

**Broome County  
Department of Planning  
& Economic Development**

**Annual Report  
2009**

***Mission Statement***

*The Broome County Department of Planning and Economic Development serves to promote the sound and orderly economic and physical growth of Broome County and its constituent municipalities. It provides technical planning guidance and assistance to the County Executive and County Legislature and implements projects and programs designed to improve the economy, environment, and physical infrastructure of the county. The department extends professional services to local municipalities and other public and private entities in the areas of land use planning and zoning, grantsmanship, economic development, cartography, community assistance, research and infrastructure development.*

## ***2009 Staff***

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### ***Commissioner of Planning and Economic Development***

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Rita Petkash\*

### ***Planning and Economic Development***

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Frank Evangelisti, Chief Planner\*\*

Lora Zier, Senior Planner

Gail Domin, Economic Development Planner

Beth Egitto, Planner

Lori Darling, Senior Account Clerk

Beverly Townsend, Keyboard Specialist

### ***Geographic Information System***

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Douglas English, GIS Administrator

Joseph Gaynor, GIS Specialist

Samuel Carey, GIS Technician\*\*\*

### ***Environmental Management Council***

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Stacy Merola, Senior Environmental Planner

### ***Empire Zone***

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Margaret Scarinzi, Empire Zone Coordinator

### ***Binghamton Metropolitan Transportation Study***

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Steven Gayle, PTP, Executive Director

Cynthia Paddick, Traffic Engineer

John Sterbentz, PTP, Transportation Analyst

Scott Reigle, PTP, Senior Transportation Planner

Jennifer Yonkoski, Senior Transportation Planner

David Galindez, Account Clerk

\*Retired 12/2009

\*\*Named Acting Commissioner 12/2009

\*\*\*Left for another position 8/2009

This was a challenging year for the Department of Planning and Economic Development. Due to a construction accident, the Edwin L. Crawford County Office Building was closed for a month in the spring, relocating Planning Staff to the Greater Binghamton Business Incubator on Court Street. Although it was disruptive to office operations, the transition was handled with the utmost professionalism.

An even greater challenge was dealing with the impacts of a countywide budget crunch. As a result of financial constraints, Planning lost one vacant position, and another will remain vacant for the foreseeable future. At the end of 2009, long time Planning Commissioner Rita Petkash retired. Rita was a fierce advocate for the department and the realization of vital community projects. The Commissioner position has been filled on an acting basis by Chief Planner, Frank Evangelisti.

Despite these challenges, the Department had a very successful year. Key accomplishments for 2009 were as follows:

- Completing renovation of and opening the historic George Harvey Justice Building
- Groundbreaking for the Intermodal Transit Terminal
- Assisting with demolition and remediation of 46 Corliss Avenue in Johnson City
- Implementing improvements to the Courthouse Plaza
- Receiving funding for the Police Consolidation Study and the Countywide Code Enforcement Feasibility Study
- Assisting and collaborating on a record number of Environmental Protection Fund Applications
- Completing the Farmers Market Feasibility Study
- Finishing Step I in the Brownfield Opportunity Area process for the Endicott Johnson Industrial Spine
- Preparing the Susquehanna Heritage Area Management Plan Amendment

Building on the momentum of these and other accomplishments, the Department has adopted an ambitious agenda for the upcoming year. The following is a list of highlights from the 2010 Work Plan, followed by more details regarding the activities and accomplishments from 2009.

### **2010 Work Plan Highlights**

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- Planning and Implementation for Regional Waterfront and Trail Development
  - Collaborate with Town of Vestal to develop a countywide Local Waterfront Revitalization Plan to identify opportunities for public access and other waterfront revitalization projects along all Broome County waterways.
  - Participate in Binghamton River Trail Initiative Committee and the Waterfront Advisory Committee for continued implementation of the Greenway Plan in Broome County.
- Improve and expand upon the scope and efficiency of GIS data services
  - Create and maintain a database pertaining to mineral rights and associated leases to be primarily used by Tax Mapping and Real Property personnel.
  - Work with Broome County Division of Environmental Health to display historic water quality data online due to the concerns over horizontal natural gas drilling.
  - Work with Emergency Services to enact a local law that will establish formal policies/guidelines regarding the assignment and revision of 911 addresses.
- Planning and implementation related to the consolidation and sharing of municipal services

- Develop a Police Consolidation Feasibility Study and Implementation Plan to help municipalities make an informed decision about the most efficient and cost effective way to move forward with police services.
- Prepare the Countywide Code Enforcement Office Feasibility Study to analyze the administrative, fiscal, legal and political considerations incidental to cooperative code enforcement..
- Implementation of economic environmental remediation programs and projects.
  - EJ Industrial Spine Corridor Brownfield Opportunity Area - Close out Step II application, development of the nomination study, and begin administration of Step III, development of the implementation strategy
  - Brandywine Corridor Brownfield Opportunity Area - Carry out Step II application, development of the nomination study
  - Complete the remediation of 312 Maple Street either through NYS Environmental Restoration Program funds or EPA Cleanup grant (application pending)
- Planning and implementation of projects related to historic preservation and heritage tourism.
  - Coordinate and direct the completion of grant funded website design for the Susquehanna Heritage Area.
  - Close out the Susquehanna Heritage Area Management Plan Amendment project and complete local and state approval processes for expanded program recognition and revised administrative structure.

### **Personnel**

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A major personnel change in this past year was the retirement of Rita Petkash, Commissioner of Planning and Economic Development since 2004. At the time of her retirement, she had been a Broome County employee for over 25 years. As Commissioner she undertook some of the largest projects in the Department's history: the George Harvey Justice Building rehabilitation and the construction of the Intermodal Transit Terminal in downtown Binghamton. Her persistence and capacity to take on massive projects will be missed by the Department, along with her humor and confidence in the Staff. We wish her well in her retirement.

