General Services Committee
January 15, 2019

Legislative Committee Members present: Legislator King, Legislator Osborne, Legislator LaChausse, Legislator Moroughan, and Legislator Burns. Other Legislators present: Legislative Chairman Dolhof, Legislator Kulzer and Legislator Chartrand.

Others present: County Manager Ryan Piche, County Attorney Joan McNichol, County Treasurer Patty O'Brien, Probation Director Mary Jo Burkhard, Building & Grounds Supervisor Matt O'Connor, Planning Director Frank Pace, Recreation, Forestry & Parks Director Jackie Mahoney, Fire & Emergency Management Director Robert Mackenzie III, Highway Superintendent Warren Shaw, Economic Development Director Eric Virkler, and media representative Nick Altmire.

The meeting was called order at 2:01 p.m. by Legislator King.

County Attorney Joan McNichol clarified that the 5 Legislative members on the committee are the only legislators who can participate. The Legislative chairman is an ex-officio member of every committee and can participate, but is not allowed to vote on any issues. Legislator Kulzer asked if this was a public meeting and Joan responded, Óyes, but it is not our practice to have public participation at committee meetings.Ó In any event, so as not to violate the open meetings law, non-committee legislators must refrain from participation.

Presentation by Highway Superintendent Warren Shaw

Warren explained that the current fuel system was installed in 1992 and has two underground tanks with a total of four pumps. There are currently five users; Lewis County, Lowville Academy, Lowville Fire Department, NYS DOT, and Lewis County Search & Rescue. There has been roughly $15,000 put into repairs of this system over the last 18 months but most of these items can be reused in an above ground system. Due to new EPA standards the sumps failed the pressure test given which will require the DEC to give the county a 30-day notice to fix the problem. The underground tanks are reaching the end of the 30 year recommended life span in 2021.

In the April 2018 BC&A Facilities Study is was pointed out that the number of pumps was inadequate as well as the tanks capacity. It was recommended to go to 6 pumps and a 20,000 gallon tank. Ryan pointed out that in further review he and Warren believes the number of pumps is sufficient as there is rarely ever a line of trucks waiting to be fueled up.

Warren explained option #1 which is a cost of roughly $10,000 to repair existing sumps which would bring the county into compliance for an additional three years. The funds for option #1 would either come from contingency or the highway capital fund. Option #2 is a cost of roughly $148,800 and would replace the current underground tanks with a 20,000 gallon above ground tank with a new concrete pad. The funds for option #2 would have to come out of the Highway capital account.

Legislator Dolhof questioned using WEX cards at local fuel stations instead of a county owned fuel system. It was pointed out that the Slider’s gas station on the number four road had been in contact with former Highway Superintendent David Becker to make sure that the size tank they installed would be sufficient if the county would want to use it. Legislator Moroughan voiced
concern over having large plow trucks fueling up at gas stations especially during busy times when there are many other vehicles in the vicinity.

Legislator King pointed out that if option #2 to replace the fuel station was to go further it is necessary to get the property surveyed and to make sure the elevations are correct. Jackie Mahoney suggested contacting Nichelle Billhardt from Soil & Water to see what assistance she might be. The county has been allocating $200,000 each year towards an upgraded Highway facility and so far has set aside roughly $1,000,000.

Frank Pace suggested that a state of the art underground tank would be a better option because the above ground tank is going to take up a lot of space as the rough dimensions would be 12 feet in diameter by 48 feet long. He also pointed out that a 20,000 gallon tank will not be able to be at 100% capacity and therefore if the county is wanting to have 20,000 gallons they might want to upgrade to the next largest size. He concluded with making the committee aware that when the old tanks are dug up there will need to be an environmental report done.

Legislator Burns asked what the time frame for replacing the fuel station was and Frank Pace replied that he estimates that it would take about 45 to 60 days to complete it. Legislator King questioned whether this project would need to be engineered and Ryan responded that he didn’t feel it would be necessary. There was concern over digging up the tanks that are underground and running into potential problems with possible leaks. Warren said he had a conversation with Mike who felt that it was a fairly clean site and didn’t feel there should be any problems. Ryan pointed out that it is an unknown whether there would be any issues as this property is over 100 years old.

The estimated cost of the property survey should be less than $2,500. The majority of the committee felt that moving ahead with replacing the fuel station was direction they wanted to go. There needs to be some further information gathered and a survey done.

Legislator Osborne made a motion to authorize Warren to get a survey of the highway property done and to gather more details about replacing the fuel station for next month’s committee meeting, seconded by Legislator LaChausse. Motion carried.

Warren mentioned wanting to replace a loader and truck which Legislator King clarified that the money was already approved in the 2019 budget. He also went on to ask about extending the Paving Oils and Striping contracts for another year as the prices will not likely fluctuate much.

