

**PHYSICAL SERVICES COMMITTEE
MINUTES**

**MONDAY, MARCH 25, 2019
3:30 P.M.**

PRESENT: Barry J. Cheney, Chairman
Leigh J. Benton, Katie Bonelli, James M. Kulisek,
Joseph J. Minuta, Michael D. Paduch, Paul Ruskiewicz,
Peter V. Tuohy

ALSO

PRESENT: L. Stephen Brescia, Chairman
Kathy A. Stegenga, Legislator
Antoinette Reed, Legislative Counsel
Dan Bloomer, Director of Operations and Cost Control
Erik Denega, Commissioner, Dept. of Public Works
Travis B. Ewald, Deputy Commissioner, Engineering Division
Brian Titsworth, Deputy Commissioner of Infrastructure Services
(Buildings and Grounds), Dept. of Public Works
James S. Brooks, Commissioner of Parks, Recreation & Conservation
Mike Amodio, Deputy Commissioner, Dept. of Parks, Recreation & Conservation
Kevin Sumner, Director, Orange County Soil and Water Conservation District
Tim Tucker, Budget Analyst
Deanna Crawford, Budget Analyst

Chairman Cheney opened the committee meeting at 3:35 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present.

The first agenda item was a **DISCUSSION: UPDATE ON TIRE DISPOSAL** (Draft Legislative Request – In response to NYSDEC regulations and public health concerns, Orange County Soil and Water Conservation District (SWCD) has developed a project to remove tires from Orange County farms, and to replace their function in holding tarps on feed storage facilities with a manufactured product known as Secure Covers. In 2018, the SWCD coordinated procurement and delivery of the Covers to participating farms. This part of the project had a cost of \$100,000, with a \$3,000 contribution from the County (AFPB), \$83,000 from the SWCD and the balance from farm contributions. Tire removal remains to be accomplished, and the cost is estimated at \$150,000. The SWCD is prepared to contribute \$50,000 to the tire removal and is seeking \$75,000 from the County Legislature. The SWCD has also requested \$25,000 from the Orange County Funding Corporation).

Mr. Sumner stated that he prepared a financial plan (see original minutes) that was forwarded to the Orange County Funding Corporation who acknowledged it and will bring it up at their Governor's Committee meeting this month. He has not heard anything from them since March 6th.

Mr. Kulisek asked that Mr. Sumner review the numbers in the plan for those who are not privy to the information.

Mr. Sumner reviewed the financial plan with the committee (see original minutes).

Mr. Kulisek commented that some of these farmers have an extra burden of getting rid of these tires themselves which is very costly and can put them over the edge to the point where they don't want the farm.

Mr. Sumner stated that they do not have an answer to this issue but are working on other ways to help.

Mrs. Bonelli clarified that this program is for the dairy farmers and asked if they anticipate hearing from other farmers that may be looking for something similar if this is implemented.

Mr. Sumner replied that this is for dairy farmers and he anticipates that they will hear from some. The dairy farmers have these enormous number of tires because they use them to hold down the covers on trench silos which are only used on dairy farms or dairy replacement operations. He stated that he received a call from a vegetable farmer who inquired about the program because he used to plant tomatoes in tires and has a significant number of tires left. They do not anticipate that other farms will have vast stockpiles of tires like the dairy farmers do.

Mrs. Bonelli asked if the numbers represent all dairy farmers.

Mr. Sumner replied yes, there are not many dairy farmers left in the county. He stated there are only 33 left.

Mrs. Bonelli commented that she is looking at this as a "one shot deal."

Mr. Tuohy asked if Senator Metzger is looking to help next year and if she will contribute to the pool of money this year.

Mr. Sumner replied that she is aware of the tire issue and is working on it now but has not received any specifics.

Chairman Brescia commented that this is a "one shot deal" and it could become a health issue.

Mr. Paduch asked if the farmers were notified that this is the only opportunity they have.

Mr. Sumner replied no, not specifically. He will put something together and send it out to all the farmers who have tires to remind them this is a one-time deal.

