



BPW Meeting

Board of Public Works

DATE: March 19, 2019
 TIME: 6:00 pm
 LOCATION: 3rd Floor,
 City Hall, Council Chambers
 108 E. Green St., Ithaca

AGENDA ITEMS

Topic	Voting?	Presenter(s)	Time Allowed
1. Call to Order/Agenda Review	No	Mayor Myrick	
2. Mayor's Communications	No	Mayor Myrick	
3. Communications and Hearings from Persons Before the Board	No	Public	5 min.
4. Response to the Public	No	Commissioners	
5. Reports	No	Various	15 min.
A. Special Committees of the Board			
B. Council Liaison			
C. Board Liaisons			
D. Superintendent and Staff			
6. Consent Agenda	Yes		10 min.
A. Resolution to Repeal DPW Drug and Alcohol Testing Policy Statement		Supt. Thorne	
B. Resolution to Authorize Execution of a License Agreement for Installation and Maintenance of TCAT Bus Shelters within the City Right of Way		Supt. Thorne	
C. 2019 Traffic Calming Program Recommendations - Resolution		Dir. of Eng. Logue	
D. Resolution to Add a 15 minute Parking Zone in Front of CFCU Community Credit Union on Esty Street		Dir. of Parking Messmer	
E. Resolution to Establish No Parking Anytime on Both Sides of the Full Length of Pier Road		Dir. of Parking Messmer	
F. Resolution to Establish 15 minute Parking on the North Side of East Court Street Adjacent to Temple Beth El		Dir. of Parking Messmer	
G. Resolution Accepting Title to Portions of Brindley and Taber Streets and Assuming Maintenance Responsibility		Dir. of Eng. Logue	
H. Denial of Appeal of Water Service Installation Billing for 926, 930, 936 Hector Street – Resolution		Asst. Supt. Whitney	
<i>Please refer to the February 19, 2019, agenda for backup documentation regarding these topics.</i>			
7. Administration & Communications			
A. Minutes for Approval	Yes	Mayor Myrick	5 min.
1. August 2018			
2. September 2018			
3. October 2018			
4. November 2018			
5. December 2018			

If you have a disability that will require special arrangements to be made in order for you to fully participate in the meeting, please contact the City Clerk at 607-274-6570 at least 48 hours before the meeting.

The Board of Public Works meets on the second and fourth Mondays at 4:45 p.m. All meetings are voting meetings, opening with a public comment period. Meeting agendas are created from prior public input, Department operating, planning issues, and requests made to the Superintendent. The Board reserves the right to limit verbal comments to three minutes and to request written comments on lengthy or complex issues. This information may then be used to create committee agendas, with the speaker or author invited to attend.

Topic	Voting?	Presenter(s)	Time Allowed
8. Buildings, Properties, Refuse & Transit A.			
9. Highways, Streets & Sidewalks			
10. Parking & Traffic			
11. Creeks, Bridges & Parks			
A. Resolution to Amend the Revocable License for Use of City Real Property Between Ithaca Babe Ruth and the City of Ithaca <i>Ithaca Babe Ruth wants to replace the dilapidated 9'x12' storage shed with a 12'x12' storage shed. They need a recommendation from the Board before they can go to Common Council.</i>	Yes		10 min.
12. Water & Sewer			
13. New Business	No		
14. Adjournment	Yes		

Date: March 13, 2019

6A. Resolution to Repeal DPW Drug and Alcohol Testing Policy Statement

WHEREAS, the City of Ithaca Department of Public Works has a Policy Statement for Drug and Alcohol Testing, adopted by the Board of Public Works on December 11, 2002, which follows US Department of Transportation regulation 49 CFR Part 40 for employees who are required to hold Commercial Drivers Licenses, but which also imposes additional penalties on DPW employees who have positive test results, and

WHEREAS, the additional penalties imposed by the DPW policy statement have the potential to penalize the Department of Public Works and the City of Ithaca as well, by placing the employee who tests positive on unpaid leave for an undefined period of time (typically 1 to 2 months), thereby leaving the DPW workforce shorthanded, and

