

**Facilities and Infrastructure Committee
August 28, 2007
Scott Heyman Conference Room**

APPROVED 11/27/07

Present: K. Herrera, D. Kiefer, P. Mackesey
Excused: D. Randall, G. Stevenson,
Staff: J. Lampman, Highway Division; E. Marx, Commissioner of Planning and Public Works;
C. Nelson, Public Works Administrator; K. Fuller, Deputy Clerk of the Legislature; W.
Sczesny; Highway Superintendent; A. LeMaro, Director of Facilities

Call to Order

Ms. Herrera called the meeting to order at 3:25 p.m.

Changes to the Agenda

The following items were added to the agenda:

- Discussion of letter received by Ms. Kiefer regarding Highway concern.
- Discussion of communication received by Ms. Mackesey regarding County culvert replacement policy.

Public Comment

No member of the Public was in attendance.

Chair's Report

Ms. Herrera reported that she had spoken to City of Ithaca Mayor Carolyn Peterson, who suggested a member of the Facilities and Infrastructure Committee request to be placed on the appropriate Common Council Committee to discuss the matter of solar panel damage.

Report from the Commissioner of Planning and Public Works

Mr. Marx stated his report deals with the 2008 budget item on the agenda; he will report at that time.

RESOLUTION NO. – DETERMINATION OF A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE IN RELATION TO RECONSTRUCTION OF HANSHAW ROAD, CR 109, IN THE TOWNS OF ITHACA, DRYDEN, AND VILLAGE OF CAYUGA HEIGHTS, PIN 3753.25

MOVED by Ms. Mackesey, seconded by Ms. Herrera. Mr. Lampman stated the environmental review document had been modified as a result of some of the concerns raised by Ms. Kiefer concerning specific sections contained in the Full Environmental Assessment Form. It was noted that Christopher Smith of Fisher Associates prepared the document. The responses are summarized as follows:

- A1. Physical setting overall project – Upon consideration of the Town of Dryden zoning within ¼ mile of the project, a determination was made that it would include agricultural land.

- A9. Is the site located over a primary, principal, or sole source aquifer? As a result of review of a document completed by Snively and Kantrowitz, it indicates there is an aquifer present. *A request will be made to obtain this document to verify the information.*
- B1-g Maximum vehicular trips generated per hour – this figure has been revised to 600 from 1,535.
- B2. How much natural material will be removed from the site – it was noted to be 3,000; *although thought to be cubic yards this will be verified.*
- B16. Will the project generate solid waste? The project will produce waste from trees, brush, pavement, and pipe. *Ms. Kiefer requested to be notified of the disposal site(s) for the waste materials.*
- B18. Will project use herbicides or pesticides? The item was modified to indicate the possibility of herbicides or pesticides being used to assist with establishing new plantings.
- Part 2, 1 Will proposed action result in physical change to project – Construction that will continue for more than one year or involve more than one stage – This was amended reflect a ten-month project with small to moderate impact and lack of ability to mitigate by project change.
- Part 2, 20 Is there, or is there likely to be, public controversy related to potential adverse environmental impacts – it was revised to a “Yes” as it was felt that some residents may believe there is a controversy due to modification in their present living environment.

Ms. Kiefer inquired if this was the appropriate time to discuss particular design items related to the project. Mr. Marx said it should be discussed at the time the design resolution comes forward.

A voice vote on the resolution resulted as follows: Ayes – 3 (Legislators Kiefer, Herrera, and Mackesey); Excused – 2 (Legislators Randall and Stevenson).

**RESOLUTION NO. - AUTHORIZATION TO ISSUE DESIGN AND RIGHT-OF-WAY
PLAN APPROVALS FOR THE
RECONSTRUCTION/REHABILITATION OF HANSHAW ROAD, CR
109, IN THE TOWNS OF ITHACA AND DRYDEN AND VILLAGE
OF CAYUGA HEIGHTS, PIN 3753.25**

MOVED by Ms. Mackesey, seconded by Ms. Herrera. Ms. Kiefer suggested a modification in the title to reflect the environmental impact statement reference to rehabilitation; this was accepted as friendly.