Discussion continued regarding dairy farmers and what the tires are used for.

Mr. Cheney stated that the district is looking to contribute \$54,000.00 and asked what projects will not get done if they are contributing.

Mr. Sumner replied if the monies were not used for this, it would go toward their priority black dirt projects. There are three shovel ready projects that are waiting for funding.

Mr. Cheney asked what the most amount of tires any given farmers has.

Mr. Sumner replied 5,000 to 6,000 tires.

Mr. Cheney pointed out that next month this will go through the legislative process and the committee will have something to consider.

Mr. Paduch moved to approve the request to enter Supplemental Agreement #1 with the NYSDOT to increase funding for Capital Project No. 725. The said agreement will increase funding for Preliminary Engineering, Right-of-Way Incidentals along the Heritage Trail, Segment #3 by \$299,000.00 with supplemental appropriation requested. The authorization to existing Capital Project No. 725 will increase by \$299,000 to \$8,516,990.01 (bonding), seconded by Mr. Kulisek.

Mr. Amodio explained this is for Segment #3 which begins on East Main Street and goes through the City of Middletown out to Ingrassia Road and would be the last segment. He is hoping they receive approval soon with regards to Segment #2. The total amount approved by the New York State DOT is \$299,000.00 for engineering as it relates to Segment #3.

Mr. Kulisek clarified that the county is paying 20% of the cost.

Mr. Amodio stated that it correct, it is 80/20.

Mr. Minuta asked how many miles or feet this segment is.

Mr. Amodio replied it is about 3 to 3 ½ miles.

Mr. Brooks stated that it goes from Tony Boffa's to Ingrassia Road.

Mr. Minuta clarified that the old railway will be paved.

Mr. Amodio stated that is correct.

Mr. Brooks stated that it is a similar thought process as to what they are trying to accomplish in Goshen.

Mr. Cheney asked if the engineer has provided them with a schedule.

Mr. Amodio replied the final plans will be submitted late 2019.

Motion carried. All in favor.

Mr. Paduch moved the request approval of a Right-of-Way dedication along the westerly line of County Road 23 (Rock Cut Road), through the lands of Cumberland Farms, Inc., (Tax Map parcel 86-1-14.2) in the town of Newburgh. Said dedication was deemed necessary for the Road Width design criteria during the review process, seconded by Mr. Tuohy.

Mr. Denega stated that a project was submitted to the local planning board and it was determined that the front edge of the property does not have the proper roadway width. This request is to accept the extra width for the side of the road.

Motion carried. All in favor.

Mr. Benton moved the request to Assume Lead Agency status under State Environmental Quality Review Act (SEQRA) with respect to this action: Algonquin Park Dam Restoration, within the Town of Newburgh. The project is declared a Type I Action under SEQRA and is further determined in accordance with the findings of Parts 1, 2, and 3 of the environmental assessment form that the project will not result in any significant adverse environmental impact and no further action is required, seconded by Mr. Kulisek.

Mr. Denega stated that this request is for storm damage repair that happened at Algonquin Park in Newburgh.

Mr. Ewald explained that the reason this is a Type I is because it is adjacent to archeological sensitive areas and there is a letter from SHPO stating there would be no adverse impacts. They also received a letter from the DEC stating they are not involved as far as the dams are concerned.

Mr. Cheney asked why the DEC is not involved.

Mr. Ewald replied that the DEC is not involved because it is a minor dam.

Mr. Kulisek clarified that these are FEMA funds.

Mr. Ewald stated that is correct.

Motion carried. All in favor.

Mr. Tuohy moved the request to accept and appropriate Federal funds from the NYSDOT for Highland Avenue over Wallace Street Replacement, Village of Otisville, Orange County. Upon approval, federal award will be established, and County share will decrease for Capital Project No. 522. Funding is as follows: Federal Share 95% \$3,580,387.00; County share decreases 5% decreases from \$2,900,000.00 to \$188,441.00 for a decrease of (\$2,711,559.00); Total project \$3,768,828.00 (bonding), seconded by Mrs. Bonelli.

