

Facilities and Infrastructure Committee
February 19, 2009
3:30 p.m.
Courthouse Conference Room

APPROVED 3-19-09

Present: L. McBean-Clairborne, Chair; D. Randall, K. Luz Herrera, M. Sigler, D. Kiefer
Staff: J. Mareane, County Administrator; E. Marx, Commissioner of Planning and Public Works; C. Nelson, Public Works Administrator; B. Eckstrom, T. Richardson, Solid Waste Division; S. Ellis, Weights and Measures; R. Nicholas, Airport; W. Sczesny, J. Lampman, Highway Division; K. Fuller, Deputy Clerk
Legislator: Michael Koplinka-Loehr
Guests: Jim Morrissey, Robert Mastropaolo, C&S Engineers; T. Ashmore, *The Ithaca Journal*

Call to Order

Mrs. McBean-Clairborne, Chair, called the meeting to order at 3:30 p.m.

Agenda Additions and Deletions

Deletions

Mrs. McBean-Clairborne withdrew the resolution entitled Authorizing a Five-Year Extension for the Air Service Board, noting the purpose was to give more time to review and receive input from interested parties.

Additions

Permission Was Granted To Add The Following Items To The Agenda:

- Approval To Seek Bid – Biodiesel Fuel
- Resolution No. - Authorizing Acceptance Of A (Phase I) Federal Aviation Administration (FAA) Grant to Purchase a New 24-Ft. Snow Plow With Underbody Scraper and Spreader - Ithaca Tompkins Regional Airport
- Resolution No. - Award of Bid – New 24-Ft. Snow Plow With Underbody Scraper and Spreader –Ithaca Tompkins Regional Airport
- Update and Discussion - Federal Stimulus Program

Chair’s Report

Mrs. McBean-Clairborne asked for input from members regarding goal setting for the Committee. *Following a brief discussion it was determined that Mrs. McBean-Clairborne would obtain written information of the Committee’s previous goals for a review to determine what, if any, actions relating to goals should take place in 2009.*

Weights and Measures

Mr. Ellis, Director, provided the 2008 Annual Report of Director of Weights and Measures submitted to the State for Committee member review. He noted the budget for 2008 was approximately \$25,000 higher than normal due to the purchase of a new vehicle for his division. In addition, he reported revenues came in less than anticipated due to business cut-backs and closures. He is hoping that this trend does not continue, but he expects to anticipate less revenue for his next budget. He noted that as of two days ago all businesses have paid the 2008 fees.

Ms. Kiefer asked if additional inspections not currently being undertaken would be possible in the future due to the reductions experienced. Mr. Ellis spoke of the pricing accuracy law that went into effect and explained that although the regulations were put in place over a year ago the testing procedures were only just developed. He explained testing required using the retailer’s portable electronic-scanning device, and randomly scanning products to be certain they are properly input in the scanning system. The allowable margin of error is only one percent. Another regulation that he reviews is the conspicuous posting of refund policies.

Mr. Ellis provided members with photos of the new Weights and Measures van, which was retrofitted with a pull-out shelving unit for easy access to the weights and tools required to complete the work. He had requested a ¾ ton truck, but there was no state bid for one, so he got a ½ ton. He indicated the van is going to require retrofitting of additional leaf springs to be able to carry all the necessary material required to complete validation of scales. At this time Mr. Ellis is continuing to receive quotations of the various type of product and costs associated with this project.

Report from the Commissioner of Planning and Public Works

Stimulus Program

At Mr. Marx's request, Mr. Mareane reported County Administration has submitted the information relating to the Federal Economic Stimulus Program in both hard copy and electronic copy formats to Albany as well as the appropriate State and Federal delegates. Subsequent to the February 17th Legislature meeting there were amendments to the Program including the elimination of funding for airport security and amending the transportation project dates to 120 days and one-year periods versus the original 90, 180, and two-years project-ready timeframe. Mr. Mareane said the submission to the State included information that addendums would be forthcoming due to the nature of the information requested. As an example he spoke of the request to broaden the scope of green job training from just youth to others as well. At Planning, Development, and Environmental Quality Committee it was agreed that an e-mail with a grid of all projects by categories would be provided in order to prioritize the items. It was noted that the Metropolitan Planning Organization is responsible for ranking the transportation projects.

Ms. Eckstrom, Solid Waste Division Manager, indicated she hopes the single-stream recycling project would continue to have a high priority.

