. Spagnoletti replied if you add these five projects to the project list and then we don’t get the funding, what I would do is not delete the project, but those that are blacktop projects, I would chip seal instead so that all the projects could get done and then blacktop them next year.

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

IV. BIDS

A. Cutting Edges, Sander Chains & Shoes – Mr. Spagnoletti recommended awarding to lowest bidder on a line item basis. He stated this bid shows specific amounts for each type of cutting edge. He noted that on the bottom of the first page there is an item for a Polar Flex Blade System. We did not receive any bids for this. He explained this is a new type of cutting edge that is segmented. There are short segments of the cutting edge and move independently and adjust to the profile of the road. These blades scrape much cleaner. The initial cost is more expensive, but over a 20-year life the cost is about the same. We will get quotes for a couple of our plows for the drivers to get used to.

Mr. Nichols asked is this new cutting edge system rougher on the pavement? Mr. Spagnoletti replied no, but the blade scrapes the pavement a lot cleaner. It does it better because it is designed so the blade will drop down into the ruts of a road. We tried this blade last year and it is not harder on the pavement.

MOTION: AWARDS THE BID FOR CUTTING EDGES, SANDER CHAINS & SHOES TO THE FOLLOWING BIDDERS ON A LINE ITEM BASIS: CHEMUNG SUPPLY CORP.; STEEL SALES INC.; NORTHERN SUPPLY; WINTER EQUIPMENT AND GEORGE AND SWEDE MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
B. New Structural Steel –

MOTION: AWARDING THE BID FOR NEW STRUCTURAL STEEL TO THE LOW BIDDER, CHEMUNG SUPPLY CORP. FOR $47,228.56 MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Asphalt Concrete; Specified In-Place Project(s) for the Village of Wayland – Mr. Spagnoletti stated as way of background, we spend a lot of time paving for the towns. Mr. Rapalee had suggested working with the towns to put out specific bids for their projects. This will benefit both the towns and the county as we don’t have to spend all of our time doing this. He recommended awarding to the low bidder, Spallina Materials, Inc.

MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; SPECIFIED IN-PLACE PROJECT(S) FOR THE VILLAGE OF WAYLAND TO THE LOW BIDDER, SPALLINA MATERIALS, INC. FOR $102,822.60 MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Asphalt Concrete; Miscellaneous In-Place Project(s) – Mr. Spagnoletti recommended awarding to bidders based on low cost and availability.

MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; MISCELLANEOUS IN-PLACE PROJECT(S) TO THE FOLLOWING BIDDERS BASED ON LOW COST AND AVAILABILITY: BOTHAR CONSTRUCTION; DALRYMPLE GRAVEL AND CONTRACTING CO., INC.; DOLOMITE PRODUCTS CO., D/B/A A.L. BLADES INC.; AND SPALLINA MATERIALS, INC. MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Pavement Grinding – Mr. Spagnoletti recommended awarding to the sole bidder, Suit-Kote Corporation. We rarely use this as we bought a grinder in 2012. Our cost to operate our grinder is $3,160 per day and that includes the operating and purchase cost versus the $5,500 per day in this bid. He stated our grinder has saved us $600,000 over the seven years we have owned it. Buying the grinder was a good deal.

MOTION: AWARDING THE BID FOR PAVEMENT GRINDING TO THE SOLE BIDDER, SUIT-KOTE CORPORATION FOR $5,700 PER DAY FOR 1 DAY; $5,600 PER DAY FOR 2 – 4 DAYS; AND $5,500 PER DAY FOR 5 OR MORE DAYS MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Ice Control Sand – Mr. Spagnoletti informed the committee that Mr. Rapalee revised this bid to require that the entire stockpile be tested before winter to prevent the purchasing war during the winter. We will have it stockpiled and ready. He recommended awarding to all bidders except S.T Coots as they did not submit the signed Iranian Divestment form. This means that the total cost for purchasing will go from $205,000 to $211,000. He stated that Mr. Morse and Ms. Prossick have gone over this and we all agree.

Mr. Ryan asked did S.T. Coots provide an explanation for why they didn’t sign this form? Mr. Spagnoletti stated we didn’t ask for an explanation. They did not meet the bid requirements. Mr. Wheeler stated the Iranian Divestment Act is one of the forms that we cannot waive. Ms. Prossick stated we have this happen every once in a while and it is not waivable under Finance Law.

