



Onondaga County Legislature

DEBORAH L. MATURO
Clerk

J. RYAN McMAHON, II
Chairman

KATHERINE FRENCH
Deputy Clerk

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WAYS AND MEANS COMMITTEE MINUTES OCTOBER 30, 2017 DAVID KNAPP, CHAIRMAN

**MEMBERS PRESENT: Mr. Jordan, Mr. Kilmartin, Mrs. Ervin, Mr. Shepard, Mr. May, Mrs. Ervin
ALSO PRESENT: Chairman McMahan, Dr. Chase, see also attached list**

Chairman Knapp called the meeting to order at 9:00 a.m. *A motion was made by Mr. Kilmartin, seconded by Mrs. Ervin, to waive the reading of the minutes of the proceedings of the previous committee. MOTION CARRIED. A motion was made by Mr. Kilmartin, seconded by Mrs. Ervin, to approve the minutes of the proceedings of the previous committee. MOTION CARRIED.*

1. OFFICE OF THE ENVIRONMENT: Travis Glazier, Director

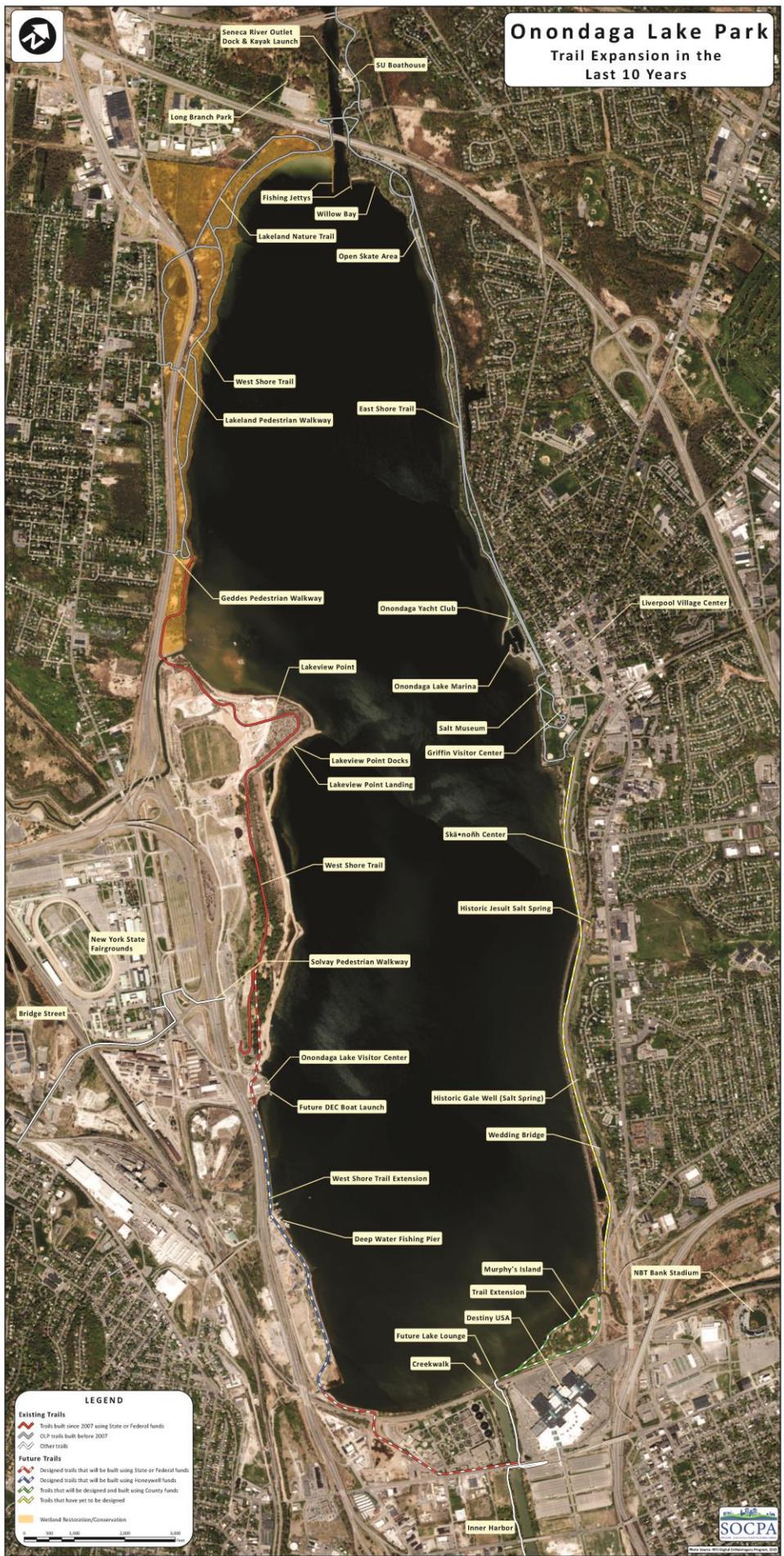
- a. Bond Resolution - A Resolution Authorizing Construction of Loop the Lake Trails in and for the County of Onondaga, New York, at a Maximum Estimated Cost of \$1,500,000, and Authorizing the Issuance of \$1,500,000 Bonds of said County to Pay Costs Thereof (\$1,500,000) (Sponsored by Mr. McMahan, Mrs. Tassone)**