A brief discussion relating to ranking occurred, during which it was determined to have a low/medium/high priority designation. It was also noted that due to the manner the Federal Programs are designed, it could be difficult to determine priority levels due to requirements and competition with other municipalities. Mr. Marx said he does not know whether the new timeline applying to transportation would apply to other areas as well. He also reported that according to ICLEI there are some programs that would require a population of 200,000 or more to be eligible. If not eligible, some of the items would not be included for consideration.

In response to Mrs. McBean-Clairborne's question that the airport security was not included, Mr. Nicholas said he believes there may be funding through the Airport Improvement Program in the amount of \$1.1 billion.

Mr. Randall inquired why there were not submissions by all municipalities within the County. Mr. Mareane said every member of Tompkins County Council of Government was contacted; some did not respond, perhaps due to not fitting into a designated category. Mrs. McBean-Clairborne has heard others may have chosen to have their own submission.

Ms. Kiefer spoke of the document lacking information regarding human services. Mr. Mareane said most of the funding within the stimulus Program is formula-based, such as Temporary Assistance to Needy Families (TANF) and senior nutrition programs. Mr. Mareane said they are looking into the possibility of assistance for the Ithaca Free Clinic as well.

Mr. Marx said the planning committee of the MPO would meet on Tuesday with a policy committee next Thursday at which time the transportation improvement program will be amended to include projects that may be eligible for stimulus funding, which is required to receive funds. Members were provided with written information on the proposed projects, indicating which might be eligible for funding through the stimulus program. For the County the top project is Warren Road, which if funded through stimulus would be covered one-hundred percent with no local share.

Ms. Kiefer expressed concern regarding the inclusion of Red Mill Road bridge on the list (it has been closed since December 2005), noting the traffic count is very low (less than 200 vehicles/day) and is primarily to the benefit of a

farming operation. She believed there are other projects that serve more residents. She was informed that in part the reason to include the bridge is to enable work on West Mallory Road bridge, which would require re-routing of traffic. The Red Mill Road bridge was the preferred option and the Town has indicated a desire for it to be repaired. Mr. Marx also indicated if the project was included for stimulus funding it would be at one-hundred percent, with no local share. Mr. Marx said the reason Malloryville Road bridge is not on the list is due to it being more than a two-year project. Ms. Kiefer reiterated her objection to the project and felt funds should be earmarked for other bridge projects.

It was noted that other Facilities projects were primarily relating to energy efficiency and the alternative energy addition to buildings, most of which have been discussed previously, and are self-explanatory within the document. Tompkins Consolidated Area Transit (TCAT) and Gadabout have requested to replace in-kind busses, with the preference being hybrid busses for TCAT over diesel. In addition, solar roof-mount panels are requested for the Health Department Building on Brown Road as they would fit into the timeline designated under the Stimulus Program.

Airport

RESOLUTION NO. - AUTHORIZING A CONSULTANT AGREEMENT WITH C&S ENGINEERS, INC. FOR DESIGN AND BIDDING SERVICES OF RUNWAY 32 LOCALIZER ARRAY RELOCATION PROJECT - ITHACA TOMPKINS REGIONAL AIRPORT

It was MOVED by Ms. Herrera, seconded by Mr. Sigler, to recommend adoption of the following resolution to the full Legislature. Ms. Kiefer reminded the Committee that the consultants are able, per Federal Aviation Administration policy, to earn a profit on overhead costs of projects; she would like to know what that figure is for this work. Mr. Maestropolo explained the federal government allows 15 percent of direct labor and overhead. This amount is determined by taking 160 percent of the total labor cost times fifteen percent. In this case, the allowable profit is approximately \$3,164.

A voice vote on the resolution resulted as follows: Ayes – 5; Noes – 0. RESOLUTION ADOPTED.

