

**Facilities and Infrastructure Committee  
September 17, 2009  
3:30 p.m.  
Scott Heyman Conference Room**

APPROVED 10-15-09
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Present: D. Kiefer, D. Randall, J. Dennis (Temporary Member)  
Excused: L. McBean-Clairborne, Chair, K. Luz Herrera, M. Sigler  
Staff: E. Marx, Commissioner of Planning and Public Works; C. Nelson, Public Works Administrator;  
B. Eckstrom, Solid Waste Division; N. Jayne, County Administration; J. Wood, County Attorney;  
W. Sczesny, J. Lampman, Highway Division; D. Squires, Finance, K. Fuller, Deputy Clerk

**Call to Order**

Ms. Kiefer, Acting Chair, called the meeting to order at 3:30 p.m.

**Agenda Additions and Deletions**

Permission was granted to add the following items to the agenda:

- Memorandum – Bridge Design Consultant Procurement
- Report – Air Services Board

There were no deletions from the agenda at this time.

**Persons Wishing to Address the Committee**

No one wished to address the Committee.

**Chair’s Report**

Ms. Kiefer announced that on September 24<sup>th</sup> there would be a six-hour kick-off meeting for the advisory committee responsible for the Airport’s Green Master Plan.

**Report from the Commissioner of Planning and Public Works**

**Forest Home Traffic Calming**

Mr. Marx reported the concerns expressed at the previous meeting relating to the Town of Ithaca’s design plan have been resolved. The Town will move its gateway to the top of the hill instead of at grade at Pleasant Grove Road. In addition, the Town would have full responsibility and liability for their installed items. Although there was an initial concern regarding the lighting setback, it was determined that the shoulder width and curb combined with the distance from the edge of pavement to the lights was sufficient. There is an understanding that the Town would accept liability of the lighting.

**NYSERDA Grant Application**

An application seeking \$395,750 in funding from NYSERDA for various improvements is being proposed by Johnson Controls. The improvements include replacement lighting in the Solid Waste Facility, ventilation and heating in the Highway Division garage, and solar hot water in the Human Services and Public Safety buildings. The application required certain criteria be met, particularly identifying items for the solar hot water. *Ms. Kiefer asked for the written information to be provided to the Legislature.*

**Local Law Proposal**

Mr. Marx is working with Mr. Wood, County Attorney, and Mr. Sczesny, Highway Manager, to develop a possible Local Law dealing with the permitting of heavy trucks on County roads. It is hoped the proposal would be a model that could be used by other municipalities as well. This model would be targeted at vehicles that would have the potential of causing road damage due to weight and frequency. The idea is to require a permit as well as providing a bond for potential damage, and provide the ability to document and recover funds as a result of damage. Vehicles that could be affected are larger construction material carriers, gas drilling equipment, etc.

Ms. Kiefer inquired whether the permit would have noise restrictions, noting it has been a concern recently with trucks traveling to and from the job site. Mr. Marx said at this time it has not been discussed, however, the potential to have authority over noise levels could be reviewed. In response to Mr. Dennis' question regarding the proposal, Mr. Marx said he believes each municipality would be required to pass their own regulations.

### Airport

Mr. Marx reported the Airport has had a lot of positive activity with some of the highest enplanement levels since 2001, which is extremely positive, particularly for an airport our size. There is the potential of a new direct flight to Washington, DC, as well. He expressed the need to continue marketing the Airport and educating residents on the flight schedules and rates, which are very competitive at this time. One area of marketing being explored is social marketing such as Facebook® to further expand the target area. Many discussions on how Facebook® and other potential social networking sites could be used are taking place. In addition, discussions with Cornell University on how to reach staff and students to provide Airport information are taking place.

### Appointments to the Air Services Board

A brief discussion about the need for the appointments, subsequent to passing the resolution adopting the Air Services Board Bylaws occurred. It was noted that Mr. Baum and Mr. Hall should now be officially appointed.

It was MOVED by Mr. Randall, seconded by Mr. Dennis, and unanimously adopted by voice vote by members present, to approve appointment of the following individuals to the Air Services Board. APPOINTMENTS CARRIED.

Larry F. Baum – At-large representative; term expires December 31, 2011  
Michael S. Hall – At-large representative; term expires December 31, 2011

### Approval of Minutes of July 16, 21, and August 20, 2009

It was MOVED by Mr. Dennis, seconded by Mr. Randall, and unanimously adopted by voice vote by members present, to approve the minutes of July 16, and 21, and August 20, 2009, as presented.