Mr. Glazier:

- Latest extension of the Loop the Lake Trail – Murphy's Island Extension, bond \$1.5 million
- Extend trail from terminus at Syracuse Creek Walk onto Co. Parks property, Murphy's Island
- First in 10 years to be locally funded:
 - Western Shore Extension: Western Shore Circle to Orange Lot – funded by State & Federal funds
 - Slated for 2019 completion – from current Western Shore Extension, down the bluffs, to Honeywell Visitors Center; Honeywell portion of project – goes to Harbor Brook
 - State and Federal funding connects to the Syracuse Creek Walk
- Murphy's Island Extension – encompasses County property purchased for \$58k in 1980 for purposes of park property; also included in 1991 Loop the Lake Trail project – approved by Fed Highway Admin and NYS DOT
- Final leg will be from current entry point to the Park property to our trail at Murphy's Island

Chairman Knapp asked if that is the most problematic part. Mr. Glazier said that it is at least as complicated as the project going on now, and cannot be diminished as to how big of a leap it is. The trail extension going over CSX Railroad, utilizing the former Roth Steel property, is a massive undertaking. These are the two major hurdles.

Mrs. Ervin said that the committee was developed to work with the Onondaga's to talk about a different parcel of land since Murphy's Island was taken away. She has not heard anything about that committee meeting, and asked where the Onondaga's stand with things at this point. Mr. Glazier said that the resolution, passed by the legislature in 2016, stated that the Murphy's Island property would not be part of the discussion with the Onondaga's regarding potential property. Regarding where the committee stands, he said that he wasn't included in any of the discussions and hasn't been privy to what has happened. The resolution stated that this property was going to be used for parks property and wasn't going to be included in future discussion. Mrs. Ervin said that she is concerned about where things are going with the Onondaga's. She understands that we took it back for parks, but there was a trade off, and it doesn't seem like the tradeoff is happening at this point. Before moving forward, she needs to know what the tradeoff is going to be.



Chairman McMahon said that initially there were some discussions; there should be. The problem with the previous law in 2011 was that there were no teeth to it – it was a memorialization. He will look into it--was surprised to read some of the comments from Mr. Heath about where it stood – thought there was more progress. Chairman Knapp said that he knows there were some initial discussions right after the resolution, but doesn't think there has been any follow up. Chairman McMahon said that there is property around the lake that is deemed more historic, and more valuable to the Nation than what this is. He said that he will provide an update on it to Mrs. Ervin.

Mrs. Ervin said that this area is terribly contaminated and asked what will happen about that. Mr. Glazier said that he read the article also; will talk about what that article claimed and why it was misinformation. Murphy's Island, SYW12, has been exhaustively researched; there are volumes of information about it – no stone has gone unturned regarding the conditions on the property. It is very well characterized by both DEC and EPA.

