COUNTY OF OSWEGO
INFRASTRUCTURE AND FACILITIES COMMITTEE

October 25, 2011– 10:00 a.m.
County Office Building, Oswego, NY
4th Floor Conference Room “E”

PRESENT:
Leg. James Oldenburg, Chair
Leg. Barbara Brown, Vice Chair
Leg. Mark Fruce
Leg. Linda Lockwood
Leg. Milferd Potter
Leg. Daniel Chalifoux

STAFF/GUESTS:
Chairman Barry Leemann
Leg. John Proud
Leg. Margaret Kastler
Leg. Shawn Doyle
Steve Loadwick, County Auditor
Fred Maxon, Purchasing Director
Bill Malone, Buildings & Grounds Superintendent
Kurt Ospelt, Highway Superintendent

EXCUSED:
Bruce Bisbo, Airport Manager
Leg. Amy Tresidder
Philip Church, County Administrator
Richard Mitchell, County Attorney

MEDIA:
Frank Visser, Solid Waste Director
David Turner, Planning Director
Betsy Sherman-Saunders, Deputy Clerk of the Legislature

Carol Thompson, Valley News

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Committee Chair Oldenburg called the meeting to order at 10:00 a.m. and excused Legislator Tresidder from the meeting.

1. Approval of Minutes:
   A. September 27, 2011
      Motion to Approve the Minutes: Legislator Brown
      Second: Legislator Potter
      Vote: Unanimous, motion carried

2. Bid and RFP Results:
   Purchasing Director Fred Maxon reported the Bid and RFP Results

   Bid 35-11 MOTOR OIL
   Oswego County solicited bid #35-11 by direct mail to 9 vendors, legal advertising and the purchasing website. Purchasing opened 6 bids on Friday, October 21, 2011. Purchasing reviewed the bids and found that all met the specifications. The low bid was submitted by NOCO Distributing of Tonawanda, NY. A purchase order for the products bid will be issued.

      Motion to Move Forward with Bid #35-11 with NOCO Distributing of Tonawanda, NY: Legislator Chalifoux
      Second: Legislator Potter
      Vote: Unanimous, motion carried

   RFP 8-11
   Oswego County solicited RFP #8-11 by direct mail to 8 potential engineering firms, legal advertising and the purchasing website. The intent of the proposal was to hire a firm to engineer a replacement fuel tank system at both the Pulaski and Parish Highway Garages. Purchasing opened 5 bids on Monday, August 1, 2011. The recommendation from
purchasing is to support a contract with Barton and Loguidice from Syracuse to engineer the new system for the price proposed. Tetra Tech from Ithaca was the lowest bidder however they did not meet all the specifications required in the proposal. The soil testing requirements were incomplete.

Motion to Move Forward with RFP #8-11 with Barton and Loguidice from Syracuse, NY: Legislator Brown
Second: Legislator Lockwood
Vote: Unanimous, motion carried

RFP – 10-11 SOLID WASTE LIGHTING UPGRADE PROJECT
Oswego County solicited RFP #10-11 by direct mail to 11 vendors, legal advertising and the purchasing website. Purchasing opened 3 proposals on Tuesday, September 20, 2011. Two vendors (Patricia Electric and SmartWatt) were brought in for interviews and to review their submittals. The third vendor did not meet the specifications as outlined in the proposal.

Patricia Electric was the higher bidder by $75,000.00 however, Solid Waste Director Visser suggested using this company because of their experience and ability to do commercial work. He continued to add that after the $76,000.00 rebate from NYSERDA, it will cost the County around $250,000.00. Legislator Brown asked if the lighting was NYSERDA and National Grid approved. She also expressed her concern as to whether the LED lighting would give off enough light. Legislator Brown wanted to be sure the outdoor lights are being covered by wire cages. County Attorney Richard Mitchell explained that the lights will be explosion proof and there would be wire cages around all the lights.

