

DPW - COMMITTEE

Monday, January 22, 2024 - 9:30 AM

Robin DeLoria, Chairperson
Clayton Barber, Vice-Chairperson

Vice-Chairman Barber called this DPW Meeting to order at 9:30 am with the following Supervisors in attendance: Clayton Barber, Matthew Brassard, Chris Clark, Derek Doty, Shaun Gilliland, Charlie Harrington, Ken Hughes, Steve McNally, James Monty, Cathleen Reusser, Favor Smith, Matt Stanley, Ike Tyler, Joe Pete Wilson, Davina Winemiller, Margaret Wood and Mark Wright. Robin DeLoria was excused.

Department Heads present: Jim Dougan, Judy Garrison and Michael Mascarenas.

Also present: Alice Halloran and– William Tansey.

News media: SUN – Alana Penny.

BARBER: Okay I would like to call the Department of Public Works meeting to order. Please stand for the pledge. First, Jim, do you want to come up.

DOUGAN: Good morning everyone. I have quite a few resolutions unless somebody has questions on my monthly report I'd like to just jump into resolutions.

My first request is the issuance of a permit to the Wilmington Historical Society for the use of county roadways for their 2024 Wilmington Whiteface Whiskey Run. It's a 5K and 10K. That will be on Saturday, June 15, 2024.

RESOLUTION AUTHORIZING AN ISSUANCE OF A PERMIT TO THE WILMINGTON HISTORICAL SOCIETY FOR THE USE OF THE COUNTY ROADWAYS FOR THE 2024 WILMINGTON WHITEFACE WHISKEY RUN 5K AND 10K TO BE HELD ON SATURDAY, JUNE 15, 2024. Brassard, Stanley

BARBER: Discussion? All in favor, opposed – carried.

DOUGAN: Number two is another permit that this would be to the Town of Ticonderoga for the use of county roadways for their 2024 Triathlon Festival that's also on Saturday, June 15th.

RESOLUTION AUTHORIZING AN ISSUANCE OF A PERMIT TO THE TOWN OF TICONDEROGA FOR THE USE OF THE COUNTY ROADWAYS FOR THE 2024 TICONDEROGA TRIATHLON FESTIVAL TO BE HELD ON SATURDAY, JUNE 15, 2024. Wright, Brassard

BARBER: Discussion? All in favor, opposed – carried.

DOUGAN: Number three would be authorizing a contract with the Village of Saranac Lake for shared highway services. It's similar to our shared services agreement that we have the county and the towns. The Village of Saranac Lake has a contract like this with neighboring St. Armand and neighboring North Elba. They've done this in the past, it's time to renew it again if the board so desires.

RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT WITH THE VILLAGE OF SARANAC LAKE FOR SHARED HIGHWAY SERVICES TO BE REIMBURSED ON A TIME AND MATERIAL BASIS FOR ANY SHARED HIGHWAY WORK WITH FUNDS TO COME FROM BUDGETED FUNDS. Clark, Wood

BARBER: Discussion? All in favor, opposed – carried.

DOUGAN: Number four would be authorizing the purchasing agent to award a purchase order to the Fort Miller Company in the amount of \$234,668, which is for reinforced concrete box culvert pieces. There's 45 pieces that are 8' wide by 4' tall by 4' deep and then 11 pieces that are 10'foot wide by 6' feet high by again 4' deep. This is what we've been using to replace quite a few culverts. We completed work out on Tahawus Road in December with one of these units. We replaced a 4 footer. We've replaced a 3 footer on Tracy Road, Feeder Pond in August of last year. We have a number of additional locations where we think these sizes would work.

RESOLUTION AUTHORIZING THE PURCHASING AGENT TO AWARD A PURCHASE ORDER IN THE AMOUNT OF \$234,668.00, TO THE FORT MILLER COMPANY, INC. FOR REINFORCED CONCRETE BOX CULVERT PIECES WITH FUNDS TO COME FROM BUDGETED FUNDS AND FURTHER AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE SAID PURCHASE ORDER. Brassard, Harrington

BARBER: Discussion?

