



ELECTRONOTES

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YOU REALLY CAN'T FIGHT CITY HALL

-by Bernie Hutchins, March 2016

TOO MANY EXPERTS ?

We live in a nice neighborhood here in Ithaca. The only thing bad about it is the street is fairly busy – serving residents, but also a feeder between a state road and a major Cornell parking lot. Our house was built 18 years ago and we set it back from the road a ways, so the actual noise is not a big issue. Everyone was happy with the situation: everyone living here, and users of the through-road alike. But government is never happy – unless they have a project in mind and an idea who should pay for the project (YOU OF COURSE).

It has been said (self-servingly?) of Ithaca that wherever you are, you can draw a 1 mile radius and find an expert on anything inside. Thanks mainly to Cornell and Ithaca College. The corollary to this is likely that if you are at a public meeting, there is almost certainly someone there who is “significantly smarter” (in some sense) and/or more knowledgeable than you. This applies not just to those citizens attending the meeting but to the officials in charge of the meeting. It pays to be civilized.

This point is not intended to be elitist in a general sense but rather to recognize that often a venue is blessed with more than its rightful share of thoughtful (full of thoughts) persons. Properly considered, this is a resource that can be exploited to the advantage of most. Viewed rather by officials as just an inconvenient group looking to find fault, such officials are going to find push-back resentment on the part of citizens, parents, or whatever the case may involve.

Ever mindful of the aphorism about leaving well-enough alone, we can always ask if a proposed “improvement” is actually that. It is the people in the neighborhood that are best positioned to answer this question.

THE ROAD IN FRONT IS ALSO PAVED WITH GOOD INTENTIONS

Ideas are cheap. Many folks have good ideas with no real possibility of realizing them. On the other hand, the government may also have good ideas along with some very poor ideas, but --- good or bad, the government has, or can seize resources to put these ideas into action. Along with this “power trip” is often a sense of superiority of knowledge and motive. Once a mindset is in place, a biased presentation consisting of information (real or manufactured) that confirms the greater good-intention hypothesis is the rule. Citizen viewpoints that are contrary to a consensus of the legislators are just naysayer rants – to be tolerated in their voicing, but subsequently ignored.

Safety Issues

No issue is as prevalent a claim, nor as generally a bogus claim, than public safety. Push comes to shove and no one really is concerned with safety. Mostly, it sounds good.

In our project (about 2005 to 2013), the road was in poor condition, but still maintainable without the full “rehabilitation” proposed. It needed a new surface. At the same time, it was the narrow rough surface that really made it safer. People had to go slower less they wreck their cars. Still when the county measured the original traffic speeds (a 30 mph zone) only 6 of about 600 cars were at or below the limit (slowing for a driveway turn?). One was going 60.

So what happens when you improve the surface? According to the highway department, when a surface is restored, they expect a 5-8 mph increase in average speed. Widening the road (including better shoulders) also further increases speed. To counteract these new increases (let alone to reduce original speeding) they propose what are called “*traffic calming*” measures. This is a category largely without content. Some claimed the sidewalk would calm traffic (as opposed to making the vista even wider) by suggesting an urban neighborhood. Colored shoulders were suggested, but no studies show this as useful, including a test painting of another road in our own county. It was even suggested that overhanging trees calmed traffic (likely so) but they were removing some trees, and saying that some new tree plantings would be made along a Cornell-owned farm field. Twenty years later they might be noticed.

No feet were held to fire. No one cared, or wanted the safety issue to get in the way. To be honest, until there is a horrendous accident, no one will pay much attention. I suspect that when citizens claim safety issues, they too are grasping. When government says they put a high priority on safety, they don't mean it. Safety is unlikely to become an impediment to continued vehicular travel as usual.

Global Warming Abatement

Here is this theory. Global warming is real (in some sense), and human activity has something to do with it. This is likely true and if one is careful enough to select survey recipient, you may be able to claim a 97% consensus on this. The truth should also include the fact that climate always changes and that any recent (last 100 years) increases are “not much”, not in the least dangerous, and only slightly due to humans. This we have discussed [1]. Agree or disagree. The issue however then becomes, in reality, remote at best.

This goes further afield in the case of the road project. If they include a sidewalk in the project, people will be encouraged to walk instead of drive. This means less CO₂ and less warming. Sidewalks will save the planet. Right! For this road, traveling to work mean: as near as Cornell (about 3 miles average) or further. I generally walked home, but rarely saw anyone else walking (existing sidewalks). Since the project was completed just over a year ago, the people walking seem to be in recreational mode. Fine, but how much CO₂ is abated?

The climate issue is inherently silly. Applied to our road, it is near total nonsense.

Water Runoff – Not Just Fixing the Road

While we are at it – why not also fix....?

