



TOWN OF ULYSSES

10 Elm Street, Trumansburg, NY 14886
townofulyssesny.gov

Town Supervisor (607) 387-5767, Ext 232 • supervisor@townofulyssesny.gov
Town Clerk (607) 387-5767, Ext 221 • clerk@townofulyssesny.gov

Building & Code Enforcement Office

607-387-9778 ext. 231

Buildings & Code Enforcement Report for *Feb 2023*

Building Permits issued		6
Plan Reviews		4
Certificate of Occupancy issued		1 Cof O 3 C of C
Permits Renewed		1
Complaints Received		0
Complaints Resolved		2 Resident working on compliance
Inspections (Footers, Foundations, Plumbing, Insulation, roofing, Pools, Etc.)		28 3 Reinspection's
New Site Inspections		6
Building Review Consultations (pre-plan meetings, Future Building/Remodeling)		5
Fire Safety Inspections		Ongoing
Code Training Seminars		2 hours Batt. Storage
County Assessment, Town, DOS Reports		4



Open property in violation cases		Ongoing outreach
Property violations resolved		1

VALUE OF PERMITS ISSUED: \$138,000.00

Building Permit fees collected for month: \$639.00

Respectfully Submitted,

MARK WASHBURN

Mark Washburn – Building & Fire Code Enforcement Officer

Building & Code Updates

Mark Washburn, NYS CEO, Certification No. 1020-0364 Feb. 1 -Feb. 28, 2023

Plan Reviews

- 8 discussions about upcoming projects
- permit review, passed along for zoning review, 4 Projects waiting on approval
- 8 pre permit site visit

Site Visits

- Ongoing monitoring of Erosion Plan, visited 4 times no issues
- 6 Site meetings with contractors
- 1 visit regarding erosion issues

CEO Activity

- 4 Foundation/Footer inspections/ 1 reinspection's
- 7 Framing inspections/ 1 reinspection's Issue resolved
- 6 Plumbing inspections/ 1 reinspection
- 2 Final inspection/1 Reinspection
- Code research for 15 different issues approximately 24 hours
- Code research for taking the exemption for 150' fire access rd. Meetings with Chief, Engineers and architects. CARS project
- 4 property investigations for Letters of violation, 1 letter issued code and zoning violations (ongoing).
- Attended meeting with Zoning and Property owner regarding new home build
- Investigation of DD violations Photos taken, building code violations letter written for review.
- Investigation of complaint regarding building without permit. Stop work order issued
- Worked on Derelict property list. 3 properties working towards compliance. 1 **Demolition permit, Demolition complete. Fire Dept used this property donated by the home owner for training**, 2 properties removing rubbish and unregistered cars.
- Investigation on 2 properties on the list to start action.
-

Building & Code Updates

Mark Washburn, NYS CEO, Certification No 1020-0364

Reporting Period Feb. 1 – Feb. 28, 2023

SBL	Violation	Code	Action	Status
	Erosion control		4x Site visit No issues	Ongoing
	Burned out house Safety Violation/	[NY] 108.1.1 Unsafe structure	Clean up happening around house Possible Fire training	Ongoing
12.-4-9	Rubbish, Vehicles, Fire road violation Protective covering violations	Property maintenance code 301.2, 302.3, 302.8, 304.2 Fire Code 503.4	Clean up and remove vehicles from side of roadway and property	Vast improvement and cleanup continue
20.-3-9.22	Cars, Rubbish	Multiple Property Maintenance code, Fire Code violations	Clean up and comply with DD regulations	New information Working with property owner

Town of Ulysses Clerk's Office
MONTHLY REPORT for FEBRUARY 2023

Submitted by Carissa Parlato

<u>LICENSES/PERMITS issued:</u>	<u>#</u>
Sporting licenses	1
Disabled parking permits	10
Dog licenses and renewals	34
Marriage licenses	0
Plumbing permits	0
Address assignments	1
Notarizations	6
FOIL requests-received	1
FOIL requests-completed	1

<u>FINANCIAL REPORT:</u>	
\$1937.40	TOTAL Clerk fees & licenses collected
\$1873.78	stays in the town
\$63.62	goes to the state

CLERK's OFFICE TASKS:

- Routine tasks:
 - retrieved, sorted, vouchered mail, answered inquiries on various topics, attended town board meetings and took minutes, kept website current, provided notary services, issued licenses (marriage, dog, sporting) and disabled parking permits, collected building & zoning fees, assigned new addresses as requested, participated in weekly Supervisor/Clerks office meetings, sent weekly e-newsletter messages to residents, contract management, coordinated building use/equipment sign out, fulfilled FOIL requests, ordered supplies, posted board meeting (Planning, Town & BZA) videos to Youtube, monthly Community Leaders meeting
- Tax Collection:
 - Collected about ~\$5 of \$5.5 million
 - Will collect through March 31 before turning collection over to TC
- IT RFP- review and interview candidates
- Water:
 - Explored new billing software
 - Completed water loss reconciliation process with Ithaca
 - Completed quarterly billing
 - Met with WD3 working group
- Facilities:
 - Publicized RFP for Facilities Mgr
- Attended Health consortium mtg- Joint Committee for Plan & Design

Plow / Salt

We had 8 snow events where we had to Salt and Plow.

New edge on T21 wing, New spring for D-block on wing as well.

Washing trucks soon after taking trucks out to salt and plow to get Salt off the trucks.

Maintenance

5100E John Deere Roadside Mower / Changed oil and Filters

T3, F150 NYS Inspection

F350 - T1 Changed oil and Filter

T21 Remove surface rust and re painted in various spots

Greased Loader and All heavy duty trucks

Road Maintenance

Ditched Bottom end of gorge, Mostly leaves that plugged up pipe and catch basin

Filled potholes in various spots

Fixed 2-3 Mailboxes from heavy snow knocking them down

Misc

Working on Enclosure for the fuel pumps.

Tree Branch clean up at J-ville Cemetery

Met with Cayuga Watershed about new ditching methods

Met with NYSDOT regarding the replacement of a culvert at the intersection of Perry City and NYS RT 96

Working on Capitol Plan updates

Water

Read Meters on Feb 16th

Attended WD3 meetings

BAC sample and TCHD report done on March 6th

Daily testing

Recreation Department Report

March 7, 2023

Created by: Will Glennon, Recreation Director

Winter Youth Programming

- Concluded February 25th.

Winter Adult Recreation Programming

- Ongoing.

Spring programming and administration

- Met with and created the template for an adult focused art program to begin in March. The program lacked sufficient registrations to be viable for March. Program has been delayed to start April 18th.
- Drivers education program part II; driving education will begin March 27th.
- A pilot indoor baseball clinic for instruction for baseball players ages 8-12, started February 25th. A pilot indoor softball clinic is currently in the planning stages. The program is proposed to be offered beginning the end of March thru to the end of April.
- Summer camp and summer camp programs registration will open on March 15th.
 - Space in the middle school has been requested.
 - Re-hiring last year's staff has begun. The posting for the position has opened on the Tompkins County vacancy page.
 - Contacted the school district to post the positions in the office and in the high school newsletter.
- Spring and summer program registration will open March 15th at 12:00 pm. Spring program format for track, baseball/softball will be similar to last year. Track will once again be on Tuesdays due to the track availability or lack thereof on Wednesdays. This will keep baseball/softball etc. on different days from track. Not ideal, but the school has scheduled home meets on Wednesdays again this spring.
- The coach pitch and hybrid programs will play at Cass Park on Saturday mornings again, with practices in Trumansburg during the week. The kid pitch program will play a slate of games against surrounding teams like last year. Tball will be Tues/Thurs because it is preK-K and track is 1st-6th.
- I will be adding a youth and adult/child pickleball program in the spring. Exact times have not been confirmed and I am waiting on the instructors to get back to me on scheduling.
- There will also be tennis again for youth.
- Adult programming will continue through the second weekend in June.
 - Pickleball will be open for play again beginning in April.
 - Proposal for an adult outdoor tennis league has been suggested by members of the community.

AOT Conference: 2/19-2/22 attended and presented at annual Association of Towns conference, see notes attached.

