

**WLLA Road Committee Report
July 17, 2021**

Winter Operations (Actionable Item)

- A total of eleven companies were invited to bid to on snowplow services.
 - Affordable Landscaping
 - Anthony's Winter Service
 - Brick House Garden
 - Cutting More Lawns
 - Dingmans Ferry Stone
 - Frenchmen Excavating
 - John McKean Excavating
 - Kai Excavation
 - Keystone Lawns
 - Meglino Landscaping
 - Wayne's Lawns
- We received only two bids.
 - Frenchmen Excavating - \$35,000 first year and \$35,000 second year.
 - Anthony's Winter Service - \$42,000 first year and \$44,000 second year
- **Actionable Item (See details below)**
 - **Recommend Frenchmen Excavating, LLC be awarded a two-year contract for snow at \$35,000 per year.**
- 30-day cancellation of either party for Empire State Excavating was verbally agreed upon in 2018 and agreed up in the contract renewal between Michael and RJ. It was always in effect. Michael inadvertently left that out of the written contract.
- New contract will not have a 30-day agreement in its place will have a "**force majeure**" clause stating, "*The contractor cannot terminate or not fulfill the length and requirements of the contract without the consent of the board of WLLA, Except in the case of force majeure.*"
 - *Note: Definition of "force majeure" – Miriam Webster Dictionary: an event or effect that cannot be reasonably anticipated or controlled*
- **Salt Tent (Actionable item but see Asphalt Roads for possible discount)**
- The salt tent has been taking on water with all the heavy rain causing water to mix with salt and leech out of the tent.
- Must redo the surface of floor to stop runoff from draining into tent.
 - Warner Paving & Excavating bid was to add of variable thickness of 2A stone to pitch the floor, so it does not take water and then overlay with 4" of 19mm (binder course material) asphalt. The bid price is \$3,980.
 - There would be a discount if Warner were awarded the tent floor resurfacing project as well as the culvert project listed below.
 - Warner does not have a backhoe or loader, so they are unable to remove and replace the salt.
 - Waiting on bids from Greg Hoepfer and Frenchmen Excavating to remove and replace this in case we cannot find a volunteer that can do it.

Asphalt Roads (Actionable Item)

- **Rotted Culvert Pipe on Birch at Iroquois**
- The culvert pipe at the corner of Birch and Iroquois has rotted out. It has caused a hole in the road which cannot be filled as we would be filling the pipe. Someone put a stick with caution tape in the hole. The stick rests inside the broken pipe.
- Warner Paving and Excavating gave a bid of \$3,650 to replace the pipe and back fill the hole and then put asphalt back into place.
- **Warner Discount**

- The salt tent bid is \$3,980 and the culvert \$3,650 totaling \$7,630. However, if given both jobs at the same time they will do both jobs for \$6,990.
- **Recommend to award Warner Paving & Excavation a contract in the amount of in the amount of \$6,990 to do both the salt tent floor and culvert pipe at Birch and Iroquois.**
- **Pothole Patching**
- Waiting on Warner to patch the potholes. They have been delayed on their schedule due to the tremendous number of rainy days.
- **Chip Seal**
- We will be seeking bids over the next month for chip sealing (tar and chip) of some roads, but we must wait until the potholes are patched as any company that bids must see the roads patched.
- Have no idea at this time of the estimated cost.
- Will seek bids starting with Lakeshore and East shore.
- Amounts of bids will determine what work will be recommended to the board for contract award.

Gravel Roads

- The tremendous amount of rain has caused erosion spots on several of the gravel roads.
 - Damage nowhere near the extent of what we had in December 2020.
 - Problem areas still exist but not as bad, so we are making progress.
 - More solutions will be worked on.
 - Michael asked John Graber if he would volunteer to fix the eroded areas with his machine as John has offered his volunteer services in the past. The extent of the work is basically patching of eroded areas. John graciously said yes and was going to try to get to them this weekend (July 17th) We are using the stone we have stored on Birch and will need to replace what is used soon or order more if needed now.

Signs (Actionable item)

- Still working on a date and to find volunteers to install new entrance signs.
- We need to remove the “Deaf Child Area” sign on Onandaga as the child no longer lives there.
- Complaints of excessive speed and close calls by Walker Lake Road (from Birch) and Pear.
 - Propose buying two (2) Slow Down 15 MPH signs and two (2) curve signs to install on Walker Lake Road and on Pear. One of each sign to be installed on each road. **See signs below.**
- **Recommend the purchase the four signs for a total of \$320 or less which includes shipping and reimburse Michael after signs are received and proper paperwork is submitted.**

Roadside Drainage

Update: Office will start receiving requests to send notifications on Monday, July 19, 2021.

