

**In This Issue**

Taconic Region Headquarters Earns LEED Platinum ..... 1

Smart Growth Explained ..... 2

NYS DOL Wicks Law Plumbing Opinion ..... 2

Asset Management Improves System Performance and Optimizes Funding Strategies ..... 4

Traffic Control Devices Manual Revised ..... 6

B&L Opens Office in Newburgh, NY ..... 6

Six Projects Win APWA Awards ..... 8

Employee News ..... 9

Environmental Updates .... 10

Grants and Funding Opportunities ..... 10

SPEC Home

**Taconic Region Headquarters Earns LEED Platinum Certification, A First for New York!**

The NYS Office of Parks, Recreation & Historic Preservation (OPRHP) has announced that their Taconic Regional Headquarters project in Staatsburgh, NY earned a LEED Platinum certification. B&L was instrumental in assisting the OPRHP with this achievement, which transformed the old Anderson School Building into a benchmark sustainable office building.



B&L's staff provided a variety of design services, including high efficiency geothermal based HVAC system, rooftop photovoltaic energy generation, indoor environmental lighting & HVAC controllability, and high efficiency lighting systems with day-lighting control.

Sustainable site design by B&L included porous site paving, stream/habitat restoration, onsite stormwater management, and native species landscaping (zero irrigation) – all elements that helped the project reach the LEED Platinum level.

The Regional Office provided the architectural, plumbing, and structural engineering services for the building.



LEED Platinum is currently the highest level of certification within the US Green Building Council's LEED system. At present there are only 10 LEED Platinum buildings in NYS, and the OPRHP offices is the first LEED Platinum building owned by the State of New York. For more on this project, contact

Dean Mason at [dmason@bartonandloguidice.com](mailto:dmason@bartonandloguidice.com).

The experience to **listen.**  
The power to **solve.**<sup>SM</sup>

Copyright 2011 © Barton & Loguidice  
syracuse • albany • rochester  
camp hill • ellenville • newburgh  
1-800-724-1070

online at [www.bartonandloguidice.com/spec.htm](http://www.bartonandloguidice.com/spec.htm)

## Smart, Green Growth Driving National Trend for Funding Policies

By Glenn Gidaly, AICP

The New York State Smart Growth Public Infrastructure Policy Act was signed into law on September 29, 2010. The Act states that all New York State funding agencies must utilize 10 Smart Growth and sustainability criteria when deciding how to spend infrastructure dollars, and to prioritize projects based on where infrastructure already exists.

The law targets infrastructure investments toward Main Streets, downtowns, brownfield areas, central business districts, municipal centers, and other priority growth areas. The Act aims to help struggling upstate regions to revitalize their downtowns, protect the environment and open spaces, and provide property tax relief. The Act also aims to minimize the environmental effects and additional infrastructure costs to communities caused by urban sprawl.

Each state infrastructure agency\* has now been given the authority to create a Smart Growth Advisory Committee that will be charged with focusing on projects that meet 10 criteria:

1. Use, maintain or improve existing water/sewer services
2. Locate public infrastructure within municipal centers
3. Promote development projects in exiting developed areas or in areas noted in Comprehensive Plan, Local Waterfront Revitalization Plan or Brownfield Redevelopment Plan
4. Protect, preserve New York State resources
5. Foster mixed land uses and compact development
6. Provide for mobility through a variety of transportation choices
7. Coordinate between State and local governments
8. Promote community-based planning and collaboration
9. Ensure predictability in land use codes
10. Strengthen existing communities in ways that help reduce Greenhouse gas emissions

See Smart Growth on page 3

## New York State Department of Labor Opinion on Wicks Law Suggests Process Piping and Pumping Belong to Plumbing Contract

By Richard A. Straut, P.E.

New York State General Municipal Law, Section 101, commonly known as the Wicks Law, requires “separate and independent bidding” of the following subdivisions of work for public works contracts “for the erection, construction, reconstruction or alteration of buildings, or any part thereof:”

- Plumbing and gas fitting;
- steam heating, hot water heating, ventilating and air conditioning apparatus; and
- Electric wiring and standard illuminating fixtures

Typically all other work is included in a General Construction contract.

