

**PHYSICAL SERVICES COMMITTEE
MINUTES**

**MONDAY, APRIL 22, 2019
3:30 P.M.**

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

ALSO

PRESENT: L. Stephen Brescia, Chairman
Michael F. Amo, Independence Party Leader
John S. Vero, Legislator
Antoinette Reed, Legislative Counsel
Dan Bloomer, Director of Operations and Cost Control
Langdon Chapman, County Attorney
Stacey Butler, Senior Assistant County Attorney, Dept. of Public Works
Erik Denega, Commissioner, Dept. of Public Works
Brian Titsworth, Deputy Commissioner of Infrastructure Services
(Buildings and Grounds), Dept. of Public Works
Ermin Siljkovic, Recycling Coordinator, Environmental Facilities & Services
Kevin Sumner, Director, Orange County Soil and Water Conservation District
Gretchen Riordan, Budget Analyst

Chairman Cheney opened the committee meeting at 3:32 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present with the exception of Majority Leader Bonelli who was absent.

Mr. Ruskiewicz moved the request for supplemental appropriation of \$75,000.00 for County Legislature's contribution to the tire removal from Orange County farms with an estimated total cost of \$150,000.00. The Soil and Water Conservation District is prepared to contribute \$50,000.00 and is seeking \$75,000.00 from the County Legislature and \$25,000.00 from the Orange County Funding Corporation, (\$75,000.00 funding to come from contingency), seconded by Mr. Kulisek.

Mr. Sumner gave the committee a brief overview of the process again. He explained that there is a pending regulation from the NYSDOT who is putting unreasonable restrictions on farmers with the management of tires. The regulation is currently postponed; however, for a variety of other reasons such as flood control and public health. Covers to replace the use of the tires have been purchased by Orange County Soil and Water through other funds. He stated that they are ready to remove the tires, he has spoken to several vendors and received estimates so this project can be moved forward.

Mr. Benton commented that he is aware that everyone has done a lot of work on this, but he is unsure that they have given Senator Metzger enough time. He heard that she has been pushing to try and get state funding; therefore, we are under no deadline especially because it has

been "relaxed." There is no reason to do this immediately and if Senator Metzger can come up with funds there is no reason to rush because the county will not get their funds back. He added that he thinks the legislature should give the senator a chance to come up with appropriation to help with the project.

Mr. Sumner stated that he met with Senator Metzger last week along with a dozen dairy farmers and she said that she is working on this and from his understanding, if she does get funds it will not happen until the 2020-2021 state budget year. The DEC would then have to develop a program to implement the program. He agrees that there is a possibility that it may happen, but it would be a minimum of two years before it does.

Mr. Cheney asked if Senator Metzger commented on whether the funding would be retroactive to funds spent.

Mr. Sumner replied no.

Mr. Minuta asked if the tire removal is an impediment to the farmers.

Mr. Sumner replied that they have the covers, so the tires are in piles and continuing to be a nuisance on the farm in terms of mosquito breeding and harboring other farm pest rodents. It is not an impediment to management other than the fact that the project was put together in one package.

Mr. Minuta commented that it is prudent to look at that since it was supposed to be a package deal. He then confirmed that this is a "one shot deal."

Mr. Sumner stated that is correct.

Chairman Brescia stated that Mr. Sumner has addressed the legislature a few times as well as the IDA. Time is of the essence and this money will not fund the removal of all tires, he encourages that this request be passed today because it will become a health issue due to the west Nile disease.

Mr. Cheney commented that he would like this committee to consider whether the county contribution should exceed 50% of the total cost.

Mr. Sumner stated that the entire cost of the project is over \$250,000.00.

Mr. Cheney suggested that the request be amended to read, "County Legislature contribution not to exceed 50% of the total cost less any funding from outside the county, the Funding Corporation, Soil and Water Conservation District and the farmers."

Mr. Cheney moved to amend the request by stating that the County Legislature contribution not to exceed 50% of the total cost less any funding from outside the county, the Funding Corporation, Soil and Water Conservation District and the farmers, seconded by Mr. Minuta.

Mrs. Reed pointed out that the \$75,000.00 will still have to be moved over.

Motion carried. All in favor of the amendment with the exception of Legislator Benton who voted against.

Mr. Cheney stated that agenda item III., an update on Parks Projects will be discussed at a later date as Mr. Brooks was unable to attend today's meeting.

Mr. Denega and Mr. Titsworth addressed the next agenda item which was an update on the Government Center. He explained that some contractors are still on site such as Simplex Grinnell who are testing and programming, the courts had a fire drill the other day and issues are being worked on, all mechanicals throughout the building are functioning properly, and there are several manufacture warranties that are valid. There were a few bad lights which were replaced but there is a five-year warranty on them.

Mr. Cheney clarified that the air conditioning issues from last year have been resolved.

Mr. Titsworth stated yes, it has been resolved.

Mr. Denega stated that according to the latest update there is \$883,000.00 remaining in the balance of the project. There are five contracts that were over \$100,000.00 that contributed to the surplus and are still in process and will not be paid out of the contract. He added that there are a few miscellaneous items that still must be paid out.

Mr. Minuta asked if the A/V systems have been updated, corrected, and the essential personnel have been trained.

Mr. Titsworth replied yes, SW24 was here last week and corrected the issues.

Mr. Cheney clarified that if there are any questions asked by the staff, they should contact the IT Department.

Mr. Titsworth stated that is correct.

Mr. Tuohy asked what the hold-up is regarding voting electronically in the legislative chamber.

Mr. Titsworth replied that there was a training set-up and he is unsure what happened.

Mr. Benton stated that the training was cancelled.

Mrs. Reed mentioned that the training was cancelled because no one knew how to work the system and there was an issue of whether county employees were trained which they were not.

Mr. Titsworth stated that he will follow-up on that.

Mr. Cheney asked where the county stands relative to the original authorization that the legislature made for the project, what the contracts came in at and what the difference is in numbers.

Mr. Denega replied that the budget was \$74 million, and the county saved \$658,000.00 from the contracts awarded. No additional contingency has been used.

The last agenda item was a brief update on recycling given by Mr. Denega and Mr. Siljkovic.

Mr. Denega stated he feels it is important that the committee be kept up to date on recycling being it is now in the public eye around the world. A rebid for recycling was sent out, but no bids were received. They have been strategizing and trying to figure what the best way is to incentivize bidders to show interest. He would like to bring everyone up to speed on the challenges and some ideas they have come up with and any input is welcome. The current state of business is six different contracts (municipal solid waste, single stream recycling, mixed paper, scrap metal, tires and refrigerant) and two items that they do not employ which is glass and construction debris. He added that they prepared a draft bid page for the committee to review.

Ms. Butler asked that the committee enter into executive session so that the documents can be shared and discussed.

Mr. Tuohy moved to enter into executive session for attorney/client privilege to further discuss the recycling bid, seconded by Mr. Minuta.

Committee entered into executive session at 4:04 p.m.

Mr. Minuta moved to leave executive session, seconded by Mr. Tuohy.

Committee left executive session at 4:39 p.m.

The meeting adjourned at 4:40 p.m.