Mr. Glazier said that when a trail is built, it is technically capping – it is putting on an asphalt cover with buffer zones on either side, which provide further cover, over anything that is constructed on. A site is then considered remedied. Whenever we have built trails on a non-remedied site, this is considered an accepted remedy under any circumstances. The revised Human Health Risk Assessment from Oct. 2009, referenced in the article, is built as an "as is" scenario. Meaning that there is no remedy -- we don't build a trail, we don't do anything. We just take down the fence and say to the public "go forth and use this property as you will." That "as is" scenario is intended to build a series of worst case scenarios for exposure points. Even with that "as is" scenario, there were 24 scenarios of risk exposure (specifically for recreators) and 23 of the 24 were acceptable regulatory ranges for both children and adults under the Risk Assessment Guide for Superfund (RAGS); 95% completely in compliance under its current state. The one scenario outside of that range is the Rate of Maximum Exposure. That scenario is a child on the site for 4 hours/day, rolling around in the dirt, consuming 200 milligrams of soil for 42 days/year for 6 years of their life. Common tendencies is 2 hours/day, rolling around in the dirt, consuming 100 milligrams of soil for 32 days/year for 6 years of their life. It's a marginal difference under the "as is" scenario.

Mr. Glazier said that we are going to be capping – asphalt trail will be capped, buffer zones, and institutional controls (signs, fences, etc.) to keep people within the area that is remedied. He said "I can say with great confidence that there are no potential threats to human health for recreators on that trail, without a doubt." He said that anybody that says otherwise, doesn't have the facts to back it up.

Mr. Jordan asked where we are with the balance of the trail, the loop. He said that he doesn't think anyone has really come up with a firm idea as to whether it can continue the rest of the way or what the hurdles are in developing it. Mr. Glazier said that the state is looking at a new project for Rt. 370, due to all of the bridge accidents. There is a safety project, which is going to determine what Rt. 370 looks like in the future. We are waiting to see what NYS DOT's guidelines are for insuring public safety in driving on the Parkway. They had a public meeting in Town of Salina where multiple variations were presented. They are going to add curvature to the road to slow traffic down. There are median barriers, but if a tractor trailer heads towards the bridge, and they stop they can't get there, there is nothing they can do if there is a median barrier in the road, so breaks have to be put in. The problem is that if you put breaks in, where they have to do a U-turn, they have crossover accidents. It is a complicated issue.

Mr. Jordan asked what the plan is if NYS DOT doesn't make any changes to it. Mr. Glazier said that they have null scenario, but have clearly stated that they have to do something. The rate of accidents on this road is such that they have federal money behind it and have to make a decision. In answer to Chairman Knapp, Mr. Glazier confirmed that it is a state road.

In answer to Mr. Jordan, Mr. Glazier confirmed that the main problem is really the bridge itself. Mr. Jordan said that it isn't a state owned bridge – are they talking to CSX about redesigning and rebuilding that bridge. Mr. Glazier said "no; they can't, the bridge will not be re-built; they have to change the road around the bridge." Mr. Jordan said that doesn't really address the problem – the problem is the bridge. Mr. Glazier said that it is CSX property, and they have rights, and have said that they are not changing it. NYS DOT has made it clear that they don't anticipate any further head clearance. Mr. Jordan said that we are investing millions of dollars in the Loop the Lake Trail, but the biggest problem we have is dealing with CSX, and of they are aren't going to

cooperate, he questions if we will ever really be able to complete the Loop the Lake Trail. Chairman McMahon said that a boardwalk could be done. Mr. Glazier said that they are working with a CSX at this point for trail purposes. Mr. Jordan said that he thought the issue with completing the loop was figuring out or getting the consent of CSX to locate our trail on property that they currently own. Mr. Glazier said that aerial issues are rectified, and are dealing with some property questions. That is moving forward – dealing with it on Western shore extension. On the Eastern shore, it is really determined by what NYS DOT does with the road. Mr. Jordan asked if any of this is determined by cooperation by CSX; can we still complete the loop without any cooperation from them. Mr. Glazier said that we can.

