

Bovina Town Board  
Workshop  
January 27, 2009

**Board Members Present:** Tina Molé, Supervisor; Charles McIntosh, Kenneth Brown, Councilmen; Evelyn Stewart, Mary Joan Robson, Councilwomen; Catherine Hewitt, Town Clerk; Robert Burgin, Highway Superintendent.

**Others Present:** Doug VanDusen, Lamont Engineers; Mark Rossley, Gerald Wright

Supervisor Molé called the workshop meeting to order at 6:00 pm.

Molé said that the number one issue is trying to figure out how we're going to build the garage this year from a financial standpoint. She said that the Town has spent about \$27,000 in the last two years which is prior to going into final design. Doug VanDusen said that the WICKS Law makes it easier for contractors to bid projects under \$500,000. One contractor can bid the job and umbrella other contractors (electrical, plumbing, etc.) under him. So a contractor can submit one bid for all. Councilman McIntosh asked if this would mean a considerable cost savings. VanDusen said it would for construction costs. Molé asked about one contractor bidding all and a plumber comes in and underbids the plumbing, does the Town have to take the lower bid. VanDusen thinks that we will have to go with the lowest bid. McIntosh does feel that one contractor would streamline things, he would be responsible for making sure everything is being done on time. VanDusen said that most pre-engineered companies have an internal incentive for getting the job done before deadline. He's unsure if the Town can limit bids to general contractors only. Brown asked if we have a general contractor, how would a plumber know what the bid is. VanDusen thinks that's why you can't do a lump sum to a general contractor. The general contractor has to give a price for each component. McIntosh asked about a general contractor comes in and his bid is low on all but one component. VanDusen said that under general municipal law, you have to use the lowest responsible bid. Lamont will review the plans, make sure the design is what the Town wants, and send the design to companies (Morton, Conestoga). It also has to go before Building Code, Dale Downin. There is a \$10,000 stormwater plan that will bring CWC and DEP in so we're not going back and forth. Molé asked if the Town would be reimbursed for the \$10,000. VanDusen said he believes that CWC pays for that up front. It was stated that 25% to 26% of the cost is on engineering costs. Councilwoman Stewart asked if the engineering costs are the same for 3 bay or 6 bay garage. Councilman Brown said that a lot of the engineering costs are due to the community being against this project when it was started in 2007 and he asked if there was a chance that the engineering costs would go over what is presented. Van Dusen said that is the amount, it won't change. By using Downin for inspections where we can, the cost was reduced to what is shown now. The things that the Highway crew or Downin can do would mean that Lamont wouldn't need to come here for those items. Some critical inspections can be done by Downin. Molé asked about the \$6,400 for water and sewer design. Van Dusen said it would be for detailed drawings for the contractors. Brown asked how the 2009 rates compare to the 2008 rates. VanDusen said they are up about a \$1.00 per hour. McIntosh asked about the soil tests that were done by Daniel Loucks. VanDusen said that what Loucks did was random testing and that there needs to be an awareness of the soil conditions so there won't be any settlement. VanDusen said that Lamont will work with the Code Enforcement Officer to save money. There is still certain criteria that Lamont will need to coordinate with Code Enforcement, the Town and Lamont. VanDusen said that a big savings will be realized with a bundled package.

If we weren't in the watershed, stormwater wouldn't be an issue. The drainage will be worked out with the County. McIntosh asked if there would be an added expense if the bid alternate is put in. VanDusen said no because your asking the contractor to include a shell, framed and enclosed only. There could be a problem if the floor is left dirt with volitiles dripping into the soil. McIntosh said that the original quote was for a 6 bay enclosed garage. Will the bid alternate include doors, floor, etc? VanDusen said that you would award job on base bid and then compare with add alternatives. Brown asked if Lamont is working with communities where prices have gone down. VanDusen said that he isn't aware of any. He's heard that the price of steel is down, fuel is coming down and they're not seeing the riders on bids to cover fuel. Brown feels that we're at a good time to bid this project.

McIntosh said that when bid alternatives are put in, we have \$400,000 to spend, in the meantime, if money becomes available, through a grant, we could then go ahead and put the floor in the entire structure. VanDusen said that that is where the change orders come in. McIntosh asked if the Town is smart to bid this with bid alternatives. VanDusen said that yes because if you don't you'll always wonder what the cost would have been.

