

**Public Works and Capital Projects Committee  
Regular Meeting Minutes**

**DATE & TIME:** September 6, 2017 – 6:30 PM  
**LOCATION:** COB, 6<sup>th</sup> Floor, K. L. Binder Library  
**PRESIDING OFFICER:** Chairman Fabiano  
**LEGISLATIVE STAFF:** Nettie Tomshaw  
**PRESENT:** Legislators Greene, Litts, Maloney  
**ABSENT:** Legislator Loughran  
**QUORUM PRESENT:** Yes

**OTHER ATTENDEES:** Acting Commissioner DPW Thomas Jackson, Deputy Commissioner DPW Brian Cunningham, Director Purchasing Marc Rider

Chairman Dean Fabiano called the meeting to order at 6:40 PM.

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**Motion No. 1:** **Moved to Approve the Minutes of the August 3, 2017 Meeting**  
**Motion By:** Legislator Litts  
**Motion Seconded By:** Legislator Maloney  
**Discussion:** None  
**Voting In Favor:** Legislators Fabiano, Greene, Litts, Maloney  
**Voting Against:** None  
**Votes in Favor:** 4  
**Votes Against:** 0  
**Disposition:** Minutes approved

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**Resolutions for the September 19, 2017 Session of the Legislature**

**Resolution No. 362:** Confirming The Appointment Of Thomas Jackson As Commissioner Of The Department Of Public Works

**Resolution Summary:** This resolution confirms the appointment of Thomas Jackson to the position of Commissioner of the Ulster County Department of Public Works replacing retired Commissioner Susan Plonski.

**Motion No. 2:** **Resolution moved for discussion**  
**Motion By:** Legislator Maloney  
**Motion Seconded By:** Legislator Greene  
**Discussion:**

Legislator’s Maloney and Greene spoke highly of Mr. Jackson and his work ethic, whereas the full committee endorsed his appointment as UC Commissioner of the Department of Public Works. Chairman Fabiano congratulated Tom and looks forward to working with him.

**Motion No. 3: Moved to adopt Resolution No. 362**

**Motion By:** Legislator Maloney

**Motion Seconded By:** Legislator Greene

**Voting In Favor:** Legislator Fabiano, Greene, Litts, Maloney

**Voting Against:** None

**Votes in Favor:** 4

**Votes Against:** 0

**Disposition:** Resolution adopted

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**Resolution No. 363:** Approving A Project Labor Agreement For Capital Project No. 494 – Business Resource Center Renovations To Accommodate Family Court – Department Of Purchasing And Department Of Public Works

**Resolution Summary:** This resolution approves a project labor agreement required for construction projects that exceed \$1,000,000.00. Arace & Company Consulting, LLC was hired to perform a Due Diligence Study for the BRC renovations to accommodate Family Court who estimated \$238K in savings if a PLA is put in place.

**Motion No. 4: Resolution moved for discussion**

**Motion By:** Legislator Maloney

**Motion Seconded By:** Legislator Litts

**Discussion:**

UC Director of Purchasing Marc Rider recommended the committee consider a (PLA) after an outside consultant conducted a due diligence study and determined the size and scope of the project would save the county \$250K.

**Motion No. 5: Moved to adopt Resolution No. 363**

**Motion By:** Legislator Maloney

**Motion Seconded By:** Legislator Litts

**Voting In Favor:** Legislator Fabiano, Greene, Litts, Maloney

**Voting Against:** None

**Votes in Favor:** 4

**Votes Against:** 0

**Disposition:** Resolution adopted

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**Resolution No. 374:** Amending Resolution No. 319 Of 2001, Amending The Policy Of The County Of Ulster With Regard To Project Labor Agreements

**Resolution Summary:** This resolution amends Resolution No. 319 of 2001 increasing the threshold for an estimated individual construction project from \$1,000,000.00 to \$3,500,000.00 to initiate a Due Diligence Study for Project Labor Agreements (PLA).

**Motion No. 6:** Resolution moved for discussion

**Motion By:** Legislator Litts

**Motion Seconded By:** Legislator Greene

**Discussion:**

Legislator Greene noted the Government Efficiency & Review Committee discussed project labor agreements at their monthly meeting where Marc Rider provided a written summary as to the history and added savings project labor agreements may offer. Legislator Greene also confirmed Mike Ham from IUOE Local 825 was amenable to the increased threshold of \$3,500,000.00.

Marc Rider proposed similar language to be put back in the resolution noting Resolution No. 319, October 11, 2001 stated in the first resolve the department head “shall explore and consider using project labor agreements.” Resolution No. 374 would mandate a study be done for every project over \$3,500,000.00 including bridge and road paving projects that only have one or two prime contractors. Each analysis study cost between \$18,000.00 and \$22,000.00. Marc Rider will forward his Project Labor Agreement memo to this committee. The committee postponed the resolution pending additional information.