WHEREAS, the construction of full 1,000-foot safety areas at both ends of the runway was mandated by the Federal Aviation Administration (FAA) and said construction took place in 2008, and

WHEREAS, the addition of pavement to the departure end of Runway 32 has brought aircraft operations to within 502 feet of the Localizer Array, a necessary component of the airport instrument landing system which provides navigation aid to landing aircraft, and

WHEREAS, the FAA's acceptable minimum separation distance between operating aircraft and the Localizer Array is 600 feet, and

WHEREAS, the airport applied for a waiver to the FAA which was denied, and

WHEREAS, the FAA now insists that the Localizer Array be relocated so that the separation distance meets the minimum distance standard, and

WHEREAS, the airport's engineering consultant, C&S Engineers of Syracuse, New York, has proposed designing the Runway 32 Localizer Array Relocation project for a price not to exceed \$39,887.00, with the funding for said design project being as follows:

Federal Aviation Administration Share	(95.0%)	\$37, 893
New York State Department of Transportation Share	(2.5%)	\$ 997
Local Share	(2.5%)	\$ 997
Total		\$39, 887

, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the agreement with C&S Engineers for \$39,887 be and hereby is approved, subject to Federal Aviation Administration and New York State Department of Transportation funding being received,

RESOLVED, further, That the local share of \$997 will come from the airport's operational budget,

RESOLVED, further, That the County Administrator is authorized to execute the required documents and the Finance Director is authorized to advance payment for these services until reimbursement is received from the Federal Aviation Administration and New York State Department of Transportation.

SEQR ACTION: TYPE II - 2

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RESOLUTION NO. - AUTHORIZING ACCEPTANCE OF A (PHASE I) FEDERAL AVIATION ADMINISTRATION (FAA) GRANT TO PURCHASE A NEW 24-FT. SNOW PLOW WITH UNDERBODY SCRAPER AND SPREADER - ITHACA TOMPKINS REGIONAL AIRPORT

It was MOVED by Ms. Kiefer, seconded by Mr. Randall, to recommend adoption of the following resolution to the full Legislature. Ms. Herrera noted her concern about adding resolutions to the agenda as it does not provide the transparency desired. She understands that at times there are valid reasons it is necessary and would like to know what the reason is. Mr. Nicholas explained he received a call the previous day from the Federal Aviation Authority (FAA) offering the grant funds and he needs to have the acceptance back to the FAA by no later than Tuesday of next week. He explained this occurs as a result of Congress informing the Washington, D.C., FAA offices they are releasing grant funds, which has no specific timetable. Ms. Kiefer suggested the Committee be provided a list of pending project items awaiting funding from the FAA. Mr. Nicholas explained at this time only thirty-two percent of the 2009 funding has been released. The snowplow is an item requested in 2008 and its cost is close to the amount received. At this time there is \$8,006 more in the cost than received at this time; it is anticipated Phase 2 of the funding from the FAA would be received within the next few weeks. Ms. Kiefer noted the sand storage building for the airport is included in the Stimulus Program and would be one-hundred percent funded.

Mrs. McBean-Clairborne requested Mr. Nicholas provide a list of items that may come up quickly such as the snowplow.

A voice vote on the resolution resulted as follows: Ayes – 5; Noes –0. RESOLUTION ADOPTED.

WHEREAS, the County has received a (Phase I) grant offer from the Federal Aviation Authority (FAA) in the amount of \$418,042 to assist with the purchase of a new 24-ft. snow plow, and

WHEREAS, the budget for purchase of the new snow plow is as follows:

Federal Aviation Administration Share	(95.0%)	\$426,048
New York State Department of Transportation Share	(2.5%)	\$ 11,212
Local Share	(2.5%)	\$ 11,212
	Total	\$448,472

, and
WHEREAS, a Phase II federal entitlement grant, to include the remaining \$8,006 Federal share, is expected to be received from the FAA within the next few weeks, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the grant offer from the Federal Aviation Administration of \$418,042 be accepted and the County Administrator be authorized to execute the required documents,

RESOLVED, further, That the local share of \$1,212 has already been factored into the Airport's 2009 operational budget.

SEQR ACTION: TYPE II-20

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RESOLUTION NO. - AWARD OF BID – NEW 24-FT. SNOW PLOW WITH UNDERBODY SCRAPER AND SPREADER –ITHACA TOMPKINS REGIONAL AIRPORT

It was MOVED by Mr. Randall, seconded by Mr. Sigler, and unanimously adopted by voice vote, to recommend adoption of the following resolution to the full Legislature. RESOLUTION ADOPTED.