Ms. Kiefer said she had reviewed various portions of the design report for the project and noted that she did not agree with material contained within the portion referencing intersection data utilized to determine the warrants regarding the traffic light installation. Mr. Lampman and Mr. Marx responded to her comment, noting that while in agreement that the flow of traffic varies throughout the day and could make different approaches more significant at different time, the County engineer as well as the independent CGIS study completed by Cornell University share the same conclusion. Ms. Kiefer also spoke of Warrants 2 and 3 addressing various other aspects of traffic as well; although she heard about the Cornell University study she has not read it and cannot react. Ms. Kiefer reiterated that she believes for traffic-calming purposes colored shoulders proposed for traffic-calming purposes area more important aspect for the project than the traffic light. It was again noted that the estimate for colored surface treatment on the shoulders was approximately \$417,000, with the polymer-wearing surface with color throughout the project at \$846,000.

Mr. Marx noted that there was never anticipation that the cost would be so high when first discussing a colored-shoulder option. Mr. Lampman thought there could be a way to reduce the cost of colored surface treatments by using other methods; a suggestion of an imprint was made. Mr. Marx said an imprint would not be good for a bicycle lane.

Ms. Herrera asked what would occur if the resolution were passed; would Ms. Kiefer's concerns be addressed? Ms. Mackesey noted although she is not necessarily in favor of traffic signals it appears the intersection does require one. She would also like to see something done with the shoulders if possible. Mr. Marx indicated that the cost of colored shoulders far exceeds the cost of the traffic light and could not be a trade-off. Mr. Sczesny said the cost of the traffic signal is \$115,000, with \$80,000 being the infrastructure and the balance is software expense. Ms. Kiefer said she had hoped it could be traded.

Mr. Lampman said the traffic signal could operate as a flashing beacon until the time a full-signal is required, which may provide some traffic calming. He noted that the intersection is above the state-wide average for accidents, a beacon may make individuals more aware of the intersection. Mr. Marx said that having a light for pedestrian crossing is also beneficial. Ms. Herrera said as people use the benefit of the traffic signal it would become more popular. She would like to see the project take the shoulder construction into consideration; she does not think the project should be delayed. Mr. Marx stated to do something with the shoulders would require finding an additional \$400,000. Ms. Kiefer suggested the Town and Village should be contacted regarding this matter.

Ms. Kiefer indicated her recommendation not to act on the resolution at this time, since, as a matter of principle, she cannot vote any more for any such reconstruction projects that do not include contrast-color shoulders.

It was MOVED by Ms. Herrera, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present, to table the resolution until 4:30 p.m. on September 4, 2007, when all members would be present. MOTION APPROVED. RESOLUTION TABLED.

WHEREAS, Resolution No. 9 of 2005 authorized an agreement between Tompkins County and the State of New York Department of Transportation to fund design of the reconstruction of County Road 109, Hanshaw Road, (the "Action") in the Towns of Ithaca and Dryden, and Village of Cayuga Heights, 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 a Right-of-Way Plan has been prepared which indicates that acquisition of approximately twenty-six (26) permanent and sixty (60) temporary easements is necessary, but that the individual and cumulative impacts of right-of-way acquisition are considered total de minimus in nature, and

WHEREAS, the Tompkins County Legislature has classified the Action as an "Unlisted Action" under the SEQRA (State Environmental Quality Review Act) as defined by the underlying regulations of Article 8 of the Environmental Conservation Law of the State of New York, and

WHEREAS the Tompkins County Legislature has issued a "Negative Declaration of Environmental Significance" in accordance with SEQRA, and

WHEREAS, completion of all procedural requirements needed prior to project design approval and Right of Way Plan approval have been certified by the design consultant and approved by the County Highway Manager, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, 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,

RESOLVED, further, That the Chair of the Tompkins County Legislature or designee be and hereby is authorized to execute documents granting approval of the Right-of-Way Plan for the referenced project.