### **Boards and Memberships**

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Planning staff continued to serve on numerous boards and committees in 2009. These include:

Aging Futures Partnership  
 American Planning Association Upstate Awards Committee  
 American Planning Association Upstate Chapter, Southern Tier Section Executive Board  
 Binghamton Commission on Architecture and Design  
 Binghamton Intermodal Management Team  
 Binghamton Local Waterfront Revitalization Program Waterfront Advisory Committee  
 Binghamton River Trail Initiative  
 BMTS Planning Committee  
 Brandywine Corridor BOA Steering Committee  
 Broome County Agricultural and Farmland Protection Board  
 Broome County Book Recycling Fair Planning Committee  
 Broome County Capital Program Advisory Board  
 Broome County Community Health Assessment Steering Committee  
 Broome County Inter-municipal Waterfront Revitalization Project Advisory Committee  
 Broome County Water Quality Coordinating Committee  
 Broome-Tioga Stormwater Coalition  
 Chesapeake Bay Gateway Headwaters River Trail Initiative  
 Empire Zone Board

Endicott-Johnson BOA Steering Committee  
Environmental Management Council  
First Ward Redevelopment Plan Steering Committee  
George Harvey Justice Building Management Team  
GIS Users Group  
Greater Binghamton Council of Governments  
Greater Binghamton Economic Development Project Team  
Landfill Citizens Advisory Committee  
Local Emergency Planning Committee  
NYS Association of EMCs Board of Directors and Nominating Committee  
NYS Heritage Area Advisory Council  
NYS Heritage Area Association of Directors  
NYSDEC NY Recycles! Steering Committee  
NYS Region 7 Open Space Advisory Committee  
Southern Tier East Regional Planning and Development Board  
Susquehanna Heritage Area Commission

### ***Grant Assistance and Project Management***

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The Department provides assistance to other county departments, municipalities, commercial and industrial enterprises and various community organizations in grant writing and grant administration for projects such as infrastructure improvements, housing activities, and economic and community development projects.



**George Harvey Justice Building Rehabilitation:** This historic county property sat vacant for nearly ten years in downtown Binghamton before the county used \$17 million in tobacco settlement funds to refurbish the justice building. Originally built 1939 to house county departments and the jail, the building was later named after George Harvey, a dedicated building and grounds employee who never missed a day of work in his 55 years of service.

Rehabilitation work began in April 2007 and the re-entry by county departments was completed in late 2009. The period furnishings found in the building were restored and reused. Light fixtures, mail chutes, marble casings and the large art deco railing that exists in the entryway leading up to the second floor provide a historic feel in the newly renovated space.

**Intermodal Terminal:** Bids were opened for the construction of the Binghamton Intermodal Terminal to house BC Transit, BC Lift, Shortline Coach USA, Greyhound and retail space. The \$12.4 million project is funded by a combination of federal, state, and local dollars. Construction is expected to be completed by mid-2010. The county is working to achieve LEED certification standards for environmental and energy efficiency.

**Greater Catskills Flood Remediation Program:** The Planning Department received a State grant for \$331,772 to purchase three-flood damaged homes, two in Conklin and one in Kirkwood, to be demolished as part of a flood remediation



program. The goal is to lessen the impact of future flood events on the community. Nothing will be constructed on the properties after the demolition is completed.

Courthouse Plaza Improvement: The Department of State made a special appropriations award to the County to procure outdoor furniture for the portion of Courthouse Square adjacent to the historic Broome County Courthouse in downtown Binghamton. Steel benches, picnic tables, planters and receptacles were installed to refurbish this highly-used space. This location is situated within the downtown commercial core and is used frequently by shoppers, event attendees, business employees and visitors.

The project accomplished the intended results by providing a public outdoor recreational space in a safe, relaxing and “built to last” environment.



Police Consolidation Study Grant: Currently there are five municipal police departments in the urbanized core of Broome County, as well as a police force in the rural Village of Deposit, the Broome County Sheriff's Department, and the State Police. Preliminary studies by Broome County have identified potential savings through the consolidation of urban police forces. However many questions remain, including the impact on the level of police services, the logistics of combining forces, and the cost of streamlining equipment and operations. To address these issues, Broome County, in conjunction with the City of Binghamton and the Village of Johnson City, has received a \$50,000 High Priority Planning Grant through the New York State Department of State's Local Government Efficiency Grant Program. The funds will be

used to develop a Police Consolidation Feasibility Study and Implementation Plan to help municipalities make an informed decision about the most efficient and cost effective way to move forward with police services.

Countywide Code Enforcement Office Feasibility Study: Each of Broome County's 24 municipalities is responsible for enforcement of the Uniform Fire Prevention and Building Code in that municipality with individual and varying office structures and strategies for enforcement. A countywide code enforcement office has the potential to provide improved efficiency and financial savings through streamlined operations and administration, providing a single point of contact for residents and businesses, and providing a structure that affords a broader range of expertise and specialization. Broome County, with the Town of Kirkwood as a co-applicant, has received a \$33,750 grant from the New York State Department of State's Local Government Efficiency Grant Program to develop a Countywide Code Enforcement Office Feasibility Study. The study will analyze the administrative, fiscal, legal and political considerations related to cooperative code enforcement.

Conklin Multi-Use Trail: Broome County secured a \$449,000 Federal-aid grant to fund a multi-use walking and biking trail in Conklin. The trail will connect the Broome Corporate Park with the neighboring community allowing both industrial park employees and neighborhood residents to utilize the trail for exercise and recreation. County crews from the Department of Public Works have completed survey work for this project, and it has entered the design phase.

Environmental Protection Fund: Staff provided extensive technical assistance to local municipalities and non profits for seven applications to the Environmental Protection Fund Program in the categories of parks and historic preservation. Projects included exterior rehabilitation of both the First Presbyterian Church of Binghamton and the YWCA of Binghamton and Broome County, the rehabilitation of the Highland Park carousel in the Town of Union, and the acquisition of an early 20<sup>th</sup> century ice cream factory for adaptive reuse as a technology museum by the Center for Technology and Innovation, Inc. .

In addition, Planning prepared two applications under this program. The first, written in cooperation with the Southern Tier Zoological Society, was for the reconstruction of the amphitheater at The Binghamton Zoo at Ross Park. The other was for the construction of a Regional Farmers Market Facility at Otsiningo Park.

USEPA National Clean Diesel Program: Broome County Planning partnered with Willow Run Foods to submit an application for \$517,000 from the US EPA National Clean Diesel Program. If funded, the application will enable Willow Run Foods to equip 55 tractor trailers with auxiliary power units (APU) which will result in the reduction of 52 tons of nitrogen oxides, 1.22 tons of particulate matter, 2.2 tons of carbon dioxide and the savings of nearly 50,000 gallons of diesel fuel over their usable lifetime. APU's allow trucks to run on a smaller and more efficient auxiliary engine rather than main engine instead of idling. A decision on the grant is expected in February 2010.

