

Facilities and Infrastructure Committee
August 20, 2009
3:30 p.m.
Scott Heyman Conference Room

APPROVED 9-17-09

- Present: D. Kiefer, arrived 3:40 p.m. M. Sigler D. Randall, M. Koplinka-Loehr (Temporary Member)
Excused: L. McBean-Clairborne, Chair, K. Luz Herrera
Staff: E. Marx, Commissioner of Planning and Public Works; C. Nelson, Public Works Administrator;
B. Eckstrom, T. Richardson, Solid Waste Division; A. Lemaro, Facilities; N. Jayne, K. Stout,
County Administration; R. Nicholas, Airport; J. Wood, County Attorney; D. Ellis, Weights and
Measures; G. Potter, Information Technology Services; W. Sczesny, Highway Division; K.
Fuller, Deputy Clerk
Guest: Charles McDermott, Courtney Armbruster, C&S Engineers; Gerald Aloï, Trish Hatfield; Stacey
Shackelford, *The Ithaca Journal*

Call to Order

Mr. Koplinka-Loehr, temporary member, called the meeting to order at 3:37 p.m.

Agenda Additions and Deletions

Permission was granted to add the following item to the agenda: Budget Review – Weights and Measures, Don Ellis.

There were no deletions from the meeting at this time. [Later in the meeting the minutes of July 16 and 21, 2009, were withdrawn.]

Persons Wishing to Address the Committee

No one wished to address the Committee.

Chair's Report

Mr. Koplinka-Loehr did not have a report.

Report from the Commissioner of Planning and Public Works

55 Brown Road/Biggs B Disposition

Mr. Marx announced at the September 15, 2009, Legislature meeting he will report on progress of the 55 Brown Road project. Site work has begun and the pavement is in the process of being milled. The project is expected to be complete by October, commissioning of the systems completed by November, and the Health Department move to occur in December.

Cornell Business Park is concerned about the possible need to screen roof-top equipment due to visible impact. The County had expressed a desire not to have to erect screens, our equipment is larger than other equipment within the park and we are looking at alternatives. The screening would be an additional cost but it is assumed it would come within the contingent reserve amount.

Ms. Kiefer arrived at this time.

At the September 15th Legislature meeting Mr. Marx would be requesting an executive session to report on the status of Biggs B building and property.

Forest Home Traffic Calming/Warren Road Project

The Forest Home Traffic Calming Project is a Town of Ithaca project that would include County roads. The project design includes traffic-calming gateways into the Forest Home neighborhood. The plan was developed several years ago and while not formally approving the plan, the County agreed with the concept. As a result of Federal Stimulus funding that freed up other Federal funding, the Forest Home project was chosen as one to be committed by the end of the fiscal year. Mr. Marx said there are some issues the County is in the process of resolving. These include:

- The gateway feature was designed to be at-grade in the original plan; it is desirable to have them at the top of the hill to provide adequate warning.
- Placement of the gateway feature lights in the design are closer to the roadway than the County desires. Normally the County leaves 3 to 4 feet from the roadway, the plans have them 1.6 feet off the curb. He would like to make it clear there is a safety issue involved, particularly given winter weather.
- The long-term maintenance responsibility needs to be clarified prior to the placement by the Town. The curbing, speed tables, lights, etc., are the Town's responsibility for maintenance and/or liability. There needs to be an agreement before installation by the Town. He hopes the matter would be agreed in principle prior to the end of September.

There will not be another public meeting on the issue, but there should be an upcoming site visit. *Mr. Koplinka-Loehr and Ms. Kiefer requested to be informed when the site visit takes place.*

Request for Report

Ms. Kiefer requested an agenda item, Report from the Air Service Board, be included in the future under the Report heading.

Mr. Koplinka-Loehr turned the meeting over to Ms. Kiefer to Chair.

