

MINUTES
PLANNING, DEVELOPMENT, AND ENVIRONMENTAL QUALITY COMMITTEE
JUNE 10, 2009 3:15 P.M. SCOTT HEYMAN CONFERENCE ROOM

Present: P. Mackesey, Chair; M. Robertson; C. Chock; W. Burbank (arrived 3:45 p.m.), F. Proto
Staff: P. Younger, Administration; D. Bodner, Department of Social Services; E. Marx, J. Leccese, S. Doyle, Planning; K. Fuller, Deputy Clerk; Julia Mattick, Workforce Development
Legislator: M. Koplinka-Loehr
Guests: Joe Turcotte, TCAT,

Call to Order

Chair Mackesey called the meeting was called to order at 3:15 p.m.

Addition to the Agenda

Mr. Proto requested the Commissioner of Planning and Public Works provide a report on work regarding the gas drilling concerns.

Approval of Minutes

It was MOVED by Mr. Proto, seconded by Ms. Chock, and unanimously adopted by voice vote by members present, to approve the minutes of May 13, 2009, as amended. MINUTES ADOPTED.

Transportation

RESOLUTION NO. - AUTHORIZING 2009 FEDERAL TRANSIT ADMINISTRATION SECTION 5307 GRANT APPLICATION FOR TOMPKINS CONSOLIDATED AREA TRANSIT, INC. (TCAT), GADABOUT, AND TOMPKINS COUNTY

It was MOVED by Mr. Proto, seconded by Ms. Robertson, to recommend adoption of the following resolution to the full Legislature.

Ms. Chock asked if the \$129,655 to cover the retired bus payback was the County's portion.

Ms. Bodner said it is the full amount for the early retirement and will come out of the TCAT budget.

Ms. Robertson inquired why prior approval to retire the buses had not occurred. Mr. Turcotte explained the particular buses retired have inherent problems with severe rusting of frames and the inspector said due to the severity of the rusting they would be failed, causing them to be repaired or retired. A review of the cost to repair the buses was estimated between \$75,000 and \$100,000 each. Since the time they would come out of service was near, it was determined to take them out of service and dispose them according to guidelines. He noted that while reviewing the documents associated with the retirement, it was not known if it was a step not taken, or one taken but the references not available. Ms. Mackesey noted the amount the FTA is recouping is significantly less than the cost to repair the vehicles. Ms. Robertson said perhaps the estimated lifetime of the buses may have been over-estimated by the FTA as well. Mr. Turcotte said in a conversation with the retired staff associated with the initial retirement of the buses recalled making the request, but no backup can be found.

Ms. Chock asked whether there is an appeal process; Mr. Turcotte said they are not being told the retirement was wrong, simply that there is some funding to be recouped. She then asked what the County share would be, noting a TCAT share would require the county to contribute one-third of the funds. [This information was provided subsequent to a telephone conversation with Mr. Mengel.]

Ms. Robertson noted hybrids have better gas mileage and inquired if there is a better choice than the diesel buses to be purchased. Mr. Turcotte explained the present hybrids were purchased as a result of a consortium purchase throughout New York State. The maintenance management team expressed concerns regarding the drive system of the hybrids, noting the cost to correct the particular problem this model is prone to, would be \$100,000 each to repair. He also stated hybrids were designated in the request for stimulus funding. The diesel buses would be a 2010 model with additional emission standards significantly reducing the particulate levels. When taking into account the concern of expensive engine repairs, inability to purchase a suitable hybrid, anticipated emission standards for diesel engines to reduce particulates, and the short period of time to apply for the grant, he believed it was best to purchase the diesel engine buses.

Ms. Mackesey reported that Mr. Mengel said the operating assistance for TCAT includes STOA, money from fare-box revenues, and what operating assistance is received from the partners. The \$417,000 is money that would be required in the TCAT capital budget. The TCAT proposed budget for next year anticipates the amount provided by each partner will not increase for the operating budget; there may be a slight increase in the capital budget due to the number of vehicle purchases.

Ms. Chock is supportive of the purchase of the buses but is dismayed they are diesel engines. She asked if there are other companies that could be contacted to try every option to purchase hybrid.