MOTION: DECLARING S.T. COOTS A NON-RESPONSIVE BIDDER AND AWARDING THE BID FOR ICE CONTROL SAND TO THE FOLLOWING BIDDERS: DALRYMPLE GRAVEL & CONTRACTING CO. CORP.; DOLOMITE PRODUCTS COMPANY INC., D/B/A A.L. BLADES; KNIGHT SETTLEMENT SAND & GRAVEL, LLC; NEW ENTERPRISES STONE & LIME CO., INC.; SPALLINA MATERIALS, INC.; AND WILKINS DAIRY FARM, LLC D/B/A WILKINS SAND AND GRAVEL MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

G. Traffic Control Supplies – Mr. Spagnoletti recommended awarding to the low bidder on a line item basis.
MOTION: AWARDING THE BID FOR TRAFFIC CONTROL SUPPLIES TO THE FOLLOWING BIDDERS ON A LINE ITEM BASIS: NEWMAN SIGNS, INC.; S&S SIGNS & SAFETY EQUIPMENT; SAFETY ZONE SPECIALISTS; AND SHIRLEY’S LUMBER MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

H. Pavement Marking Painting

MOTION: AWARDING THE BID FOR PAVEMENT MARKING PAINTING TO THE LOW BIDDER, ZEBRA PAINT STRIPING FOR $8,495.00 MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

I. Approval to Bid Four (4) Overhead Doors for Prattsburgh Shop

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO BID FOUR OVERHEAD DOORS FOR THE PRATTSBUGH SHOP MADE BY MR. HORTON. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. OTHER BUSINESS

A. Pavement Grinder – Mr. Malter asked going back to the previous discussion about the grinder, how old is the machine and what is the useful life? Mr. Spagnoletti replied it is a 2013 machine and we will get easily 20 years and expect 25 years. Mr. Swackhamer stated we talked to operators in Germany and they were getting 20 – 25 years depending on how rough the machine was used.

B. Building Demolitions – Mr. Orcutt reported the Town of Erwin had put in an application to demolish a house for a road realignment project. There were 34.53 tons and it was clean C&D so the rate would have been $30.00 per ton. The total amount waived was $1,035.90. Mr. Spagnoletti stated this is the second project of the five the committee has approved for this year. Mr. Orcutt stated the Town of Erwin indicated they have another project that they are working on.

C. Parks – Mr. Wheeler stated that he has talked with Chairman Van Etten, the Sheriff and Mrs. Smith and they have decided that he will not be signing an executive order extending the closure of the county parks. We will be issuing a press release. The playgrounds, pavilions and restrooms will be closed, but we will open the park facilities.

D. Gas to Energy Plant – Mr. Van Etten asked when are we going to get an update on the status of the gas to energy plant? Mr. Spagnoletti replied I can give you one now if you would like. Basically what has happened is the gas to energy plant is not operating. Our plan had been all along to let out an RFP for someone to operate the plant at the landfill for us, or to take the methane gas and turn it into liquefied natural gas and pipe away. There is big money in liquefied natural gas and piping it. However, the big money was because the refineries, the small ones, had a clause from the EPA (Environmental Protection Agency) where instead of putting ethanol in, they said it was too expensive and they wanted a waiver on that and the EPA agreed. If Steuben County makes natural gas out of methane, then those refineries have to pay the county and then they will not have to put the ethanol in. Mr. Spagnoletti stated my understanding is the EPA approved a waiver for no ethanol requirement and they would not have to pay the county. That has dropped the attractiveness of the revenue possibilities. That combined with Covid, we have thought it would be best to put out an RFP when there is more of a situation where people can come and go.

Mr. Orcutt stated we had discussions with our engineering firm, Barton and Loguidice, and the waiver the EPA had put in place has not been renewed. Developers are looking for projects for a virtual pipeline that will produce and truck to the terminal. We are updating our RFP’s for an internal peer review. We will be getting our RFP’s out within the next month or so.

Mr. Van Etten asked we have zero estimated revenue in the 2020 budget for that plant? Mr. Spagnoletti replied I think so. Mr. Van Etten stated I just wanted to make sure we have no exposure. Mr. Wheeler stated I don’t believe we estimated anything on that.
Mr. Malter asked if we are not operating the plant, are we burning off the gas at this point? Mr. Spagnoletti replied yes. We have a flare up there. We still get the carbon credits for that as we have a significant reduction in greenhouse gases. Mr. Malter asked do we get revenue for that credit? Mr. Spagnoletti stated last year we received between $100,000 - $105,000.