Weights and Measures

Mr. Ellis gave a brief history of his department, noting staffing levels were reduced by one-half; he is the only staff member. The total he is required to reduce in his budget (6.25% plus fringe) comes to a 9.8% reduction in target. After a careful review, and having reduced his budget by \$1,200, the only additional area he is able to cut and meet his goal is by cutting his hours and he will be requesting an over-target request to reinstate them. The \$1,200 reduction is reduced fuel cost from eliminating checks for 56 businesses' non-commercial devices (measuring devices such as scales to ROTC, are school districts, TST-BOCES, etc.). Mr. Koplinka-Loehr asked whether meeting mandates would be compromised and what the consequence may be. Mr. Ellis said there could be a consequence; at the present time there are already areas he is not able to cover such as timing devices, package checks, and pricing accuracy. At present, the State has the right to fine counties but has not done so. The reduction would result in his completing checks at only gas stations, grocery stores, and fuel oil trucks. If approved the over-target request would reinstate the non-commercial checks.

Ms. Kiefer requested additional information, including staffing level and what the cost would be to complete all tasks as recommended by the State, be given to the Legislature for the budget review.

Airport

Resolutions

It was MOVED by Mr. Koplinka-Loehr, seconded by Mr. Sigler, to approve and submit the following resolution to the full Legislature for approval. Ms. Kiefer asked if there had been concern with the winning bid due to the significantly lower amount. Mr. Morrissey talked to the firm and was assured the bid is valid; he said

the bid is almost exactly what the estimate was. There will not be new methods of tree removal. The obstruction removal does not include any wetlands and is not subject to seasonal limitations.

A voice vote on the resolution resulted as follows: Ayes – 4; Noes – 0; Excused – 2 (Legislators Herrera and McBean-Clairborne). RESOLUTION RECOMMENDED.

RESOLUTION NO. – AWARD OF BID – ON-AIRPORT OBSTRUCTION CLEARANCE – ITHACA TOMPKINS REGIONAL AIRPORT

WHEREAS, the Finance Department advertised and received four bids to remove on-airport obstructions, and

WHEREAS, the airport's engineering consultants, C&S Engineers of Syracuse, have reviewed all the bids and found the lowest responsible bidder is Scotts Lawn Yard, Inc., of Sanborn, New York with a bid of \$176,850 and

WHEREAS, the Federal Aviation Administration (FAA) has reviewed the likely effect of this project on the environmental and has issued a Finding of No Significant Impact (FONSI), now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the bid be awarded to Scotts Lawn Yard, Inc., of Sanborn, New York for the sum of \$176,850,

RESOLVED, further, That the funding sources for this project are as follows:

FAA Share	(95.0%)	\$168,007.50
NYS DOT Share	(2.5%)	\$ 4,421.25
Local Share (Airline Rates and Charges)	(2.5%)	\$ 4,421.25
TOTAL		\$176,850.00

RESOLVED, further, That the County Administrator be and hereby is authorized to execute a contract with Scotts Lawn Yard, Inc.,

RESOLVED, further, That the Finance Director be authorized to borrow monies if necessary, until reimbursement is received from the Federal Aviation Administration and New York State Department of Transportation.

SEQR ACTION: TYPE 1

(Negative Declaration - Copy of the Full Environmental Assessment Form is available in the Legislative Clerk's office)

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It was MOVED by Mr. Randall, seconded by Mr. Sigler, to approve and submit the following resolution to the full Legislature for approval. Ms. Kiefer is not pleased the overhead expense for payroll is 160 percent above the actual salary cost and that the firm receives fifteen percent profit on it as well. She asked if other firms could provide a lower cost for the work.

A voice vote on the resolution resulted as follows: Ayes – 4; Noes – 0; Excused – 2 (Legislators Herrera and McBean-Clairborne). RESOLUTION RECOMMENDED.

