**MINUTES**

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

STAFF:  Jack K. Wheeler  Christopher Brewer  Vince Spagnoletti  
Steve Orcutt  Doug Rapalee  Rich Bills  
Lisa Tracy  Jennifer Prossick  Andy Morse  

LEGISLATORS:  Carol A. Ferratella  Kelly H. Fitzpatrick  K. Michael Hanna  
Hilda T. Lando  Steven P. Maio  

OTHERS:  Mary Perham  
James Post, *The Leader*

I. CALL TO ORDER

Mr. Swackhamer 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 JULY 1, 2019, AND JULY 22, 2019, MEETINGS MADE BY MR. MALTER, SECONDED BY MR. NICHOLS, ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. LANDFILLS

A. Budget Transfer – Mr. Spagnoletti informed the committee that Bath Electric Gas & Water has raised their treatment fees from $6,600 per month to $22,200 per month. He requested authorization to transfer $50,000 from the Upgrade Leachate Treatment Plant Force Main account and $80,000 from the Leachate Tank Repair account into the Pretreatment Plant, Treatment Fees line.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO TRANSFER $50,000 FROM THE UPGRADE LEACHATE TREATMENT PLANT FORCE MAIN ACCOUNT AND $80,000 FROM THE LEACHATE TANK REPAIR ACCOUNT INTO THE PRETREATMENT PLANT, TREATMENT FEES LINE MADE BY MR. POTTER, SECONDED BY MR. NICHOLS, ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Completed Landfill Cell 4 Change Orders – Mr. Spagnoletti requested approval of three change orders relative to the Cell 4 project. The first is a reduction of $35,193.18 for Marcy Excavation Services as they are not putting a layer of plastic over the final layer of stone. The second is a reduction of $5,200 for B & N Electric. The third is an increase of $95,634 for B & L Engineers. This change reflects a revision with regard to the design and inspection of the project. They had originally estimated a set number of days for inspection, but revisions have been made as some items will take longer.
MOTION: APPROVING THE FOLLOWING CHANGE ORDERS FOR COMPLETED LANDFILL CELL 4
PROJECT: MARCY EXCAVATION SERVICES – A REDUCTION OF $35,193.18; B & N ELECTRIC – A REDUCTION OF $5,200 AND B & L ENGINEERS – AN INCREASE OF $95,634.00 MADE BY MR. ROUSH. SECONDED BY MR. NICHOLS FOR DISCUSSION.

Mr. Spagnoletti informed the committee that they are running under budget by about $200,000. Mr. Malter asked where did those savings come from? Mr. Spagnoletti replied he does not have an answer, but he will let him know.

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

C. RFP Award – Solar Farm Project - Mr. Spagnoletti stated they received three proposals and he is recommending Abundant Solar Power out of Toronto, Canada. They are proposing solar panels at a number of sites with a total of 42.9 megawatts. We have received good references on them. The other two proposals were from Brownfield Group out of Canandaigua, NY and BQ Energy, LLC out of Wappingers Falls, NY. He stated his recommendation is based on the megawatts.

Mr. Swackhamer asked are the megawatts just at the landfill? Mr. Spagnoletti replied 19 megawatts will be at the landfill. Mr. Wheeler explained part of this is to have a long-term contract as we have to purchase some of the power within the NYSEG account. Part of the action by the committee today, if you choose, is to authorize a power purchase agreement with Abundant. He stated the landfill will be the primary site. There will only be a couple of the other locations that will be viable. He doubts we will see 42 megawatts, but it appears that Abundant is the most capable. Ms. Prossick commented if there is not an interconnect, Abundant is a large enough company that they can go to the local municipality and do the interconnect for them.

MOTION: AWARDING THE RFP FOR THE SOLAR FARM PROJECT TO ABUNDANT SOLAR POWER, INC. OUT OF TORONTO, CANADA AND AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A POWER PURCHASE AGREEMENT WITH ABUNDANT SOLAR POWER, INC. MADE BY MR. ROUSH. SECONDED BY MR. POTTER FOR DISCUSSION.

Mr. Malter asked when will this go into effect? Mr. Wheeler replied it will take a couple of years to go through the process. Ms. Prossick stated we would have a lease in place by the end of the year. The whole process will take about 18 months. Mr. Malter asked with the IDA and PILOTS, will there be any additional income for property taxes? Mr. Wheeler replied with the solar it is minimal. We would expect $5,000 - $10,000 per year maximum and that would just be for the big development at the landfill.

