

**REGULAR MEETING
FACILITIES AND INFRASTRUCTURE COMMITTEE
TUESDAY, JULY 24, 2007
3:30 P.M. - SCOTT HEYMAN CONFERENCE ROOM**

Present: K. Luz Herrera, Chair; G. Stevenson; D. Randall; P. Mackesey
Excused: D. Kiefer
Staff: E. Marx, Commissioner of Planning and Public Works; W. Sczesny, Highway Manager; J. Lampman, Highway; R. Nicholas, Airport; A. LeMaro, Facilities Director; K. Fuller, Deputy Clerk

Call to Order

Ms. Herrera, Chair, called the meeting to order at 3:31 p.m.

Agenda Additions or Deletions

The following items were unanimously approved to add to the agenda:

- Highway Division – Update on discussions with the Fox and Jordan families regarding construction issues.
- Update on Weatherby Road conditions.
- Mr. Potter, Director, Information Technology Services – Update on presentation by ECC Technologies.

There were no deletions from the agenda.

Persons Wishing to Address the Committee

No one was present to speak.

Update on Presentation by ECC Technologies

Mr. Potter reminded members of the Committee that on August 7, 2007, at 4:00 p.m., ECC Technologies would be providing information on various efforts in other communities relating to broadband services. He said the firm has a good reputation and comes highly recommended, and will be here at no charge to the County. The presentation would provide a background of broadband service installation being completed by various municipalities, following which the County would be able to determine appropriate research and next steps. Mr. Potter said there are various options being undertaken such as incentive versus the municipality providing the service. He noted that Ontario County has undertaken an extensive broadband service project.

Ms. Herrera said that she had received a telephone call from the Ithaca Journal regarding the topic and forwarded the reporter to Mr. Potter who gave some basic information.

Chair's Report

Ms. Herrera did not have a report.

Report from the Commissioner of Planning and Public Works

Mr. Marx provided members with a copy of the 2007 Department Goals and Objectives, noting there are some amendments to last year's goals. This topic will be discussed at the next meeting in order to allow members to review the material.

Amended Meeting Dates

Ms. Herrera reported that due to vacation schedules as well as upcoming expanded budget meetings, amendments would be made to meeting schedules in August, September, and October. Ms. Nelson said she will inform the division heads of the amended schedule and ask that all action items be presented at the one meeting being held.

Highway Division

**RESOLUTION NO. - AMENDMENT TO AWARD OF BID – CR105, MCLEAN - CORTLAND ROAD
PHASE 2 RECONSTRUCTION, TOWN OF GROTON**

It was MOVED by Ms. Mackesey, seconded by Mr. Randall, to recommend approval of the following resolution to the full Legislature.

Mr. Lampman referred members to the following:

McLean-Cortland Road Phase 2 construction was bid in June 2005. The base bid included work east of the Fall Creek bridge. Work west of Fall Creek and replacement of the bridge itself were bid as separate alternates. It was unknown then if NYSDOT would permit award of any alternates even though the one for work west of the bridge was within budget. Therefore, the award of just the Base Bid was authorized pending NYSDOT approval. State approval came seven months later and the need to amend Resolution 152 to include one alternate was overlooked. The work of the alternate was included in the contract scope and the work was completed. The omission of the alternate was discovered when the resolution was consulted regarding pending change orders.

The proposed resolution amends the award to include Alternate #2, work west of the bridge, the original intent, instead of including the work as a change order.

Besides inclusion of Alternate #2, unprecedented increases in fuel and asphalt prices were experienced during the work, which is evidenced by a cost increase per NYSDOT specifications of \$158,509.47 (6.85%). Also, there was \$123,143.75 (5.3%) of increased cost incurred during the work. These costs are broken down on the attached table. Finally, the original completion date was August 11, 2006. Work was not substantially complete until November 1, 2006 due to unseasonably rainy weather and added NYSDEC requirements. The need to correct several NYSDEC drainage structures have extended the contractor's obligation to August 31, 2007.

To further clarify the request, Mr. Lampman explained that the additional \$123,143.75 included items not in the original scope of design for structures required by the Department of Environmental Conservation (DEC), falling under a MS4 regulation project that was under the minimum disturbance of one acre, and therefore required the DEC permit. After the construction was completed, a review by the DEC then required the additional structures at a cost of almost \$40,000. Of the \$123,143.75, the local share will be \$73,000 additional. He also noted that the DEC is objecting to some of the work completed such as the curb work at the Albern household and the drainage near the school, which may not receive reimbursement if they continue to object. Mr. Lampman estimated the amount of reimbursement on this particular piece to be approximately \$50,000.

