

**PHYSICAL SERVICES COMMITTEE
MINUTES**

**(REMOTELY)
TUESDAY, MAY 26, 2020
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
Michael Amo, Independence Party Leader
Thomas J. Faggione, Legislator
Kevin W. Hines, Legislator
John S. Vero, Legislator
Antoinette Reed, Legislative Counsel
Harry Porr, Deputy County Executive
Dan Bloomer, Director of Operations and Cost Control
Erik Denega, Commissioner, Dept. of Public Works
Travis Ewald, Deputy Commissioner, Dept. of Public Works/Engineering Div.
James S. Brooks, Commissioner of Parks, Recreation & Conservation
Michael F. Amodio, Deputy Commissioner, Dept. of Parks, Recreation and Conservation
Deanna Crawford, Budget Analyst

Chairman Cheney opened the committee meeting at 3:31 p.m. by asking everyone to stand for the Pledge of Allegiance. All committee members were present.

Mr. Tuohy moved to adopt a resolution making a certain determination relating to an application requesting the authorization and consent of the New York State Comptroller for the proposed increased and improvements to the facilities of the Beaver Dam Lake Protection and Rehabilitation District, and authorizing the County Executive to approve and sign such application on behalf of the Legislature of Orange County, New York, seconded by Mr. Kulisek.

Mr. Denega stated this is a procedural action. As explained last month, they are looking to utilize additional funds for the construction project and get approval to send the application to the Comptroller's Office. He added this will be contingent based upon the public hearing which is scheduled for the beginning of June and any outcome from it.

Mr. Kulisek asked if there is a dollar figure associated with the added work.

Mr. Denega replied yes, \$600,000.00 plus.

Mr. Ewald stated it is \$659,000.00.

Motion carried. All in favor.

Mr. Kulisek moved to adopt a resolution making an appropriation to the capital projects budget in the amount of \$525,000.00 for Public Works Garage Reconstruction of garage floor. This project has been approved under the 2020 Capital Plan as Project No. 66. Upon approval, the funds will increase existing Capital Project No. 129 (bonding), seconded by Mr. Benton.

Mr. Denega stated this request is regarding ongoing construction at the highway garage floor replacement. It came up as an urgent need as part of the ongoing construction as newly discovered field conditions within the garage floor were revealed that require structural repairs. As the contractor reviewed the structure of the concrete floor, some of the beams (7 out of 56) were discovered to have severe deterioration of the top flange which was embedded in the concrete floor and cannot be viewed from below; therefore, they need to be replaced. It was reviewed with the contractor and determined that it would be less expensive to replace than to perform extensive steel repairs on them. He added the legislative request shows an amount which is higher than what is needed for the portion of the project. This is the portion of the money they were going to use for Phase III in the Capital Plan. Right now, the plan would be to release all the funds so a portion of it; \$165,000.00 for Phase II, additional funds for the design of Phase III and funds leftover will be used for the construction of Phase III. Furthermore, they would revise and submit the Capital Plan for 2021 to include the balance to reimburse this portion for Phase III.

Mr. Ruskiewicz commented that several years ago, the legislature approved funding for the garage floor and took a tour. He clarified whether it was for Phase I of the project.

Mr. Ewald stated he was not here for that, but Phase I was completed in 2014.

Mr. Kulisek clarified the funds being requested are only for steel work.

Mr. Denega stated \$165,000.00 will be used for the current change order for the steel work and the remainder of funds will be used for the design of Phase III with additional funds going toward Phase III in the Capital Plan for 2021.

Mr. Kulisek then clarified there is no additional footage of concrete surface.

Mr. Denega stated that is correct, seven beams need to be completely replaced which is not included in the project.

Mr. Minuta asked if these are cast in place beams.

Mr. Ewald replied it is a mix.

Mr. Minuta then clarified these are wide flanged steel beams.

Mr. Ewald stated that is correct.

Further discussion continued regarding different types of beams and coatings for the garage floor.

Motion carried. All in favor.

Mr. Paduch moved to approve the request to accept funds from the Orange County Funding Corporation in the amount of \$1,000,000.00 to be used for the construction of Segment 2 of the Heritage Trail project. The Orange County Funding Corporation will make payments directly to the contractor following certification by the County, seconded by Mrs. Bonelli.

Mr. Amodio stated that approximately one year ago, the Orange County IDA withdrew their initial approval of \$1 million to be applied toward the construction costs for Segment II of the Heritage Trail. Late in 2019, the county completed an application and applied to the Orange County Funding Corporation for assistance and were awarded \$1 million for the same purpose.

Mr. Tuohy asked if this is a loan.

Mr. Amodio replied no, it is a grant.

Motion carried. All in favor.

Mr. Cheney stated the last agenda item is a presentation on the Heritage Trail construction and photographs of the trail from Mr. Brooks were emailed to all legislators (see original minutes). He asked Mr. Brooks to give the committee an update on the trail and how things are proceeding.

Mr. Brooks explained that he and Mr. Ewald discuss the trail everyday and feel that everything is on schedule to finish by the end of the year. The pictures that were sent included the Harriman Trail head which had been in planning for several years, but they were able to work out a specific plan with the Village of Harriman. By the middle of July, the project should be complete and the work on Dolsontown Road commenced and will continue through Fourth of July weekend. The other pictures are of the graded path that goes from Hartley Road to Middletown and a few bridges that have been completed. He stated everything is progressing nicely.

Mr. Paduch asked if there is a date of completion for Middletown.

Mr. Brooks replied there is no specific date, but they do believe it will be completed by the end of the year.

Mr. Cheney asked what date the contractor is responsible for completing the project by.

Mr. Ewald replied he believes it was the end of September, but he is not certain.

Mr. Cheney clarified that the contractor would claim a few months were lost because of not being able to work.

Mr. Brooks stated he and Mr. Ewald have had conversations with the contractor who has been more than helpful and wants to work with them under these extraordinary circumstances, but he does not see that as a guarantee.

Mr. Cheney pointed out that the county should have the ability to hold the contractor to a project that would be completed by the end of December.

Mr. Brooks responded they are looking at the contract right now and if they cannot find it, they will get it to the committee members as soon as possible.

Mr. Kulisek mentioned the contractor would not be able to work under the COVID-19 declaration as everyone has lost the same two months.

Mr. Brooks stated they will see how things progress.

Mr. Minuta commented that he does not know the exact terms of the contract, but when there are delays for weather or any other clause that is not in the contract, it is a simple extension of time without a change order.

Mr. Brooks agreed and stated he will speak to legal counsel tomorrow.

Mr. Cheney stated it is something to keep an eye out for.

Mr. Brooks agreed and stated they will keep an eye on it.

The meeting adjourned at 4:09 p.m.