DOTY: Jim, any special bedding you have to do when you put those box culverts in? You know in comparison to something round that sits differently?

DOUGAN: You usually put number two stone down in but typically you put that in both situations but these are a lot more less likely to flood with beavers, with debris with those kind of things those rectangular structures definitely hold up better. That 1.25 requirement from DEC this is how we're meeting stream locations in a lot of areas. The Ensign Pond Road that we just lost on December 18 that section there's a two foot culvert that got blocked that really caused what was a beaver dam that broke free way up the mountain to take out that 1200 foot section of road. We planned to replace that 2' culvert with a 4' by 8' box culvert. Everything we have is so flat streams are so flashy these days so we are trying to do where we can.

DOTY: Thank you.

BARBER: Further discussion? All in favor, opposed – carried.

DOUGAN: Number five would be authorizing a contract amendment in the amount of \$33,500 to H&T Engineering Services. This is for the preliminary final design bidding and construction documents for the Hurricane Road over Spruce Hill Brook in the Town of Keene. In the spring of this year that culvert got washed out. We did our best to fix it and it didn't completely get washed out the culvert itself was still there and then in July, it was washed out and gone so we want to start the design on it with plans to build it before the end of this year. It's currently still closed that section of the road.

RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH H&T ENGINEERING SERVICES, PLLC IN THE AMOUNT OF \$33,500.00, FOR PROFESSIONAL ENGINEERING SERVICES TO INCLUDE

PRELIMINARY AND FINAL DESIGN, PERMITTING AND CONSTRUCTION DRAWINGS FOR THE HURRICANE ROAD OVER SPRUCE MILL BROOK CULVERT REPLACEMENT PROJECT LOCATED IN THE TOWN OF KEENE WITH FUNDS TO COME FROM BUDGETED FUNDS. Stanley, Brassard

BARBER: Discussion? All in favor, opposed – carried.

DOUGAN: Number six is all about household hazardous waste days. Our current vendor has held four dates for us. We've the last few years we've been holding four different household hazardous waste day events. That period of time we've mixed it up a little bit and we've had five locations where we've held the events so I'd like to set the dates and the location. Last year we did the events in North Elba, at the Essex County DPW here in Lewis, at the North Hudson Highway Garage and the Ticonderoga Highway Garage. A few years back we replaced Ticonderoga with one in Moriah. It seems Moriah wasn't chose last year because the event when we did it wasn't very well attended that one time so just looking for some decisions from the board of where we're going to have them and if these dates will work?

BRASSARD: I think you should have them where you get the most people if Moriah wasn't successful I don't see why you would have it there?

DOUGAN: I think there was just a request to move it around.

MONTY: My question, I'm not on the committee but would be last year what was the most successful? Probably North Elba?

DOUGAN: North Elba.

MONTY: And then what was second?

DOUGAN: DPW

MONTY: Then?

DOUGAN: Ticonderoga was a little more than North Hudson and then North Hudson was fourth.

MONTY: And normally speaking in the past, how has Moriah done in comparison?

DOUGAN: It's only been held in Moriah once and it was probably 2/3 of what the North Hudson one was.

RESOLUTION SETTING THE DATES AND LOCATIONS OF THE HOUSEHOLD HAZARDOUS WASTE DAY EVENTS FOR 2024. (JULY 6TH – TOWN OF NORTH ELBA, JULY 20TH – ESSEX COUNTY DPW, AUGUST 3RD – TOWN OF NORTH HUDSON, AUGUST 24TH – TOWN OF TICONDEROGA) Harrington, Brassard

BARBER: Discussion?

GILLILLAND: Is DEC paying us past years on these?

