

Public Works & Capital Projects Committee

Regular Meeting Minutes

DATE & TIME: March 3, 2016, 6:30 PM
LOCATION: Karen L. Binder Library, 6th Floor, COB, Kingston, NY
PRESIDING OFFICER: Chairman Dean Fabiano
LEGISLATIVE STAFF: Nettie Tomshaw
PRESENT: Peter Loughran, Manna Jo Greene, Herbert Litts III
EXCUSED: James Maloney
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislative Counsel Erica Guerin, Legislator Hector Rodriguez, Susan Plonski Commissioner Public Works, Brian Cunningham DPW, Dennis Doyle Planning Dept., Anne & Laber Sand, Michael Edison, Caroline Paulson, Robert Gabrielli, Amy Kletter

Chairman Dean Fabiano called the meeting to order at 6:30 PM.
Legislator Peter Loughran left at 7:40 PM due to a previous commitment.

Motion No. 1 Resolved to Approve Meeting Minutes – February 4, 2016
Motion Made By: Legislator Peter Loughran
Motion Seconded By: Legislator Herbert Litts
Voting In Favor: Legislators Fabiano, Loughran, Greene, Litts
Voting Against: None
No. of Votes in Favor: 4
Disposition: Carried

Chairman Fabiano called upon Ms. Caroline Paulson, a self-proclaimed floodplain advocate and resident of New Paltz, who presented concerns, provided photos and explanation regarding safety, maintenance, public perception of the frequent flooding at Springtown Road culvert #11291 in New Paltz, being undersized - not able to handle the water capacity, and the need for the road to be raised. Committee discussion ensued. Chairman Fabiano permitted the public to weigh in as well.

Chairman Fabiano inquired if Ms. Paulson contacted the Town of New Paltz to see if they have done a study on critical areas of flooding, and if so was this area designated as such. Also conveyed Ms. Paulson should seek to have the 3 million in New York Rising dollars be applied to assist the County in any efforts at remediation. Dennis Doyle noted this section of road was not identified as a floodplain problem area, even after holding numerous public meetings and hearings. He went on to say they did identify a \$250K funding source that may cover the cost for a single culvert. Chairman Fabiano also permitted the public to weigh in as well.

Legislator Herb Litts motioned and seconded by Legislator Manna Greene for the committee to send a letter to the Department of Public Works requesting a hydrologic study of the area be completed to properly size

the culvert, and run a profile of 1000 feet on either side of the culvert to get a handle of the magnitude of what it would take to raise the road.

Note - Chairman Fabiano's letter on behalf of the entire committee was sent via email and county internal mail system - attention Commissioner Susan Plonski on March 4, 2016, Cc: Caroline Paulson

Resolutions

Motion No. 2 Resolved to Hold Resolution Nos. 132, 133, 134, 135 136 and 138 for meeting on Tuesday, March 8, 2016

Text of Motion: Resolution No. 132 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Peckham Road Corp. – Department of Public Works

Resolution No. 133 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Callanan Industries Inc. – Department of Public Works

Resolution No. 134 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Gorman Bros. Inc. – Department of Public Works

Resolution No. 135 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Gorman Bros. Inc. – Department of Public Works

Resolution No. 136 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Highway Rehabilitation Corp. – Department of Public Works

Resolution No. 138 – Approving The Execution Of A Contract In Excess Of \$50,000.00 Entered Into By The County – Peckham Road Corp. – Department of Public Works

Motion Made By: Legislator Peter Loughran for discussion

Motion Seconded By: Legislator Herbert Litts

Discussion: Chairman Fabiano conveyed Legislator Rich Gerentine, Chairman of Ways & Means expressed the need to amend each resolution contract to include a capped amount on spending.

Susan Plonski noted this type of work in the past did not have contracts – it was treated like buying a commodity. The bidding for road repair work was always executed through the purchasing department. Contract management decided they want the county to have regular contracts for this type of work. Each contract is nonspecific to location – but has set rates. These six contracts are controlled by the \$3 million CHIPS funding – state reimbursed mandated process, competitive bidding, \$425K Capital Projects pre-approved funding for various roads. The county can't spend more than what is appropriated. The intensity of road repair work is contingent on how each individual location faired

over the winter. The county is at the mercy of mother-nature and must be flexible.