Wicks Law was first enacted in 1912 for the purposes of promoting fair competition among bidders and to protect workers’ rights. In the early 1960’s, \$50,000 construction value thresholds were established for state contracts and local government contracts.



The threshold remained at \$50,000 until 2008, when Wicks Law reform increased the contract value thresholds to \$3 million in New York City, \$1.5 million in Nassau, Suffolk and Westchester Counties, and \$500,000 in all other parts of the state.

For decades process piping and pumping systems have been included in the General Construction Contract. However, the Commissioner of Labor issued two opinions in 2010 – one concerning a wastewater treatment plant improvement project for Rockland County, and one for a wastewater treatment plant improvement project for the Village of Ellenville (Ulster County). Both opinions issued

See Wicks Law on page 4


Some positive impacts that adherence to the new Smart Growth Policy Act can have on your municipality include:



- Hamlet redevelopment that limits sprawl, conserves open space and protects Critical Environmental Areas
- Promoting centralized water/sewer services
- Encouraging walkable communities
- Supporting new urbanist code development
- Concentrating new development patterns by encouraging in-fill development
- Reinforcing central location of important civic facilities; post offices, libraries, fire stations, public schools and community centers
- Emphasizing non-motorized transportation
- Supporting transit-oriented development
- Promoting “safe routes” to schools

Many funding agencies which municipalities historically have approached for assistance in financing water/sewer projects are already utilizing Smart Growth Act criteria. Very recently, new Project Scoring memos have been released from a number of funding agencies that detail how compliance with smart growth, which is considered to be a part of “green design”, can serve to earn your project additional points. In this era of diminishing funding resources and elevated competition for grants, getting all the scoring points you can is critical.

- The United States Department of Agriculture (USDA), Water/Wastewater Loan/Grant Program provides for Discretionary Points for smart growth and green projects.
- The New York State Environmental Facilities Corporation (EFC), under the Clean Water State Revolving Fund (CWSRF) and the Drinking Water State Revolving Fund (DWSRF) both acknowledge and provide additional points for better planned projects.
- The Green Innovations Grant Program (GIGP), administered by the EFC was launched last year as part of the Federal Stimulus Program. The EFC had such success with the GIGP that the Corporation is continuing the program with its own funds to promote innovative “green” projects around NYS. Again, such projects should highlight smart growth in order to compete better and to secure additional points in ranking and rating.

Barton & Loguidice has always been in the forefront in terms of pushing all manner of innovative planning techniques and methods such as form-based codes, transit-oriented development, senior overlay districts and, of course, Smart Growth. We can help you work within the Smart Growth Policy to encourage re-development in central areas of your communities and to secure affordable financing for the upgrade of vital central water and sewer services. 

Contact **Glenn Gidaly** at (845) 391-8360 or [ggidaly@bartonandloguidice.com](mailto:ggidaly@bartonandloguidice.com) for more information.

*\*State infrastructure agencies include: The Department of Transportation , The Department of Education, The Department of Health , The Department of State, The New York State Environmental Facilities Corporation The New York State Housing Finance Agency , The Housing Trust Fund Corporation The Dormitory Authority, The Thruway Authority, The Port Authority Of New York And New Jersey, The Empire State Development Corporation, The New York State Urban Development Corporation, and all other New York authorities. Any subsidiary of, or corporation with the same members or directors as, a public benefit corporation identified in this subdivision shall also be deemed to be within the definition of state infrastructure agency under this law.*

by the Commissioner determined that process piping and pumping systems work at these plants belongs in the Plumbing contract rather than the General Construction contract.

If these opinions stand, the change in policy is expected to have significant implications on water and wastewater facilities projects. Some of the issues that will have to be dealt with are:

There will be more points of interface between the work of the Plumbing contractor and the General Construction Contractor, thereby requiring more attention to coordination of the contractors by the Owner and Engineer, which will increase the cost of projects.

Since this work has not traditionally been included in the Plumbing contracts, it is not clear that the Plumbing contractors have the experience to complete process piping and pumping work.

Some Plumbing contractors may not have the bonding capacity to bid the Plumbing contracts on projects involving a significant amount of process piping and pumping work.

