

**Public Works and Capital Projects Committee
Meeting Minutes
(DRAFT)**

DATE & TIME: May 6, 2020 – 6:30 PM
LOCATION: Powered By Zoom Meeting by Dialing (646) 558-8656,
Meeting ID: 968 7804 0515
PRESIDING OFFICER: Chair Dean Fabiano
LEGISLATIVE STAFF: Jay Mahler, Nettie Tomshaw
PRESENT: Legislators Greene, Cahill, Heppner, Litts
ABSENT: None
QUORUM PRESENT: Yes

OTHER ATTENDEES: County Executive Marc Rider, DPW Commissioner Tom Jackson, DPW Deputy Comm. Finance Don Quesnell, Director Planning Dennis Doyle, Mid-Hudson News

Chair Fabiano called the meeting to order at 6:32 PM.
Pledge of Allegiance to the Flag.

Motion No. 1: Moved to Approve Minutes of the March 11, 2020 Joint W&M Meeting & Minutes/Transcript of the April 15, 2020 Meeting
Motion By: Legislator Litts
Motion Seconded By: Legislator Cahill
Discussion: None
Voting In Favor: Legislators Fabiano, Greene, Cahill, Heppner, Litts
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Minutes **APPROVED**

Resolutions for the May 19, 2020 Session of the Legislature

Resolution No. 175: Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – H&H Environmental Construction And Consulting – Department Of Public Works

Resolution Summary: This resolution approves the execution of a contract amendment with H&H Environmental Construction and Consulting for disinfectant and decontamination services at the UC Law Enforcement Center, UC Golden Hill Office

Building, and COVID-19 drive through testing site. 100% County Prior Amt. \$99K, Amended Amt.\$78.2K. Total Amt. \$177.2K Contract Dates 3/30/2020 -5/30/2020, Amended Term 5/1/2020-5/30/2020.

Motion No. 2: **Motion to Discuss and Adopt Resolution No. 175**
Motion By: Legislator Cahill
Motion Seconded By: Legislator Greene

Discussion: See attached transcript.

Voting In Favor: Legislator Fabiano, Greene, Cahill, Heppner, Litts
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Resolution **ADOPTED**

Resolution No. 181: Authorizing Additional Funding For Capital Project No. 528 – Veteran’s Cemetery To Meet The Environmental And Permitting Requirements – Veteran Services Agency

Resolution Summary: This resolution authorizes additional funding for Capital Project No. 528 for the Veterans cemetery to conduct additional archeological studies to comply with SEQRA. Also for additional design costs to provide water supply for irrigation not included in the original project design scope. \$18.4K A Bond Resolution Will Be Required.

Motion No. 3: **Motion to Discuss and Adopt Resolution No. 181**
Motion By: Legislator Litts
Motion Seconded By: Legislator Heppner

Discussion: See attached transcript.

Voting In Favor: Legislator Fabiano, Greene, Cahill, Heppner, Litts
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Resolution **ADOPTED**

Resolution No. 185: Authorizing The Chair Of The Ulster County Legislature To Execute A Claim For Payment And Any Additional Documents Necessary To Secure Payment From New York State For The Appropriation Of County Property – New York State Acquisition Maps Nos. 37 And 38 – Department Of Public Works

Resolution Summary: This resolution authorizes the Chair of the Ulster County Legislature to execute a claim for payment and any additional documents necessary to secure payment from NYS for the appropriation of county property – NYS acquisition Maps Nos. 37 & 38. \$500 County revenue.

Motion No. 3: **Motion to Discuss and Adopt Resolution No. 185**
Motion By: Legislator Litts
Motion Seconded By: Legislator Fabiano

Discussion: See attached transcript.

Voting In Favor: Legislator Fabiano, Greene, Cahill, Heppner, Litts
Voting Against: None
Votes in Favor: 5
Votes Against: 0
Disposition: Resolution **ADOPTED**

Old /New Business (see attached transcript)

- Chairman Fabiano confirmed the Rochester Bridge repair time line.

Adjournment

Chair Fabiano asked if there was any other business, and hearing none;

Motion Made By: Legislator Litts
Motion Seconded By: Legislator Greene
No. of Votes in Favor: 5
No. of Votes Against: 0

TIME: 6:52 PM

Respectfully submitted: Nettie Tomshaw, Legislative Staff

Minutes Approved: June 3, 2020

Public Works and Capital Projects Committee Meeting Transcript

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Fabiano: I can start. I can start. Okay.

Tomshaw: Whenever Jay's ready.

Fabiano: Jay's ready?

Tomshaw: Yes.

Fabiano: Okay. I like to call this meeting of the Public Works and Capital Projects meeting to order.

