

# BPW Meeting

## Board of Public Works



DATE: December 14, 2021

TIME: 6:00 pm

LOCATION: YouTube Channel  
Livestream (see link below)

City of Ithaca YouTube Channel: <https://bit.ly/2AWrkvg>

| Topic   | Voting | Presenter(s)                            | Time Allowed |
|---|--------|---|--------------|
| <b>1. Call to Order/Agenda Review</b>   |        | Mayor Myrick                            | 5 min        |
| <b>2. Mayor's Communications</b>  |        | Mayor Myrick                            | 5 min        |
| <b>3. Communications and Hearings from Persons Before the Board</b>   |        |   |              |
| <i>Written comments will be accepted for the Public Comment portion of the meeting. You can submit your comments at the following link:</i>   |        |   |              |
| <a href="https://www.cityofithaca.org/FormCenter/Board-of-Public-Works-19/Board-of-Public-Works-Public-Comment-For-100">https://www.cityofithaca.org/FormCenter/Board-of-Public-Works-19/Board-of-Public-Works-Public-Comment-For-100</a> |        | Public                                  | 5 min        |
| <i>Written comments should be submitted no later than 4:00 pm on the day of the meeting.</i>  |        |   |              |
| <b>4. Response to the Public</b>  |        | Commissioners                           | 5 min        |
| <b>5. Reports</b>   |        |   |              |
| A. Special Committees of the Board  |        |   |              |
| B. Council Liaison  |        |   |              |
| C. Board Liaisons   |        | Various                                 | 10 min       |
| D. Superintendent and Staff   |        |   |              |
| <b>6. New Project Presentation</b>  |        |   |              |
| <b>7. Administration &amp; Communications</b>   |        |   |              |
| <b>8. Buildings, Properties, Refuse &amp; Transit</b>   |        |   |              |
| <b>9. Highways, Streets &amp; Sidewalks</b>   |        |   |              |
| A. Resolution for Underground Telecom Usage Fees  | Yes    | Tim Logue, Engineering                  | 10 min       |
| <b>10. Parking &amp; Traffic</b>  |        |   |              |
| <b>11. Creeks, Bridges &amp; Parks</b>  |        |   |              |
| A. Resolution for 2022 Pavilion Rental Rates  | Yes    | Mike Thorne, Supt.                      | 5 min        |
| B. Public Art in Parks Draft Policy   | No     | Monika Roth, Chair PRNR Commission      | 10 min       |
| <b>12. Water &amp; Sewer</b>  |        |   |              |
| A. Resolution for 2022 Water & Sewer Rates  | Yes    | Scott Gibson, Asst. Supt. Water & Sewer | 10 min       |
| <b>13. Adjournment</b>  | Yes    |   |              |
| Moved by:   |        |   |              |
| Seconded by:  |        |   |              |

**Board of Public Works  
December 14, 2021  
Resolution**

**Use of City Owned College Avenue Telecommunication System Spaces**

**WHEREAS**, the City recently constructed underground conduits and vaults under College Avenue, between Mitchell Street and Dryden Road (“Telecom System Spaces”) to facilitate installation of telecommunications equipment by multiple providers; and

**WHEREAS**, the City expects to receive requests to occupy the Telecom System Spaces; and

**WHEREAS**, Chapter 170 establishes the Board of Public Works’ authority to issue licenses and set fees for uses of City-owned structures; and

**WHEREAS**, City staff is supportive of this use of the Telecom System Spaces; and

**WHEREAS**, the Superintendent does not anticipate any conflicts in the near future with public works uses or needs; now, therefore, be it

**RESOLVED**, that the Board of Public Works hereby sets forth the following annual license fee structure for use of the College Avenue Telecom System Spaces:

\$3.02 per linear foot of dedicated 4 inch conduit;

Each dedicated conduit line licensed shall include a license to use up to 2.25 square feet of wall space in a corresponding vault;