Legislator Burns made a motion to extend the contract for Paving Oils & Striping for another year, seconded by Legislator Osborne. Motion carried.

Presentation by Recreation, Forestry & Parks Director Jackie Mahoney

Jackie stated that there are 16 Local Law amendments to the ATV main local law passed in 2009. She highlighted the main changes on each one. She suggested that the Local Laws pertaining to opening certain portions of roads remain unchanged and separate, but the rest of the Local Laws be reviewed and incorporated into a restated Local Law.

Some things she found in her review: The use of NYSORVA in a few of the Local Laws as the organization in which most of the clubs are a part of and that is no longer the case. She believes the fines for violations should be increased to $250 for your first offense and $500 for the second.
Currently the Local Law doesn't address special events so there is no notification sent to the County when an event is taking place. Jackie would like to see wording that makes it mandatory for at least a 30 day notification of all special events using the ATV trail system. She also suggested that there could be a portion addressing a secondary permit type for vehicles not registerable in NYS, for example UTVs.

Legislator King had questions on whether it was feasible to offer special trail permits for vehicles not registerable in NYS because they wouldn't be allowed on any roads and because some of the ATV Trail System includes portions of roads, it might prohibit these vehicles from traveling any distance. Jackie responded by saying that the reforestation area would have several miles of trails that wouldn't interfere with county roads systems where these UTVs could ride.

It was also pointed out that in the past there has been difficulty getting tickets enforced with local magistrates. County Attorney Joan McNichol offered to set up meetings with the local magistrates to better explain the ATV law and all that it encompasses. Currently the fines go to the Towns which helps them cover the cost of any issues they may encounter. Legislator Moroughan asked if Jackie knew what the annual dollar amount in fines was for last year. Jackie responded by saying that she didn't and that she isn't able to even obtain a list of all the tickets that were written.

Legislator Burns made a motion to have Jackie Mahoney and Joan McNichol work on a new Local Law with reforms to present to the Legislators at the next Committee meeting, seconded by Legislator LaChausse. Motion carried.

The following dockets were read and approved:

1. Resolutions authorizing renewal agreements through the District Attorney's office
   a. Samuel L. Livingstone, M.D. - Salary of $28,500 to perform forensic autopsies, assist with death scene investigations, provide expert forensic pathologist consultation and testify as necessary. If more than twenty (20) autopsies and/or more than twelve (12) external autopsies (certificates of death without full autopsy) during the 2019 year, he will be compensated at an amount of $1,335.00 per autopsy, $150.00 per external autopsy. *Legislator King pointed out that the DA did go over budget in 2017 but has since budgeted more accurately for this cost.*
   b. Joan A. Cirando, Esq. to provide appellate work - $90.00/hr. plus reasonable and necessary disbursements.
   c. Mark Tuttle assisting the Lewis County Coroner's Office in death investigations services on an as needed and on call basis when the Lewis County Coroner is unavailable or out of town for the period of January 1, 2019 through December 31, 2019 at a cost not to exceed $2,500.00. *Ryan pointed out that this is half the cost of previous years as this service is not utilized often.*

2. Resolution authorizing an extension amendment to agreement between Lewis County and NYS Department of State for the Brownfield Opportunities Area Implementation Strategy Grant for the Village of Lyons Falls - Step 3 to extend to January 31, 2020.

3. Resolution for appropriation in the Office of the District Attorney for funds received through DA proceeds from Arrest (T0 000871) to reimburse for Moe.down tickets in the amount of $1,224.02. *Legislator Moroughan passionately expressed concern over the cost the county incurs to keep non-county individuals who are arrested at Moe.down in
jail while referencing that there are residents who could use it. Ryan explained that because these funds are coming out of the DA’s forfeiture account, which she has sole discretion over, there is little that can be done. Bob Mackenzie reported that in 2017 a mass gathering permit was required due to there being over 5,000 gathering at one location, so the same permit may be required this year depending on anticipated attendance.

4. Resolution for appropriation in the DWI accounts for NYS STOP-DWI 2018-2019 Crackdown grant funds in the amount of $12,300.00.

5. Resolution for appropriation in the Highway Department Accounts for the annual vehicles lease payments, to appropriate Capital Equipment funds Project HAD H0990100 499900 in the amount of $51,832.92. Ryan pointed out that this is for the Enterprise program.

6. Resolution for budget appropriation in the Highway Department Accounts for the annual lease payment for the 2016 International Truck/Plow with funds transferred from the Project HAD Capital Equipment H0990100 499900 in the amount of $48,948.61.