In response to a question from Mr. Randall, Mr. Lampman noted there would not be any additional expense to the Town of Groton. Mr. Randall then spoke of the Dann family who lives near the bridge and have expressed concern about the bank erosion they are experiencing. Mr. Lampman said they are below the right-of-way area for the work to be done, however, he believed they may experience some mitigation as a result of the raising and lengthening the bridge will increase the flood capacity which should assist to mitigate some of the erosion.

A voice vote resulted as follows: Ayes – 4 (Legislators Herrera, Mackesey, Randall, and Stevenson); Noes – 0; Excused – 1 (Legislator Kiefer). RESOLUTION ADOPTED.

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WHEREAS, Resolution No. 33 of 2002 authorized an agreement with the State of New York whereby State and Federal sources furnished ninety-five percent of the funding necessary to design reconstruction of County Road 105 from the Dryden-Groton town line to the Cortland County line, and

WHEREAS, the Department of Finance - Division of Purchasing has duly advertised for bids for the project, and

WHEREAS, two (2) bids were received and publicly opened on June 28, 2005, and

WHEREAS, Resolution No. 152 of 2005 authorized the bid be awarded for the Base Bid only, construction east of Fall Creek, pending approval by the New York State Department of Transportation, although the budget was adequate to include award of Alternate 2, construction between Fall Creek and the Dryden-Groton town line, and

WHEREAS, in January 2006 the New York State Department of Transportation also authorized award of Alternate 2, which was the recommendation of the County Highway Manager, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the bid be awarded to Suit-Kote Corporation of Cortland, New York, lowest, responsible bidder for the Base Bid plus Alternate 2, in the amount of \$2,313,272.65,

RESOLVED, further, That the Highway Division be authorized to implement this bid and execute change orders with total values not to exceed twelve and one-half percent of the aforementioned bid amount on behalf of the County, funds to be provided from the McLean-Cortland Road Reconstruction Capital Account (HZ 5103.59239.53.02),

RESOLVED, further, That the completion date for work of this contract be extended to August 31, 2007.

SEQR ACTION: TYPE II-20

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Highway Updates

Fox Property

Mr. Sczesny reported he has reviewed punch-list items with Mr. Delaney at the site (15 Cortland-McLean Road) and will be obtaining a quote for the removal of dead trees. He anticipates the work will be started within the next several weeks.

Jordan Property

Mr. Sczesny reported a meeting was held last week regarding this property. The engineer obtained the deed this morning to determine whether there is a drainage easement and will report on the findings. In addition, Mr. Wood, County Attorney, will review the deed as well. Following the reviews another meeting will occur to discuss the matter. *Mr. Sczesny will provide updates through e-mail to members of the Committee.*

Highway Capital Projects

The Committee was provided with a written report and noted the following:

- Halseyville Road – Paving will begin on Thursday and the road should be open by August 1st.
- Spring Street Extension – The existing bridge has been removed and concrete will be poured on Wednesday, July 25, 2007. Mr. Sczesny said the contractor is performing the work in a good manner.
- Banks Road Bridge – A meeting has occurred with the State Emergency Management Office and Federal Emergency Management Agency who have expressed a desire to replace the entire bridge. A design report should be completed within the next few weeks for a new bridge. The agencies felt it would be better to replace the bridge than repair a section now and have to come back in the near future to do more repair work. Mr. Sczesny said the work should be fully covered by the agencies and that he hopes it will be open again by the end of the 2008 construction season.
- Harford-Slaterville Bridge – At this time the estimated cost of the bridge repair is being undertaken. Within the week a meeting will occur between Tioga County and Tompkins County to review the estimates. Both counties will share in the cost of the construction that will open a full two lanes for the bridge.
- Ringwood Road – There will be a construction meeting in August regarding the work on the bridge. At this time the pre-cast concrete unit has been delivered for the project.
- Warren Road – There will not be any improvements to the United States Post Office entrance as had been suggested. The New York State Department of Transportation objected to the work.

