

PUBLIC WORKS COMMITTEE

January 14, 2021

10:00 A.M.

Attendees:	George Haynes	Bill Layton
	John Kosier	Dan Sanford
Via Phone	Joe Cetta	Jerry Vernold
	Art Merrill	

- This meeting was held specifically to discuss the financing of the new DPW facilities.
- There a few minor general business items that need to be taken care of.

GENERAL

Authorization to Fill Vacancy

- We have parted ways with one of our Bridge Construction Mechanics, would like authorization to fill that vacancy.
- Committee approved.

Approval of December 9, 2020 Minutes

- LH, We forgot to do this last week.
- The minutes were approved as presented.

Approval to Sign Contract with McFarland/Johnson for 2021 Bridge Painting

- SM, Have a contract for \$52,794.00. In order to keep things moving we would like to sign this now. Resolution will be done at the next meeting. A portion of this is reimbursable from DOT.
- Committee approved.

BONDING

- SM, Yesterday we emailed all of you a copy of the bond payment schedule for the project.
- SM, I was able to schedule a conference call the week between Christmas and New Year's. The call included myself, Bev Shields, George Haynes, two individuals (Andrew and Ben) from Fiscal Advisors who provide the bonding to the County and Tom Myers from Orrick who is Bond counsel for the County. As a result of that call we were able to flesh out confirmation that current BAN rates half an interest rate of half a percent (.5%). Bonds are running in the 1.75 to 2% range. It is anticipated that these rates will be stable for the next couple years. The BANS are renewable annually and have a management fee, that is between \$20 \$25,000. The Bonds are about \$75,000. So the plan would be to use BANS during construction and then once you have completed construction you figure out what it is you need and roll that into the long term bond. There are a couple things about the bonds we need to know, one is that the term of the bond is based on the classification of your building. Since we have three projects in one we have to use the lowest common denominator, which would be the Delhi building which is a Class B structure. So the longest term is 25 years. That 25 years includes the BAN years so if you BAN for 5 years your bond can only be for 20 years. This is a chunk of money that comes into the County, it can sit in an interest bearing account briefly. It is not a line of credit. The turnaround time is about six to eight weeks. The last thing I will say is that we need a resolution from the Board with a 2/3 super majority vote to go into debt. This resolution also caps the amount of money you can ask for. After the resolution has passed you must publish a notice of estoppel in the legal papers. That has a 20 day window after publication for people to challenge the resolution. During that time we can go out to bid and solicit pricing to figure out how we will finance this. What they have sent us shows two BANS, one for \$8 million and one for \$12 million. We would then bond the \$20 million at the end.

- GH, So we cannot make award without the bond resolution?
- SM, Correct. The Bond resolution is critical. And remember, it sets the top amount you can go for, you do not have to bond it all if it isn't necessary but you cannot go higher.
- SM, At this point I will turn this over to Art or George or whomever wants to comment or clarify.
- GH, So we are currently thinking we are in the \$25 million range but we are doing a resolution to bond for up to \$30 million just to make sure we have enough?
- AM, Yes. And we are looking at the BANS because the money we currently have in savings is getting more than the .50% so it just makes sense. That may not last but we should take advantage while we can. I do have one question, what is a minimum number of years we have to carry the bond? You gave me the maximum but do we know the minimum?
- SM, I don't know. We need to work that out with Bev. In my talks with her she has said she did not think they would be callable which means we could not pay them off early. So we need to sweat those details and I'm not sure who should be doing that? Who is going to take the lead on this? Is that Finance in consultation with this Committee?
- AM, Yes, that is correct. We will take the lead with the negotiations. And we don't need to really work that out until we go from the BAN to the Bond.
- AM, Does anyone have trepidation in asking for \$30 million?
- JC, The Public Safety Bond in maturing next year, what is our current yearly payment on that?
- GH, I think it was around \$800,000.
- AM, I'm not sure off the top of my head. And that's why I'm saying we BAN for a couple of years because paying that off will change our financial situation. And the rates are much more favorable now.
- AM, So my question is does a \$29 Million cap sound better than \$30?
- Everyone agreed that is a good idea.
- AM, If we are thinking \$25, that gives us a cushion of \$4 million and we also have the funds in reserve that we can use if we need to.
- BL, How much do we have there?
- AM, It's in the \$12 million range.
- SM, So we will draft up this bond resolution for \$29 million. Do you feel we need to do a formal presentation at this meeting? Do we need a memo to go with this?
- AM, Maybe a one sheet summary of the details just to refresh it for everyone?
- SM, Ok, that is doable. What would you like us to focus on?
- AM, I think the individual numbers, what the BAN numbers look like. Can we speculate what the payments would be at this point?
- SM, We can't really because that will be a direct result of how much we actually bond.
- JK, Should our memo include the information that the Public Safety Bond will be payed off? That might make people feel better.
- AM, That's a good idea. So if we can get the memo drafted and around to a few people for comments.
- SM, I will get something drafted and send it to this Committee and Art.
- AM, Thank you. And Finance meets before the Board meeting so hopefully we can address most of the questions there so we are more united on the floor.
- Discussion was held on how long do we hold on the BANS and renew them? There is a big enough difference in the interest rates that it would take a while to break even.
- AM, And we can get into those details when we have a better idea of what we are looking at. I am comfortable with where we are right now.