E. Flagging – Utility Projects – Mr. Potter stated it has recently come to his attention that the contractors putting in the fiber optic along county roads are not using adequate traffic controls. Who is responsible for that? It can be a hazardous situation. Mr. Spagnoletti replied they are not as careful as far as putting up notice signs, cones and flaggers. I have not seen anything really dangerous, but it is not up to the standards that we hope to do with our crews. He stated he will notify each MEO Supervisor to let him know when the utility companies are out and especially if they think they do not have sufficient traffic control. I will talk to Ms. Prossick about our abilities in being able to enforce that.

Mr. Potter asked do they have to get an easement to work in the County’s right-of-way? Mr. Spagnoletti replied yes. Mr. Potter asked is that a place where we can emphasize the need for this? Mr. Spagnoletti stated the utility companies are required to get our approval to work in our right-of-way. I will look at that as far as what permitting these companies are using and if it is associated with traffic control requirements. Ms. Prossick stated I have been working with Mr. Catherman and the engineers to do a better permitting process and that is one of the things we are looking into. This has not been traditionally captured on enforcement.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION 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. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

MOTION: TO ADJOURN MADE BY MR. POTTER. SECONDED BY MR. MULLEN. 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 1, 2020
Legislative Committee Room
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Monday, May 25, 2020
STEUBEN COUNTY PUBLIC WORKS COMMITTEE

Special Meeting
Monday, May 18, 2020
9:55 a.m.
Via Teleconference

**MINUTES**

COMMITTEE: Robert V. Nichols, Chair Frederick G. Potter, Vice Chair Jeffrey P. Horton
Aaron I. Mullen Thomas J. Ryan

STAFF: Jack K. Wheeler Christopher Brewer Vince Spagnoletti
Brenda Mori Jennifer Prossick Rob Wolverton

LEGISLATORS: Scott J. Van Etten Robin K. Lattimer Carol A. Ferratella
Kelly H. Fitzpatrick K. Michael Hanna Hilda T. Lando
John V. Malter Steven P. Maio Gary B. Roush
Brian C. Schu Gary D. Swackhamer

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:55 a.m.

II. GENERAL BUSINESS

A. CR 119 – Approving Purchase of Property – Mr. Spagnoletti requested authorization to purchase a quarter acre of land for the CR 119 bridge project. The property has been appraised at $500 and the owner is requesting $1,000. He recommends purchasing for $1,000. Ms. Prossick stated this is within our authority to negotiate. There is a resolution before the Board for authorizing the purchase.

MOTION: AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY IN THE TOWN OF CAMERON FOR THE COUNTY ROUTE 119 BRIDGE OVER THE CANISTEO RIVER PROJECT MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature
I. CALL TO ORDER

Mr. Nichols called the meeting to order at 10:00 a.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MAY 4, 2020, AND MAY 15, 2020, MEETINGS MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILL

A. Electronics Recycling Act – Mr. Spagnoletti stated last year we charged $15.00 for TV’s and monitors which brought in approximately $54,000 in revenue. We then paid our recycling contractor $80,000 to take that material, which resulted in a net County cost of approximately $30,000. He stated Rich Bills, the president of the NYS Solid Waste Association, is recommending supporting a resolution to modify the Electronics Recycling Act.

Mr. Bills stated in 2010 New York State adopted the NYS Electronics Recycling Act to help manage electronics recycling. Under this, electronics manufacturers were required to participate in programs that effectuated reasonable, convenient recycling of electronic products and were required to pay for that. Over time the manufacturers discovered that once they met the standards they no longer had to pay for the program. In Steuben County, we pay $0.35 per pound, or $700.00 per ton and we pass much of that cost on to our residents in the $15.00 recycling fee. This fee should be paid for by the manufacturers, but the burden has fallen to us. The Electronic Recycling Act was supposed to have remedied this burden. Mr. Bills stated our association is asking New York State to review the current act to require electronics manufacturers to fund programs for all New Yorkers to recycle electronics at no cost. The changes we are recommending include no less than three designated, permanent collection sites for all counties within a certain population range and that there be convenient drop-off locations for residents. Additionally, we are recommending that materials be accepted by manufacturers at no cost. Mr. Bills stated in Steuben County we run four permanent sites and we fund a lot of that program. It is time that the State steps up and makes these changes.

MOTION: URGING THE GOVERNOR AND THE NEW YORK STATE LEGISLATURE TO MAKE UPDATES TO THE NEW YORK STATE ELECTRONICS RECYCLING ACT MADE BY MR. RYAN. SECONDED BY MR. POTTER FOR DISCUSSION.
Mr. Malter stated that he would like to make an observation. If we sit out there and the manufacturers are paying for this, they will add the cost to the products so the consumers will pay one way or the other. Mr. Bills commented this cost should have been internalized to the manufacturers already.