### **Regional Plan Development**

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The Department oversees and often administers the development of a variety of regional planning efforts. This service may include the partnering with other municipalities for a government funding request and the subsequent administration and coordination of the project. Recent examples include:

Farmers Market Feasibility Study: In February 2009, the Planning Department retained Market Ventures, Inc. ("MVI"), a planning and economic development firm that specializes in innovative food-based projects and programs, including public markets, to develop a concept plan and explore the feasibility of creating a Regional Farmers' Market in Broome County. The idea emerged as local officials observed the proliferation and success of outdoor farmers' markets throughout the Southern Tier and similar markets around the country. These markets have proven to benefit both the region's farmers and the communities where the markets are located. The scope of services included market research of supply and demand, competitive analysis, analysis of comparable facilities around the country, site selection and design description, recommendation of a management structure, and financial analysis. The final report describes the study tasks and summarizes the findings and conclusions.

Countywide Local Waterfront Revitalization Plan: Through a partnership with the Town of Vestal, the county is coordinating a study, funded in part by the NYS Local Waterfront Revitalization Program (LWRP), to identify public access options and propose integrated strategies for development along the four inland waterways in Broome County. There are twenty-two municipalities located on the Susquehanna, Chenango, Tioughnioga or Delaware Rivers, with varying degrees of economic and recreational opportunities.

The most significant regional planning effort in 2009, the amendment of the Susquehanna Heritage Area Management Plan, is discussed later in this report.

### **Municipal Technical Assistance, Training, and Comprehensive Plans**

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The Planning Department provides on-going community technical assistance, including the assistance to municipalities drafting or updating comprehensive plans. Assistance varies from the full spectrum of planning services to minor assistance such as mapping and/or community surveys. Highlights for 2009 were as follows:

Binghamton Comprehensive Plan: During 2009, the Planning Department completed and delivered a final draft of the Town of Binghamton Comprehensive Plan. A distinguishing feature of comprehensive plans prepared by the department is extensive public input. For Binghamton's plan, over 2,200 surveys were mailed to Town residents and property owners. These surveys served as the backbone for the recommendations of the plan.

Municipal Training: Planning staff have coordinated and conducted training for local government staff and officials for many years. With changes in State law requiring ongoing training for planning commission and zoning board members, and a reduction in state provided training opportunities due to budget cuts, these training programs are increasingly important. Topics covered in 2009 were:

- Internet GIS for Local Officials
- Ethical Standards for Planning and Zoning Boards
- Issues in Sign Regulation
- Context-Sensitive Signs

### ***Brownfield Redevelopment***

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Brandywine Corridor Brownfield Opportunity Area: Broome County secured a \$175,500 grant from New York State to prepare a Brownfield Opportunity Area plan for the Brandywine Corridor. This 137-acre swath of land in the heart of Binghamton is the gateway to the community. By preparing a Brownfield Opportunity Area plan for this location, we can focus public and private sector investment and help achieve the community's vision. We have hired Elan Planning and Design of Saratoga Springs, New York to coordinate this effort.

In November of 2009 the first public meeting for this important project was held. In advance of the meeting, Planning staff mailed over 1,000 postcards to notify residents and property owners within the Brandywine Corridor and the surrounding neighborhood. The meeting was a well-attended and resulted in many workable ideas for the redevelopment of this vital corridor.

Endicott-Johnson Brownfield Opportunity Area: Using a \$155,000 grant from New York State, the Planning Department hired Clough Harbour and Associates to prepare a Brownfield Opportunity Area (BOA) plan for central Johnson City. This area was once the industrial heart of Broome County, but it is now marked by abandoned industrial buildings that have a blighting influence on the surrounding area.

The Step II Nomination Study was finalized in 2009, and the Planning Department substantially completed the application for Step III Implementation funds.



46 Corliss Avenue Investigation and Demolition: A former industrial site in the Village of Johnson City was demolished through the combined efforts of the New York Empire State Development Restore NY Program, Broome County and Town of Union Planning & Economic Development Departments and the Village of Johnson City. In late 2009, demolition began on 46 Corliss Avenue, a deteriorated industrial building constructed in 1890's in the Endicott-Johnson industrial spine. Originally housing Marshall Furniture and later the Ozalid Company, the building has been vacant since 1993.

For the demolition and cleanup of this abandoned industrial property, the Town of Union used \$57,397 of Community Development Block Grant funding to leverage a Restore NY grant from NYS totaling \$471,568. To cover the additional costs associated with engineering services, project supervision, and asbestos air monitoring, Broome County allocated \$83,000 of Hotel/Motel tax dollars. An additional \$25,000 for contingency funding was approved by the county.

312 Maple Street Investigation and Clean Up: Broome County, through a New York State Environmental Restoration Program grant, a U.S. Environmental Protection Agency (USEPA) Grant, and with local tax dollars has done extensive environmental testing and an Interim Remedial Measure at this contaminated site in Endicott. In 2009, GZA, the environmental consultant for the project prepared the draft Remedial Investigation/Remedial Alternatives Report (RI/RAR). The RI/RAR recommends addressing on-site groundwater and contaminated soil that is off-site. The draft RI/RAR provides different cleanup scenarios, including no action, groundwater monitoring, and in-situ treatment for the groundwater; and no action, excavation and disposal, and in-situ treatment for the soil. In the fall of 2009, the Planning Department submitted an application to the USEPA for cleanup funds to carry out the draft remediation plan outlined in the RI/RAR.

Depot Site End Use Plan: The Planning Department, in partnership with Clough Harbour and Associates, completed an EPA funded end-use plan for the former Defense Department Depot in Hillcrest. The site measures 120 acres and it has a highly complicated environmental history. The property was used as a storage facility for military supplies during WWII including heavy metals such as mercury. The property has been extensively cleaned, but this work has not been officially approved by the NYSDEC.

The federal government is in the process of disposing of the property. Because of its size and known environmental conditions, an end-use plan for its redevelopment is essential. Clough Harbour performed a review of public records and conducted interviews with Government Services Administration and Defense Logistics personnel.