PUBLIC WORKS COMMITTEE

January 27, 2021

8:45 A.M.

Attendees:	George Haynes	John Kosier
	Dennis Valente	Jerry Vernold
	Tina Molé	Susan McIntyre
	Jared Boice	Dan Sanford
	Lisa Henderson	
Via Phone	Joe Cetta	Pat Davis

GENERAL

• Approval of Prior meeting minutes

- The minutes of the January 6, 2021 meeting were approved as presented.

• Safety Officer Report

- Report was distributed. Copy attached.

• Authorization to Fill Vacancy

- SM, We have an employee (HEO II) who is retiring due to illness, he has been here for 34 years.
- Committee approved.
- Fliers were distributed for fundraisers that are being held for Dave.

• Personnel update

- SM, We have hired a new employee in Delhi to fill one of our vacancies. Hired someone at Compost as well. We are hoping to have another mechanic on board soon as well. Hoping that goes well. He has a lot of heavy equipment experience.
- GH, Where did you get him from?
- SM, River Valley New Holland.

• Annual Bids

- SM, Annual bids are being opened starting today.
- SM, Along this line, once the bids went out we got calls from all of our steel vendors. We will not be getting bids on any of our steel. We will have to use spot pricing as we go.
- JB, Availability is also a big issue, right now you can't get anything, flat stock, rebar, beams, it just isn't available. So we will keep a close eye on things and try to keep ahead of it.
- SM, If you remember we had to do this two years ago as well.
- GH, How does that work with our current bid?
- JB, They can't honor it. And getting three quotes is difficult because of the availability. They are all getting it from the same place and once the first vendor calls it puts the material on hold and then the others can't get a quote. It's a big mess.
- GH, Is this going to hold up any of this year's projects?
- JB, I don't think so. I think we have sufficient inventory to do what we have planned. I also have a line on some beams. They are bigger than what we need but the price is right. So if I can make a deal on those we will be good.
- LH, We are also good with our pipe, we ordered a couple loads of that this fall so we are good there too.
- JB, Yes, we stocked up on a lot and looking back that was a smart move.

- Town Highway Superintendent Dues
 - Annual dues - \$200
 - Committee approved.

- Nuclear Density Testing for Engineers
 - Have a training request for the engineers, a total of \$147 will cover 5 people for three years.
 - Committee approved.

- Northfield Lot
 - SM, This is a lot we got for taxes several years ago. On the Corner of CR 23 and Loomis Brook. It was originally thought to be used as a new location for the Sidney Center Shop. Even if we do build there, we will not need the entire lot. There is question about putting this back on the tax rolls. Previous discussions have indicated we could give most of it up and just keep 5 or 6 acres on the bottom as a storage lot.
 - GH, Well if we don't need the whole 30 acres, we can keep what we want for storage and what we might need to build on and get rid of the rest of it.
 - JC, I'm all for getting more property on the tax rolls.
 - We will take a look at it internally and make a recommendation back to the Committee.
 - JC, We need to discuss the mowing as well. I know it was mowed last year and I don't know if we have an agreement with someone or not.
 - JB, I'm not sure either but I did see it was done.
 - GH, Yes, if someone is coming on County property we need to make sure they provide us with the proper insurance.
 - SM, Joe, would that be subject to subdivision?
 - JC, I'm not sure. I will look into it and let you know.