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

IV. HIGHWAYS

A. Agreement with Arlington Storage Co. – Mr. Spagnoletti requested authorization to enter into a contract with Arlington Storage Co. to relocate the gas vents relative to the CR 119 bridge project in Cameron. The cost to relocate the vents is $14,000. This will be 95 percent covered by Federal grant funds and there will be a $2,000 local cost this year. Ms. Prossick clarified the entire contract is $35,839, but $14,000 will be spent this month for the preliminary work.

MOTION: AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO A CONTRACT WITH ARLINGTON STORAGE CO. FOR $35,839.00 TO RELOCATE GAS VENTS RELATIVE TO THE CR 119 BRIDGE PROJECT IN CAMERON MADE BY MR. MALTER. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

B. Caton Shop Change Orders

1. Bouille Electric – Mr. Spagnoletti requested approval of a change order in the amount of $4,900.00 which represents additional work that was left out of the original bid.
MOTION: APPROVING A CHANGE ORDER FOR BOUILLE ELECTRIC IN THE AMOUNT OF $4,900.00 REPRESENTING ADDITIONAL WORK ON THE CATON SHOP THAT WAS LEFT OUT OF THE ORIGINAL BID MADE BY MR. NICHOLS. SECONDED BY MR. ROUSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

2. JS Contracting – Mr. Spagnoletti requested approval of a change order in the amount of $6,473.57 which represents the installation of flowable fill to obtain soil bearing. He explained this was used on two corners of the building which are wet and muddy. This represents 59 cubic yards of fill.

MOTION: APPROVING A CHANGE ORDER FOR JS CONTRACTING IN THE AMOUNT OF $6,473.57 REPRESENTING THE INSTALLATION OF FLOWABLE FILL AT THE CATON SHOP MADE BY MR. POTTER. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

C. Budget Transfer – CR 31 Jasper – Mr. Spagnoletti explained the Legislature authorized the acceptance of the Extreme Winter Recovery Funding on July 22, 2019. On that Tuesday/Wednesday, we started paving, thinking that we could do internal budget transfers. It turns out that we could not and that those transfers needed to come to committee for approval as they are transfers from surpluses. The total amount of the transfer is $223,000 which will come from the surpluses from the CR 114, CR 14, CR 91, CR 97, CR 66 and CR 60 road projects. By that Thursday, we had already spent $287,530 which was $19,405 more than we had in our account and we had to stop the job.


Mr. Swackhamer stated he and Mr. Spagnoletti have talked about this extensively. One lane of road is paved and the other is not. If we have to wait until the August Full Board meeting, then there will be a two to three week period that traffic will be traveling on that road and there is a 1 ½” to 2” drop-off. There have been signs posted on the road. If the committee approves, we will have to wait until the Full Board meetings before the project can be completed.

Mr. Wheeler stated at a minimum, this would require Finance Committee approval as it exceeds the authority that the Legislature has set in the Administrative Code.

Mr. Malter asked if there are surpluses, does that mean those other road projects are completed? He knows that CR 91 is not finished. If those other projects are not complete, how can we do CR 31 and not finish the others? Mr. Spagnoletti replied our blacktop company pulled out and will be back to finish those other projects. Mr. Malter asked where did you get the blacktop for CR 31? Mr. Spagnoletti replied Dolomite. He explained because they pulled out of those other projects with their crew, it made the blacktop plant available for CR 31. They did not have a contract for extra 2.3 miles on CR 31 and we did that with our crew.

Mr. Wheeler commented the transfer of funds should have been done before the purchase of materials. He stated that he authorized transferring $100,000, which is the limit without legislative action.

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

V. OTHER BUSINESS
A. Birdseye Hollow Park – Mr. Spagnoletti informed the committee that the County now owns the portion of Birdseye Park from the pavilion down to the shore.

B. Paint Day – Mr. Spagnoletti stated we held a paint day on Saturday and 20 gallons of unopened paint that was going to be discarded will be used by the Mobile Work Crew.
C. **Timber Project** – Mr. Malter asked has there been any movement on a timber project? Mr. Spagnoletti replied we are working with purchasing on an RFP.

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

**MOTION:** TO ADJOURN MADE BY MR. MALTER. SECONDED BY MR. NICHOLS. 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 9, 2019 **PLEASE NOTE CHANGE**
9:00 a.m.

PLEASE PROVIDE AGENDA ITEMS
NO LATER THAN NOON
Monday, August 26, 2019