Work Activities

Miscellaneous/General Town Work

- Standing weekly meetings: Clerk's office, Supervisor, Highway Superintendent
- Resolution drafting, agenda packet related work
- HR related matters
 - New personnel onboarding related
- 2023 work plan development
- 2nd floor office space related work
- 2/9 SIREN training
- Various Youth Commission related communications

Bookkeeper Supervision

- Weekly meeting on Wednesday
- Review of monthly financial statements
- 2022 close out related support

Insurance Related

- Insurance related communications required for contract activity

Financially Related

- Audit related communication
- Funding related research, see notes below
- Development of grant/funding organizational knowledge; resources and documentation

Finance Committee

- Commence Fund Balance Policy related work: fund by fund SWOT analysis 2/23 meeting

Budget Related

- Voucher review
- 2022 budget modifications
- Personnel related modeling/projections
- Budget/finance into with Liz W.
- 2022 EOY estimates vs. actual prelim analysis

Asset Management

- Facilities Manager recruitment efforts: collecting applicants, screening phone calls scheduled
- Continued multi-year planning development
- BRIDGE NY review team work and submission of scores

IT Related: General, Strategic Plan/Update/Modernization, IT Committee

- Advance2000 Contract revisions and execution, scheduling and planning for onsite initial visit

Stormwater Long Term Planning

- No significant work for this period
- Pilot Ditch Program related work (Local Roads, CU, Soil and Water, IO, Watershed Network) 2/13 meeting

Water District 3 Related

- 2023 work plan: continued development

- GIS licensing related work

General Water

- Policy update/creation related work
- Grant and financing research for future opportunities

Transportation

- Communications related to Route 96 summer culvert project
- ITCTC 2.5% set aside of federal funds related communications
- Black Diamond Trail
 - RFP development and release on 3/3/2023

Compliance Related / Safety Committee / Procurement Related Updates

- No significant work activity for this period—place holder for future reports

Upcoming

- BDT RFP potential consultant communication
- IT Consultant: Strategic development / onsite portion and subsequent communications
- Facilities related work: recruitment of facilities manager
- Water related funding and financing program investigation

Active Grant Updates

- **DEC Climate Smart Communities Comp Plan Update**
 - Continued work to try to connect with DEC office re: contract
- **Cemetery Road Bridge over Trumansburg Creek (NYSDOT 95% funded with FHWA money, Barton & Loguidice Engineers)**
 - Internal activities:
 - Communications with NYSDOT re: final reimbursement—still waiting on the administrative process on their end.
 - Update as of 1/18 from NYSDOT contact is that one of the administrative hurdles have been completed on their end—so, progress is being made.
 - Local share owed by County received

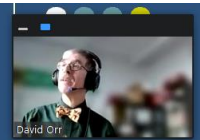
Meetings & Professional Development

- **Getting Started with NEPA: What communities need to know to engage with the National Environmental Policy Act; SU EFC 3/6/23 11am – noon** (*notes available upon request*)
- **Federal Aid 101 CU Local Roads 3/2/2023**
 - See handouts below
 - Project eligibility for federal...
 - Safety issues also eligible
 - Entire project might not be eligible but safety improvement costs could be included with supplemental funding specific to safety costs
 - Process Loop
 - Planning > Scoping > Design > Construction > Ops & Maintenance
 - PS&E Plans, Specifications & Estimates
 - If you had someone doing just project management: 3-4 projects total
 - What's the difference between TIP and STIP?
 - TIPs are put into statewide STIP

- PLAFAP = LPM = same thing
- **2023 AOT Conference: sessions attended** *(notes available upon request)*
 - *Communicating Drainage System Deficiencies and Flood Risk and Comprehensive 1D-2D Models*
 - *Joseph Kirby, Woodard & Curran (15 years with FEMA doing flood studies)*
 - *This was supposed to be a session on Climate Vulnerability Assessments but was changed last minute*
 - *Debt Issuance by Local Government*
 - *Robert Smith, Hawkins Delafield & Wood LLP*
 - *Cybersecurity Insurance Primer*
 - *NYMIR, Wright Risk Management (Susan and Elizabeth)*
 - *One on One meeting with Kyle Wilbur at the Department of State re: water funding*
 - *Drinking Water Source Protection Program*
 - *DEC Joel Bernosky, Kristin Martinez*
 - *Local Federal Aid*
 - *David Orr, CU Local Roads*
 - *Internal Controls for Inventory and Equipment*
 - *OSC William Naylor*
 - *Property Maintenance & Preservation*
 - *NYMIR, David Bloodgood*
 - *State Revolving Fund and Implementation of the Infrastructure Investment and Jobs Act*
 - *NYS EFC*
 - *State and Federal Funding, Financing and Resources for Municipal Infrastructure*
 - *NYS EFC, DOH, SU EFC*
 - *Stormwater Regulations for Local Review Boards Part 2*

Highway Budget Cost Per Mile (pre-covid)

Level	\$ per CL mile	Quartile Range
Towns	~\$14,000	\$10-20,000
Counties	~\$35,000	\$26-46,000
Villages	~\$31,000	\$21-45,000
Cities (not NYC)	~\$37,000	\$30-54,000



State Aid

- Through the NSYDOT “Local Programs Bureau”
 - CHIPS
 - PAVE-NY
 - EWR
 - State Touring Route Program
 - POP (Pave Our Potholes) Program
- **Governor’s Traffic Safety Committee**
 - Highway Safety Grants
 - Safety training, seat belt programs
- DASNY
- Preserve New York Grants
- Department of State
- DEC
 - Env’t related
- DOH
- Parks and Rec
- “Don’t limit yourself to just highway”

Federal Aid

- Most are 80:20
- STP: surface transportation program

- Targeted to high volume, but safety eligible
- TAP
 - Safe Routes from here
- CMAQ
- TIGER
- HSIP: Highway Safety Improvements
- **BIL**
 - RAISE
 - INFRA
 - Safe Streets and Roads for All
 - Everyone is eligible
 - Rural Surface Transportation
 - Reconnecting Communities
- Inflation Reduction Act
- FEMA

Other Funding Sources non-Government

- National Grid
- Businesses and companies
- Bonds
- Leasing
- Capital reserves

DEC & Southern Tier Central Regional Planning & Development Board

Navigating Grant Funding: Municipal Success Stories

3/1/23 1-3pm

- **Webinar goals: Strategies and access and administer/manage grants**
- **~260 attendees**
- **Recording link available sending over email**
- **Municipalities sharing their stories:**
 - Lake Champlain—Lake George Regional Planning Board Beth Gilles
 - Chautauqua Soil and Water—Cassandra Pinkoski Grants Specialist
 - Essex County—Community Resources, Anna Reynolds Director
 - City of Kingston—Director and Grants Manager
- Lake Champlain Lake George Regional Planning Board
 - Relationship building with funding agencies
 - 3 FTE staff people wrote about 35 grants
- Chautauqua Soil and Water
 - Partner with relevant organization
- Essex County
 - Reapply multiple years
 - Follow up with agencies re: denied applications
 - Prove commitment on Town's end: resolutions etc.
- City of Kingston

- Office of Grants Management
 - Created by Mayor who wanted aggressive approach to funding
 - Centralization helps maximize opportunities
 - Current grant portfolio: 51 active grants ~\$30million
 - Grantstation.com
- Using staff time as match limits tax levy impact
 - Clockify helps staff keep track of time spent on grant
- Q&A
 - Multiple funding sources for a single project
 - Implementation schedule
 - Tracking time: standardized time tracking for volunteers

Tompkins County

Municipal Grants Workshop

2/16 4-4:30pm

TC Dept of Planning & Sustainability Staff

Elliot, Terry Carroll, Darby, Abigail Conner, Katie B.

Business Energy Advisor (BEA) Program

Hailley Delisle Sustainability Coordinator

Facility managers, businesses

- point is to look at plans for new project or major renovation: step in and create an energy options report with consultants free meet with engineer firm and then they provide report re: options less than 2000 sf = \$1500 of service; greater = \$3000 of consulting fees
- municipalities have gone through program for Dryden and Ithaca Town Halls
- best time is to do this in the concept phase vs. any real work being done

Natural Infrastructure Capital Program

Abigail Connor = Env't Planner

- Focus is on downstream flooding funding, migratory quarters, long term protection, willing property owner, easement must be help by qualified public non profit or municipality
- permanent protection of resource
- partially located in priority areas: list available....natural feature focus area, priority protection area, habitat connectivity plan, or high scenic/recreation or trail
- not a result of local land use regulations
- not to exceed 1/3 of recent TC assessment max of \$200k

Tourism grant opportunities

Nick Helmhold

- Three programs
- Community Celebrations: application deadline of February 27th; second round = around labor day
- Tourism Advancement
 - walking tours

- Capital Grant
 - major capital (\$5k - \$100k)
- early Sept 2023
- reach out to Nick if interested
- 50:50 match

Municipal Parks and Trails Grant Program

Darby

- 2019 was first and only year (\$50k)
- up to \$5k / municipality

Housing Affordability and Supportive Infrastructure Grant Program

- put money towards affordable housing
- Ulysses as program affiliate???