Mr. DeAragon said the funds must be spent by September; these are flexible funds scheduled for use this year, which limits the ability to seek bids with new specifications.

Ms. Chock reiterated a desire to seek bid information; it was explained by Mr. Turcotte it would not be possible to follow procurement procedures and produce the specifications to meet the deadline for the application.

Ms. Robertson suggested information explaining the reason for diesel purchases be provided to the Legislature. She then asked if the buses being purchased could use the bio-diesel fuel. It was noted they could use B5 bio-diesel.

Ms. Mackesey suggested if members have additional questions for TCAT staff the item could be put on the next agenda; Ms. Robertson suggested a member of TCAT be present at the Legislature meeting.

A voice vote on the resolution resulted as follows: Ayes – 4; Noes – 0; Excused – 1 (Legislator Burbank). RESOLUTION ADOPTED.

WHEREAS, the Secretary of the United States Department of Transportation is authorized to make grants for mass transportation projects pursuant to Section 5307 of Chapter 53, Title 49, of the United States Code, and

WHEREAS, the County of Tompkins is the Designated Recipient by the Governor of New York State for the Federal Transit Administration (FTA) Section 5307 Urban Formula program, with responsibilities to propose FTA-funded projects to the Ithaca-Tompkins Transportation Council (I-TCTC) (after coordinating with public transportation providers) and to select projects from the I-TCTC Transportation Improvement Program for inclusion in FTA grants, and

WHEREAS, on May 19, 2009, the County obtained approval from the I-TCTC for the transfer of Federal Highway funding to the FTA Section 5307 Program to purchase seven replacement transit buses for Tompkins Consolidated Area Transit, Inc., (TCAT) and ten replacement paratransit buses for GADABOUT Transportation Services, Inc., (GADABOUT), and

WHEREAS, the FTA fund sources for the 2009 Section 5307 Grant are as follows:

2009 Sec 5307 Urban Formula Allocation	\$1,443,676
Federal Highway STP Flex Transfer PIN 382234	\$2,614,400

Total Federal Transit Funds	\$4,058,076
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, and

WHEREAS, the County, TCAT and GADABOUT agreed to the projects selected for inclusion in the 2009 grant from the I-TCTC's 2007-2012 Transportation Improvement Program, as amended on May 19, 2009, and

WHEREAS, the County desires to submit a request for a grant of funds to FTA, in the amount of \$3,928,421, to be used for operating assistance, capital, and planning projects for 2009, and

WHEREAS, the County will use the balance of Sec 5307 Formula funds (\$129,655) to compensate FTA for the value of five transit buses retired early in 2006 and 2007, as agreed to by FTA, TCAT and the County, and

WHEREAS, the County, (FTA grant recipient), will apply on behalf of TCAT, (sub-recipient); GADABOUT, (third party contractor); and the County to receive and use said FTA funds as follows:

Project Descriptions	<i>Federal</i>	<i>NYS DOT</i>	<i>TCAT</i>	<i>County</i>	<i>GADABOUT</i>	<i>TOTAL</i>
Preventive Maintenance	\$1,217,176	152,147	152,147	-	-	\$1,521,470
Mobility Management - County	32,640	4,000	-	4,000	-	40,800
Project Administration - County	48,000	6,000	-	6,000	-	60,000
ADP Hardware & Software	38,065	4,758	4,758	-	-	47,581
Security Equipment	8,000	1,000	1,000	-	-	10,000
Clean Diesel Conversion	45,740	5,717	5,717	-	-	57,175
Short Term Transit Planning	56,000	7,000	7,000	-	-	70,000
Support Vehicles (2)	12,800	1,600	1,600	-	-	16,000
Replacement 40 ft Diesel Transit Buses (7) – TCAT	1,960,000	245,000	245,000	-	-	2,450,000
Replacement Paratransit Buses (10) - GADABOUT	480,000	60,000	-	-	60,000	600,000
SUBTOTAL CAPITAL & PLANNING PROJECTS	\$3,898,421	\$487,222	\$417,222	\$10,000	\$60,000	4,873,026
Operating Assistance	30,000	3,897,977	6,803,997	-	-	10,701,974
TOTAL	\$3,928,421	\$4,385,199	\$7,221,219	\$10,000	\$60,000	\$15,575,000

, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature authorizes the County Contracts Coordinator to execute and

file applications on behalf of the County of Tompkins with the Federal Transit Administration for the 2009 Section 5307 Grant, in the amounts of \$3,928,421 for projects and \$129,655 for remittance to Federal Transit Administration,

RESOLVED, further, That the grant budget total is \$15,575,000 including Federal, New York State, Tompkins Consolidated Area Transit, GADABOUT, and County sources,

RESOLVED, further, That the County Contracts Coordinator is authorized to sign:

1. Any and all agreements between Tompkins County and the Federal Transit Administration for the Project.
2. Any and all agreements between Tompkins County and the State of New York for the Project.
3. Any and all agreements between Tompkins County and TCAT, Tompkins County and GADABOUT, and any third-party subcontractors necessary to complete the project, if applicable.

SEQR ACTION: TYPE 11-20

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RESOLUTION NO. - AFFIRMING ITHACA-TOMPKINS COUNTY TRANSPORTATION COUNCIL (ITCTC) RECOMMENDATION TO INCREASE THE ITCTC STAFF DIRECTOR'S SALARY

It was MOVED by Mr. Proto, seconded by Ms. Mackesey, to recommend adoption of the following resolution to the full Legislature. Mr. Proto noted there are no local funds associated with this position and the increase is the same as given other employees. Ms. Robertson indicated her hesitation in support of the resolution was not a personal issue, but rather, her opposition to increasing management salaries; her support of that resolution was due to the inclusion of confidential employees inclusion of it.

Mr. Burbank arrived at this time.

Ms. Robertson reiterated she only was against the increase in management salaries. As this resolution has no local share involved she will support it. Mr. Proto and Mr. Burbank expressed their agreement Ms. Robertson's statements. Ms. Chock inquired whether this increase would affect other salaries within his department. Mr. DeAragon explained his salary is handled by the ITCTC Policy Committee; other departmental staff are under the County's Personnel Department and bargaining units. Several years ago action had been taken to make his salary increases an affirming action by the Policy Committee and follows management employees. Ms. Chock expressed her dismay due to the fact that the difference between a 2 percent increase at a salary level of \$60,000 is \$1,200 and a 2 percent increase at a salary level of \$20,000 is \$400; there is a divergence between what the increase is at the lower level versus the higher. As they carry along from 2000 on it will create difficulty with future budgets.

In response to Mr. Burbank's question regarding reimbursement, Mr. DeAragon said the salary and fringes are received from the Federal government in the same manner as a grant based upon what is included within the budget.

A voice vote on the resolution resulted as follows: Ayes – 5; Noes – 0. RESOLUTION ADOPTED.

WHEREAS, Tompkins County entered into a Memorandum of Understanding with the Ithaca-Tompkins County Transportation Council (ITCTC) on September 30, 1992 agreeing that "...staff will be hosted by Tompkins County as an administrative rather than a reporting arrangement..... staff is selected by the Council [with] staffing plan, staff qualifications and salary schedule established by the Council", and

WHEREAS, Board Resolution No. 99 of 1993, "Clarification of Employment Status – Position of Ithaca-Tompkins County Transportation Council Planning Director", stated the following:

"...the position of Ithaca-Tompkins County Transportation Council Planning Director shall be entitled to the terms and conditions of employment established by this [County] Board for management employees unless otherwise recommended by the Council and established by this [County] Board of Representatives", and

WHEREAS, on March 14, 2000, the Director's salary was modified by ITCTC resolution 00-1 above the management salary range with the stipulation that the Host Agency, Tompkins County, execute the necessary administrative procedures to implement this modification, and

WHEREAS, on February 5, 2002, the Tompkins County Board of Representatives passed Resolution No. 6 Affirming Ithaca-Tompkins County Transportation Council (ITCTC) recommendation to establish the ITCTC Planning Director's salary above the salary range, and

WHEREAS, on May 19, 2009, the ITCTC passed Resolution 09-04 to adjust the salary of the Staff Director, retroactive to January 1, 2009, based on the Tompkins County proposed 2009 adjustments for management employees of 2.25 percent, and

WHEREAS, in keeping with the County's requirement that salaries established above the salary range be authorized exclusively by resolution, and to establish or affirm recommendations made by ITCTC that are contrary to the terms and conditions of employment for management staff, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature affirm the 2.25 percent increase of the salary for the Ithaca-Tompkins County Transportation Council Planning Director to a total of \$ 77,620, effective retroactively to January 1, 2009, as approved by the Ithaca-Tompkins County Transportation Council.