\$1.01 per linear foot of shared 4 inch conduit; and

**RESOLVED**, the annual use fee set forth above shall be considered the base license fee for use of the City’s Telecom System Spaces, and that at the City’s discretion, the same may be adjusted for each year by an amount up to the amount of the increase in the consumer price index; and

**RESOLVED**, that the license agreement allowing said use of City-owned structure shall contain the usual terms and conditions of the City’s license agreement, including those specified in Chapter 170 of the City’s Municipal Code; and

**RESOLVED**, the Board of Public Works hereby authorizes the Superintendent, upon review of the City Attorney, to permit by license interested telecom providers to install telecommunications conduit and equipment within the Telecom System Spaces subject to the following requirements:

- 1) Proof of bonding or other sufficient security in an amount that the Superintendent deems appropriate to compensate the City for damage to its property during the course of installation and in the event the City must effect removal of the equipment;
- 2) Submission of an application and fee for Use of City Property;

- 3) Submission and approval of final installation plan for Superintendent of Public Works' review prior to installation; and
- 4) Installation and continued operation of telecom service from within the City's Telecom System Space(s) contingent on the company's execution of the City's license agreement and payment of the applicable application and annual fee, and
- 5) Issuance of street permit for any work zone traffic control (including but not limited to sidewalk or travel lane closures, reroutes, flagging operations, or bus stop impacts).

City of Ithaca  
College Avenue Telecom System

|                              |      | lf       |             |            |
|------------------------------|------|----------|-------------|------------|
| Costs to Install             |      |          |             |            |
|                              | Unit | Quantity | Total Price | Unit Price |
| Risers                       | ea   | 10       | \$ 18,400   | \$ 1,840   |
| Duct Install into structures | ea   | 170      | \$ 18,700   | \$ 110     |
| 4" PVC ducts                 | lf   | 13,300   | \$ 150,290  | \$ 11      |
| Concrete encasement          | cy   | 100      | \$ 16,000   | \$ 160     |
| Stone dust encasement        | ton  | 50       | \$ 1,950    | \$ 39      |
| Sawcut asphalt               | lf   | 1200     | \$ 6,000    | \$ 5       |
| Excavation Permits           | ea   | 1        | \$ 1,500    | \$ 1,500   |
| Structural backfill          | cy   | 50       | \$ 2,350    | \$ 47      |
| Trenching 0-5'               | cy   | 200      | \$ 5,600    | \$ 28      |
| Temporary restoration        | sf   | 2500     | \$ 10,000   | \$ 4       |
| Fiberglass handhold          | ea   | 29       | \$ 87,580   | \$ 3,020   |
| Precast splice chamber       | ea   | 7        | \$ 54,390   | \$ 7,770   |

|                    |     |           |            |          |   |
|--------------------|-----|-----------|------------|----------|---|
|                    |     | sub-total | \$ 372,760 | \$40,200 | Approximate annual payment at 15 years, 3% interest |
| NYSEG overhead fee | 30% |           | \$ 111,828 | 602,366  | Total amount City to repay with interest            |
|                    |     | TOTAL     | \$ 484,588 |          | (assuming these finance terms)                      |

Based on a linear foot of conduit, the whole system cost is \$ 36 per linear foot

Annual payment on lf of conduit is \$ 3.02 per year

Proposed Rate for College Avenue  
dedicated conduit (main line) \$ 3.02 per LF per year  
shared conduit (services) \$ 1.01 per LF per year

Assumes 3 providers share

For reference, current rates as set by BPW for 2021:  
These rates (adjusted for CPI) will remain for Commons and Dryden Rd

dedicated conduit (main line) \$1.62  
shared conduit (services) \$0.53

TNL  
12/1/2021

Board of Public Works  
December 14, 2021

**Recommendation of Pavilion Reservation Fees from Ithaca Youth Bureau – Resolution**

WHEREAS, the Ithaca Youth Bureau has reviewed the pavilion rental fees for the 2022 season and because they handle the rentals and are most familiar with the current use or demand for the facilities in both parks, and