AOT Exec Budget Review

2/10/2023

Noon – 1pm

- Exec budget (aka the governor's budget) -> 30 day amendments -> senate and assembly one house bills will be out in march -> budget due 4/1/23
- AIM was maintained at current level = no increase proposed
- Transportation maintained at current level = no increase proposed
- \$500 mil for drinking and waste water = pot of money available for grants
- EPF = env't protection fund; parks and rec and climate change programs (grants)
- \$42.6 for cyber security defense...doesn't seem like it's going to local governments so Sarah is not sure how it's going to work...grant program? Very nebulous at this point
- \$100M for NY Forward for revitalization of more rural downtowns
- Tax Proposals
 - RPT exceptions for affordable housing
 - Standard appraisal methodology for solar and wind large scales farms (current lawsuit that state did not comply with State Admin Procedure Act (SAPA))
 - Local sales tax rate authorization permanent (Sarah doesn't think this is going to go anywhere, i.e. likely not going through)
 - Senior Citizens RPT exemption--shift thresholds to STAR exemptions; to qualify senior only has to submit tax return
 - Foreclosure proceeding changes re: who gets excess above liens, private debtors, former property owner--Sarah's interpretation is that this will de-incentivize County's to commence foreclosing proceedings
- Env't Related in Budget
 - Waste reduction and recycling infrastructure Act: imposes more responsibility on the producers
 - Expansion of Env't Restoration Program (ERP) to provide funding for "forever chemicals"; currently identifies local gov't that go through restoration/ remediation projects
 - Bonding for Lead Service Lines...would make funding available for lead pipe replacement via EFC

- Making New York Buildings More Sustainable: single and multi residents prohibition of using fossil fuel equipment starting 12/31/25
 - NYPA related legislation
- Other aspects of the budget
 - Nominal fees for volunteer firefighters: incentivize people to volunteer...AOT asking for a definition of "nominal fee"
 - Civil service continuous recruitment: online and continuously available; candidates wouldn't have to wait for exam to be offered
 - Bail reform: would provide judges more discretion
- Affordable Housing proposal
- Q: will this get passed?
 - suggestion that everyone reaches out to legislators about your thoughts will know more once one house bill comes out
- to get to "Safe Harbor"
- Either this...
 - growth targets: improve/approve construction permits...1% of 2020 before end of 2026
 - MTA commuter district / downstate = 3%
 - certain projects count as more (ex. affordable housing 1 unit = 2 units)
 - Or do (how many?) of these "preferable actions"
- adopt local law allowing affordable housing ADU's
 - allow at least one ADU / lot
 - lots of restrictions re: min/max square footage, ceiling height, set backs, parking, etc. requirements
 - permit applications for ADU considered ministerial (aka as of right) review
 - no hearings allowed, must make determination within 90 days
 - appeals process for denied ADU applications required
 - Lot Splits under specific conditions
 - Remove certain restrictions
 - Smart Growth Rezoning preferred action
 - ability to review applications would be truncated
 - repurposed commercial lands = must be a walkable community
 - Increased requirements for Towns within 50 miles of city, or within 1/2 mile within non seasonal rail station
 - Funds available...\$250M to support infrastructure development and improvements to increased housing production; \$20M to assist with rezoning and permitting to increase housing opportunities
 - Q: How is "Affordable" defined?
 - there isn't really one..."it depends"
 - critique of proposal is that it doesn't specify that growth targets are specific to "affordable housing"
 - secondary homes would count
 - Q: how will transportation related infrastructure be fast-tracked with this affordable housing fast tracked? AOT took note and will ask
 - Provision that needs clarification re: retro active stuff...If in 2021 through 2023 you hit the growth target you might be considered in "Safe Harbor"
 - AOT interpretation is that this proposed legislation:
 - takes away home rule from local gov't

- does not actually guaranteed more affordable housing based on parameters for growth not being specific to affordable housing

Grants, State Aid, Federal Aid, and Other Sources of Revenue

- Budgets and Responsibilities
 - Highway Ownership and Costs
 - Responsibilities
- Highway Financing and Sources of Revenue
 - Local Revenue
 - State Aid
 - Federal Aid
 - Private-public partnerships
 - Grants (government, private, or NGO)
 - Borrow funds (bonds, loans, leases ...)
- What do we do next?

Resources

State

New York State Grant Opportunities <https://grantsmanagement.ny.gov/>

NYSDOT Local Programs Bureau

<https://www.dot.ny.gov/divisions/operating/opdm/local-programs-bureau>

Dawn Arnold dawn.arnold@dot.ny.gov

Doreen Holsopple doreen.holsopple@dot.ny.gov

Governor's Traffic Safety Committee, Highway Safety Grants

<https://trafficsafety.ny.gov/highway-safety-grant-program>

NYSDOT Functional Classification Viewer: <https://gis.dot.ny.gov/html5viewer/?viewer=FC>

Metropolitan Planning Organizations (MPOs) <https://www.nysmpos.org/about-us>

Tug Hill Commission <https://tughill.org/>

Federal

Notice of Funding Opportunity (NOFO) <https://www.grants.gov>

Safe Streets and Roads for All (SS4A)

<https://www.transportation.gov/SS4A>

Reconnecting Communities Pilot

<https://www.transportation.gov/grants/reconnecting-communities>

Bridge Investment Program

<https://www.grants.gov/view-opportunity.html?dpp=1&oppId=341050>

New York State FFY 2023-2026 Statewide Transportation Improvement Program (STIP)

<https://www.dot.ny.gov/programs/stip/>

Bipartisan Infrastructure Law (BIL/IIJA) Resources

FHWA BIL site: <https://www.fhwa.dot.gov/bipartisan-infrastructure-law/>

https://www.fhwa.dot.gov/bipartisan-infrastructure-law/grant_programs.cfm



**Department of
Transportation**

**Local Technical
Assistance Program**



Why Webinars Schedule

Two-year cycle with 13 topics repeated each year (highlighted in green) and 11 held every other year (total of 35 topics). The topics highlighted in yellow would be held in year 1 and blue in year 2.

* Anticipated to be worth 1 PDH for engineering continuing education. PDH credit worthiness and full descriptions will be updated on the [NYSLTAP-CLRP webinar webpage](#). Fall & Winter 2022-2023

November 8

1. Basics of a Good Road * – David Orr

November 15

2. Traffic Safety * – David Orr

November 29?

3. Budget Basics – Tim Hunt

December 6

4. Pavement Types & Materials
Asphalt * – John Rondinaro

December 13

5. Roads & Streets Legal Issues * – D. Orr

January 3

6. Department Duties – Marty Roberts

January 10

7. Pavement Management * – Geoff Scott

January 24

8. Worker safety – Phil Spiezio

January 31

9. Culverts * – Willy Grimmke

February 7

10. Highway Liability * – David Orr

February 14

11. Work Zone * – Guy James

February 21

12. Employee handbooks – Panel

February 28

13. Pavement Maintenance * – J. Rondinaro

March 7

14. Grants, State Aid, Federal Aid, and other sources of revenue – David Orr

March 14

15. Erosion, Ditches, & Storm Sewers * – Geoff Scott

Summer 2023

June 13

16. Asset Management * – Geoff Scott

June 20

17. Guiderail * – David Orr

June 27

18. Planning process – David Orr

July 11

19. Equipment (Heavy & Small) – Tim Hunt

July 18

20. Bridge Basics * – Willy Grimmke

July 25

21. Shop Safety and PPE – Phil Spiezio

August 1

22. Complete Streets and ADA * – Ted Green

August 9

23. MUTCD – Al Bachner *

August 15

24. Snow & ice Overview * – David Orr

Other Foundational Webinars

25. Snow & Ice Control Strategy * – D. Orr

26. Finding, Retaining, and Motivating Employees – Victoria Beale, Emily Wilder

27. Purchasing & Financing – Tim Hunt

28. Surface & Subsurface Drainage * – D. Orr

29. Flagging – David Orr

30. Emergency preparedness – D. Orr & J. Dussing

31. Ethics * – David Orr

32. Alignment & Intersections * – David Orr

33. Communication tools – Jim Sheridan

34. Gravel and Base Materials * – David Orr

35. Managing the fleet – T. Hunt or G. James

3.5 Professional Development Hours (PDH)

Getting federal aid is only the first step in the process to complete a local project. To make a project successful, the local agency needs to understand the steps and the federal and state requirements. During these three morning webinars, David will walk through the federal aid process from start to finish. As needed, the NYSDOT Local Projects Manual will be cited and discussed. Attendees will learn the roles and responsibilities and various critical issues to allow them to complete their project successfully and reduce stress for themselves and the agencies overseeing the work.