At this point in time, NYSDOL is maintaining its position that the process piping and pumping systems be included in a Plumbing contract. Unfortunately, the department has not yet provided a guidance document to define specifically what is considered to be process piping and pumping systems. However, the opinion issued for the Village of Ellenville's wastewater treatment plant improvements project suggested that process piping and pumping systems includes:


- All process pipes and pumps within buildings
- Aeration blowers and aeration piping, chemical feed pumps and piping / tubing
- Yard piping

Pumps and piping that are supplied as part of an treatment process equipment package through the General Contractor must be installed by the Plumbing Contractor

The Associated General Contractors of New York State has announced its intent to "aggressively pursue" a challenge of NYSDOL's opinion, and has been attempting to argue its

point through Governor Cuomo's administration. AGC has said that "legal action has not been ruled out."

Most recently, NYSDOL wrote to the Village of Ellenville that the Village may award contracts for its project as originally bid, thereby reversing its prior directive that the Village may not award the contracts as bid. Indications are that NYSDOL will be issuing a policy statement regarding contracting of process piping and pumping systems in the future, clarifying its opinion, and defining a date after which all public works projects bid must comply with the policy.

B&L will be following these developments as they proceed through administrative and legal channels. If you have any questions about the status of Wicks Law interpretations and enforcement as they relate to your construction projects, please contact **Rich Straut** at (518) 218-1801 or [rstraub@bartonandloguidice.com](mailto:rstraub@bartonandloguidice.com) for more information. 

## Asset Management Helps Communities Improve System Performance and Optimize Long-Term Funding Strategies

By Timothy P. Taber, P.E., BCEE

Managing an infrastructure system like a water or wastewater system or a transportation network is a delicate balancing act. At what point does it become more cost effective to replace a component rather than continue to maintain and repair it? There are inherent conflicting factors to manage, such as short-term versus long-term benefits, expenditures versus performance levels, planned and unplanned availability, or capital costs versus operating expenditures. An Asset Management program enables you to better manage critical infrastructure assets and ultimately, improve fiscal performance.

Essentially, asset management is the optimal selection, maintenance, operation, inspection, and renewal of

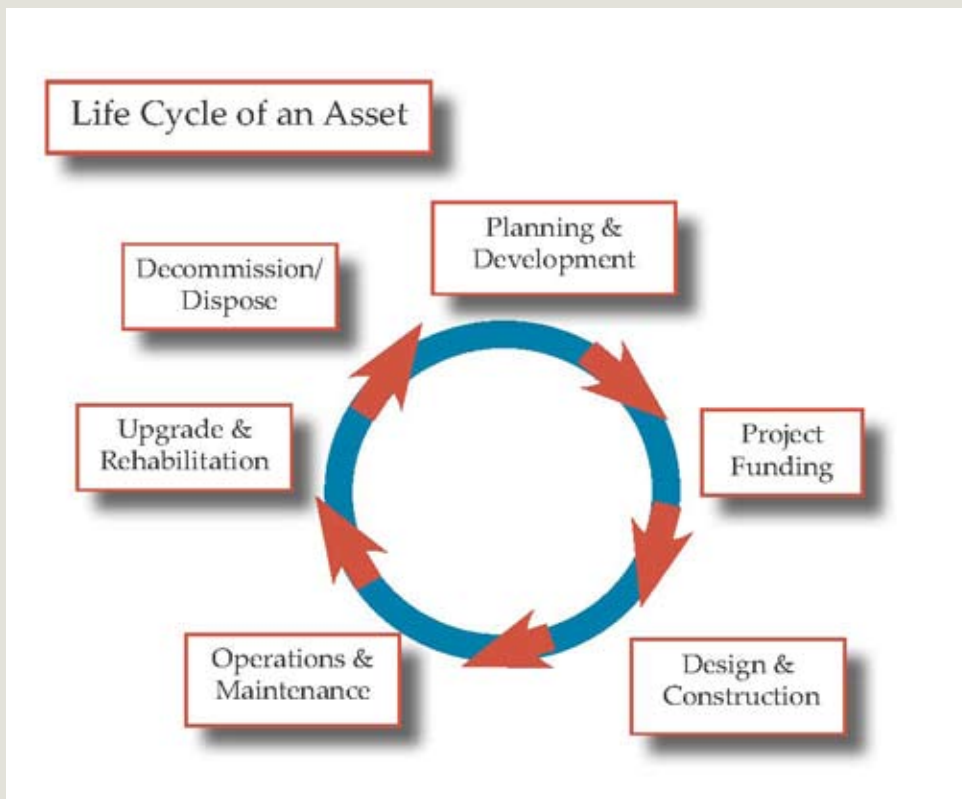
assets to maintain a desired level of service at the lowest life cycle cost. Asset management helps organizations:

