

Facilities and Infrastructure Committee
Regular Meeting Minutes
Friday, July 2, 2010 9:30 AM
Scott Heyman Conference Room

Approved August 6, 2010

Attendee Name	Title	Status
Dooley Kiefer	Chair	Present
Michael Lane	Member	Present
Pamela Mackesey	Member	Excused
Leslyn McBean-Clairborne	Member	Excused
David McKenna	Member	Present

Staff: E. Marx, Commissioner of Planning and Public Works; B. Eckstrom, T. Richardson, K. McCarthy, N. Stumpf, Solid Waste Division; J. Mareane, County Administrator; W. Sczesny, Highway Division, R. Nicholas, Ithaca Tompkins Regional Airport; D. Ellis, Weights and Measures; J. Wood, County Attorney; K. Fuller, Deputy Clerk

Legislators: M. Robertson, Chair; P. Stein

Guests: Doug Bauer, C&S Engineers

Call to Order

Chair Kiefer called the meeting to order at 9:30 a.m.

Addition(s) to the Agenda

Ms. Kiefer said the Weights and Measures rollover request will be added to the agenda for consideration. It was also noted the Award of Bid – Leachate Hauling from Closed Landfills resolution would be acted upon later in the meeting.

Mr. Lane asked to discuss road preservation work being completed. Ms. Kiefer said if time allowed she would add the item.

Comments from the Public

There was no one present. Ms. Kiefer said she had received a call from Legislator Pryor that there may be a constituent from Warren Road who would like to address the Committee about the highway project. She will allow them to speak if they do come to the meeting.

Report from the Committee Chair

Ms. Kiefer expressed appreciation for the support received regarding the eminent domain proceedings for the Hanshaw Road Project. Mr. Lane commended Ms. Kiefer on how she handled the process and working through the resolution and modifications was a real credit.

Ms. Kiefer said she may not be present for the August meeting and that Mrs. McBean-Clairborne would be acting as Chair.

Report from the Commissioner of Planning and Public Works

Memorial Bench

Mr. Marx received a request from Mr. DeLuca, Commissioner of Mental Health, to allow a donated movable memorial bench be placed in memory of Mental Health employee Tom Fox. Ms. Kiefer said County Policy requires action on the item and brief discussion followed.

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It was MOVED by Mr. Lane, seconded by Mr. McKenna, to allow placement of the donated movable memorial bench on the grounds of the Mental Health facility.

Ms. Kiefer believes the policy should be reviewed and by consensus, the Committee postponed action until review of the policy is occurred. [Further discussion followed later in the meeting.]

Biggs Property

Mr. Marx reported on the plan for disposition of the Biggs property. He believes it is time to start the process and speak with the Town Supervisor and Town Planner about how they would like to have input in the process.

Mr. Lane said the plan should go forward as it was outlined. In response to Mr. Lane, Mr. Marx said Cayuga Medical Center is not particularly interested in this parcel, they are more interested in the area inside Harris B. Dates Drive. The hospital had been given the option of purchasing the entire property but did not want to at that time; they may come forward once the public announcements are made. Mr. Lane would like the hospital to be informed of the process.

Ms. Kiefer recalled another option was for the County to hold onto the land and lease it for a development. Since the Town of Ithaca is in the process of modifying its Master Plan and she is unsure disposition is accurate or in accordance with their plan. Mr. Marx said the Town's Master Plan could take up to two years to complete and it should not present a problem if the Town suggested a zoning change. The property is currently zoned low-density residential (one unit per 30,000 square feet). The County property is on the edge of the area identified in the Route 96 Corridor Study as an area to possibly develop a node.

Ms. Robertson suggested a group representing each committee interested in the property to work with Mr. Marx. Mr. Marx said the Legislature's original direction was to sell or possibly look into the lease option, with the funds being built into the total cost of the Brown Road building. If a different decision is made it would require additional funding.

Mr. Lane said if the direction provided was to have proceeds from a sale then it should go forward. Ms. Kiefer said selling was one choice as well as the possibility to lease and directing staff to speak to the Town of Ithaca. Mr. Lane asked what would the benefit be of a ground lease and was told by Ms. Kiefer said Cornell University holds land for possible future use and leases the property in the interim to provide an income stream. Mr. Lane pointed out unlike Cornell University, the County has a provision to obtain land if needed.