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- Weatherby Road – The old, insufficient pavement has been milled out and the repaving is complete. Following this, a surface treatment will occur to seal the road. Mr. Sczesny noted this work was done at the contractor's (Countour) expense. Mr. Stevenson said that it is difficult to have constituents think positively of the County when work is not done correctly; it still is thought a negative, even when the error is corrected. Mr. Sczesny said he believed the problem with the pavement was due to inclement and unseasonably cold weather combined with insufficient compaction; upon discovery, the contractor did not hesitate to resolve the issue. Mr. Stevenson said he believed a notation regarding the problem should be filed; if he had a choice he would not utilize the firm again. Mr. Sczesny stressed that the contractor took full responsibility for the error and remedied the situation as soon as the weather was satisfactory.
- Ms. Fuller noted Ms. Kiefer's previous requests to provide dates on the reimbursement charts supplied within the report.

2008 Public Works Budget

Mr. Marx noted that Ms. Eckstrom was not present as there was not a great deal to discuss regarding the budget at this time. Ms. Nelson indicated she had extended the possibility of speaking of the 2008 budgets to Mr. Ellis, of the Weights and Measurements Division, as well as Mr. Potter, Director of Information Technology Services.

Airport

Mr. Nicholas spoke of the editorial appearing in *The Ithaca Journal* relating to the Traffic Safety Administration's (TSA) contract amendments. He said that it is important to understand how the shortfall of \$80,000 would affect the airlines if they were required to make up for the shortfall. At the present time airlines are billed various rental rates ranging from \$82.38/sq. ft. for the exclusive use of space for ticket counters, offices, jointly rented space in the departure lounge, etc., to \$20.60/sq. ft. for the baggage tunnel area. The various fees and rental income received from airlines represent approximately \$1.6 million in revenue for the airport.

Mr. Nicholas spoke of the possibility of reducing the amount paid to the County for departmental assistance to make up the shortfall; this amount has been \$130,000 since 1994. Mr. Marx explained the administrative services payment is not required of all departments since their revenue source is tax funds. The airport pays this amount due to the type of revenue stream generated. Mr. Nicholas said major airports such as those in Chicago and Kennedy have their own administration staff for payroll and personnel, for an airport the size of ours it is common to pay a portion of revenue to the County for the assistance. He said that since 1994 the airport had lost half the flights, with aircraft size diminished. Mr. Nicholas also said there is no guarantee of continued air service, noting that Binghamton airport has lost Delta Airlines, even though they had an eighty percent load factor. He is concerned that additional fees could have the potential of lost services. Mr. Nicholas expressed a desire to see Senator Schumer being successful in getting the Federal government to continue to reimburse the full amount of the law enforcement officers due to the mandate.

Mr. Stevenson inquired whether there were other possibilities such as specifically airport-trained law enforcement officers (LEO) versus the present fully trained Sheriffs. Mr. Nicholas said presently the LEO work sixteen hours out of the day, with the specific individuals varying. He had attempted to contact a security company located in Rochester but had not had any response. Mr. Nicholas believed the Sheriff preferred having his officers who are specially trained to diffuse potential situations; security guards do not normally have that training. Mr. Marx also indicated to replace the officers with security guards could potentially have a conflict with the union.

Ms. Herrera spoke of the op-ed piece in the paper and felt it was good, although she is not certain there will be assistance on full reimbursement. Mr. Nicholas said he is aware that Senator Schumer's office is still working on the matter.

Ms. Mackesey requested that Mr. Nicholas make another attempt to speak to the security guard firm in Rochester. Mr. Stevenson thought that with the current demand for security guards the firm could be tied up with accepting highest-paying contract offered.

Highway Division

Mr. Sczesny reported the Highway Division target for 2008 is decreased by a total of \$941,000, a good portion of which is the fringe accounting line presently within the 2007 budget. In addition to fringes, Administration is recommending reductions in Highway Materials by \$50,000. He said that although it is a small portion of the overall budget, the \$50,000 reduction relates to one-half mile of highway that will not be paved. Mr. Sczesny said that this reduction, combined with the escalating cost of petroleum-based products, will mean even less work will be completed in 2008. Mr. Sczesny indicated this is a continued reduction over the past several years, with a reduction of \$107,000 from the 2007 target budget.

Ms. Herrera said she appreciated the manner in which Mr. Sczesny understood the importance of having to decrease his budget and noted the need for everyone to recognize that the only way to keep costs down is to recognize the need to reduce services. It was noted as well that \$300,000 is removed from the General Fund for debt service.

