

Facilities and Infrastructure Committee
November 20, 2008
3:30 p.m.
Scott Heyman Conference Room

Approved 2/19/09

Present: L. McBean-Clairborne, Chair; K. Luz Herrera, Vice Chair, D. Kiefer, C. Chock, D. Randall
Staff: E. Marx, Commissioner of Planning and Public Works; C. Nelson, Public Works Administrator; R. Nicholas, Airport Manager; T. Richardson, Solid Waste Division; J. Wood, County Attorney; N. Jayne, Administration; A. LeMaro, Facilities; W. Sczesny, J. Lampman, Highway Division; K. Fuller, Deputy Clerk
Guests: Kevin Marren, LaBella Associates; Larry Chace, Etna resident

Call to Order

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

Chair's Report

Mrs. McBean-Clairborne said the Committee would be determining a change regarding the December meeting due to a conflict with a Legislature/Department Head meeting.

Agenda Additions and Deletions

There were no additions to, or deletions from the agenda.

Persons Wishing to Address the Committee

Raymond "Larry" Chace, Lower Creek Road, Etna, spoke of several concerns expressed by individuals residing in his neighborhood and asked that the Legislature be aware during projects of the potential impacts:

- Road Salt – due to the damage caused to motor vehicles he asked that salt be used sparingly.
- Airport Obstruction Clearance – he shared comments of individuals who work at the Cornell University Laboratory of Ornithology who were surprised at the extent of clearance occurring in the proximity of Cornell University's sanctuary.
- Road Surfaces – he noted the recent resurfacing that occurred on New York State Route 13 between New York State Electric and Gas and Dryden has created an increase in road noise; it was suggested the County determine what was used and not use the particular type of treatment.
- Airport Project Off-site Environmental Impact – the Committee was informed of the off-site environmental impact that has occurred in the airport's runway projects, specifically, trucks are running all night to bring soil from the RMS gravel to the airport; upon the return to RMS, the empty trucks are making significant noise. Some of the local residents were disturbed enough that they required doctor's to prescribe medication. Residents also contacted the New York State Department of Transportation, Sheriff's Department, Legislator Robertson, etc. in an attempt to alleviate the situation. Mr. Chace complimented Mr. Nicholas, Airport Manager, who spoke to the contractor RMS and worked on an alternate route to return to the gravel pit; unfortunately, RMS's subcontractors still continued to be noisy.

Mrs. McBean-Clairborne thanked Mr. Chace for coming forward to inform the Committee of his concerns and that County staff was responsive.

Commissioner of Planning and Public Works Report

Bridge Openings

Mr. Marx reported the McLean Road bridge would have an official ribbon-cutting ceremony on Monday, November 24th at 1:00 p.m. The Banks Road bridge ribbon-cutting ceremony will take place on Tuesday, November 25th

at 1:00 p.m. Mr. Marx said both bridges have a historical significance to the community, which would be noted at the ceremonies.

Capital Projects

Mr. Marx expressed appreciation to Legislators regarding comments made at the November 16th Legislature meeting on the topic of unplanned additions to the Capital Plan and the fact it makes it difficult for the County to plan on its own projects.

Ms. Herrera said she would like to have someone in County government review the matter, which she sees as a major policy decision that the County would take on responsibility for Tompkins Cortland Community College (TC3) facilities infrastructure in a manner not previously done. She believes it would require examination; although TC3 is preparing a report, she believes the County should do its own review to understand how it could affect the County's own infrastructure and planning. She strongly believes as Legislators, we owe it to our constituents to do critical thinking in this area.

Ms. Kiefer agreed that the County should take a pro-active approach, however, her reaction is somewhat different. She said TC3 is not a department and is on a different budgeting schedule than the County. In addition, she believes if the college had a utility director in place the information would have been shared when the initial budget was presented to the Legislature. With regard to whether it was appropriate to replace the electrical box Ms. Kiefer said the college buildings have been in place for a long time and the County has always been willing to support their Master Plan improvements. She believes this is almost the first time a request like this has come forward. She does not think it is inappropriate for the County to support replacing a major basic-part of the building but feels a discussion would be valuable.

Mrs. McBean-Clairborne said this topic could be discussed further at a future meeting.

Commodity Market

Ms. Kiefer asked if any information was available regarding prices for recycled commodities. Mr. Richardson would provide that information.