Motion to Move Forward with RFP #10-11 with Patricia Electric: Legislator Brown
Second: Legislator Lockwood
Vote: 6 in favor - Legislators Oldensburg, Brown, Potter, Tresidder, Fruce and Lockwood; 1 abstained – Legislator Chalifoux, motion carried

RFP 12-11 – SOLAR PANEL PROJECT AT COUNTY HEALTH COMPLEX
Oswego County solicited RFP#12-11 by electronic mail to 16 potential NYSERDA certified firms, legal advertising and the County purchasing website. Purchasing opened 3 proposals on Tuesday, October 11, 2011. The Community Development, Planning and Tourism Department, Buildings and Grounds Department and Purchasing evaluated these Design/Build proposals. The low cost proposal was submitted by Alternative Power of East Syracuse. The proposal submitted did not provide the county with evidence verifying their experience on commercial sized installations. Purchasing supports this committee awarding a public works contract to Solar Liberty of Buffalo NY for the cost not to exceed $105,895.00. Additionally, the proposed vendor includes installation of a weather station and 2 ‘Electrical Federation – Tracking Kiosks’. This will help visitors understand the value of solar panels electric generation and subsequent county cost. The grant from NYSERDA is an 80% match so the County will only be responsible for 20%.

Legislator Brown asked that if these structures are on the roof how will the department handle snow removal if a big lake effect storm hits. Building and Grounds Director William Malone explained that heavy snow on that roof has never been an issue, however if it ever becomes an issue the engineers will be consulted prior to any snow removal.

Motion to Move Forward with RFP #12-11 with Solar Liberty of Buffalo, NY: Legislator Fruce
Second: Legislator Brown
Vote: Unanimous, motion carried
3. **Buildings and Grounds**

   **A. Lease Tracking Report**

   County Auditor Steve Loadwick reported that ARISE made the $7,350.03 payment owed to the County of Oswego for back rent on September 30, 2011. He also reported that they paid $816.67 on October 13, 2011 and are now paid through October 31, 2011.

   Per the committee’s request, County Auditor Loadwick reviewed Oswego County’s internal controls for the collection of renters. Two areas of concern were discovered:

   1. Lease payments were not being recorded in a receipt journal. Through this discovery, County Auditor Loadwick suggested that Buildings and Grounds develop a receipt journal listing all organizations that lease space from the County along with the expiration date of their lease agreement. All lease payments must be recorded in this receipt journal and reconciled monthly to Account #1621.4241.0 – Rental or Property;

   2. Lease payments are currently being sent to both the Buildings and Grounds Department and the Treasurer’s Office. Through this discovery, County Auditor Loadwick suggested that all lease agreements be revised to say that checks be made payable to the Oswego County Treasurer but sent to Oswego County Buildings and Grounds Department. Deposits should be sent to the Treasurer’s Office with a copy of the receipt being sent back to the Building’s and Grounds Department. If the Treasurer’s Office receives a rent check, Buildings and Grounds should be advised and a copy of the receipt sent to them.

   With these new processes in place, the oversight of back rent should not happen again.

   Legislator Brown asked if there was a list at the Treasurer’s Office with all the renters. County Auditor Loadwick replied no. Legislator Brown made the recommendation to implement the above as a cross reference.

   **B. ARISE Lease**

   County Administrator Philip Church explained that he wasn’t looking for approval just recommendations as to next steps. He explained that the ARISE lease (in the Pulaski Courthouse) has expired. Currently they are paying about $1,900.00 less a year than what it costs to maintain the building. Buildings and Grounds did an analysis as to how much it costs to maintain the buildings compared to how much the tenants are paying. The consensus was that tenants are paying less than it costs for the county to maintain the buildings.

   County Administrator Church also added that the Town of Richland also leases from the county and they are about $5,000.00 short.

   **C. Oswego Hospital Lease**

   On July 21, 2011 County Administrator Philip Church received a letter from the Oswego Hospital regarding the rental space the Mental Health Division of the Oswego Hospital occupies. The lease expires on December 31, 2011 and due to financial concerns, they are requesting a renewal at no additional cost, however, currently they are paying $9,800.00 less a year than what it costs to maintain the space.

   **D. Legends Complex Lease**

   On August 12, 2011, Mayor Randolph Bateman sent a letter to Oswego County Legislature Chairman, Barry Leemann in regards to the 25-year lease between the City of Oswego and the County of Oswego regarding the Legends Softball Fields. The lease
expires at the end of the year 2011. The county leases to the city for $1.00 and the City subleases to the YMCA at no cost. The city maintains the property. They would like to sign another lease under the same terms and conditions. County Administrator Church commented that 25 years is a long time and maybe the committee should consider a 5-year lease.

