STEUBEN COUNTY PUBLIC WORKS COMMITTEE
Monday, January 6, 2020
10:00 a.m.
Legislative Committee Room
Steuben County Office Building
Bath, New York

**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
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: AWARDING 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: AWARDING 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 UNRESPONSIVE 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  
        Christopher Brewer  
        Vince Spagnoletti  
        Frederick G. Potter  
        Jerry Miller  
        Rich Bills  
        Jennifer Prossick  
        Doug Rapalee  
        Andrew Barbato  
        Steve Orcutt  
        Craig Patrick  
        Lisa Tracy

LEGISLATORS: Scott J. Van Etten  
              Carol A. Ferratella  
              Kelly H. Fitzpatrick  
              K. Michael Hanna  
              Steven P. Maio  
              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 & SWEDE 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**

Resolution Required.
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 are we 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 PROPERTY 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
**MINUTES**

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

Aaron I. Mullen  
Thomas J. Ryan

Kelly H. Fitzpatrick, Vice Chair  
John V. Malter  
Robert V. Nichols

Gary B. Roush

**STAFF:**
Jack K. Wheeler  
Christopher Brewer  
Vincent Spagnoletti

Jennifer Prossick  
Brenda Mori  
Wendy Jordan

Nate Alderman  
Cheryl Crocker  
Amy Dlugos

James Allard  
Shawn Sauro  
Eric Rose

David Hopkins  
Tammy Hurd-Harvey  
Vicki Olin

**LEGISLATORS:**
Scott J. Van Etten  
Robin K. Lattimer  
Carol A. Ferratella

Hilda T. Lando  
Steven P. Maio  
Brian C. Schu

Paul E. Van Caeseele

**ABSENT:**
Gary D. Swackhamer

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, that we 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 curve where 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, no $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 to 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 if 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: DGIEН TRUCKING, INC.; GOODRICH TRUCKING AND LEON LACY, INC.; AWARDING THE BID FOR STONE FILL TRUCKING SERVICES – TRAILER DUMP, TO THE SOLE BIDDER, DGIEН 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:** AWARDING 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:** AWARDING 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:** AWARDING 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:** AWARDING 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:** AWARDING THE BID FOR CRANE RENTAL SERVICES – GENERAL BRIDGE SERVICES TO THE FOLLOWING BIDDERS: CLARKING 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 guiderail 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
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
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 D511200, Capital Projects 525000 – 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.

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Special Meeting – Public Works Committee
Monday, May 4, 2020
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. Raaplee 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 87 - $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: AWARDING 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 PRATTSBURGH 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
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 Swarthout 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 at 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
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

Mr. Mullen stated he has a correction regarding the comment he made about the paver. The minutes state that I had asked if it would be cheaper to pay $35,000 to each village, but my intent was not for the County to pay each municipality. I was intending to ask if the County was assisting different municipalities.

MOTION: APPROVING THE MINUTES OF THE JULY 6, 2020, MEETING AS AMENDED MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILLS

A. Authorization to Bid the Cutting and Sale of Timber at the Bath Landfill – Mr. Spagnoletti requested authorization to bid the cutting and sale of timber at the Bath Landfill. He stated we have 25 acres that are ready to be harvested.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO BID THE CUTTING AND SALE OF TIMBER AT THE BATH LANDFILL MADE BY MR. HORTON. SECONDED BY MR. POTTER FOR DISCUSSION.

Mr. Mullen asked will a forester be marking the trees? Mr. Spagnoletti replied yes. They will get paid $10.00 per acre for management and will also receive 8 percent of the logging bid to oversee the logging.

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

B. Inter-Municipal Agreement with Allegany County – Mr. Spagnoletti requested authorization to enter into an Inter-Municipal agreement with Allegany County to sell our surplus 2011 recycling baler. The baler is located at the Erwin Transfer Station and we originally paid $35,000. The machine has 1,000 hours and is pretty well used up. He
requested authorization to sell it to Allegany County for $2,000. Mr. Nichols asked do we have one to replace it? Mr. Spagnoletti replied yes, we just purchased a new one.

MOTION: AUTHORIZING AN INTER-MUNICIPAL AGREEMENT WITH ALLEGANY COUNTY FOR THE SALE OF A 2011 RECYCLING BALER TO ALLEGANY COUNTY FOR A PRICE OF $2,000 MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Wayland Transfer Station – Mr. Malter stated with respect to the RFP for a solar farm, my understanding is that Abundant Solar or Abundant Energy has contacted properties boarding the transfer station. Are you aware of that? Mr. Spagnoletti replied no. I’ll find out what is going on there. Mr. Orcutt stated they are talking to the area landowners to see if there is any interest in a project which would reduce the company’s interconnect costs.

Mr. Nichols stated they contacted the Town of Tuscarora and tried to purchase the gravel pit in the Town of Rathbone. Mr. Malter asked with the solar farms, does the County get anything? Mr. Wheeler replied we get a lease payment and they would have to go to the Industrial Development Agency for a PILOT. Ms. Prossick commented the County would also get a reduction in energy costs.

IV. HIGHWAYS
A. Major Equipment List Changes – Mr. Spagnoletti stated in our Major Equipment list for 2020 we had included a Tire Changer for $4,000 and a Tire Balancer for $4,000. We did not receive the outside funding we had expected and he would like to amend those items in the budget to reflect a cost of $8,000 for the Tire Changer and $8,000 for the Tire Balancer.

MOTION: AMENDING THE HIGHWAY MAJOR EQUIPMENT LIST TO REFLECT A CHANGE IN COST FOR A TIRE CHANGER FROM $4,000 TO $8,000 AND A TIRE BALANCER FROM $4,000 TO $8,000 MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Budget Transfer – Salaries and Wages – Mr. Spagnoletti explained the entire payroll for the highway department is included in the General Repairs cost center. He requested authorization to transfer $300,000 into the salaries and wages under the Permanent Improvements cost center, $250,000 into the salaries and wages under the Maintenance of Bridges cost center and $250,000 into the salaries and wages under the Snow Removal cost center.

Mr. Mullen asked so does this mean you will be fixing fewer trucks? Mr. Wheeler explained no. This is the main salary line and all of it is in General Repairs. This transfer is putting those funds where they actually should go. We are just paying the salaries and wages out of the correct cost centers.

MOTION: AUTHORIZING THE TRANSFER OF $800,000 FROM THE GENERAL REPAIRS SALARIES AND WAGES LINE ITEM AS FOLLOWS: $300,000 TO THE SALARIES AND WAGES LINE ITEM UNDER PERMANENT IMPROVEMENTS; $250,000 TO THE SALARIES AND WAGES LINE ITEM UNDER MAINTENANCE OF BRIDGES AND $250,000 TO THE SALARIES AND WAGES LINE ITEM UNDER SNOW REMOVAL MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Authorizing Funding of Design of Right of Way Costs for CR 115 Bridge – Mr. Spagnoletti explained we have $511,000 to fund the design and incidental right of way costs to build the CR 115 Bridge over the Canisteo River in Erwin. This project is scheduled for next year. We have received an additional $12,500 for the actual right of way purchase. This project is 95 percent State funded and the additional $12,500 is in the budget. He explained NYS DOT requires us to amend our agreement with them to show that this money is set aside and has been approved.
MOTION: AUTHORIZING THE ADDITION OF $12,500 TO THE DESIGN AND RIGHT OF WAY COSTS FOR THE CR 115 BRIDGE OVER THE CANISTEAO RIVER IN ERWIN AND AMENDING THE AGREEMENT WITH THE NYS DEPARTMENT OF TRANSPORTATION TO REFLECT THIS INCREASED FUNDING MADE BY MR. POTTER. SECONDED BY MR. MULLEN FOR DISCUSSION.

Mr. Potter asked are we paying for a right of way on an annual basis or is this an additional right of way we need to get? Ms. Prossick asked is this bridge moving? Mr. Spagnoletti replied no, the bridge will remain in the same place. We determined that we need just a little bit more land.

Mr. Potter asked is this a one-time thing? Mr. Spagnoletti replied yes. Ms. Prossick explained we get an easement and file it with the County Clerk. Mr. Potter asked was this more money than you had anticipated to get this easement? Mr. Spagnoletti replied we had anticipated this cost. Mr. Malter asked the money is not allocated to the right of way? Mr. Spagnoletti replied we put it in the design in preparation to purchase the right of way and this also shows NYS DOT that you approved it.

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

D. Informational – Intent to Carry over Future Federal Aid Bridge Design Funding – Mr. Spagnoletti explained in 2020 we included $500,000 in the event that we received State funding for the design of the Smith Road Bridge in Coopers Plains. We will not use our portion, which was $25,000 and will instead carry over that $500,000 into the 2021 budget.

E. Employee Development – Commercial Drivers’ License Acquisition Program – Mr. Spagnoletti stated we are proposing a commercial drivers’ license training program. This is just to let you know what our ideas are and to gauge the committee’s interest. Mr. Spagnoletti stated a Class D license is needed to drive a car, a Class B license is needed to drive a dump truck or a snowplow and a Class A license is needed to drive a tractor trailer or a transfer trailer. These licenses are required by law. We have two urgent issues facing us. First, at the equipment repair shop at Bath, a mechanic is not required to have a Class B to drive a dump truck. However, they cannot take a dump truck out for a test drive after a repair. Mr. Spagnoletti stated that he would like to do this training program for the mechanics to get their Class B license. The second issue is we have vacant positions that we will not fill and we will have snowplow trucks without drivers. We also have two Bridge Workers that need to have a Class B in order to drive equipment. The third issue is that we would like to train people who have a Class B to get them their Class A license and then we will have a pool of people to draw from to run the excavator, grader and dozer. We require that, but that is not required by law.

Mr. Spagnoletti stated the easiest and the best way would be to have BOCES do the training for us. Another option would be some combination of in-house training. With the BOCES option, they offer a Class B course for one person for $4,000 and the County would pay that cost. For a Class A course, the cost is $1,500 if the student already has a Class B license. At this time we estimate that we have two mechanics and two Bridge Workers that would need to get their Class B. The cost to do that for this year would be $16,000. It is possible that we would have 4 - 6 workers per year for five years after that. The total cost to the County to get all of them licensed would be between $100,000 - $140,000 over that five year period. After that, we would want to continue the program. Mr. Spagnoletti stated Mr. Rapalee has worked with Mr. Brewer on this and part of the larger project is that Mr. Rapalee is working with Personnel to update and coordinate the job requirements and job descriptions.