Building Temperature

In response to Ms. Kiefer's question, Ms. Nelson said a subcommittee of the Sustainability Team is the Energy team. They are working on several things at once, including this topic. The facilities policy is in the process of being updated and there would be an energy piece incorporated into this. It is hoped that by December or early January the draft would be ready for review. Ms. Kiefer said after-hour meetings held in the Old Jail result in individuals being cold due to the reduction of temperatures in the building. *Mr. LeMaro will review what could be done to assist in finding a reasonable means of comfort; possibly an override function could be installed.*

Solid Waste

RESOLUTION NO. AUTHORIZING THE FILING OF AN APPLICATION TO NEW YORK STATE FOR THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE.

It was MOVED by Mr. Randall, seconded by Ms. Chock, and unanimously adopted by voice vote, to recommend approval of the following resolution to the full Legislature.

WHEREAS, the State of New York provides financial aid for household hazardous waste programs, and

WHEREAS, Tompkins County has examined and duly considered the applicable laws of the State of New York and deems it to be in the public interest and benefit to file an application under these laws, and

WHEREAS, it is necessary that a Contract by and between The State of New York and Tompkins County be executed for such aid, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the filing of an application in the form required by the State of New York in conformity with the assurances contained in said application is hereby authorized,

RESOLVED, further, That the Tompkins County Solid Waste Manager or her designee is directed and authorized as the official representative of Tompkins County to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the State,

RESOLVED, further That Tompkins County agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs,

RESOLVED, further, That five (5) certified copies of this resolution be prepared and sent to the New York State Department of Environmental Conservation (NYSDEC) together with a complete application,

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

SEQR ACTION: TYPE II - 20

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Commodities

Mr. Richardson spoke of having attended a meeting on November 14th regarding commodities. Although pricing is not favorable at the present, Solid Waste is still able to have the items removed from site. Mr. Wood specified that under the County's agreement with the contractors, there is a requirement to move commodity items within thirty days.

Capital Payment Summary Reports

Solid Waste Division

In response to Ms. Kiefer, it was noted the leachate treatment study at Caswell Road Landfill would be completed in the near future. It was noted the delay in a conclusion is due to the need to revise the scope of work due to Freeville determining not to allow use of their waste treatment facility.

Facilities

The Pro-Lawn service payment was for mowing the lawn, mulching, etc. It was asked to clarify what the actual services are, particularly any chemical treatments. Mr. LeMaro said the County must maintain the lawn and reported the bill had to be corrected to reflect the agreed-upon amount (what Cornell had been paying, 1/2 the cost of the initial billing). *It was suggested to contact Cornell Cooperative Extension for possible alternative for the lawn care.*

Facilities

Status Report – 55 Brown Road

Mr. Kevin Marren of LaBella Associates provided a Powerpoint presentation showing the continuing design work undertaken for the deconstruction and renovation of the building purchased at 55 Brown Road. He reviewed the conceptual drawings that indicated the division layout, flooring preferences, office layout, proposed renovation to the parking lot, and exterior of the building. It was reported that the majority of the building would have vinyl composition tile, which was the floor covering choice made by staff. The Committee was provided the timeline for the project and it was explained how the construction bid would follow the deconstruction work very closely. Mr. Marren said the deconstruction bid was favorable to the County as commodity pricing was high at the time of bid, resulting in a lower bid award. He hopes that the market would also favor the County due to potential competition among contractors at a time of slow-down.

Airport

Mrs. McBean-Clairborne shared Mr. Chace's compliments regarding Mr. Nicholas's assistance in relieving truck-traffic noise due to the construction project at the airport.

RESOLUTION NO. - AUTHORIZING ACCEPTANCE OF SUPPLEMENTAL GRANT AGREEMENT (NO.1 - SCHEDULE A-2) TO THE 10-YEAR MASTER AGREEMENT FROM THE NEW

**YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) TO
CONSTRUCT RUNWAY 14/32 SAFETY AREA IMPROVEMENTS, TO COMPLETE
OBSTRUCTION CLEARANCE AND TO CONSTRUCT THE PARALLEL TAXIWAY
RELOCATION (PHASE III) – ITHACA TOMPKINS REGIONAL AIRPORT**

It was MOVED by Mr. Randall, seconded by Ms. Herrera, to recommend adoption of the following resolution to the full Legislature. Ms. Kiefer inquired what is left to do for the obstruction clearance; Mr. Nicholas said all of the off-airport clearance has to be done. At this time there has not been a determination of whether obstruction lighting would be required; also, easements also need to be acquired.