Mr. Ryan asked if these changes happen, does that mean residents will not have to pay the recycling fee at the Landfill any longer? Mr. Bills replied that is the intent. If the State does this, we would have no costs to our program and we would be able to accept the TV’s for free.

Mr. Van Etten asked does your association have a feel for if the State is receptive to fixing this or is this not going to go anywhere? Mr. Bills stated they have been working with Senator Kaminski and they seem to be receptive to making changes to this law in particular. He stated I don’t know if it will happen, but we are making a concerted effort to get this language tidied up.

Mr. Van Etten stated I am in favor of this. Even if the Electronics Recycling Act is not changed by the State, we will need to do what we are doing. This is a cost that we should bear. Mr. Nichols asked are you suggesting that we eliminate the $15.00 recycling fee? Mr. Van Etten replied no, but even with the fee, this is costing the County $60,000.

Mr. Spagnoletti clarified we are taking up about $26,000 of this. This is a good program that we have in place. The NYS Solid Waste Association has a good idea. The manufacturers are making money off this and they should be responsible for the products after their useful lives.

Mr. Mullen asked what is the proposal? If the surcharge is on the manufacture, is this going to a particular county where the products are sold? What if the TV is sold on Amazon? How do you envision this working? Mr. Bills replied it will continue the way it is now. All we are doing is asking for some revisions to the Electronics Recycling Act. Right now it is a complicated arrangement where the manufacturers work through a co-op and they seek out and come to people like us to get contractors to collect the recycling. When we go out for an RFP for a contractor to do the recycling, we should not have to pay $700.00 per ton to get rid of that; that cost should be covered by the manufacturers.

Mr. Malter stated it is costing the County $30,000 and on top of that, we have to pay for the workforce in place and that is costing money. I don’t think we should make it free to the public.

Mr. Horton stated I agree with Mr. Malter. We should keep the $15.00 fee in place and if at some point it becomes completely free to the County, then we could change the fee to the public.

Mr. Van Etten stated I am not suggesting we eliminate the fee, but I would be against increasing it. If the fee is any higher, people will toss the TV’s on the sides of the road again.

Mr. Mullen stated he would rather see more of a nominal cost.

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

B. Gas to Energy Project – Mr. Spagnoletti explained methane gas is produced by decaying garbage. Because of falling energy prices we held off on issuing RFP’s for developing the gas. The developers have indicated there is an upturn in the market and he would like to now request authorization to issue the RFP to develop the gas and gas to energy plant.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO ISSUE AN RFP FOR THE DEVELOPMENT OF GAS AND THE GAS TO ENERGY PLANT MADE BY MR. MULLEN. SECONDED BY MR. RYAN FOR DISCUSSION.

Mr. Ryan stated I was involved on the Legislature when we first proposed that project. What happened and why was the development shut down? Mr. Spagnoletti replied it was shut down due to the discovery of shale gas. Back 15 to 20 years ago whenever anyone talked about New York State and the problems, it was because of high energy prices. At that time
energy prices were very high. After the gas to energy plant was built, shale gas production started and that collapsed the price of energy. Now we are doing an adjustment to take advantage of what we believe are other opportunities out there. One option is to look at producing electricity at the plant when NYS is requiring renewable energy at office buildings. The original reason for the plant is gone, but there are other opportunities out there and we would like to get proposals to see what they have to offer.

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

IV. HIGHWAYS

A. **Transfer from Salt Account to Sand Account** – Mr. Spagnoletti informed the committee that their sand supply has been running out before winter ends. To remedy that we would like to put up the sand this summer that will last the entire winter. Normally we would purchase the sand for the 2020-2021 season out of the 2021 budget, but he is requesting authorization to transfer $139,000 from the salt account to the sand account to purchase and pay for the sand in September 2020.

**MOTION: AUTHORIZING THE TRANSFER OF $139,000 FROM THE DEPARTMENT OF PUBLIC WORKS SALT ACCOUNT TO THE SAND ACCOUNT TO PURCHASE AND PAY FOR THE 2020-2021 WINTER SAND SUPPLY IN SEPTEMBER 2020 MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

V. BIDS

A. **Shoulder Widener Roller** – Mr. Spagnoletti explained when we build the gravel shoulder for a road, the roller sits on top of the gravel in a tipped position and the machine could tip over. This shoulder widener roller is more secure as it cantilevers from the shoulder from a tractor which is on the road and that is safer and quicker. He recommended awarding the bid to Tracy Road Equipment for $54,700. Mr. Ryan asked is there money in the budget for this? Mr. Spagnoletti replied yes; we have $75,000 in the budget.