Due to questions from the public surrounding the extent of clean up at the site, Planning was able to secure approval for an EPA mobile analytical lab to test two areas on the site for contamination. Based on the EPA test results, Clough Harbour recommended the demolition of one building due to mercury contamination. Broome County Planning is working with the Town of Fenton and the GSA to develop a feasible plan for the remediation and redevelopment of this site.

### **Land Use Reviews (239)**

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The Department's legal obligation to conduct reviews and render advisory opinions on land-use proposals covered under NYS General Municipal Law 239 (l) and (m). The most significant projects reviewed by the Department in 2009 were as follows:

- Site Plan and Special Use Permit for the construction of a 4-story, 173,000 square foot student housing development in the City of Binghamton
- Rezoning for the demolition of the former Binghamton Press Building and construction of a new 91,000 square foot office building in the Town of Vestal
- Site Plan Review for the development of the 91,112 square foot manufacturing building with an 80,000 square foot future expansion area for the Impress Manufacturing Facility at the Broome Corporate Park in the Town of Conklin
- Site Plan Review and SEQR Environmental Assessment Form Review for the construction of a new 61,000 square foot Price Chopper Grocery Store and adjacent 9,000 square foot future retail use in the Town of Chenango

### **Susquehanna Heritage Area Administration**

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The purpose of the Susquehanna Heritage Area is to identify, preserve, protect and enhance the historical, cultural, and natural resources found locally. The Susquehanna Heritage Area is one

of 20 state-designated Heritage Areas in New York State, representing the local history, culture and historic places, sites and structures.

Currently only portions of Binghamton, Endicott, and Johnson City are included, but expansion of the program to include other areas in Broome and Tioga Counties is being considered. In 2009, we completed a 3 year planning services contract for the administration of the Susquehanna Heritage Area program. This agreement was a four way contract between the City of Binghamton, the Villages of Johnson City and Endicott and Broome County.

**Susquehanna Heritage Area Management Plan Amendment:** The Susquehanna Heritage Area Management Plan Amendment, completed in December of 2009, builds upon previous efforts that have been developed and implemented since the Susquehanna Heritage Area was recognized by the New York State legislature in 1982. The goal of the plan was to further identify, promote, and develop the historic, cultural, recreational, and natural resources of an expanded Susquehanna Heritage Area, encompassing Broome and Tioga Counties. The Plan Amendment was prepared for the Susquehanna Heritage Area Commission and Broome County Planning by Bergmann Associates and funded through an \$80,000 NYS Department of State Quality Communities Program Grant. It identifies strategies for the enhancement of unique cultural and natural resources in Broome and Tioga Counties and will guide the implementation of programs and projects to foster economic revitalization and enhance quality of life throughout the region.

An "amendment" to state law is required in order to recognize both Broome and Tioga counties as the expanded boundary beyond the current communities of Binghamton, Johnson City & Endicott. The state and local approval process will begin in January for state recognition. Adoption of the revised management plan is anticipated in early 2010.

### ***Geographic Information System (GIS) Administration***

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Broome County has one of the most progressive GIS units in the State, and 2009 saw further advances in this area. In collaboration with Binghamton University, the GIS unit created new contour maps for the county at the 10-foot and 5-foot levels, based on the latest technology, Light Detecting and Ranging (LiDAR). This laser technology is generated from aircraft that flew over the county in 2007, providing the most accurate contour maps possible for such a large area. In 2010, we expect to use this data to create up to date slope and hillshade GIS layers.

In addition to these advances, the GIS unit maintained the significant level of service provided to a variety of user groups. For 2009, 831 new map projects were created and 1,053 prints produced for external users. Much of this work was related to heightened interest in gas drilling throughout the county. In addition, the GIS website was visited 144,471 times by 51,100 unique visitors, making it one of the most popular pages on the county's website. Additional GIS accomplishments for 2009 include:

**Crime Mapping & Analysis:** The GIS Specialist provided weekly, monthly, and year-to-date information to the City of Binghamton Police Department. The crime data was broken out into maps, charts, and graphs for the City police as needed.

**Emergency Services:** GIS staff created a centralized database for inputting and managing 911 addresses in late 2009. Work to refine and update this database which includes all 911 addresses in the county will continue in 2010.

### ***Empire Zone***

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This year saw a dramatic change in the administration of the Empire Zone as the program successfully transitioned from the City of Binghamton to administration by the county. The Empire Zone program was historically funded by a grant from New York State, matched by local

cash. For 2009-2010, the State eliminated administrative funding for the program, but the county was able to tap into a fund balance and carry the program through to 2010. The chief planner served on the Empire Zone board for 2009.

### **Binghamton Metropolitan Transportation Study**

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The Binghamton Metropolitan Transportation Study Policy Committee is designated by the Governor of New York as the metropolitan planning organization (MPO) responsible for meeting Federal transportation planning requirements for the Binghamton region. BMTS staff is hosted by Broome County Government through a contract with the New York State Department of Transportation (NYSDOT), and is housed in the Department of Planning and Economic Development.

In 2009, BMTS achieved significant accomplishments across its mandated work in short range planning, long range planning, and project programming.

#### American Recovery and Reinvestment Act:

When it became clear that Congress would pass a stimulus bill that would include money for highway infrastructure and transit, BMTS staff began working with NYSDOT to determine the level of investment that would be available.



Candidate projects were solicited from all local governments, screened for eligibility, and ranked. After a number of iterations, the BMTS Policy Committee adopted a final list of nine projects to be funded under ARRA:

- Broome County: Bridge painting, Vestal-Endicott bridge
- Broome County: Paving, Vestal Road, African Road to Jensen Road
- Broome County: Bus replacement, purchase 6 hybrid coaches for BC Transit
- Tioga County: Bridge rehabilitation, Southside Drive over Pumpelly Creek
- City of Binghamton: Paving, Main Street, Front Street to city line
- Village of Johnson City: Bridge repairs, Arch Street over Norfolk Southern Railroad
- Village of Endicott: Paving, Vestal Avenue, Main Street to bridge
- Town of Vestal: Bridge replacement, Mason Road over Tracy Creek
- Town of Kirkwood: Bridge/culvert replacement, Barlow Road over Acre Creek

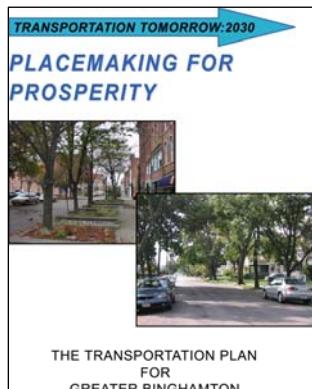
By the end of 2009, all projects had been bid. Main Street and Arch Street bridge are completed. The remaining projects will be under construction in the 2010 construction season.