- Prolong the life of assets and capital investments
- Prolong the life of assets and capital investments
- Improve security and safety and reduce risks due to failed or poorly performing assets
- Treat all decisions as investment decisions to maximize limited financial resources
- Make costs transparent to support financial decisions
- Choose capital projects that meet the system's true needs
- Base revenue needs on sound operational decisions
- Enhance the sustainable use of physical resources
- Ultimately move to a proactive approach to maintenance and managing assets

An asset management program can inventory select components of a system, or the whole system. Some programs involve specialized software packages, and others utilize a simple spreadsheet to track and value assets. The process typically begins with data collection, conditions assessments, and risk evaluation. The program also takes into account the type and age of the assets, the client's unique needs, and industry best management practices.

State governments are recognizing the value of Asset Management. The New York Clean Water Revolving Fund, US Rural Development and others award additional points to those applications that include asset management components. In Pennsylvania, the State Assembly has taken up a bill that would require "wastewater systems to develop and implement asset management plans and document progress toward full-cost pricing." On the federal level, asset management can help you comply with GASB-34 reporting requirements.

B&L can help you select and implement the most appropriate processes and tools and implement best asset management practices for your organization. For more information, contact **Tim Taber** at [ttaber@bartonandloguidice.com](mailto:ttaber@bartonandloguidice.com) or on (315) 457-5200. 



## Important Changes to the National Manual on Uniform Traffic Control Devices (MUTCD)

By Anthony P. DaRin, P.E.

There are a number of significant changes and additions to the 2009 edition of the MUTCD. Additionally, a number of these revisions have compliance dates associated with them:

### *Retroreflectivity*

A continuation of a rule adopted earlier, signs shall meet minimum retroreflectivity levels.

#### **Compliance Dates**

- Jan. 22, 2012 – Implement a plan to evaluate sign retroreflectivity
- Jan. 22, 2015 – Replace regulatory, warning, and post-mounted guide signs not meeting minimum retroreflectivity levels
- Jan. 22, 2018 – Replace street name and overhead guide signs not meeting minimum retroreflectivity levels



### *Street Name Signs*

The option to use all upper-case lettering has been discontinued. Street name signs are to contain mixed-case lettering.



### *Pedestrian Signal Timings*

The recommended walking speed for calculating the pedestrian clearance time has been reduced from 4 feet per second to 3.5 feet per second. Also, a “buffer” interval

See Traffic on page 7



Left to right: Brian McGorman (John J. Lease Realtors), Donald Schmalzle (B&L Resident Engineer), Senator Bill Larkin, Newburgh Mayor Nicholas Valentine, Vincent Cappelletti (building owner), Glenn Gidaly, AICP (B&L Associate); Richard Straut, P.E. (B&L Senior Vice President); and Nicholas Pinto, P.E. (B&L President)


## B&L Opens Newburgh Office

B&L announces the opening of a second Hudson Valley office in the City of Newburgh. Joining the firm’s sister Hudson Valley office in Ellenville, this office furthers the company’s commitment to client service, and maximizes the engineering services B&L provides to the municipal, institutional, and industrial clients in the Hudson Valley.

“The new office location is a direct result of our underlying mission for the last 50 years – to serve clients,” said Nicholas J. Pinto, P.E., President. “We are responding to the needs of our existing Hudson Valley clients while fostering new client relationships and extending the range of our services available to the region.”

The firm’s activities directly supported by the new office in Orange County include evaluating the Brown’s Pond raw water transmission main in the City of Newburgh, performing a water system assessment in the Village of Warwick, developing an all-hazard mitigation plan for the Town of Deerpark, and upgrading the HVAC at Washington’s Headquarters State Historic Site (also in the City of Newburgh).

“Over the years we’ve become very familiar with the needs of Hudson Valley communities, and the message is clear: there has been, and will continue to be, a need for high quality planning and engineering services in the region,” said Richard A. Straut, P.E, a Senior Vice President in B&L’s Albany office, and officer-in-charge of the Newburgh office. “This new office demonstrates that we are here to stay, and well positioned to continue filling that need.”