**MOTION: AWARDING THE BID FOR THE SHOULDER WIDENER ROLLER TO THE LOW BIDDER, TRACY ROAD EQUIPMENT FOR $54,700 MADE BY MR. RYAN. SECONDED BY MR. HORTON FOR DISCUSSION.**

Mr. Nichols commented this is still cheaper than if someone were to get hurt.

Mr. Van Etten asked do we have a tractor to pull it with? Mr. Spagnoletti commented this is the combination tractor and the roller. Mr. Rapalee stated this is actually just the attachment piece. This is a universal roller that attaches to a skid steer and we have a skid steer for it to go on.

Mr. Potter asked will this get the compaction rate that you would have with the other roller? Mr. Spagnoletti replied I think this will get better compaction. This will press down and has vibratory compaction. I think it will get better compaction.

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

VI. OTHER

A. **Recycling Plastics Contract** – Mr. Orcutt stated the plastics recycling market has collapsed and our current vendor, Swarthout, is unable to move plastics for us. Our vendor has asked, and we are willing, if we would shift that piece of the contract and allow the County to do our own marketing and waive the potential loss of revenue. This would allow us to move some materials in the market and once the market has resolved itself, then we would continue our contract with Swarthout. There may be a facility that is willing to move some plastics for us and there would be no revenue from that.

Mr. Mullen asked what does our contract with Swarthouth say? Mr. Orcutt replied they move the plastics for us, but there is no market to move it into and there are no revenues right now in the plastics market. Mr. Mullen asked that’s at zero
cost? Mr. Orcutt replied no, it is just until they can move the materials. Mr. Mullen stated it seems that they should still see some costs to this. Can they help us move it? Mr. Orcutt replied no. We will take more responsibility for the material. We have the plastics building up onsite. If we cannot move it then we will have to landfill it. He explained one of the marketing facilities had a fire in the spring and there is a facility in Pennsylvania that has shut down due to Covid. There is not a lot of movement in our area for plastics. We sent a test load to a facility to see if they can handle it.

Mr. Nichols stated in this market, any way you can move it. Mr. Orcutt stated the last thing I want to do is put it in the Landfill.

Mr. Mullen stated the question is if there is somebody out there that can market it, why isn’t Swarthout contacting them to do it? Seems like they should still have the cost of shipping. A different question is why, if we can take it there, why can’t they? Mr. Spagnoletti stated I understand your point. In normal times I would say they would pay the cost, but we are in different times now. We are in a crisis and everything has changed and things have happened that nobody could have foreseen. It wouldn’t be fair for them and it is not a responsible way for us to act. Mr. Mullen stated that is a reasonable position.

Mr. Spagnoletti stated this is just an FYI item. Mr. Mullen asked how can it just be an FYI item when we actually have a contract in place? Ms. Prossick replied you can do a motion. This is just a stay at this point in time. Mr. Wheeler stated to Mr. Mullen’s point you should have a motion as you are changing the contract terms. Mr. Potter asked is this a temporary move? Ms. Prossick replied yes.

**MOTION:** AUTHORIZING THE TEMPORARY SUSPENSION OF THE MARKETING OF RECYCLABLES CONTRACT WITH SWARTHOUT AND WAIVING ANY SORT OF DAMAGES FROM EITHER PARTIES RESULTING FROM THE STAY MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

**B. Excavator** – Mr. Spagnoletti stated last month’s meeting we discussed the damaged excavator and the committee had requested additional information. Our damaged machine is a 2008 with 6,000 hours and it cost $175,000. When the machine rolled over, the repair bill was $63,000 and the insurance paid $40,000. Our bridge crew is concerned about the structural soundness of the machine; specifically the main connection points. We are bringing the machine in again this week and Mr. Miller will check those main connection points. Then we will go from there. I don’t want them working under something that they don’t feel safe with.

Mr. Mullen stated with what Mr. Spagnoletti just said, if we get to the point where the guys don’t want to work under it, maybe we should consider selling it and getting a different piece of equipment if that is the case. Mr. Spagnoletti stated that is an option. I just want to take this a step at a time. That is a legitimate option to sell it.

**C. Traffic Control** – Mr. Spagnoletti stated last month Mr. Potter had questioned traffic control requirements on the part of the utility companies. I did send an email to all of our highway supervisors to let them know to contact us if they run across traffic control set ups that are not adequate. This past month that has improved significantly. Ms. Prossick and Mr. Catherman are still working with the utility companies on our permit that we give them regarding maintenance of traffic responsibility.