DOUGAN: We are paid up through 2021. We just received 2022 approval of what we had submitted for 2022 with some paperwork to fill out including asking us to go out and get MWB sign off from every vendor that we used including MXI and including the newspapers that we're working with. We'll try and do that. They for the first time they haven't allowed our, the way our contract is set up the vendor, we have to use a certified vendor the vendor charges us an initial set up fee and an initial hauling fee because they don't know how much product is going to show up in any one event. In this most recent paperwork DEC disallowed those costs the setup fee and the hauling fee. So, I guess I didn't answer your question very well Mr. Chairman.

GILLILLAND: No, you answered it quite well.

DOUGAN: We were getting paid but we'll see.

MASCARENAS: What is the reimbursement rate when we do get paid?

DOUGAN: The reimbursement rate is 50% of all eligible costs. A few years back we were doing nearly \$100,000 a year in how much product we collected. They put in place the new paint care program where all latex and oil based paint even though it's collected actually we don't get charged for any of that it's still collected by the vendor the vendor works directly with the state so now the amounts have been closer to \$60,000 with us getting close to \$30,000 in reimbursement.

BARBER: Further discussion? All in favor, opposed – carried.

DOUGAN: So for clarification I'm going to use the same four locations that we had last year. Thank you.

So the next three are all about projects that are just about ready to go out to bid. The first one is the Alexandria Ave. over Lake George outlet bridge replacement project in the Town of Ticonderoga. That is a Federal aid funded project. Our plans and specs are basically done we are just waiting for Federal Highway Administration to tell us they are okay with things and then we would like to put that out to bid and the plan is to start construction right after school is out this summer.

RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO OUT TO BID FOR THE ALEXANDRIA AVENUE OVER Lake George OUTLET BRIDGE REPLACEMENT PROJECT LOCATED IN THE TOWN OF TICONDEROGA. Wright, Clark

BARBER: Discussion? All in favor, opposed – carried.

DOUGAN: The next one is Ensign Pond Road over Mill Brook Bridge replacement project. That's located in the Town of Moriah. That is a Bridge New York funded project. Again, our plans are just about done we are waiting for the State to give us approval when they review the plans and we would like to put that out to bid in the next month and expect construction to take place this season as well.

RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO OUT TO BID FOR THE ENSIGN POND ROAD OVER MILL BROOK BRIDGE REPLACEMENT PROJECT LOCATED IN THE TOWN OF MORIAH. Brassard, Clark

BARBER: Discussion?

BRASSARD: Jim, when you close down that road will you be working on anything around the pond there that floods at the same time? Do you have plans for that?

DOUGAN: It's not part of that project. We've added a project to our Federal aid list our Federal aid funding list that would do work at the pond including upsizing that one culvert to a bridge and probably raising the road.

BARBER: Further discussion? All in favor, opposed – carried.

DOUGAN: Number nine, authorization for the Purchasing Agent to go out to bid for County Route 83, Springfield Road the complete replacement of that road basically from the Intersection of Route 9N up to Bartlett Road. That is excavating out about two and a half to three feet of material the full width of the road that almost $\frac{3}{4}$ of a mile putting in new under grain new gravel, new asphalt, and new guiderail all the way up through there. That road has been a frequent flyer for damage it just fails time after time so again, those drawings were done in house and we are basically ready to put it out to bid and hopefully we'll find some bidders early on.

RESOLUTION AUTHORIZING THE PURCHASING AGENT TO GO OUT TO BID FOR THE COUNTY ROUTE 83, SPRINGFIELD ROAD RECONSTRUCTION PROJECT LOCATED IN THE TOWN OF JAY. Stanley, Brassard

BARBER: Discussion? All in favor, opposed – carried.

DOUGAN: Number ten is kind of a follow up from our last day of the annual when we had a couple of students here that were watching the proceedings. Those students were from the Adirondack Christian School in Wilmington. They've reached out to us asking for opportunities to do job shadowing and some unpaid internships with their high school level students. So if we could do a resolution authorizing that.

RESOLUTION AUTHORIZING THE COUNTY CHAIRMAN OR COUNTY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE ADIRONDACK CHRISTIAN SCHOOL TO COORDINATE STUDENTS WITH ESSEX COUNTY DEPARTMENTS FOR JOB SHADOWING AND UPAID INTERNSHIP OPPORTUNTIES. Stanley, Wright

BARBER: Discussion? All in favor, opposed – carried.