WHEREAS, the Finance Department has duly advertised for bids to purchase a high-speed 24-ft. snow plow with underbody scraper and spreader for the Ithaca-Tompkins Regional Airport, and

WHEREAS, one (1) responsive bid was duly received as follows:

Tracey Road Equipment, Syracuse, New York \$448,472

, and

WHEREAS, the budget for said snow plow is as follows:

Federal Aviation Administration Share	(95.0%)	\$426,048
New York State Department of Transportation Share	(2.5%)	\$ 11,212
Local Share	(2.5%)	\$ 11,212
Total		\$448,472

, now therefore be it,

RESOLVED, on recommendation of the Facilities & Infrastructure Committee, That subject to grants being received from the Federal Aviation Administration (FAA) and the New York State Department of Transportation (NYSDOT), the bid be awarded to Tracey Road Equipment with a bid of \$448,472,

RESOLVED, further, That the local share be derived from the airport budget and that the Finance Director be authorized to advance payments for this piece of equipment until reimbursement is received from the Federal Aviation Administration and New York State Department of Transportation.

SEQR ACTION: TYPE II-25

Solid Waste Division

RESOLUTION NO. - AWARD OF BID – MISCELLANEOUS IMPROVEMENTS AT THE RECYCLING AND SOLID WASTE CENTER

It was MOVED by Ms. Herrera, seconded by Mr. Sigler, to recommend adoption of the following resolution to the full Legislature. It was noted the trailer is forty-four feet long, four feet more than the previous one. Two of the three bids were within several thousand dollars, the third was double the amount. *It was requested that in the future the memorandum include the actual bid amounts.*

A voice vote on the resolution resulted as follows: Ayes – 5; Noes – 0. RESOLUTION ADOPTED.

WHEREAS, the Tompkins County Finance Department has duly advertised for bids for Miscellaneous Improvements at the Recycling and Solid Waste Center for resurfacing the outbound scale deck, pavement extension, and pavement striping/directional marking, and

WHEREAS, three (3) bids were received and publicly opened and read on December 22, 2008, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the bid be awarded to Streeter Associates, Inc., of Elmira, New York, as the lowest responsible bidder at \$82,000

RESOLVED, further, That the County Administrator is hereby authorized to enter into contracts with the successful contractor and to execute change orders of up to ten (10) percent of the contract total,

RESOLVED, further, That the Solid Waste Division be authorized to implement this bid on behalf of the County, funds being available in Capital Account HH8160.4442

SEQR ACTION: TYPE II-20

Upcoming Information

Ms. Eckstrom informed the Committee that next month she would be brining forward financial information, including how market fluctuations are affecting her division and solutions to decrease in revenue.

Highway Division

RESOLUTION NO. - AUTHORIZATION TO EXECUTE FUNDING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION – BRIDGE PAINTING, VARIOUS LOCATIONS

It was MOVED by Ms. Kiefer, seconded by Mr. Randall, to recommend adoption of the following resolution to the full Legislature. Mr. Sczesny indicated following a review of bridge conditions this spring the final list may change from the information provided at this time. It was noted that bi-annually crews power-wash the bridges to prevent deterioration.

A voice vote on the resolution resulted as follows: Ayes – 5; Noes – 0. RESOLUTION ADOPTED.

WHEREAS, a Project for Bridge Painting, Various Locations, P.I.N. 3754.20, (the Project) in Tompkins County, is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of eighty percent Federal funds and twenty percent non-Federal funds, and

WHEREAS, in order to expedite advancement of the Project and realize potential total project cost reductions, the Highway Division sought permission from the New York State Department of Transportation to administer the project locally, and

WHEREAS, the New York State Department of Transportation requires for locally administered projects that the County appropriate one hundred percent (100%) of the project costs and then file for reimbursement of eligible costs, and

WHEREAS, the County of Tompkins desires to advance the above project by making a commitment of one hundred percent of the non-Federal share of the costs of Scoping and Design, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, that the Tompkins County Legislature hereby approves the above-subject project,

RESOLVED, further, That the Tompkins County Legislature hereby authorizes the County of Tompkins to pay in the first instance one hundred (100%) percent of the federal and non-federal shares of the cost of Scoping and Design work for the subject Project or portions thereof,

RESOLVED, further, That the sum of \$31,000.00 is hereby made available within account D5111.54411, Bridge Contracts, to cover the cost of participation in the above phases of the Project,

RESOLVED, further, That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof,

RESOLVED, further, That the Tompkins County Highway Manager be and is hereby authorized to execute all necessary Agreements, certifications, and reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tompkins with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first-instance funding of Project costs and permanent funding the local share of Federal-aid and State-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible,

RESOLVED, further, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project,

RESOLVED, further, That this resolution shall take effect immediately.