Ithaca is in the picturesque “Finger Lakes” region of upstate NY; nearby it is largely rural, with landscape features (in particular the finger lakes) courtesy of the continental glacier that left the area about 12,000 years ago. The glacier seemed to have a sense of humor, or at least a mind of its own (erratic boulders, moraines, eskers, redirected streams). Some awfully smart and hard-working geologists figured much of it out, like 100 years or more ago [2]. Nobody reads these findings? One might suppose that local excavators and road engineers would be well advised to do so! Not even curious it seems! Actually, they are the last to learn. Certain property owners actually are curious – largely about their own property.

My property is lakefront (don't tell the assessors!) on Lake Ithaca. You won't find Lake Ithaca on a recent map. It was a post-glacial “higher-level lake” that appeared temporarily (along with a series of others) as impounded south of the ice as the glacier melted northward. It was at about 940 feet 12,000 years or so ago, and drained to the south. Then it dropped in stages as lower outlets were exposed, and now is named Cayuga Lake at just below 400 feet, and drains northward to Lake Ontario. During the time Lake Ithaca existed, my property was the delta of a major stream (Fall Creek) which now drops to the current lake at a location (Ithaca Falls) a mile or so away. During the time it was a delta, immense amounts of sand and gravel piled up for about a 1/2 mile radius. My property (and nearby properties) is a gravel hill.

Water just soaks into the gravel and seeps out below into a brook. It's acceptably dry of rain/snow for about 10 properties around us. Add to this the fact that the municipalities are stressed managing storm water in general. So for government, it makes sense to try to collect up road runoff which was never a problem (and really doesn't exist) and add it to the problem. That is, spend money on a useless effort. Anyone can get you to pay taxes for something needed. The trick (the power) of government is to force you to do something totally foolish.

So they put the addition of storm sewers into the project. We have an inlet grating right by our property. If you look down, you will see water. Standing water – an inch or two at the bottom catchment. So they didn't really add to the storm water runoff. Perhaps mosquitoes will enjoy it. Oh – there was water running into the grate a month ago. During construction, they apparently damaged the water main and it finally (they are long gone) gave out and rushed to the surface as a mud-bath. The town had to dig up about 10 feet of the new sidewalk. [They in fact also broke another portion of the water main during their diggings about three houses up, during the construction. It was an impressive shower up there.]

Health Benefits – Walking is Good for You

Once you decide that a sidewalk sounds like a good idea, any confirming statement is deemed automatically true and honorable. One local politician offered the then current opinion that “for every dollar invested in trails, you get back a saving of \$2.94 in health costs.” If it strikes you that this is pure BS and an insult to everyone's intelligence, I am with you. How could they know this! Here a study from Lincoln, Nebraska was cited. Well – a STUDY – that settles it. And note the impressive precision of \$2.94! This is what Charles Seife mentioned in his book ***Profiness*** [3]: attaching a number imbues an aura of truth. Put enough significant figures on something (99.44% pure) and people will be fooled into believing something.

Is your health better if you walk or otherwise get reasonable exercise? I would expect so. I walk about 3 miles a day – weather permitting. I feel better when I do this. Is this Q.E.D. ? Is it a \$2.94 advantage? How (**HOW !**) could anyone compare \$ spent on trails to \$ spent on health care (already apples/oranges) and have it mean anything at all? What does the paper say? Well you can Google with (Lincoln, Nebraska, health, \$2.94) and get the apparent paper [4]. The authors are an impressive list of PhDs and MDs. Beginning on Pg. 175 they have:

*“Direct Health Benefit. The direct health benefit was measured using the **estimated** difference in the direct medical cost for active persons and their inactive counterparts (excluding persons with physical limitations). The medical cost may be paid out of pocket, through insurance policies, or by government programs. A study using a nationally representative National Medical Expenditure Survey found that, on **average, active persons spent \$330 (95% CI: \$214 to \$446) less on medical care than did inactive persons in 1987”***

(emphasis added in two places). These fools start out almost certainly relating a likely correlation by conflating cause and effect. Classic. Is it not possible that people in poorer health (i.e., more cost, for whatever reason) are already less active! And even if you allow the inverse possibility as primary in the correlation, do they claim trail use is a proxy for activity (as compared to perhaps gym attendance or perhaps walking in a shopping mall, or doing a job)? They do not. They hope you are not paying attention when they virtually **disclaim their paper's thesis** (at least as it has been quoted). On page 177

“Several limitations should be mentioned.

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Because there is a lack of information about changes in physical activity behavior of the trail users, the impact of trails on health promotion cannot be evaluated using more advanced models such as transtheoretical models (Mettler, Stone, Herrick, & Klein, 2000). **Therefore, the cost-effectiveness of the trails in promoting physical activity cannot be claimed.**”

(emphasis added). But they did (**DID !**) make exactly that claim – right in the abstract:

The cost-benefit ratio was 2.94, which means that every \$1 investment in trails for physical activity led to \$2.94 in direct medical benefit.

Shades of the redoubtable Emily Litella’s “NEVER MIND”.