SEQR ACTION: TYPE II-20

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Employment and Training

Ms. Mattick was present to answer any questions there may be. Ms. Robertson asked Ms. Mattick about the potential layoff this spring and whether the position was saved. Ms. Mattick indicated the individual left the position for other employment within a school district. That position has not been filled. The budget transfer is a request to increase staff hours for summer youth employment staff due to the additional administration required for additional positions added as a result of stimulus funding. At this time the One-Stop Center is understaffed and Ms. Bradac will be meeting with Mr. Mareane to review their budget, which runs from July 1 to June 30, to determine whether the position could be filled.

Tompkins County Planning Department

RESOLUTION NO. - MAKING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE IN RELATION TO RESOLUTION NO. ___ OF 2009: AUTHORIZING A CONTRACT WITH THE TOMPKINS COUNTY SOIL AND WATER CONSERVATION DISTRICT TO IMPLEMENT FLOOD HAZARD MITIGATION PROGRAM PROJECTS

Mr. Doyle provided a brief report that the projects funded by this County-funded program continue to operate well and that the approximately 600 trees associated with the program are surviving at a ninety percent rate in spite of the difficult environments they are located within. In addition, he said property owners are taking pride in the projects as a result of the work completed by the County in the flood hazard mitigation program. Mr. Doyle said the projects associated with the program are very distinctive projects and are placed throughout the County.

It was MOVED by Ms. Robertson, seconded by Ms. Chock, to recommend adoption of the following resolution to the full Legislature. Ms. Robertson expressed appreciation for the photographic documents outlining each project. She asked what the level of local municipal involvement was for the projects. Mr. Doyle stated there has been local involvement early on in the projects and have indicated support for the proposed projects; since it is early, the municipalities have not signed off on items. The program has a technical advisory committee to review the proposals as well. With regard to the City of Ithaca project, he has met with the City Forester and other likely stakeholders to discuss the proposal.

Ms. Mackesey was provided clarification of the Fall Creek buffer project location; it was noted the property for the proposed project is located on Cornell University property. Ms. Mackesey said she did not believe the project would be readily visible to the public.

Mr. Proto spoke of the project that is proposed to occur on Cornell University property, noting that concerns had previously been made regarding using public tax dollars for not-for-profit entities; he noted the Cornell Property would improve land that is exempt due to education and research classification. He said there are many taxed properties along stretches that are in need of assistance. Mr. Proto would like to have information about how the Committee selecting the proposed projects made the determination for the Cornell University property and noted he has similar questions relating to the third proposal that is also non-taxed property in the City of Ithaca. He had believed that prioritization would be given to tax-paying properties.

Mr. Doyle said the committee wrestled with the choices for much the same reason as Mr. Proto. They also visited several other properties. Schedule A provided indicated the objectives of the program and based on the objectives takes the project beyond the property level alone. The choice of the property for the flood mitigation work was also supported by the multi-jurisdictional mitigation plan and the flood mitigation watershed study.

Ms. Robertson noted that for both the City property and the Cornell property each owner was providing research and support as well. Mr. Doyle verified that was correct and that the Cornell-owned property leveraged a great deal of research and are also putting in matching funds.

Mr. Burbank inquired what the access to the project within the City of Ithaca would be. Mr. Doyle explained the first piece would be vegetation and the second phase would be to provide ADA access from the parking area down to the creek to allow for fishing, etc. The City had suggested the better access would be beneficial. Mr. Doyle said while the City is supportive of better access, the railroad is not encouraging it. He also said the vegetation piece would be almost parallel to Route 13 and would show what this type of buffer is.