Mr. Ryan asked if someone already has a Class A, do they actually need a Class B to drive Class B equipment? Mr. Horton replied no. Mr. Ryan stated so if they get their Class A they would be covered. Mr. Rapalee stated we talked about that and we discussed sending them to the class as required by their job description.

Mr. Wheeler stated it would come back to you, but it is a personnel issue that we would have to discuss for paying for a certification that is higher than required for their grade of title. Mr. Alderman explained for the mechanics, no license was required. That is where this discussion started and then we were looking at job specifications and the licenses that were required. It is similar to tuition aid; we really should get the mechanics licensed, but for those with a Class A, it allows them to be promotable.

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Public Works Committee
Monday, August 3, 2020
Mr. Horton asked if you are getting the mechanics licensed, are they not working on tractor trailers? That would be the justification to make the mechanics a Class A. Have you looked at this in terms of having our employees becoming trainers? Mr. Spagnoletti replied in the Bath Shop, they do highway equipment, no tractor trailers. We have talked about in-house trainers, but in the past when I wanted to train people, it was difficult to break someone away to train and we don’t have enough people to break away to do that. We have excellent drivers that are retired. An idea we talked about was having one of the retired drivers coming in during the summer and do the 40 hours over the road with them. This is a consideration when you look at the $4,000 price tag.

Mr. Spagnoletti asked if we send someone to training for a Class A license for $1,500 can they then drive a snowplow? Mr. Rapalee replied yes. Mr. Horton stated that $1,500 is only if they are upgrading from a Class B; to just get a Class A is probably closer to $5,000. Mr. Rapalee stated we can do either $4,000 for a Class B and also $4,000 for a Class A through BOCES. Mr. Nichols stated you should send everyone for the Class A.

Mr. Malter asked for the 40 hours, is that one week of training if you send them to BOCES and is that for both road and classroom instruction? Mr. Spagnoletti replied the road training is 40 hours and the classroom instruction is 20 hours. If they go to BOCES for the training, that is consecutive. Mr. Rapalee commented through BOCES the availability of the drivers and instructors would be Sunday through Saturday. Mr. Ryan asked if you have your own trainers, could you do most of your training during the winter? Mr. Spagnoletti stated that is a good point. When the roads are clean, it could be a good time to do that. Mr. Potter stated if it is 40 hours of road instruction, they would be pulled off their regular work to do that and that would leave you a person short. Mr. Spagnoletti stated that would have to be under the approval of Mr. Rapalee along with the immediate supervisor.

Mr. Nichols commented if it is $4,000 for either license, you might as well send everyone for a Class A. Mr. Wheeler stated that makes sense, but there are personnel issues that we would need to look at. Mr. Malter asked if an employee does the training on the weekend, will that be overtime? What is the cost to train someone to be certified in-house? Mr. Spagnoletti replied if an employee leaves to do training after hours, we wouldn’t pay for that time. If they are doing the training during their normal hours, they can do that and get paid. Mr. Wheeler stated that is generally the way we would want to do it. If we are requiring the training, we would have to pay the overtime because that is our choice for them to get the training. For the future, then no, we would not have to pay. Mr. Malter asked what if you did it like the tuition aid reimbursement? Mr. Wheeler stated for future employees you could. We could certainly look at the tuition reimbursement route.

Mr. Mullen asked can we make the positions provisional on getting certified? Mr. Wheeler stated we have updated the job specifications and we are talking about the incumbents. Mr. Alderman stated we have made the job specifications so that they have to have their license within two years. Someone who is hired under that would be required to get their license within two years. We didn’t require that of the incumbents at the time of their appointment. Most of the driving positions require licenses at the time of appointment, but we also have trainee positions.

Mr. Horton commented if a mechanic doesn’t have their Class B license, we are setting ourselves up for insurance liability. Mr. Mullen asked what does it cost for someone to get their license if they are not a county employee? Mr. Brewer replied it is the same cost. Mr. Horton stated BOCES offers the same class and you sign up at the Coopers location. Once you complete the class then you take the road test. Mr. Mullen stated I am in favor of getting people trained for it. It would be good to go to the Class A license. Mr. Spagnoletti stated he will come back to the committee with more specifics on the options and cost.

V. **OTHER BUSINESS**

A. **Road Projects** – Mr. Spagnoletti stated at the last meeting we discussed modifying the road projects to account for the $1.2 million in reduced funding from the State. This means that there will be certain roads that we will not be paving. During that discussion we had talked about CR 27 and CR 70. These roads were scheduled to be oil injected into the gravel base. The cost is $40,000 per mile and the total cost to inject oil into those road bases would be $320,000. I have talked to David Orr at Cornell University, and his recommendation was that if the roads were built with clean gravel, which means they have less than 5 percent clay, then you don’t need to oil inject. All the numbers say that we do not need the oil injection and we will take that $320,000 and use it to blacktop CR 70.

*Public Works Committee*
*Monday, August 3, 2020*
Mr. Spagnoletti informed the committee we did recycling work on CR 10, CR 15 and CR 66. That is where Suit-Kote comes in and grinds the existing surface which is solid, but cracked. Then they add oil and aggregate. What they are charging now is $110,000 per mile and we typically do 14 – 15 miles each year. The State does not do this. This is something I will look at very closely as recycling costs have doubled. Dave Orr from Cornell has asked if I could work with him on rehabilitating roads and I said that we would.

Mr. Nichols commented the biggest thing will be to see if the cracks reform in the same place. Mr. Malter asked does injecting the road extend the lifespan versus not doing it? Mr. Spagnoletti replied injection is a definite insurance policy if the gravel had too much dirt because then it will not break up during the freeze and thaw. I just wanted to update you on that.

B. Landfill Revenue – Mr. Spagnoletti informed the committee that they saw $1 million in revenue at the Landfill.

C. Paint Striping Truck – Mr. Van Etten asked do we have a paint striping truck? Mr. Spagnoletti replied we do. We have done a lot of work this year and we share it with Yates and Schuyler. Mr. Van Etten stated CR 32 in Caton was just recently repaved however, they have not done the striping yet. Do we have a policy on how quickly a road is striped after paving? Mr. Spagnoletti replied one reason to have the paint striping truck is to get in quickly. Mr. Rapalee stated I have just looked at the schedule and it looks like it will be another one to one and a half weeks before we get over to CR 32. Mr. Spagnoletti stated we will talk about that.

D. Setting the Date/Time of September Meeting

MOTION: Setting the date and time of the September Public Works meeting for Monday, September 14, 2020 at 10:00 a.m. Made by Mr. Potter. Seconded by Mr. Ryan. All being in favor. Motion carries 5-0.

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 5-0.

MOTION: To adjourn executive session and reconvene in regular session made by Mr. Horton. Seconded by Mr. Ryan. All Being in Favor. Motion carries 5-0.

MOTION: To adjourn made by Mr. Mullen. Seconded by Mr. Horton. All Being in Favor. Motion carries 5-0.

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**

**PLEASE NOTE CHANGE** Monday, September 14, 2020 **PLEASE NOTE CHANGE**

Legislative Committee Room
10:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Tuesday, September 8, 2020
STEUBEN COUNTY PUBLIC WORKS COMMITTEE
Special Meeting
Monday, August 24, 2020
9:52 a.m.
Legislative Chambers, 3rd Floor Annex Building
Bath, New York

**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 Brenda Scotchmer
Vince Spagnoletti

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

I. CALL TO ORDER

Mr. Nichols called the meeting to order at 9:52 a.m.

II. GENERAL BUSINESS

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS’ LAW, ARTICLE 7§ 105.1H. 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 4-0. (MR. POTTER ABSENT FOR VOTE)

Secretary’s Note: Due to a Zoom outage this morning, while Mr. Potter, Mr. Roush and Mr. Van Caeseele were able to log into the meeting, we were unable to “host” the meeting and lost our ability to stop the recording and remove people from the Executive Session, so the committee and other members of the Legislature held the Executive Session in another room. For this reason, Mr. Potter is recorded as absent for vote.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. POTTER ABSENT FOR VOTE)

MOTION: TO ADJOURN MADE BY MR. RYAN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (MR. POTTER ABSENT FOR VOTE)

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. and asked Mr. Ryan to lead the Pledge of Allegiance.

II. **APPROVAL OF MINUTES**

MOTION: APPROVING THE MINUTES OF THE AUGUST 3, 2020, AND AUGUST 24, 2020, MEETING MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. **LANDFILLS**

A. **Transfer from New Bath Landfill Post Closure Capital Expenses** – Mr. Spagnoletti requested authorization to transfer $108,351 from the New Bath Landfill Post Closure Capital Expenses to the Landfill Administration - Indirect County Costs. Mr. Mullen asked is this reimbursement? Mr. Spagnoletti replied no, these are the indirect county cost numbers that the Commissioner of Finance puts into the budget. This is a three-year average and we had been using $7,000 from three years ago which is not correct. We had budgeted $100,000 and we need an additional $108,000.

Mr. Potter asked what kind of costs does this cover? Mr. Wheeler replied this is more of an accounting function. To my knowledge we have never had a discussion as it is just charging back to balance various accounts.

Mr. Mullen asked does this come into the general fund or stay within the Landfill budget? Mrs. Hurd-Harvey explained this is money that will come into the general fund. This will fund the Finance Office, the Clerk of the Legislature, County Manager. These represent central services kind of things that are provided to the Landfill. This is based on an indirect cost plan that is prepared annually primarily for Social Services and Public Health, but we use it for this purpose as well. Mr. Potter commented this is $200,000 and more than just incidental expenses. It sounds like a fuzzy accounting thing to balance things out. Mrs. Hurd-Harvey stated there is a formula and the allocation is prepared by a third party indirect cost vendor. They look at the number of transactions for all of the departments. Social Services uses this for pulling down indirect costs from the State and Federal government and we use it for pulling estimated costs out of the Enterprise Fund.
This is based on two-years ago information. It is very well documented where the numbers are coming from. It has gone up, but has been around $200,000 for the past couple of years.

Mr. Van Etten stated this is very standard in large organizations and corporations. Mr. Malter stated you are just reimbursing the County out of the Enterprise Fund.

**MOTION: AUTHORIZING A TRANSFER OF $108,351.00 FROM THE NEW BATH LANDFILL POST CLOSURE CAPITAL EXPENSE ACCOUNT TO LANDFILL ADMINISTRATION – INDIRECT COUNTY COSTS MADE BY MR. MULLEN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Recycling – Mr. Spagnoletti stated with #1 and #2 plastics, we have asked people to put them both in one bucket, but no one wants to pay us for mixed plastics. We bring out mixed plastics to Casella and they separate and then sell the plastic, but they will not pay us for it. Mr. Spagnoletti stated I would like to propose that we ask our County residents to separate their #1 and #2 plastics and then we can sell them and get about $34,000 annually for it. It is a small number, but it is the proper way to do it. We did a very informal survey at the transfer stations and the residents are okay with it, but don’t like the idea of having two containers. If we do this, we would want to give a lot of advance notice.