ANNOYANCES

Terrible Design by Out-Of-Town Mercenaries

The planning/design phase of projects is complex and too often comes/involve government agencies at the local, state, and federal levels. That’s disgusting enough, but add to this certain “consultants” who do much of the paperwork, including engineering and acquisitions of property (sometimes eminent domain). To the extent that these folks are out of town (Rochester 100 miles away in our case) they are certainly not on the citizen’s side. Their only concern is not doing a poor enough job of public relations that there is so much complaining they won’t get the next contract. They get very large fees. Sometimes they hold property owners in disdain and make that clear. This is particularly clear when the property owners have useful suggestions to offer, which they just view as impediments to getting a prompt payment and getting out of town. The local engineer’s are better, but too often don’t take the owners seriously.

Along our road, not only do we have fine neighbors as neighbors, but a lot of educators, engineers, and business owners, etc. Folks who take others seriously and expect to be taken seriously. For example, of about 100 homes we had 6 engineers (two EEs, two MEs, one ChemE, and one IE). To a first approximation all engineers are the same in seeing a problem or project and starting wheels moving in their heads. The engineers and other neighbors made good suggestions in many cases. Improvements that is.

Not being CivEs, it was possible that we sometimes suggested things that were not practical. It was also not unusual that there would be a government mandate at some level. But in many cases, the idea was too good to ignore, although I don't think there was a single item where the local planners (and certainly not the consultants) significantly backtracked on and/or acknowledged the source. Typically, when the owners were obviously right, and this being a neighborhood where BS won't get you far, one of two situations was common:

A: We aren't to that point yet, your idea will be considered under the final design phase.

B: We are too far along now to make any changes.

The difference between Situation A and Situation B was likely a full nanosecond.

Outages - Inconveniences

In addition to the frustrations of dealing with the planners and their mercenaries, making no progress with your elected representatives, and trying to watch the workers, you will also deal with the ordinary frustrations of construction just as though you remained a bystander. Expect some destruction, or at least inconveniences. Above I mentioned the water-main burst a year after construction finish. The loss of pressure shut down my boiler (\$83 service call). Previously I had problems as they cut my gas line (twice) and my electric (twice) and my phone (once), as noted [5, 6]. We were waiting for them to get to the water!

Here in NY you often see spray-painted markings on the roadside: lines, arrows, boxes, etc. and labeled "DSNY". Everyone wonders what they are (headquarters of the cartoon company!). Apparently it is "Dig Safe New York" which means that various concerns have been there and marked underground utilities. Targets – it seems.

All this and the year-long dealing with one way traffic and the like.

Website

We had a website which I ran to organize opposition to the project. In view of the fact that we mostly lost the fight, how useful was this? As an organizational tool, it seemed invaluable. We could use it for the latest news, but most importantly as a bulletin board where anyone could find stuff. Instead of attaching to emails, I could just send a link.

The site itself was open, intentionally and deliberately. It also had a “private” link with documents we at least wanted to suppose (pretend) we thought were more secure. Here my old intelligence training was in play. I knew we had at least one defector/spy. That is, one person would certainly have given the county the hidden link. I would like very much to suppose (and do suppose) that the top county administrators would have declined. Not so much for some of the lower functionaries, or the “consultants”. So the private site was a means of releasing disinformation. You could post some items there with the idea that no one on the other side could object to or find offense without admitting to at least a lack of courtesy.

Lawyers

My son-in-law is an attorney, and attorneys do often perform useful services. But I’m not sure how useful they are when you are fighting city hall. They can only go up to the point of supposing what could happen in court. Being right morally (or even legally) is not enough. It’s not like science or logic where someone can vet your effort and pretty well predict success or failure. You are at the mercy of a judge, and the municipal side is often on an inside track. It cost a lot of money. And if you represent yourself, you start out with two strikes.

REFERENCES

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- [3] Seife, Chrles, *Proofiness – The Dark Arts of Mathematical Deception*, (Viking 2010)
- [4] Wang, G. *et al*, “A Cost-Benefit Analysis of Physical Activity Using Bike/Pedestrian Trails,” *Health Promotion Practice* Vol. 6, No. 2, 174-179 April 2005
<http://www.ncrailtrails.org/pdfs/CostBenefitTrailsStudy294.pdf>
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{ Note: This is all too typical of anything relating to health that is published. Coffee is bad for you on Monday, great for you Tuesday, and who knows about Wednesday? Check the internet before breakfast. Seriously we see in recent days that cheese is an effective treatment for cancer. I hope so. Who knew? And, astoundingly, with the recent concerns about football and concussions (who knew!) that a U. Md. study showed that drinking chocolate milk (*one particular brand that was a partner of U. Md.*) was effective in reducing the risk.
<http://www.vox.com/2016/1/16/10777050/university-of-maryland-chocolate-milk>
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http://www.mtech.umd.edu/news/press_releases/releases/5QF/concussions/
{As they say – you can’t make this stuff up.}
- [5] “Another One for the Casebook of Trouble Shooting,” Electronotes Webnote 12, 8-7-2013
<http://electronotes.netfirms.com/ENWN12.pdf>
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