Fabiano: Has everybody, this month we have two sets of minutes we have to look over. The one was from March 11th, six o'clock was the joint meeting between us, our committee, and the Ways and Means. And the other group of minutes was from the previous meeting a few weeks ago. Does anybody have any additions or deletions they want to make?

Litts: Dean, are we going to do the Pledge of Allegiance?

Fabiano: I wasn't, I don't have a flag.

Litts: You have one now.

Fabiano: If you want to stand up and lead us in the Pledge, Herb, will do that. Okay.

Litts: Okay.

Group members: I pledge allegiance to the flag United States and the Republic for which it stands, one Nation under God, indivisible with liberty and justice for all.

Fabiano: Thank you, Legislator Litts. I appreciate that.

Litts: You are very welcome.

Fabiano: So, now that we know what's going on with the minutes from the two previous meetings, any comments or questions?

Fabiano: I'll make a motion to accept the minutes as presented.

Cahill: I'll second.

Fabiano: Motion made by Legislator Litts.

Fabiano: Seconded by Legislator Cahill.

Fabiano: To accept minutes as written, all in favor?

Committee members: Aye. (5-0)

Fabiano: All opposed? Motion carried.

Fabiano: And we will get into our resolutions. Resolution Number 175: Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – H&H Environmental Construction And Consulting – Department Of Public Works.

Fabiano: Now this is for cleanup. I believe at the Ulster County jail. And with, I guess, with some mold removal. For total cost of \$177,200, all paid for by the county. This is an emergency COVID-19. Any discussion or questions for Marc? I'm sure Marc Ryder is here.

Rider: Yes.

Fabiano: Yeah.

Rider: Yeah. So I'd be happy to... I just want to clarify a couple of things. This contract is for decontamination of both the Ulster County Law Enforcement Center, the Ulster County Department of Health, which they do once a week. It takes them about, I think, I believe about eight hours with a crew of about four people to do both of those facilities weekly. And also, daily, they are decontaminating the testing site out at Tech City.

Rider: So, it started with a smaller contract. And this is the second amendment. And so, we needed to come here, but it was it was originally done kind of as an emergency use because as we started to see public health nurses, who would go out into the field, to do COVID testing, and then come back into the Department of Health, we had actually lost a couple of that COVID positive, we had to do a full decontamination multiple times. So, not only are we using this service for the weekly, and the daily, but also anytime we know somebody is COVID positive that enters the building. We have to do a full decontamination of the building then as well.

Fabiano: Any questions from any of the Legislators on this?

Greene: I just have a comment that I think it's a very good idea.

Fabiano: Okay, without any further questions, and I'll entertain a motion to move it.

Cahill: Move it.

Fabiano: Motion by Legislator Cahill.

Greene: Second.

Fabiano: Seconded by Legislator Greene.

Fabiano: All in favor?

Committee members: Aye. (5-0)

Fabiano: Opposed? Motion carried.

Fabiano: Okay. Resolution Number 181: Authorizing Additional Funding For Capital Project No. 528 – Veteran's Cemetery To Meet The Environmental And Permitting Requirements – Veteran Services Agency

Rider: I'm going to discuss

Fabiano: Any anybody want to talk about it, first?

Litts: I'll move on move it for discussion.

Heppner: I'll second.

Fabiano: Okay. Moved by Legislator Litts, seconded by Legislator Heppner for discussion. Go ahead.

Rider: Would you like me to talk about it really quick? Okay, so we had done the, I believe phase two environmental, at the New Paltz Rural Cemetery, where we have our veterans, our County Veterans Cemetery. We believe we have, until about 2022, until are our current spot at the cemetery will fill up.

Rider: That might be hastened a little bit because of COVID. What we're also seeing is that a lot of our Vietnam veterans are coming of the age where we're losing some of our Vietnam veterans. So, we believe though we have the capacity to get through to about 2022. Doing the environmental work here, we uncovered some artifacts, and I know that Dennis is mysteriously quiet. I believe he's on this line. I haven't heard from him yet, which is unexpected, but...

Rider: The exact details of what was uncovered, he may know, I certainly don't, but it required us to do a further architectural dig, which is about \$40,000 dollars. It will slow down the project, but we still believe we'll be able to build out. And that it will actually make the most sense to continue on using this property as opposed to, kind of the sunken cost factor.

Rider: We've already spent a deal of money on this site and moving to another site would be more costly than just doing this environmental work. And we believe we can still do the work on time. I don't know, what if you have anything to add, Dennis?

