

PUBLIC WORKS COMMITTEE

March 18, 2022

Members Present: D. Fanton, K. Demick, G. Barnes (arr. 12:52 p.m.), P. Curran, A. Cyr, D. Healy, J. Rumfelt, P. Stockin

Others Present: A. Carrow, G. Hanchett, B. Harris, S. Havey, J. Henry, K. Hooker, C. Knapp, T. Linn, J. Ricci, B. Riehle, T. Ross

Call to Order: The meeting was called to order by Public Works Committee Chairman Dwight Fanton at 12:45 p.m.

HIGHWAY

Hunt Engineering Agreement

The Department of Public Works requested approval of an agreement between Allegany County and Hunt Engineering, in the amount of \$250,000, for engineering services provided for the purpose of producing the plans/studies to be used in the bidding process for the Department of Public Works' Friendship Shop Project. The Department of Public Works also requested that the Board approve a 2022 Budget adjustment to cover all of the expenses paid to Hunt Engineering associated with the Department of Public Works' Friendship Shop Project to date and as follows:

- \$ 165,000 already in capital budget H5132.200 (Res #290-21)
- \$ 85,000 will be additional requested from contingency to H5132.200

The request was approved on a motion made by Legislator Demick, seconded by Legislator Curran, and carried. **Refer to Ways and Means**

Budget Adjustments for Engineering Expenses with the Friendship Shop Project

The Department of Public Works requested a resolution for adjustments to the 2022 Budget. The budget adjustment and transfer were requested to move additional money from contingency to cover the balance of engineering expenses to HUNT Engineering that had been previously approved by the Committee of Jurisdiction, to be approved by the Board for the purpose of plans/studies on the DPW Friendship Shop. This also includes additional monies to fund the boring studies required for the same project. The requested adjustments are as follows:

(Res # 166-21 and PW 10/6/21 W&M 10/12/21 and PW W&M's 3/18/2022)

Budget Adjustment/Transfer Request:

(Budget Adjustment)

FROM :	Contingency	A 1990.429	(\$ 85,000)
TO:	Interfund Transfer to H	A 9560.904	\$ 85,000
(Journal Transfer)			
FROM:	Interfund Transfer to H	A 9560.904	(\$ 85,000)
TO:	Interfund Transfer from A	H 5132.5031.00	\$ 85,000

Budget Adjustment Request:

Capital Project – DPW Main Shop Friendship	H 5132.200	\$ 85,000
Capital Project – Interfund Transfer from A	H 5132.5031.00	\$ 85,000

The request was approved on a motion made by Legislator Healy, seconded by Legislator Rumpfelt, and carried. **Refer to Ways and Means**

Agreements to Purchase Easements for the Pine Street Bridge Replacement Project

The Department of Public Works requested approval of two agreements authorizing the purchase of easements from Alfred University for the Pine Street Bridge Replacement Project, BIN 2329770, Project PIN 6754.94. The funding for the Pine Street Bridge Replacement Project was approved by the Board pursuant to Resolution Nos. 22-21 and 191-21.

The first agreement, BIN 2329770, Project PIN 6754.94, Map No. 4, Parcel 1, authorizes the purchase of one temporary easement of approximately 138 square feet of real property, at a cost of \$100.

The second agreement, BIN 2329770, Project PIN 6754.94, Map Nos. 2 & 5, Parcel 1, authorizes the purchase of one permanent easement of approximately 7,208 square feet of real property, and one temporary easement of approximately 23,626 square feet of real property, at a cost of \$11,200. Legislator Curran asked where the two larger parcels were located and why the County needed to purchase the easements. Mr. Henry replied that the larger parcel was located by the bridge on the McLane Center side, and that the permanent easement is necessary for traffic patterns. Legislator Curran stated that his understanding is that the smaller permanent easement was for construction, and the larger temporary easement would run a path through the McLane Center lawn. Mr. Henry confirmed that the permanent easement was located by the road for future roadway use. County Treasurer Ross clarified that the first request is for a temporary easement, and the second request had both a temporary and permanent easement. Legislator Curran asked why the County is paying \$11,200 for a temporary easement that they will never use again. Mr. Henry stated that the Federal and State requirements for these types of projects define the process for presenting fair offers based on a value assessment which is performed by a third party. Legislator Curran stated that he understood the requirements, but wanted to know why the County is paying for land that is not ours nor will we ever touch once the project is complete. Mr. Henry stated that this is a standard process but the property owners do have the option to waive acceptance of the assessed fee, but an assessment is always performed. Legislator Curran stated that an assessment is fine, but tell them that we are not going to pay for it. Mr. Henry stated that it goes back to eminent domain laws, as well as State laws and that he would be able to provide that information at a later time. Legislator Curran stated that he understands where the dollar amount comes from but does not understand the logic. Committee Chairman Fanton stated that they are following State law. Mr. Henry stated that it does link to eminent domain laws and other sections of laws that he does not have on hand. Legislator Curran stated that he believes it would be easier to ask Alfred University not to accept it. Legislator Healy asked if there was another process. Mr. Henry replied, "eminent domain." Legislator Curran stated that we don't need to obtain anything, we just need a temporary roadway while we replace the bridge. Legislator Harris stated that he tends to agree with Legislator Curran, that the easement is on university property, and the bridge replacement will also be for the university's benefit. Legislator Harris asked if it would behoove Mr. Henry to make a request to Alfred University to waive the fee for the easement. Committee Chairman Fanton stated that the offer was made up front for Alfred University to waive the fee. Mr. Henry stated that was part of the offer made up front, and that is a conversation that we could have in the future, but this request is the last piece required to get the project going. Legislator Curran stated that it seems like a bad thing for Alfred University to deed over land. Mr. Henry stated that this does not affect the deed, that the land is still owned by Alfred University, but we will have the right to access it. Committee Chairman Fanton stated that it sounds like the university could have waived the fee, but they did not and this is where we are at. The request was approved with a roll call vote, with 4 Ayes, 3 Noes, and 1 absent. **Prepare Resolution**

Adjournment

There being no further business to come before the Committee, the meeting was adjourned at 12:55 p.m. following a motion made by Legislator Rumpfelt, seconded by Legislator Curran, and carried.

Respectfully submitted,

Tiffany Linn, Confidential Secretary
Allegany County Board of Legislators