Mr. Horton commented the County put something on Facebook and everyone who commented was in favor of it. Mr. Malter stated when we first started recycling plastics in the 1980’s and 1990’s we did separate them. Mr. Nichols stated at the time we decided to combine the plastics, we knew that we would get a little less money, but the recyclers were still buying the plastics. Mr. Spagnoletti stated up until March of 2008 the County only recycled #2 plastics.

Mr. Mullen asked what will happen with the #2 plastics? Mr. Spagnoletti replied we will have separate bins and we will sell those and get about $35,000 - $40,000 for them. Most of the money will come from the #2 plastics. We will get probably about $6,000 for the #1 plastics. Mr. Mullen asked have you looked at the single stream cost lately? Mr. Spagnoletti replied single stream is similar to what we are doing combining #1 and #2 plastics. The recyclers just don’t want to pay for the combined. Mr. Bills stated the costs for single streaming are still true and there are a lot of sorting costs. It is very expensive to do single stream today.

Mr. Nichols asked if you add another bin, will you combine the green and clear glass to give you more space? Mr. Spagnoletti replied yes we can combine the glass. Mr. Nichols asked do you get less money for glass? Mr. Spagnoletti replied we do not sell the glass. We crush it and use it as cover at the Landfill.

**MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ASK COUNTY RESIDENTS TO SEPARATE #1 AND #2 PLASTICS INTO SEPARATE BINS FOR RECYCLING PURPOSES MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

IV. HIGHWAYS
A. Appropriate Revenue within the Grinder Repair and Replacement Project – Mr. Spagnoletti requested authorization to transfer a total of $141,916.34 in revenue within the Grinder Repair and Replacement Capital Project and appropriate $2,806.84 to Interest Revenue, $137,715.00 to Rental – Other Governments and $1,394.50 to Sales of Scrap. He commented we anticipate the grinder will last another 15 – 20 years.

**MOTION: AUTHORIZING THE APPROPRIATION OF $141,916.34 IN REVENUE WITHIN THE GRINDER REPAIR AND REPLACEMENT CAPITAL PROJECT TO THE FOLLOWING LINE ITEMS WITHIN THE CAPITAL PROJECT: $2,806.84 TO INTEREST REVENUE, $137,715.00 TO RENTAL – OTHER GOVERNMENTS AND $1,394.50 TO SALES OF SCRAP MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

B. Employee Commercial Driver’s License (CDL) Acquisition Program – Mr. Spagnoletti stated a Class B license is required to drive trucks and a Class A license is required to drive tractor trailers and heavy equipment. We changed the license requirement for our mechanics after they were hired. We now require them to obtain a Class B
license within two years. The other thing that we have discussed is possibly paying for two bridge workers to get their Class B licenses right away in order to utilize them for snowplowing. If we direct them, then we would have to pay for it. Mr. Spagnoletti stated for both the mechanics and Class A licenses we are proposing that we would pay the tuition. This would upgrade the skills and safety level of the employees.

Mr. Nichols asked do you have to have a Class A to run the grinder? Mr. Spagnoletti replied the law requires a Class A license for tractor trailers. Our department policy is to have them have a Class A. Mr. Nichols asked so you want to add that to the job requirements? Mr. Spagnoletti replied we already have. For HMEO’s we have put in the job requirements that they need to have a Class A license. Now we are proposing that the County pay for their tuition to do that. Mr. Nichols asked do the HMEO’s have Class B licenses? Mr. Spagnoletti replied almost everyone does except for the workers at the equipment shop, including all MEO’s when hired. This would apply to the bridge workers and mechanics. Mt. Morris offers a Class A license course for $2,035.

Mr. Horton stated I think we should offer for the mechanics to get their Class A as they will be working on tractor trailers too.

Mr. Malter asked in the future when we hire people, are we going to require a Class A? Mr. Spagnoletti stated the only Class A that is required is when they want to be a Shop Supervisor or to upgrade from an MEO to an HMEO. That is written into the job description. We are proposing paying for the Class A. Mr. Malter asked can we require the Class A prior to hiring? Mr. Spagnoletti replied if you required a Class A prior to hiring you would reduce the number of applicants.

Mr. Alderman explained this did start with the mechanics. A year ago we had difficulty recruiting and at some point the requirement to have a license was taken out. As we looked at this, to me, the mechanics test drive after a repair. We now require that they get the Class B license within two years of being hired. Now those mechanics that were hired prior to this new requirement need to get their Class B licenses within two years and we will have to pay for that. The Class B scenario is we have people in the Bridge Shop and there is no reason to not use them for snowplowing and that is why we are looking to pay for them to get their Class B licenses. With the discussion on the Class A licenses, that is for promotional purposes and there is no new requirement to have a Class A. However, if an individual wants to move up to an HMEO or a Supervisor, they will need to have the Class A license. Plus, if they have that license, it is a win-win for the County. It is a value to us and it increases the skill level of the workforce. With regard to requiring a Class A license prior to starting, I agree with Mr. Spagnoletti that you would not have a huge candidate pool.

Mr. Nichols asked are you suggesting that when we hire someone that cost is on them? Mr. Alderman replied yes. When it is required in the job description with two years, it is on them to get as they know the requirement. Mr. Nichols asked are you proposing that with the staff that are already employed, we will pay for the licenses but new hires are responsible for upgrading? Mr. Alderman replied yes, in the mechanic positions. I still think it is a value to us to pay for the drivers (MEO’s) to get a Class A if they want it. For the mechanic positions, from this point forward, it will be their responsibility to get their own license. The mechanics that are currently on staff without a license, we will pay for them.

Mr. Horton asked did you put a criteria relative to having to work a certain number of years before we would pay for individuals to upgrade to a Class A? I think there should be. Mr. Alderman replied I agree although that is sort of touchy as we need to treat everyone fairly. I do think you are right and there needs to be criteria. As the requests come in, the intent is for us to go through and look at them and plan who and how many we are doing. We will limit it to six or seven people a year after we get these initial employees done.

Mr. Mullen asked can you work the criteria into the contract with them? There is an issue if you are upgrading different people without them agreeing on the criteria. Mr. Alderman replied we have authority because I, as Civil Service Officer, can change the qualifications with or without union approval. If we were giving them a license and a stipend, then that would have been a contract issue. This is just us sending people to training and I think we will be okay. We have talked with the union and they were for this as it is giving the membership a benefit. If we did it for one year and got quite a few people and then we quit doing it, then there would be an issue, but we do not intend to do that. Mr. Mullen asked is there any harm in putting a memorandum in place? Mr. Alderman replied personally I don’t see the harm. Ms. Prossick
explained this is similar to what the Administrative Code has in regard to tuition aid reimbursement and that is the guidance we are going under.

Mr. Mullen asked is everyone eligible for tuition reimbursement? Ms. Prossick replied yes, but it has to be related to their job. Mr. Horton asked do we have something to categorize the limit? Mr. Mullen stated if the union is essentially happy with it, we should have a memorandum in place. Mr. Alderman stated point well taken. I don’t think there is an issue, but you are right that there is no harm in doing a memorandum; though I do think we can rely on our management rights.

Mr. Nichols asked with tuition aid requests those have to come to committee. Will Mr. Spagnoletti need to bring these to committee for approval? Mr. Alderman replied from my standpoint, if you approve the plan, then in effect you are approving us to do that. We could bring them to the committee for approval. Mr. Spagnoletti stated my understanding was that they would have to be brought to both the Public Works and Finance committees. Mr. Mullen stated he would rather set it up to let it be within their discretion as long as it is within budget.

Mr. Potter asked if we are paying for six mechanics to get a Class B, why don’t we strongly encourage them to get their Class A and then have it done? Mr. Spagnoletti stated that is what we will do.

Mr. Malter asked how much are we allocating for this? Mr. Spagnoletti replied on average we are anticipating paying $11,000 per year for six people to take their Class A and over eight years, the total cost would be $88,000. Mr. Malter asked if you allow the Class A, how many will leave the County for other jobs or, if they stay, will they ask for a raise? Mr. Spagnoletti replied I don’t believe that will be a problem. Mr. Alderman stated as far as a raise, that would be controlled by contract and that would have to be negotiated. Their duties will not really change if they have Class A license.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PERSONNEL DEPARTMENT, TO ESTABLISH THE EMPLOYEE COMMERCIAL DRIVER’S LICENSE (CDL) ACQUISITION PROGRAM WHICH WILL PAY FOR EXISTING EMPLOYEES TO OBTAIN THEIR CLASS B OR CLASS A LICENSE AT NO COST TO THEM AND AUTHORIZING THE PERSONNEL OFFICER TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNION OUTLINING SAID PROGRAM MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Road Use and Repair Agreement with Canisteo Wind Energy, LLC – Mr. Spagnoletti requested authorization to enter into a road use agreement with Canisteo Wind Energy, LLC. Canisteo Wind will be putting up 117 windmills in Cameron, Canisteo, Greenwood, West Union and Troupsburg starting 2021 and ending 2022. These windmills will be 600 feet high. We also have Baron Wind and Eight Point Wind which will be starting their projects in 2021. We have had a road use agreement for a number of years and first used one on CR 17 in Campbell when they were drilling for gas. He stated we have revised the agreement for the windmills. Basically the agreement calls for a classification of roads. Class I are roads that have a good base and can be traveled on right now. That will require a $150,000 per mile bond to cover in case of damage. A Class II road is a road that will need to be rebuilt prior to use. Those roads will require a $75,000 per mile bond. The way we protect ourselves from damage is by requiring a bond. Prior to using the road, we require a developer to go in and do a weight test to measure the strength of the road and to do a profile and video of the road. We repeat the same process at the completion of the project.

Mr. Mullen commented this is a very good agreement. There are a few things that I thought you may want to consider adding. The first thing is dust control for dirt roads. Mr. Spagnoletti stated we do not have any county roads that are dirt. Mr. Mullen stated another thought was to include a provision for a one-time use road. I wasn’t sure if there was a process for that. Mr. Spagnoletti stated the developer will know what roads they need to use. There may come a time where they will need to go across a different road one time. Also, if they need to go across a bridge one time, they would check with our bridge engineer before using. We would give them permission and they would need to repair any damage after they are done using it. Mr. Mullen asked can you add something that requires them to repair a one-time use road? It probably is implied. Mr. Spagnoletti stated I will look into that. The only problem would be a bridge. I don’t think it is necessary as if they are using the road one time, they will not damage it.
Mr. Mullen asked with regard to bridges, do we want something included about if they are traveling over a town bridge that the County maintains? Mr. Spagnoletti replied if it is a town road, they will have to tell us ahead of time that they are going to be using a bridge and if it is a heavy vehicle, they will have to reinforce the bridge.