WHEREAS, the existing fee structure at Cass Park and Stewart Park pavilions is based on the number of people and allows for pavilion sharing, and

WHEREAS, an hourly fee will lead renters to only reserve the amount of time they need for their use which will increase availability and access to additional users and be more conducive to health and safety guidelines, and

WHEREAS, the Ithaca Youth Bureau is proposing a new fee structure that will charge an hourly rate for rentals up to 7 hours and a flat rate for 8+ rental hours, and accommodate one group at a time, now therefore be it

**RESOLVED**, That the Board of Public Works adopts the following new rental fees at Stewart Park, effective January 1, 2022:

**City of Ithaca 2022 Pavilion Fees (proposed)**  
(Non Resident Fee/City Resident Fee)

|                             |  |
|-----------------------------|--|
| Stewart Park Large Pavilion | \$65/\$50 per hour. 8 + hours for \$475/\$375.     |
| Stewart Park Small Pavilion | \$50/\$35 per hour. 8+ hours for \$375/\$275.      |
| Stewart Park BBQ Pavilion   | \$35/\$25 per hour. 8+ hours for \$265/\$180.      |
| Cass Park Pavilion          | \$45/\$30 per hour. 8+ hours rent for \$330/\$225. |
| Cass Park BBQ Pavilion      | \$30/\$20 per hour. 8+ hours rent for \$225/\$150. |

For events that are applying through the City’s “Special Event” permit process and are required to reserve the pavilions at Stewart and/or Cass in order to operate their event, the fees below will apply.

Stewart Park Special Event Pavilion Rental (includes SP Large, SP Small and SP BBQ pavilions)- \$600/day

Cass Park Special Event Pavilion Rental (includes Cass Park BBQ and Cass Park Pavilion)- \$270/day

**\*All reservations/rentals are “exclusive use” (one user group at a time)**



**Ithaca Youth Bureau**

**1 James L. Gibbs Drive**

**Ithaca, New York 14850**

Phone: (607) 273-8364

Fax: (607) 273-2817

"Building a foundation for a lifetime."



To: Board of Public Works  
Mike Thorne, Superintendent of Public Works  
From: Liz Klohmann, Director  
Re: Pavilion Reservation Fees  
Date: December 14, 2021

The IYB manages the pavilion reservations for Stewart and Cass Parks. Previously, the fee system used the number of people in a group to determine the fee. We have traditionally set groups up to share the pavilions unless they reserve it exclusively. During COVID we modified our reservation process to have just one group at a time which worked well. For the 2022 season we are proposing a system that allows just one group at a time and a fee structure that charges by the hour for up to 8 hours and a flat fee for reservations 8+ hours. We feel this system will make renting the pavilion more accessible for smaller groups and residents. Because this fee is hourly, it will lead renters to only reserve the amount of time they need for their use which will increase availability and access to additional users.

**City of Ithaca 2022 Pavilion Fees (proposed)**

(Non Resident Fee/City Resident Fee)

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Cc: Mike Thorne, Jeanne Grace, Megan Wilson, Julie Holcomb

## **City of Ithaca Art In Public Parks Policy – draft May 2021, updated 9/13/21**

The City of Ithaca has been active in promoting Art in public spaces both on City and private property. In 2019, there were 2 Art Project proposals submitted to the City for sculptures to be located in City parks. As a result, the City Parks, Recreation, and Natural Resources Commission, was asked to make comment. A key concern that arose is that there are no criteria to use for evaluating the appropriateness of art being proposed for a particular park location. *Key among our concerns were:* safety, alignment of the art with the intended purpose of the park, how the art contributes to the park experience and adds amenities, ensuring community/neighborhood input, how long the art would remain in the park and who would maintain it.

In response to these concerns, we are submitting the following proposed policy for consideration by Common Council. We have reviewed similar policies in other communities and have drawn heavily on the NYC Dept. of Parks & Recreation – Temporary Public Outdoor Art Guidelines.

