

Session

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Cuomo has had success in brokering agreements with the Legislature, but he's facing a different dynamic this year in the first year of his second term. Polls have shown his popularity is at its lowest levels since he took office in 2011, and the Capitol has been plagued by the arrest of its two legislative leaders this year.

The combination of the scandals and the new leaders that replaced Assembly Speaker Sheldon Silver and Senate Leader Dean Skelos has made for a rocky end to the session, political observers and lawmakers said.

And the longer the session goes, the more tense negotiations become. Senate Leader John Flana-

gan, R-Suffolk County, and Assembly Speaker Carl Heastie, D-Bronx, are in charge for the first time and trying to find a middle ground with Cuomo and their rank-and-file members.

“With the corruption scandals hanging over them, I think they want to get out of Albany as quickly as possible,” said Bar-

MARK JOHNS
ASSEMBLYMAN

bara Bartoletti, the legislative director for the League of Women Voters. The expiration last Monday of rent-control laws and a tax break for developer, as well as extending mayoral control for the city's mayor, were unresolved issues. Also, some groups want changes to the property-tax cap, which was in-

stalled in 2011, while other lawmakers want to make the cap permanent. It expires next year.

Assemblyman Mark Johns, R-Webster, Monroe County, said the end-of-session focus on downstate programs has come at the expense of upstate communities.

“We're sitting here day by day waiting for three men in a room to cobble together some ideas,” Johns said. “I don't see that there's a lot in the end-of-session deals that are really going to help upstate that much.”

Johns said lawmakers are waiting to see which issues get linked together as part of a final legislative package.

“Like everything in Albany, the biggest deals are all pieced together,” Johns said. “It's like a sandwich—if you're really hungry, there might be a few flies on it, but you'll

eat it.”

The Legislature made deals on some issues. They agreed with Cuomo to toughen laws at nail salons amid reports of poor health conditions.

Additionally, pregnant women will be able to get health insurance outside of annual enrollment periods through the state's health-care exchange and private plans under legislation approved this week.

Women's groups said the measure will ensure uninsured women who become pregnant can gain access to health insurance. If signed into law, New York would become the first state in the nation to allow an open enrollment period for pregnant women as part of the federal Affordable Care Act, said Family Planning Advocates of New York.

“Allowing pregnant woman to obtain health insurance removes a barrier that kept our most vulnerable New Yorkers at risk,” said Carol Blowers, the group's interim CEO.

There was also hope among advocates that New York will legalize mixed-martial-arts contests. New York is the latest state in the nation to bar the fights.

After the Senate Tuesday night approved a new version of a bill to legalize mixed-martial arts in New York, the Assembly appeared close to following suit.

“We're doing well in terms of a head count. We've managed to persuade several folks who had concerns about health and safety issues,” Majority Leader Joseph Morrelle, D-Irondequoit, Monroe County, the bill's sponsor, said.

Follow Joseph Spector on Twitter @gannettalbany.

Tracks

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the track and make sure it can safely handle train traffic,” Pidgeon said. The weight of the train traffic can be several thousand tons, he said.

No trains were damaged in the flooding, he said.

The damaged track has inconvenienced Cargill Deicing Technology in Lansing, which uses the rail daily, Cargill mine manager Shawn Wilczynski said.

“We are just stockpiling the salt on the storage pads we have here,” he said. “Our customers that

we were filling, they certainly understand the situation but hope it can be remedied quickly.”

Wilczynski said he is “cautiously optimistic that (Norfolk Southern) can meet their aggressive schedule.”

“I hope that they can. If not, they've also been willing to work with us in other ways, which has been appreciated,” he said.

The Cayuga power plant in Lansing, which also uses Norfolk Southern's line, is not affected, plant manager Jerry Goodenough said. The plant uses the service about twice per month.

Follow Kelsey O'Connor on Twitter @ijkconnor.



A crew with Norfolk Southern railroad works Tuesday to clear a plugged culvert under the track that crosses Station Road in the Town of Danby.

SIMON WHEELER / STAFF PHOTO

Repairs

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al Emergency Management Agency threshold for federal relief. An official assessment of the damages has yet to be released.

Repair work is ongoing in southern Tompkins County, but work along some streams is delayed. A meeting between the DEC and Negley took place Thursday afternoon, and an expedited construction permit was approved, skipping over the 15- to 90-day public discussion period normally associated with trout stream construction projects.

Turnaround on the expedited permits typically takes a day, Negley said, after which stipulations on construction will be set by the DEC.

Cayuga Inlet is a specially classified trout stream and the DEC stocked 12,500 rainbow trout within the city limits this spring. The Cayuga Inlet stretches south through Tompkins County to Spencer in Tioga County, and the DEC limits what a contractor can do on the waterway — such as how water circulates around a work site, how far into the water workers can go, and what they can or can't disturb in the environment.

DEC rules can be restrictive and sometimes at odds with engineering needs. For instance, a culvert that sustained more than \$50,000 in damage from Sunday's storm was

required by DEC to be 1.5 times the width of the stream, but that is short of what Negley said is ideal for the area.

Flood prevention

Several improvements are being sought in the storm's aftermath, including better-maintained ditches, an improved protocol in dealing with DEC regulations and better vehicle access to flood plains most affected by the storms, Negley said.

Scott Doyle, a senior planner with the Tompkins County Planning Department, on Wednesday requested the county's Planning, Energy and Environmental Quality Committee allow the use of \$7,469 — surplus from a previous project — for a feasibility study to reduce the risk of future, large-scale flooding in the area on Cayuga Inlet just south of a bridge on state Route 13, adjacent to Buttermilk Falls State Park.

The study is required

to obtain funds the Planning Department may seek through the New York State Environmental Facility Corp.'s Green Infrastructure Program. The total budget for the study is \$25,000.

The land adjacent to Buttermilk Falls was identified in 2005 as priority in a study commissioned by the county. The area is defined as a disconnected flood plain with high-eroding banks that have a potential for significant grant funding.

Funds will be used to assess the possibility of restoring and reinforcing the flood plain area as well as to create sediment traps to stop the flow of silt downstream.

“I see great potential in this stretch to trap sediment we could potentially remove,” Doyle said.

The City of Ithaca and DEC are planning to dredge the Cayuga Lake inlet and flood control channel.

“You can invest in the large-scale dredging pro-

gram, but you should still invest in upstream detention and water quality improvements for flood mitigation stream function and as a habitat as well,” Doyle said.

Another objective of the proposed study is to alleviate flood damages in natural and sustainable ways, including structural changes to improve the protection of flood plains and restoring the natural

functions of the land.

In regards to prevention, Negley said in the future, more money will need to be invested if similar or worse flooding is to be prevented. “We need to find a way to fund these projects and it's not going to come from a local municipality. They aren't poised to fund these.”

Follow Nick Reynolds on Twitter @IJCityWatch.

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