RESOLUTION NO. – AUTHORIZING A CONSULTANT AGREEMENT WITH C&S ENGINEERS, INC., FOR CONSTRUCTION OBSERVATION AND CONTRACT ADMINISTRATION SERVICES – ON-AIRPORT OBSTRUCTION CLEARANCE – ITHACA TOMPKINS REGIONAL AIRPORT

WHEREAS, a contract has been awarded to Scotts Lawn Yard, Inc., in the amount of \$176,850 to remove on-airport obstructions, and

WHEREAS, it is necessary to oversee such activities and provide various contract administration services, and

WHEREAS, the airport's engineering consultant, C&S Engineers, Inc., of Syracuse, New York, has proposed providing said services for a fee of \$28,965, and

WHEREAS, the budget for said construction observation and contract administration services is as follows:

Federal Aviation Administration Share	(95.0%)	\$27,517
New York State Department of Transportation	(2.5%)	\$ 724
Local Share	(2.5%)	\$ 724
Total		\$28,965

, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the agreement with C&S Engineers, Inc., up to a maximum of \$28,965 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 \$724 shall 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 - 20

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Budget Presentation

Mr. Nicholas reviewed the budget material provided to the Committee. He attempted to limit the impact to airlines; the rates and charges at the airport are double the national average. Overall, the 2010 budget is approximately \$7,000 increase, and was conservative. It was noted the purchasing of equipment follows the County purchasing policy. Ms. Kiefer asked what the payroll savings would be as a result of the web-based firefighter training program. Mr. Nicholas did not have the exact dollar information with him; it is two people coming in one time each month for the training. He also pointed out the employees would not be required to be present on their days off. The hybrid vehicle being considered is a Prius; it would be used to attend meetings throughout the state. Mr. Marx said the greenfleet analysis could be completed if desired; Mr. Nicholas said the vehicle it is replacing is a 1991 V-8 Bronco. He is considering a lease to allow flexibility in the future.

With regard to contracts: the marketing consultant is Alan Cohen Consulting; the website is maintained by Ancient Wisdom, a local firm. It was noted the increase in advertising and marketing to allow flexibility in the market. Mr. Marx said it is important to have the ability to capitalize on positive news regarding the airport. Ms. Kiefer inquired about social networking such as Facebook. Mr. Nicholas is having discussions regarding the topic and recognizes it would be explored. He will bring back any additional information regarding the topic.

Resolution

It was MOVED by Mr. Sigler, seconded by Mr. Randall, to approve and submit the following resolution to the full Legislature for approval. Ms. Kiefer said she believes the legislation only initiates a six-month process rulemaking to address one-half dozen topics. She believes that including dollar figures on potential increase does not seem appropriate and she does not support the resolution at this time. Mr. Nicholas and Mr. Marx expressed their concern that if the legislation passes with the inclusion of this topic, the Federal Aviation Administration would have the ability to enact a rule requiring additional staffing. Ms. Kiefer said if our resolution expressed general concern about what the cost impact of additional staffing would be she could support it; the information contained at present is not in the legislation. Mr. Nicholas said Tompkins County Airport is considered an "Index B" designation for fire fighting staff. The study indicated for that classification it would require 9 individuals on duty when the airport is in operation, which would triple staffing. Mr. Marx said tripling staff would not only be a prohibitive expense but would also be paying for the individuals to have less work to fill their days. He also said that the FAA has not seen the need to increase staffing, this request is from outside individuals. If the airport were required to do so the additional cost of \$1.2 million would need to come from the Legislature. Mr. Nicholas

said the American Association of Airport Executives did a study over an eleven-year period to determine if increased staffing could make a difference in the ability to save people. *Ms. Kiefer cannot support the resolution as written; the language is alarmist, the staffing number and costs are not in H.R. 915, and she doubts the FAA would be so foolish as to enact rules that would shut down smaller airports. She noted Federal agencies undertake reauthorizations all the time, and affected individuals, organizations, and the public submit comments that must be addressed. She asked that the entire bill be provided for Legislator's review. She also requested additional information be provided regarding the documentation on the figures contained within the resolution.*

A voice vote on the resolution resulted as follows: Ayes – 3 (Legislators Koplinka-Loehr, Randall, and Sigler); Noes – 1 (Legislator Kiefer); Excused – 2 (Legislators Herrera and McBean-Clairborne). RESOLUTION RECOMMENDED.