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

WHEREAS, the County has received a grant offer from the New York State Department of Transportation (NYSDOT) in the amount of \$200,559 to assist with the above mentioned projects, and

WHEREAS, the budget for this project is as follows:

Federal Aviation Administration Share	(95.0%)	Account No. HT 5601.44592	\$7,621,250.00
New York State Department of Transportation	(2.5%)	Account No. HT 5601.43592	\$ 200,559.00
Local Share	(2.5%)	Account No. HT 5601.45031	\$ 200,559.00
Total			\$8,022,368.00

, and

WHEREAS, the local share of \$200,559 has been factored into the 2008 Airport budget and will be paid for through airlines fees, and

WHEREAS, in the event of project increases, the NYSDOT share may be increased by up to fifteen percent (15%) to a maximum of \$230,643 based on approved eligible costs, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the NYSDOT Supplemental Grant Agreement (No. 1 - Schedule A-2) be and hereby is accepted and that the County Administrator is authorized to execute the required documents.

SEQR ACTION: TYPE II-2

**RESOLUTION NO. - AUTHORIZING ACCEPTANCE OF SUPPLEMENTAL GRANT AGREEMENT (NO.1
- SCHEDULE A-3) TO THE 10-YEAR MASTER AGREEMENT FROM THE NEW
YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) TO DEMOLISH
HANGAR TO ALLOW FOR APRON EXPANSION - ITHACA TOMPKINS
REGIONAL AIRPORT**

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

WHEREAS, the County has received a grant offer from the New York State Department of Transportation (NYSDOT) in the amount of \$6,579 to assist with the above mentioned project, and

WHEREAS, the budget for this project is as follows:

Federal Aviation Administration Share	(95.0%)	Account No. HT 5601.44592	\$250,000.00
New York State Department of Transportation	(2.5%)	Account No. HT 5601.43592	\$ 6,579.00
Local Share	(2.5%)	Account No. HT 5601.45031	\$ 6,579.00
Total			\$263,158.00

, and

WHEREAS, the local share of \$6,579 has been factored into the 2008 airport budget and will be paid for through airport fees, and

WHEREAS, in the event of project increases, the NYSDOT share may be increased by up to fifteen percent (15%) to a maximum of \$7,566 based on approved eligible costs, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the NYSDOT Supplemental Grant Agreement (No. 1 - Schedule A-3) be and hereby is accepted and that the County Administrator is authorized to execute the required documents.

SEQR ACTION: TYPE II-2

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Update on Continental Airlines

Mr. Nicholas reported for the first month of service Continental had a fifty-five percent load factor for October, which is a very good number.

Highway Division

Budget Transfers

The Committee was provided with budget transfers for information only.

Authorization to Seek Construction Bids – Bridge Replacement

It was MOVED by Mr. Randall, seconded by Ms. Chock, and unanimously approved by voice vote by members, to seek construction bids for the bridge replacement (BIN 3314050) County Road 115, 76 Road over Boyer Creek, Town of Caroline. Members requested to be informed of the award of bid. AUTHORIZATION APPROVED.

RESOLUTION NO. - AUTHORIZATION TO EXECUTE SUPPLEMENTARY RIGHT-OF- WAY FUNDING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION – HANSHAW ROAD RECONSTRUCTION, PIN 3753.25

It was MOVED by Ms. Herrera, seconded by Ms. Chock, to recommend approval of the following resolution to the full Legislature. Members were informed Mr. Hutchins correspondence relates to this project. It was noted the largest parcel involved has been redesigned to allow retention of trees.

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

WHEREAS, a Project to reconstruct Hanshaw Road in the Town of Ithaca between Pleasant Grove Road and Sapsucker Woods Road, P.I.N. 3753.25, (the Project), 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, Resolution No. 9 adopted on January 18, 2005, approved the Project and authorized execution of an agreement with the New York State Department of Transportation regarding administration and funding of Scoping, Design (Phases I-VI), and Right-of-Way Incidentals, and

WHEREAS, Resolution 167 adopted on September 4, 2007, authorized issuance of Design and Right-of-Way Plan approvals for the Project, 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 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 Design and Right-of-Way Acquisition, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the Tompkins County Legislature hereby approves the above-subject project and authorizes the County of Tompkins to pay in the first instance one hundred percent of the Federal and non-Federal share of the costs of Design and Right-of-Way Acquisition work for the subject Project or portions thereof,

RESOLVED, further, That the sum of \$390,000 is hereby made available within account HZ5103.59239.53.10, Hanshaw Capital Project Account, 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 from 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: Unlisted

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RESOLUTION NO. - AUTHORIZATION TO EXECUTE SUPPLEMENTAL AGREEMENT WITH FISHER ASSOCIATES FOR DESIGN AND RIGHT-OF-WAY SERVICES – HANSHAW ROAD RECONSTRUCTION PROJECT, PIN 3753.25

It was MOVED by Mr. Randall, seconded by Ms. Chock, to recommend adoption of the following resolution to the full Legislature. Ms. Kiefer inquired why the State no longer allowed the County to perform the right-of-way services. Mr. Lampman explained several years ago actions taken by a right-of-way sponsor (not within our County) created a problem resulting in liability at the State level. As a result, the State Department of Transportation now does the right-of-way service; the certified appraiser used by Fisher Associates is certified by the State to do so.