**D. CR 120** – Mr. Van Etten stated a portion of CR 120 above Schoonover Road is caving away again. This is the third time in five years and it is bad. I’m wondering if the signage saying “Bump” is enough because it could cause an accident. Mr. Spagnoletti stated I will go take another look at it. This is a real problem for us. On our roads you will have a creek or waterway at the foot of the slope of the road and over time they undermine and the road settles. It takes a lot of time and money to fix those. We will look at it and take care of the bump and add signage.

Mr. Spagnoletti stated that slope to the creek is 150 feet or more down and the side of the hill is giving way. Mr. Spagnoletti stated if we put heavy rock on the slope, a lot of times that will stabilize it. The fix is to dig a big trench and fill it with big rocks and then do a check dam and that keeps the creek from undermining the slope. We have other roads that are worse right now.
Mr. Nichols commented these jobs are very costly for the County and the towns. In Tuscarora, we spent over $200,000 and that is a lot of money for a town. No town or the County wants roads like that, but we have many roads along creeks and rivers.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

Monday, July 6, 2020
9:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Monday, June 29, 2020
I. CALL TO ORDER

Mr. Nichols called the meeting to order at 10:00 a.m. and asked Mr. Potter to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 1, 2020, MEETING MADE BY MR. MULLEN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. HIGHWAYS

A. Shared Service Agreement with NYSDOT – Mr. Spagnoletti stated the four-year shared services agreement with NYSDOT recently expired. He requested authorization to enter into a new shared services agreement for an additional four years. The intent of the agreement is to have a record to keep the exchange equal. This includes a hold harmless clause, indemnification and the amount of shared services is capped at $25,000 per year. Mr. Mullen asked what is the $25,000? Mr. Spagnoletti replied we keep track of what we do, as does NYSDOT and that is not to exceed $25,000 in value. This works well.

MOTION: AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR FOUR YEARS, WITH THE VALUE OF SHARED SERVICES BY EACH PARTY TO BE CAPPED AT $25,000 PER YEAR MADE BY MR. POTTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Budget Transfer – Mr. Spagnoletti stated last month the committee approved transferring $139,000 from the salt account to pay for the new sand contract. Today I am requesting authorization to transfer $50,000 from the Crack Seal line item and $53,000 from the Slurry Seal line item into the Salt/Calcium line item. This will allow us to purchase more salt and this will fill our barns for the upcoming winter.

Mr. Mullen asked with the potential 20 percent cut in State funding, would there be a better area to pull from rather than these line items for road maintenance? Mr. Spagnoletti replied I think this is best. We have been doing less crack seal as
the bikers do not like it as it is slippery. Also, slurry seal has gotten very expensive. Mr. Mullen asked should we pull this $103,000 from other line items and use it to do another mile of road? Mr. Wheeler replied the problem is that there are limited areas to take those kinds of funds from. There would not be enough in the consultants/professionals and training/conferences line item. The other options are salt, plowing or road projects. The only other place to take it out of would be equipment. Mr. Nichols commented these funds are still being used for road maintenance in the winter.

Mr. Spagnoletti stated I was not going to do slurry seal anymore which is a sand mix with liquid asphalt injected. It is too expensive. Mr. Nichols asked what is the life expectancy of slurry seal? Mr. Spagnoletti replied Cornell will tell you 7 years and 5 years for chip seal.

Mr. Malter stated the last he knew CHIPS money from the State was not being cut; or is this something new? Mr. Wheeler replied the State is only giving us 80 percent of our allocation. They are holding the remaining 20 percent and if the federal stimulus funding comes in, then they will release that 20 percent.

Mr. Malter asked with oil prices dropping, how is that affecting asphalt prices? Mr. Spagnoletti replied normally oil is about $60.00 per barrel. When it gets down to $40.00 per barrel, we save a significant amount of money. Now the price is at $40.00 per barrel and we are estimating our project costs on that.

MOTION: AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS TO TRANSFER $50,000 FROM THE CRACK SEAL LINE ITEM AND $53,000 FROM THE SLURRY SEAL LINE ITEM AND APPROPRIATING THE TOTAL OF $103,000 INTO THE SALT/CALCIUM LINE ITEM MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Budget Transfer to Create New Road Project - Mr. Spagnoletti requested authorization to transfer $85,000 from the patching line item to a new road project for CR 30 in Canisteo. He stated CR 30 is breaking up and we will be stabilizing 1.4 miles of road base with liquid asphalt. He stated he is pretty certain that he would like to do this with a salt injection instead of the liquid asphalt. If he does that, then the project will be reduced by $50,000, but he would like to transfer the $85,000.