Legislator Litts expressed the need for the county to compare each bid to the New York State Office of General Services (OGS) set bid list - more competitive due to volume. Commissioner Plonski explained Joe Whittaker does utilize the OGS bid list. The pricing on the contracts/resolutions are just a bid - the county is not locked into any of the contractors or their pricing on these six resolutions. When it comes time to do the paving work Joe will compare all bid pricing. If the road work is awarded to the contractors currently listed on each of these resolutions then and only then will the county be bound to the costs as stated.

Committee discussion ensued.

The committee concluded they would hold a special meeting on Tuesday, March 8, 2016 prior to caucus allowing Legislative Counsel time to research and provide resolution amendment language.

Voting In Favor: Legislators Fabiano, Loughran, Greene, Litts,
Voting Against: None
No. of Votes in Favor: 4
Disposition: Carried

Motion No. 3 Resolved to Approve Resolution No. 137

Text of Motion: Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Geostabilization International LLC – Department Of Public Works

Motion Made By: Legislator Herbert Litts for discussion

Motion Seconded By: Legislator Manna Greene

Discussion: Chairman Fabiano explained this resolution covers slope stabilization and nailing services adjacent to County Roads 81, 92-CR47, 101/CR46, CR42. 100% County funded, \$525K, time frame 4/1/16 -3/31/17.

Motion Made By: Legislator Herbert Litts

Motion Seconded By: Legislator Peter Loughran

Voting In Favor: Legislators Fabiano, Loughran, Greene, Litts

Voting Against: None

No. of Votes in Favor: 4

Disposition: Carried

Motion No. 4 Resolved to Approve Resolution No. 139

Text of Motion: Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Gotham Refining Chemical Corp. – Department Of Public Works

Motion Made By: Legislator Peter Loughan for discussion

Motion Seconded By: Legislator Herbert Litts

Discussion: This resolution covers maintenance and treatment of closed, recirculating, hydronic and propylene glycol systems and evaporating cooling towers and treatment of cooling towers for prevention of legionnaire disease as required by public health law. 100% County funded, 3/1/2016 - 12/31/2018.

Motion Made By: Legislator Dean Fabiano

Motion Seconded By: Legislator Herbert Litts

Voting In Favor: Legislators Fabiano, Loughran, Greene, Litts

Voting Against: None

No. of Votes in Favor: 4

Disposition: Carried

Motion No. 5 Resolved to Approve Resolution No. 152

Text of Motion: Adopting And Issuing A Negative Declaration Under 6 NYCRR Part 617 State Environmental Quality Review Act (SEQRA) By The Ulster County Legislature For The Replacement Of The Carmine Liberta Bridge On NYS Rt. 299 Over The Wallkill – Capital Project No. 458 – Department Of Public Works

Motion Made By: Legislator Manna Greene for discussion

Motion Seconded By: Legislator Peter Loughran

Discussion: Legislator Greene reviewed the backup to the negative declaration for the Carmine Liberta Bridge replacement project, noting its historical value and the need for replacement. Dennis Doyle shared photos with the committee showing the location of the temporary bridge.

Motion Made By: Legislator Manna Greene

Motion Seconded By: Legislator Peter Loughran

Voting In Favor: Legislators Fabiano, Loughran, Greene, Litts

Voting Against: None

No. of Votes in Favor: 4

Disposition: Carried

Motion No. 6 Resolved to Approve Resolution No. 153

Text of Motion: Amending Capital Project No. 458 – The Carmine Liberta Bridge (BIN #30-45230) On Route 299 Over The Wallkill River In New Paltz – Funding The Construction Phase – Department Of Public Works (Highways And Bridges)

Motion Made By: Legislator Peter Loughran for discussion

Motion Seconded By: Legislator Herbert Litts

Discussion: Chairman Fabiano noted a bond resolution will be required - \$1,847,000.00.