SEQR ACTION: Unlisted
(EAF on file with Clerk of the Legislature)

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Warren Road Shoulder Coloration

Ms. Kiefer again expressed a desire to see the shoulders near TST-BOCES and the public school on Warren Road repainted as they had been when first upgraded. She suggested that perhaps individuals required to complete service work as part of Probation's SWAP could be utilized for this task with Highway Division supervision. Mr. Lampman noted if it were done from Route 13 to the end of BOCES/school area it would encompass approximately one mile, however, he thought both sides of the entire length had originally been colored.

Ms. Nelson suggested that different colored stone could offer enough change that it might be possible. Mr. Lampman noted it is a narrow area that would be very time-consuming for installation of shoulders only.

Constituent Letter

Ms. Kiefer shared a letter from Ms. Tanya Garger, a resident of Warren Road, who is concerned with standing water in a ditch area along the road by her home. She said that it had been dug too deeply which causes water to stand. This is a breeding ground for mosquitoes and a collection site for roadside debris. When the standing water is deep enough, it blocks her house's footer drains. Ms. Garger said she had spoken to Mr. Whittemore in the Highway Division but has not heard about a resolution. Mr. Sczesny said his staff have surveyed the problem and are developing a work plan to alleviate the problem. *Mr. Sczesny was requested to contact Ms. Garger and inform her of the status of the situation.*

Culvert Replacement Concern

Ms. Mackesey shared information from a constituent who believes that as a result of ditch work completed at her property line the driveway culvert was compromised and damaged. Ms. Mackesey said the constituent's daughter noted that the resolution regarding culvert replacement addressed new installations; the problem is with an old installation. Mr. Marx pointed out that part of the resolution indicates that the Highway Manager will establish a policy with regard to replacement culverts. Mr. Sczesny said there is a policy in place that indicates replacement is at the property owner's expense; in the event the ditch is enlarged and work is taking place on location, the Highway Division will be responsible for the replacement culvert. *Mr. Marx suggested the policy could be put on the County web site.*

A discussion regarding this particular issue occurred, during which Mr. Sczesny provided information regarding the ditching work taking place at that location. He explained that as a result of clearing the ditches the rust that was present on the bottom of the pipe eroded leaving perforations, which filled in with silt and cause difficulty with the culvert. This work was completed approximately one year ago. Ms. Mackesey said it was the resident's belief that the damage was due to the work the County completed. Ms. Herrera noted that at the time the resolution and discussions regarding policy occurred it was noted that culvert replacement was time-consuming and adding to local share expense. Ms. Mackesey noted the resident is 83 years old and unable to afford a replacement culvert. Ms. Herrera said she believes this is a topic that will require further discussion at a future date and more existing culverts require repair.

Coddington Road Project

Mr. Lampman reported the final design report has been completed and is on file at the Legislature office and is also available online at the County Highway website. Individuals who have provided e-mail addresses will be notified as well as those who provided postal addresses. He said there are some amendments to the design, the largest being in the area of the Coddington Road Community Center where the design speed was reduced. This amendment will allow for reduced cuts and fills, which means there is less adjoining land taken. In addition, there is no roundabout in the area of Burns Road in the design as there was not great desire for this design feature at the public meeting due to the expense involved. In addition, the New York State Department of Transportation review of the intersection indicated four-way stop signs were not warranted. The first phase of construction would be from the Danby/Ithaca town line to Troy Road. Phase two would be from Troy Road to Hudson Street and have input from an advisory committee. Mr. Marx thought residents might ask what is being done for traffic calming. In response to an inquiry regarding colored shoulders it was noted that the residents did not receive the idea well. Ms. Mackesey noted that although there were speed concerns she believed the largest complaint was regarding the amount of property that would be taken from front yards. She indicated she does not agree with New York State requirements regarding requirements

Library Solar Panels

Ms. Herrera again mentioned her conversations with Mayor Peterson and asked if Mr. LeMaro had heard anything further regarding the matter. Mr. LeMaro said he has not at this time. Ms. Mackesey spoke of twice having spoken about the concerns at Common Council. Although it does not appear there is a solution to the problem of solar panel damage, she has attempted to keep the lines of communication open. Mr. LeMaro noted that previous communication with the City of Ithaca through Mr. VanCourt had suggested the possibility of a screening material installation to prevent further damage to the solar panels. In addition, he noted that the response was that to provide architectural screening would be an estimated \$250,000, which would be a prohibitive mitigation.