Ms. Chock suggested future resolutions regarding projects such as this have information that specifies who is receiving the assistance. She would also like to see language that would indicate what, if any, assistance is being made by the party receiving the assistance.

Mr. Proto asked what portion of the negative declarations for the projects deals with economic impact. Ms. Jurkovich stated economic impact is not part of the State requirements in the negative declaration process.

It was MOVED by Mr. Proto, seconded by Mr. Burbank, to separate the resolution to allow members to vote separately on each project. Ms. Chock said the negative declaration is to look only at the environmental aspect of the project, not the economic. Ms. Robertson will not support the separation of the resolutions as it is only environmental. Mr. Burbank also agreed with Ms. Chock's statement. At this time the motion was WITHDRAWN.

A voice vote on the resolution resulted as follows: Ayes – 4; Noes – 1 (Legislator Proto).
RESOLUTION ADOPTED.

WHEREAS, in Resolution No. _____ of 2009, the Tompkins County Legislature would authorize the County Administrator or his designee to execute a contract with the Tompkins County Soil and Water District to implement projects identified through the Flood Hazard Mitigation Program, and would also be authorized to execute other agreements necessary for the County to implement, monitor, and protect the projects funded through this program, and

WHEREAS, the Tompkins County Legislature has reviewed and accepted as adequate an Environmental Assessment Form with respect to that action, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That Resolution No. ___ of 2009 is an unlisted action,

RESOLVED, further, That the County Legislature hereby makes a negative declaration of environmental significance in regard to Resolution No. ___ of 2009.

SEQR ACTION: Unlisted

(Short EAFs on file in the office of the Clerk of the Legislature)

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RESOLUTION NO. - AUTHORIZING A CONTRACT WITH THE TOMPKINS COUNTY SOIL AND WATER CONSERVATION DISTRICT TO IMPLEMENT FLOOD HAZARD MITIGATION PROGRAM PROJECTS

It was MOVED by Ms. Robertson, seconded by Mr. Burbank, to recommend adoption of the following resolution to the full Legislature. Ms. Robertson requested additional information regarding the various details regarding the funding of the project. Mr. Doyle indicated he would provide the information for members.

Mr. Proto would like more than just information on how the project is paid. He spoke of the \$13,000 allocation to non-taxable properties being more than one-half the amount set aside for the flood hazard mitigation program. He also noted there is a breakdown needed requiring financial support. He noted it anticipates funding from Cornell University and the City for their projects as well as assistance from student service learning organizations. He hoped that these same options are available for all flood hazard mitigation program projects throughout the County. He expressed a serious concern spending funding on projects for not-for-profit agencies and the prioritization of the projects. He said he plans to separate the projects at the appropriate time for voting purposes.

Ms. Robertson said the technical committee went through a lot of details and information regarding the projects and respects their choices. She asked if students were available for a previous project; Mr. Doyle said students were involved with the Town of Dryden Project, they are leveraged whenever possible.

Mr. Marx said the projects are to improve the entire watershed, they benefit people downstream as much or more than those on which the work occurs. The property-owners have to sign an agreement that the property would only be used for a buffer and not for any other purpose. He spoke of the project in Brooktondale last year to a private property; however, there is a benefit to the entire system. He said although the actual work would be done on Cornell property it is to benefit the sedimentation and flooding on Fall Creek. He also spoke of these projects being good for demonstrative purposes.

Ms. Chock shares Mr. Proto's concern that we know and consider the private sector ability to pay, the gain, and the contribution to the community when making decisions. She has mixed feelings about the project regarding the Cornell University project, but not the City project since it is for public use.

Ms. Robertson said previously there was criticism for funding projects on private property; this is now 180 degrees from that opinion. She believes there needs to be cooperation to recognize the work is to benefit everyone.

Mr. Burbank agrees the benefit is broad and is not site-specific but he believes there is an attachment to the property owner and would feel more comfortable if the public property or semi-private property is used.