Mr. Marx said the reductions are a continuation of a reduction of service. He recognizes that everyone wants work to be done in the best possible manner, however, due to budget reductions this cannot be done. The roads that will be affected most will be the low-volume roads that will not be able to have an ideal repair/restoration completed.

Mr. Sczesny noted that the drainage work that has been completed on drains has been successful; the County has not received any complaints. The preventive maintenance on the drains has been an improvement from the complaints received over the past 4-5 years.

Facilities Division

Mr. LeMaro provided the Committee with the five-year plan for the division, which would address over-target request items. The base budget will be reduced approximately \$420,000 for the removal of fringes from the target, and no other initiatives would be requested. Mr. LeMaro said with regard to the Utility, Tax, and Rent budgeting unit he anticipates an increase in the rents budget line due to standard increases. At the present time, the Department of Motor Vehicles, Assigned Counsel, and Human Rights Commission all rent space, and there are eighteen parking spots rented near the Human Services Building. Mr. LeMaro indicated he has not yet completed the analysis of the projected utility costs to determine how it will impact the budget for 2008. He said that last year there had been a request to increase utilities in the amount of \$55,000, however the costs appear to have somewhat stabilized. In addition, he said that this is the first full year of the Johnson Control contract. He indicated that thus far the installation period report from June 2005 to January 2007 shows a \$217,000 savings. Next month he should be receiving an estimate that will assist in the budget planning.

Mr. LeMaro said his over-target requests for the operating budget would be related to deferred maintenance; last year he had received \$400,000 as a one-time approval. He will again be requesting funds in the amount of at least \$400,000. He explained the 2008 plan originally started at approximately \$2 million, and has been significantly reduced. The plan provided is reduced \$560,000 from the one presented last year. Mr. LeMaro spoke of the need to complete maintenance that has been deferred in order to avoid life-safety issues and further deterioration of buildings and referred to the plan for specifics. He noted that he does not desire to replace the Old Library roof immediately (at a cost of approximately \$200,000) since it is possible for the building to be razed in the future for a new Center of Government. Mr. LeMaro spoke of the need to repair the steps and cracking of the façade at the Old Courthouse that may require structural work. In addition, changes are being made to fire-alarm systems. He stressed that although the plan calls for certain repairs and maintenance within a given year, emergency situations often will amend the plan. The requests for maintenance budgeting is \$560,000 in 2008, and \$800,000 in 2009 in order to complete extensive work in the Public Safety Building. He noted the Public Safety Building is requiring the replacement of heat pumps, which is a very labor-intensive, expensive task. At the present time two a month are being replaced and it is very disruptive to the operations due to the need to remove secured ceilings.

Mr. LeMaro then reviewed planned work for 2010 and 2011. He noted that the amount requested is significantly reduced from his original budget request. Mr. Marx noted that control panels for public safety were removed from the operating budget, he believes that should be a capital project. The current control panel is presently being maintained by

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the County, however the company is no longer in business. Mr. LeMaro noted the Sheriff has indicated a desire to upgrade to the new standard-used model of a touch-panel system, as well as additional surveillance cameras and accessories. It was noted that if a new Public Safety building were constructed the system could be utilized, although it may require some additional equipment. This type of special equipment request would be made jointly by a Department and Facilities.

Ms. Mackesey requested to be provided operational costs for K-House. Mr. LeMaro noted these are available and he will do so. He said minimal maintenance is completed at that location; an alarm system that will dial out in the event of a heat loss, etc. was installed by the County and the phone line is paid for by the State Police. Mr. LeMaro noted that if the maintenance costs were significant he would review the agreements. Anticipated maintenance for the boiler in the building is \$300. He noted the back porch is in disrepair and that a long-term review would have to be made to determine what the County would like to do with the building.

Mr. Marx noted the Capital Plan indicated the need for at least \$400,000 per year to maintain and catch up on deferred maintenance. Since the funds are deferred he anticipates a much larger request in the future to do so. At some point in time it will require an additional \$400,000 in the target as well as one-time requests to catch up.

Ms. Herrera asked for the status of the Assistant Director search and was informed it is ongoing. With regard to the Johnson Control contract it appears that it is on track. The boiler replacements have resulted a greater savings, however, the utility bill does not appear at this time to indicate a savings. More detailed information will assist in determining overall results.

Adjournment

On motion, the meeting adjourned at 4:56 p.m.