E. BOE Lease

On September 16, 2011 L. Michael Treadwell sent a letter to County Administrator Philip Church regarding the Oswego County Board of Elections lease renewal in the Oswego County Business Expansion Center. County Administrator Church explained that they are requesting a two year lease and that no money changes hands. He continued to explain that the election commissioner was looking at purchasing that property. Operation Oswego County is looking at another incubator facility and if they find one, they would consider selling this property.

County Administrator Church explained that there are several other businesses and towns that rent from the county including the abstract company whom has a short fall of $2,200.00 a year. It would be worthwhile to look at all leases to be sure that all the costs are covered. County Attorney Mitchell pointed out that the court system is also a significant tenant. Legislator Brown was concerned that towns are currently doing their budgets so if their rent is raised it will be an issue to their budgeting. County Administrator Church explained that the Town of Richland is not up for renewal.

Legislator Chairman Leemann suggested that profit companies pay the cost to maintain the property while government agencies and not for profits may have a little lesser rate. Legislator Chalifoux commented that if the county is going to use that as a baseline then renting from the county should be offered to all not for profits so they have the choice to rent at a reduced cost. County Administrator Church explained that the lease agreements need to be reworked to be sure all costs are covered.

Legislator Doyle asked if there is a trade-off with Mental Health and the Oswego Hospital where it would make sense to keep the rent low. County Administrator Church said yes there are agreements with them. Legislator Brown agreed by saying it is important to keep services close to home so our residents don’t have to travel to get the services they need.

Legislator Fruce asked if there was a comparison of property leases in Oswego County. County Administrator Church was not sure of the going rate. Legislator Fruce asked if it would be difficult to raise the lease cost to meet the county cost. County Administrator Church replied by saying all the companies are paying less than the average for rent.

Legislator Proud commented that a more comprehensive look at all leases in necessary. He suggested a special committee to work with the administrator and county attorney to evaluate all the leases and make recommendations. County Attorney Mitchell explained that there are a wide variety of leases from the 911 towers to the airport. Consolidating under one department may not be the best way to handle this. Legislator Chair Leemann suggested the County Administrator, County Attorney and whoever else they feel is needed to do a comprehensive study on all the Oswego County leases.

Motion to Renew Contract on Legends Field for 5 Years as Opposed to 25 Years:  
Legislator Potter  
Second: Legislator Lockwood  
Vote: Unanimous, motion carried
Motion to Renew Lease with BOE: Legislator Chalifoux
Second: Legislator Fruce
Vote: Unanimous, motion carried

All the other leases will be discussed at next month’s Infrastructure and Facilities Meeting. Building and Grounds Director Malone added that he is looking at hiring a part-time cleaner.

4. Airport – Discussion on Upcoming Grants

A. Resolution Authorizing Budget Modification – Airport Fuel Sales

Airport Manager Bruce Bisbo explained that due to the anticipated revenue for Airport Gas Sales they would like to transfer additional funds into the Gasoline and Oil expense account to continue operating gas sales throughout the year. Although they asked for $130,000.00 in September due to an increase in sales, another $70,000.00 is being requested.

Motion to Approve Resolution to Increase Expense and Revenues for Airport Fuel Sales: Legislator Chalifoux
Second: Legislator Fruce
Vote: Unanimous, motion carried

Airport Manager Bisbo reported that the lighting project at the airport has been completed.

B. Outer Beacon Site – Town of Schroeppe

County Attorney Richard Mitchell reported that he contacted the FAA in writing to confirm that the use of the electrical service and placement of the structure did not cause interference with the outer beacon. To date, the FAA has not responded to the letter. The use and occupancy of the county roadway by Mr. Calderwood is a concern, therefore, the County Attorney’s office has considered several options. It is important to note that access to the beacon site by both the county and the FAA are essential.