The discussion continued, during which it was suggested that a member of the Legislature contact the appropriate committee for the City of Ithaca to discuss the matter. In addition, it was asked that the original letter containing suggestions be provided to the appropriate City of Ithaca Committee, and that the Facilities and Infrastructure Committee be informed what the appropriate City Committee would be for appropriating funds for a mitigation. It was noted that any mitigation considered would require a design that would not detract from the present structure. In response to a question about protective covering directly over the panels, Mr. LeMaro said that it is not possible for several reasons, including the possible reduction of output and the added weight on the library structure. He reported that when a panel is broken it appears to work for a short period of time; it does not take out the entire series of panels when this occurs. The original manufacturer does not make the panel any longer; when damage occurs it requires a special order for the appropriate size and compatible features. Ms. Herrera said she would like to have some sort of resolution to this problem by the end of the year.

2008 Budget

Mr. Marx reported that although he has not yet seen the 2008 proposed budget he anticipates reductions in the Highway Materials budget and we will not receive all items requested in the five-year maintenance plan for the Facilities Divisions. He said although it could be dealt with for one year, continuation of delaying maintenance would continue the problem of accumulated deficits with regard to the infrastructure. He said that it is known that the cost of materials for Highway continues to increase. It was projected in the capital plan that upon completion of the capital program it would require an increase in the base highway budget to continue to maintain the roads. The figure initially estimated to increase

the base budget was \$500,000, although it could be better defined at the end of the capital project. Mr. Marx indicated that cuts to the present Highway budget would require the future addition of that reduced amount in addition to the estimated \$500,000. He said at this time it appears there will be a minimum \$50,000 reduction in the Highway Materials budget line, which is normally utilized for repairs. In response to Ms. Herrera's comment that the Highway Materials budget line not being fully utilized over the past two years Mr. Marx noted that two years ago the Division was just bringing on a new Highway Manager; last year the approved capital program funds were not fully used due to emergency work that was needed due to inclement weather. Although the budget line was not utilized, there was scheduled work unable to complete due to the emergency situation, which resulted in reimbursements from FEMA for the work. This meant that the budget for the incomplete scheduled work remained. Mr. Marx said the past two years were not typical for the division.

Mr. Marx noted that like other departments/divisions, Highway and Facilities will absorb the cuts for the year, however, since it is infrastructure and county office buildings, it will be necessary in the future to request increases to cover the cuts and deferred maintenance in both the Highway and Facilities divisions.

Ms. Herrera spoke of how it is admirable that the Divisions are willing to take cuts due to budget constraints, however cautioned that the work will need to be done in the future.

With regard to the Facilities Division, Mr. Marx said that Mr. LeMaro submitted his Facilities Division five-year plan, and was requested to reduce the figures. He did so, providing minimal work that would cover safety issues, and the total request was \$560,000 more than the present budget (\$400,000 target, balance one-time). This was projected within the five-year plan, however, he does not anticipate receiving the requested target amount and that funding will be one-time only. Mr. Marx said that if the funds are not received this year, continued requests would be made on the deferred maintenance. Ms. Mackesey spoke of how deferred maintenance costs more in the long-run and is difficult to catch up. Ms. Kiefer asked about the new GASBY financial reporting and was told it will take into account the depreciated value of buildings, therefore could affect the County's bond ratings. Mr. Marx also noted that work environments affect employees functions as well. He said the work that is approved will require prioritization in order to determine the work schedule.

Mr. Marx said the Annual Solid Waste Fee information will be coming in the future.

Mr. Marx said there is concern at the Airport regarding the new radio communication system. It appears that the airport is expected to absorb the \$250,000 cost for the new equipment, which was not anticipated. Mr. Nicholas had indicated he originally thought the airport radio systems were to be included within the County's equipment.

Adjournment

The meeting adjourned at 5:05 p.m.

Respectfully submitted by Karen Fuller, Deputy Clerk of the Legislature