Mr. Mullen stated he would like to see something about decommissioning and say that they have to bond again when running through and taking down if they are doing them all at once. Mr. Spagnoletti stated this agreement is for allowing them to build and I don’t believe we addressed that in this agreement. I will have to look into that. I believe the reason is that we would have to do another road use agreement. Ms. Prossick stated yes and we also would not be able to determine what future rules would be. Discussion followed.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A ROAD USE AGREEMENT WITH CANISTEO WIND ENERGY, LLC MADE BY MR. POTTER. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. BIDS

A. Traffic Signs and Delineators

MOTION: AWARDING THE BID FOR TRAFFIC SIGNS AND DELINEATORS ON A LINE ITEM BASIS TO THE FOLLOWING VENDORS: EASTERN METAL OF ELMIRA, INC.; GARDEN STATE HIGHWAY PRODUCTS, INC. AND OSBURN ASSOCIATES, INC. MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Sale of Scrap Steel

MOTION: AWARDING THE BID FOR SALE OF SCRAP STEEL TO THE LOW BIDDER, SWARTHOUT RECYCLING, LLC FOR $115.00 PER TON MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Sale of Forest Products – Mr. Spagnoletti recommended rejecting the bid as they only received one bid.

MOTION: REJECTING THE BID FOR SALE OF FOREST PRODUCTS AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DEPARTMENT, TO REBID MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. CAT General Duty Undercarriage – Mr. Spagnoletti recommended declaring Monroe Tractor & Implement Co., Inc. a non-responsive bidder as they did not meet the warranty specifications. He recommended awarding to Milton CAT.

MOTION: DECLARING MONROE TRACTOR & IMPLEMENT CO., INC. A NON-RESPONSIVE BIDDER AS THEY DID NOT MEET THE WARRANTY SPECIFICATION AND AWARDING THE BID FOR CAT GENERAL DUTY UNDERCARRIAGE FOR MEDIUM TRACK-TYPE TRACTORS & LOADERS TO MILTON CAT FOR A TOTAL PRICE OF $28,479.41 MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Tires & Recapping of Tires – Mr. Spagnoletti recommended awarding tires to the low bidder on a line item basis and awarding the recapping of tires to the low bidder, All Season.

MOTION: AWARDING THE BID FOR TIRES TO THE FOLLOWING VENDORS ON A LINE ITEM BASIS: ALL SEASON TIRE; PARMENTER, INC.; SEDAM TIRE; AND TALLMADGE TIRE SERVICE OF CORTLAND, NY; AND AWARDING THE BID FOR RECAPPING OF TIRES TO THE LOW BIDDER, ALL SEASON TIRE FOR $115.00 PER TIRE MADE BY MR. RYAN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
VI. OTHER

A. Sole Source – Mr. Spagnoletti stated as an FYI, he wanted to let the committee know that at the Erwin Transfer Station, the packer arm broke. This was a sole source item and required the approval of the Purchasing Director, County Manager and County Attorney. They approved the purchase of a new arm for $16,619.

B. Caton Shop – Mr. Spagnoletti stated I wanted to give you a summary of the Caton Shop project. This was an $879,000 project. The project was not completed on time so we deducted $6,000 from the contractor’s payment. The cost per square foot came out to $165.00; half of Western New York’s average cost. We have $67,000 left over in that project account. Originally we had thoughts of using that to build an office, but are holding off now due to budget issues. Right now they have the office trailer. Mr. Spagnoletti stated I would like to recognize Mr. Rapalee as he watched project like a hawk. Mr. Rapalee has a four-year degree in construction management from Alfred and he also worked for 20 years at Pike. This project looks good and is a basic four-bay shop. Mr. Horton commented I have been by the new shop and the crew is taking good care of it and it is spotless inside.

C. CR 119 Bridge Project – Mr. Potter stated the crew is getting ready to put the bridge beam in. Will the railroad crossing be relocated and is the railroad doing that? Mr. Spagnoletti replied yes. Mr. Potter asked will that be done before we are ready to open the bridge? Mr. Spagnoletti replied yes. They are working to get the relocation done before we open the bridge.

D. Erwin Transfer Station – Mr. Van Etten stated he would like to suggest putting a camera and monitor in the scale house. I have seen the woman who works there climb up on the rail to look into the trucks as she cannot see into the backs of the trucks from where she sits. If a camera were attached to the building, she would easily be able to look into the back of trucks. Mr. Spagnoletti stated I will look into it.

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**
Monday, October 5, 2020
Legislative Chambers, 3rd Floor Chambers, Annex Building
10:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Monday, September 28, 2020
I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 14, 2020, MEETING MADE BY MR. MULLEN, SECONDED BY MR. HORTON, ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILLS

A. Transfer Major and Minor Equipment to Parts & Repairs – Mr. Spagnoletti explained the average tonnage at the Landfill is 100,000 tons per year. Now we are up to 150,000 tons per year. This extra tonnage has put more wear and tear on our equipment. He stated he had budgeted $180,000 for equipment this year. He is requesting authorization to transfer an additional $104,248.13 from Major and Minor equipment lines to the Parts & Repairs line item.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER A TOTAL OF $104,248.13 FROM VARIOUS MAJOR AND MINOR EQUIPMENT LINES WITHIN THE LANDFILL COST CENTER AND APPROPRIATING TO THE PARTS & REPAIRS LINE ITEM, ACCT. #816062 5 451300 MADE BY MR. RYAN. SECONDED BY MR. MULLEN FOR DISCUSSION.

Mr. Horton asked with the extra tonnage that is coming in, is the equipment large enough to handle that, or do we need larger equipment? Mr. Spagnoletti replied the equipment is large enough. We are just getting hit hard with the tonnage.

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

Mr. Mullen stated with regard to the increased tonnage, I’m just wondering, it seems like the Landfill revenues have increased substantially over the past four years. Are we at a point where we can consider not discounting municipal tonnage from other areas? Mr. Spagnoletti replied Middletown no longer is bringing tonnage to us. The discounted offering to the municipalities is very low tonnage now and we also have a contract with Casella for 20,000 tons. I will take a look at this and come back and let you know the dollar value of those discounted prices.
B. Transfer from Computer Equipment to Utilities – Mr. Spagnoletti requested authorization to transfer a total of $7,000 out of various Computer Equipment line items within the Landfill cost center to the Utilities line item within the Landfill cost center. Mr. Ryan asked you are not draining these accounts are you? Mr. Spagnoletti replied we are draining the Computer Equipment line items.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER A TOTAL OF $7,000 OUT OF VARIOUS COMPUTER EQUIPMENT LINE ITEMS WITHIN THE LANDFILL COST CENTER AND TRANSFER TO THE UTILITIES LINE ITEM, ACCT. #816062 5 411000.

Mr. Malter asked how come there are so many computer accounts? Mr. Spagnoletti replied with the Enterprise Fund it is set up into separate line items for each location.

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

C. Authorization to Bid New Compactor for Hornell Transfer Station – Mr. Spagnoletti requested authorization to go out to bid for a new compactor for the Hornell Transfer Station. The current compactor is 42 years old and has been repaired many times.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR A NEW COMPACTOR FOR THE HORNELL TRANSFER STATION MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Spagnoletti commented we have enough money in an existing capital account to cover this. Mr. Van Etten asked how much will a new compactor cost? Mr. Spagnoletti replied we have $139,000 in our budget and we think it will be less than that. Mr. Ryan asked what will we do with the old compactor? Mr. Spagnoletti replied it may go to scrap steel or we may use it as a trade-in.

Secretary’s Note: The Hornell Transfer Station compactor is a built in hopper system that the garbage goes into and the packing unit pushes it into a tractor-trailer for transport to the Landfill.

IV. HIGHWAYS

A. Addition to Canisteo Wind Energy Road Use Agreement – Mr. Spagnoletti stated last month Mr. Mullen had recommended that we be more specific about the wind company using county bridges on town roads and we think it is a good idea to add that clause. Section 4.3 includes the following wording, “…all County-owned culverts and bridges on Designated Haul Routes, including those greater than 25’ span found on haul roads that are maintained by other municipalities.” This wording is also included under Article V, Section 5.1.

MOTION: APPROVING THE ADDITION TO THE CANISTEO WIND ENERGY ROAD USE AGREEMENT SPECIFIC TO COUNTY-OWNED CULVERTS AND BRIDGES THAT ARE MAINTAINED BY OTHER MUNICIPALITIES, AS PRESENTED BY THE COMMISSIONER OF PUBLIC WORKS MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Mullen stated one of the other things we talked about checking is a one-time provision if they use roads outside of the normal routes they have given us. I would like to look at that as well. Mr. Spagnoletti stated we have a clause for one-time use, but I will check it again.

B. Change Federal Surplus in Major Equipment from $20,000 to $40,000 – Mr. Spagnoletti stated our Major Equipment list includes federal surplus in the amount of $20,000. Mr. Miller has found two maintenance trucks for a total of $30,000. Our current maintenance trucks are 25 to 30 years old. He requested authorization to spend up to $40,000 out of the designated federal surplus item under Major Equipment. We do have money in the account. Mr. Mullen asked how much of a savings will you get by getting through Federal Surplus versus the open market? Mr. Spagnoletti replied a new maintenance truck would cost $130,000.
MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO SPEND UP TO $40,000 ON FEDERAL SURPLUS EQUIPMENT WITHIN THE MAJOR EQUIPMENT LINE ITEM MADE BY MR. MULLEN. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. BIDS
A. Portland Cement Concrete; Heated

MOTION: AWARDING THE BID FOR PORTLAND CEMENT CONCRETE; HEATED TO THE LOW BIDDER, CUSTOM MIX CONCRETE AT A RATE OF $169.00 PER CUBIC YARD MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Sale of Forest Products – Mr. Spagnoletti stated last month we had received a bid of $13,600 and I had recommended the committee reject the bid. Our forester said that amount was well below what the timber is worth. The forester is recommending waiting one or two years and we will sell the Maple. By that time the Ash may be gone. We are talking about the timber up at the Landfill.