If the committee decides to provide Mr. Calderwood some access to his adjoining property via the roadway, there are a few options the County Attorney Mitchell pointed out:

1. The County could deny the use of county property,
2. The committee could provide Mr. Calderwood some access to his adjoining property via this roadway and the County Legislature could then grant an easement to Mr. Calderwood on certain terms to include a hold harmless provision to the county as to himself, invitees, successors, etc. and a recognition that this is not a public-use roadway. The committee should also discuss, if an easement is agreeable the amount of consideration necessary to acquire same from the county, and
3. Although this road may not meet the specifications for a county roadway, it may be acceptable as a town road, as such; the county may further wish to have a discussion with the Town of Schroeppe regarding their interest in dedicating this as a public roadway of the town. This would preserve the rights of access to the county and remove any maintenance and liability concerns. Further, should development or homes be constructed in this vicinity, it would be a means of public ingress or egress.

Legislator Brown asked about any future construction around that area. She continued to say that the reason the County purchased the property was because the property was vacant. If the Town of Schroeppe continues to give permits to others then the entire area
will be developed. County Attorney Mitchell explained that the county does not own a large amount of property in that area, with that being said, the county could request that the town talk with the county prior to granting any building permits. County Attorney Mitchell suggested tabling this discussion until the next meeting with the hopes of receiving some information from the FAA.

Legislator Chalifoux suggested the committee take a look at adopting the third option, but is concerned that the Town of Schroeppele wouldn’t want the property. Legislative Potter agreed and suggested that a letter be sent to the highway supervisor asking if they would be interested in the County turning the property over to them.

**Motion to Send a Letter Offering the Road to the Town of Schroeppele:**  
Legislator Chalifoux  
**Second:** Legislative Potter  
**Vote:** Legislators Oldenburg, Potter, Chalifoux, Brown, and Lockwood in Favor; Legislator Fruce Opposed, Motion Carried

5. **Solid Waste**
   
   A. **Resolution Authorizing Budget Modification – Gasoline and Oil**  
   Due to the fuel tank replacement project taking longer than expected, causing more trucks to fuel at ERF longer than anticipated, Oswego County Solid Waste Director Frank Visser requested a fund transfer of $12,000.00 to the ERF account for Gasoline and Oil (8163.5442) from the account for Gasoline and Oil (8162.5442) for Landfills and Transfer Stations.

   **Motion to Approve Resolution Transferring Funds to the ERF Account for Gasoline and Oil:**  
   Legislator Potter  
   **Second:** Legislative Lockwood  
   **Vote:** Unanimous, motion carried

   B. **Solid Waste and Recycling Local Law Amended**  
   Solid Waste Director Frank Visser explained that a date for a public hearing for the amended Oswego County Solid Waste and Recycling Local Law needed to be set. After discussing with the County Attorney and industry experts, the local law was amended. The current local law was ruled unconstitutional due to the application of its Flow Control Provisions. County Attorney Richard Mitchell explained that clarifications in the law will remedy the courts concerns. He added that there are additional provisions included that will address the issues with the New York State Department of Civil Service.

   **Motion to Amend the Oswego County Solid Waste and Recycling Law:**  
   Legislator Brown  
   **Second:** Legislative Chalifoux  
   **Vote:** Unanimous, motion carried

   **Motion to set Public Hearing Date for the Oswego County Solid Waste and Recycling Law for 15th of December:**  
   Legislator Brown  
   **Second:** Legislative Chalifoux  
   **Vote:** Unanimous, Motion carried

6. **Budget Reviews**  
   
   A. **Highway and Airport**  
   Highway Director Kurt Ospelt asked that the committee ask any questions as opposed to going through the budget line by line. Legislator Brown explained that a constituent wanted to know the total budget for the Highway Department. County Auditor Steve Loadwick responded $16,311,000.00
Considering the oil bid that recently passed, County Administrator Church wanted to be sure that enough was budgeted for oil. Director Ospelt explained that the price of fuel is a larger concern than the oil. It was wise raising the budget to 1,000,000.00.

Director Ospelt went on to explain that when he put the budget together for the snow removal for town and country roads, he had forgotten that the price of salt was going up. He continued to explain that he has the salt purchased through August 2012, however didn’t know if the committee wanted to adjust the budget now or next year. Legislator Doyle asked if there had been a change in the amount of salt being used. Director Ospelt explained that there is no change in the amount of salt the county provides to the towns however, they may purchase salt on their own.

