

Minutes

Public Facilities Committee

Tuesday, April 18, 2017, 4:00 pm

Gerace Office Building, Mayville, N.Y.

Members Present: Hemmer, Wilfong, Nazzaro, Scudder, Gould

Others: Tampio, Horrigan, Rodgers, K. Gustafson, M. Westphal, Dennison, G. Spanos,  
Himelein, Crow, Vanstrom

Chairman Hemmer called the meeting to order @ 4:00 pm.

**Approval of Minutes (3/13/17)**

MOVED by Legislator Nazzaro, SECONDED by Legislator Wilfong.

*Unanimously Carried*

**Privilege of the Floor**

No one chose to speak at this time.

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**Proposed Resolution** – Close Capital Project H.1620.25929, Roof Replacement at Hall R.  
Clothier Building

Mr. Rodgers: This resolution is to close the capital project that was for the replacement of the roof at the HRC building. The project is completed. It was done under budget which also leads into our next resolution that we're seeking additional funds for a second roofing project at the Mayville Municipal Building. I can move on to that one.

Legislator Nazzaro: Let's do one at a time.

Chairman Hemmer: How did it come in under budget?

Mr. Rodgers: Just favorable pricing versus what was estimated. We just got better than expected pricing on that project.

Chairman Hemmer: Sounds good, let's do that every time.

*(Cross talk)*

Legislator Nazzaro: How much was that total cost?

Mr. Rodgers: I don't have the exact cost with me.

Legislator Nazzaro: I was just wondering if it was 5% or 10% under or whatever.

*(Cross talk)*

Legislator Nazzaro: We accountants like to know these things. Because \$60,000 on a \$100,000 project is big number and \$60,000 on a \$400,000 project was –

Mr. Rodgers: Yeah, it was around \$280-\$290,000 was the finished cost.

Legislator Nazzaro: So it came in about 20% lower than anticipated costs. That's good.

Chairman Hemmer: Any other questions or comments on this?

*Unanimously Carried*

Proposed Resolution – Adjust Capital Account H.1620.25928 – MMB Roof Replacement

Mr. Rodgers: This resolution is for a roof replacement project at the Mayville Municipal Building up on Academy Street. The County owns the Family Court space in that building and the Town of Chautauqua owns the rest of the building. We had this project to replace all the roofs for the County owned portion of the building. We worked with the roofing company, put it out to bid, and the bids came in higher than expected. Primarily being when I put the original estimate together, I missed a roof. There are a lot of different levels if anybody has been over to that building and inadvertently just missed an area. What I also found out in reviewing the bids, when the contractors do put their bids together on this they have to account for all the flashing areas, where there is a paraffin wall, the roof projections and on this particular roof turned to be a fairly significant amount more than say the HRC roof where it was a flat, one level, not very many projections up there that the combination of the two with a contributing factor and then there were some areas requiring asbestos abatement on those roofs.

Chairman Hemmer: Any questions?

Legislator Nazzaro: So to your point. Stuff happens so the net now between these two resolutions is about \$120,000 use of fund balance.

Mr. Rodgers: Yes. We're doing the project jointly with the Town. The majority of the building is being done at one time. We did get favorable pricing.

Legislator Nazzaro: Same contractor?

Mr. Rodgers: Yes.

Legislator Nazzaro: So you were able to share in savings for the larger project than if you did it individually.

Mr. Rodgers: Right.

Chairman Hemmer: Any other questions?

*Unanimously Carried*

Proposed Resolution – Authorizing Increase to Capital Appropriations, and Increasing and Establishing Revenue Funds – Capital Vehicle Replacement for Buildings & Grounds

Mr. Rodgers: In 2016, Buildings and Grounds purchased a new truck for maintaining the grounds here in Mayville, primarily used for plowing. We subsequently sold the old truck purchased by the Landfill and then in 2017 we're again replacing another old vehicle with a new purchase and I believe the Landfill was also looking to purchase that one so this resolution is to take the proceeds from that sale and put it back into the capital account for the purchase of the 2017 vehicle.

Chairman Hemmer: So it's going to decrease the amount of money spent out of capital.

Mr. Rodgers: The other thing is, when the capital request went in for the new vehicle there was a trade in value on it and I don't believe that trade-ins are part of the bid so we had to actually sell the vehicle so there was a difference in what was awarded versus what the vehicle cost was because the trade in value came off of the requested amount. If we were able to trade it in it would leave us just short of the 2017 purchase price.