<https://www.nycgovparks.org/art-and-antiquities/temporary-guidelines>

### **Park Resources – Where to Exhibit**

The City has two major flagship parks (Stewart and Cass Park), and a total of 15 neighborhood parks most of which are located near residential housing. In addition, there are 3 major natural areas, however, at this time, this policy does not apply to the City's natural areas: Fuertes Bird Sanctuary, Ithaca Falls, and Six Mile Creek Preserve.

Most artists want their art to be seen, so if visibility is important, some parks are better situated than others. A smaller less visible neighborhood park provides the opportunity to engage the community in creating art they envision for their park. Some parks, like Stewart Park and Dewitt Park, have historical significant and therefore require that history be honored.

Each of our City Parks has a purpose and community use, and as such, art that is proposed should be complementary to the purpose, contribute to the overall park experience and aesthetic, and above all be respectful of what the neighborhood wants.

**List of parks/map:** (link to a website – Artists Guide to City of Ithaca Parks Public Art Sites)

#### Flagship Parks (large parks)

Stewart Park

Cass Park

#### Neighborhood parks

Auburn

Baker

Brindley

Bryant

Columbia

Conley

Conway

Dewitt – should this be taken off the list?

Hillview

McDaniels

Maple Grove

South Titus

Thompson

Wood Street

Washington

Other green spaces:

Dryden Road (in front of the parking garage)

Van Horn – very small area maintained by the Beautification Program

Strawberry Fields – no public access except from BS school

Negundo Woods – both a park and natural area

Floral Avenue - not a park, part of Flood Control channel

**Natural Areas** – at this time, this policy does not apply to the following sites:

Ithaca Falls

Fuertes Bird Sanctuary

Six Mile Creek



### **Art in Parks Overarching Criteria:**

Art installations in parks are considered to be *temporary* and normally would be installed for a few weeks to a year, as deemed appropriate by the City. Under special circumstances, and with endorsement from the Parks, Recreation & Natural Resources Commission, the City may allow art to be installed for multiple years based on the durability and significance of the art. In the case of longer-term installations, public input should be sought.

Art proposed for parks must be in alignment with or complementary to the intended use of the park; for example, some parks are used for youth and adult sports, some for walking, biking or other exercise, some for social gathering, some for reflection, and in some, art may not be appropriate, or only appropriate in certain areas.

(prepare a more detailed park-specific siting recommendations document for website)

All prospective exhibitors, (except if art is proposed for Stewart Park) are required to share their proposed project with neighborhood associations and obtain neighborhood engagement, input, and general support for the art project being proposed. In the case of Stewart Park, input should be sought from the Friends of Stewart Park.

Art must not be disrespectful of any culture, history, and in no way be offensive by reasonable standards.

All art installations must minimize the disturbance of existing plant or wildlife habitat (unless the City Forester determines that habitat in a particular location will not be damaged and that the site will be improved as a result e.g. removal of invasive species); and shall not introduce elements that will negatively impact plants or wildlife (e.g. lights, noise, etc.)

Wherever possible and appropriate, art should be functional (serving multiple purposes) such as adding a much-needed amenity such as bench, play structure, waste bin, water fountain, etc.

All art must be demonstrated to be safe for the life of the installation ensuring that any risk of injury has been addressed fully. If art is deemed unsafe at any time during its exhibition, it must be removed by the artist or the artist's designated representative. In addition to safety, consideration should be given to minimizing the potential misuse that would cause injury to people or damage the structure.

Artists or designated representatives are responsible for production, installation, maintenance and removal/decommissioning of the art and all associated costs, including insurance. These responsibilities shall be specified in a standard memorandum between the City and artist or designated representative.

### **Land Acknowledgement and Veto Clause**

PRNR recommends that the City allow the Gayogoho:no traditional leadership to veto any art proposal subject to this Art in Parks policy.