Mr. Proto disagrees with Ms. Robertson's comments. He said the private property owner pays taxes on the property and the creek-bed and would continue to pay taxes. He agrees that the overall plan was to look at the entire watersheds in the County. He is concerned that the landowners sometimes lose access to their property. He said the technical committee is unpaid and volunteers. Mr. Proto strongly feels that they are not properties paying taxes.

It was MOVED by Mr. Proto, seconded by Ms. Chock, to vote on each project separately. A voice vote on the motion resulted as follows: Ayes – 4; Noes – 1 (Legislator Mackesey). MOTION APPROVED.

It was MOVED by Ms. Robertson, seconded by Mr. Proto, and unanimously adopted by voice vote, to recommend approval of the Taughannock Creek Bank Wash Flood Hazard Mitigation in the amount of \$12,000. MOTION APPROVED. Ms. Chock said she would vote in favor of all the projects based on Mr. Marx's statements.

It as MOVED by Ms. Robertson, seconded by Mr. Burbank, to recommend approval of the Fall Creek Agricultural Buffer Flood Hazard Mitigation in the amount of \$8,000. A voice vote on the motion resulted as follows: Ayes – 4; Noes – 1 (Legislator Proto). MOTION APPROVED.

It as MOVED by Ms. Robertson, seconded by Mr. Burbank, to recommend approval of the Fall Creek Ithaca High School Buffer Flood Hazard Mitigation in the amount of \$5,000. A voice vote on the motion resulted as follows: Ayes – 4; Noes – 1 (Legislator Proto). MOTION APPROVED.

WHEREAS, the Tompkins County Legislature re-established the Flood Hazard Mitigation Program in 2006, and

WHEREAS, the Tompkins County Legislature provided funding for the Flood Hazard Mitigation Program in the amount of \$25,000 in 2009, and

WHEREAS, the Technical Committee for the Flood Hazard Mitigation Program has identified several projects to be funded through the Flood Hazard Mitigation Program, and

WHEREAS, the Tompkins County Soil and Water Conservation District is prepared to undertake the projects identified by the Technical Committee, and

WHEREAS, the projects identified for implementation will be protected through the use of a Riparian Buffer Protection Agreement, and

WHEREAS, the Tompkins County Legislature has reviewed and accepted as adequate an Environmental Assessment Form with respect to these projects, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the County Administrator or his designee be authorized to execute a contract with the Tompkins County Soil and Water District, in an amount not to exceed \$25,000,

RESOLVED, further, that the County Administrator or his designee is also authorized to execute other agreements necessary for the County to implement, monitor, and protect the projects funded by the Flood Hazard Mitigation Program.

SEQR ACTION: Unlisted

(Short EAFs on file in the office of the Clerk of the Legislature)

Aquifer Study Capital Program

Ms. Jurkowich said the study is a continuation of previous years. There are seventeen aquifers throughout the County. Work has been completed in Dryden, Caroline, and Danby. The report is the capital project form that will be folded into the Capital budget for 2010. Ms. Jurkowich said at the conclusion of the study the USGS receives a copy of the report and share the draft when completed with municipalities, funders of project, and may be on the USGS site when finalized. She reported the Caroline project is a draft report, still undergoing Federal review; the Dryden project is still in a working stage, with USGS working with the Town to identify other well sites, our financial contribution for that project is complete; the Danby project is still underway and anticipated to have a draft report completed in a year.

Ms. Chock said ensuring the quality of the County's aquifers should be a top priority. She asked if there are further needs to do so and is there a way to ask the private sector to contribute to meeting the needs of the water systems.

Ms. Jurkowich said the aquifers cover a large area, it would be very difficult to determine how to involve the private sector in this manner. She also noted the study does not relate to the potential gas drilling.

Mr. Proto liked Ms. Chock's statements regarding private sector involvement, noting it could help municipalities recover the expense of the study. He noted if there were an infrastructure question regarding items such as an access road to get to a well, private individuals such as the developer share in the cost of the road. He said one reason to do the study is to take the burden off the taxpayer and have the developer share in the cost. Mr. Proto believes there are ways to get funding back.

Ms. Jurkowich said any questions could be e-mailed to her.