Legislator Gould: By how much? Do you remember how much it was?

Mr. Rodgers: Three to four thousand.

Legislator Gould: That isn't bad.

Mr. Rodgers: Right. We don't get a whole lot for the vehicles after they have been beat up plowing.

Chairman Hemmer: And so the money is going to come from the Landfill fund.

Mr. Spanos: Yes, it's the salvage value of two vehicles that Buildings and Grounds own.

Chairman Hemmer: But comes out of the Landfill budget.

Mr. Spanos: Yes. The Landfill actually tries to get vehicles from the other divisions of DPF because they only drive or utilize the vehicles to drive from the shop to the fill so it's a good deal for them and a good deal for the County, for the other divisions.

Chairman Hemmer: They don't have to pass inspection and all of that.

Mr. Spanos: They have to pass inspections.

Chairman Hemmer: Oh, they do?

Legislator Nazzaro: If they are plated, they have to pass inspection.

Mr. Spanos: Yes.

Chairman Hemmer: They are plated even though they never leave the grounds?

Mr. Spanos: Oh yeah and the driver has to be a licensed driver so we found out.  
Insurance, (*cross talk*)

Legislator Nazzaro: You couldn't get insurance.

Chairman Hemmer: Any other questions?

*Unanimously Carried*

Proposed Resolution – Adjust CARTS 2017 Budget to Reflect Additional Grant Funding

Mr. Spanos: You all know Michelle Westphal. She has taken the position for Cheryl Gustafson.

Ms. Westphal: This resolution – we had received additional funding from the Rural Transit Assistance from the Department of Health. We didn't put it in the budget because it is not promised each year and then we also received extra STOA, State Operating Assistance money. The (*inaudible*) came in at more than what we had budgeted. We had budgeted \$275,000 and we received an extra \$174,400 for that.

Legislator Nazzaro: So obviously this has a positive effect because it's decreasing the use of fund balance. And this follows past practice how we've done this before?

Ms. Westphal: I believe so, yes.

Chairman Hemmer: That was already budgeted, the \$311,000?

Legislator Nazzaro: The expenses were budgeted but not the grant.

Mr. Spanos: Yes, it's an adjustment to the budget.

Legislator Nazzaro: I just want to make sure – you can use the new card because I've used it for 20 years on my job and can't use it anymore but I just want to make sure that this wasn't missed that this was normal because the funds of money weren't guaranteed and you had to budget the expense but then now that we're having access to these funds, then we can reduce the fund balance because it wasn't budgeted, the revenue.

Mr. Spanos: Correct.

Legislator Nazzaro: It's all good.

Chairman Hemmer: That's good. Any other questions on this resolution?

*Unanimously Carried*

Proposed Resolution – CARTS – NYSDOT Section 5311 Consolidation Operating and Capital Grant Application Request

Ms. Westphal: Every two years we fill out the grant applications for operating funds and funds for busses for the mobility manager's salary which is contracted through the Workforce Investment Board and we've also added in this year for new tablets for our busses because we went paperless for the drivers manifest. We added an administrative vehicle for our driver trainer. A lot of that is, 80% Federal, 10% State and 10% local share. So that grant will be submitted as soon as you can get the resolution through and have the County Executive sign.

Chairman Hemmer: The funding is available so now they are accepting applications.

Ms. Westphal: Yes.

Legislator Nazzaro: When we do the budget because this is just to approve the grant application, so in the 2017 budget when the budget is prepared, once we get the funding then we're going to have another resolution coming here –

Mr. Spanos: It would be a resolution required for accepting the grant and then adjusting the budget for the 10%.

Chairman Hemmer: Any other questions?

*Unanimously Carried*

Proposed Resolution – Authorize Conveyance of an Environmental Easement to the New York State Department of Environmental Conservation on and over the Former C&B Dry Cleaners Site in the City of Jamestown

Mr. Gustafson: This was the former dry cleaners that has long since been demolished. It was a tax foreclosure property so it was contaminated with some, you know, dry cleaning material and things so this was old brownfield property where the DEC was able to come in and help us clean it up. So, we entered into a State assisted contract and kind of we're at the end stages here where we knew ahead of time that they were going to require us to enter into an environmental conservation easement. So these are very common documents for challenged properties so the resolution just authorizes the County Executive to enter into that agreement which will run with the property so there could be some future monitoring and testing of the property for any future owner. We own it now and then if we are ever able to sell it that would

continue with the ownership of the property. I could try and address any questions you might have.