RESOLUTION NO. – IN OPPOSITION TO PROPOSED AIRCRAFT RESCUE AND FIGHTING RULES CONTAINED IN THE FEDERAL AVIATION ADMINISTRATION (FAA) REAUTHORIZATION LEGISLATION OF 2009

WHEREAS, the U.S. House of Representatives recently passed the Federal Aviation Administration Reauthorization Act of 2009 (HR.915) that includes language to significantly alter the aircraft rescue and fire fighting (ARFF) rules applying to all commercial service (CFR Part 139) airports in the United States, and

WHEREAS, said new ARFF rules would necessitate the building of almost 600 additional ARFF facilities, the purchase of more than 1,000 additional ARFF vehicles, require the hiring of more than 11,000 additional firefighters, and cost airports almost \$4 billion in the first year, and

WHEREAS, said regulations would require the Ithaca Tompkins Regional Airport to increase its fire fighter staff from 9 to 27 and require an extension of the ARFF Building to accommodate the additional staff, and

WHEREAS, adding 18 fire fighters to the airport staff would increase the airport budget by an estimated \$1.2 million per year and almost double the airlines' rates and charges, and

WHEREAS, an examination by the American Association of Airport Executives of past accidents shows that the proposed ARFF regulations would not materially improve the safety of airline passengers, and

WHEREAS, in the present economic recession, the doubling of airline fees is likely to have a dire affect on air service in the Tompkins County community, including the distinct possibility that all air service would be lost, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the Tompkins County Legislature does unanimously urge Senator Schumer and Senator Gillibrand to categorically reject any and all language in the Senate Federal Aviation Administration A Reauthorization companion bill that purports to amend ARFF regulations in any way.

SEQR ACTION: TYPE II-20

Capital Payment Summary

There were no questions regarding the summary.

Introduction – Assistant Facilities Director

Mr. Marx introduced Bob O'Loughlin, Assistant Facilities Director, to the Committee.

Highway Division

Budget Transfer

The Committee was provided the written transfer; no action was necessary.

Resolutions

It was MOVED by Mr. Koplinka-Loehr, seconded by Mr. Randall, to approve and submit the following resolution to the full Legislature for approval. Mr. Sczesny said there are 12 bridges to be painted with approximately \$170,000 needed to repair them prior to painting. He would like to continue to move this project forward.

A voice vote on the resolution resulted as follows: Ayes – 4; Noes – 0; Excused – 2 (Legislators Herrera and McBean-Clairborne). MOTION CARRIED.

RESOLUTION NO. – AUTHORIZATION TO ISSUE DESIGN APPROVAL – BRIDGE PAINTING, VARIOUS LOCATIONS – PIN 3754.20

WHEREAS, Resolution 27 of 2009 authorized an agreement between Tompkins County and the State of New York Department of Transportation to fund a bridge painting project at various locations throughout Tompkins County, and

WHEREAS, preliminary project design has been developed in conformance with the applicable environmental laws, design standards, and accepted engineering practice; all exceptions to accepted design standards have been thoroughly analyzed and their retention adequately justified; all permits have been identified and will be secured prior to letting; public participation has been encouraged and included in the project development processes; and project costs are reasonable, and

WHEREAS, in accordance with applicable federal regulations and guidelines, Right of Way acquisition will be unnecessary, and

WHEREAS, completion of all procedural requirements needed prior to project design approval have been certified by the design consultant, Barton and Louguidice, P.C., and approved by the County Highway Manager, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the Tompkins County Legislature, having reviewed project materials provided, hereby determines that this project is a TYPE II State Environmental Quality Review Act (SEQRA) action requiring no further environmental review,

RESOLVED, further, That the Chair of the Tompkins County Legislature or designee be and hereby is authorized to execute documents granting Design Approval whereby completion of project final design shall be authorized.