McIntosh said that the 3 bay will not be built at half the cost of a 6 bay. VanDusen said that is correct. VanDusen has talked with Burgin regarding the Highway crew getting the site ready. He noted that the problem with this is making sure that site compaction is done. He also said that in the work description, it would say work by owner. The savings would come in because the Town would not be paying the mark up price for the material. Molé asked if this information is given to the contractor up front. VanDusen said it is, before they bid the project. Molé asked who sets the time frame for completion. Stewart said that the projected time of project is 210 days, how much of this time would the highway crew be working on this project? VanDusen said that Burgin would have to figure out how much man power needs to be put into the job. He will also have to be careful that the crew is not neglecting the roads. Burgin said that it won't take the whole crew to be on the project. Molé asked if the highway crew will be knocking down the current building. This will allow the crew to find a place for everything as the knockdown progresses. It was also noted that the County landfill does not charge a Town for CD but it does for a private contractor. McIntosh asked if the salvage rights to the building could be sold. VanDusen said that that could be done but everything that could be salvaged should be moved to another site to be sold. Brown felt that that might be a good way to try to get a few bucks for some of the stuff. McIntosh said it would make less for the town to take away. Gerald Wright asked if the Town puts in the stormwater, would CWC reimburse the Town. VanDusen said that is the way it works, it's the same as a FEMA project. Burgin asked what the cost of the stormwater portion would be if it were hired out. VanDusen said it would be over \$100,000. Brown asked if the Town were to put in the stormwater, would it benefit the Town cost wise? Burgin said the Town would benefit because your lowering the cost of the project. McIntosh said that it will gain the Town \$40,000, but Burgin needs to look at the FEMA schedule and see what it would cost the Town to do the stormwater. Molé asked if CWC has a schedule of values. VanDusen is unsure if they do or not. McIntosh asked if the Town says we're ready to go, when will we be ready to bid? VanDusen said the first part or middle of March. All entities need to be coordinated. McIntosh asked if that would be the prime time to put the bid out. VanDusen said it would be as there are not a lot of projects out there. Molé asked if the project is bid mid-March, when can it be awarded? VanDusen feels that it will be the end of April before the Project is ready to start, therefore the bid could be awarded early May with end of October for occupancy. Molé asked if we are locked in to a stick-built versus a pre-engineered building. VanDusen said that the

project lists pre-engineered and reputable companies. The bidder can take the project list to a company and ask them to put a building package together. VanDusen said that Lamont will make sure that the plans will meet project specifications. McIntosh asked if there is a time schedule when the bid is put out, for example will there be a start date? VanDusen said that there are construction milestones in the bid package. McIntosh asked if 120 days is a reasonable timeframe, he thinks it seems long. VanDusen said it is best to allow for possible delays. McIntosh feels that if there is a bigger time constraint, deliveries will be made on time. VanDusen said that the Town will pay a premium for that. McIntosh asked if they could get different prices for 110 days versus 120 days. VanDusen said there can be a \$10,000 early completion incentive written in. He told the Board that the front of the new building will be where the back of the existing building is now. NYSEG is looking into moving the electric pole at the front corner of the building. Brown asked who's expense moving the pole would be. VanDusen said it is part of the project expense. McIntosh asked if the bid will be bid to one contractor. VanDusen said that WICKS only allows one contractor to umbrella a project. He believes that each component has to be bid separately, electrical, plumbing, building, etc but he's not positive. VanDusen told the Board that the front of the new building will be where the back of the existing building is now. NYSEG is looking at moving the electric pole at the front corner of the building. Brown asked who's expense moving the pole would be. VanDusen said that it is part of the project expense. McIntosh asked about the stormwater; we're currently looking at a 3 bay with possible expansion to 6 bay. VanDusen said that all site work will be for a 6 bay. The Board thanked VanDusen for attending the meeting and going over things with them.

Supervisor Molé revisited the tire issue at the transfer station. The cost is \$82.00 per month to have the 15-yard tire box at the site and when it is removed it's an additional \$290.00. She feels that the Town could easily do two or perhaps one tire day per year. She was one of the ones who was adamant about keeping this service. She would like to know what the Board wants to do at this point. McIntosh has spoken to George Haynes who said that he will take care of a tire or two if they come in other than tire day if the Town goes with one or two days per year. He thinks that perhaps Haynes could bring in a bigger box for tire day. He also feels that if people are aware that the Town only takes tires once or twice a year that they would leave their used tires at the tire garage. Brown suggested a sign at the gate informing the public of the change. Molé suggested a notice on the website and that we try this for a year. Robson asked if two days were needed. She felt that people could be informed that the Board looked into this issue and to save money, we're going to tire day. Stewart asked about a box being built at the transfer station and we continue to accept tires but no rims and the highway crew can take them to the landfill. Molé asked what happened to the tires in the past. Stewart said that the highway crew used to take them to the landfill. She does not want to go to one or two times a year, because the taxpayers see little for their tax dollars as it is. She feels that people will throw their tires along the roadside. Robson asked Burgin if tires are on the roadside does the highway crew pick them up? Burgin said no they don't, he won't. McIntosh has talked with Len Utter, Town of Middletown Supervisor, and his town has tire day. They have not seen tires along the roads, he thinks more people are leaving them at the garages. He doesn't feel that the highway crew should have to do the tire job, it used to be done that way and we've moved forward, we shouldn't make a backward move. In his opinion, the Town should go with tire day once or twice a year. Brown asked if it's stipulated that no rims can be left, what makes you think there will be no rims? Stewart said that the people who work for Haynes at the transfer station are very