Legislator Gould: Is there anybody in this with us, like the City?

Mr. Gustafson: No, it's just us.

Legislator Gould: Why?

Mr. Gustafson: Because it was a tax foreclosure property and at the time the Brownfields program was - we decide whether or not we're going to take it or not so part of it was knowing the DEC was going to help clean it up and we decided to take ownership of it. It was County property pursuant to the tax foreclosure so we ended up owning it and then the DEC helped us out to clean it up so it's just us.

Chairman Hemmer: And the cleanup process is complete?

Mr. Gustafson: Yes. It's as good as it's ever going to be. I'll put it that way. That is why they have the testing and things like that. But the dry cleaners are notoriously dirty properties with the chemicals and it's just unfortunate that - it's a vacant lot now. It's next to Pal Joey's on Washington Street.

Chairman Hemmer: We don't have a customer to buy it?

Mr. Gustafson: Not that I am aware of.

Chairman Hemmer: Any other questions on this resolution? This is just to allow the DEC to get in there and test it occasionally?

Mr. Gustafson: Yes, it will run with the property.

Chairman Hemmer: All those in favor?

*Unanimously Carried*

Proposed Resolution - Authorize Temporary Lease of Vacant Roberts Road Property to BNSF Logistics

Mr. Spanos: BNSF Logistics approached us because of the proximity of the property to the railroad to utilize a portion of the former brownfield areas for a storage facility and they will unload the windmills that are going to go to the Arkwright site and then they will transport them to the site. There are two companies to give you a little bit of background that are interested in getting the job to transport the pieces or parts of the windmills and this is the only company that has selected these location. The other one is going to utilize the site where the old Bethlehem Steel is in Buffalo. So, the decision has not been made who is going to be awarded the transportation but if this company gets the award then they will utilize this property and pay us

\$15,000 per month. They anticipate that it will be about 4 month's duration for the project and we will not be charging them during the time that they repair the (*inaudible*).

Legislator Gould: Are you going to have security around at night? Is it all fenced in so they can paddle lock it?

Mr. Spanos: It will be their responsibility to (*inaudible*) property for security.

Legislator Gould: They can't come back on us and say it's for a windmill farm?

Mr. Spanos: No, we are just leasing them the property.

Chairman Hemmer: And it will say that in the lease agreement?

Mr. Spanos: I'm pretty sure in the lease agreement all these items will be covered if we get to that point.

Legislator Gould: If we get to that point.

Mr. Spanos: Well, if they get the award, if the other company gets the award then there is no –

Legislator Gould: Right.

Legislator Scudder: I just want to make a comment. I am going to be voting against this just because I'm not in favor of any windmills going up at this time in Chautauqua County. So anything that I vote on that would promote the process of the windmills going up, that would not be the right thing for me to do. So, I'll be voting no.

Legislator Nazzaro: Mr. Chairman, I too will be voting no. We have had a lot of public input come to the Legislature meetings on the windmills. I have asked our County Attorney Steve Abdella, do we have any control over it and the answer basically was no because this is up to the property owners and the towns. I just feel that I too am not in favor of the windmills being placed there. I can sympathize with those individuals who are there. I would not want them in my backyard. I think the property owners profit off of these greatly and the property owners that don't have the windmills is a detriment so this is some small part I can just voice my opposition to those windmills by voting no.

Legislator Gould: I missed that meeting so I'll be voting in the affirmative.

Mr. Spanos: I understand your position and I respect it but I'm just going to say that it's either going to be unloaded in Chautauqua County or it will be unloaded somewhere else.

Legislator Nazzaro: I appreciate that but I am not going to make it easy for them.

Legislator Scudder: I hope they don't put the fence up and somebody takes them but I'm not allowed to say that probably.

Legislator Gould: I'm trying to help you Robert. Pay attention.

Chairman Hemmer: Thank you for those comments. Anyone else? All in favor of the resolution?