SEQR ACTION: TYPE II - 1

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West Seneca Bridge Design Summary

The Committee was informed the hydraulic analysis of the site has been completed. Mr. Marx reported funds were allocated in 2008 to allow work on data to allow the flood map to proceed. At this time it is up to the State how it proceeds. Mr. Lampman reported they most likely would select Option No. 5, Concrete Abutment on Piles, Hollow Slab Span Units, which is the preference of the Town of Ulysses. There is the possibility of the work being completed with Stimulus Program funding at one-hundred percent (no local share).

Highway Capital Projects

The Committee reviewed the status report and noted the following:

- Ellis Hollow Road - \$4.8 million was requested in Federal Stimulus funding for the project.
- Stimulus Program Funding – it was explained the reason some of the funding requested is larger than what is noted within the status report is due to the total projected cost, not the present. As an example, it was noted Ellis Hollow Road is presently expecting funding from Cornell University for a portion of the project, however, it would not be received until 2013. The Stimulus Program Funding would advance the project, freeing up the funds for other items.
- CR115, 76 Road Bridge over Boyer Creek – the Committee was informed the individuals with the last name of DeVincentis were relatives.
- Freese Road over Fall Creek (Dryden) – due to deterioration of diagonal trusses it is intended to replace them. This project is not anticipated to be eligible for Stimulus Program funding.
- Hanshaw Road – *Ms. Herrera would like to have a future discussion regarding petitions presented, amendments to bicycle lanes, amendments due to the Coddington Road decision, and how the Stimulus Program would affect the project. The Town of Ithaca did agree to pay for sidewalk.*

Capital Payment Summary Report

Hangar Demolition

There is still another payment expected to be made to the contractor for this work.

New Health Department

In response to Ms. Kiefer's question regarding utilities, Mr. Marx indicated the cost of heating the building is due to the need to use alternative heating source as a result of the deconstruction. Upon awarding the bid and the start of construction within the building, the heat would become the responsibility of the contractor.

Old Courthouse Structural Evaluation and Report

A summary of the evaluation and report is available at the Planning Department; the full evaluation and report is at Facilities. *Ms. Kiefer requested a report on the findings be provided to the Committee in March.*

Main Courthouse Main Entrance Stair Repair

The work is not completed. A contractor meeting would take place next week.

McLean-Cortland Road

There is still some work to be completed in the spring. Ms. Kiefer requested the applicable dates be provided for payments made.

Ms. Herrera was excused at this time.

Authorization to Seek Proposals – Biodiesel Fuel

Ms. Nelson spoke of the work she has completed with Ms. Jehu regarding the purchase of biodiesel fuel for the Alternative Fuel Consortium, consisting of municipalities, schools, and colleges. There is 106,500 gallons committed at this time (Tompkins County Highway Division, Airport, Ithaca College, Town of Dryden, and Cornell University). The bid is available and it is expected to have the results back around March 11th. The request for bids includes both a five percent and twenty percent biodiesel fuel, with the County requesting twenty percent. Ms. Nelson said since biodiesels were first introduced it has been refined and that Minnesota is using the twenty percent biodiesel (B20) without difficulties of the fuel freezing. During the process, the Consortium has become highly educated on this type of fuel as a

result of demonstrations and heard that once introduced into engines it is normal to have to change filters sooner; the biodiesel cleanses the engine.

Ms. Kiefer said we are taking a cradle-to-grave look at biodiesel production. We are considering only our local usage experience, and it promoting this biodiesel doesn't automatically help the overall emission goals. Mr. Marx said the question is being asked of the supplies and some have indicated they are using waste biodegradable materials, which is more positive. He said they would continue to monitor this aspect.

It was MOVED by Mr. Sigler, seconded by Mr. Randall, to authorize to seek bids for biodiesel fuel for the Alternative Fuel Consortium. Ms. Kiefer indicated she would like not to vote in favor, however, as it is a group seeking approval she will support the request. *It was also requested that the award of bid return to the Committee.*

A voice vote on the motion to seek bids resulted as follows: Ayes – 4; Noes – 0; Excused – 1 (Legislator Herrera). AUTHORIZATION APPROVED.

Minutes of November 20, and December 15, 2008

It was MOVED by Mr. Sigler, seconded by Ms. Kiefer, and unanimously adopted by voice vote by members present, to approve the minutes of November 20 and December 15, 2008. MINUTES ADOPTED.

Adjournment

On motion the meeting adjourned at 5:15 p.m.

Respectfully submitted by Karen Fuller, Deputy Clerk