Capital Program Update: The BMTS Transportation Improvement Program is a five year capital program that includes all of the projects in the metropolitan region that will be funded by the Federal Highway Administration or Federal Transit Administration. The program is typically updated every two years, but NYSDOT requested a delay of one year because of the work involved in the ARRA program. Development of the 2011-2015 Transportation Improvement Program was initiated in September, but surrounded by uncertainty in resource availability.

The Federal surface transportation program, SAFETEA-LU, expired on September 30. By year's end, Congress had passed a series of short term extensions, but had done little toward passing an authorization for a new multi-year program. The New York State five year transportation program expires on March 31, 2010. NYSDOT submitted a program update to the Governor and Legislature in October for action in the 2010 session. The BMTS Policy Committee was briefed on structural problems with the State Dedicated Highway and Bridge Fund; as a consequence of annual borrowing and special bond issues, more than half the outlays from the Fund pay debt service, making it increasingly difficult to fund necessary infrastructure work. BMTS staff is working with NYSDOT to identify the most critical projects that can be funded in the constrained program.

Progress was made on some important local projects:

- Court Street Gateway: The Federal Highway Administration granted concurrence, followed by the City of Binghamton authorizing design approval in December. Construction should begin in summer 2010.
- NY 201 over NY 434 and Vestal Road. The project will replace 2 deficient bridges and address safety needs. NYSDOT worked through the year to develop design options and receive public input. Design approval is expected in 2010, construction in 2011.
- Interstate 86 Designation: NY 17/I-81 at Prospect Mountain. This project, which will replace the bridges carrying the highway over the Chenango River and include major reconstruction of the interchange to reducing weaving requirements and improve geometrics, is in final design. Slated to begin construction in 2011, with an estimated cost approaching \$500 million, this will be the largest construction project in the region since the construction of the Interstate highways.



Long Range Regional Transportation Plan: The BMTS Policy Committee approved our current transportation plan, *TRANSPORTATION TOMORROW 2030 ~ PLACEMAKING FOR PROSPERITY*, in September 2005. Federal law requires that MPOs update their long range plans at least every five years, to reflect changing conditions in demographics, population, economy and workforce, and transportation facilities and services. BMTS initiated its update with agreement from the BMTS Planning Committee and Policy Committee that much of "Placemaking" will remain in place, but a new element will be added to address sustainability, global climate change, and greenhouse gas emissions from the transport sector. Climate legislation passed by the House of Representatives, and under consideration in the Senate, may require MPOs to undertake such analyses. By including it in this Plan update, BMTS may find itself ahead of the curve.

The "first cut" at Goals and Objectives for the Plan update have been approved by the Planning and Policy Committees for public review, and are available on the BMTS website ([www.gobroomecounty.com/bmts](http://www.gobroomecounty.com/bmts)).

Broome-Tioga Greenride: With the approval of the BMTS Policy Committee, a decision was made to support the development of a ridesharing website. The firm of Ecology & Environment, Inc of Lancaster NY was selected on the basis of an RFP. Their Greenride software, a GIS map-based system for matching prospective carpoolers, was customized for Broome-Tioga Greenride. It went live in the spring. By the end of the year over 150 people had registered. BMTS staff initiated outreach to local employers in the fall. Lourdes Hospital and United Health Services will go live with an employer-based portal to Greenride in January 2010. Binghamton University is expected to sign on as well.



BC Transit ~ Off-Campus College Transport Consolidation Study: The BMTS long range transportation plan identified as a goal the consolidation of transit services currently provided by Broome County, Tioga County, and OCC-T. There is substantial duplication of service between BC Transit and OCC-T. The study is examining both operational and financial consequences of a potential consolidation. The result could mean increased state aid to Broome County for BC Transit, more frequent service on certain routes at peak times, and reduction in capital expenditures by Binghamton University. Final results and recommendations will be available early in 2010.

Binghamton Regional Household Travel Survey: BMTS contracted for this work in 2008, and received the results in March 2009. Household travel behavior forms the basis of travel demand

models – how many trips, by what mode of travel, for what purpose, to what destination. The Binghamton Regional Travel Model, operated by BMTS, is the only source of travel forecasts for capital projects and plans in the region. The model was previously based on nationally developed default values for household travel. Having data from over 1,000 households that responded to the survey, which is statistically valid for the full range of household size and other demographic distinguishers, will enhance the credibility of BMTS travel forecasts.

**BC Transit On-Board Survey:** BMTS worked with the Binghamton University College of Community and Public Affairs to administer and analyze an on-board survey of BC Transit riders.



This survey is conducted biennially, to provide both point and trend data to the Department of Public Transportation. Data includes demographics (who is riding the bus), usage (trip purpose, frequency of use), and opinions of service. For the first time, the 2009 survey also included BU's Off-Campus College Transport service. Transit managers find this information useful in understanding their riders and improving their service.

**Road Safety Assessment:** Based on a technique called Road Safety Audit, the Road Safety Assessment template was developed under the auspices of the New York State MPOs Safety Working Group. It enhances the traditional traffic engineering study of high accident locations by using a multi-disciplinary team approach. By involving local police, transit operators, pedestrian planners, and other stakeholders in an actual walk through and observation of a problem street, a broader range of problems is often identified. Safety can often be improved for all users by low cost actions like changes to signs, signals, and pavement markings. In 2009, BMTS completed an RSA of Vestal Avenue from Pennsylvania Avenue to Mary Street in the City of Binghamton.

**Traffic Safety Partnerships:** BMTS has ex-officio seats on a number of committees as a consequence of our traffic engineering expertise. These include the Broome County Traffic Safety Board, the City of Binghamton Traffic Board, and the NYSDOT Region 9 Site Impact Review Committee. In each case, these partnerships are designed to improve the safety of the travelling public.