Mr. Ewald stated that this project is the Otisville Viaduct Replacement located on Highland Avenue which goes over Wallace Street and was previously approved under capital projects. The intent was that they would replace the bridge with in-house design and labor. The project was

approved for \$2.9 million local funding along with an application for grant monies, so this request is to modify the funding changes. He added that the construction will begin in 2021.

Motion carried. All in favor.

Mr. Kulisek moved the request to enter into Supplemental Agreement #4 with the NYSDOT to amend the existing Agreement for Engineering, ROW and the Construction and Inspection of Grove Drive Bridge, Town of Tuxedo. Supplemental Agreement #4 includes additional Federal funds and amends the schedule by reducing the overall County share for Capital Project No. 486.

Funding is as follows: Federal share from \$3,466,260.00 to \$4,092,660.00 for an increase of \$626,400.00; County share from \$951,641.00 to \$373,241.00 for a decrease of (\$578,400.00); increasing total authorization by \$48,000.00. Supplemental appropriation requested along with budgeted revenues amended due to an increase in Federal funds. The authorization to existing **Capital Project No. 486 will increase from \$48,000.00 to ~~\$735,902.00~~ \$5,115,825.00 (bonding), seconded by Mr. Paduch.

Mr. Denega stated that last month he came to the committee requesting additional funds because the bids received were higher than the project cost. At that time, he was optimistic that they would receive additional funding through the Orange County Transportation Council. Mr. Ewald attends those meetings, he presented the project to them and additional funds were received.

Motion carried. All in favor.

Mr. Ruskiewicz moved the request to accept and appropriate State grant offer from the NYSDOT for Lower Road over Tributary to Walkill River Culvert Replacement, Town of ~~Mount Hope~~ Wawayanda, Orange County. Total cost of the project is \$612,750.00. Funding is as follows: State share \$612,750.00. Upon approval, a new capital project will be created, seconded by Mr. Paduch.

Mr. Ewald explained that this project is similar to Bridge New York but is called Culvert New York and the only other difference is this is 100% grant funded and the State DOT will do the design, bidding, and manage the construction for the project. There is no cost to the county.

Motion carried. All in favor.

Mr. Denega and Mr. Titsworth addressed the committee with the last agenda item which was an update on the Government Center.

Mr. Denega stated that because there is still some outstanding work happening such as; punch list items, security cameras, card scanners, a UPS system, and railing information pending, the final budget will remain in the positive; therefore, the monies returned should be around \$800,000.00. He added that there are few contractors that he is still working with to close out numbers and minor changes that need to be made.

Mr. Kulisek asked for what the total cost of construction.

Mr. Denega replied that the budget was \$74 million, and they will be around \$73.2 million which are rough numbers.

Mr. Titsworth stated that Simplex Grinnell/Johnson Control is still on site doing some programming for notifications as well as SW24 who are working on the card readers.

Mr. Minuta asked if the feedback issues with the speakers will be addressed.

Mr. Titsworth replied that SW24 are still on site so they will come look at it.

Mr. Minuta then asked if we have or are doing building commissioning on this building.

Mr. Titsworth replied they did that throughout the start-up systems and training was part of the contracts which was provided to him.

Mr. Minuta clarified that they are all operating as designed and within limits.

Mr. Titsworth stated that is correct except for the warranty work with the air handler.

Mr. Kulisek clarified that the warranty period is generally one year.

Mr. Titsworth stated that is correct.

Mr. Kulisek asked if the air conditioning is still under warranty in case there are issues this year.

Mr. Titsworth replied yes, he is going to push the contractor to come back.

Mr. Denega stated that if they can identify that something was an issue within the one-year period and there is still an issue, it should be fixed at no cost. He added that a lot of the "bugs" were worked out, but something else could come up toward the end of the season.

Chairman Brescia thanked Mr. Titsworth for their assistance in building the wall panel in the Legislative Office.

The meeting adjourned at 4:35 p.m.