Rollover Request

Mr. Marx stated a grant through the Clean Cities program was made for three vehicles that would provide a small fleet of hybrid vehicles to be shared by downtown departments. To do so would require Planning, Assessment, and Information Technology Services to trade in their least efficient vehicles and combine it with the \$50,000 set aside in the Green Fleet (approved by County Administration) and other grant funds for the purchases. It starts a tangible investment in greening the fleet and provides an experiment in a shared fleet. The \$5,400 rollover request is to be used to make the purchases. The remainder was requested to be used for use in the 2010 budget.

Ms. Mackesey asked if the County could do something in conjunction with Ithaca Car Share. Mr. Marx said there have been discussions with Ithaca Car Share and he anticipates further discussions to occur. This is to have the start of a municipal fleet that offers efficient vehicles. It was noted there may be some advantages to use Ithaca Car Share vehicles but there are some issues to be worked through at this time. He said one is the need to have an agreement for shared ownership due to the need to have exclusive ownership.

Mr. Burbank spoke of the discussions for "Cash for Clunkers" legislation and asked if Federal funds may be available. It was noted the legislation has not been approved and it is unknown what the exclusions may be. Mr. Burbank said if it is possible to minimize the fleet through the use of Ithaca Car Share would be useful. Mr. Marx said the County is in the beginning stages to review the matter and is asking for the funds to have available.

It was MOVED by Ms. Robertson, seconded by Ms. Chock, to approve \$5,400 for use in the 2008 budget year for the possible purchase of green fleet vehicles; with the balance to be held for use in 2010. Ms. Robertson expressed a strong desire to have the County work with Ithaca Car Share to determine how it could be utilized. A voice vote on the motion resulted as follows: Ayes – 5; Noes – 0. ROLLOVER APPROVED.

Budget Adjustment

It was MOVED by Ms. Robertson, seconded by Mr. Burbank, and unanimously adopted by voice vote, to recommend approval of the following budget adjustment to the full Legislature. BUDGET ADJUSTMENT APPROVED.

Planning Department

<u>Revenue Acct</u>	<u>Title</u>	<u>Amt</u>	<u>Approp Acct</u>	<u>Title(s)</u>
A8027.43959	State Aid Planning	\$82,295	A8027.54400	Program Expense
A8027.42797	Contribution from Other Governments	\$ 9,400	A8027.54400	Program Expense

Explanation: State Grant for the County Wide Water and Sewer Evaluation Project per Resolution No. 186 of 2008; Match from Tompkins County Industrial Development Agency for the County Wide Water and Sewer Evaluation Project.

Report from the Commissioner of Planning and Public Works

Mr. Marx reported annual reports would be made available by the end of the week. He said as 2010 approaches he would be speaking to the Committee about areas that would be proposed for elimination and/or over-target request in July. If there different options to meet the target request he would speak to the Committee for their input, although he said it may require all options to meet the goal.

Mr. Proto said several towns have asked about the County developing a template relating to potential gas drilling operations, particularly as it may relate to roadways, culverts, etc. Mr. Marx explained it would fall more in the Public Works area than Planning Department. He said it would require seeing what the County Highway Division develops and determining if it could work for other municipalities. Ms. Mackesey said subcommittees of the Tompkins County Council of Governments with other Legislatures to see what is being done by other municipalities and are sharing the information. Another group, of which Mr. Whicher, former County Administrator and presently a member of the Environmental Management Council, is assisting in compiling the information received. Mr. Marx spoke of having meetings with appropriate individual to put together information. Ms. Robertson inquired about having driveway ordinances relating to access to properties. He believes the manner the gas drilling concerns are being reviewed is the only clear approach to meet the goal of being prepared at all levels. Ms. Mackesey said her experience has shown people are very sensitive about not taking on authority for another municipality. Ms. Chock asked if there is coordination in other realms such as aquifer protection, green protection, Health Department, etc. Mr. Marx stressed when it is time to have all stakeholders sit down, everyone would be invited, including Emergency Responders and Health Departments.

Agriculture and Farmland Protection Board

Mr. Proto said the purpose of amending the bylaws is to clarify ex-officio membership and also utilizing a section regarding associate membership such as in the Environmental Management Council and Water Resources Council.