## Submission Requirements

- A written description of proposed artwork, including: title, medium, dimensions (height x width x depth), weight, installation method and anchoring procedure.
- Safety and how it will be addressed.
- If proposing existing work: photographs of artwork; include scale.
- If proposing a new work: working drawings or photograph to scale.
- Artist's statement and resume, with links to previous work.
- Installation budget – outlining all materials to be brought on site and any excavation required.
- Name of the sponsoring organization or other method of financing. Include the name, address and phone number of the contact person.
- Proposed duration of the installation.
- Proposed location for the installation.
- Evidence of insurance? See below

Applicants are strongly encouraged to submit materials at least six months prior to the intended installation date to allow time for proposal review and project development.

Proposal materials will not be returned and incomplete applications will not be reviewed.

Proposals may be submitted at any time, there is no submission deadline.

**Submit your proposal by email or by mail to: City of Ithaca Planning**

## Review Process

All proposals are submitted to the City of Ithaca Planning Department. Staff will review the submission to ensure it is complete and coordinate the review process.

First, the Community Life Commission shall review the proposal for artistic merit only.

Proposals for Art in Parks shall then be forwarded to the PRNR Commission for their review and recommendations, considering the recommendations of the Community Life Commission.

Artists are encouraged to schedule a presentation at a PRNR Commission meeting.

Proposals presented to the PRNR Commission that meet Art in Park policy criteria shall then be circulated for public review as relevant:

For Neighborhood Parks, including Cass Park, public comments shall be requested via the relevant Council member(s) and neighborhood associations or citizens reached via media, meetings or other such means.

For Stewart Park, in addition to the general public, Friends of Stewart Park shall be asked for input.

PRNR will summarize all comments and recommendations for submission to the City of Ithaca Planning and Economic Development Committee, who in turn will review and make recommendations to the Board of Public Works and ultimately to Common Council for final review.

Following Council approval of a proposal, a license agreement (similar to what is generic for city) is issued to the artist and/or sponsoring organization.

## Exhibitors Responsibilities

When exhibiting in a City of Ithaca Park, the artist assumes responsibility for funding the project, including site preparation and remediation. Other artist responsibilities include:

- Propose high quality art responsive to community interests and guidelines for art in public spaces.
- Ensure that all documentation regarding the proposed work, installation of the work, and costs are fully available at the time of proposal submission.
- Be prepared to present the proposal at various City commission and government meetings and to the public in neighborhood gatherings.
- Provide funding for fabrication, installation, maintenance, insurance, security deposit, deinstallation, and site restoration.
- Oversee installation of artwork (tools, materials and equipment are not provided by Parks).
- Some projects may require technical reports prepared by a licensed engineer.
- Monitor and maintain the artwork during the exhibition period.
- Oversee deinstallation of artwork and site remediation.

### The following need more review/discussion!

- Obtain necessary insurance policies naming the City of Ithaca as additional insured. [Discussion: this may be limiting...individual artists may not be able to obtain – insure installation & artwork...avoid making it difficult to apply – maybe make this advisable, but maybe it would depend on what the work is...stand-alone vs wall art...Ask planning dept how they have dealt with murals, other public...]
- Insurance for art piece to protect work
- What is the City policy for people working on city property...insurance...covering their work, exempting city from liability
- A security deposit, which will be returned to the exhibitor upon restoration of the site.
- See public art plan...safety & durability...good statement to include from 2003 Public art plan
- Grant City the right to a royalty-free, perpetual license to use any depictions of the artwork for non-commercial purposes (credit will be given to the exhibitor). – should we check with city atty...do we need this?

## City's Responsibilities

- Assist the Artist with navigating the proposal review process and with scheduling presentations to commissions.
- Assist the Artist with ensuring ample public comment, in particular from neighborhood groups, is obtained.
- Review and select projects based on meeting evaluation criteria.
- Prepare legal documents for signature by artist or organization. – check w/atty....
- Grant artist sole ownership and copyright of the final design and artwork.
- Ensure the timeliness in the review of proposed projects.