*Carried w/ Legislators Nazzaro and Scudder voting "no"*

Proposed Resolution - Amend Airport Capital Project Accounts – Project #25669

Mrs. Dennison: This is the first of three proposed resolutions. They all deal with the reconciliation of capital projects for the airport, reconciliations were prepared by the Deputy Director of Finance, Todd Button, and the changes are due to the fact that there was some changes in the funding streams for these projects. So the first one that we have here, project 25669, was anticipated or when the budgets were set up it was anticipated to be 95% Federal aid and a 5% local share. In fact, there is some State aid so it's 95% Federal, 2.5% State, and 2.5% local. So the overall effect of that change is that we have additional funding of \$2,500 from the State so the local share is reduced by \$2,500. So this resolution is to recognize that influx of money from New York State and decrease the local contribution.

Legislator Nazzaro: That's a plus.

Chairman Hemmer: Another plus. Any comments or questions?

*Unanimously Carried*

Proposed Resolution – Amend Airport Capital Project Accounts – Project #25671

Mrs. Dennison: This is the same background information that Todd Button has completed a reconciliation of the project and there also has been an adjustment in the funding stream. So it was originally set up as 95% Federal aid and a 5% local share. We now know that the funding is 90% Federal, 5% State and 5% local share. So the local share contribution is the same as what was established originally but the cost of the project has decreased. It was established as a \$400,000 project and now (*inaudible*) total cost of \$307,218, so there is a reduction in the overall expenditure. The bottom line for this incorporating that change in the total cost of the project, the project is expected to return \$4,639 to the capital fund.

Legislator Nazzaro: What was the total cost of the project (*inaudible*)?

Mr. Spanos: Three hundred and seven, two eighteen.

Chairman Hemmer: It came down from \$400,000 and that was because we got a good bid?



*(Speaker inaudible)*

Chairman Hemmer: Sounds great. We're saving money everywhere.

Legislator Nazzaro: That's another good.

Chairman Hemmer: Any questions or comments on this one?

*Unanimously Carried*

Proposed Resolution – Amend Airport Capital Project Accounts – Project #25746

Mrs. Dennison: On this particular project there are changes in the funding streams and also changes in the actual cost of the project. The project was budgeted in two phases and we now have actual expenditures for both of those phases. We were anticipating a 95% Federal share on the first phase of the project, 95% Federal, 2.5% State and 2.5% local and that funding stream stayed the same but the actual cost of the project, instead of \$80,000, was \$66,862, so there is lower cost to the design phase. Second part of the resolution deals with the construction phase. The construction phase, there was a change in the funding source just between Federal and State, still looking at a 2.5% local share of the project but the total cost was budgeted at \$970,000 and it's anticipated to be \$785,000, so a reduction in the overall cost of the project. Again, this bottom line has a positive effect on the reserve for capital. The resolution proposed to return \$24,578 to the reserve for the capital.

Chairman Hemmer: Very good. Any questions?

*Unanimously Carried*

Proposed Resolution – Adjust Budget for Building Maintenance Expenditures for Sheriff and Building & Grounds

Mrs. Dennison: I'm going to speak for the Sheriff's office on this one. When the Sheriff established his budget. I should say in 2016 we had a person that was split evenly between Buildings and Grounds and the Sheriff organization, the maintenance person who works primarily at the jail. In 2017, the Sheriff intended to return that half of person to Buildings and Grounds and to be honest there was kind of a miscommunication on that so it did not happen as the Sheriff anticipated in his budget. The Sheriff in 2017, instead of having a half person for buildings and grounds, he was approved to add a full time person that is completely dedicated to building maintenance at the Jail. So the intent of this resolution is return that half person, return the budget to Buildings and Grounds so it's coming out of the Sheriff's budget. But because of the change in personnel that were budgeted for maintenance in the Jail, there are some surplus funds there so the Sheriff is able to purchase \$10,000 in maintenance services from the Buildings and Grounds Department.

Legislator Nazzaro: So it's moving it from one bucket to the other. So this one is a neutral?

Mrs. Dennison: Yes, this one is not a gain but it is not a negative.

Legislator Nazzaro: It's an offered cost allocation.

Mrs. Dennison: Yes, it really just returns the personnel to the departments where they are currently working.

Chairman Hemmer: Any other questions concerning this resolution?

*Unanimously Carried*

Other

Chairman Hemmer: O.k., that completes the resolutions that I have. Is there anything under "other" to come before the Committee today? If there is nothing else, I would entertain a motion to adjourn.

MOVED by Legislator Gould, SECONDED by Legislator Wilfong to adjourn.

*Unanimously Carried (4:39 p.m.)*

Respectfully submitted and transcribed,  
Kathy K. Tampio, Clerk/Lori J. Foster, Deputy Clerk/Secretary to the Legislature