- 9:30 Intro & Roles
 - 10:30 Break
- 10:45 Planning & Design
 - 11:45 Lunch Break
- 12:45 Construction & O&M
 - 1:45 Break
- 2:00 Conclusions
- 2:30 Q&A with NYSDOT & FHWA
 - 3:00 Adjourn

Contact Information:

NYSDOT Main Office

Local Programs Bureau

<https://www.dot.ny.gov/divisions/operating/opdm/local-programs-bureau>

Dawn Arnold dawn.arnold@dot.ny.gov

Doreen Holsopple doreen.holsopple@dot.ny.gov

Other Contacts

Wanda Anderson, Office of Diversity & Opportunity, Wanda.Anderson@dot.ny.gov

Johnny Cisneros, Office of Civil Rights, Johnny.Cisneros@dot.ny.gov

Carl Kochersberger, Office of Environment, Carl.Kochersberger@dot.ny.gov

NYSDOT Regional Local Project Liaisons (RLPL's)

<https://www.dot.ny.gov/divisions/operating/opdm/local-programs-bureau/locally-administered-federal-aid-projects/lafap-contact-information>

FHWA NY Division

Christopher W. Gatchell, Director of Engineering, Chris.Gatchell@dot.gov

Kara Hogan, PhD, Civil Rights Specialist, Kara.Hogan@dot.gov

NYS LTAP Center - Cornell Local Roads Program

David P. Orr, PE, Director david.orr@cornell.edu



Department of
Transportation

Local Technical
Assistance Program

clrp@cornell.edu

NYS LTAP Center - Cornell Local Roads Program



<http://nysltap.clrp.cornell.edu>

Resources:

Federal-Aid-Essentials

– A series of videos and other resources on the Federal-Aid process

<https://www.fhwa.dot.gov/federal-aidessentials/>

Local Projects Manual (LPM)

<https://www.dot.ny.gov/divisions/operating/opdm/local-programs-bureau/locally-administered-federal-aid-projects>

<https://www.dot.ny.gov/plafap>

NYSDOT Project Development Manual (PDM)

<https://www.dot.ny.gov/divisions/engineering/design/dqab/pdm>

NYSDOT Highway Design Manual (HDM)

<https://www.dot.ny.gov/divisions/engineering/design/dqab/hdm>

Manual of Uniform Record Keeping (MURK)

MURK Part 1A: https://www.dot.ny.gov/main/business-center/contractors/construction-division/forms-manuals-computer-applications-general-information/murk_1a

MURK Part 1B: <https://www.dot.ny.gov/main/business-center/contractors/construction-division/forms-manuals-computer-applications-general-information/CIM>

Local Highway Inventory:

- Local Roads: <https://www.dot.ny.gov/highway-data-services/lhi-local-roads>
- County Roads: <https://www.dot.ny.gov/highway-data-services/lhi-county-roads>

NYSDOT Standard Specifications

<https://www.dot.ny.gov/main/business-center/engineering/specifications>

Contract Administration Core Curriculum Manual (CACC) – October 2014

<https://www.fhwa.dot.gov/programadmin/contracts/coretoc.cfm>

EBO (Equitable Business Opportunities) Solution

<https://ebo.dot.ny.gov/>

AAP 35 Workforce Participation Plan

<https://www.dot.ny.gov/main/business-center/contractors/construction-division/construction-repository/AAP35.xls>

Federal Code Rule and Regulations (Title 23 - Highways)

<https://www.govinfo.gov/content/pkg/CFR-2012-title23-vol1/pdf/CFR-2012-title23-vol1.pdf>

What is the width of road right-of-way?

<https://cals.cornell.edu/nysltap-local-roads/what-width-road-right-way>

Smart Growth Screening Tool

<https://www.dot.ny.gov/portal/page/portal/content/delivery/region1/projects/108540-Home/108540-Repository/Appendix%20I%20-%20Smart%20Growth%20Checklist.pdf>

NYSDOT's Public Involvement for Transportation Planning Manual

https://www.dot.ny.gov/divisions/policy-and-strategy/planning-bureau/MPO_program_update_guide/repository/Planning%20PIFinal-Manua12%201218.pdf

NYSDEC SEQRA regulations

https://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf

Endangered Species Act, Sec. 7, Essential Fish Habitat, & Marine Mammal Protection Act

https://www.dot.ny.gov/divisions/engineering/environmental-analysis/manuals-and-guidance/epm/repository/4.4.9.3_AppG_FHWA_ESA_Section_7.pdf

Essential Fish Habitat Mapper

<https://coast.noaa.gov/digitalcoast/tools/efhmapper.html>

Preliminary Cost Estimating Worksheet for New and Replacement Bridges

<https://www.dot.ny.gov/divisions/engineering/structures/manuals/preliminary-cost>

Construction Inspection Estimate Calculator tool in LPM Chapter 6.

<https://www.dot.ny.gov/portal/page/portal/plafap/view-document?id=1397>

NYSDOT Item 697.030000BM-Field Change Payment (FCP)

<https://www.dot.ny.gov/portal/page/portal/spec-repository-local/697.030000BM.pdf>

NYSDOT Disadvantaged Business Enterprise (DBE) Program

<https://www.dot.ny.gov/main/business-center/civil-rights/dbe>

Federal DBE program is a separate program and subject to different requirements than the NYS Minority Business Enterprise (MBE) and Women-owned Business Enterprise Program (WBE).

NYSDOT DBE Goal Setting Procedures

<https://www.dot.ny.gov/main/business-center/civil-rights2/civil-rights-repository/Tab/DBE%20Goal%20Setting%20Procedures%20Local%2020191220.pdf>

Local Design Service Agreement (LDSA)

<http://www.countyhwys.org>

<https://www.countyhwys.org/ldsa>

New York State FFY 2023-2026 Statewide Transportation Improvement Program (STIP)

<https://www.dot.ny.gov/programs/stip/>

Bipartisan Infrastructure Law (BIL/IIJA) Resources

https://www.cti.uconn.edu/images/cti/images/T2Center/gy/Helpful%20Resources%20for%20Bipartisan%20Infrastructure%20Law_fall%202022.pdf

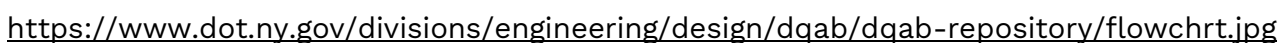
FHWA BIL site: <https://www.fhwa.dot.gov/bipartisan-infrastructure-law/>