**December 14, 2021 Board of Public Works**  
**2022 Water and Sewer Rates – Resolution**

WHEREAS, in accordance with City Charter, the Board of Public Works has the authority to set water and sewer rates, and

WHEREAS, staff has provided water and sewer usage projections for 2022, now therefore be it

**RESOLVED**, That the Board of Public Works adopts the following water and sewer rates and fees starting for bills due on or after January 1, 2022, and the rates are effective until changed:

**Basic Rates (per 100 cubic feet):**

|       | <u>Existing 2021</u> | <u>2022</u> |
|-------|----------------------|-------------|
| Water | \$9.36               | \$9.73      |
| Sewer | \$5.80               | \$6.03      |

**Minimum Billing (per quarter year)**

| <u>METER SIZE</u> | <u>CU FT ALLOWED</u> | <u>WATER</u>      | <u>SEWER</u>       | <u>TOTAL</u>      |
|-------------------|----------------------|-------------------|--------------------|-------------------|
| Small             | 1,200                | <u>\$116.76</u>   | <u>\$ 72.36</u>    | <u>\$189.12</u>   |
| 1"                | 3,200                | <u>\$311.36</u>   | <u>\$ 192.96</u>   | <u>\$504.32</u>   |
| 1.5"              | 5,500                | <u>\$535.15</u>   | <u>\$ 331.65</u>   | <u>\$866.80</u>   |
| 2"                | 11,200               | <u>\$1,089.76</u> | <u>\$ 675.36</u>   | <u>\$1,765.12</u> |
| 3"                | 16,000               | <u>\$1,556.80</u> | <u>\$ 964.80</u>   | <u>\$2,521.50</u> |
| 4"                | 24,100               | <u>\$2,344.93</u> | <u>\$ 1,453.23</u> | <u>\$3,798.16</u> |
| 6"                | 42,100               | <u>\$4,096.33</u> | <u>\$ 2,538.63</u> | <u>\$6,634.96</u> |

**Other Services**

- Unmetered sprinkler service: **\$12** per inch diameter per quarter
- Metered water for circuses, carnivals contractors, etc., through suitable connection at hydrant installed by Water and Sewer: charged by use, with minimum bill of **\$200** per day for the first 7 days and **\$50** per day thereafter.
- Bulk Water for street sweepers, tank trucks, spray rigs, etc., available at the Water building: **\$100** per load up to 500 gallons, and **\$25** per thousand over 500 gallons.
- There will be no allowable sewer credit for pool filling.
- Meter removal, meter resetting, turning water off, or turning water on at curb stop: **\$40** per event.
- Residential Meter Testing: **\$150** if meter is found to be within industry tolerances; no charge if out of tolerance.

- Replacement of frosted or damaged residential meter:
  - ◊ During business hours – cost of the meter plus **\$50**
  - ◊ After hours without a call-in – cost of the meter plus **\$125**
  - ◊ After hours with a call-in – cost of the meter plus **\$220**
- Replace damaged AMR meter head, caused by owner/occupant negligence: cost of new meter plus **\$60**.
- City of Ithaca “Request for Entry” letters to residence or commercial establishment to service water meter, (each request per billing cycle):
  - ◊ First request – No response by Owner after 15 days, written warning
  - ◊ Second request – No response by Owner after 15 days, **\$25** administrative surcharge placed on next water bill
  - ◊ Third request – No response by Owner after 15 days, **\$100** administrative surcharge placed on next water bill. \$100 administrative surcharge continuously billed thereafter until service has been fulfilled.
- Special meter reading with corresponding bill: **\$45** per special read.
- Data Logs: the first obtainable data log is free, delivered electronically in a PDF format. Paper copies will be printed upon request at the cost of duplication. All additional data logs shall be charged at **\$45** each delivered electronically. If a City issue is found as a result of a data log, there shall be no charge.
- All other special services: To be billed at cost (including overhead) with supporting bill documentation.