Mr. Mullen asked did our forester give you a breakdown of what he expected the timber to sell for? Mr. Spagnoletti replied yes, we have a breakdown as well as a lump sum amount and it was a lot more than the bid of $13,600 we had received. Mr. Mullen asked are you aware of an issue for why there is no bidding? Mr. Spagnoletti replied we think they are concerned that they will not be able to get rid of the Ash. Mr. Mullen asked is the Ash not marketable. I just sold some off one of my properties. Mr. Spagnoletti stated we wanted to get the Ash before it died. We do know that the timber on that land is worth more than $13,600. Mr. Mullen suggested going back and marketing the Ash a little less aggressively. Mr. Spagnoletti stated we will make some calls to the bidders to find out why they are not bidding.

Mr. Potter asked is there any possibility of marketing the Ash for firewood? Mr. Spagnoletti stated we have done a firewood bid in the past and we will look into that when we call the bidders. Mr. Mullen commented the Ash is selling as long as the trees are still somewhat alive. At the Landfill, those Ash trees may be worse than what they are in Hartsville. You definitely want to push on getting it done while the Ash can still be marketed.

C. Rebuild Cummins Engine for Al-Jon Compactor – Mr. Spagnoletti recommended awarding to the sole bidder, Cummins for a total cost of $25,294.30. He commented it would cost us $640,000 to purchase a new compactor. This is the second engine that we have had issues with. Mr. Potter asked have you looked into why the engines are failing so often? Mr. Spagnoletti replied yes. This one had a piston go bad. With the first engine, we don’t know why it went bad.

Secretary’s Note: The Al-Jon Compactor is the large machine that is used on the actual Landfill to smash the garbage.

MOTION: AWARDING THE BID FOR REBUILD CUMMINS ENGINE FOR AL-JON COMPACTOR TO THE SOLE BIDDER, CUMMINS FOR A TOTAL COST OF $25,294.30 MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN EXECUTIVE SESSION MADE BY MR. RYAN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.
MOTION: TO ADJOURN MADE BY MR. HORTON. 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**
Monday, November 2, 2020
Legislative Chambers, 3rd Floor Chambers, Annex Building
10:00 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Monday, October 26, 2020
**MINUTES**

<table>
<thead>
<tr>
<th>COMMITTEE:</th>
<th>Robert V. Nichols, Chair</th>
<th>Frederick G. Potter, Vice Chair</th>
<th>Jeffrey P. Horton</th>
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<tr>
<td></td>
<td>Aaron I. Mullen</td>
<td>Thomas J. Ryan</td>
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<td>STAFF:</td>
<td>Jack K. Wheeler</td>
<td>Christopher Brewer</td>
<td>Brenda Scotchmer</td>
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<td></td>
<td>Steve Catherman</td>
<td>Doug Rapalee</td>
<td>Jennifer Prossick</td>
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<td>Lisa Tracy</td>
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<td>LEGISLATORS:</td>
<td>Scott J. Van Etten</td>
<td>Robin K. Lattimer</td>
<td>Carol A. Ferratella</td>
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<td>Kelly H. Fitzpatrick</td>
<td>K. Michael Hanna</td>
<td>Hilda T. Lando</td>
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<td>Steven P. Maio</td>
<td>John V. Malter</td>
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<td>Gary D. Swackhamer</td>
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<td>OTHERS:</td>
<td>Mary Perham</td>
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I. CALL TO ORDER

Mr. Nichols called the meeting to order at 8:30 a.m. and asked Mr. Potter to lead the Pledge of Allegiance.

II. GENERAL BUSINESS

A. CR 119 Permanent Easement from Norfolk Southern Railroad – Mr. Nichols stated the purpose of today’s meeting is to authorize payment of $1,200 to Norfolk Southern Railroad to obtain a permanent easement relative to the CR 119 Over Canisteo River Federal Aid Bridge Project. Mr. Horton stated Mr. Spagnoletti had told us that if this did not get approved, there would be a good chance this project would not be finished this year.

MOTION: AUTHORIZING THE ACQUISITION OF A PERMANENT EASEMENT FROM NORFOLK SOUTHERN RAILROAD FOR A SUM TOTAL OF $1,200 FOR THE CR 119 OVER THE CANISTEO RIVER FEDERAL AID BRIDGE PROJECT MADE BY MR. HORTON. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

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
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 OCTOBER 5, 2020, AND OCTOBER 7, 2020, MEETINGS MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILLS

A. Bath Landfill Deed Restriction – Mr. Spagnoletti stated the NYS Department of Environmental Conservation (DEC) requires that if we sell the land, we include the same deed restrictions that they put on us. We want to make sure if anyone purchases the landfill or property that the restrictions carry over. Mr. Spagnoletti asked for approval to put the declaration of covenants and the restrictions in the deed and file those with the County Clerk.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO INCLUDE THE DECLARATION OF CONVENTIONS AND THE NYS DEC RESTRICTIONS IN THE LANDFILL DEED AND FILE WITH THE COUNTY CLERK MADE BY MR. MULLEN. SECONDED BY MR. HORTON FOR DISCUSSION.

Mr. Horton asked will this work the same way for the properties we have purchased around the Landfill, or not until we starting using them as a Landfill? Ms. Prossick replied the restrictions do not apply until the property is actually used for Landfill purposes.

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

B. Renew Waste Disposal Agreement with LaForge Disposal Services, Inc. – Mr. Spagnoletti requested authorization to renew the waste disposal agreement with LaForge Disposal Services to guarantee and bring in 6,500 tons of garbage per year for the next three years. We will charge $33.00 per ton. Mr. Spagnoletti explained in 2013 we rescinded the special fees for special waste. We had said at that time if a hauler could guarantee tonnage for three years, than we would guarantee the $33.00 per ton rate. When the Legislature approved that, it turned everything around and...
five haulers took us up on that deal. Because of this program, that brought us an additional 34,000 tons of garbage in per year and that resulted in $1.1 million in revenue. Prior to these agreements we had a $400,000 loss and that has been turned into a $262,000 surplus. This program is self-supporting and has kept our Landfill fees down.

Mr. Nichols asked prior to bringing their garbage here, did LaForge take it to Allegany County? Mr. Spagnoletti replied yes and then Allegany County closed their Landfill. Mr. Mullen asked what is our cost per ton for operating the Landfill. How much was LaForge paying Allegany County? Mr. Spagnoletti replied our cost for operating the Landfill is $26.00 per ton. For the second part of your question, I don’t recall what they were paying Allegany County, but it was relatively low and may have been about $33.00 per ton.

Mr. Maio asked what happens if they do not meet the tonnage requirements under the contract? Ms. Prossick replied I will have to check on that and let you know. Normally it would revert back to the full amount. Mr. Spagnoletti stated if they do not bring the tonnage, then they would have to pay us for the going rate.

Mr. Horton asked can they bring more than the 6,500 tons per year? Mr. Spagnoletti replied they may. It costs $29.00 per ton to bury garbage at the landfill. Mr. Mullen asked does that include the post-closing costs? Mr. Spagnoletti replied yes.

Mr. Maio asked had they been bringing garbage to us before for the same amount? Mr. Spagnoletti replied yes. Mr. Potter asked are there other contractors out there that would be willing to take advantage of this? Mr. Spagnoletti replied we have four other haulers that when their agreements end, I think most of them would like to extend it.

Mr. Horton asked is there any room to go up to $34.00 per ton? Mr. Spagnoletti replied I wouldn’t try; we are talking about $600,000 to our bottom line. I would not recommend increasing it as it is a very good deal for us right now. Mr. Van Etten commented you only have to cover the variable costs. Mr. Spagnoletti stated to account for our Landfill space cost, the cost to build, cap and take care of the Landfill for 30 years and beyond, you would need $15.00 for each ton of garbage that comes in. Haulers are bringing us 34,000 tons for $33.00 per ton and if we were charging $44.00 per ton, they would not bring it. We would save that $15.00 in space cost, but would I be able to have less personnel or less equipment? No. In effect, when you are charging the $33.00 per ton, it is a gain of $18.00 to the County.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO RENEW THE WASTE DISPOSAL AGREEMENT WITH LAFORGE DISPOSAL SERVICES, INC. TO BRING IN 6,500 TONS OF GARBAGE PER YEAR FOR THE NEXT THREE YEARS AT A RATE OF $33.00 PER TON MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Budget Transfer from Major Equipment to Parts and Repairs – Mr. Spagnoletti stated last month we had requested a transfer of $32,854 from the Erwin Transfer Station Major Equipment and $42,200 from the Hornell Transfer Major Equipment to be appropriated to the Landfill Parts and Repairs line item. The Law Department looked into this and the maximum amount we can transfer out of a Major Equipment line is $25,000. He requested authorization to transfer $25,000 from each of those lines and to appropriate to the Landfill Parts and Repairs line item.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER $25,000 OUT OF EACH OF THE FOLLOWING TWO LINE ITEMS: ERWIN TRANSFER STATION MAJOR EQUIPMENT AND HORNELL TRANSFER STATION MAJOR EQUIPMENT, AND APPROPRIATE THE TOTAL OF $50,000 INTO THE LANDFILL PARTS AND REPAIRS LINE ITEMS MADE BY MR. HORTON. SECONDED BY MR. POTTER FOR DISCUSSION.

Mr. Nichols asked where will you come up with the rest of the money? Mr. Spagnoletti replied Mr. Orcutt will find the remainder in other line items. Mr. Malter asked where did the restriction come from? Ms. Prossick replied when Mrs. Scotchmer and I were reviewing the resolutions, we checked the Administrative Code and that is where the restrictions are.

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

A. NYS DOT Shared Services Agreement for Road Salt – Mr. Spagnoletti requested authorization to renew the shared services agreement with NYS DOT for the use of road salt from our Greenwood Shop. The State’s snowplow route goes right by the Greenwood Shop and they are requesting a one-year agreement to be able to take salt from the Greenwood Shop when necessary and to replace what they use. Ms. Prossick commented this is a renewal of an existing shared services agreement with New York State.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO RENEW THE SHARED SERVICES AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE USE OF ROAD SALT MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Appropriate Revenue within Upgrade Refueling Station Capital Project – Mr. Spagnoletti explained we have fuel tanks at all of our highway shops and we let other departments use fuel out of those tanks and we have a computer system that tracks who is using fuel. For departments outside of the County, we instituted a $0.12 per gallon surcharge above the fuel costs and to other County departments, that surcharge is $0.01. He requested authorization to appropriate $4,213.17 in Interest Earnings and $123,932.11 in Other Unclassified Revenue into the Upgrade Refueling Station Capital Project to go toward the replacement of the refueling station computer system. We anticipate the cost for a new computer system will be $250,000. Mr. Ryan asked is this something you anticipate doing in 2021? Mr. Spagnoletti replied yes.