Doyle: No, that's a broad outline. I think what we did is we did a phase one archeological study. Because of the sensitivity area, they uncover a significant amount of artifacts on the site which then basically, the State Historic Preservation officer tells us we have to go through and do a phase two. So, the funding here is for a part of it is for a phase two work. The \$40,000 figure would, would be additional money that we'd have to spend should we have to go to phase three.

Doyle: To give you a sense, phase two and phase one and phase two are essentially trying to figure out what's there. Phase one is a little less intensive. Phase Two is actually going out and digging a substantial number of pits on the site and see if there's any features there. When you enter phase

three is if you find something you either can a) choose to avoid it, or you have to essentially recover it and document it.

Doyle: So, our consultant thinks that given the level of material he found so far, that we may have to go through a phase three. Our conversations with the State Historic Preservation officer and the consultant indicate that that doesn't mean we can't use this site. It means a) either we may have to avoid portions of the site which would not be significant, or we'd have to recover the features on it.

Doyle: The other part of the money requested this evening is for well testing. When this project was originally conceived, the thought was we were going to use the existing water supply from the village of New Paltz. The, the two things with respect to that one is, is that we have a significant amount of demand charges associated with using that water supply. And two, is we didn't think it was prudent to essentially use what we what we would call potable water for irrigation purposes. So, there's an existing dug well on the site, a part of our agreement with the with the Cemetery Association would allow us to use that if it's sufficient. So, we'll go ahead and we'll do it. We'll do some some demand testing with respect to that.

Doyle: We've done, we've talked to a hydrologist. There's been a substantial amount of water supply work done on Plains Road. Talked to a hydrologist that did that work. He worked for Chazen Companies. They feel that what we can do with this, even if there's not a lot of yield. We can put in a triple pump and storage facilities because we're only anticipating a use of use for irrigation purposes during droughts. And somewhere in a neighborhood of about 900 to 1200 gallons a day.

Doyle: So, that's it's a, it's a prudent way to move forward. And even if we did hook into the municipal water supply, the concern being is if it's a drought, guess what, the one thing you can't do is irrigate.

Fabiano: Any other questions or comments?

Litts: Yeah, I have a comment.

Fabiano: Okay, Legislator Litts, go ahead

Litts: Why don't we just irrigate from the Wallkill River?

Doyle: We could if we have to, on an emergency basis. But the reason not to do that is we'd have to do additional environmental work to get down off the banks of the river and it would require additional permitting. The thought being that we wouldn't save any money in that basis.

Litts: The guy across the river from you takes millions of gallons out of there and he hadn't done anything except to throw a hose over the bank. And the pump is up on top, and you just irrigate with that.

Doyle: Yeah, he's he happens to be an agricultural use. And it's pretty much exempt from most of the permitting requirements.

Litts: Well, I would think to irrigate a Veteran Cemetery, which is owned by the County. I'm not sure what permitting requirements it would require. You're a municipality. You're a government agency.

Doyle: You would still need a bank disturbance permit. You need a water a water supply permit. You would need essentially to establish, go back and do all the environmental work down along the river where we may run into an endangered species, which we haven't looked at now. And we also have to run those lines and move them all down through what they call an indigenous burial area that's down in that area as well.

Litts: Dennis, Dennis, it's a hose.

Doyle: We know that this is actually not a hose. These will be automatic sprinklers. They wouldn't be done on a basis that you go in and sprinkler, they're talking about an automatic sprinkling system. That's what they're talking about. I get what you're saying, but that's what they're talking about.

Litts: The suction hose to supply the tank that automatic system would work on is simply a hose. The rest of that fancy irrigation equipment is up on cemetery property.

Rider: I think it's something that is worth a further discussion. But I'll note, is that this would be a not to exceed amount that we're requesting. And that I'm happy to continue on the discussion with you, Legislator Litts if there's a way that it makes sense to do this. Then, obviously we would want to save money for the County.

Litts: I mean, the county DPW pump water out of the out of the river when they built the bridge. I mean, it's not anything we haven't done before.

Rider: I appreciate that. I think it's something that we can look at.

Litts: And it would be a very inexpensive alternative.

Rider: You know that we're willing to work with you on that, as the fairground parking lot is shown. So happy to take a look at that if it can save us money.

Greene: Could I then make a motion to postpone?

Greene: Hold in committee?

Rider: But the majority of this money is used for further studies that have nothing to do with the well. And that if we are going to get to the the deadline of 2022. This adds about a year onto this project. And while we believe that we can move forward, and have a place to respectfully bury our veterans. If we delay much, I don't think that's a possibility. I would request that we don't postpone but.

Fabiano: We have a motion on the floor to postpone. Is there a second?

Fabiano: Hearing none, I will ask for a motion to pass the resolution as brought to us tonight. Is there a motion to move it forward?