### Highway Division

**RESOLUTION NO. – AUTHORIZATION TO EXECUTE ECONOMIC RECOVERY PROJECT  
SUPPLEMENTAL FUNDING AGREEMENT WITH NEW YORK STATE  
DEPARTMENT OF TRANSPORTATION – CR121, WARREN ROAD  
RECONSTRUCTION – PIN 3753.73**

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

Mr. Randall inquired what the Marchiselli funding percentage rates are. Mr. Sczesny did not know the overall amount as it varies.

WHEREAS, the Economic Recovery Project (hereinafter "the Project") to conduct Construction and Construction Inspection of the reconstruction of County Road 121, Warren Road, between New York State Route 13 and Asbury Road, P.I.N. 3753.73, in the Village and Town of Lansing in the County of Tompkins (hereinafter "Tompkins County"), is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of one hundred percent Federal funds and zero percent non-Federal funds, and

WHEREAS, Resolution No. 12 adopted on January 18, 2005, approved the Project and authorized execution of an agreement with the New York State Department of Transportation (hereinafter "NYSDOT") regarding administration and funding of Scoping, Design (Phases I-VI), and Right-of-Way Incidental work, calling for the apportionment of such costs to be borne at the ratio of eighty percent Federal funds and twenty percent non-Federal funds, and

WHEREAS, New York State (Marchiselli) funding in amounts totaling \$111,600.00 is now available for said Scoping, Design (Phases I-VI), and Right-of-Way Incidental work, and \$13,729.00 of Marchiselli funding is now available for Right-of-Way Acquisition for the Project, and

WHEREAS, NYSDOT requires Tompkins County to appropriate one hundred percent of the project costs and then file for reimbursement of eligible costs, and

WHEREAS, in order to expedite advancement of the Project and realize potential total project cost reductions, Tompkins County desires to advance the Project by making a commitment of one hundred percent of the non-Federal share of the costs, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the Tompkins County Legislature hereby approves the above Project,

RESOLVED, further, That Tompkins County agrees to advance the Project through Tompkins County's resources and agrees that the Tompkins County Legislature hereby authorizes the Finance Director to pay in the first instance the full Federal costs and full non-Federal costs of any and all phase(s) or portions thereof and hereby appropriates from account HZ5`103.59239.53.12, Warren Road Capital Project Account, the sum of \$6,154,526.00, the funds necessary to complete the Project including all phase(s) or portions thereof,

RESOLVED, further, That the Tompkins County Legislature makes a one hundred percent commitment of the non-Federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Project or portions thereof, with the Federal share of such costs to be applied directly by the NYSDOT pursuant to the State/Local Agreement,

RESOLVED, further, That upon completion of construction of the Project, or a fully usable portion thereof, Tompkins County agrees to maintain the Project, or fully usable portion thereof, at its sole cost and expense,

RESOLVED, further, That in the event the full Federal and non-Federal share of the Project exceeds the amount appropriated above, the Tompkins County Legislature shall convene as soon as possible to appropriate said excess amount immediately,

RESOLVED, further, That the Tompkins County Highway Manager be and is hereby authorized to execute all necessary Agreements or certifications on behalf of Tompkins County, (subject to the Tompkins County Attorney's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and Tompkins County's first-instance funding of the non-Federal share of project costs and permanent funding of 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 the Department of Transportation by attaching it to any necessary Agreement in connection with the Project,

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

**SEQR ACTION: TYPE II - 2**

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**RESOLUTION NO. – AUTHORIZATION TO EXECUTE CONSTRUCTION AND RIGHT-OF-WAY FUNDING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION – CR 188, STATION ROAD CULVERT REPLACEMENT – PIN 3753.86**

It was MOVED by Mr. Randall, seconded by Mr. Dennis, and unanimously adopted by voice vote by members present, to approve the following resolution to the full Legislature. MOTION CARRIED.