- Weights & Measures Dues
 - \$25 per year.
 - Committee approved.

SOLID WASTE

- Cell 4s status
 - SM, We have submitted the stormwater pollution prevention plan to NYC, we are waiting on them and DEC. We will be submitting an application to the Army Corp for some wetland that we will be eating, we don't anticipate that being an issue. Basically we are just waiting at this point.

- Waste tire disposal
 - SM, Tires are getting to be an issue. We have a program that the County bears the cost of tire disposal and the generator bears the cost of transportation. For the past 15 years we have worked with Casings who is one of only three authorized tire disposal facilities in NYS. Casings has unexpectedly raised their prices with no notice and the pricing is no such that we can't continue on as we have been. We are going to have to go out to bid for this. We have gotten pricing from one of the other facilities, it is comparative which is scary because they are in Buffalo which is a lot further away and it is expensive. For reference, in 2017 we spent about \$85,000 on tire disposal. Based on the revised pricing from Casings we are looking at \$150,000 to \$190,000 for this year and next year. We used to not bid it because we were able to get a good deal not bidding it. I can't say that anymore.

- SM, The other issue is do we as the County want to continue to subsidize our waste community at 100% or do we put some kind of per tire fee to offset some of the costs and make it more attractive for the larger generators to deal with the vendor directly instead of running through our program.
- TM, Sue did anyone call you about putting a trailer on County property for the two garages here in Town?
- SM, Yes. Jim Thompson called me on behalf of Shepard's and Mark to have a trailer here for those two companies. WE do not do this for private companies. If they have a trailer, they have worked with the Vendor to get it. I did talk to Jim but I did not give him a warm fuzzy response. I have a lot of concerns about spotting a trailer here for them. I have no doubt it will be abused and we will end up inheriting it.
- TM, When you say abused you mean other people will use it?
- SM, Yes. And if the trailer is locked they will just dump them outside and we will be responsible for the mess.
- TM, DO you charge for individuals to bring tires to the landfill?
- SM, No. And we haven't for over 25 years. We are the oddball when it comes to this. If you go anywhere around us you will pay anywhere from \$2 to \$5 per tire for a passenger tire.
- JV, I don't think we should do it.
- SM, Do what?
- JV, Put a box out here for them. That's asking for trouble.
- TM, It's tough because we want to help the businesses but.
- SM, OK So why don't we get Christa's input from a liability standpoint on that.
- DV, That's best. This is meant to accommodate these two businesses?
- SM, Yes and the argument is that neither of them have room to place a box.
- DV, And it does keep their tires out of our system.
- SM, That goes back to the first part of the conversation, we are currently subsidizing 100% of that disposal fee, so we would still be paying for that. And we are looking at that expense doubling so is that something the Committee wants to continue.
- DV, I would say impose a fee. We will be raising our fees at the town because our cost keeps going up. I don't see why the County can't charge a fee.
- JK, Do we know what other Counties do?
- SM, Yes, it ranges from \$2 to \$5 per tire.
- DV, the idea is to not make it too expensive so that they don't start throwing them over the bank.
- PD, Didn't the State make it mandatory to pay for a disposal fee when you purchased tires to eliminate this problem.
- SM, They did but that money doesn't go to any tire program, it goes to the State general fund.
- PD, But you can charge a fee on top of that.
- SM, Yes.
- PD, Well as a code enforcement officer for 16 years is that I have arranged for thousands of tires to be cleaned up. If we start charging we are going to seeing them dumped again. It is unattractive and economically devastating to a community that runs on tourism. I don't think we should be making money off of this.
- SM, So Pat, what you are saying is that you are in favor of continuing to subsidize this program?
- PD, I think this is a service that we as the Government should provide. We need to make it as easy as possible for the residents to dispose of their tires. But the program should be self-sufficient. If you have to charge a small fee to do that ok but we shouldn't be making money on it.
- SM, To be clear, we are not self-sufficient now.
- Committee agreed that we could get closer to being self-sufficient with a nominal fee.
- SM I just bring this up because it has a huge impact on our budget. We will put together a proposal and bring it back at the next meeting for your comments and review.