https://www.fhwa.dot.gov/bipartisan-infrastructure-law/grant_programs.cfm

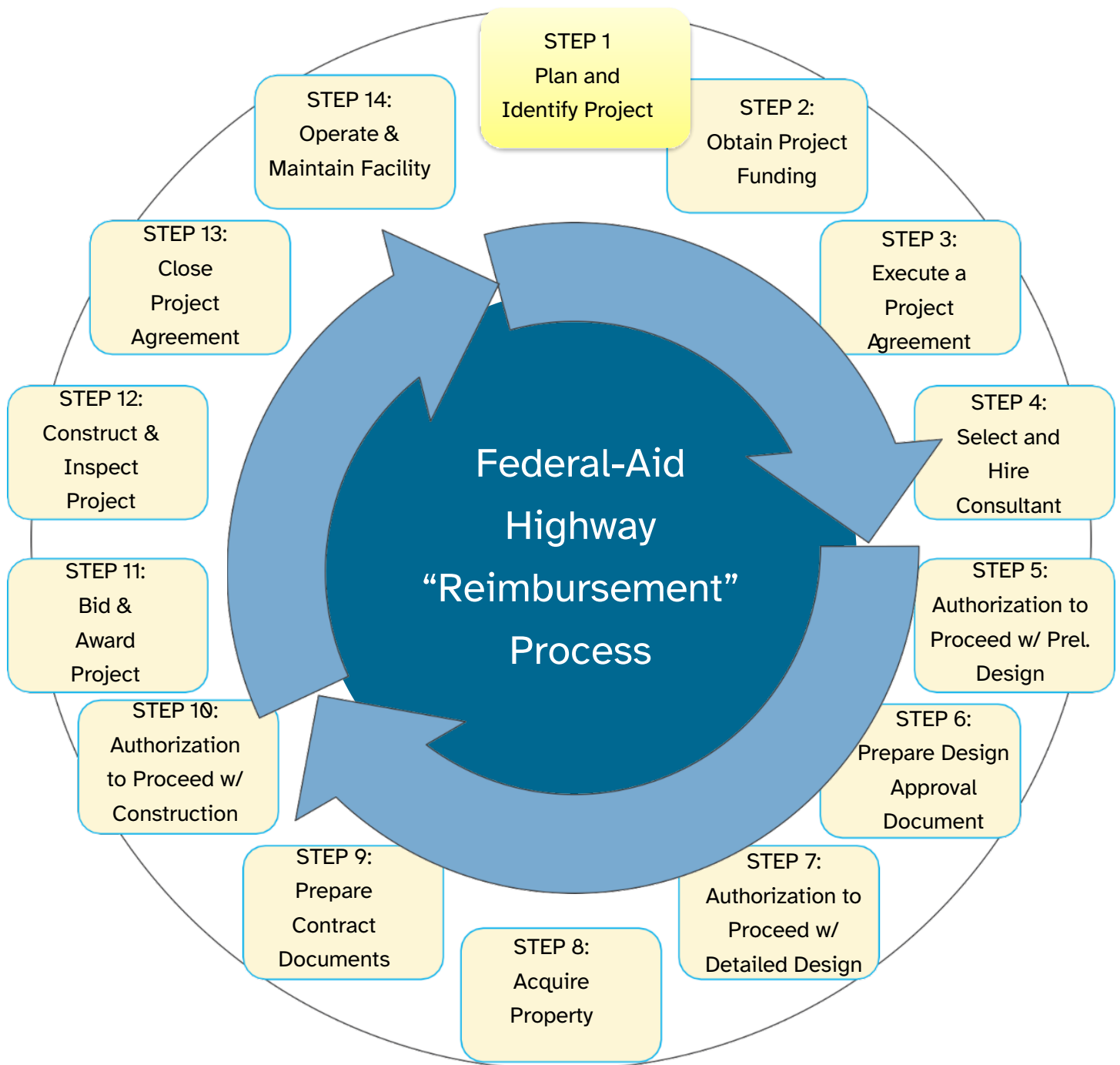
https://www.fhwa.dot.gov/bipartisan-infrastructure-law/docs/BIL_beinvolved.pdf

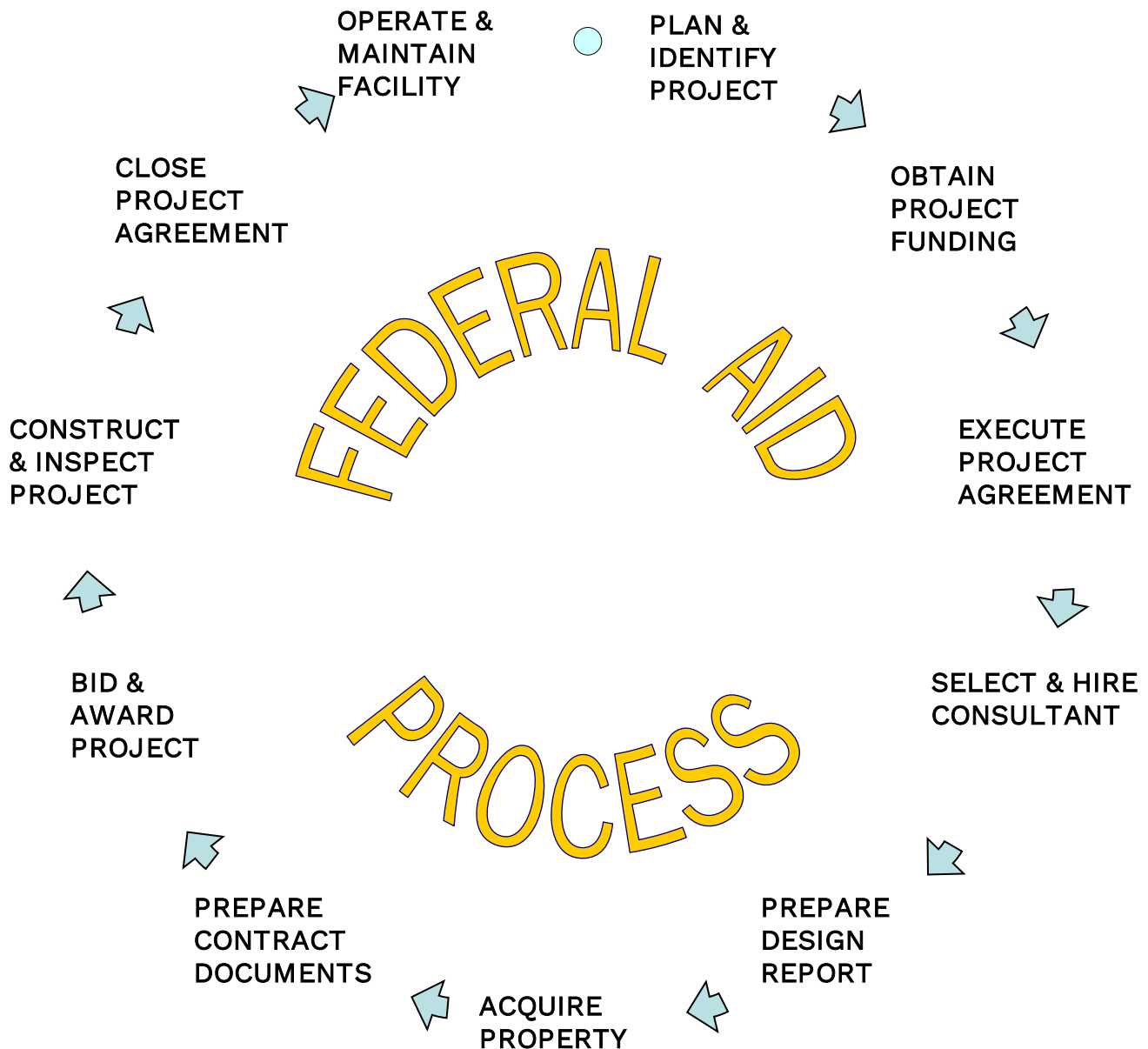
Acronyms & Definitions:

AASHTO	M&PT
ADA	MURK
CAM	NEPA
CCAC	NHS
CEES	NICET
CFR	O&M
CIM	OSC
CMP	OSHA
CUF	PLAFAP
FHWA Division	PM
DAD	PMP
DBE	PoDIs
DWR	PS&E
EBO	QA / QC
EEO	QBS
EIC	RLO
FAIN	RLPL
FIRE	ROW
FMIS	SCM / PCCM
GAO	SHPO
GFE	Sponsor
HDM	STIP
IG	Title VI
LDSA	UWA
LPM	



Federal-Aid Highway “Reimbursement” Process – Source NYSDOT Local Program Bureau





NYSDOT Main Office Local Programs Bureau

<https://www.dot.ny.gov/divisions/operating/opdm/local-programs-bureau>

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March 2022

Modifications to the original document from NYSDOT Local Programs Bureau are the responsibility of the NYS LTAP Center - Cornell Local Roads Program.



**Department of
Transportation**

**Local Technical
Assistance Program**



INTRODUCTION

A number of required procedures accompany the introduction of federal funding to a project. Non-compliance with these procedures will jeopardize federal participation in the project.

The information in this document is a brief overview of the processes that sponsors must follow to develop their locally-administered federal aid project(s). Further information regarding process details can be found in the Procedures for Locally Administered Federal Aid Projects@ (PLAFAP) Manual. The current version is available on line at <https://www.nysdot.gov/portal/page/portal/divisions/operating/opdm/local-programs-bureau/locally-administered-federal-aid-projects>

PROJECT FINANCES

Federal funding of transportation projects is through a **reimbursement** program, and **not a grant**. Sponsors are required to pay all project expenses first, then apply to NYSDOT for reimbursement. NYSDOT, in turn, then applies to the Federal Highway Administration (FHWA) for reimbursement of funds sent to sponsors. Requests for reimbursement can be made on a periodic basis or at the end of a phase or project, at the option of the sponsor.

Federal funding consists of two parts: a federal share and a non-federal share. For most projects, the funding is 80% federal and 20% non-federal. Local sponsors must provide the 20% non-federal share. The **non-federal share is an integral part of federal aid**, and should not be considered as separate funding. Sources for the non-federal share of project costs can include:

- Local funds
- CHIPs capital funds
- Legislative Member Item funds
- other federal funds, but not other USDOT funds
- certain non-cash sources, such as donations of land, material, and labor, whose use and values are pre-approved by NYSDOT

Note: Use of Multi-Modal Program funds as the non-federal share is prohibited by NYS law.