Litts: So moved.

Heppner: I'll second it.

Fabiano: Motion made by Legislator Litts and seconded by Legislator Heppner.

Fabiano: All in favor?

Committee members: Aye. (5-0)

Fabiano: All opposed.

Greene: Before we take the vote, can I say one more thing?

Fabiano: Absolutely. Go ahead. Legislator Greene.

Greene: I just want to be sure this doesn't get lost. I will vote in favor of it. But I know that Legislator Litts has saved the county money at the fairgrounds, and you know, multiple other times with innovative solutions that come from his knowledge and experience. And I just want to be sure that this follow up conversation happens. I understand it's only a part of what needs to move forward, which is why I will vote for it. But I really want to be sure that we get the follow up on the pump and hose situation. The irrigation.

Doyle: We'll have that discussion with the consultant to see what he thinks of that area, I mean, surely our easement. Our easement would cover it, allow us to do it. We'd have some issues getting

across graves, etc. Because our grades between the river and us. And as we move down towards the river, you're going to end up dealing with more... As you move closer to the river, there's more effort that needs to be done with respect to the the [SHIPA] work, the archaeological work.

Rider: I'll like to meet Legislator Litts on site, though?

Litts: Yeah, I'd be more than happy to volunteer to go down and meet on the site.

Fabiano: That would be great. If you could do that. That's good. And this way, you would meet Marc. He would meet before Dennis has the meeting with the consultant, or after?

Litts: Same time if you want.

Doyle: Yeah.

Rider: Good.

Litts: Okay. It's fine for me. Dennis, what are you gonna do with all the arrowheads?

Doyle: Well, yeah, we don't know where they're gonna go into recovery yet, so hopefully we won't have to. I'm hoping that's what happens here.

Litts: They're there.

Doyle: Yeah, they are that there's so much scatter on the ground that when they started to do their test pits they've actually found scatter on the ground from the from the plowing that took place, just from the area being plowed.

Greene: Wow.

Fabiano: Okay, so with the motion on the floor, all in favor?

Committee members: Aye. (5-0)

Fabiano: All opposed?

Fabiano: Motion carried and I would expect that either Dennis or Marc will contact Legislator Litts when he could meet us there on the site for further discussion.

Rider: Yes, very good.

Fabiano: Okay. Thank you, Marc.

Fabiano: Okay. Resolution Number 185: Authorizing The Chair Of The Ulster County Legislature To Execute A Claim For Payment And Any Additional Documents Necessary To Secure Payment From New York State For The Appropriation Of County Property – New York State Acquisition Maps Nos. 37 And 38 – Department Of Public Works

Litts: So moved.

Fabiano: Motion made by Legislator Litts. Seconded by Legislator Fabiano.

Fabiano: All in favor?

Litts: They're only going to pay us \$500?

Cahill: Okay, can I ask where that is where those parcels are? It's a very, very small piece of property. Right.

Rider: It's the sidewalks for the Empire State Trail that are along the Golden Hill property.

Doyle: Oh, okay. I know where it is now. Thank you.

Fabiano: So, all in favor?

Committee members: Aye. (5-0)

Fabiano: All opposed. Motion carried.

Fabiano: Does anybody have any old business they would like to discuss?

Fabiano: Do we have Tom Jackson tonight or Brian Masterson?

Litts: I see Tom.

Jackson: Tom's here.

Fabiano: Hey, Tom, how are you? Under new business. I have a question for you. The Rochester bridge that you're going to repair is due to close on Wednesday, May 13th. And I see here that there's going to be a tonnage reduction from five ton to three ton. Now, is that going to be permanent? After the bridges repaired? Is that going to be a permanent reduction in tonnage?

Jackson: No, it's only temporary.

Fabiano: It's only temporary.

Jackson: Once the bridge is construction is complete. That will be lifted. And it should take between four and six weeks. It's an in-house project. That's called the Broodlehole Bridge.

Fabiano: Okay, okay.

Jackson: It's in the Town of Rochester on Broodlehole Road. It's a town road but a County bridge.

Fabiano: Right. So, and the closing time will be only four to six weeks.

Jackson: Four to six weeks.

Fabiano: If everything goes okay to reopen.

Fabiano: Alright, does anybody have anything else?

Fabiano: Okay, hearing none. I'll entertain a motion to adjourn.

Fabiano: Led by Legislator Litts to adjourn and seconded by Legislator Greene.

Fabiano: All in favor?

Committee members: Aye. (5-0)

Fabiano: All opposed?

Fabiano: This meeting is adjourned.

Fabiano: Thank you, everyone and please, everybody stay safe. Hopefully, we might be heading on a downside of this pandemic. I hope.