7. Resolution authorizing purchase of the approximately 0.4 acre property located at 9732 State Route 12, Copenhagen, New York 13626, Tax Map No. 123-16-01-09-00, including the buildings, fixtures and improvements thereon, and more particularly referred to as the Copenhagen Health Center, on behalf of and for continued use and operation by the Lewis County General Hospital (LCGH) in providing health services at this location. Agreement provides for the County to purchase the property at any time convenient to the Purchaser, at a price of $50,000.00, less credit toward the purchase price from any rental payment made. Commencing with December 1, 2010, and continuing through January 1, 2019, the LCGH has paid the total sum of $49,000.00 ($500.00 per month) as rent in accordance with the terms of the Lease-Purchase Agreement.

8. Resolution authorizing Agreement between the County of Lewis, by and through the Lewis County Sheriff’s Department and TimeKeeping Systems, Inc. For a renewal of a one (1) year support subscription to Guard 1 Plus for the purpose of inmate checks for the term of 1/1/2019 through 12/31/2019 in an amount not to exceed $295.00.

9. Resolution for budget transfer in the Highway Department Accounts to cover the increase in fuel price paid to the Towns for plowing County roads in the amount of $18,000.00. Warren explained that this is because of the increase in cost for fuel. The current contract states that if the fuel increase is over a certain threshold that the price increases $100 per mile.

10. Resolution authorizing a purchase-lease agreement between the County of Lewis and John Deere Financial, by and through John Deere Nortrax Inc., an authorized dealer of John Deere equipment and approved on State bids, for the purchase-lease of a John Deere 624L Wheel Loader at an amount of $175,546.35, to be financed through John Deere Financial at an annual rate of 4.95%, payable over a six (6) year period in annual installments of $32,993.37.

Ryan reported to the committee that the Sheriff made a purchase on the county credit card that should not have been made with county funds and he was asked to reimburse the county for that purchase. If any Legislator has further questions Ryan welcomed them to reach out to him.

Legislator King mentioned that there may need to be an adhoc committee formed in the future regarding the Highway project and he feels that any member of this committee would have first chance to join.
Legislator Burns made a motion to adjourn the meeting at 3:23 p.m., seconded by Legislator Osborne. Motion carried.

Respectfully submitted,
Cassandra Moser, Deputy Clerk to the Board of Legislators
Encl.
HIGHWAY DEPARTMENT FUEL PUMPS

General Services Committee
January 15th, 2019
Warren Shaw & Ryan Piche
CURRENT PUMPS
CURRENT PUMPS
BACKGROUND INFORMATION

- Current system installed in 1992
- Two Tanks: 10,000 gallons and 4,000 gallons each – Diesel only
- Current users:
  - Lewis County
  - Lowville Academy
  - Lowville Fire Department
  - New York State DOT
  - Lewis County Search and Rescue
RECENT INVESTMENTS

- September 2017 - $8,600 for double-walled piping to pumps
- Fall 2017 - $477 for break-away nozzles
- November 2018 - $798 for a new key coder/card reader
- Summer 2017 - $2,500 for a new pump meter on pump #3
- Summer 2018 - $1,100 for a wireless junction box
- Summer 2018 - $1,500 for a new pump meter on pump #4
- January 2019 – surge protector installed (no bill yet)

TOTAL COST: $14,975
CURRENT ISSUES

- New EPA standards - Failed pressure test on sumps
  - DEC will soon give us a 30-day notice to fix
- Tank is old - reaching end-of-life in 2021
From BCA Facilities Study – April 2018

“The fuel depot does not have enough diesel fuel storage nor pumps for the 40+ departments that use it (including NYSDOT and Lowville Academy & Central School). The plan would be to add additional pumps and fuel storage.” (pg. 13)

“The Fuel Depot should be upgraded to six (6) diesel pumps with 20,000 gallons of storage.” (pg. 18)

A timeline for the recommended upgrade was not provided by BCA.
GOING FORWARD

Option #1: Repair
- $10,000 to repair existing sumps
- This would bring us into compliance and certify us for an additional three years
- As long as the tanks hold out, we will be able to readdress the situation in 2021

Option #2: Replace
- $9,800 to remove and close underground storage tanks
- $51,000 for 20,000 gallon above-ground, double-walled tank
- $6,000 for transition sumps, dispenser sumps, and pipe fittings
- $54,000 approximate cost of installation
- $6,000 concrete pad poured by highway crews
- $148,800 TOTAL COST
LEWIS COUNTY TRAIL SYSTEM
16 local laws

Local Law No. 2 of the Year 2009
A local law establishing the Lewis County Trail System
- Trails on County Reforestation Lands
- Trails located on Private Lands that are designated as open to the public
- Railroad Corridors
- Utility Corridors
- Recreation Easements
- Interconnecting Town roads - As authorized
- Interconnecting County Roads - As authorized
- Uses NYSORVA as development of trails – No longer part of NYSORVA
- Fees $40 Permit with Club Membership - $80 without
- Violations - $100 fine, $200 second offense

