GENERAL SERVICES COMMITTEE MEETING
September 17, 2019

Present: Legislators Jerry King, Andrea Moroughan, Randy LaChausse, Thomas Osborne and Ronald Burns


Committee Chairman Legislator King called the meeting at 1:00 p.m.

Legislator Moroughan made a motion to approve the 8/20/19 committee meeting minutes, seconded by Legislator LaChausse and carried.

Solid Waste Director Kip Turck provided an operational update proposing three options (attached) 1). Replace aging equipment and operate in existing building 2) retrofit existing building to accommodate larger 100 yd. roll-off trailers; 3) erect a new enlarged building to process garbage.

Option 1: 50-yard boxes are no longer available = only 40 yd. or 100 yd. boxes and would need 6 new boxes to enable efficient processing of garbage volume. The boxes run on rollers into the building.

Option 2: Modify existing building to enhance efficiency of compacting trash, purchase 3-100 yd. boxes resulting projected operational savings of $62,500 annually. The estimated 2025 enterprise fund balance is $284,400, without raising tipping fees.

Option 3- Erect a new building. Option 2 or 3 would require about $100,000 of groundwork. The estimated 2025 enterprise fund balance is $136,250, without raising tipping fees.

In response to Legislator King, Ryan Piche proposes 2020 budget appropriations to engineer and either retrofit the existing building or build a new structure. Legislator King would like to move forward to determine the most feasible option.

In response to Legislator Kulzer, Kip Turck assured that existing land would accommodate an enlarged structure that would include a scale house, office space and break rooms.

Ryan stated the Development Authority’s (DANC) plan to initiate their new recycling operations by 1/1/2020 at the Harrisville site that will equate savings of approximately $5,000/mo. DANC will not charge tipping fees the first year, however, there is no guarantee into the future, or at
what level. Currently, there are no tipping fees at the Oneida/Herkimer landfill. Kip recommends hiring an engineer to define costs for either retrofitting the existing building or new construction.

Legislator King expressed support, but wants figures to consider. Board Chairman Larry Dolhof suggests hiring an engineer to provide specific options.

Ryan Piche stated the project could be funded by a loan from the general fund to the enterprise fund; or a DANC loan could be availed at a low interest rate. Legislator LaChausse wants further discussion. Legislator Osborne would like engineering options for consideration.

Legislator Burns feels that a construction vendor could provide estimated costs. County Atty. Joan McNichol stated that requesting proposals from construction companies would require RFP construction specifications which are yet unknown. You could not give discretionary favor to any vendor. If a construction owner were to advise about a new County structure, they would be precluded from bidding.

Ryan Piche stated that professional services do not require a “Request For Proposals” (RFP). He offered to contact three firms the County customarily utilizes; ie. C&S Engineers, B&L Engineers and BC&A Engineers and recommend the lowest/best proposal. Legislator Kulzer would like an official RFP with the proposals opened at a public meeting.

Legislator Moroughan made a motion to have Ryan Piche request proposals from the three (3) above stated engineering firms, seconded by Legislator Burns and carried. Legislator King urged all Legislators to participate.

Attorney Michael F. Young, representing Lewis Defenders, PLLC, explained the County is responsible to provide indigent legal defense for family and criminal court proceedings. The State reached a settlement for indigent criminal defense only and has formulated contractual grant agreements with separate counties. The State is further studying and considering family court indigent representation, for which Atty. Young predicts the State will provide grant funding in about two years.

Lewis Defenders, PLLC represents 75-80% of indigents. For cases determined to have an attorney conflict, the McClusky Law Firm represents the client; and a very small number of clients are otherwise assigned counsel by a Judge.

The State has granted a 5-year contract (4/1/2018-3/31/2023) increasing annually from $144,000 to $720,000 in year 5 for a total of $2,160,347. The first year has passed by while the State figured out contracts and funding. Lewis Defenders has expended only $15,000 during that period for eligible cases, but the State allows the remainder to roll over into the next year. It
could take up to seven years to expend the monies.  Atty. Young opined “The State is throwing money at a problem that doesn’t exist in Lewis County”.

Lewis Defenders has devised a plan to hire additional attorneys and support staff to represent indigents at the first arraignment and thereafter, to include a Data Officer for State-required tracking of all cases handled by respective attorneys.  If the State terminates grant monies after the initial 5-year period, Atty. Young pointed out that Lewis Defenders, PLLC was responsible for the additional attorneys and personnel, instead of the County.  It will be challenging to fill the new positions, because there is not a local pool of lawyers available, particularly for litigation.  However, he spoke of a few good prospects.