**Bus Stop Accessibility:** Through the work of a college intern, BMTS completed a survey of all BC Transit bus stops to determine which are not accessible because of the absence of sidewalks, or a concrete pad onto which the bus driver can deploy the wheelchair lift or ramp. This data had been incorporated into the BMTS GIS mapping database for easy access. The Department of Public Transportation can use this information when reviewing applications for BC Lift under the Americans with Disabilities Act.

**Pedestrian and Bicycle Planning:** One of BMTS' most active committees is the Pedestrian and Bicycle Advisory Committee. This group of volunteers meets monthly to review transportation plans and projects and provide feedback on how improvements can be incorporated that will enhance walkability and rideability, and in turn promote the use of non-motorized modes of travel.

**Public Health:** BMTS continues to partner with the Broome County Health Department in the Steps to a Healthier NY program. One of the focus areas of the program is physical activity and the contribution it can make to overall health. People are more likely to walk or bike to their destination when the transportation infrastructure provides a safe and convenient way to do so. In addition to promoting the construction of sidewalks and provision of bicycle facilities, BMTS works with local school districts through the Safe Routes to School program. By creating a safe, and sometimes parent supervised route, children can be encouraged to walk or bike.



Professional Development: BMTS strongly supports the professional development of staff.

- John Sterbentz, Transportation Analyst, and Scott Reigle, Senior Transportation Planner, both achieved Professional Transportation Planner certification. This national credential is awarded based on professional experience and successful completion of a written examination. It certifies a high level of professional knowledge and capability.
- Steven Gayle, PTP, Executive Director, was elected to a three year term as Vice Chair of the Transportation Professional Certification Board. This Board oversees and administers certification programs in traffic engineering and transportation planning.
- Steven Gayle was selected by his peers as Chair of the New York State Metropolitan Planning Organizations ([www.nysmpos.org](http://www.nysmpos.org)). This association represents the 13 MPOs in New York, ranging from the country's largest, the New York Metropolitan Transportation Council, to among the smallest, the Ithaca-Tompkins County Transportation Council. While not an advocacy group, the association provides a forum for staff from MPOs, NYSDOT, FHWA and FTA to collaborate to improve the practice of metropolitan transportation planning. In his role as Chair, Mr. Gayle presented testimony to the New York State Senate Transportation Committee on metropolitan transportation needs and solutions.

BMTS Policy Committee Chair: Carol Sweeney, Supervisor, Town of Owego

BMTS Planning Committee Chair: Luke Day, Commissioner of Public Works, City of Binghamton

### **Environmental Management Council**

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The Broome County Environmental Management Council (EMC), established in 1971 by the County Legislature, serves as a citizen advisory board to county government on environmental matters. The EMC conducts environmental research, investigates sound methods of ecological planning for the use of the County's natural resources; reviews environmental plans, reports and impact statements; coordinates activities in the management of our natural resources; and helps raise public awareness about environmental concern through public participation and education programs.

Currently, one full-time staff member administers and facilitates the activities of the EMC: the Senior Environmental Planner in the Broome County Department of Planning and Economic Development, from which EMC receives technical, bookkeeping and mapping support services.

Staff coordinates work for and provides technical assistance to the EMC's two standing committees: the Natural Resources Committee and the Recycling & Waste Management Committee. Staff performs research and data collection activities; reviews land use and development proposals for environmental impacts, implements projects, facilitates public participation, fulfills environmental information requests, and provides technical assistance to County and municipal governments regarding New York State Environmental Quality Review (SEQR) procedures, among other tasks.

The following represents activities of EMC support staff and members for 2009.

**Memberships:** EMC members are appointed by the County Executive and confirmed by the County Legislature. Eight of fifteen at-large seats were filled at the start of 2009, with five members-at-large beginning second two-year terms. The EMC Membership Committee recruited volunteers to fill outstanding vacancies throughout the year. Two newcomers filled member-at-large seats mid-year after serving as Associate members, and three student representatives from Broome Community College, Binghamton University and Union-Endicott High School completed first terms. Other members included representation from the Vestal Conservation Advisory Commission, two ex-officio representatives from the county Legislature, and department

administrators from Planning, Parks, Public Works, and the divisions of Environmental Health and Solid Waste Management.

Staff promoted student involvement in environmental policy development, EMC volunteer activities during Binghamton University's Fall Volunteer Resource Fair, and again when visited by local high school students fulfilling Participation in Government class requirements. Staff assisted teachers at Chenango Forks High School and Binghamton University with environmental class projects.

*Internship Program:* The EMC sponsored an internship for, and staff supervised, one undergraduate student, an Environmental Studies major at Binghamton University concentrating in Environmental Planning and Law.

*Environmental Education Resources:* Staff maintained extensive collections of print and electronic reference resources, books, periodicals, pamphlets, and information fact sheets. Resources available on EMC webpages include meeting and program information, volunteer opportunities, public participation activities, EMC position statements and papers, educational brochures, fact sheets, pictures and links.

*Educational Presentations and Discussions:* The EMC hosted a variety of speakers and offered informative presentations at EMC general meetings. These included:

- Rich Taber, Forestry Assistant with CUCE of Chenango County discussed CUCE's Regional Forestry Initiative (January);
- Chip McElwee, Director of the BC SWCD sought input on the draft Broome County Agricultural Environmental Management Strategy (February);
- Dr Gay Canough, President of ETM Solar Works discussed solar and wind power systems, projects and incentives (March);
- Susan Sherwood, Director of the Center for Technology and Innovation shared a history of mass transit in the Southern Tier (April);
- Assemblywoman Donna Lupardo presented updates on critical environmental bills in the NYS Legislature (July);
- Kevin Mathers, CUCE of Broome County Educator shared details about two emerging invasive species statewide: Giant Hogweed and Emerald Ash Borer (September); and
- Larry Pierce of LCP Group presented concepts for a C&D Recycling facility (October).