MOTION: AUTHORIZING THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC WORKS TO TRANSFER $85,000 FROM THE PATCHING LINE ITEM, CREATE A NEW ROAD PROJECT ENTITLED CR 30, CANISTEO AND APPROPRIATE THE $85,000 INTO THE NEW PROJECT MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Road Plan Update – Mr. Spagnoletti informed the committee that the 2020 Road Plan has been updated to reflect the 20 percent reduction in State funds. We had originally budgeted $6.1 million for State funding (CHIPS, Pave NY and Extreme Winter Recovery). The State sent a letter that they might stop the funding at 80 percent. He talked with Mr. Wheeler and we are deleting $1.2 million in projects. If we end up not getting the remaining 20 percent allocation, these projects will go to the top of next years’ list. Four projects are being removed from this year; CR 74 in Prattsburgh, CR 57 in Fremont, CR 100 in Woodhull and CR 122 in Prattsburgh. We are modifying the project on CR 70 in Howard to liquid asphalt injection to stabilize the base and will change from blacktop to chip seal. Mr. Spagnoletti explained net, we need $6.5 million per year to keep the roads where they are or to slowly improve. With this 20 percent cut in State funds, we are down to $5 million, and we will be able to take care of the bad roads that are breaking up.

IV. BIDS

A. Asphalt Concrete Project for Village of Bath – Mr. Spagnoletti explained we routinely pave village streets in the County. The Village of Bath wanted us to pave four streets. I don’t have the people or the time as we do not have any summer help this year, which is about 25 people, and we are also down 12 people in the department and we are not filling vacancies. I am trying to find ways to fill in. We worked with Purchasing to put out a bid; three contractors responded and Spallina was the low bid at $122,540.80.
Mr. Spagnoletti stated I would rather award the bid and have the Village take it and use the contractor if they want. I don’t want to use up our crew to do this. From the Village’s point of view, they will pay Spallina, but if we did it, the Village would only pay $87,000 for the blacktop and the County would pick up the $35,000 in equipment and labor costs. He recommended awarding the bid, but if the committee does not want to do that, then he will take three days out of the schedule to do this, but that is three days we won’t be working on County projects.

Mr. Wheeler stated the Village has contacted me also. This is a policy decision for you. As Mr. Spagnoletti mentioned, he has put the municipalities on notice with shared services. We do them and we like to do them, but obviously we cannot short the County work. In this case, the Village of Bath feels this is a different position because we are the home, and good and bad comes with that. They have also cited the purchase of the mental health building that came off the Village tax rolls.

Mr. Malter asked because this is a shared service, and we report that dollar amount to the State, if we do not do this, will that have an effect on our shared services? Mr. Wheeler replied we submit a report every year. We submitted our shared services plan in February and the response back from the State was that shared road projects are not reimbursed because we have always done them. We argued that each project is new. He is not sure if we will get any reimbursement for that. There would be no penalty in not doing this with the Village. If the State changes their stance, that would then have an impact.

Ms. Fitzpatrick stated as one of the representatives for the Town of Bath, I have been in touch with the Mayor and the Village Highway Superintendent. This is a delicate situation for them. Some of the stuff we have done in the past couple of years has hit their tax base, particularly the purchase of the mental health building. I would like to see a way to do something for the Village of Bath, not necessarily the entire project, recognizing that we made significant changes to their tax base. We should do something to help, but I don’t know what that would be.

Mr. Potter stated one thought would be if you split the cost and the municipality paid for the materials and we paid the cost for the contractor to put down the materials that may be a way to resolve it. Mr. Nichols asked are you saying that we would pay the $35,000 to the Village? Mr. Potter stated we would pay the contractor that amount. That might be a possible solution. Mr. Spagnoletti stated I would pave it for them before I would take that out of the budget.

Mr. Mullen stated he will not be voting as he is the Village Attorney. Mr. Mullen suggested long-term that may be look at a road building policy for these villages throughout the County as it is so expensive to do one street. Would it be a savings to the villages and the County to have a long-term road building policy with a crew designated to do that, or for the County to assist the different municipalities? Mr. Spagnoletti replied it will not reduce the unit cost. We bought a paver and the primary reason was that the bridge crew was building six bridges a year. Under the paving contract we would call the contractor and they would not show up for two weeks and the bridges had to remain closed. One reason we purchased the paver was to pave and open the bridges. That turned into an item where the towns and villages wanted us to be the paving contractor and it was not intended to be that.