For some projects, **Marchiselli** program funding is available to offset a portion of the non-federal share of project costs. The final funding for projects that meet the eligibility requirements for the Marchiselli program is 80% federal, 15% Marchiselli, and 5% local. Funding must be used for work which relates directly and exclusively to construction, reconstruction or improvements of Highways, Bridges, or Highway-Railroad Crossings off the State System. Work done on sidewalks and bike/pedestrian paths/facilities that are within the Municipalities ROW are eligible. (Facilities that are separated from a road or bridge itself, regardless of whether its location is still on the local highway ROW are **not** eligible). Refer to PLAFAP Chapter 3 for the list of eligible and ineligible project types (For example, projects funded with monies from the Transportation Alternatives Program (TAP) are not eligible).

In addition, even though a project is determined to be eligible for Marchiselli funding it is not guaranteed. Due to the high demand for limited funds, Marchiselli aid may not be available for every project phase. Generally, annual Marchiselli funds are allocated first to projects in the construction phase, then to other projects in earlier phases.

Federal aid **reimbursements** are made by the Office of the Comptroller generally within 60 days of receipt of an acceptable reimbursement request. Marchiselli payments are made on a quarterly basis by the Thruway Authority, with payments made at the end of March, June, September, and December.

Projects are funded through federal transportation legislation. In some programs, project funding is capped; in other programs, federal funding may be increased to cover reasonable project cost increases if approved by the appropriate MPO and/or NYSDOT. Since funding in each federal program is limited, cost increases for a given project must be reduced by an offset to a different project in the same program.

All projects are expected to be advanced at the same scope for which they were approved. Unavoidable modifications to the scope of a project must be approved by NYSDOT. The primary criteria for approval of the scope change request will be the degree to which the initial project objective is still being met.

Local officials should perform **adequate planning** before a project is identified and federal and/or state funding is sought for a specific project.

Project should be consistent with and help to implement:

- municipality’s comprehensive and/or master plan
- regional transportation plans [including the long range plan prepared by the appropriate metropolitan planning organization (MPO)]
- municipality’s land use plan,
- pedestrian plan,
- asset management plans (e.g. - pavement management plan, bridge management plan, etc.).

Project objectives or goals should be defined for each project. Project objectives provide an overall context for what the project will accomplish, and will guide project decisions.

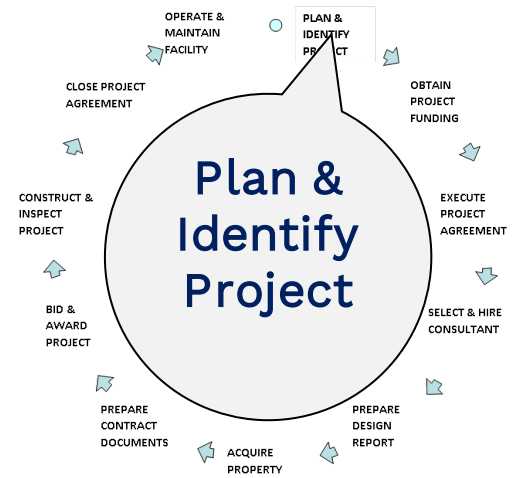
Each project must have

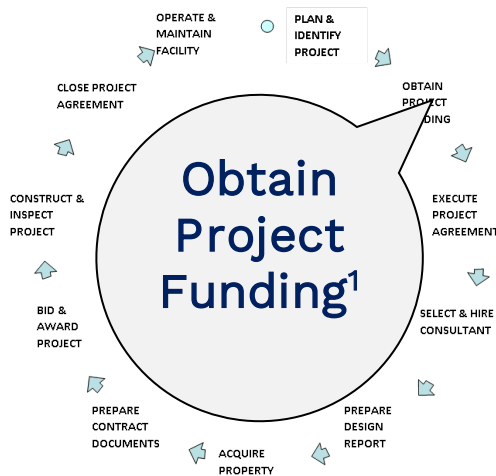
- **logical termini** (The beginning and end points of the project must make sense.)
- **independent utility** (Project is not dependent on another project.)

Note: Projects that are dependent on each other should be progressed through the environmental review process as a single action.

- **public use** (Improvements that do not serve a public use must be privately financed.)
- **transportation function** (Facilities that do not serve a transportation function cannot be funded with transportation dollars.)

Staging should be considered, especially for long and expensive projects. Long bikeways, for example, should be planned so that they can be built in stages, with each stage having logical termini, independent utility, and appropriate trail head facilities.





Once a project is identified, the funding source needs to be established. The first step in this process is to develop a good, **detailed estimate** of

- design costs
- property acquisition costs
- construction costs (Contracting and wage requirements should be considered.)
- construction supervision/inspection costs
- miscellaneous costs (e.g. – utilities, railroad, etc.)

Project costs should

- be estimated by appropriate professionals
- include contingencies
- account for inflation over the expected project timeline

After adequate planning has been done, a viable project has been identified, and a good detailed cost estimate prepared, then funding can be sought. Seeking funds at this point makes sense, because the merits of the project and its costs can be accurately presented to those making funding decisions.

When seeking funding, it is important to

- become familiar with potential fund sources and their associated requirements and rules
- consider sponsor’s willingness/ability to comply with those requirements
- consider timing, as some programs require the obligation of funds within a certain timeframe (Since design approval is a prerequisite to the obligation of funds for right of way acquisition and construction, requesting federal funds for these project phases before design approval has been obtained may be fruitless.)

When preparing the application for funding, it is important to

- clearly describe the project scope (Generally, projects need to be developed at the same scope for which funding was approved. Changes in project scope may be allowed under certain circumstances, but will need approval of one or more of the following: the appropriate metropolitan planning organization(s), NYSDOT, the Federal Highway Administration and/or the U.S. Congress.)
- quantify realistic benefits
- be sure that the cost estimate is up to date and adequately describes needed funds

Note: Many fund sources (including the Transportation Enhancements Program) cap funds for a project, making it difficult or impossible to obtain additional funds to overcome financial shortfalls.

Project agreements between NYSDOT and the project sponsor (e.g. – a local government)

- are required
- define how each phase of the project is to be funded (by federal, state, local matching, private funds, donations, etc.)
- identify project costs by project phase (e.g. – preliminary engineering, right-of-way acquisition, construction and inspection/supervision, etc.)
- identify project tasks and allocation of responsibility
- have a standard format designed by NYSDOT

Note: Each NYSDOT/sponsor agreement must contain a resolution passed by the sponsor’s governing body.

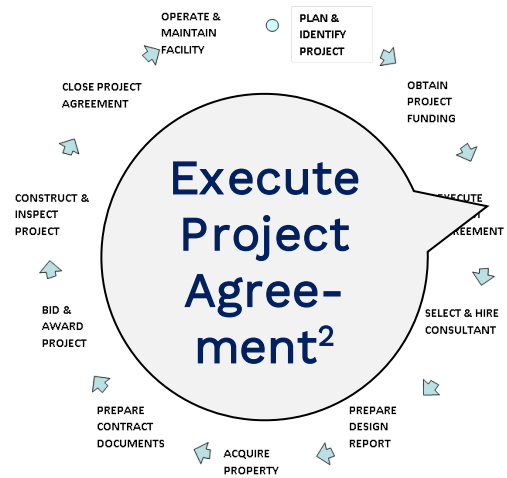
Before a project agreement can be executed

- **the project must be formally initiated.** (Projects are initiated by Initial Project Proposal (IPP))
- **a smart growth screening tool and attestation form must be completed.** New York State Smart Growth Public Infrastructure Policy Act of 2010 (SGPIPA) applies to all projects. The purpose of the act is to minimize the unnecessary costs of sprawl-inducing development and requires public infrastructure projects to under go a consistency evaluation and attestation using Smart Growth Infrastructure Criteria. Consistency evaluation is measured with the Smart Growth Screening Tool (PLAFAP Manual Chapter 7) which the Sponsor is required to complete and submit to the Region. It will be reviewed by the NYSDOT, and a determination will be made, and attested to, by the Region as to whether the project complies with intent of the act.
- **a project management plan must be developed and submitted to NYSDOT.** (Sponsors are required to prepare a Project Management Plan (PMP) to document their strategy for implementing a given project. The plan identifies the lead agency for the project, the person/party responsible for key project development tasks, and all project fund sources.)
- **the project must be listed on the TIP, if necessary, and on the STIP.** (A TIP is a transportation-related capital program outlining projects that will be undertaken over a designated time period. The State Transportation Improvement Program, or STIP, is a compilation of the TIPs developed by all of the MPOs and the transportation programs developed for non-urbanized areas. The STIP is the document that enables FHWA to obligate funds for a specific project. FHWA cannot authorize the use of any federal funds unless the project, and the correct phase, is listed on the STIP.)
- **Authorization for the appropriate project phase(s) must be obtained from FHWA.** NYSDOT obtains federal authorization to begin the appropriate project phase(s).