- Notifications to the office will start on July 15, 2021, for the most severe drainage ditches and culverts that have not been cleaned. Office will notify landowners.
- Landowners will be given 30 days to make corrections.
- After the 30-day mark, the Road Committee will make a list of all the locations not corrected and then contract several contractors for bids.
- Contractor will have to list a bid price for each individual property so WLLA will know what to bill each landowner that did not clean on their own, and WLLA had a contractor do it.
- Contractor will submit be expected to just one bid package for each “bundled” set of properties needing work to be done.
- Road Committee to make recommendation to Board to award contract as needed.
- For clarification \$50 administration fee is only charged if WLLA must get a contractor to do the work. It is not charged for the initial notification.

Snow Contract Information

Darlene Challacombe, Bill McCarthy, and Michael DeVita attended a meeting with John Couturier, owner of Frenchmen Excavating, LLC. On July 14, 2021, at 4 PM held at the Clubhouse.

John said he could guarantee WLLA two plow trucks every storm.

He has a F600 truck with a spreader and 10-foot road plow attached. He also has a $\frac{3}{4}$ -ton mason dump with a 9-foot plow and spreader and 2500 Chevy pickup which will be set up for snow. He also mentioned if he were awarded this contract, he would probably buy another truck to have available. Also, he owns both a backhoe and a skid-steer.

John said he would leave the backhoe and the F600 truck on grounds during the winter.

He said will have spreaders attached on two trucks. One for salt and one for anti-skid.

John said, while he does not have Workers Comp Insurance because he has no employees and uses only subcontractors, he said it would be no problem to get Workers Comp if required as he already spoke with his insurance agent. * Michael told him if he were awarded the contract and he was required to have the Workers Comp and he did not have it, WLLA will bill him for any amounts we would have to pay.

John said he already has two subcontractors to work with him during snow if he gets the contract.

John also agreed to removing up to five (5) fallen trees during storms that are blocking roads provided the trees were not entangled in wires as part of the contract. The five (5) fallen trees are per contract year.

The 10-foot road plow on the F600 is an important piece of equipment as he will be able to open the roads wider in heavier snow and WLLA not need to pay extra to do so.

Michael is going to reach out to Carol Gillen and ask the requirements of Workers Comp for a business organized as a Single Member LLC, which is how Frenchmen Excavating, LLC is organized. But this has no bearing on his bid amount.

*** NOTE:** *On July 14 and 15, 2021, Michael had an email discussion with Carol Gillen. In turn, Carol verified with Laura Finkle that it is in the best interest of WLLA for the contractor to have Workers Comp. On July 15, 2021, Michael notified John from Frenchmen Excavating that Workers Comp will be required by the start date of October 15, 2021, if he was awarded the contract. John stated that was not a problem and he would have it.*

John knows the community well as he has plowed here for several seasons in the past. We moved away from him in 2018 because at that time he could not guarantee a second truck. He always did a good job, but it just took too long with only one truck and sometimes ran into problems if he had issues with that one truck.

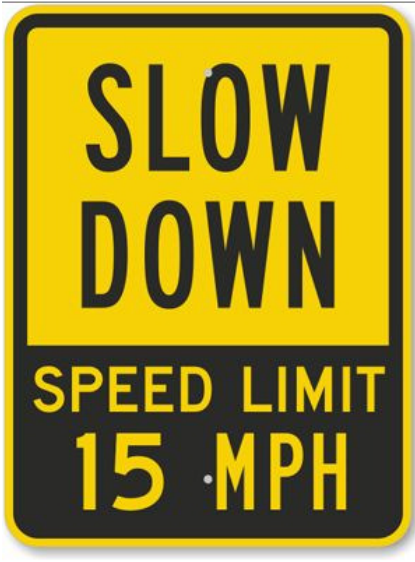
Bill McCarthy discussed including a “*force majeure*” clause in the contract. Bill explained what such a clause would be and John from Frenchmen Excavating agreed to have it included in the contract.

John seems better prepared and seems eager for the contract. We all (Darlene, Bill, and I) felt good with the conversation.

We feel he should be awarded a two-year plow contract at his bid price of \$35,000 per year and the above information was sent to the entire Road Committee for a vote to approve to recommend or not to recommend.

The meeting information was shared with the rest of the Road Committee and there were five (5) Yes votes to recommend Frenchmen Excavating, LLC for the two-year contract and one (1) person did not vote.

Proposed Signs on Walker Lake Road in the Vicinity of Birch and on Pear



24" x 18"

One on Walker Lake Rd near Birch

One on Pear



24" x 24"

On Walker Lake on near Birch



24" x 24"

On Pear



Rotted Culvert Pipe at Birch and Iroquois