good about making sure things go where they should. The rims separately, could go in the metal bin. Her opinion is that this should not be taken away from the taxpayers. McIntosh said that would mean there would still be a box. Stewart said not a rented box. Molé asked Burgin if he would build a box or is there something that could be purchased? Burgin feels that rims will still be left at the gate. Molé asked how long ago we stopped taking tires. Burgin said after the cleanup this spring. He doesn't feel that the highway crew should do the job of tire clean up. McIntosh said that we're not taking a service away, we're limiting it to certain days. Robson suggested that the cost per year for two tire days be compared to the 2<sup>nd</sup> option of having the highway crew take them; cost of fuel and highway crew. Burgin said that 25 tires will go on a pick up, and two men would be \$30.00. Stewart said that if we go to twice a year, the highway crew doesn't have to deal with it. McIntosh said that we need to be careful, there are places in Town where there are a lot of tires piled up. We should limit the amount to be brought in, but we have to be sensible about what we set the limit at. It's not fair to the average taxpayer to allow one person to bring in hundreds. Brown suggested that a notice be put at the gate and on the website, and the limit be 8 tires per person per tire day. Robson said that we can't continue the way we are. The middle ground is to go to twice a year. There are health issues with tires laying in a pile outside and the highway crew working with them. Molé agrees with Stewart about taking services away from the taxpayers, but she feels we should try two times a year six months apart.

Molé told the Board that Burgin needs authorization to file the paperwork for CHIPS expenditure. Burgin will be sealing 1 ½ miles of New Kingston Mountain Road and 3/10<sup>ths</sup> of a mile on New Road by McNaught Hill. McIntosh asked if there was any CHIPS money left. Burgin said about \$1,600. Stewart asked if you have to identify what projects your doing? Burgin said it's asked on the form.

Molé told the Board that there are Department of Health violations with the water department for high lead levels from two samples taken from two homes, as well as high THHM. She will send a notice to the water customers with the next billing cycle. She told the Board that she feels the water rents will have to be raised. The water account was about \$3,500 short in 2008. McIntosh asked who the Health Department said would work with the Town and Josh Choquette, Water Superintendent. Molé said that the Rural Water Resource people would help Choquette do an operations manual. Molé said that ten years ago when the water plant was built, they didn't get an operations manual, no stamp from the engineer on final plans for water plant, no as-built drawings from the engineer, and the alarm system was not installed. THHM is a by-product from the chlorination process. Molé said that the final notification from DOH is going to say we need to correct the problems by a specified date. It was suggested that a turn-on fee could be charged. Stewart doesn't feel we can do that since we promote the seasonal people turning their water off when they leave for the winter. McIntosh said it is more advantageous to have them turn their water off in the winter. He thinks he remembers that when the water system was first set up they wanted to charge all property within the water district. It's unfair to charge vacant acreage, you can only charge to properties with a home. Stewart said that we could only charge those people who don't ask to have their water turned off and a problem develops in which the water superintendent then has to turn the water off. Those homeowners could pay a fee to reconnect. She feels that once your on the system, you get charges yearly, whether your water is on or off. If that's a problem, charge a reconnect fee as well as chemical costs if your water pipes freeze and

break in your home. Molé said the septic is set up that way, you pay whether your using it or not. She said that the comptrollers office wouldn't allow the water rents to be put on the tax bills. She asked if the Board wants her to look into charging according to your assessed value. She will come back to the Board on that. Robson feels that the homeowners should pay the fee and it can be shut off if requested. No reconnect fee, but if pipes freeze, the homeowner is responsible for paying costs to the Town. Molé would like to have this taken care of before the July billing. She said that the rates will have to be raised.

Molé distributed Ray Lafever, Town Historian, annual report to the Board.

Workshop was adjourned at 7:15 PM

Catherine Hewitt  
Town Clerk