SEQR ACTION: TYPE II - 2 (No further action required)

It was MOVED by Mr. Randall, seconded by Mr. Sigler, and unanimously approved by voice vote by members present, to approve and submit the following resolution to the full Legislature for approval. MOTION CARRIED.

RESOLUTION NO. – AUTHORIZATION TO EXECUTE AN AGREEMENT WITH THE TOWN OF ULYSSES – WEST SENECA ROAD BRIDGE REPLACEMENT AND FUTURE MAINTENANCE (BIN 3210250)

WHEREAS, Tompkins County and the Town of Ulysses cooperatively maintain a bridge on West Seneca Road (BIN 3210250) over Boardman Creek in accordance with Resolutions No. 43 of 1946 and No. 259 of 1998, and

WHEREAS, in response to deterioration of the Bridge, the County is preparing plans and specifications, and will receive bids to build a replacement structure in 2010, and

WHEREAS, a project to replace the bridge was added to the State Transportation Improvement Program (STIP) earlier this year whereby federal sources will furnish eighty percent of the funding necessary for construction of the bridge, including construction inspection, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the County Administrator be and hereby is authorized to execute an Agreement with the Town of Ulysses to fund replacement and to specify responsibilities for continued cooperative maintenance of the bridge.

SEQR ACTION: TYPE II- 2 (No further action required)

Report on Invasive Species – Giant Hogweed

Mr. Szesny provided written material from the New York State Department of Environmental Conservation website relating to giant hogweed. This plant is an extremely hazardous plant due to the caustic nature of the sap, which could cause severe burns or blindness if sap gets in the eye. Presently there are approximately 1,000 plants on Neimi Road. With the cooperation of the Department of Environmental Conservation steps are underway to determine the best method to remove the plants from the area. Although there are some other plants within the County the Neimi Road site is the largest.

Mr. Koplinka-Loehr was excused at this time (4:43 p.m.).

Capital Payment Summary

The Committee received the report and had no questions.

Solid Waste Division

Capital Payment Summary

The Committee received the reports and had no questions. It was suggested that multiple payments could be placed on the same sheet.

Returnable Cans

In response to Mr. Sigler's question regarding returnable cans and bottles, Ms. Eckstrom said they are not sorted out but recycled according to material (glass, aluminum, plastic).

2010 Budget and Five-Year Budget

Ms. Eckstrom spoke of anticipating a \$500,000 reduction in 2009 revenues following the first quarter due to material price decreases and reduction of recycled materials. Presently it does not appear the loss will be as significant and it is now believed the revenue will be reduced by \$240,000. As a countermeasure, spending was reduced by \$190,000.

For the 2010 budget, roughly \$5.5 million of the \$6 million are mandated expenses. She budgeted \$65/ton for revenue.

Current Recycling Materials Markets

The Committee was provided with information on the current markets for various recycling materials. It was noted more than one firm may be listed for products; when selling the recyclables they are sold to the firm with the best price at the time of sale. Waste Management, as part of their contract, is required to provide updated marketing plans to Solid Waste Division; this process will continue when single-stream recycling is implemented.

Waste Reduction and Recycling Education Program

Ms. Short, with the assistance of Ms. Dean and Ms. Egan-Engels, gave a Powerpoint presentation regarding the Waste Reduction and Recycling Education Program. This past summer they visited 31 camps over a 70-day period, reaching over 1,500 individuals. The busiest day was July 13th when they provided six tours and visited three towns, speaking to 241 people. Ms. Egan-Engels spoke of having gone to camps for disabled

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individuals, Challenge Industries, had a booth at the Ithaca Festival, and part of the Gorgeous Green Expo. Ms. Dean noted that due to her internships at Solid Waste Division she has changed her major to environmental studies.

Minutes of July 16 and 21, 2009

The minutes were withdrawn from the agenda.

Adjournment

On motion the meeting adjourned at 5:58 p.m.

Respectfully submitted by Karen Fuller, Deputy Clerk