Mr. May asked if CSX has a right of way, an easement, or do they own the Eastern shore where the tracks lay, including the bridge. Mr. Rauber said that they own it. Mr. Glazier said that the County owns on the sides of the road, Park's property, some Eastern and Western sides. The tracks are lake side of the water structure. There is 20 – 30 feet which is ample space for a trail.

Mr. Kilmartin said with the current design, the goal is to extend it as far as we can now. People can loop back if they want to, leave an end point near the East side of the lake so that when the issues are resolved with DOT and the railroad, then there is an easy way to extend it. People will thereafter be able to continue around the lake if they'd like to, or use the loop that has been designed and slide back to the West side. Mr. Glazier agreed.

Mrs. Ervin said that she is still concerned about Murphy's Island.

Mr. May asked if a vote would be taken today. Chair Knapp said that he would like to get some more clarification; will consider it but not vote on it today.

Mr. May said that we clarified our stance with the resolution passed regarding Murphy's Island, but it would be nice to know where everything stands. Would like to see that the conversation if followed through. **He asked for a memo from Mr. Glazier's office, paraphrasing the safety of the site (on file with Clerk – see Attachment A, pg. 9).**

Mr. May said that there is a process, and is not sure it was necessarily undertaken with this. He said that this resolution went to Environmental Protection Committee. Chairman McMahon said that regarding the process, he had this resolution presented during the budget process. He understands that people like two bites at the apple; this is the first bite at the apple. Mr. May asked if the resolution will come back to Ways & Means, as opposed to Environmental Protection Committee. Chairman Knapp said "yes, it if comes back, or it can go to session."

No vote was taken on the item.

2. WATER ENVIRONMENT PROTECTION: Tom Rhoads, Commissioner

a. A Resolution Approving Various Green and Innovative Infrastructure Projects Located Outside the Amended Consent Judgment Area, as Outlined in Local Law 1-2011, for the Purpose of Mitigating Inflow and Infiltration of Stormwater into the Consolidated Sanitary District Sewer System (\$1,200,000)

- Grants associated with a resolution previous funded in 2017 budget
- Asking for approval of projects to reduce extraneous flow
- Save the Rain program is part of reducing extraneous flow, which is overwhelming treatment plants
- Extraneous flow found predominately in municipal sewer systems owned by others – solicited municipalities for projects to reduce the amount of extraneous flow in their system
- Allocated funds for projects with the most efficacy for reduction of I & I

Chairman Knapp said that these projects have been done for several years; it's in the budget for 2017, not asking for any extra money.

Mr. May said that it looks like the basis of award was cost effectiveness. Mr. Rhoads agreed.

A motion was made by Mr. Kilmartin, seconded by Mrs. Ervin, to approve this item. Passed unanimously;

MOTION CARRIED.**3. WAR MEMORIAL:****a. Establishing a Policy for Use of the War Memorial by Veterans Organizations (Sponsored by Mr. Knapp, Mr. May)**

Chairman Knapp:

- Currently there is a handshake deal with various organizations in the county where they can use War Memorial Facilities, depending on what the function is and what requirements they have; it is illegal for the county to incur costs and not be reimbursed
- To just use the room, with no set up, etc. – there is no fee
- If room set up, etc. – Veterans' organizations will get charged for whatever the county's basic cost is for it – nothing over it

Chairman McMahon clarified that it is SMG. Mr. Fisher said that SMG, who manages the Oncenter on our behalf, has policies reviewed by the county executive's office. They are similar to the resolution. This is a legislative policy, which is stronger than having a contract with a firm to carry out a policy in conformance with what the county executive's office would wish. This makes it so that whoever operates it has to continue to operate with that policy. Chairman Knapp said it goes from a handshake deal to being codified, so that going forward there will be no questions about how it works.

Chairman Knapp said that as part of the various improvements going on at that War Memorial, thought it was a good time to put this into place. Mr. May said that they asked for it.

A motion was made by Mr. Jordan, seconded by Mrs. Ervin, to approve this item. Passed unanimously.