Motion Made By: Legislator Peter Loughran

Motion Seconded By: Legislator Herbert Litts

Voting In Favor: Legislators Fabiano, Loughran, Greene, Litts

Voting Against: None

No. of Votes in Favor: 4

Disposition: Carried

Motion No. 7 Resolved to Approve Resolution No. 155

Text of Motion: Authorizing The Acquisition Of A Temporary Right-Of-Way Over Certain Real Property For The Purposes Of Replacing The Carmine Liberta Bridge On NYS Rt. 299 Over The Wallkill River – Department Of Public Works

Motion Made By: Legislator Herbert Litts for discussion

Motion Seconded By: Legislator Peter Loughran

Discussion: Legislator Litts expressed his appreciation for the locals offering this temporary easement at no cost to the taxpayers.

Motion Made By: Legislator Herbert Litts

Motion Seconded By: Legislator Peter Loughran

Voting In Favor: Legislators Fabiano, Loughran, Greene, Litts

Voting Against: None

No. of Votes in Favor: 4

Disposition: Carried

Motion No. 8 Resolved to Approve Resolution No. 156

Text of Motion: Adopting And Issuing A Negative Declaration Under 6 NUCRR Part 617 State Environmental Quality Review Act (SEQRA) By The Ulster County Legislature For The Extension Of A Public Water Supply Line To The SUNY Ulster Campus – Capital Project 469 – SUNY Ulster County

Motion Made By: Legislator Herbert Litts for discussion

Motion Seconded By: Legislator Peter Loughran

Discussion: Legislator Litts and Greene confirmed with Dennis Doyle - this being the shortest leg and preferred water line alternative.

Motion Made By: Legislator Herbert Litts

Motion Seconded By: Legislator Peter Loughran

Voting In Favor: Legislators Fabiano, Loughran, Greene, Litts

Voting Against: None

No. of Votes in Favor: 4

Disposition: Carried

Motion No. 9 Resolved to Approve Resolution No. 157

Text of Motion: Authorizing The Chairman Of The Ulster County Legislature To Execute An Easement Agreement With Vivekananda Retreat, Ridgely Allowing The County, As Local Sponsor For Ulster county Community College, Access To Privately-Owned Real Property In The Town of Marbletown For Purposes Of Running A Water Line Through Vivekananda Retreat, Ridgely’s Real Property, And Authorizing The Commissioner Of Finance To Tender Payment For Such Easement

Motion Made By: Legislator Peter Loughran for discussion

Motion Seconded By: Legislator Herbert Litts

Discussion: None

Motion Made By: Legislator Dean Fabiano

Motion Seconded By: Legislator Peter Loughran

Voting In Favor: Legislators Fabiano, Loughran, Greene, Litts

Voting Against: None

No. of Votes in Favor: 4

Disposition: Carried

Motion No. 10 Resolved to Approve Resolution No. 158

Text of Motion: Establishing Capital Project No. 473 “Building A Better Ulster County” Infrastructure Investment Program – Construction Of Various Shoulders – 2016 - 2021 Capital Program – Department Of Public Works (Highways & Bridges)

Motion Made By: Legislator Herbert Litts for discussion

Motion Seconded By: Legislator Peter Loughran

Discussion: Chairman Fabiano explained this “Building a Better Ulster County” resolution allows for the construction of various shoulders on portions of roadways listed to accommodate pedestrians and bicycles, noting a bond resolution will be required - \$250K, 100% County funded.

Legislator Litts upon review of the workup, noted there was no mention of a sub-base to be installed such as Item #4, prior to the 4” binder course. Without a good foundation it will not last. Brian Cunningham noted each application is different and will be evaluated – this is only a preliminary estimate. Both Legislator Litts and Greene were on the fence – a motion was made by Legislator Litts to amend the resolution to include a sub-base where needed, seconded by Legislator Greene. Sue Plonski explained this resolution is only to establish a capital project, whereas when the bids go out it will include the required Item #4 installation specification. All committee members were satisfied with the commissioners’ explanation and withdrew the amendment with the understanding future workups will include all steps of the process. The original resolution stands.

Motion Made By: Legislator Herbert Litts

Motion Seconded By: Legislator Manna Greene

Voting In Favor: Legislators Fabiano, Loughran, Greene, Litts

Voting Against: None

No. of Votes in Favor: 4

Disposition: Carried

Motion No. 11 Resolved to Approve Resolution No. 160

Text of Motion: Establishing Capital Project No. 474 – Reconstruction of Various Parking Lots – Amending The 2016-2021 Capital Program – Department Of Public Works (Highways & Bridges)

Motion Made By: Legislator Manna Greene for discussion

Motion Seconded By: Legislator Herbert Litts

Discussion: Chairman Fabiano explained this project will repave the UC Courthouse parking lot with improvements to the underground storm sewer systems including the alleyway adjacent to the Courthouse, noting a \$150K bond resolution will be required.