WHEREAS, Resolution No. 209 of 2004 authorized a contract with Fisher Associates, P.E., L.S., P.C., (Fisher), of 135 Calkins Road, Rochester, New York, for design services in connection with the reconstruction of County Road 109, Hanshaw Road, and

WHEREAS, Resolution 167 of 2007 approved a project Design Report and Right-of-Way Plan, which identified additional highway design needs, among them a traffic signal at the Warren Road intersection, signal warrant analysis at the intersection at Pleasant Grove Road, and an archaeological assessment, and

WHEREAS, Resolution ___ of 2008 authorized a supplementary agreement with the State of New York whereby State and Federal sources will furnish up to \$352,500 (90.4 percent) for design and right-of-way expenses, and also made a total of \$390,000 available within account HZ5103.59239.53.10, Hanshaw Road Capital Account, for said expenses, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the County Administrator or his designee be and hereby is authorized to execute a supplemental agreement with Fisher Associates, P.E., L.S., P.C., of 135 Calkins Road, Rochester, New York, for design and right-of-way services in connection with the referenced project for an amount not to exceed \$283,000, funds to be provided from account HZ5103.59239.53.10 (Hanshaw Road Capital Account).

RESOLVED, further, That the County Administrator or his designee be authorized to execute supplemental agreements on behalf of the County with cumulative value not to exceed ten percent of the aforementioned contract amount, funds to be provided from capital account HZ5103. 59239.53.10 (Hanshaw Road Capital Account).

SEQR ACTION: Unlisted

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RESOLUTION NO. - AUTHORIZE GRANTING OF EASEMENTS TO NEW YORK STATE ELECTRIC AND GAS CORPORATION

It was MOVED by Ms. Chock, seconded by Ms. Herrera, to recommend adoption of the following resolution to the full Legislature. A brief discussion followed, during which Mr. Wood, County Attorney, stated resolutions granting the easement to New York State Electric and Gas Corporation (NYSEG) have been adopted by both the Town and Village

of Dryden. The property is jointly owned, however, the Village of Dryden provides maintenance of the property. There is no structure at this location. Ms. Kiefer was concerned what NYSEG's plans to maintain the area of the easement would be, noting she would not prefer chemical treatment for plant control. She asked if there is a map indicating the property characteristics and whether any unique natural area is involved. Ms. Chock also expressed a desire to receive additional information prior to moving the resolution forward. Mr. Wood had no answers to the questions, but said it is important to bring the resolution forward; NYSEG has already postponed the work on the transmission lines and is anxious to proceed.

A voice vote on the resolution resulted as follows: Ayes – 3 (Legislators Herrera, McBean-Clairborne, and Randall); Noes – 2 (Legislators Chock and Kiefer). RESOLUTION ADOPTED.

WHEREAS, Tompkins County jointly owns certain property with the Town of Dryden and the Village of Dryden (Town of Dryden tax parcel no. 48.-1-73.1) for flood control purposes, and

WHEREAS, New York State Electric and Gas Corporation ("NYSEG") has requested a temporary easement for a 2.5 year duration to improve electric transmission lines, and

WHEREAS, NYSEG has request a permanent easement for the transmission lines to cross over the parcel, and

WHEREAS, NYSEG has agreed to pay \$900 for the temporary easement and \$300 for the permanent easement (to be split among the three municipalities), and

WHEREAS, both the Town of Dryden and the Village of Dryden have already executed the easements, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the County Administrator or his designee is authorized to execute easements with NYSEG for both the temporary and the permanent easement.

SEQR ACTION: TYPE II-20

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Ms. Herrera was excused at this time (4:55 p.m.).

December 2008 Committee Meeting Discussion

Following a brief discussion, it was determined there would not be a meeting on December 18, 2008. Any items requiring action would be brought to the Committee prior to the December 16, 2008, Legislature meeting. The Committee is scheduled to reconvene in January to take action on the 55 Brown Road bid award.

Approval of Minutes of October 16, 2008

It was MOVED by Mr. Randall, seconded by Ms. Chock, and unanimously adopted by voice vote by members present, to approve the minutes of October 16, 2008, as amended. MINUTES APPROVED.

On motion the meeting adjourned at 5:05 p.m.

Respectfully submitted by Karen Fuller, Deputy Clerk