*Conferences/Seminars/Trainings:* EMC members and/or staff participated in several educational conferences and training seminars in 2009 to stay informed of emerging environmental topics. These included:

- City of Binghamton sponsored Deconstruction Seminar (February),
- County Emergency Services 2009 Hazard Mitigation Vulnerability Analysis (March),
- Center for Watershed Protection's Municipal Pollution Prevention & Good Housekeeping webinar training for Stormwater Management (May),
- NYSDEC annual program and legislative summit with the NYSAEMCs (June);
- NYSAEMC's Conference on the Environment in Watkins Glen, NY (November),
- Cornell University Cooperative Extension sponsored Natural Gas Summit by (November),
- NACo's County Investments in Green Infrastructure webinar (December).
- NACo's webinar for the New York public meeting about EPA's establishment of a Chesapeake Bay Total Maximum Daily Load (TMDL) for nutrients and sediments pursuant to the Clean Water Act. (December)

## Land Use and Natural Resources

*Municipal Land-Use/Zoning/Development Reviews:* EMC staff provided environmental review support to the Planning Department and rendered advisory opinions per NYS General Municipal Law §239 (l) & (m) review process for site and subdivision plan reviews, special permits and various zoning actions. Staff assessed numerous proposals for potential waste related issues and rendered opinions that promoted spill prevention planning, proper handling of hazardous wastes, and the accessibility of services at the County Landfill for conditionally exempt small quantity generators of hazardous waste.

*Regulatory and Policy Reviews:* EMC members and staff reviewed and provided comment on significant state draft rules, regulations, policies, plans and impact statements during the year. Examples include:

- NYSDEC Open Burning rule revision (6NYCRR Part 215),
- NYSDEC preliminary draft regulation for Outdoor Hydronic Heaters (aka OWBs),
- Governor's 2009-2010 Executive Budget provision for an expanded NYS Bottle Bill,
- NYSDEC draft Supplemental Environmental Impact Statement on the Oil, Gas and Solution Mining Program Well Permit Issuance for Horizontal Drilling and High-Volume Hydraulic Fracturing to Develop the Marcellus Shale and Other Low-Permeability Gas Reservoirs

*Stormwater Management Program:* Broome County is a member of the Broome-Tioga Stormwater Coalition (BTSC), a group of regulated municipalities that collaborate to address local stormwater issues and meet federal and state Stormwater Phase II mandates. The EMC assisted the BTSC with implementation and compliance requirements by providing public education, opportunities for public participation, and training and outreach services to municipal officials and citizens. The BTSC Public Education and Participation Committee continues to devise stormwater awareness messages and brochures, among other items for 15 regulated municipal separate storm sewer systems (MS4s).

The Senior Environmental Planner assisted with Stormwater Management Plan Program annual report preparation, modification and evaluation, and conducted the County's required public meeting. The BTSC submitted their first joint annual report to the NYSDEC in early June.

## Natural Resources Committee (NRC)

The NRC continued to be a forum for parties seeking information and/or support related to air, land and water resource matters. Staff and the NRC kept abreast of natural resources and land use issues via development, plan, and policy reviews, Environmental Notice Bulletin postings, announcements on list-serves, and citizen interests. Focus areas for 2009 included open space conservation, air quality issues, and natural gas drilling, among others topics.

*Open Space Planning:* NRC members continued work on a draft Broome County Open Space Plan (OSP), a long-term project that aims to identify open space areas important for natural resource protection and preservation of community character. Some inventory portions are still under development. These include accounts of agricultural and forest resources and protected open spaces. NRC members began investigation and formulation of program and policy recommendations for completed sections. A final draft is expected mid year 2010.

On the advice of the NRC, the EMC adopted and sent a letter to the NYS Office of Parks Recreation and Historic Preservation expressing opposition to snowmobile use in Chenango Valley State Park (March).

*Natural Gas Drilling:* EMC members reviewed the NYSDEC final scope for the draft Supplemental GEIS on the Oil, Gas and Solution Mining Regulatory Program, Well Permit Issuance for Horizontal Drilling and High-Volume Hydraulic Fracturing to Develop the Marcellus Shale and Other Low-Permeability Gas Reservoirs. Members continued to examine many technical papers, testimonies, reports and analyses from a variety of sources including Penn State University, Cornell University and their respective Cooperative Extensions, the NY State Farm Bureau, NYSERDA, federal, state and local governments, and independent industry and advocacy organizations, among others.

After thorough review of the state's draft SGEIS released mid year, the NRC debated and drafted a response to the NYSDEC highlights general inadequacies followed by concerns over specific SGEIS content and recommendations for further analysis. Members attended the November regulatory public hearing at Chenango Valley High School. The EMC considered and declined a request to support a call for withdrawal of the NYSDEC draft SGEIS. In December, EMC adopted a response to DEC calling for cumulative impacts analysis, closed-loop fracturing systems, comprehensive air, water and noise monitoring, impact analysis on wildlife, and firm accountability through a permit fee structure and fine system dedicated for enforcement and corrective actions, among other things.

*Open Burning:* The EMC for many years has advocated for a statewide ban on open burning. The EMC submitted comments on the state's draft rule revision for 6NYCRR Part 215 in 2008. The State adopted rule changes in October 2009 that extend the previously existing ban on most open burning statewide with several exceptions allowing certain types of open fires without a permit.

*Outdoor Wood Boilers:* The issue of outdoor wood boilers has been of interest to EMC members for years. The EMC Chair attended a Fenton Town Board meeting and spoke at a public hearing in January to consider adoption of Local Law #8, a law to amend the definition of "outdoor wood burning furnace" in section 105-2 of Town Code. The Chair also participated in a conference call with the State Attorney General's Environmental Protection Bureau to discuss OWB dispersion modeling analysis.

The EMC obtained an informal draft regulation for stakeholders - 6NYCRR Part 247 – Outdoor Wood Boilers - from the DEC, which was under review in 2009 by the Governor's Office of Regulatory Reform. The NRC debated the proposed setback requirements, permitted woods proposed as approved fuels, and performance labeling and emission requirements. The Council expects to render comments once the formal draft regulation is available for official public review.

The EMC was asked to support a statewide ban on outdoor wood boilers, as presented by Clean Air Rights for Everyone (CARE) of the Town of Nassau, NY. CARE found the EMC's letter, advisory resolution and white paper calling for support of Comprehensive Wood Burner Installation and Performance Standards in the NYSDEC's rulemaking file on 6NYCRR Part 247. While the NRC supports regulation of OWBs that meet EPA Phase II standards, the group feels an outright statewide ban is not practical.