MOTION: AUTHORIZING THE APPROPRIATION OF $4,213.17 IN INTEREST EARNINGS AND $123,932.11 IN OTHER UNCLASSIFIED REVENUE INTO THE UPGRADE REFUELING STATION CAPITAL PROJECT MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

C. Commercial Driver License Training Program – Mr. Spagnoletti presented a written policy regarding the proposed Commercial Driver License Training Program. He stated that previously Mr. Mullen had brought up the question of needing a Memorandum of Understanding (MOU) with the unions and Mr. Alderman and Ms. Prossick looked into that.

Mr. Alderman stated we did look into that and had numerous conversations with the Labor Relations Specialist. What we would like to do, with your approval, is submit a letter to the CSEA stating our intent. This is not a negotiable piece and in talking with the Labor Relations Specialist, he thought a letter and a response from the union would be the way to go. There is no downside to doing this and there is no risk to the County. This is the best way to go.

Mr. Potter stated the policy is very well spelled out.

MOTION: ADOPTING THE COMMERCIAL DRIVER LICENSE TRAINING PROGRAM AS PRESENTED BY THE COMMISSIONER OF PUBLIC WORKS AND AUTHORIZING THE PERSONNEL OFFICER TO SUMBIT A LETTER OF INTENT TO THE CSEA MADE BY MR. POTTER. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

V. BIDS

A. Stone Fill

MOTION: AWARDS THE BID FOR STONE FILL FURNISHED AND LOADED ONTO COUNTY TRUCKS AT AWARDEE’S PLANT SITE TO THE FOLLOWING BIDDERS: DOLOMITE PRODUCTS COMPANY, INC. D/B/A A.L. BLADES; DOLOMITE PRODUCTS COMPANY, INC.; NEW ENTERPRISE STONE & LIME CO., INC.; AND SENeca STONE CORPORATION; AWARDING THE BID FOR STONE FILL FURNISHED AND DELIVERED – QUADRANT 1 – LINE ITEM BASIS TO DOLOMITE PRODUCTS COMPANY, INC. D/B/A A.L. BLADES AND SENeca STONE CORPORATION; QUADRANT 2 AND QUADRANT 3 – LINE ITEM BASIS TO NEW ENTERPRISE STONE & LIME CO., INC. AND SENeca
STONE CORPORATION; QUADRANT 4 – LINE ITEM BASIS TO DOLOMITE PRODUCTS COMPANY, INC. D/B/A A.L. BLADES AND SENeca STONE CORPORATION MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Aggregates

MOTION: AWARDING THE BID FOR AGGREGATES FOB PLANT SITE – QUARRY STONE AND CRUSHED GRAVEL TO THE FOLLOWING BIDDERS: BELANGERS GRAVEL & STONE, INC.; DALRYMPLE GRAVEL & CONTRACTING CO., INC.; DOLOMITE PRODUCTS COMPANY, INC. D/B/A A.L. BLADES (#1); DOLOMITE PRODUCTS COMPANY, INC. D/B/A A.L. BLADES (#2); DOLOMITE PRODUCTS COMPANY, INC. D/B/A A.L. BLADES (#3); DOLOMITE PRODUCTS COMPANY, INC. D/B/A A.L. BLADES (#4); HANSON AGGREGATES NEW YORK, LLC; NEW ENTERPRISE STONE & LIME CO., INC. (#1); NEW ENTERPRISE STONE & LIME CO., INC. (#2); SENeca STONE CORPORATION; SPALLINA MATERIALS, INC.; AND WILKINS SAND & GRAVEL; AWARDING THE QUADRANT BID AS FOLLOWS: QUADRANT 1 – SPALLINA MATERIALS, INC. FOR $17.20 PER TON; QUADRANT 2 – NEW ENTERPRISE STONE & LIME CO., INC. (#2) FOR $15.10 PER TON; QUADRANT 3 – SPALLINA MATERIALS, INC. FOR $16.00 PER TON AND QUADRANT 4 – SPALLINA MATERIALS, INC. FOR $16.25 PER TON MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Freon; Removal & Recycling – Mr. Malter asked with the Freon removal from refrigerators, air compressors, etc., how much do we get out of this? Are we making money on the recycling of the metal? Mr. Spagnoletti replied we do make money on the recycling of metal. Mr. Malter asked if we are paying $11.50 per unit for a refrigerator to remove the Freon, how much would we get on the scrap for the refrigerator? Mr. Spagnoletti replied I can find out.

MOTION: AWARDING THE BID FOR FREON; REMOVAL & RECYCLING TO THE LOW BIDDER, ENViroPRO REFRIGERANT RECYCLING FOR $11.50 PER UNIT MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Transfer Station Compactor

MOTION: AWARDING THE BID FOR A SEBRIGHT PRODUCTS MODEL 12084T-2-7 TRANSFER STATION COMPACTOR TO THE LOW BIDDER, BE EQUIPMENT FOR $146,000 MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

E. Hydroseeding – Mr. Spagnoletti requested authorization to extend the agreement with the Steuben County Soil & Water Conservation District for hydroseeding at a rate of $1,500.00 per acre.

MOTION: EXTENDING THE AGREEMENT WITH THE STEUBEN COUNTY SOIL & WATER CONSERVATION DISTRICT FOR HYDROSEEDING AT A RATE OF $1,500.00 PER ACRE MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

F. Oxygen & Acetylene

MOTION: EXTENDING THE BID AWARD FOR OXYGEN & ACETYLENE WITH, BRADLEY SUPPLY, INC. FOR A TOTAL COST OF $3,471.79 MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Mullen asked what is the policy when we have bids where we accept all bidders; how do we audit our compliance with that? Do we do a spot check to make sure we are trying to get the best price? Mr. Spagnoletti replied I don’t spot check it. Everyone is very aware that we go to the low price. Could we do a spot check? We could. I will look into it and see how that would work. That may be happening with the auditor. The staff does a very good job with that. Mr. Mullen commented I think it would help if people knew there was going to be a check once in a while.
VI. OTHER
A. **Glass Recycling** – Mr. Potter asked now that we will be asking residents to combine clear and colored glass and it is getting compacted and put into the Landfill, what is the motivation for people to recycle and not just put it in the trash? Mr. Spagnoletti replied the motivation to continue to recycle is because we can still use the glass as cover at the Landfill. Mr. Van Etten commented the Town of Caton used to use the glass as a base for roads. Mrs. Ferratella asked will you be doing anything to let people know to separate the glass? Mr. Spagnoletti replied we will start our public relations messages in November.

B. **Storage Bins** – Mr. Spagnoletti informed the committee that Bill Hatch has retired and would like to donate storage units to the County and one of those units is filled with office furniture that I may be able to use at the highway shops. He requested authorization to accept this donation estimated at $5,000.

**MOTION:** **AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ACCEPT A DONATION OF STORAGE UNITS WITH ONE FILLED WITH OFFICE FURNITURE AT AN ESTIMATED VALUE OF $5,000 MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.**

C. **Road Work Update** – Mr. Spagnoletti stated our road work is pretty much done for the year. When the State funding was decreased by $1.2 million and the County Manager asked if we could decrease some of our costs, we decreased our road projects by $600,000. Because of the State cuts, we did not do CR 100 or CR 57. I had also said that we would not do CR 70 in Howard, but we did do that project by not using liquid asphalt in the base gravel. With regard to liquid asphalt, Mr. Rapalee did a good job of keeping track of the escalation downward in price and was able to get us a credit. The net result is that we were able to do two roads that we had cancelled; CR74 and CR 122.

D. **Call Hill Road** – Mr. Spagnoletti stated we have a 152 acre plot of land that the County received in 1930. This is reforested land and is landlocked. A couple of years ago, with an easement, we were able to put in a single-lane gravel driveway. This is the best timberland in the County and is also good hiking land. This is the first time that the public will be able to go across and access this property. The driveway is 4/10 of a mile long and is 10 – 12 feet wide. This cost us $25,000 and of that, $22,000 was labor and it took our crew a week and a half to build.

Mr. Ryan asked at the entrance of that drive, could you put up signage indicating that the land is available to people of the County and that they can access it? Mr. Spagnoletti replied we are doing that. We are putting up a gate and a sign that it is public land with access on the driveway only to walkers. We will also have signage on the perimeters. Mr. Ryan asked the signage is for walkers only; is this property not available to hunters and others? Mr. Spagnoletti replied we don’t want vehicles using the land. Ms. Prossick stated we had a discussion a couple of years ago about advertising the property. The determination was made at that time to not do anything for liability purposes. The only vehicles allowed are our vehicles and loggers.

E. **Surplus Equipment** – Mr. Spagnoletti stated previously Mr. Miller had found a maintenance truck for $30,000 and the committee had approved. Since that time, Mr. Miller has found, in Texas, a $98,000 lift that he can get for $7,500 delivered. This is just an informational item as the County Manager can approve that transfer.

F. **Windfarm Road Use Agreements** – Mr. Spagnoletti stated at a previous meeting Mr. Mullen had asked about a clause for one-time use only. The clause is in the agreement and covers both parties.

G. **Logging at Bath Landfill** – Mr. Spagnoletti stated the committee had asked why we had not received bids for logging the Bath Landfill. We called and the loggers did not like the red tape of government work. We worked with Purchasing to clean up the bid specifications and will continue to review that. Our forester has said the market for the 225 Maple trees is not good right now and recommended waiting until the spring. At that time we will look to see if any of the Ash trees leaf out and if we should bid those out as well. We will wait a couple of years to bid the Maple. The Ash are not in good shape and we would like to get them out of there, but the loggers are not interested. It doesn’t hurt us to leave them there and there is no interest by the loggers at this time.
H. **Mobile Work Program** – Mr. Spagnoletti stated we had four crew leaders and then we have been down to three crew leaders. Then due to COVID we could not pick people up. He stated Mr. Rose has taken the three crew leaders and they are taking care of keeping the buildings clean. We have also asked him to send them to our shops and parks to help with cleaning. Then the crew leaders were used to paint the Balcom House. Now we are asking to take one crew up to Prattsburgh to fix the roof on the salt shed and that has been pretty much completed.

Mr. Mullen clarified my question on the road use agreement was related to the security for their use. There was the provision for the single use, but not the bond and that was my question; if we could add something in on that. Mr. Spagnoletti replied the bonding is for the designated haul routes. Ms. Prossick stated the single use roads will still be covered under the bond. If they use a road, we still have that bond that covers the project. We would not release the bond until the road was fixed.