Atty. Young posed plans to expand his building for office space to accommodate the additional personnel, with respective expenses to be covered by grant monies.

He expects the State family court indigent grants to rival the criminal level.

Lewis Defenders handles 80 cases annually with two attorneys, covered by County allocations of $224,800; and $71,400 to the McClusky Law Firm, with very few otherwise assigned counsel.

Pending the Board’s 10/1/19 contract approval, Atty. Young plans to meet with State representatives to define and verify contract terms.  He would like a five-year agreement with the County for continuity; while recognizing there is no guarantee the State will continue the grant funding after the initial period.  He estimates 4 to 6 weeks for the State to process and return the fully-executed Indigent Defense County Agreement.

By phone conference-Sarah at Energy Improvement Corporation, being a non-profit, statewide local development corporation for administration of the Energize NY Property Assessed Clean Energy (PACE) program on behalf of municipalities. They will channel private capital to commercial and non-profit building owners to make energy upgrades to their buildings.

Sarah explained that a capital provider would be secured and a benefit assessment lien would be recorded on land records. The property owner would be billed by the capital provider-the County is not involved.

Patty O’Brien questioned about the lien if a property is foreclosed by the County, because it is not a property tax. The successful owner is provided a “Quit Claim” deed free of all liens. Sarah responded that the Energy Improvement Corporation (EIC) would enforce the benefit assessment lien that follows the property. She was unsure of the affect, if any, on the delinquent property tax foreclosure process and agreed to research and relay findings to Co. Atty. Joan McNichol.
Patty and Atty. McNichol are concerned because there have been banks in the past that have refused to pay liens on properties the County has foreclosed. Sarah distinguished the benefit assessment lien from a mortgage, so there is no mortgage recording or associated fee by the County Clerk.

Ryan Piche stated the EIC is offering capital that otherwise is not available for energy efficiency upgrades for buildings that are qualified according to NYSERDA guidelines. Sarah added the loans may be for as long as 20-30 years, and transfer with the sale to a new owner. The advantages include no risk or financial exposure for the municipality, reducing the wait time because mortgage holders are not involved, and primarily a reduction in carbon emissions.

Board Chairman Larry Dolhof voiced his support, if the initiative does not impede the County delinquent property tax foreclosure process.

Atty. McNichol will follow up with EIC and refine the respective language prior to the 11/5/19 public hearing on the proposed Local Law to establish a sustainable energy loan program to be known as the “ENERGIZE NY OPEN C-PACE FINANCING LOCAL LAW”.

The following dockets were discussed and approved:

1. Set a public hearing on Local Law (Intro. No. 6-2019) to establish sustainable energy loan program known as the “ENERGIZE NY OPEN C-PACE FINANCING LOCAL LAW.” To be held 11/5/19 from 5:00 p.m. to 5:30 p.m.
2. Agreement with Atlantic Testing Laboratories for asbestos testing of windows at the Highway garage at an estimated cost of $1,295. Legislator King recalled previous testing, asking for research to assure this wasn’t duplicative. Legislator Dolhof cited new EPA regulations relative to the proposed testing. Ryan/Warren would follow up.
3. Renewal agreement with Deveines Enterprises, LLC for 2019-2020 snow plowing services at (8) Lewis County 911 tower sites located in Montague, Osceola, Denmark, Leyden, Turin, Diana, Lyonsdale and Croghan in an amount not to exceed $24,715.
4. Appropriate District Attorney Discretionary Federal Money Trust funds for plaque presented to former ADA Lemieux in the amount of $188.25; and capital equipment funds of $2,755.94 for computer and equipment for Prosecutor’s Case Mngt. System
6. Agreements with NYS Homeland Security and Emergency Services (DHSES); and Emergency Management Director for State Homeland Security Program (SHSP) grant award in the amount of $54,984, to assist in County security efforts; and an Emergency Management Performance Grant (EMPG) in the amount of $14,891 to enhance Emergency Operations Center by partially funding the Director compensation. The SH grant requires at least 25% ($13,746) of the award to be directed toward law enforcement terrorism prevention activities. The EM Director proposes to purchase laptops and related IT equipment for patrol vehicles, radio equipment, mass casualty medical supplies and kits, new trailer equipment, and a one year maintenance contract to support law enforcement fingerprinting technology.
7. Appropriate FY19 Homeland Security Grant funds in the amount of $54,984.
8. Mutual Aid Agreements between emergency responder agencies and Lewis County Office of Fire and Emergency Management Department to secure assistance from 11/1/19-10/31/2022
9. Appropriate insurance recovery funds into the Highway Department accounts for damage to the Plank Road and Number Three Road in the amount of $32,000.
10. Close the Capital Account for County Road 33 Van Amber Road over Beaver River project and appropriate all funds in the amount $1,538,145.90.
11. Agreement between Highway Department and Foit-Albert Architecture, Engineering and Surveying P.C. for bridge replacement located on the West Road over Whetstone Creek at a cost not to exceed $266,500.
12. Change yield signs to stop signs to meet State standards, due to trees and/or buildings at the following locations: Intersection of Van Amber Road CR33 and State Route 410 spur; Intersection of 3G Fish and Game Club Road and Brantingham Road CR42; and Intersection of Number 3 Road CR14 and Rice Road.
13. ORDERED AND DECREED that John D. Rauscher, the Owner of premises know as Tax Map No. 411.00-01-05.200 and located at and designated as 1419 State Route 26, in the Town of Lewis, County of Lewis, shall immediately demolish and remove the building located thereon; and complete before December 31, 2019.
14. Set a public enforcement hearing for 11/5/19 pursuant to the Junkyard Law at 5:00 p.m., at the Lewis County Court House and ORDER that John D. Rauscher, the Owner of property in Town of Lewis to Show Cause before the Board why it should not Order said Owner to immediately remove all vehicles causing violation.
15. Set a public enforcement hearing for 11/5/19 at 5 p.m. pursuant to the Junkyard Law, at the Lewis County Court House and ORDER that Joseph L. Morczek, the Owner of said property in the Town of Lewis appear before this Board and Show Cause before this Board why it should not Order said Owner to immediately remove all vehicles, refuse and debris causing violation.
16. Agreement between Planning Department and Community Planning & Environmental Associates to develop a Lewis County Agriculture & Farmland Protection Plan for an amount not to exceed $49,130.
17. Agreement with NYS Office of Indigent Legal Services for Counsel at arraignments, quality improvement and caseload relief for Public Defender services (Lewis Defenders, PLLC). Term April 1, 2018 to March 31, 2023 in the amount of $2,160,347.43.
18. Close the Capital Radio System Account and appropriate all funds.
19. Agreement with Oneida County to utilize space in the County’s equipment shelter located at the base of the tower owned by the New York Power Authority to include provisions for Lewis County to terminate the arrangement in the event Lewis County needs the additional space, deems Oneida’s equipment to pose interference with operations, or if Oneida fails to reimburse Lewis County for the electric costs associated with its equipment, together with any other relevant terms and conditions to protect Lewis County’s Radio system operations.
20. Transfer funds in the STOP DWI accounts, due to a duplicate entries-$4,200.01/$6,465.52.
21. Modification agreement to Third Party Lease between the County of Lewis and Birnie Bus Tours, Inc. to add (2) new County buses. The term of the Lease shall be for the
service life of said buses (7 years of 200,000 miles) or for so long as Birnie Bus Tours continues to provide public mass transportation services on behalf of the County pursuant to the Transportation Management Agreement.

22. Renewal Agreement between Planning Department and The Flack Broadcasting Group, LLC for advertisements on the radio stations WBRV, the Moose and WLLG, the Blizzard to promote public transportation services to include 192 thirty second commercials (16 spots per month) at a cost not to exceed $1,950 for 1/1-12/31/2020.

23. Renewal Agreement between Planning Department and Spectrum Reach to air commercials on cable TV to promote public transportation services from 1/1-12/31/2020 at a cost not to exceed $5,100; and Mobile Digital Audience Network Campaign which will display banners on digital devices and use Lowville Academy & Central School, Jefferson Community College, Mohawk Valley Community College, and SUNY POLY as geographic target areas to promote Lewis County Public Transportation at a cost not to exceed $3,600.

24. Renewal Agreement between Planning Department and WWNY 7 News/Fox 28 for an integrated media plan to promote Lewis County Public Transportation System in an amount not to exceed $20,853 from 12/31/19-12/27/2020.

25. Accept road agreement negotiated by the affected municipalities, i.e., the County of Lewis, Town of Harrisburg and Town of Pinckney, and ATLANTIC WIND, LLC, or its successor for the Deer River Wind Farm Project.