WHEREAS, a Project to replace a culvert carrying Station Road (County Road 188) over Cayuga Inlet, P.I.N. 3753.86, (the Project) in the Town of Danby, is eligible for funding under Title 23 United States 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. 13 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, and Right-of-Way Incidentals, and

WHEREAS, in order to expedite advancement of the Project and realize potential total project cost reductions, the New York State Department of Transportation requires the County to appropriate one hundred percent of the project costs and then file for reimbursement of eligible costs, and

WHEREAS, the County of Tompkins has advanced the above Project, making a commitment of one hundred percent of the non-Federal share of the costs of Construction, with the Federal share of such costs to be applied directly by the New York State Department of Transportation pursuant to Agreement, and

WHEREAS, construction of the replacement culvert was authorized through award of bid by Resolution No. 149 adopted on July 15, 2008, and is now complete, 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 Right-of-Way Acquisition, Construction, and Construction Inspection work for the subject Project or portions thereof,

RESOLVED, further, That the sum of \$230,680 is hereby made available within account HZ5103.59239.53.13, Station Road Capital Project Account, to cover the cost of participation in the Right-of-Way and Construction 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 Tompkins County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof,

RESOLVED, further, That the Tompkins County Highway Manager be and is hereby authorized to execute all necessary Agreements, certifications, and reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tompkins with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first-instance funding of Project costs and permanent funding of 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, Negative Declaration Issued (No further action required)

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Memorandum – Bridge Design Consultant Procurement

The Committee reviewed the memorandum and was informed the Highway Division would prefer to be able to utilize the short list of approved design consultants for projects involving Federal Aid. The list is

periodically updated and is a regional listing for consultants. If the list is not utilized it will require a Request for Proposals for the work.

A brief discussion regarding experiences with the various consultant firms on the list took place.

Mr. Randall said he prefers a Request for Proposals be issued as he believes it allows for more competition. Mr. Squires said a special service like engineering would not provide an answer to the competition; they provide their standard hourly rates and a variable of overhead. He said any State contractual services provide for negotiation. The five qualified firms that would be included in a Request for Proposals are on the regional list, and working off the list versus the Request for Proposals would be beneficial.

Following discussion it was the consensus of the Committee to approve using the listing of approved design consultants for the bridge design.

#### Capital Payment Summary

The Committee did not have questions regarding the summary.

#### Solid Waste Division

##### Recycling Collection Update

Ms. Eckstrom reported the present five-year contract for recycling was signed in 2004 and contained the option to have two extensions. She would like to exercise the extension option at this time to provide adequate time to move forward with the request for proposals for single-stream recycling. Ms. Eckstrom plans to transition from dual-stream recycling to single-stream recycling in a systematic and organized manner, which the extension would allow; with the contract extension cost negotiated. Ms. Eckstrom said following the extension a five-year bid for the single-stream recycling would occur, with a scheduled start date of 2012. This new single-stream system would require retrofitting of current collection vehicles; although not the most efficient collection method, it would start the transition.

Ms. Eckstrom said although going to single-stream recycling may cost more, it will greatly assist in reaching the goal of 75 percent recycling by 2015. She spoke of the Solid Waste Division Office has reached an 82 percent reduction goal.

Ms. Kiefer is still concerned about the contamination of products in the single-stream process. Ms. Eckstrom noted the three businesses that are discussing the bid would address the concern. One of the bidders is Greenstar (formerly CR Inc.). This firm is originally from Europe and their proposal is only on our facility providing the single-stream process, not trucking the product to another facility.

Mr. Wood said when a single-stream bid request is sent out there will be requirements regarding the vehicles used for pick up of materials. He noted new recycling vehicles are being produced with the anticipation of single-stream process.

#### 2009-2010 Budget Comparisons by Program

Ms. Eckstrom provided a written report outlining her budget. It was requested that percentages be provided for each breakdown. With regard to the Solid Waste Fee, the recommendation is for a \$56 fee, up from the \$54 present fee. Approximately \$1 of the Annual Fee covers \$48,000 in expenses. As a result of decreases in the commodities market it was anticipated there could be a \$300,000 revenue shortage, which was handled by reducing the budget in March. Although she now anticipates a shortfall of \$80,000 to \$100,000 it appears she may come in without a deficit. Ms. Eckstrom noted the fund balance is \$1.2 million.

*Ms. Kiefer requested information regarding tonnage figures for each recyclable group be provided to the Committee. Ms. Eckstrom stated it is between 50-55 percent residents, 45 percent commercial, with the colleges included in the commercial figure (representing approximately 20 percent of commercial total).*

**Capital Payment Summary**

There were no questions regarding the summary.

**Acknowledgement of Effort**

Ms. Eckstrom noted the savings gained by Mr. Wood's assistance in preparation of the Request for Proposals for single-stream recycling. The document was well received by bidders.

**Adjournment**

On motion the meeting adjourned at 4:20 p.m.

*Respectfully submitted by Karen Fuller, Deputy Clerk*