I. **Meeting Date/Time** – Mr. Malter asked if the committee would be willing to consider starting their meeting at 9:30 a.m. or immediately following the Public Safety & Corrections Committee? Mr. Van Etten and Mr. Horton stated they would be agreeable to that.

**MOTION:** CHANGING THE TIME OF THE MONTHLY PUBLIC WORKS COMMITTEE MEETING TO 9:30 A.M. OR IMMEDIATELY FOLLOWING THE PUBLIC SAFETY & CORRECTIONS COMMITTEE MADE BY MR. POTTER. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
Monday, December 7, 2020
Legislative Chambers, 3rd Floor Chambers, Annex Building
**PLEASE NOTE CHANGE **9:30 a.m.**PLEASE NOTE CHANGE**

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Monday, November 30, 2020
I. CALL TO ORDER

Mr. Nichols called the meeting to order at 10:30 a.m. and asked Mr. Mullen to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE NOVEMBER 2, 2020, MEETING MADE BY MR. MULLEN. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILLS

A. Budget Transfer – Mr. Spagnoletti informed the committee that he is purchasing a compactor for the Hornell Transfer Station and the cost is $146,000. We have $139,000 in the account. He requested authorization to transfer $15,000 from the Erwin Transfer Station to the Transfer Station Renovations – Hornell Transfer Station account to cover the cost of the compactor.

MOTION: AUTHORIZING THE TRANSFER OF $15,000 FROM THE ERWIN TRANSFER STATION ACCOUNT TO THE TRANSFER STATION RENOVATIONS – HORNELL TRANSFER STATION ACCOUNT TO COVER THE COST OF PURCHASING A COMPACTOR FOR THE HORNELL TRANSFER STATION MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Authorize an RFP for Legal Services to Collect Unpaid Bills – Mr. Spagnoletti stated we contract with a collection agency to collect unpaid bills. We average about $8.4 million in revenue a year and we get about $35,000 in bills that people don’t pay. Our collection agency withdrew and we want to do an RFP for collection services. Ms. Prossick explained this RFP will be a little different than what you have done before because the collection agencies were just a standard collection agency. My understanding in speaking with Mr. Orcutt about this is that they have not done real well in any sort of collection of those fees. So this will be an RFP for legal services to see if an attorney’s office would be willing to do that based on some sort of contingency fee of what they actually collect, to give a little motivation to collect the fees.
Mr. Nichols asked is it individuals or companies that are not paying? Mr. Orcutt replied it ranges from small residential delinquent accounts where they have insufficient funds and we do have some businesses that are on that list. The majority of those either have gone out of business or have done something along those lines, but we do have some businesses that are active that we are trying to collect on.

Mr. Van Etten asked for those that have delinquent accounts do we prevent them from using the landfill? Mr. Orcutt replied yes. When they miss their day payment, the accounts automatically get blocked and then they cannot use them. Then from there we try to collect the money ourselves until we get to a point where we have to pass it off. Mr. Horton asked are they shut off from the landfill or just the account is shut off? Can they still go to the Landfill and pay in cash or pay with a credit card? Mr. Orcutt replied they could, but we try to inform our scale attendants of who these individuals are. It is easier to manage for the businesses, but is more difficult for the residential accounts because we don’t always know who the residents are, but we do eventually catch them at some point and then block them and prevent them from using us.

Mr. Van Etten asked with the residential accounts, if the account has non-sufficient funds; the Landfill only accepts credit cards right? Mr. Orcutt stated credit cards or landfill tickets is what they use at the scales. If they do not have enough Landfill tickets, then they would have to get more tickets and come back and pay. Some will not use a credit card to do that and there are others that will come in and dump and have a credit card.

Mr. Mullen stated I think the question is how do we have collections against a resident if they don’t have credit; if they are paying with a credit card or ticket? Mr. Horton stated I think what he is saying is that they go up and dump two tons and then their credit card comes back denied. Mr. Orcutt replied yes. It is a weighed load. When they come on and they don’t have a credit card, they take it, weigh, come back out and it is $22 dollars and they only have a $15 dollar ticket, then we have insufficient funds. We get their personal information for collections and we invoice them from the office. The same with a credit card. If they come up and the card is declined for any reason, then that generates an insufficient funds. Mr. Nichols asked can we check their credit card prior? Mr. Orcutt replied we don’t know the charges and we don’t know if it is valid or not until the transaction is processed. Mr. Van Etten stated there is also a charge for pre-authorizing cards and we would bear the brunt of that.

Mr. Horton replied the downfall of this is I don’t see a law office sending a letter or generating letters to people that owe $7 or $12. Ms. Prossick replied we agree, but we do have some accounts that are sizable, so we thought that might be attractive to get some movement. There just is no movement from the companies that are doing it for us now. Mr. Mullen stated it could be helpful to leave it open to a collection agency as well, or are we burning through all of the different agencies? Ms. Prossick stated that would be a different RFP probably. The legal RFP already has a template. They have been using those companies for several years and we switched a couple years back and still no luck. It was a brainstorming idea to try to incentivize someone to pay.

Mr. Malter asked can we charge at the time they are on the scales? Mr. Spagnoletti replied we do have the weight of the vehicles for a number of the businesses logged into the computer, but we cannot do that for the residents.

Mr. Van Etten stated with the commercial haulers, shutting off access is the pinch point for them. There is no access until the account is paid off. Mr. Orcutt stated their rights at the landfill are suspended. When we set up the account, we have a $500 security deposit; they forfeit that and we close the account. Those funds then are used to offset the delinquencies on some of the smaller accounts that we have.

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

C. Approve Supplemental Draft Environmental Impact Statement for Bath Landfill Expansion – Mr. Spagnoletti explained the eastern expansion of the Landfill requires an analysis to determine how it will impact the
environment. These additional landfill cells will last for 30 – 40 years. He provided a brief summary to the committee. With regard to topography the height of the new addition will match the existing landfill. For the surface water analysis, there are a few ditches and swales that we will locate. For the air impact, garbage produces methane and we collect most of that with pipes and either flare it or use it. There is .8 acres of a very small shallow pond with vegetation and that does not come under any wetlands restrictions and we will probably fill it in. Visually, the first new cell will be on the north end of the landfill and will be approximately 1,000 feet away from Turnpike Road. Once that cell is in and up and covered, everything else will be behind it and it will be seeded with grass. With odor, we are very careful about odor and we have one of the best landfills for minimal odor. Noise impact will be similar to what it currently is with some trucks and equipment. Mr. Spagnoletti stated cells 5 – 8 will be located within 200 feet of an adjacent property. With the DEC (Department of Environmental Conservation) rules on noise, we may use some dirt berms that are the height of the equipment, and then use that dirt for daily cover. For cells 9 and 10, we may have to do something else besides berms.

Mr. Spagnoletti stated LuAnn Meyer from Barton & Loguidice put this together and she is on the call to answer any questions. I am asking for you to approve the draft impact statement and then the Full Legislature will have to approve.

Mr. Van Etten stated he reviewed this document and under the written comments, there was the typical comment that we should be a no garbage output society and in my opinion that just is not possible. Mr. Spagnoletti stated many, if not most of the landfills in the State, the neighbors don’t like them and the community objects to things. We have had a good relationship with our neighbors. Mr. Van Etten stated many of the public comments said you run an excellent landfill and they have no complaints, but they don’t want another landfill.

**MOTION:** APPROVING THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE BATH LANDFILL PROPOSED LANDFILL EXPANSION AND FORWARDING TO THE FULL LEGISLATURE FOR APPROVAL MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

D. Authorize Use of People Ready Staffing Agency – Mr. Spagnoletti stated sometimes we need temporary help. In the past we have used Manpower, but they no longer serve landfills. He requested authorization to enter into a contract with People Ready at a rate of $22.90 per hour.

**MOTION:** AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH PEOPLE READY STAFF AGENCY FOR TEMPORARY HELP AT A RATE OF $22.90 PER HOUR MADE BY MR. MULLEN. SECONDED BY MR. HORTON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

IV. HIGHWAYS

A. 2021-2025 Pavement Striping Truck Shared Services Agreement – Mr. Spagnoletti stated in 2007 they purchased a pavement striping truck for $318,000 plus a broom truck. This was purchased under shared services where the State paid 90 percent of the cost, $286,000, because we would use the truck in partnership with Yates and Schuyler counties. Mr. Spagnoletti requested authorization to enter into a new shared services agreement with Yates and Schuyler counties. All three counties will contribute to the maintenance and repair of the truck. Steuben County will have two operators on the truck at all times and this will be a five year agreement.

**MOTION:** AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN STEUBEN, YATES AND SCHUYLER COUNTIES FOR THE USE OF A PAVEMENT STRIPING TRUCK EFFECTIVE FOR A FIVE-YEAR PERIOD EXPIRING IN 2025 MADE BY MR. HORTON. SECONDED BY MR. RYAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Malter asked what is the age of the truck and what is the useful life? Mr. Spagnoletti replied it is a 2007 and you figure the useful life to be about 20 years. That will be a big decision that we will have to make next time as we will not have the State chipping in. The trouble with a subcontractor is getting them here when we want them. Mr. Mullen asked has there been any discussion with the other counties about establishing a capital account to purchase a truck? Mr. Spagnoletti replied that is something that Mr. Rapalee is working on.
Mr. Nichols asked on a related topic, is it better to purchase a pothole machine or rent? Mr. Spagnoletti stated we have been talking about that. Mr. Miller’s position is that oil goes through the grinder. We have come to the decision that it is beneficial to own, but don’t have money in our account. Mr. Malter commented it costs $38,000 per year to rent and $165,000 to purchase. With a 15-year life, it would be an advantage to purchase rather than rent and we should think about that. Mr. Spagnoletti stated I agree, but the question is do we need snowplow trucks instead of a pothole machine. We believe we can take care of it and it would save us money and that is something we are looking at now.

B. Greenwood Shop – Mr. Spagnoletti informed the committee we have water that tends to flow into the shop floor and we want to regrade the front approach to the shop and blacktop it to prevent the water from coming in. We have $40,000 that we can take out of the surface treatment account and we could take care of the drainage problem. He requested authorization to transfer $40,000 from Surface Treatments and appropriate to Capital Project HS 9900, Highway Shop Renovations.