DOUGAN: The next is regarding our Public Transportation Department. In order to be compliant with the Federal Transit Authority and continue to receive our funding for the buses which is in the amount of about 90%-95% of the funding comes from them we have to follow their policies. In 2021 we adopted their Federal Transit Authority drug and alcohol policy as a supplement to the county's they've amended that. I guess there's some new ways to test for alcohol and other drugs that include basically a cheek swab rather than just urine or a blood test. I'd like to amend that to meet that policy.

RESOLUTION AUTHORIZING AN AMENDMENT TO THE ESSEX COUNTY PUBLIC TRANSPORTATION DEPARTMENT'S DRUG AND ALCOHOL TESTING POLICY SUBJECT TO APPROVAL BY THE COUNTY ATTORNEY. Brassard, Clark

BARBER: Discussion? So does that include blood tests?

DOUGAN: It keeps them in there. It's my understanding that not all the agencies or organizations that might do the drug testing actually have new technology with the cheek swabs and the things to read that yet so it still allows blood and urine test but it was very specific that it was all blood, urine, breathalyzer type tests in the past. This allows the new technology that is out there to use that as an acceptable testing format as well.

BARBER: So I would assume that all towns are going to have to?

DOUGAN: No.

BARBER: For their highway?

DOUGAN: No this is about the transportation department this is about our buses. Our buses have to be compliant with the Federal Transit Authority.

BARBER: Oh, so just the buses alright. Any other discussion? All in favor, opposed – carried.

DOUGAN: Number twelve, something that our County Manager brought up before regarding the Transportation Department. In the budget it was set up for the Transportation Department to go back to being its own department. That was done in the past by Local Law in 2009 and then that was rescinded in 2018 after the then Transportation Coordinator left service at the county so this is introducing the Local Law. I'd like a resolution introducing the Local Law so we can start that process.

RESOLUTION INTRODUCING A PROPOSED LOCAL LAW TO CREATE THE OFFICE OF ESSEX COUNTY DEPARTMENT OF TRANSPORTATION. Brassard, Stanley

BARBER: Discussion?

GILLILLAND: Just checking, don't we have to introduce at a full board meeting?

DOUGAN: I'm not sure Shaun. We'll speak with Mr. Manning.

GILLILLAND: It is just something in the back of my mind.

DOUGAN: I think he's got to set a public hearing and all those things so maybe this will start that process for him.

GILLILLAND: Just check with him, thank you.

BARBER: Further discussion?

STANLEY: And there is, I think we discussed this money in the budget for this position correct?

MASCARENAS: Yes sir. During budget I explained when DPW got a hold of this we were really looking for them to get it straightened out and they've done that and we've got an individual there that is very qualified doing an amazing job. They are pretty much doing the job now other than some of the administrative function that Jim is providing for them and I think that was always our intent and that's where we should go with it so yes, we did approve the salary for that individual

in the budget. We just need to reintroduce the local law so that we can go back to the original intent of the department.

BARBER: Anything else?

McNALLY: I don't see why if it's working the way it is why we are going to do this?

MASCARENAS: It's really about capacity issues Mr. McNally. I think at least in my opinion I'm speaking for Jim somewhat we put an awful lot on the plate of DPW and we're asking people to do more with less. I think this individual has stepped up, has done the job over the last few years and we also shouldn't hold them back so while Jim's intervention per say is minimal there I think we can use his skills in other areas while we've got somebody that's got that skill set in the Transportation Department already.

McNALLY: I was here when that department wasn't ran that well, it had all sorts of issues and what is the cost going to be for taking this DPW employee to a new position the cost difference?

MASCARENAS: The position actually doesn't change. When the board reintroduce the local law they actually never changed the position and/or title. The person that you have in that position received the same rate of pay that the existing director received. When you look at it it looks like it's a little more but when you look at it now that that position is salaried verses getting overtime and stipends it's actually almost a no cost transfer because now the position goes to a salary position and is no longer getting the extra money to do on call and those types of things. So we could look at salary but we need to pull what they actually earn and I can tell you it's pretty much the same amount.