- GH, What did we decide on the trailer?
- SM, We were punting that to insurance.
- GH, OK, I just think that sets a bad precedent. If we do it here, what are we doing in Hancock? Or Sidney? It's just going to snowball.
- JC, How many tires go through the facility a year?
- SM, about 500 tons.
- PD, So 100,000 pounds a ton?
- SM, Yes. And we are looking at over \$300/ton to manage them.
- PD, And have we seen a big increase in the amount of tires this year?
- SM, No, It's been an average year this far.

- Fuel Master data download

- SM, We have a communication problem with the fuel system at the landfill. We were able to bring a firm in and recover the 4 years' worth of data from the pumps. I mention this because it brings us to the first item on the highway side.

HIGHWAY

- Fuel Master Delhi pumps

- SM, We are proposing to stay with fuel master as we go towards new construction. We will need to upgrade some of our older facilities as well. This firm has been very good to work with. This is a relief as we were concerned that we may have to replace the entire system but now we believe we will be ok.

- Snow & Ice Preparedness

- SM, Just an FYI, as mentioned at prior meetings we have been working on making sure we have enough staff to cover our needs. Yesterday we trained three of our office staff to help out on the wing as needed.

- NYC Work for 2021

- SM, We are working with the City to determine what work will be done this year.
- SM, Brian is having initial meeting with them tomorrow.
- LH, On a side note the money for the plowing came today. The checks will go out to the towns tomorrow.

- GOSR Sidney Demolitions Status – Bid for Controlled Demolitions

- SM, We continue to slug through our contract stuff with the State. We have a bid in the works for controlled demolition of 2 properties (11 Clinton and 34 Winegard). These are not safe so they are being treated as hot. We will get approval on the bid from GOSR prior to issuing it so we don't run into the problems we had last year.

- Town of Sidney, Wheat Hill speed request

- SM, Have a request from the Town of Sidney for a speed zone on Wheat Hill Rd. We will forward this on to DOT. I bring it to your attention in case anyone has any comments to add.
- TM, Why is it up to DOT? Why can't the towns decide?
- DS, It's just the way the law is written, everything except the Villages and certain cities has to run through the County.
- TM, Do you ever deny sending them on?
- SM, No, I have never not sent one. We can comment and we do.

- Acquavita – old Elk Brook Rd
 - SM, We have been in contact with Mr. Acquavita's lawyer, he needs to get us the deed description. The one that was sent included property that it shouldn't have and did not include the wording for the NYSEG easement. We have responded and he has acknowledged receipt of what is needed. Now we are just waiting on them. The ball is clearly in their court. We have the resolution all ready to go when we get what we need from them.

- Kelso – old RR bed CR33
 - SM, The Kelso's own a section of railroad bed behind CR 33 and CR 12 in the Kortright/Davenport area. From what I can tell, they owned the railroad bed, in the 70's they sold a bunch of it to the County except two parcels. One of the two parcels never showed up on the tax rolls so Kelso's assumed that it had not been kept out. When we did the research it shows that it was held out of the sale, but was never put on the rolls. So the County has no claim to the property.
 - PD, Who has paid taxes on this?
 - SM, No-one.
 - PD, So the County owns the property because the taxes have not been paid. We had a guy in Middletown lose half of his farm over a similar issue.
 - SM, I'm not in a position to take a legal stance on that. All I can say is that DPW (the County) does not have any claim to this land.
 - A lengthy discussion was held on this. It was decided that DPW has no claim or interest and we will stay out of it. Finance is involved, there are several issues.
 - TM, It's my understanding there is a large tax bill.
 - SM, Well there is 50 years of unpaid taxes. I will share my findings with Finance and let them handle it.