The discussion continued, noting the Town of Ithaca conversations may include ownership based on proposed use. Mr. Mareane said the County has approximately a one-year window to make a decision. The suggestion of a special committee was reiterated; Mr. Marx suggested an alternative could be to have an existing committee take the lead in making a determination of the disposition of the property.

Capital Project – Deferred Maintenance

Mr. Marx reported a suggestion has been made to include specific deferred maintenance items within a capital project rather than the base budget. It would provide funding for needed maintenance and may save cost due to volume purchasing.

Rights-of-Way Issues

Mr. Marx is in the process of reviewing the possibility of establishing an official county map for purposes of rights-of-way and other projects. When figuring in the cost of delays the County is experiencing regarding rights-of-way, it may be a useful tool for future projects. The map would outline current and anticipated rights-of-way on County roads and be completed within a public process.

Mr. McKenna suggested this work be completed within a ten-year plan. Mr. Marx said the map would need to be entirely completed to establish it as the official map. Mr. Lane supports the idea, but asked how rights-of-way width would be determined. Mr. Marx said the official map would show the existing rights-of-way and roads as well as those proposed and indicate the amount of rights-of-way based on the different road classifications.

Ms. Kiefer believes it is a worthwhile project and asked what department would do the work. Mr. Marx said it would primarily be Public Works Division. The project may eventually require hiring an engineering firm to assist in determining what details should be included on the map.

Mr. Stein asked for clarification of the purpose of the official map. Mr. Marx said, for example, if the County had an official map and someone were to build on the designated right-of-way area, the County would not be responsible for removal of the building. It also provides a formal review over certain uses and activities in areas. He said it is better to complete an official map rather than having each individual project take several years for rights-of-way completion and resulting in increased costs. It would not prevent all property owner complaints, however, by establishing the map it enables the County the ability to rely on the designated land use.

Memorial Bench - Continued

Ms. Kiefer read the following section of County Policy 01-32: "If the request comes from staff or a department and the committee decides the request does not meet the criterion of countywide importance, the staff of the affected department may informally name something for its own internal use." Mr. Marx believes the request falls under this portion of the policy.

Following further discussion, Ms. Kiefer said she is in agreement that the donation of a bench could be considered a departmental action and did not require any action by the Committee.

Mr. Lane, with agreement from Mr. McKenna, withdrew the motion made earlier in the meeting.

Minutes Approval

The minutes of June 04, 2010, were accepted as presented by consensus.

Highway Division

Budget Transfer

The Committee received a copy for information only.

Capital Payment Summary Report

The Committee reviewed the report and noted the following:

- Ellis Hollow Road – the charges for testing was to take borings and core samples to show the composition of the asphalt in order to replace it in the new pavement.

Capital Projects Report

The Committee reviewed the report and noted the following:

- Ellis Hollow Reconstruction- bids were received for Phase I of the project. Five contractors bid with the amounts ranging from \$1.6 million to \$2.6 million. SuitKote was the lowest responsible bidder at \$1,606,214.
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Resolution (DOC ID: 2076): Award of Bid - CR110, Ellis Hollow Road Reconstruction - Town of Dryden (Pending Committee Action 7-2-10)

A brief discussion followed and it was noted the bid was within the budget estimate and a request was made to include this information in the resolution. Mr. Sczesny reported the cost of asphalt has decreased to \$21/ton. Due to this decrease in cost, the alternate bid, which includes colored shoulders, will be included in the project.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	David McKenna, Member
SECONDER:	Michael Lane, Member
AYES:	Dooley Kiefer, Michael Lane, David McKenna
EXCUSED:	Pamela Mackesey, Leslyn McBean-Clairborne

WHEREAS, the Department of Finance – Division of Purchasing has duly advertised for bids for CR 110, Ellis Hollow Road Reconstruction – Phase 1, and

WHEREAS, five (5) bids were received and publicly opened on June 30, 2010,

WHEREAS, the low bid was within the budget estimate, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That a contract be awarded to SuitKote of Cortland, New York, lowest responsible bidder, in the amount of \$1,606,214,

RESOLVED further, That the funds are available in the Ellis Hollow Road Capital Account #HZ 5325.59239.53.25,

RESOLVED further, That the Highway Division is hereby authorized to execute change orders to the contract up to 10% of the value of the contract, funds to be provided from the Ellis Hollow Road Capital Account (HZ 5325.59239.53.25) and Road Maintenance Program Capital Account (HZ 5105.59239.51.05).