**Motion No. 7:** Moved to Postpone Resolution No. 374

**Motion By:** Legislator Litts

**Motion Seconded By:** Legislator Greene

**Voting In Favor:** Legislator Fabiano, Greene, Litts, Maloney

**Voting Against:** None

**Votes in Favor:** 4

**Votes Against:** 0

**Disposition:** Resolution Postponed

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**Resolution No. 345:** Setting A Public Hearing On Naming A County-Owned Asset To Be Held On Tuesday, October 10, 2017 At 6:00 PM

**Resolution Summary:** This resolution sets a public hearing naming the County-Owned Bridge #127 the “Stewart Crowell Bridge”, which spans the Wallkill River on Bruyn Turnpike, located in the Town of Shawangunk.

**Motion No. 8:** Resolution moved for discussion

**Motion By:** Legislator Fabiano

**Motion Seconded By:** Legislator Maloney

**Discussion:** None

**Motion No. 9:** Moved to adopt Resolution No. 345  
**Motion By:** Legislator Fabiano  
**Motion Seconded By:** Legislator Maloney

**Voting In Favor:** Legislator Fabiano, Greene, Litts, Maloney  
**Voting Against:** None  
**Votes in Favor:** 4  
**Votes Against:** 0  
**Disposition:** Resolution adopted

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**Resolution No. 348:** Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – C&S Engineers – Department Of Public Works

**Resolution Summary:** This resolution approves a third contract amendment with C&S Engineers extending the terms of agreement and increasing funds for inspection services related to the replacement of the Bailey Bridge over the east branch of the Neversink. This extension covers the project closeout. 80% Federal, 15% State, 5% County - \$119.8K for a total of \$561.5K 5/1/17-12/31/18

**Motion No. 10:** Resolution moved for discussion  
**Motion By:** Legislator Maloney  
**Motion Seconded By:** Legislator Greene

**Discussion:**

Chairman Fabiano called upon Brian Cunningham to provide an overview of this resolution. Brian explained the work has already been completed and this amendment is for C&S to stay on for inspection related services only. C&S subcontractor's surveyor miscalculated the location of the bridge which ultimately had to be moved. Brian was uncertain how much of the cost related to the error noting, additional factors included in the cost as well. Legislator Litts noted professional liability insurance should cover the mistake.

**Motion No. 11:** Moved to adopt Resolution No. 348  
**Motion By:** Legislator Maloney  
**Motion Seconded By:** Legislator Greene

**Voting In Favor:** Legislator Fabiano, Greene, Litts, Maloney  
**Voting Against:** None  
**Votes in Favor:** 4  
**Votes Against:** 0  
**Disposition:** Resolution adopted

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**Resolution No. 349:** Approving The Execution Of A Contract Amendment In Excess Of \$50,000.00 Entered Into By The County – Complete Building Solutions, Inc. – Department Of Public Works

**Resolution Summary:** This resolution approves a third contract amendment with Complete Building Solutions, Inc., exercising the first of two one year options extending the terms of the agreement and increasing funding for janitorial services in various County buildings. 100% County \$154.4K for a total of \$593K

**Motion No. 12:** Resolution moved for discussion  
**Motion By:** Legislator Fabiano  
**Motion Seconded By:** Legislator Maloney

**Discussion:**

Chairman Fabiano provided an overview of the amended resolution. Legislator Greene confirmed with Brian Cunningham employee retention is common practice when contractors change, noting the county has subcontracted janitorial services for twenty plus years. Subcontractors are most likely not part of the CSEA union however there is an established prevailing wage for workers. Marc Rider noted as an example Gateway is a preferred vendor for other contracts. Committee discussion ensued.

**Motion No. 13:** Moved to adopt Resolution No. 349  
**Motion By:** Legislator Litts  
**Motion Seconded By:** Legislator Maloney

**Voting In Favor:** Legislator Fabiano, Greene, Litts, Maloney  
**Voting Against:** None  
**Votes in Favor:** 4  
**Votes Against:** 0  
**Disposition:** Resolution adopted

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**Resolution No. 364:** Authorizing The Chairman 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 Located In Town Of Wawarsing – New York State Acquisition Map No. 53 Parcel No. 7 – Department Of Public Works

**Resolution Summary:** This resolution authorizes the Chairman of the UC Legislature to secure a claim for payment on behalf of Ulster County from NYSDOT for the appropriation of county property .234+/- acres in the Town of Wawarsing as part of a statewide program for strengthening the highway network. State Route 55 Bridge crossing the Rondout Creek has been identified as needing extensive repair or replacement in order to protect the bridge from future storms. County Revenue Dollars \$2,350.00

**Motion No. 14:** Resolution moved for discussion  
**Motion By:** Legislator Litts  
**Motion Seconded By:** Legislator Greene

**Discussion:**

Tom Jackson explained the plan is to widen the bridge along with repairs. The county was entitled to a tax sale deed on the vesting date being April 21, 2015. The county had conveyed the property out to the highest bidder in October 2015 however, the county is entitled to the appropriation amount of \$2350.00 based on the vesting date.