Mr. Spagnoletti explained in the villages, there is a lot of work and preparation to pave a street, especially with the curb cuts. Our paving operation was not formed to do that kind of work. I don’t have enough people to do that and I don’t have enough people to do the work I have. I will not get all my work done if I start paving for the municipalities. Everything changed this year with COVID and things require extreme steps.

Mr. Van Etten stated I get a little tired of hearing about the Village of Bath and their dissatisfaction with the County. We are the largest employer in this area. We have the best real estate in the Village and we provide a lot for the Bath economy just by having hundreds of people working here. We are not a bad neighbor. This is a taxpayer issue; not one municipality versus another municipality. We do not mistreat the Village in any way. We don’t owe them anything.

Mr. Wheeler explained if you wanted Mr. Spagnoletti and his crew to do the project, you would reject the bid. If you want the Village to do it, you would award the bid and they could procure the service. He stated I don’t want to be in the position of determining which projects get done. That is a Legislature decision.
Ms. Prossick commented the procurement in the bid is a shared service; we could consider putting the bid together as a shared service.

Mr. Ryan asked so we would have to pay the $35,000? Mr. Wheeler replied there would be no additional cost to us. The question is do you want to allocate three days to a shared service, or award the bid for the Village to take and use. Mr. Nichols stated it is three days of production on County roads or the Village.

Mrs. Lando commented the City of Corning approved $100,000 every year to go into road repairs. If you do this, maybe the City of Corning will ask for money as well.

Mr. Potter stated one of the towns in my district asked Mr. Spagnoletti to do a small paving job and Mr. Spagnoletti told them it was more cost effective to have a contractor come in and do it. If we do this for the Village of Bath, that town will get wind of that and will ask how come you did it for the Village of Bath and not us.

Mr. Malter stated there is a shortage of personnel this year. We would be using personnel to do other municipalities work and not get our own work done. We have to take care of our own scenarios. Mr. Wheeler commented with staff, we had no orientation during COVID and we are holding vacancies in anticipation of revenue cuts.

MOTION: AWARDING THE BID FOR ASPHALT CONCRETE; SPECIFIED IN-PLACE PROJECT(S) ON BEHALF OF THE VILLAGE OF BATH TO THE LOW BIDDER, SPALLINA MATERIALS, INC. FOR A TOTAL COST OF $122,540.80 MADE BY MR. HORTON. SECONDED BY MR. POTTER. MOTION CARRIES 4-0-1. (MR. MULLEN ABSTAINED AS HE IS THE ATTORNEY FOR THE VILLAGE OF BATH)

Mr. Spagnoletti stated we support shared services and will continue; it’s just this area with regard to paving. Mr. Wheeler commented we also do shared services with the Village with the utilities and we value our relationship with all of the municipalities.

Ms. Fitzpatrick commented it is important for those individuals from the Village of Bath who are listening to this meeting to have heard the discussion. We have had discussion and debated and the Village has been put on notice. I am happy that it was discussed thoroughly. Mr. Nichols stated our first priority is to make sure the County projects get done.

Mr. Mullen stated the paver is going steady all summer for the County. We did have a crusher consortium. Mr. Spagnoletti stated we got out of that. Mr. Mullen commented his thought was that if the paver has available times and the Village wanted to train their staff to use it, maybe they could. Mr. Wheeler stated there were previous discussions from ten years ago to only have our crews operate that, due to liability issues. Mr. Nichols stated we don’t want other people using our equipment.

V. OTHER BUSINESS
   A. Trucks – Mr. Van Etten stated we have three new ten-wheel trucks sitting at the shop ready to go. I noticed that they have chrome fenders over the rear wheels and I can tell you that with flash and bling on municipal vehicles the taxpayers will see that as a waste of money. This is just the perception and we need to be aware of that. This is just a comment. Mr. Rapalee stated I’m pulling up the specs now. Mr. Van Etten stated you probably didn’t spec it, but it is just a perception issue. Mr. Rapalee stated the spec is for a full stainless steel fender. We are only specifying the material for it to be made from, not the finish.

   Secretary’s Note: Commissioner Spagnoletti provided a copy of a letter from Utica General stating that Peterbilt Motor Company uses high quality components and suppliers. Alcoa Company who manufactures and supplies the aluminum rims has a proprietary machined finish on the aluminum surface. The grill, mirror brackets, battery box, fuel tank, fenders, etc. are made from stainless steel or aluminum.
MOTION: TO ADJOURN MADE BY MR. HORTON. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
Monday, August 3, 2020
Legislative Committee Room
9:00 a.m.
Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Monday, July 27, 2020