The office address is: 280 Broadway – Suite 12, Newburgh, New York 12550. The phone number is (845) 391-8360. Directions are on the B&L website’s contact page. 

of at least 3 seconds is now required.

**Compliance Date**

- Dec. 31, 2014, or when timing adjustments are made, whichever comes first.



**Traffic Signal Timings**

The duration of the yellow change interval and the red

clearance interval shall be determined using engineering practices, rather than “rules of thumb” or randomly.



**Compliance Date**

- Dec. 31, 2014, or when timing adjustments are made, whichever comes first.

**High-Visibility Apparel**

All workers within a roadway right-of-way who are exposed to traffic or work vehicles are required to wear high-visibility apparel. This applies to flaggers, emergency responders, school crossing guards, etc. on ALL roads open to public travel.



**Compliance Date**

- Dec. 31, 2011

**Fluorescent Yellow-Green School Warning Signs**

The use of fluorescent-yellow green as the background color for all school warning signs is now required rather than an option.

**Community Wayfinding Guide Signs**




Design and placement of these signs has varied widely in the past. New criteria for the design and implementation of these signs have been added.

**New Signs and New Standard Symbols**

Many new sign designs and new symbols have been added. The use of symbols over words now applies to a number of signs.



B&L can assist you with updating your traffic control devices to meet the new standards and be in compliance by applicable dates. If you would like to discuss your traffic control needs or determine how these standards affect you, please contact [Tony DaRin, P.E.](mailto:adarin@bartonandloguidice.com) at 315-457-5200, or [adarin@bartonandloguidice.com](mailto:adarin@bartonandloguidice.com), or [Tom Johnson, P.E., PTOE](mailto:tjohnson@bartonandloguidice.com) at 518-218-1801, or [tjohnson@bartonandloguidice.com](mailto:tjohnson@bartonandloguidice.com). 



## Six Projects Win APWA Awards

*Barton & Loguidice is honored to be recognized as engineer on the following projects that won 2010 APWA Project of the Year awards. Congratulations go out to the owners!*



**Towns of Marcellus and Skaneateles, and Village of Marcellus –**  
Environmental Project of the Year (Drinking Water), APWA Central Branch, for the **Limeledge Water District**.

**Town of Sullivan - Structures/ Facilities Project of the Year, APWA Central Branch, for the **Town of Sullivan Park and Handicap Accessible Fishing Pier**. This project was also the recipient of the **Central New York Recreation and Park Society Outstanding Facility Award**.**



**Town of Richland - Environmental Project of the Year (Drinking Water), APWA Central Branch, for the **Water Supply Source and Distribution System, District No. 2 (with Wind Turbine)**.**



**Village of Weedsport - Environmental Project of the Year (Wastewater), APWA Central Branch, for the **Wastewater Treatment Plant Improvements**.**

**City of Saratoga Springs - Emergency/ Disaster Preparedness Project of the Year, APWA Capital**



**Branch, for the **Geyser Crest Well Field Improvements**.**

**Brookfield Renewable Power - Historical Restoration/ Preservation Project of the Year, APWA Capital Branch, for **Falls View Park**. This project also won the 2010 APWA New York State Chapter Environmental Project of the Year Award.**



## Employee News

### *Czerwinski Named Principal*



**Paul R. Czerwinski, P.E.**, has been promoted to Principal of B&L. Paul is the Principal in Charge of Energy Services and Facilities Engineering at B&L.

This role is a natural progression of Paul's involvement over the last 31 years in the permitting, design, and construction administration of municipal

solid waste landfills, landfill gas-to-energy projects, energy recovery facilities, leachate conveyance and storage facilities, transfer stations, recycling facilities, household hazardous waste collection facilities, and hazardous waste facility closures throughout New York State.

Paul will continue to oversee some solid waste projects. He can be reached at (315) 457-5200, or at [pczerwinski@bartonandloguidice.com](mailto:pczerwinski@bartonandloguidice.com).

### *Taber Leads Asset Management Efforts*



**Timothy P. Taber, P.E., BCEE** joins B&L as a Senior Managing Engineer in the firm's Water/Wastewater group. He will be leading B&L's efforts in the area of Asset Management, with the ability and intent to expand both this and information management services into the other disciplines within B&L.