4. MISC.: Archie Wixson, Commissioner, Facilities Management**a. A Local Law Authorizing a Lease of Property Located Adjacent to the NYS Fair Orange Lot to Advance the NYS Fairgrounds Access Improvement Project (Sponsored by Mrs. Tassone)**

Mr. Wixson:

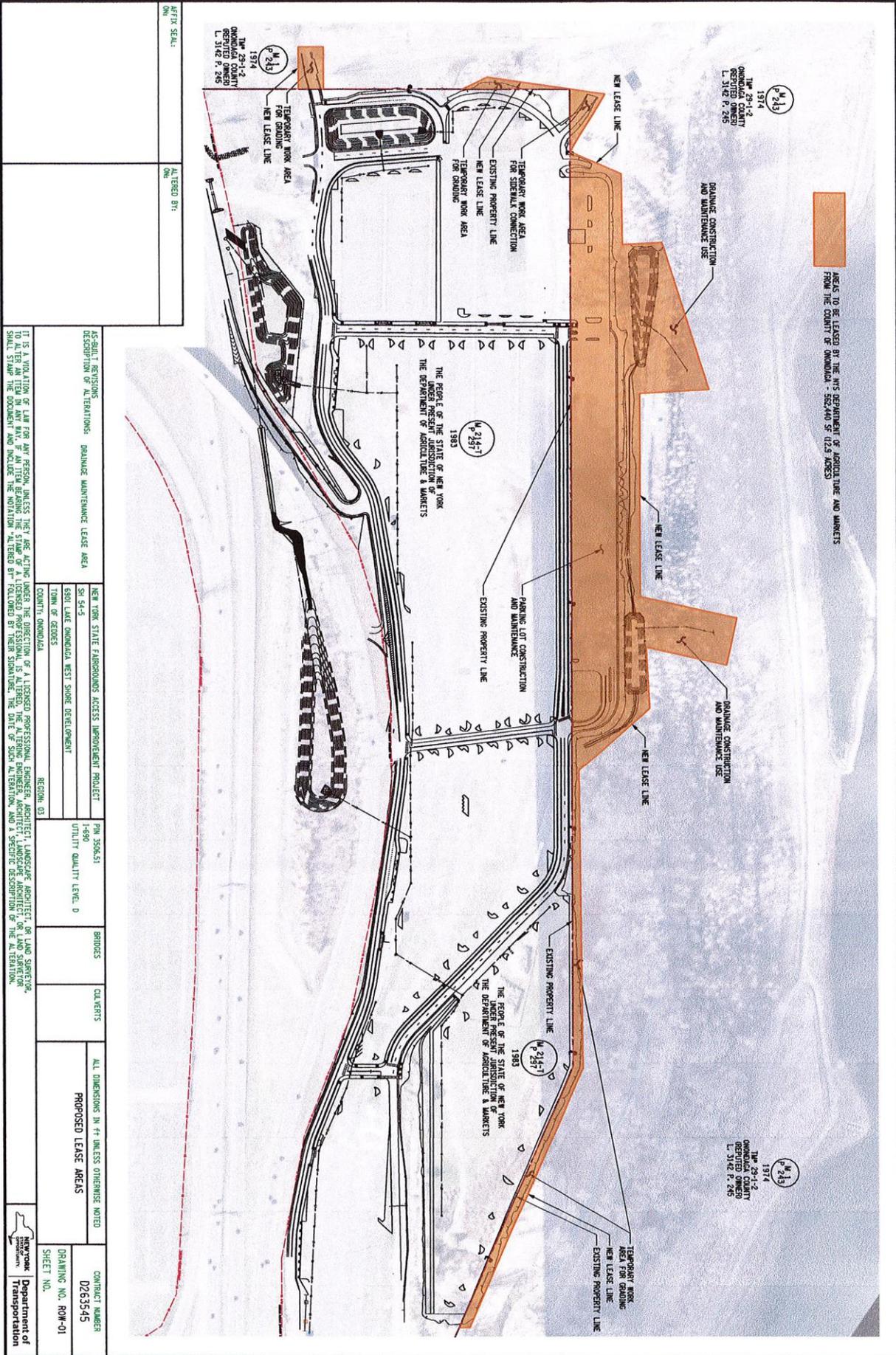
- Asking to authorize lease agreement with NYS Ag & Markets
- Lease portion of county owned property, northern side of Orange Lot; allowing NYS to enlarge Orange Lot
- NYS will add 600± parking spaces on county property
- NYS will receive revenue for that parking during the State Fair for the next 20 years
- Estimated \$1.5 million investment from the state
- State will maintain the property for the lease period