- CR21 lawsuit status
 - SM, This continues to progress. We have provided depositions twice, we have one more to go. Hopefully this will be over soon. It is my understanding that there is a date in February after which they can no longer ask for more information.

- BR 83 Knox Ave status
 - DS, We are progressing with ROW acquisitions. That should be done in a couple weeks. The Plans, specifications and estimates are ready, we just have to wait for acquisitions to be final. So hopefully we can get this out to bid soon and get it going.

- BR 80 Bridge St Pedestrian bridge status
 - DS, The City has closed with Grossman, we are now working on getting the property from the City. Modjeski and Masters is working on finalizing the plans. They have to change the sewer and water that was going to the Grossman property. It is basically removing it so that shouldn't be a problem. Other issue is the utilities that need to be moved. Hopefully we can get this finalized and get it out to bid. We are trying to find someone to do the construction inspection so we can keep this moving.

- Bridge Preservation 2020 complete
 - DS, As sue was showing you earlier, this is work is done. We have the final walk through scheduled for next Wednesday. The one on East Hubble Hill, McFarland Johnson said that was about the extent of what we should do for a preservation project. But they felt it was the right thing to do because of the location.

- Bridge Preservation 2021

- DS, There are three candidate structures, one on CR 1 in Andes, one on old CR 20 in Deposit and one on Weaver Hollow in Middletown. Starting design, we have authorization from DOT. Trying to get this out earlier so we don't have to deal with the cold weather.

- BridgeNY funding availability

- DS, We have received notification that the Governor is going ahead with this. Bridges are due by June 9th. We are looking at getting 136 in. Will try to get 130 in as well but I don't have a lot on that. And then if we want to try for a couple culverts. A lot of this is based on traffic counts and economic impact so we have to be careful how we word things.

- SM, The good thing about this is that it will cover a bridge up to a million dollars and that will go a long way to cover the cost of 136. The bad news is that it is a fixed dollar amount and if you go over you just eat it.

- DS, This is available to the towns but it is a lot of paperwork.

- Bridge Policy – Approaches & Non Structural Condition Observations

- SM, So the 21 century bridge program says that any bridge over 20 feet is the County's responsibility. The bridge law addresses the bridge. That does not include approaches. Back in 2014 it was determined that the Towns would be billed \$11,000 per bridge for approach rail. This has basically stalled and the cost of the approach has gone up significantly, it is now about \$30,000. Right now the County is absorbing that cost.

- DV, I remember that conversation, however if the rail is mandatory, it is part of the bridge. You can't have the bridge without it.

- DS, We were billing. There were Town Clerks who called every year and asked what they had to budget. However, some towns refused to pay. And is it fair to bill some and not others?

- SM, It is really a policy matter and I think we need to resolve it.

- GH, I don't think the Towns would ever have anything. Hancock has a lot of bridges.

- DV, And what about the low volume bridges? We have a bridge that is basically a driveway.

- SM, And how do you justify that? But at the same time, there is a liability issue. If we install the rail as part of the initial capital outlay, and you don't maintain it, then what happens? Do we as the Committee want to hold that responsibility as part of the 21st Century Program?

- DS, And we get the calls that the guiderail bad on our bridge but it the approach is the town's. But all of the responsibility falls back to the County. And the town will tell someone to call the County if the brush needs to be cut. I understand you may not be able to do the rail but you can cut brush.

- GH, I agree, the town can handle brush and tree removal.

- JB, And the other issue is when they call and say there's a pothole in the approach, that should be the Town. And don't pave over the bridge without calling us.

- DS, And most of the Towns are good, they call and let us know and work with us. But we do need to have a plan of some sort.

- SM, So what I'm hearing is that the Committee feels that road surface and vegetation control should be the Town and the rail, approach and bridge should be the County and the driving surface should be coordinated between the two. I will use that as a jumping off point and get a proposal put together to codify this.

- DPW Building Project status

- SM, The resolutions are going today. We had hoped to get bids out so we could award at the first meeting in March. That is not going to happen. We are now looking at the second meeting in March, we will do our best to get this out so it can be awarded then.