SEQR ACTION: TYPE II-2

Capital Project Report – Continued

- Game Farm Road – it was noted the future sidewalk would be on the structure rather than the roadway.
- Peruville Road – it was suggested language be added to indicate the fact the project is being reevaluated. The Highway Division is working with Congressman Arcuri to find out the status of the change for the funds to be used for safety features rather than a bridge. This will require passage of a bill in Congress.
- Reimbursement Status – *Ms. Kiefer requested that the dates be placed on this report.*
- Bridge Painting – it is not known which bridges would be dropped from this project due to cost until August 10th.
- Red Mill Road Bridge – at this time there has been some discussion at Town level.
- Forest Home Drive Bridge – Ms. Kiefer asked what the specific endangered species noted in the report was. Mr. Sczesny did not know at this time.

- Newfield Depot Bridge – *a request was made to provide information on the Norfolk Suffolk Railroad comments at the August meeting.*
- Hanshaw Road – Ms. Kiefer asked about the 6.7 percent shown as the County/Town/Cornell share of the project. Previously it had been reported as 5 percent.
- Warren Road Reconstruction – Ms. Kiefer asked if there would be a delay laying some of the new pavement to allow the Town to complete water and sewer work. Mr. Szczesny believes it has already been done. The road was scheduled to open today. Mr. Lane asked if it was known what the concerns Ms. Pryor’s constituent had. Mr. Marx spoke of having received calls concerning the notification of owners of adjacent property. The property owners said they did not receive advance notice they would not have access to their driveways. Mr. Szczesny said he was present when the contractor directed staff to notify residents. At one house, the staff knocked repeatedly on the door with no response. Later, this individual was upset they could not get out of their driveway and acknowledged they heard the knock on the door but chose not to come to the door.
- Pine Tree Road Bike and Pedestrian – residents are concerned that removal of the overpass will increase truck traffic on the road. A traffic study is underway to determine how many trucks are utilizing the road. Ms. Robertson suggested contacting the neighboring stores and Cornell University to ask if they have an idea of potential increased use of Pine Tree Road upon removal of the overpass.

Due to the lack of time the topic of a road preservation law will be discussed at a later date.

Airport

Parking Lot Expansion – Report

Mr. Nicholas provided the design for the placement of the twenty-five trees replacing ones removed as part of the long-term parking lot expansion project. No specific species of trees have been designated at this time.

It was MOVED by Mr. McKenna, seconded by Mr. Lane, and unanimously adopted by voice vote by members present, to accept the plan as submitted.

Capital Payment Summary

It was noted that members of the Committee should contact Mr. Nicholas to set up a time to view the work completed on the wetlands. Mr. Nicholas said due to the lack of additional Federal funding for this year, the sand storage building project will go out to bid next spring.

Facilities

Resolution (DOC ID: 2050): Approval of County Sites for Public Art Commission’s Mural and Street Art Program

Mr. Lane expressed concern regarding the condition of the exterior wall surfaces on Building “C” and suggested language specifying the County would not be responsible for repairing any mural on its buildings and a term of revocation. Ms. Grubb said normally it would be addressed within the contract. Mr. Lane prefers to include the language within the body of the resolution. Mr. Wood did not have an objection to the addition of the language.

A brief discussion followed about the term of revocation and Mr. Lane agreed to a period of 90-days for notice. Ms. Grubb opposed the language, particularly if, for example, it could mean removal of the artwork due to the displeasure of the community. Mr. Lane said it is not a revocation of the contract

due to content, rather, it is due to the condition of the building and the possibility of other needs the County may have. Mr. Marx said the County also has to have the ability to maintain the building, which could mean removal of art in some cases.

Following the discussion it was determined to table the resolution until August.