Mr. Wixson reviewed the following map:

- Drainage and grading required as part of the improvement
- Allows for a convenient trail connection (map notation *temporary work area for sidewalk connection*)
- Terms of the lease are being worked out by the Law Dept.

FILE NAME = 350651_SFC_dot_row.dgn
 DATE/TIME = 19-SEP-2017 15:03
 USER = dm12wz

DESIGN SUPERVISOR P. VANKAMPEN JOB MANAGER J. L. PHILLIPS DESIGN E. AUSTIN CHECK P. VANKAMPEN DRAFTING J. L. PHILLIPS CHECK P. VANKAMPEN PROJECT MANAGER R. WILDER



AFTER SCALE:
 1" = 40'

ALTERED BY:
 AN

IS DATE OF REVISIONS DESCRIPTION OF ALTERATIONS: DRAINAGE MAINTENANCE LEASE AREA	NEW YORK STATE HIGHWAYS ACCESS IMPROVEMENT PROJECT SS 24-5 5301 LAKE ONONDAGA WEST SHORE DEVELOPMENT TOWN OF GEORGE	PH 350651 1-690 UTILITY QUALITY LEVEL: 0	BRIDGES CULVERTS ALL DIMENSIONS IN FT UNLESS OTHERWISE NOTED	CONTRACT NUMBER D263545 DRAWING NO. ROW-01 SHEET NO.
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER ANY ITEM IN ANY WAY, IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED. THE ALTERING ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.	COUNTY: ONONDAGA REGION: 03			NEW YORK DEPARTMENT OF TRANSPORTATION

Mr. Jordan asked if the lease agreement will include indemnification provisions during construction time and while it's being maintained. Mr. Wixson said that it will, in great detail—it is being worked out now. Mrs. Tarolli noted that it was a good point, and said that it absolutely will. **Mr. Jordan asked to be provided with a a copy of the lease agreement.**

Mr. May asked that once this is done, when a pervious surface is created, you have to create drainage – that will be on county property. Mr. Wixson agreed – to the north side of it. Mr. May asked who will be responsible for that drainage facility. Mr. Wixson said that for the common area and maintenance of it, during the lease, the state will be responsible for it and will work directly with DEC. That drainage all falls within the soil management plan on county properties. There will be two large drainage swales/basins – the majority of the storm water will be absorbed by the property beyond that.

Mr. May asked if the only purpose of this is parking and we will ultimately end up with drainage facilities of sorts on the land, why wouldn't we just surplus the property and sell it to the state and be done with it. Mr. Wixson said that he is sure that was considered; the lease is the path that the state wanted to go and make that investment for us. Mr. May said that it was as much as they were willing to spend. Mr. Kilmartin said that it might be more valuable to the county to keep ownership, especially if the lease only allows them to use it during certain limited periods of time, like the State Fair. Mr. Wixson said that it is just during the State Fair period that they get the revenues, the rest of it is ours for our use, because it is our property. If we were to sell that property, we would have to have a long-term access agreement into order to use the new improved property for our event center, amphitheater use, and other uses with the trail connections. A simple path was the lease.

Chairman Knapp asked if it will be regular pavement, not porous. Mr. Wixson said it will be standard asphalt with infrastructure drainage.

Mr. Kilmartin asked if this would not be voted on today, as it is a local law. Chairman Knapp agreed, saying that it was mostly for information purposes.

In answer to Chairman Knapp, Mr. Wixson said that they have begun the work – the state has mobilized onto their property sections. They are very anxious to get the lease in place so that they don't inhibit the progress of contractors.