Local Law No. 3 of the Year 2009
A local law establishing the Lewis County ATV Code
- Defines the terms used
- Sets Violations and penalties
- Trespass (off designation trails) fine $250 for first offense, second offense impoundment and $250 fee in addition to fines
- Traffic infractions follow V&T plus fine $100, $200 second offense and revoke permits
- Destruction or damage to trails fine $250, $500 second offense

Local Law No. 5 of the Year 2009
A local law permitting All-Terrain Vehicle Operation on Certain County Roads
- Pine Grove Road CR 39 .12 miles - Sweeney Road to Burdicks Crossing road
- Burdicks Crossing Road CR 36 .9 miles - Pine Grove to ATV trail and ATV Trail to Milkhouse road
- Lee Road CR 43 1.06 miles – Milkhouse road to intersection to ATV trail to East Road
- Houseville Road CR34 .24 miles – East Road to ATV trail to ATV Trail

Local Law No. 1 of the Year 2010
A local Law Amending Local Law No. 2 – 2009 regarding the fees charged for the ATV Permits in the Lewis County Trail System
- The Permit fee will be discounted 50% for the second to the 5th for ATV’s registered to the same household. ($20 for Club member and $40 for non club member) Established the family plan
Local Law No. 2 of the Year 2011
A local law amending local law No 5-2009 permitting All Terrain Operation on Portions of certain County Roads
  • Added Lyons Falls Road CR39 .5 miles between ATV Trails

Local Law No. 1 of the Year 2013
A local law permitting All-Terrain Vehicle Operation on .3 miles of Mackay Road CR 45
  • Mackay Road – Town of Turin south to ATV Trail

Local Law No. 2 of the Year 2013
A local law permitting All-Terrain Vehicle Operation on 1.75 miles of Mackay Road CR 45
  • Mackay Road – ATV Trail (Law 1of2013) south 1.75 miles to ATV Trail

Local Law No. 3 of the Year 2013
A local law permitting All-Terrain Vehicle Operation on .79 miles of Mackay Road CR 45
  • Mackay Road – ATV trail (2 of 2013) south .79 miles to ATV Trail

Local Law No. 4 of the Year 2013
A local law permitting All-Terrain Vehicle Operation on .55 miles of Highmarket Road CR 48
  • Highmarket Road – ATV trail (3 of 2013) west .55 miles to ATV trail

Local Law No. 5 of the Year 2013
A local law permitting All-Terrain Vehicle Operation on Certain Portions of Byrons Corners Road CR49
  • Byrons Corners Road – ATV Trail south east 1.41 miles to ATV Trail

Local Law No. 6 of the Year 2013
A local Law Amending Local Law No. 2 – 2009 regarding the fees charged for the ATV Permits in the Lewis County Trail System
  • $65 permits, $20 any additional within the same household – Took the Clubs out

Local Law No. 3 of the Year 2014
A local Law amending local law No. 2 -2009 regarding the Director of Recreation, Forestry and Parks
  • Removed the Trail Coordinator and Conservation Foreman titles and added the Director of Recreation Forestry and Parks.

Local Law No. 4 of the Year 2013
A local Law amending Local Law 2-1009 and Local Law 6-2013 Establishing a three day trail pass for use on the Lewis County ATV Trail System
  • Established the 3 day pass and set rate at $20
Local Law No. 5 of the Year 2014
A local Law amending the Local Law no 2-2009 regarding the opening and Closing of the Lewis County Trail System.

- May 1st – Tuesday after Columbus Weekend
- Trail Pass not to exceed 3 consecutive days with in the season

Local Law No. 3 of the Year 2016
A local law amending Local Law no 2-2009 regarding the opening and closing of the Lewis County Trail System and the fees charged for the ATV permits in the Lewis County Trail System

- April 1st – Tuesday after Columbus weekend unless otherwise designated by the March board meeting. Director may delay due to conditions.
- Free Weekend first full weekend in August
- Fees: $65 Permit, $45 with Club Membership, $20 each additional ATV within the same household.
- Permits purchased after Tuesday after labor day will be good for the following year.
- 3 day pass $20

Local Law No. 4 of the Year 2016
A local law permitting All-Terrain Vehicle Operation on 1.3 miles of West Road CR 51
- West Road – ATV trail south 1.3 miles to ATV Trail

CHANGES PROPOSED

1. Remove NYSORVA since it is no longer part of the development of trails and most clubs getting away from it.
2. Set Violation Fines:
   - Permits: $250, $500 second offense – do you include impounding?
   - Trespass: $250, $500 second Offense – revoke permits?
   - Other Vehicle and Traffic Violations: Additional Fine for Speeding?
   - (25 MPH set speed limit within Trail system)
   - Does that include Roads? Is it enforceable?

3. Special Events on Trail System- Require 30 day Notification
4. OPTION for Permit for Trails only – UTVS a second classification