BARBER: Is there any further discussion? All in favor, opposed – carried.

DOUGAN: Hopefully my last resolution today is authorizing Cornell University to include the Essex County Fairgrounds property in its study they are performing by their sophomore landscape architectural class. They are looking at creating three or four areas throughout the hamlet of Westport where they are going to have botanical gardens or lilac gardens and this is a study that Cornell is going to do for them and they would like to include specifically the area of the fairgrounds that's not really developed right now. There's a pretty large section behind where all the main buildings where the fairgrounds sit that goes down the hill, behind the school to the lake and they'd like to come up with some walking paths and have some of these botanical gardens as a future I guess, beautification.

RESOLUTION AUTHORIZING THE CORNELL UNIVERSITY TO INCLUDE THE ESSEX COUNTY FAIRGROUNDS IN A STUDY PERFORMED BY THEIR SPRING 2024 SOPHOMORE LANDSCAPE ARCHITECTURE STUDIO CLASS. Stanley, Brassard

BARBER: Discussion?

HARRINGTON: Certainly I would hope that this group analyze the plantings that are around the fairgrounds sign as they do a very good job of camouflaging that sign.

MONTY: Nice way of putting it Charlie. (laughter)

BARBER: Further discussion? All in favor, opposed – carried.

DOUGAN: I did put six copies of what they are proposing to do just on the back table if anybody wants to take a look at what their proposed scope of work is and then the last item is just an informational item. It's regarding New York State DEC, they have published draft guidance for their review of bridge and culvert projects and it's currently in the public comment period and that goes until February 9th. I put copies of that document on the back table as well and I have a link here I think you should take a look at it. It is, there may be some good ideas there but it will cost all of us money if they are all fully implemented so you should just take a look at it and go from there. I'll let you look at it.

WILSON: Does it really call for larger structures to handle kind of flash events we are getting or to deal with climate change?

DOUGAN: Either requirements already do that. You've heard me talk about the 1.25 full bank width multiplier they've put some minimal requirements for what is called free board which is the distance from the bottom of a structure to the top of the water even in a 100 year flood event they put some requirements there. They put a geomorphic requirement which is where you look upstream and downstream at what the particular water body is doing some of that makes sense but to have it at every location is going to add quite a bit of money and they've put requirements for both wildlife both aquatic and terrestrial connectivity again, it's not necessarily bad things but it will cost. A lot of that work we do with bridges right now but I'm pretty sure with culverts towns are not doing that but they are going to require it with culverts as well. So I just suggest you look at it.

BARBER: Is there anything else for Jim? Okay.

DOUGAN: Thank you.

HALLORAN: Good morning. I do have a resolution request for appointing one of our board members, Anna Reynolds for a three-year term. She's our member at large.

MASCARENAS: Just a resolution appointing Anna Reynolds to a three-year term to the Soil and Water District.

RESOLUTION APPOINTING ANNA REYNOLDS AS THE MEMBER AT LARGE OF THE ESSEX COUNTY SOIL AND WATER CONSERVATION BOARD OF DIRECTORS FOR A THREE YEAR TERM BEGINNING 1/2/2024 – 12/31/2026. Winemiller, Wood

BARBER: Discussion? All in favor, opposed – carried.

HALLORAN: Other than that we have our tree sale out and I think we let everyone know about that. We are also looking for interns so there's an intern announcement if you know of anybody. And I do want to echo Jim's comments about the DEC culvert bridge guidance I know soil and water conservation districts are interested, concerned probably going to give some response on that as well. That's it.

BARBER: Any questions?

HALLORAN: Thanks.

BARBER: We are adjourned.

As there was no further discussion to come before this Public Works committee it was adjourned at 9:58 a.m.

Respectfully submitted,

Judith Garrison, Clerk
Board of Supervisors