MOTION: AUTHORIZING THE TRANSFER OF $40,000 FROM SURFACE TREATMENTS AND APPROPRIATING TO CAPITAL PROJECT HS 9900, HIGHWAY SHOP RENOVATIONS TO REPAIR THE DRAINAGE PROBLEM AT THE GREENWOOD SHOP MADE BY MR. RYAN. SECONDED BY MR. HORTON FOR DISCUSSION.

Mr. Nichols asked will this be done in-house? Mr. Spagnoletti replied yes. We will do it by putting in a gravel base and then paving with our paver.

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

C. Five Year Road Plan – Mr. Spagnoletti presented the five-year road plan for 2021-2025. This is the third five-year plan that we have done. I would like to recognize Zach Conklin, Andy Barbato and Jesse Charles for their work. This is the first time that we have had new staff preparing the plan. We use Cornell’s road program and that is based on traffic count. We use this information, along with a formula to come up with the plan. For 2021 we have $3,576,000. We are forecasting the State paying the minimal CHIPS funding decreased by 20 percent. For the year 2022 – 2025 we did a cutoff point of the life cycle analysis. It will cost $5.4 million per year to keep the roads even. When the time comes, it will become your decision on how much you want to put in there.

Mr. Spagnoletti also reviewed the poor roads chart. In 1998 we had 122 miles of poor road. Now we have 10 miles of poor roads which are located on CR 5, CR 9 and CR 86. Mr. Malter commented you re-evaluate the roads all the time and the thing is, this can be switched at any point. Mr. Spagnoletti stated I continually look at this to see if something needs to be tweaked. The Cornell computer program is a good guide.

Mr. Van Etten stated the five year plan is strategic and you can make adjustments, but it gives you a long-term strategy that provides for continuity to maintain the roads and the proof is the graph of poor roads. Mr. Spagnoletti stated this plan will go out to all of our shop supervisors. They are always looking ahead one year in order to get the pipes dug out. Mr. Van Etten stated it shows that we have a plan are that we are not reactionary.

Mr. Nichols asked on the poor roads chart, how come we went from 6 percent of poor road to 18 percent of poor road in 2012? Mr. Spagnoletti replied we had two winters in a row where we had freeze and thaws back and forth and I think that is what happened. He stated if anyone has any questions on the plan, please let him know.

V. BIDS

Mr. Spagnoletti stated last month Mr. Mullen had asked if we monitor the multiple award bids and he asked Mr. Morse to explain. Mr. Morse stated the process would be that Public Works would generate a requisition and at the point it arrives in my office, we attach the tab sheet before we cut the purchase order to ensure we have the appropriate bidder. Mr. Mullen asked do document that you checked the lower bid first? Mr. Morse replied yes.
Mr. Spagnoletti stated Mr. Rapalee does an extremely good job analyzing the bids and what they are doing in the field for us. He is making sure that any asphalt increments are done right. Mr. Miller goes beyond the Administrative Code in getting bids. I have quite a bit of confidence in both of them.

A. Hornby Park Timber Sale #2 – Mr. Spagnoletti stated you had awarded the bid for cutting of timber at Hornby Park and the company is ready to move in there. There is another piece of the park that has some trees on it; 139 white ash and 130 sugar maples. He requested authorization to let another bid for this portion.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS, IN CONJUNCTION WITH THE PURCHASING DIRECTOR, TO SOLICIT BIDS FOR THE HORNBY PARK TIMBER SALE #2 MADE BY MR. HORTON. SECONDED BY MR. POTTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Marketing of Recyclable Materials and Scrap Metal – Mr. Spagnoletti recommended awarding OCC (cardboard) to all bidders, rejecting the bid for newspaper, awarding #1 and #2 plastics co-mingled to CL Trading, awarding #1 plastics to Casella, #2 plastics to Casella, and awarding tin and scrap metal to Weitsman. Mr. Spagnoletti stated last month Mr. Malter had asked what we get for refrigerators. We get $12.50 for the refrigerator metal at the Wayland Transfer Station and we paid $11.50 to remove the Freon. For air conditioners we get paid $3.50 for the metal and we pay $11.50 for the Freon removal.

MOTION: AWARDING THE BID FOR MARKETING OF RECYCLABLE MATERIALS AND SCRAP METAL AS FOLLOWS: OCC (CARDBOARD) TO THE FOLLOWING BIDDERS: CASCADES RECOVERY US, INC.; CASELLA RESOURCE SOLUTIONS; CL TRADING, LLC AND BEN WEITSMAN OF HORNELL; REJECTING THE BIDS FOR NEWSPAPER; AWARDING THE BID FOR #1 AND #2 CO-MINGLED TO CL TRADING, LLC; AWARDING #1 PLASTIC TO CASELLA RESOURCE SOLUTIONS; AWARDING #2 PLASTIC TO CASELLA RESOURCE SOLUTIONS; AND AWARDING TIN AND SCRAP METAL TO BEN WEITSMAN OF HORNELL MADE BY MR. HORTON. SECONDED BY MR. MULLEN FOR DISCUSSION.

Mr. Mullen stated tin and scrap metal are benchmarked and I heard the price is going up quite a bit. For next year are we paying a percent of the benchmark? Mr. Spagnoletti replied Weitsman will pay us a percent of the benchmark and that will vary month to month. The price at the beginning of the month is valid for the entire month. Mr. Malter asked why is there a price differential between the different locations? Mr. Orcutt replied I believe it is just volume based. Additionally the Hornell Transfer Station is right next to the Hornell scrap yard.

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

C. Clean & Inspect Landfill Leachate Holding Tanks and Lines – Mr. Spagnoletti requested authorization to extend the bid through December 31, 2021.

MOTION: EXTENDING THE BID FOR THE CLEAN & INSPECT LANDFILL LEACHATE HOLDING TANKS AND LINES FOR A TOTAL PRICE OF $49,232.75 THROUGH DECEMBER 31, 2021 WITH CORE VISUAL INSPECTION SERVICES, INC. MADE BY MR. MULLEN. SECONDED BY MR. MULLEN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

D. Cutting Edges, Sander Chains and Shoes – Mr. Spagnoletti recommended rejecting and rebidding.

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

E. Gasboy System – Mr. Spagnoletti stated the Gasboy System is available on OGS bid and I do not need committee approval, but this is a big item. We have fuel tanks and pedestals where you put in a fob and it records everything and then we keep track of what fuel is going into what equipment, what individuals and which outside
agencies are using the fuel. It is hard to get parts and repairs for this system and there are segments that I would like to update. We need to make the system more user-friendly in order to see what individual workers are using it and this bid will allow us to do that. He stated Andy Barbato and Cody Ryan from Information Technology have put a lot of work into this.

We have two choices. First, the information can be stored on our computers in-house, and it would cost $196,000 to set that up, plus a substantial amount of a charge for installing the software maintenance over ten years. The second option is a cloud-based solution which would be stored off-site. The vendor would maintain the information and provide updates. The cost over 10 years is $252,000. We have $278,000 in our capital account. Mr. Wolverton is in agreement with going with the cloud solution. He asked if Mr. Wolverton could provide a more detailed explanation. Mr. Wolverton stated I will defer to Mr. Ryan as he has helped with the quotes and bid. Mr. Ryan stated presently the system is housed in our server room at the County Office Building. With the cloud solution, the County would not provide the hardware, software or configuration. The vendor would provide and maintain the server, with a data center located in the United States. They will provide the infrastructure, disaster recovery and business continuity. The big thing is the software updates; they will be managed and deployed by the vendor. System performance will be maintained twenty four hours to ensure full operability. The up-front cost is more expensive, but includes support and installation. To host this software on premise would cost $3,000 per month for software maintenance on the eleven sites and would cost $360,000 over ten years. Mr. Ryan stated they are recommending the cloud based solution.

Mr. Horton asked are there any additional yearly fees? Mr. Spagnoletti replied there will be a yearly fee of $6,600 per year guaranteed for 10 years. The on premise solution did not have an annual fee, but they charged an additional fee for installation and maintenance.

Mr. Malter asked this is the Gasboy system? Mr. Spagnoletti replied yes. This is the same system that we have, just an updated version. This new version will be more user-friendly and will allow us to see who is using what. Mr. Morse commented the committee should vote on this because it is a best value contract. This is a national cooperative that negotiated the contract and it has been authorized by the State. Ms. Prossick explained with a best value contract, when there is a cooperative across the country, the State will put them under OGS (Office of General Services), but not technically because they did it through best value law and it is not as clean. On an OGS contract you wouldn’t have to do anything as the State would have negotiated the contract, but this is not that. The State certified the vendor as a best value contractor and they can only do the contract in counties that have adopted a best value law, which we have done. It would be safest for the committee to go ahead and make a motion. Mr. Mullen commented when it is negotiated nationwide and made available to all the states, it is better than a State contract in a lot of cases.

Mr. Horton commented to host this on the cloud will cost $60,000 more, but there are no hidden fees and nobody in Information Technology has to learn the system. Mr. Malter asked you are currently using the Gasboy system and are getting an update, so the only thing the outside firm is doing is managing the software? Mr. Spagnoletti replied this is a new upgrade and the system will still be the Gasboy system. Mr. Malter asked now you are using Information Technology to run the software? Mr. Ryan explained the current system is old and is housed on a machine that runs Windows XP; it is actually a dedicated server, not just a computer. This project is much larger than just the software implementation. Mr. Spagnoletti stated there will be new hardware and software. Mr. Ryan stated there will be new hardware for the infrastructure for Information Technology.

**MOTION: AWARDING THE CONTRACT, UNDER BEST VALUE LAW, FOR THE CLOUD-BASED FUEL RECORDING SYSTEM TO GASBOY FOR $252,000 FOR TEN YEARS MADE BY MR. HORTON, SECONDED BY MR. RYAN, ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

VI. **OTHER BUSINESS**

1. **CR 128** - Mr. Ryan stated I just have a comment/observation. CR 128 was closed between Carson and Depot Streets in Canisteo. I go through there once or twice a day and on the west end, one of your 10-wheel trucks with an operator was used to block the road. There was plenty of signage there and some wood barriers. My comment is that I think people would perceive that truck sitting there idling with an operator in it as not a best use of our resources Mr. Spagnoletti stated that would be a good perception. I will check into it and see what happened.
Mr. Ryan stated I don’t know if there was one on the east end, but I would assume maybe there was.

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

Respectfully Submitted by

Amanda L. Chapman
Deputy Clerk
Steuben County Legislature

**NEXT MEETING SCHEDULED FOR**
Monday, January 4, 2021
Legislative Chambers
9:30 a.m.

Please send agenda items to the Clerk of the Legislature’s Office
NO LATER THAN NOON
Monday, December 28, 2020