The agreement must be signed by

- the Sponsor
- NYSDOT
- the Attorney General’s office
- the Office of the State Comptroller

NOTE: NYSDOT will grant the sponsor an authorization to proceed with the appropriate project phase(s) **after** the agreement is signed. **Reimbursement of eligible project costs can only be made to the sponsor after the agreement is fully-signed.**



All work done before receipt of written authorization to begin work from NYSDOT will be ineligible for federal reimbursement. This authorization to proceed cannot be granted until the agreement between the State and the project sponsor is executed.



The local project process developed by NYSDOT is founded on certifications provided by professionals licensed to perform work in New York State.

- Professional engineers’ certifications are acceptable for all types of projects.
- Professional landscape architects’ certifications are acceptable for landscaping project.
- Registered architects’ certifications are acceptable only for work involving buildings.

Licensed professionals can be

- Municipal employees
- **Employees of consultants on retainer by municipalities** (Consultants retained by municipalities can be used to perform project work only if the firm was selected within the past three years in an open, competitive process that complies with federal law. Absent a municipal engineer, a sponsor can utilize a retained consultant to provide technical guidance and to manage a consultant hired to perform project work. Costs incurred by the sponsor for the retained consultant’s services are federally reimbursable.)
- Employees of consultants selected for this project
 - Consultants must be selected using one of the following **qualifications-based selection processes** where cost is not a selection factor:
 - a project specific selection process
 - the County Highway Superintendents Association’s (NYSCHSA) LDSA list
 - a sponsor’s process that has been pre-approved by NYSDOT

NOTE: If the cost of work to be done by a consultant is borne solely by the sponsor without use of federal aid (including the non-federal share) then the sponsor can hire a firm using its process.

- After selection, the sponsor negotiates tasks and resources with consultant and executes an agreement making sure that applicable Federal language is included

A **design report** must be prepared for **each project**. The design report provides documentation for project eligibility, technical decisions, environmental review, public involvement, coordination with affected municipalities and regulatory agencies, and costs. For projects that have significant impacts, a Design Report/Environmental Assessment or a Design Report/Environmental Impact Statement may be necessary.

State Environmental Quality Review Act (**SEQRA**) regulations, 6 NYCRR Part 617, apply to all projects. The sponsor, as lead agency, is responsible for compliance and for making the final SEQRA determination.

National Environmental Policy Act (**NEPA**) regulations, 23 CFR 771, apply to all federally funded projects. Sponsors are required to complete environmental documentation⁴ and include it in the design report. NEPA determinations are made by NYSDOT or FHWA.

For projects which involve historic property, FHWA and NYSDOT must ensure that all requirements of Section 106 of the National Historic Preservation Act⁴ have been met by the Sponsor. This could be a very important part of the project and affect the project schedule.

All design reports must also include a statement on endangered species, as well as a determination on the project’s impact to endangered species. FHWA must concur with each project’s Section 106 and Endangered Species Act determination.

As a minimum, an informal **public information meeting** must be held to solicit input regarding potential environmental impacts from the general public and to allow the public an opportunity to comment on the proposed project. In some cases, a formal public hearing may be required.

A Right of Way (**ROW**) Table of Acquisitions and plan showing existing property lines and proposed acquisitions must be included in the design report. The table identifies property to be acquired and affected owners.

After final SEQRA and NEPA determinations are made and the preferred alternative is selected, then **design approval**⁵ is granted by the sponsor, the NYSDOT Regional Director or FHWA. A certification, signed and sealed by the responsible professional, stating that the project was developed in accordance with current requirements, must accompany the Final Design Report.

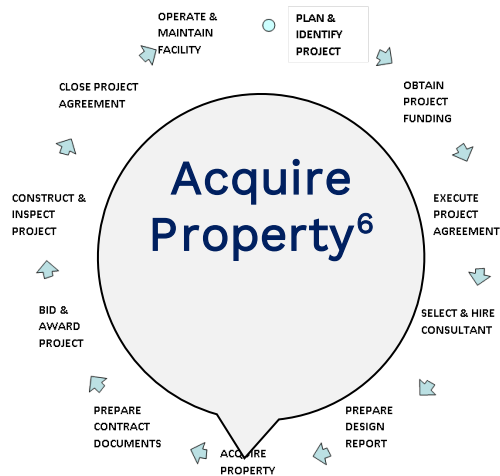
Property owners’ rights must be respected throughout the course of project development.

Sponsors must identify existing right of way and/or property boundaries and either avoid encroachment onto private property or acquire rights to use property necessary for the project, either temporarily or permanently, from property owners in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policy Act and the New York State Eminent Domain Procedure Law (EDPL).



⁴ Reference Local Projects Manual Chapters 7 and 8

⁵ Reference Local Projects Manual Section 8.1.4.1



Activities associated with the **Right of Way (ROW) Incidental Phase** can begin upon receipt of a written authorization to proceed with these activities from NYSDOT. This usually occurs when preliminary engineering work is authorized.

ROW Incidental Phase activities include:

- title searches,
- creation of a brochure explaining land acquisition procedures and distribution to potentially affected property owners
- map and deed preparation
- property appraisals and reviews by independent

qualified appraisers (NYSDOT has a list of State approved consultants who can assist in the appraisal process)

- completion of ROW Table of Acquisitions for inclusion in the project design report,
- development of conceptual stage relocation plans (when displacements of people and/or personal property are necessary)
- public hearings (when project results in significant environmental impacts or displacements of people and/or businesses)

Project sponsors cannot begin property negotiations, make any commitments or offers, or acquire property prior to the receipt of a written authorization to proceed with right-of-way acquisition phase activities. Failure to comply with this rule will jeopardize federal

Prerequisites to the Right of Way Acquisition Phase Authorization are

- design approval
- completion of an estimate of right of way acquisition costs
- development of acquisition stage relocation plans (when displacements of people and/or personal property are necessary)

Acquisition Phase activities include

- written offers of just compensation (based on results of the appraisals) to property owners
- payments to property owners (Owners can donate property, but they must first be advised of their rights and sign a waiver.)
- acquisition of title or rights to property
- written diaries for contact made with all persons affected by property acquisition
- completion of the ROW Clearance Certificate

After design approval, the project sponsor will receive **authorization to proceed with detailed design** from NYSDOT. At this point, construction plans, specifications, contract documents and a detailed construction estimate can be prepared. Prior to advertising for bids or proceeding to construction, the sponsor must submit the following documents to NYSDOT:

- **final contract documents** (plans, specifications, and bid documents)
 - standard federal language must be included in the contract documents
 - Federal Davis-Bacon wage rates and NYS prevailing wage rates must be included and be current within 10 days of the projects letting.
 - all projects must follow NYSDOT standard specifications including section 100.
 - the use of alternate bidding procedures is permitted in limited circumstances with approval of NYSDOT.
 - if a project involves the rehabilitation or construction of a building and the total project value is \$500,000 - \$1,500,000 by county, then the Wicks Law may apply
- an **engineer’s estimate** showing an itemized breakdown of costs.
- a **construction management plan**, which indicates how the sponsor proposes to oversee construction to insure that the project is built according to specifications and ensure conformance with federal requirements
- a **ROW Clearance Certificate**, indicating the status of property acquisitions. Rights to property (except releases) must be acquired and payment made to property owners or funds placed in an escrow account prior to the sponsor advertising for bids
- appropriate **certifications** from the licensed professionals responsible for project design
- a copy of fully executed agreements with affected **utility companies and railroads**
- a copy of all required **environmental permits**



Federal Disadvantaged Business Enterprise (**DBE**) language is required in all federal aid contracts regardless of project cost. Formal DBE goals are required in all federal aid contracts estimated at \$500,000 or higher. Minority/Women’s Business Enterprise (**M/WBE**) language and/or goals cannot be included in federal aid contracts.

Equal Employment Opportunity (**EEO**) requirements govern the use of individual workers (not firms) and are required in all federal aid construction contracts valued at \$100,000 or greater. A certain percentage of the total work hours on the construction site must consist of minorities and females. Female goals are always 6.9%; minority goals are determined by project location.

Contract documents for all projects must be approved by the sponsor’s responsible local official. Projects that are on an NHS roadway or a state highway will require approval by NYSDOT or FHWA.