Motion Made By: Legislator Dean Fabiano

Motion Seconded By: Legislator Manna Greene

Voting In Favor: Legislators Fabiano, Greene, Litts

Voting Against: None

No. of Votes in Favor: 3

Disposition: Carried

Motion No. 12 Resolved to Approve Resolution No. 162

Text of Motion: Establishing Capital Project No. 475 “Building A Better Ulster County” Infrastructure Investment Program – Slope Analysis & Stabilization – 2016-2021 Capital Program – Department Of Public Works (Highways & Bridges)

Motion Made By: Legislator Dean Fabiano for discussion

Motion Seconded By: Legislator Herbert Litts

Discussion: Legislator Litts qualified the nature of the resolution and location.

Motion Made By: Legislator Herbert Litts

Motion Seconded By: Legislator Manna Greene

Voting In Favor: Legislators Fabiano, Greene, Litts

Voting Against: None

No. of Votes in Favor: 3

Disposition: Carried

Motion No. 13 Resolved to Approve Resolution No. 164

Text of Motion: Establishing Capital Project No. 476-478 “Building A Better Ulster County” Infrastructure Investment Program For Various Bridges – 2016 Bridge Replacement Program – Highways And Bridges

Motion Made By: Legislator Herbert Litts for discussion

Motion Seconded By: Legislator Manna Greene

Discussion: This resolution establishes a capital project for the Core 10 bridges program – Ort Todd Bridge #86 in Town of Hardenburgh, Jesse Wolven Bridge #64 Town of Saugerties, and Woodland Valley Bridge #133 Town of Shadanken. A bond resolution will be required. \$673K Bonding & \$673K additional capital project appropriations.

Motion Made By: Legislator Herbert Litts

Motion Seconded By: Legislator Manna Greene

Voting In Favor: Legislators Fabiano, Greene, Litts

Voting Against: None

No. of Votes in Favor: 3

Disposition: Carried

Motion No. 14 Resolved to Approve Resolution No. 168

Text of Motion: Adopting And Issuing A Negative Declaration Under 6 NYCRR Part 617 State Environmental Quality Review Act (SEQRA) By The Ulster County Legislature For The Construction Of Kingston Rail Trail – Capital Project No. 334-Department Of Planning

Motion Made By: Legislator Dean Fabiano for discussion

Motion Seconded By: Legislator Herbert Litts

Discussion: This resolution adopts and issues the negative declaration under SEQRA for the construction of the Kingston Rail Trail, together with all plans and documents. Dennis Doyle qualified this portion of the trail runs from Washington Ave. out to the Town of Hurley parking lot on Route 209.

Motion Made By: Legislator Manna Greene

Motion Seconded By: Legislator Herbert Litts

Voting In Favor: Legislators Fabiano, Greene, Litts

Voting Against: None

No. of Votes in Favor: 3

Disposition: Carried

New Business – none

Old Business –

Legislator Greene asked if any new information on the SUNY Ulster college pedestrian bridge has been made available – has it been determined that the county can do some of the work to save money. Brian Cunningham noted only preliminary engineering work has been done thus far – not anything to report on. Brian said the county will look at their schedule to see if there is man power available due to the “Building A Better Ulster County” schedule and other committed projects. Legislator Litts reiterated possible engineering cost saving measures discussed at the January 21, 2016 meeting.

Update - Old New Paltz Road across from South Chidokee Lake Road – Commissioner Plonski noted it is still under review – looking at other possibilities.

Update – Malden Turnpike, Town of Saugerties from the RR tracks to the four corners Kings Hwy. – Commissioner Plonski stated this project is eligible and on the Chips this year – pending, in discussions and the thruway authority is also involved.

Adjournment

There being no further business, a motion to adjourn was made by Legislator Litts and seconded by Legislator Greene, all were in favor, and Chairman Fabiano declared the meeting duly adjourned at 8:55 PM

Nettie Tomshaw, Legislative Staff
Minutes Approved on: April 7, 2016