WHEREAS, the Superintendent of Public Works, in consultation with Human Resources and the City Attorney's office, is desirous of developing new penalties for employees who test positive on random drug tests, and which such process shall be consistent with USDOT 49 CFR Part 40 and the Tompkins County Consortium Drug and Alcohol Testing Program Policy, the latter of which was adopted by the City of Ithaca in 2010, and

WHEREAS, adoption of a new DPW policy, implemented and modified as needed from time to time by the Superintendent of Public Works, requires the repeal of the current policy, therefore be it

RESOLVED, That the City of Ithaca, Department of Public Works Omnibus Drug and Alcohol Testing Policy Statement adopted by the Board of Public Works on December 11, 2002 is hereby repealed, and be it further

RESOLVED, That the Superintendent of Public Works shall adopt a new and similar policy and, in consultation with Human Resources and the City Attorney's office, will develop new penalties thereunder for employees who are required to participate and subsequently fail random drug and alcohol tests.

6B. Resolution to Authorize Execution of a License Agreement for Installation and Maintenance of TCAT Bus Shelters within the City Right of Way

WHEREAS, Tompkins Consolidated Area Transit, Inc. (TCAT), a not-for-profit corporation, has received funding to install certain bus shelters within the City of Ithaca; and

WHEREAS, the current proposed site to utilize an existing concrete pad, installed by the City, and within the City's right of way east of the Salvation Army building, located at 150 North Albany Street; and

WHEREAS, the installation and maintenance of bus shelters provides a benefit to City residents; and

WHEREAS, the Superintendent does not anticipate any conflicts in the near future with public works uses or needs, due to the existing use of City owned property at this location; and now, therefore, be it

RESOLVED, That the Board of Public Works authorizes the Mayor, upon the advice and counsel of the City Attorney, to enter into a revocable license agreement with TCAT for installation of the above-referenced bus shelter.

6C. Resolution to Approve the 2019 Traffic Calming Program Work Plan

WHEREAS, the City of Ithaca has received twenty (20) traffic calming requests in accordance with the Traffic Calming Program application requirements, and

WHEREAS, the Engineering Office has evaluated said requests and has established a recommended work plan outlined in the accompanying memorandum and table, now therefore be it

RESOLVED, That the Board of Public Works does hereby approve the proposed 2019 Traffic Calming work plan with the understanding that the final design may differ somewhat from the proposed plan and that some of the work may be pushed into the 2020 season.

6D. Resolution to Add a 15 minute Parking Zone in Front of CFCU Community Credit Union on Esty Street

WHEREAS, the Board of Public Works (BPW) has promulgated regulations, adopted October 6, 2010, for implementation of a Schedule of Traffic Regulations, which was established by Common Council by Ordinance No. 2010-08, and

WHEREAS, the south side of Esty Street, from its intersection with Meadow Street, to a point approximately 210 feet to the east, is now regulated as No Parking Anytime, and

WHEREAS, the north side of Esty Street, from its intersection with Meadow Street, to a point approximately 50 feet to the east, is now regulated as No Parking Anytime, and

WHEREAS, No Parking Anytime can be used for Standing but does not allow the driver to leave the vehicle, and

WHEREAS, the No Parking Anytime zone on the south side of Esty Street mentioned above, is consistently used by clients who park, leave their vehicle, and do business at the Cornell Federal Credit Union adjacent to this No Parking Anytime zone, and

WHEREAS, the No Parking Anytime zone on the south side of Esty Street could also be used as a short term parking zone, with no impact to the current traffic flow on the street, and

WHEREAS, the two aforementioned No Parking Anytime zones on Esty Street mentioned above are incorrectly listed in Section 346-64 Schedule XIV: No Standing, now, be it

RESOLVED, That Section 346-64 Schedule XIV: No Standing be amended as follows:

Remove the following entry from this schedule:

<u>Name</u>	<u>Side</u>	<u>Location</u>
Esty Street	Both	From a point 50 feet east of Meadow Street to a point 125 feet west thereof

Now, be it further

RESOLVED, that Section 346-62 Schedule XII: Parking Prohibited at All Times be amended to include the following for Esty Street:

<u>Name</u>	<u>Side</u>	<u>Location</u>
Esty Street	North	From its intersection with Meadow Street, to a point approximately 50 feet east thereof

And be it further

RESOLVED, That a 15 minute parking zone be established on the south side of Esty Street beginning at a point located three (3) feet east of the east edge of the Cornell Federal Credit Union parking lot entrance driveway to a point located 100 feet east thereof and, now, be it further

RESOLVED, That Section 346-68 Schedule XIII: Time Limit Parking be amended to add the following for Esty Street:

<u>Name</u>	<u>Side</u>	<u>Time Limit: Hours/Days</u>	<u>Location</u>
Esty Street	South	15 min: All/All	Beginning at a point located three (3) feet east of the east edge of the Cornell Federal Credit Union parking lot entrance driveway to a point located 100 feet east thereof.

6E. Resolution to Establish No Parking Anytime on Both Sides of the Full Length of Pier Road

WHEREAS, the Board of Public Works (BPW) has promulgated regulations, adopted October 6, 2010, for implementation of a Schedule of Traffic Regulations, which was established by Common Council by Ordinance No. 2010-08, and

WHEREAS, Pier Road is only 22 to 24 feet wide, this pavement width being insufficient to accommodate parking a vehicle fully on the paved roadway without obstructing the traveled way to an unacceptable degree, and

WHEREAS, in order for vehicles to park on Pier Road, without obstructing traffic, the vehicles would have to be parked off the edge of pavement, and

WHEREAS, there are no paved or gravel shoulders that can be utilized for parking, and the roadsides are mostly grass turf which cannot sustain repeated instances of parking without excessive damage; therefore, be it

RESOLVED, That the Board of Public Works hereby designates both sides of Pier Road, for the full length of the road as a “No Parking Any Time” zone, and, be it further

RESOLVED, That Section 346-62 and Schedule XII be amended to include the following for Pier Road:

Section 346-62 Schedule XII Parking Prohibited at All Times

Name	Side	Location
Pier Road	Both	Entire Length

6F. Resolution to Establish 15 minute Parking on the North Side of East Court Street Adjacent to Temple Beth El

WHEREAS, the Board of Public Works (BPW) has promulgated regulations, adopted October 6, 2010, for implementation of a Schedule of Traffic Regulations, which was established by Common Council by Ordinance No. 2010-08, and

WHEREAS, there exists an approximately 50 foot “No Parking Any Time” zone located on the North Side of East Court Street adjacent to Temple Beth El, which is not presently listed in Section 346-62 Schedule XII Parking Prohibited at All Times for Court Street, and

WHEREAS, Temple Beth El operates a pre-school from 9:00 a.m. to 3:00 p.m. and parents need curbside short term parking to drop off and escort pre-school children into and out of the Temple, and

WHEREAS, The current No Parking Any Time zone allows parents to stand to drop of children, but does not allow parents to leave the vehicle and escort pre-school children into and out of the Temple for school, and

WHEREAS, Section 346-68 Schedule XVII, must be updated to add this zone; now, therefore, be it

RESOLVED, That the Board of Public Works hereby changes the designation of the No Parking Any Time zone on East Court Street adjacent to the Temple Beth El to be 15 minute parking, and, be it further

RESOLVED, That Section 346-68 Schedule XVII Time Limit Parking for East Court Street be amended to read as follows:

Paragraph 346-68 Schedule XVIII Time Limit Parking

<u>Name</u>	<u>Side</u>	<u>Time Limit Hours/Days</u>	<u>Location</u>
Court Street (Added 11-16-11)	North	15 mins. 8:00 am to 5:00 p.m. Monday through Friday	Between the driveways for 720 West Court Street and 710-712 West Court Street
Court Street	North	15 mins. All/All	From a point 20 ft. west of Tioga Street to a point 70 ft. west of Tioga St.