RESULT:	TABLED [UNANIMOUS]	Next: 8/6/2010 9:30 AM
MOVER:	Michael Lane, Member	
SECONDER:	David McKenna, Member	
AYES:	Dooley Kiefer, Michael Lane, David McKenna	
EXCUSED:	Pamela Mackesey, Leslyn McBean-Clairborne	

WHEREAS, the City of Ithaca Public Art Commission (PAC) has been established to, among other duties, review and advise Ithaca City Common Council on proposals for the exhibition and display of public art in City spaces - buildings, facilities, and infrastructure - and to review development proposals for decorative elements in the city's public spaces, and

WHEREAS, the PAC is interested in creating a city-wide mural and street art program that will beautify blank walls within the city while providing local artists from all sections of the community an opportunity to showcase their work, and

WHEREAS, a subcommittee of the PAC was established to work toward the creation of this program and has identified possible locations for murals and street art throughout the city, and

WHEREAS the City Board of Public Works recently adopted a resolution approving a list of pre-approved sites in the City, and

WHEREAS, two of the proposed sites are on County-owned property and require the approval of the County, and

WHEREAS, the two sites identified for inclusion are the curved wall of the Old Library building at the corner of Cayuga and Court Streets and the east facing wall of the County Board of Elections Building on Buffalo Street, and

WHEREAS, the long-term tenure of the Old Library building is uncertain, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the County Legislature approves the inclusion on the list of pre-approved sites in the City of Ithaca Public Art Commission's Mural and Street Art Program of the curved wall of the Old Library building at the corner of Cayuga and Court Streets and the east facing wall of the County Board of Elections Building on Buffalo Street,

RESOLVED, further, That the Old Library site be used for relatively temporary graffiti-type "installations" with graffiti artists to apply to the PAC and the installation(s) to remain for a maximum of three months at a time,

RESOLVED, further, That the use of such sites shall be only by temporary license, which shall be revocable upon reasonable notice (not less than ninety (90) days) except in circumstances necessary for the maintenance or security of the building by the County. The spaces shall be licensed in "as is" condition, and the County shall have no obligation to maintain either the site surfaces or the artwork,

RESOLVED, further, That the PAC will use the public input procedure for engaging nearby businesses, residences, and/or business and neighborhood associations devised with the City Department of Public Works and/or Planning Department staff for these two locations,

RESOLVED further, That the PAC will bring its recommended art choice(s) to the appropriate program committee of the Legislature for committee approval and possible contractual suggestions,

RESOLVED, further, That the PAC will work with the County Attorney to ensure that any art mural RFP (Request for Proposal) or contract with a participating artist reflects and accommodates the needs and constraints of the County.

SEQR ACTION: TYPE II-20

Rollover Request (DOC ID: 2095): Request to Use Certified Rollover Funds - 2010

Weights and Measures

Mr. Lane opposes acting on rollover requests until it is known what the full 2011 County budget situation is. Ms. Kiefer said it is a small request and would not set a precedent. Mr. McKenna suggested tabling the request until next month to allow the absent members to participate. It was noted there is a resolution being prepared to bring forward all requests and that action should be taken.

RESULT:	COMMITTEE DEFEATED [FAILED FOR LACK OF 2nd]
MOVER:	Dooley Kiefer, Chair
SECONDER:	None

\$1,300 For use to purchase vinyl face seals for weights and measures devices that have passed the testing procedure.

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Solid Waste Division

Resolution (DOC ID: 2068): Award of Bid - Leachate Hauling from Closed Landfills

Ms. Eckstrom noted the contract has increased approximately \$3,000. The amount of leachate is reducing annually and she is in the process of working with the New York State Department of Environmental Conservation to be able to provide on-site treatment with a discharge at the Caswell Road location. She noted that it was thought the Hillview Road Landfill site would only require monitoring for twenty-years, however, the analysis is to continue to monitor at this time.