No vote was taken.

b. Supporting Local and American Businesses and Maximizing Opportunities for Participating in County Contracts (Sponsored by Mr. McMahon)

Chairman McMahon:

- Great debate on the role government plays and what it can do for economic development
- We try to, but maybe not a good enough job of at times, issue purchasing power to help our own constituents, neighbors in surrounding counties, and other states – American based products
- Looking at what can be done from a procurement standpoint to work with Purchasing to give directives that are lawful, meet necessary regulations
- This allows when there are discretionary contracts up to \$25,000 for regular bidding and up to \$35,000 for public bidding, to emphasize buy local contracts – use local vendors
- Allows in regular procurement process for other goods and services to incorporate buy local, buy New York, buy American themes in the RFP process
- Can't mandate, at certain levels there are state and federal laws that need to be followed, but can be part of the grading process
- It's a good message to send to local businesses, will have a positive impact – keeping local dollars here
- Every dollar spent here with families in our community has a stronger economic impact than those that go elsewhere
- Have been working on this for some time, trying to make it as strong as possible, at the same time respecting Purchasing's position with state and federal regulation

Mr. Jordan proposed a change to item c, adding the work "all" as follows: *To the greatest extent practicable under the circumstances, solicitations for bids, offers, quotes, and proposals shall be made available to all local*

businesses reasonably known to offer the goods or services... With that amendment, **Mr. Jordan asked to co-sponsor the resolution.** There was no objection.

Chairman Knapp asked Mr. Trombley what flexibility exits with this legally. Mr. Trombley said that he has not had a chance to carefully review the resolution and did not want to offer an opinion on it until he had a chance to do so. Mr. Trombley added that the county executive's direction is to make sure the Purchasing Dept. is doing everything it can to make sure that local businesses are included. They focus on it everyday; there are some logistical and legal challenges related to identifying vendors, and have to be careful not to violate general municipal law. He has not seen anything that would create a dramatic level of difference from what they are doing, but would like to review it more carefully.

Mr. May said that what is really being proposes is that within the best value criteria, there will be a column that says "local business, yes or no". Chairman McMahon said that there are two things. Standard contracts up to \$20,000 where there is more flexibility under the law – he said that he is not saying that the Purchasing Dept. is not doing that, but there is nothing in writing. There is a directive from the executive branch, which isn't a policy. Also, \$35,000 for public bids. This codifies that aspect; there is still some criteria that they have to work through. He noted that he has worked with the Law Dept. on this for two months.

Chair McMahon said that the other piece is that as an RFP goes out, the executive puts in an MWBE component, which is weighted, now there shall be a local business component as well. Obviously, the two usually fall in the same category, but this really gives a stronger emphasis on buy local, NYS, American.

Chairman Knapp said that the Ag Council has created a Buy Local Campaign more on the agricultural, food side of things. This is a nice continuation of that policy. Anything that we can do to give the Purchasing Dept. clear direction in writing, like what was just done with the Veterans and War Memorial (item 3a) – put it in writing so everyone knows what the policy is.

A motion was made by Mr. Kilmartin to approve the resolution as amended, seconded by Mrs. Ervin. Passed unanimously; MOTION CARRIED.

5. PURCHASE:

a. Revenue Contract Report

 Onondaga County Executive Department Division of Purchase Joanne M. Mahoney County Executive	John H. Mulroy Civic Center, 13 th Floor 421 Montgomery Street Syracuse, NY 13202 www.ongov.net Phone (315) 435-3458 Fax (315) 435-3424	Andrew Trombley Director
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TO: David Knapp, Chairman, Ways and Means
Committee Members, Ways and Means

FROM: Andrew Trombley, Director

DATE: 10/26/17

SUBJECT: Reporting Requirements under 2010-241 and 2010-242, Revenue Contracts

Revenue Contract update: Nothing to report.

A motion was made by Mr. Jordan to enter into executive session for the purpose of discussing settlement of a claim brought on by Lisa Purvis on behalf of Seth Collier as administratrix against the County of Onondaga. Mrs. Ervin seconded the motion. Passed unanimously; MOTION CARRIED.