Administrator Church explained that it is important to comply with the 2% tax cap. If that budget runs short at the end of next year then the committee would be able to adjust at that time. Chairman of the Legislature Leemann said that if the County Administrator is confident that we will have the money, then the committee should wait as opposed to adding to the tax cap. Legislator Proud is concerned about finding the money and suggests the committee add it to the 2012 budget. Director Ospelt added that as far as the rest of the budget, everything is about the same.

In regards to the 2012 Equipment Request, Director Ospelt explained that this is the last year of the five year plan. A new plan will be submitted in January 2012. The original plan was for about $1,400,000.00, however with some adjustments Director Ospelt was able to come in under the projected amount. Legislator Doyle shared his concern regarding the new emissions law that goes into effect January 2012. This law will raise the cost of vehicles, Legislator Doyle shared. He suggested the County consider purchasing the vehicles in 2011 to save money. County Administrator Church explained that it would be necessary to set up a capital project. Legislator Oldenburg said that if it’s a long term cost savings, it would be worth it. Administrator Church suggested putting the bids out and then deny it if the legislature decides not to move forward with this. Chairman Leemann added that because it is so late in the year, there is a good chance that a company will still have the 2011 vehicles after the first of the year. Director Ospelt said he would research this idea.

Director Ospelt reported that the airport budget will remain about the same as last year. The extra fuel sales were a great help. Legislator Beardsley was concerned with the cost of fuel and wondered if this would hurt the 2% tax cap. Administrator Church explained that the cost of fuel and the sale of fuel offset each other, so it would not affect the tax cap.

Motion to Accept Highway and Airport Budget: Legislator Brown
Second: Legislator Potter
Vote: Unanimous, motion carried

B. Buildings and Grounds

There were a couple of areas in the budget that Buildings and Grounds Director William Malone brought to the attention of the committee. A part time (8-10 hours a week) building maintenance person would be hired for the summer.

He also pointed out that $60,000.00 for state inspection fees were added to the budget for 2012. County Administrator Church explained that the reason for the increase is state inspectors are now charging a separate fee for each structure at each location. For example at Camp Hollis they consider each cabin as a separate location, charging an
inspection fee for each one. What the county is currently considering is hiring a code enforcement officer. Currently there is a deputy fire coordinator who is already a certified code enforcement officer. The county would need a local law agreeing to this idea. Administrator Church explained that Public Safety and Emergency Services Committee members discussed this issue in committee meeting and are researching alternatives to the state inspection.

Legislator Brown asked about the training cost associated with hiring a code enforcement officer. County Administrator Church explained that the training is free from the state and there is already a person who is certified at the Fire Department. Legislator Proud suggested having a second person trained and certified. Administrator Church said they were doing an analysis as to how many people would be needed in order to meet the needs of the county.

As far as the leases are concerned, Administrator Church explained that there may be an increase in that line due to an evaluation of the county leases.

**Motion to Accept Buildings and Grounds Budget:** Legislator Lockwood
**Second:** Legislator Brown
**Vote:** Unanimous, motion carried

C. Solid Waste

Solid Waste Director Frank Visser pointed out that no new costs were added to the budget for 2012. As far as the expenditures are concerned, a 3% increase was added for wages and benefits. He continued to explain that it has been a struggle to fill supervisor positions at the energy recovery facility. There have been six different people over the past six years in supervisor positions. Some cannot pass the tests. The cost to train and test a supervisor is about $10,000.00. It takes about 6-8 months to complete the testing requirements. According to a recruiter, the wage the county is paying is the largest factor in recruiting the type of person needed for that position. The recruiter said he would be able to find someone if the county increased its wages for this position. Director Visser said he added $3,000.00 increase (plus a 3% increase) to the bottom three supervisors to bring their salary to a higher level. They currently make $25.00 an hour. Supervisors need to be certified and it is mandatory a certified supervisor be on site at all times.

Legislator Brown agreed that if it is costing the county $10,000.00 to test and they fail it, it makes sense to raise the salary to find qualified people. Administrator Church explained that no motion is needed for a salary increase because it is in the budget.

**Motion to Accept Solid Waste Budget:** Legislator Brown
**Second:** Legislator Lockwood
**Vote:** Unanimous, motion carried

7. Adjournment:

**Motion made to adjourn the meeting:** Legislator Brown
**Second:** Legislator Potter
**Vote:** Unanimous, motion carried
Meeting adjourned at 11:38 a.m.