Tim brings with him an extensive history of planning, design and construction of infrastructure and information management projects.

Tim has designed and developed the integration of many enterprise resource programs that have proven to streamline operations for clients. Tim can be reached at (315) 457-5200, or at [ttaber@bartonandloguidice.com](mailto:ttaber@bartonandloguidice.com).

### *Rakoczynski Expands WNY Environmental Reach*



Randolph W. Rakoczynski, P.E., joins B&L as a Senior Project Engineer in the firm's Environmental Group. Randy has more than 35 years of Western New York-based experience in environmental regulatory compliance, waste treatment and disposal,

design and permitting, hazardous materials storage tank and transfer design, health and safety consulting, and employee regulatory training.

Randy was president of Waste Resources Associates, Inc. of Niagara Falls, and served as plant manager at the nation's first commercial hazardous waste facility, located in the Lewiston area. He can be reached at (716) 803-0058 or at [rrakoczynski@bartonandloguidice.com](mailto:rrakoczynski@bartonandloguidice.com). 

## Environmental Updates

- The NYS Municipal (MS4) Stormwater Permit and Stormwater Management Design Manual has been updated ..... **Effective 2/28/11**

*Key changes to the manual will be required for projects that submit construction stormwater permit applications to the NYSDEC after February 28, 2011.*

Contact **Nadine Medina** at [nmedina@bartonandloguidice.com](mailto:nmedina@bartonandloguidice.com) or **Dave Hanny** at [dhanny@bartonandloguidice.com](mailto:dhanny@bartonandloguidice.com)

- Spill Prevention, Control, and Countermeasure Plans: New deadline: ..... **11/10/11**

*EPA extended the deadline from November 10, 2010 to November 10, 2011 for existing facilities to amend and implement their SPCC plans based on the most recent 2008 and 2009 revisions.*

Contact **Jeff Reed** at [jreed@bartonandloguidice.com](mailto:jreed@bartonandloguidice.com)

- EPA Mandatory Greenhouse Gas (GHG) Reporting: **New deadline to be announced at the end of March.**

*Because the on-line reporting system has not yet been finalized, the EPA has announced plans to extend the deadline for facilities to submit reports under the mandatory GHG reporting rule.*

Contact **Jeff Reed** at [jreed@bartonandloguidice.com](mailto:jreed@bartonandloguidice.com)

More information online at [www.bartonandloguidice.com/spec.htm](http://www.bartonandloguidice.com/spec.htm) click on the **Environmental Updates page** for up-to-date information.

## Grants and Funding Opportunities

- New York Main Street Program: Application Deadline ..... **4/29/11**

*NY Office of Community Renewal is accepting applications for programs that propose funding for building renovation, downtown anchors projects, streetscape enhancements.*

Contact **Glenn Gidaly** at [ggidaly@bartonandloguidice.com](mailto:ggidaly@bartonandloguidice.com)

- Hudson River Valley Greenway Grants: Application Deadline ..... **5/6/11**

*Three grants available: Greenway Communities Grant Program, Compact Grant Program, and Water Trail Grant Program.*

Contact **Glenn Gidaly** at [ggidaly@bartonandloguidice.com](mailto:ggidaly@bartonandloguidice.com)

- NYS Community Development Block Grant: Application Deadline ..... **5/27/11**

*\$40 million - NYS Community Development Block Grant funding for the Annual Competitive Round and Open Round Economic Development Program.*

Contact **Glenn Gidaly** at [ggidaly@bartonandloguidice.com](mailto:ggidaly@bartonandloguidice.com)

- NYSERDA New Construction Program Financial Initiatives: ..... **12/30/11**

*The New York State Energy Research and Development Authority's (NYSERDA) Existing Facilities Program offers incentives for a variety of energy projects including Pre-Qualified Measures and Performance-Based Incentives. Approximately \$83 million is available.*

Contact **Dean Mason** at [dmason@bartonandloguidice.com](mailto:dmason@bartonandloguidice.com)

More information online at [www.bartonandloguidice.com/spec.htm](http://www.bartonandloguidice.com/spec.htm) click on the **Grants & Funding Opportunities page** for up-to-date information.