6G. Resolution Accepting Title to Portions of Brindley and Taber Streets and Assuming Maintenance Responsibility

WHEREAS, a Project for the Brindley Street Bridge Replacement over Cayuga Inlet, P.I.N. 375611 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the project involves the construction of new roadway and bridge on a relocated horizontal alignment that will connect Taber Street with the West State Street/Taughnnock Boulevard intersection, and

WHEREAS, on June 7, 2017, the City of Ithaca Common Council authorized the City of Ithaca to pay in the first instance 100% of the federal and non-federal share of the cost of Right-of-Way Acquisition phase of the Project; and

WHEREAS, Congdon & Co. Inc. has facilitated the acquisition of 1098 square feet of real property located at 120-140 Brindley Street on behalf of the City of Ithaca, and

WHEREAS, in accordance with the City of Ithaca Charter Section 53, "The Board of Public Works may enter upon any lands for the purpose of survey and examination; otherwise, in the name of the City of Ithaca all lands, water rights, easements, privileges and franchises and all other real and personal property whatsoever, either within or outside of the corporation limits of the City of Ithaca, which are necessary, in the judgment of the Board, for any of the purposes herein set forth and shall have the right to enter upon, take possession of and appropriate all such property and to do any and every act or thing that may be necessary to carry out the full intent and purpose of all the provisions contained in this Charter;" now, therefore, be it

RESOLVED, That the City of Ithaca, through its Board of Public Works, agrees to accept real property acquired by Congdon & Co. Inc. for the project and agrees to maintain same, and it is further

RESOLVED, That this resolution shall take effect immediately.

6H. Denial of Appeal of Water Service Installation Billing for 926, 930, 936 Hector Street – Resolution

WHEREAS, on April 4, April 11, and April 13, 2018, the Water and Sewer Division of the City of Ithaca DPW installed new water and sewer services at the request of the Owner of 926, 930 and 936 Hector Street, and

WHEREAS, the property owner states he was not aware the he would be responsible for costs associated with the installation, and

WHEREAS, the Board of Public Works discussed the appeal at their regular meeting on January 15, 2019, now therefore be it

RESOLVED, That the Board of Public Works hereby denies the appeal to dismiss the bills associated with the installation of new water and sewer services for these three properties, and be it further

RESOLVED, That any balance on the bills not be subject to late fees or interest until 30 days beyond of the date of this Resolution, and that the owner may also, at his option, contact the City of Ithaca Chamberlain’s Office to arrange an extended repayment plan for the amount of the invoices.

11A. Resolution to Amend the Revocable License for Use of City Real Property between Ithaca Babe Ruth and the City of Ithaca

WHEREAS, Ithaca Babe Ruth utilizes Union Field 8 at Cass Park to operate the Cal Ripken Youth Baseball program and currently licenses from the City certain storage spaces to support its public recreational activities; and

WHEREAS, the current shed at Union Field 8 provided by Babe Ruth is old, has sustained damage over the years and is no longer weather and/or rodent proof; and

WHEREAS, the existence of this shed assists Ithaca Babe Ruth in offering quality affordable youth baseball opportunities to local youth; and

WHEREAS, Ithaca Babe Ruth is currently in the “Agreement/Revocable License for Use of City Real Property” that will be adjusted for the additional 36 square feet of shed space; and

WHEREAS, Ithaca Babe Ruth will provide a new 12’ by 12’ shed and remove the existing 9’ by 12’ shed at their own expense; and

WHEREAS, the Ithaca Youth Bureau and the PRNC are both supportive of this proposal, and the Superintendent does not anticipate any conflicts in the near future with public works uses or needs; and

WHEREAS, City Code Chapter 170 “Use of City Real Property” vests in the Common Council sole authority to grant approval of any license to make non-transitory use of City parkland, now therefore be it

RESOLVED, That the Board finds that Ithaca Babe Ruth’s proposal to replace the existing shed continues to support the broader public recreational activities in Cass Park provided by Babe Ruth under the above-referenced Agreement/Revocable License for Use of City Real Property; and be it further

RESOLVED, That the Board recommends that Common Council authorize Babe Ruth to replace their existing 9’ by 12’ shed with a 12’ by 12’ shed in the existing location at Union Field 8; and be it further

RESOLVED, That the Board recommends that Common Council authorize the mayor to amend the license agreement to permit installation and maintenance of the same.