A motion was made by Mr. Jordan, seconded by Mr. Kilmartin, to exit executive session and enter regular session. Passed unanimously; MOTION CARRIED.

Chairman Knapp stated for the record that no action or votes were taken during executive session.

A resolution was distributed entitled “AUTHORIZING THE SETTLEMENT OF THE CLAIM AS LISA M. PURVIS, AS ADMINISTRATOR OF THE ESTATE OF SETH MICHAEL COLLIER”.

The meeting was adjourned at 9:50 a.m.

Respectfully submitted,

Deborah L. Maturo
DEBORAH L. MATURO, Clerk
Onondaga County Legislature

ATTENDANCE

COMMITTEE: *Ways and Means*

DATE: *10/30/17*

NAME	DEPARTMENT/AGENCY
PLEASE PRINT	
<i>Holly Granat</i>	<i>Office of Environment</i>
<i>Travis Glazier</i>	<i>Office of Environment</i>
<i>Toni R. Hedges</i>	<i>WRP</i>
<i>Von Maturo</i>	<i>Comptroller</i>
<i>Matt Beadnell</i>	<i>Comptroller</i>
<i>M. Joss</i>	<i>DOA</i>
<i>C. Rauber</i>	<i>DOA</i>
<i>A. Trumbley</i>	<i>Purchasing</i>

Attachment A



COUNTY OF ONONDAGA
OFFICE OF THE ENVIRONMENT

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TELEPHONE: 315-435-2647 FAX: 315-435-8582

JOANNE M. MAHONEY
County Executive

TRAVIS GLAZIER
Director

To: Onondaga County Legislature
From: Travis Glazier
CC: Mary Beth Primo
Date: October 31, 2017
Subject: Murphy's Island HHRA Summary Request

During the October 30, 2017 Ways and Means Committee meeting, Rep. Brian May (OCL, 1) requested a memorandum to summarize the testimony provided to the Committee regarding the Revised Report Human Health Risk Assessment Wastebed B/Harbor Brook Site Geddes and Syracuse, NY from October 2009 (HHRA). This document serves to fulfill that request.

Murphy's Island, or SYW-12 as it is referred to in technical documentation, has been fully characterized regarding the nature and extent of contamination on the site. For example the aforementioned OB&G written HHRA from 2009, an approved Baseline Ecological Risk Assessment (BERA) from August 2011, an approved Remedial Investigation (March 2014), as well as a Sources of Contamination Investigation (March 2014) and Attribution (July 2016) reports. This exhaustive research on Murphy's Island will populate the Feasibility Study (FS) in early 2018 which will be consideration by the New York State Department of Environmental Conservation (NYDEC). This document will determine the conditions for future use of the site and assign a preferred remedy based on the Remedial Investigation and HHRA.

Onondaga County has in the past constructed trails on sites where there has been no record of decision (ROD) or FS. In those instances, the trail itself was acceptable remedy for the site (covered by the Bike Trail Human Health Risk Assessment for Wastebeds 1-8 Geddes, NY January 2009). In the case of the Murphy's Island Trail Extension, the trail would act as the cap for that portion of the site to address any exposure scenarios outside of the regulatory range as defined in the HHRA Risk Assessment Guide for Superfund (RAGS).

The HHRA is developed as an "as is" set of scenarios for the site, meaning it assumes that exposures take place without any remedy in place to address contamination. Even so, of the 24 exposure scenarios covered in the HHRA for adult and child recreators visiting Murphy's Island, 23 were within the acceptable regulatory range for EPA standards as defined in the RAGS. That means that without any alterations, the entire site is already 95% within RAGS for adult and child park users. The 24th scenario, which was outside of the range of acceptability, was a child at the rate of maximum exposure (RME) scenario. This scenario assumes that a child spends 4hrs a day rolling around in the soil and consumes 200mg of soil during that 4hrs and does this 42 days a year for 6 years of their lives which is the standard for exposure.

Given the very limited recreational use scenario that was outside of the range for EPA standards and that the area which will be used will be capped with a paved trail, I can say that based on the information available about this site, the Murphy's Island Trail Extension would in no way be a potential threat to human health.