Mr. Lane requested a note be included to indicate what the previous contract length. Ms. Eckstrom said the on-site treatment at Caswell Road would involve pre-treatment prior to releasing the fluid into an artificial wetland. Mr. Richardson said there is the possibility of a grant from the New York State Clean Water Fund to provide federal funding for up to 90 percent of the cost. He is working with New York State Department of Environmental Conservation to complete the permit and determine the parameters. The project would be subject to a State Environmental Quality Review process. If the grant is not received the payback would be over a 4-5 year period. Ms. Eckstrom would prefer to pre-treat the leachate before discharge.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Michael Lane, Member
SECONDER:	David McKenna, Member
AYES:	Dooley Kiefer, Michael Lane, David McKenna
EXCUSED:	Pamela Mackesey, Leslyn McBean-Clairborne

WHEREAS, the Department of Finance-Division of Purchasing has duly advertised for bids for the transportation of Leachate for the Tompkins County Public Works Department, and

WHEREAS, one (1) bid for Leachate Transportation from the Hillview landfill and the Caswell landfill to the Ithaca Area Wastewater Treatment Plant in Ithaca, New York, was received and publicly opened on Friday, June 25, 2010, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the bid for

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Leachate Transportation from the Hillview landfill and the Caswell landfill to the Ithaca Area Wastewater Treatment Plant in Ithaca, New York, be awarded to WeCare Transportation, LLC of Jordan, New York, for a price of \$49.00 per 1,000 gallons,

RESOLVED, further, That the funds are available in the Solid Waste Division budget, account number 8166.54442,

RESOLVED, further, That the Contract's Administrator be authorized to execute this bid on behalf of the County.

SEQR ACTION: TYPE II-20

Note: This contract is for a three-year period with two one-year renewal options.

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ReBusiness Partners Award Program

Ms. McCarthy reported the program has been in existence since 2006, with the objective being reduce, reuse, recycle, and re-buy by local businesses and organizations. Over 200 businesses are participating. The awards program recognizes the exceptional efforts of businesses and organizations in the following categories: Distinguished Recycler, Leadership in Waste Reduction, Outstanding Organics Diversion, and Exemplary Green Purchaser. The awards were presented at the Tompkins County Chamber of Commerce 2010 Showcase Tompkins on June 9th as follows:

- Alternatives Federal Credit Union – Distinguished Recycler
- Renovus Energy – Leadership in Waste Reduction
- Tompkins County Chamber of Commerce – Outstanding Organics Diversion
- Taitem Engineering – Exemplary Green Purchaser

Ms. Eckstrom said The Ithaca Journal would be reporting the winners in the near future. The program is expected to grow and evaluations being done to provide businesses and organizations with an action plan. The result of the program is that it also brings additional materials to the Recycling Center. In addition, outreach is taking place to the municipalities and staff have been asked to speak at conferences about the program.

Ms. Kiefer requested the full Legislature receive information on participants in the program.

Appointment (DOC ID: 2058): Hillview Road Landfill Citizens Advisory Committee

Ms. Kiefer said originally two individuals had applied to serve on the Hillview Road Landfill Citizens Advisory Committee, however, one applicant lived out of county and is ineligible.

It was MOVED by Mr. Lane, seconded by Mr. McKenna, and unanimously adopted by voice vote by members present, to enter into an executive session to discuss a personnel matter.

An executive session was held from 12:35 p.m. to 12:40 p.m.

It was MOVED by Mr. Lane, seconded by Mr. McKenna, and unanimously adopted by voice vote by members present, to recommend the following appointment, pending a review of the status of matters within the Health Department. MOTION ADOPTED.

Ernest Bury, At-large representative, term to expire December 31, 2011.

Upcoming Grants

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The Committee was informed of two grant applications, one from the United States Department of Agriculture in the amount of \$35,000 for composting and recycling in rural locations and trailer parks, and one from the Environmental Protection Agency in the amount of \$45,000 for reuse programs in schools as well as buying recycled products. Ms. Eckstrom also reported on a contract with Challenge Industries to provide countywide paper-shredding; a Park Foundation grant to Challenge Industries will provide the lock-boxes to keep the paper secure. Since current vendors often take the material out of the County this program will assist in keeping materials local.

Recycling and Solid Waste Center Procurement Update

It was MOVED by Mr. Lane, seconded by Mr. McKenna, and unanimously adopted by voice vote by members present, to enter into an executive session to discuss contractual negotiations and confidential material. MOTION ADOPTED.

An executive session was held at 11:46 a.m. and returned to open session at 12:02 p.m.

Adjournment

On motion, the meeting adjourned at 12:02 p.m.

Respectfully submitted, Karen Fuller, Deputy Clerk