A NYSDOT **Highway Work Permit** is required for any project that involves any work in the right-of-way of a state highway.



Generally, the construction of a project is performed by professional contractors. However, in rare cases when it is more cost effective and expedient, construction work may be done by municipal personnel. Sponsors must have the legal right to use their local forces instead of awarding a construction contract and obtain NYSDOT concurrence before beginning construction.

Construction activities, including advertising for bids, cannot begin prior to the receipt of written authorization to proceed with these activities from NYSDOT. This authorization to proceed cannot be granted until design approval and contract document approval have been obtained. Performing construction work prematurely will jeopardize federal funding for all construction-related phases.

Once the authorization to proceed with construction activities has been granted, advertisements soliciting bids from general contractors can be published⁴. **Advertisements** must

- include DBE Goals
- be placed in the New York State Contract Reporter and in a newspaper published in the county in which the project is located
- be published a minimum of **three weeks** prior to the bid opening

A construction contract must be awarded to the lowest responsive and responsible bidder as determined by a competitive bidding process. Bids must be opened and read aloud in public.

Negotiation with the low bidder is strictly prohibited under federal law.

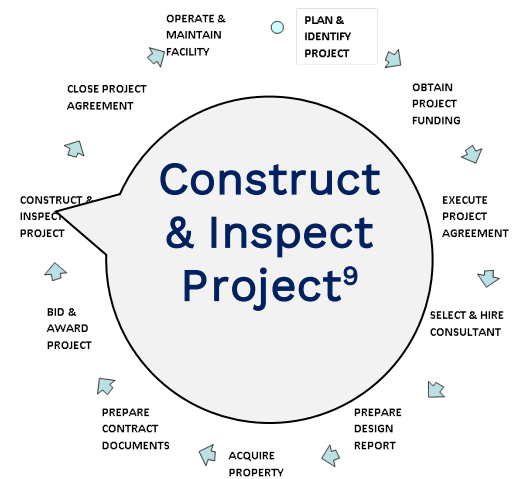
Prior to award of the construction contract the sponsor must

- analyze the low bid
- evaluate the responsibility of the low bidder
- review the low bidder’s proposed DBE plan and obtain NYSDOT approval
- obtain NYSDOT concurrence with contract award if the project is on a NHS roadway or a state highway

After the sponsor’s review has been completed, the sponsor submits a contract award documentation package to NYSDOT.

The project sponsor is responsible for providing **adequate oversight and inspection** of construction work to ensure compliance with the construction management plan, contract plans and specifications, and federal requirements. Documentation must be kept to satisfy possible future audits.

Prior to beginning of construction work, a **preconstruction meeting is required**. Required attendees include representatives from the sponsor, the construction inspection team, the contractor(s), and NYSDOT.



Any modifications to the work shown in the contract documents require a Change Order. All change orders must be submitted to NYSDOT. NYSDOT must approve change orders that:

- contain significant new items
- involve significant changes
- provide for work outside of the contract limits
- involve work that is outside of the contract scope
- raise the contract total to a level that exceeds the amount of funding contained in the State/local agreement

All other change orders may be approved by the sponsor.

Change orders may be processed using the sponsor's procedures and forms or NYSDOT forms may be adopted. The change order must

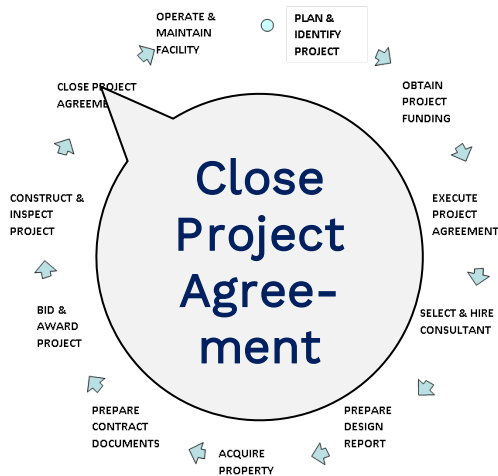
- provide sufficient explanation to ascertain that the work is necessary,
- be consistent with specifications
- be within the scope and intent of the State/Local agreement.

All **subcontractors must be approved** by the sponsor prior to the start of any work. Subcontractor review is identical to prime contractor review.

Final inspection of the project is performed by the sponsor. NYSDOT should be invited to attend the final inspection.

When construction is complete, the sponsor is responsible for

- formally accepting construction of the project
- closing all agreements with contractor(s), utility companies, railroads, consultants, etc.
- notifying NYSDOT of project acceptance



To close the project agreement, the sponsor submits the following documentation to NYSDOT:

- a final reimbursement request
- a Final Acceptance Form, indicating completion of all project related contracts including construction, engineering services, utility agreements, railroad agreements, and right of way transactions
- a Certification of Construction Inspection
- a Certification of Construction Acceptance
- a Project Financial Summary
- an acknowledgement of the date of completion of the most recent Federal Single Audit Report
- an acknowledgement of the date of completion of the Consultant Audit Report for projects with consultant contracts greater than \$300,000
- if work is on a state highway, a copy of the Highway Work Permit indicating acceptance by NYSDOT
- as-built plans are required for projects that involve
 - work on a state highway or national highway system
 - bridges (a load rating report and a request for a bridge inspection are also required)
- a final Disadvantaged Business Enterprise (DBE) Utilization Report
- a final Prime Contractor Report of Contract Payments
- a final Equal Employment Opportunity (EEO) Utilization Report

Upon receipt of the above documentation, NYSDOT will make final reimbursement to the sponsor and will close the State/sponsor project agreement.

A federally funded facility must be operated and maintained for its useful life. In the event that a federally funded facility does not perform as intended for its useful life, the sponsor will be asked to pay back the prorated portion of project funds.

Federal funds cannot be used for routine maintenance, but can be used for resurfacing, rehabilitation, or reconstruction work.

Generally, fees cannot be charged for access to projects or activities funded with federal monies. In those rare instances when a minimal fee may be charged, proceeds from the charge must not be excessive and, by agreement, are solely used for the maintenance and operation of the facility.

Sponsors may be required to prepare maintenance and operation plans for inclusion in appropriate project documents.





TOWN OF ULYSSES

10 Elm Street, Trumansburg, NY 14886
townofulyssesny.gov

Town Supervisor (607) 387-5767, Ext 232 • supervisor@townofulyssesny.gov
Town Clerk (607) 387-5767, Ext 221 • clerk@townofulyssesny.gov

Planning & Zoning February 2023 Report to Town Board

Town Board Meeting Date, 03.14.2023

Submitted by Niels Tygesen, 03.07.2023

Planning Board

The Planning Board held a meeting on February 7th to discuss the following items:

- Sketch plat review for 'Shursave 2 Lot Land Division', a proposed minor subdivision located at 2081-2085 Trumansburg Road, parcel 13.-3-2;
- Review of the 'Klankowski Setback Varaince', a proposal to construct an 80' tram within required setbacks, subject site is located at 1375 Taughannock Blvd, parcel 28.-1-5. The Board drafted comments that were submitted to the BZA; and
- Operational items pertaining to the Board's procedural items for the year.

Board of Zoning Appeals

The BZA held a meeting on February 15th to discuss the following items:

- Review of the 'Klankowski Setback Varaince', a proposal to construct an 80' tram within required setbacks, subject site is located at 1375 Taughannock Blvd, parcel 28.-1-5. The Board requested additional information from the applicant and did not open a public hearing; and
- Operational items pertaining to the Board's procedural items for the year.

Planning Projects

- Planning with Ann DiPetra re: Comp Plan Steering Committee (CPSC) membership, outreach, etc.
- Interviews for CPSC membership
- Planning with Mary Bouchard and Liz Weatherby re: Ag Committee outreach, 2nd intro meeting, etc.
- Sketch plan conference with applicants for proposed Development District at the Inn at Taughannock Falls

Zoning Projects

- New accessory building for parcel 14.-3-14.31, will require BZA approval
- New accessory building for parcel 245.-4-9.115, will require BZA approval
- Pre-submittal meeting for potential land division



TOWN OF ULYSSES

10 Elm Street, Trumansburg, NY 14886

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Zoning Enforcement

Research on existing code cases

Miscellaneous

- Stormwater Considerations for Solar Development in NYS presentation by DEC
- Continued outreach for members for the Comp Plan Steering Committee, Ag Committee, Planning Board, and Board of Zoning Appeals
- Prepping for and onboarding new project asst. staff
- Planning & Zoning permit application updates
- Customer support pertaining zoning information and permitting process