26. Appropriate contingency funds to purchase Town of Martinsburg Fire Truck for an amount of $10,600.00 to be utilized as salt truck for the County Highway Department. This vehicle will be used to replace an old salt truck for the department.

27. Create temporary full-time Legal Assistant in the District Attorney’s office for salary $45,000- $50,000 from 10/2/19 to 2/28/2020.

28. Agreement with C&S Engineers for bridge replacement on East Road over Moose Creek for amount not to exceed $279,000.00

Sheriff Michael Carpinelli verbally notified the 30-year old jail kitchen oven no longer heats properly. He has obtained three vendor quotes and requests purchasing a new commercial size heavy duty oven at a cost of $10,000. In response to Legislator King, Sheriff Carpinelli stated he did not have budgeted funds to cover the purchase. Legislator Osborne made a motion to authorize the Sheriff to order and purchase the new oven, seconded by Legislator Burns and carried. The oven would be financed by contingency funds.

Sheriff Carpinelli read the attached “Summary of Lewis County Task Force Activity” report.

Legislator Burns made a motion to adjourn at 3:03 p.m., seconded by Legislator Osborne and carried.

Respectfully submitted,
Terry Clark, Clerk of the Board
Solid Waste Upgrades

General Services Committee
September 16th, 2019
Three Options

1. Option One: Continue existing operation, make investments to upgrade existing equipment and facility.

2. Option Two: Modernize operation, requires new equipment and building renovation.

3. Option Three: Modernize operation, requires new equipment and a new building.
Option One: Existing Operation

Capital Equipment
- New Garbage Compactor
- Two New Roll-Off Trailer
- Two New Roll-Off Tandem Truck
- Six New Boxes
- New Loader

Capital Projects
- Groundwork in Compactor Garage (see pictures)
- Office/Scale House/Break Room

Financial Analysis
- Total Five-Year Investment: $1,490,000
- Total DANC Capital Reimbursement: $100,000
- Total Loan Amount (15 yrs. @ 0%): $345,000
- Projected Annual Operating Savings: $0
- 2019 Solid Waste Fund Balance: $780,000
- 2025 Fund Balance (Assuming no fee increases): $193,000
Option Two: New Operation, Retrofit Building

Capital Equipment
- Track hoe
- Three (100 yd Open Top) Trailers
- Two Tractor Trucks
- Two 50 yd Open Top Trailer
- Loader

Capital Projects
- Office/Scale House/Break Room
- Groundwork in Garbage Garage Building
- Building Retrofit to accommodate new dumping system (see pictures)

Financial Analysis
- Total Five-Year Investment: $1,590,000
- Total DANC Capital Reimbursement: $266,250
- Total Loan Amount (15 yrs. @ 0%): $384,000
- Projected Annual Operating Savings: $62,500
- 2019 Solid Waste Fund Balance: $780,000
- 2025 Fund Balance (Assuming no fee increases): $284,400
Option Three: New Operation, New Building

Capital Equipment
- Track hoe
- Three (100 yd Open Top) Trailers
- Two Tractor Trucks
- Two 50 yd Open Top Trailer
- Loader

Capital Projects
- Office/Scale House/Break Room
- Groundwork in Garbage Garage Building
- New Building to accommodate new dumping system (see pictures)

Financial Analysis
- Total Five-Year Investment: $2,390,000
- Total DANC Capital Reimbursement: $266,250
- Total Loan Amount (15 yrs. @ 0%): $700,000
- Projected Annual Operating Savings: $62,500
- 2019 Solid Waste Fund Balance: $780,000
- 2025 Fund Balance (Assuming no fee increases): $136,250
Other Factors to Consider

- Recyclables to DANC in Harrisville January 1st, 2020
  - Saves $XXX/trip, or $XXX/year
  - No Tip Fee for first six months
    - Currently spending $9,000/month at OHSWA (Saves $108,000 in 2020)

- Total Anticipated Savings from DANC Transition = $XXX

- Anticipated Savings can be applied to investments, and are not calculated in spreadsheets

- Risk: We have no way to guarantee DANC’s fees will be cheaper than OHSWA
  - Still, unlikely DANC will be more expensive in the long run because of transportation savings
Next Steps...

- General Services Committee Feedback

- Hire Engineer
  - Site Layout Consultation - Traffic, pedestrian safety, etc.
  - Building Retrofit/New Building - Design, budget, timeline, etc.

- Reflect investments in 2020 Budget