RESOLUTIONS

- Federal Aid Master Agreement – 2021 Bridge Preservation
- McFarland – 2021 Bridge Preservation Design
- Bonding Resolution
- Purchase of Bloomville Property

DELAWARE COUNTY
DEPARTMENT OF PUBLIC WORKS
PO BOX 311 DELHI, NY 13753

SUSAN MCINTYRE
COMMISSIONER

MAIN OFFICE & YARD
PAGE AVENUE
DELHI, NY 13753

To: File
From: Tawny Meres
 Safety & Training Manager
Re: Safety Office Report
Date: 1/26/21

The following is an update to the activities of the Safety Office from 1/1/21 to 1/26/21.

1. Accidents

- Accident #1-21. 1/4/21. While traveling on New York City road #9, with vehicle #68, a 2015 Ford F250, a deer entered the roadway. Driver was unable to stop in time and as a result the front of the vehicle made contact with the deer. As a result of the contact, the plastic molding on the front bumper was damaged.
- Accident #2-21. 1/13/21. While traveling on NYS 10 with vehicle #51, a 2006 Chevrolet, near Peaks Brook in the town of Delhi, the driver rounded a curve in the roadway. As the driver rounded the curve, a deer was standing in the lane of travel. The driver was able to avoid hitting the deer, however, as the deer cleared the vehicle, it turned and ran in to the driver's side door. No damage was sustained as a result of the incident.
- Accident #3-21. 1/16/21. While performing winter maintenance operations on County Highway 2, with Vehicle #440, a 2017 International, the wing blade made contact with an unoccupied parked vehicle. As the DPW vehicle approached 5900 County Highway 2, a vehicle began to pass the DPW vehicle on a double yellow line. Unable to move from the lane of travel, the wing blade of the DPW vehicle made contact with the rear of a 2006 Subaru 4DSD parked near the edge of the roadway. As a result of the contact, the right rear light assembly and plastic molding on the rear lift gate were damaged on the Subaru. No damage was sustained by the DPW vehicle or implements.
- Accident #4-21. 1/16/21. While performing winter maintenance operations on County Highway 37, with vehicle #437, a 2016 International, an oncoming vehicle crowded the DPW vehicle as they crossed a bridge. The DPW vehicle moved to the right to allow more room, in doing so, the right side mirror of the DPW vehicle made contact with a bridge marker. As a result of the contact, the right side mirror of the DPW vehicle sustained damage.
- Accident #5-21. 1/20/21. While performing winter maintenance on County Highway 36, with vehicle #386, a 2004 Peterbuilt, a deer jumped over the guiderail. Unable to avoid striking the deer, the deer made contact with the front bumper of the vehicle. As a result of the contact, the front bumper was slightly bent.

2. Spills

- None Reported

Safety Office Report 1-27-21.docx

*Main Office: 607-832-5800 Fax 607-746-7212 Delhi Shop: 607-832-5840 Fax 607-832-6072
Solid Waste Management Center: 607-865-5805 Fax 607-865-2216*

3. Facilities

- Fit testing and Peak Flow screenings were conducted on 1/6/21 for SWMC-Compost personnel.
- A Safety Committee meeting has been scheduled for 1/27/21.
- NYS DMV LENS database has been updated.
- The current drug and alcohol consortium for DPW personnel has been updated with Emerson Testing.
- Fyr Fyter has been contacted to schedule annual fire extinguisher inspections for all locations, excluding SWMS – MRF. The MRF inspections were completed in December of 2020.
- The Safety Officer conducted annual Sexual Harassment training at the Kelly Corners and East Meredith Patrols. At this time 3 employees need to complete the training. 108 employees have completed the training.

4. Near Future Objectives

- Schedule any medical screenings that are due in accordance with the current medical protocols for the SWMC – Compost personnel, Guidrail personnel and Bridge Crew personnel.
- Begin working on Safety Days for 2021.
- Schedule annual Workplace Violence Committee meeting. Currently waiting to receive 2020 DOSH 900 logs of injuries and illnesses for committee review.