*BC Community Health Assessment 2010-2013:* The EMC was invited to participate in the Community Health Assessment (CHA) Steering Committee to explore relationships between health needs in our community and the resources available to address them. Committee work was guided by the Mobilizing Action through Planning and Partnerships (MAPP) model that functioned as a community-wide strategic planning tool, forming the basis for prioritizing key public health issues and identifying potential resources. Based on the NYS Prevention Agenda and Prevention Quality Indicators, and priorities from the last CHA, the group identified two priority focus areas: increase access to quality health care, and reduce the burden of chronic disease and increase chronic disease prevention. In the interim, the Steering Committee will collaborate to address these identified health priorities and organize interventions.

*Requests for Support.* The EMC received a request from The Nature Conservancy to support a campaign for a proposed \$5 billion NYS Clean Water, Clean Air and Green Jobs Bond for placement on the November 2009 ballot. The NYS Environmental Conservation Committee DEC held a public hearing May 27. The bond proceeds are proposed to be divided \$1 billion each to Clean Water through Watershed Protection, Clean Water Infrastructure, Green Jobs through Energy Efficiency, Clean Air and Green Transit, and Urban Health and Community Restoration. The EMC did not take a position, but will revisit this issue in 2010.

The EMC approved letters of support in September for three NYS Environmental Protection Fund project requests: a Regional Farmers Market Study, a boat launch and Access Plan for the Susquehanna River, and a plan to reconstruct the Amphitheater at Ross Park Zoo.

The Council approved two letters of support for funding ongoing County Brownfield projects: cleanup funds for 312 Maple St, Endicott site (October), and funding for a Stage 3 Implementation Study for the Endicott-Johnson Industrial Spine BOA (November).

#### Recycling & Waste Management Committee (RWMC)

The EMC being a focal point for discussion about environmental topics received inquiries and made referrals about recycling and disposal options available locally. Throughout the year, the RWMC researched and monitored local, national and international recycling trends for material commodities (plastic, glass, metal) and electronics, continued to advocate for recycling provisions at public facilities and events. The RWMC for much of the year reviewed and offered feedback about many technical reports developed as guidance for the County's Solid Waste Management Plan update.

*Waste Management Education:* The RWMC has long advocated for increased education to improve recycling participation at Commercial, Industrial and institutional and multifamily units by means of welcome packets for new residents, business and industry; Q & A on the County's website; and private hauler education, among other things. In response, the County's Division Solid Waste Management generated educational resources for landlords and real estate agents, and undertook waste surveys of local business including gas stations to educate these stakeholders.

*Expanded Bottle Bill and the EPF.* The EMC adopted, by recommendation of the RWMC and NRC, a letter to NYS representatives supporting and asking for consideration of a compromise with respect to expansion of the NYS Bottle Bill (aka the Returnable Beverage Container Act). In February, the EMC advocated for removal of all 1.75L bottles from the nickel deposit in return for an expansion to include all non-carbonated single-serving beverage containers less than 1.75L. The State passed a bigger, better, bottle bill in April, and the regulation became effective October 1, 2009.

*Recycling Outreach:* The EMC staff promoted waste reduction and reuse principles, and the importance of recycling household hazardous waste and electronics properly at the County Landfill whenever possible. EMC helped spread the word about several County-sponsored free electronics collections and disposal days, and special pharmaceutical collections events sponsored by the Village of Endicott, area Medicine Shoppes, and UHS and Binghamton University.

A new statewide law took effect January 1, 2009 that requires certain retail and grocery stores to set up a plastic carry out bag recycling program for customers. In the last five years, the EMC wrote to local grocery chains and supplied them with vendor information asking for implementation of plastic bag recycling for customers. The EMC was pleased to see concerted action taken at the state level on this issue.

*Landfill Citizens Advisory Committee (LCAC):* EMC staff provided technical assistance to the LCAC as the County undertakes Knapp Road modifications to complement scheduled road improvements for Dunham Hill Road for an at-grade crossing into Section IV. The \$3.1M project will be complete by July.

Environmental Stewardships: Public Education and Activity Programs

*Earth Fest 2009:* EMC members and staff participated in the annual Earth Fest Saturday, April 25 at MacArthur School in Binghamton to raise awareness about local environmental issues. The EMC's educational displays included a stormwater management Best Management Practices game for homeowners, and a recycling/reuse interactive game, among others things. The EMC promoted membership opportunities and recruited volunteers for the annual Riverbank Cleanup Program. EMC received Award of Recognition from Assemblywoman Donna Lupardo for EMC's involvement with and support of Earth Day Southern Tier, Inc since 1990.

*2009 Joyce K.L. Smith Environmental Photography Show & Competition:* The EMC sponsored the 13th annual Joyce K.L. Smith Environmental Photography Show & Competition to portray and celebrate all aspects of Broome County's natural and cultural surroundings: wildlife, plantlife, natural landscape, cultural landscape, and people in action. The EMC received 343 entries from 130 amateur photographers, and \$435 in donations to the Joyce K.L. Smith Memorial Fund. Winners and honorable mentions in each category and the best submission from a local high school student received recognition at an opening reception and awards ceremony June 3 at the Broome County Library. Educational kiosks highlighted the EMC's Riverbank Clean Up, drawing attention to stormwater issues, and a memorial to the show's namesake. The local newspaper ran a feature showcasing the competition, which was on display during June.

*2009 Broome County Riverbank Clean Up:* The EMC sponsored the 24th Broome County Riverbank Clean Up during the weekend of September 19<sup>th</sup> to protect water quality, and raise public awareness about illegal dumping, stormwater management, river ecology, and environmental stewardship. Two-hundred-fifty-three volunteers organized in 25 groups, collected debris and trash at 22 locations along 12 miles of Susquehanna and Chenango riverbank and several tributaries. Municipalities hauled almost three tons of material for disposal, including 31 tires. The event was organized again in combination with the International Coastal Clean-Up Day, sponsored annually by the Ocean Conservancy and the American Littoral Society (ALS). Data was compiled into a summary report for distribution to ALS and Broome-Tioga Stormwater Coalition partners.