**Motion No. 15:** Moved to adopt Resolution No. 364  
**Motion By:** Legislator Litts  
**Motion Seconded By:** Legislator Greene

**Voting In Favor:** Legislator Fabiano, Greene, Litts, Maloney  
**Voting Against:** None  
**Votes in Favor:** 4  
**Votes Against:** 0  
**Disposition:** Resolution adopted

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**Resolution No. 365:** Amending Capital Project No. 260 – Bailey Bridge (BIN 3347090), A Project For The Bridge Replacement On Denning Road Over The East Branch Of The Neversink Creek – Transportation Improvement Project (TIP) Not On The State Highway System – Amending The 2017-2022 Capital Improvement Program – Department Of Public Works (Highways And Bridges)

**Resolution Summary:** This resolution amends Capital Project No. 260 for increased funding to relocate the existing temporary bridge in order for the project to progress and construction delays due to difficulties in drilling for pile installation resulting in the shut-down of the project during the winter months. Increase in cost \$119K which may be reimbursable up to 80% bringing the total project cost to \$4.2 million. A bond resolution will be required.

**Motion No. 16:** Resolution moved for discussion  
**Motion By:** Legislator Litts  
**Motion Seconded By:** Legislator Fabiano

**Discussion:**

Tom Jackson explained the resolution goes hand in hand with Resolution No. 348 – moving the temporary bridge ten feet, etc. Recouping funds are currently in the hands of the attorneys.

**Motion No. 17:** Moved to adopt Resolution No. 365  
**Motion By:** Legislator Maloney  
**Motion Seconded By:** Legislator Fabiano

**Voting In Favor:** Legislator Fabiano, Greene, Litts, Maloney  
**Voting Against:** None  
**Votes in Favor:** 4  
**Votes Against:** 0  
**Disposition:** Resolution adopted

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**Resolution No. 367:** Amending Capital Project No. 345-351 – Building Accessibility Upgrade And Renovations (ADA Compliance) – And Amending The 2017-2022 Capital Program – Department Of Public Works (Buildings And Grounds)

**Resolution Summary:** This resolution amends Capital Project Nos. 345-351 providing ADA compliant building accessibility at various Ulster County buildings making mandated restorations, replacements, and upgrades improving accessibility for disabled persons. A bond resolution will be required.

**Motion No. 18:** Resolution moved for discussion  
**Motion By:** Legislator Litts  
**Motion Seconded By:** Legislator Maloney

**Discussion:**

Legislator Litts confirmed with Brian Cunningham the bids exceeded the estimate by \$230K increasing the project cost to \$886K.

**Motion No. 19:** Moved to adopt Resolution No. 367  
**Motion By:** Legislator Greene  
**Motion Seconded By:** Legislator Maloney

**Voting In Favor:** Legislator Fabiano, Greene, Litts, Maloney  
**Voting Against:** None  
**Votes in Favor:** 4  
**Votes Against:** 0  
**Disposition:** Resolution adopted

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Old Business

Legislator Greene reminded the committee back in July she expressed the need to better understand the county's compliance with various sustainability policy / initiatives currently in place, such as green storm water infrastructure, pervious paving, green building initiatives, solar,

etc. to better evaluate capital projects, their progress and bench marks. Legislator Greene would like to work together to create a check list that goes along with each project to ensure compliance, to be proactive and not allow missed opportunities. Marc Rider noted it's a priority of the administration to support sustainability initiatives and building green practices when possible.

Marc Rider provided a brief update on the two county solar projects. Construction for the land fill project in the Town of Ulster will start in October with operation start up March 2018. The college and Central Hudson are working through some issues with Tesla – previously Solar City and is still in the interconnection study process.

At the request of Legislator Litts Marc Rider provided a brief update on the Solar PV cost benefit feasibility analysis study for the Family Court Facility which was provided to the full legislature; whereas all existing beams would require reinforcement to support an additional 4 psi ballasted solar panel system at a cost of \$80K-\$90K. If implemented concerns were raised regarding schedule delays, temporary relocation of the veterans office and the current lease runs out August 31, 2018. After that the lease agreement would be month to month. The cost savings projected are \$10K over the course of twenty years. Legislator Greene feels steadfast the county should reconsider strengthening the beams of the new family court facility. Committee discussion ensued.

### **Adjournment**

Chairman 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:** 4  
**No. of Votes Against:** 0

**TIME:** 7:37 PM

Respectfully submitted: Nettie Tomshaw, Legislative Staff  
Minutes Approved: October 4, 2017