In response to a question by Ms. Robertson regarding the ex-officio seat it was noted these particular seats do allow them to be a voting member. A discussion regarding the language used in the section regarding term limits occurred, noting it was not clear.

It was MOVED by Mr. Proto, seconded by Ms. Mackesey, to recommend adoption of the amended Agriculture and Farmland Protection Board to the full Legislature. Mr. Proto asked Ms. Robertson to put in writing her concerns and recommendation to take back; he also noted the Committee could amend the bylaws at this time as well.

It was MOVED by Ms. Robertson to amend the bylaws to read “regular members shall be appointed to serve a four-year term to a maximum of two consecutive terms.” MOTION FAILED FOR LACK OF A SECOND.

It was MOVED by Ms. Chock to amend the bylaws to read “Regular members shall be appointed to serve a four-year term. Ex-officio members shall serve as a condition of their position and be appointed to serve a four-year term”, eliminating the last sentence in Section 4. MOTION FAILED FOR LACK OF A SECOND.

A brief discussion occurred regarding the concerns of the language and intent. Ms. Robertson noted there is a strong desire for the associate membership category and recommend setting term limits for the positions. Mr. Burbank inquired whether there are time limitations; he was informed there are not.

It was MOVED by Mr. Burbank, seconded by Ms. Chock, to return the bylaws to the advisory board.

At this time Mr. Protot WITHDREW the motion to act upon the bylaws, with the request that Ms. Robertson put in writing her concerns. He will take the information to the advisory board. Ms. Chock asked

that the advisory board to have clarification of the advisory board's statement regarding "how Tompkins County doesn't quite fit the law's requirements due to its rather unique approach to Assessment."

Strategic Tourism Planning Board

RESOLUTION NO. - AWARD OF TOURISM CAPITAL GRANTS

It was MOVED by Ms. Chock, seconded by Mr. Burbank, to recommend adoption of the following resolution to the full Legislature. Ms. Robertson inquired about the performance schedule; Ms. Armstrong said the plan is to add one performance in the fall when students have returned to the area, and over the winter months and holiday period having some performances. She noted there is still approximately three months they are not active. The schedule was reported to the Committee. *Ms. Mackesey requested the entire application be forwarded to the Committee for the review.*

In response to Mr. Proto's question on the Hangar Theatre's fund raising efforts, Ms. McPheeters said they are at 74 percent of the \$4.6 million goal and are ahead of their schedule.

It was noted the building utilized for the Ithaca Motion Pictures is the center building between the large pavilion and the playground.

A voice vote on the motion resulted as follows: Ayes – 5; Noes – 0. RESOLUTION ADOPTED.

WHEREAS, the Tompkins County Tourism Program includes Tourism Capital grants and Tompkins County Area Development (TCAD) administers the Tourism Capital Grants process, which includes designing the application process, reviewing and analyzing the feasibility and economic impact of tourism projects, and providing oversight for tourism projects, and

WHEREAS, funding exists within the Room Tax Occupancy budget for Tourism Capital Grants, and

WHEREAS, TCAD reviewed the following projects with the Strategic Tourism Planning Board (STPB), and the STPB anticipates that the following project will encourage the development of tourism products and attractions in order to improve community assets, to increase the tourism business in the County, and to increase the income from the Room Occupancy tax, and the following grant awards have been reviewed and recommended by the STPB, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the County Administrator or his designee is authorized to sign all documents related to these projects:

Entity	Project	2009	2010	2011	2012	2013
Hangar Theatre	A Hangar for All Seasons Renovation		\$25,000	\$25,000	\$25,000	\$25,000
Ithaca Motion Picture	Feasibility/Business Plan	\$5,000				
Kitchen Theatre	Bold New Space Renovation		\$25,000	\$25,000	\$25,000	\$25,000

SEQR ACTION: TYPE II-20

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RESOLUTION NO. - FUNDING OF TOURISM PROJECT GRANT

It was MOVED by Ms. Robertson, seconded by Mr. Burbank, to recommend approval of the following resolution to the full Legislature. Ms. Kippola spoke of the grant coming in the April round. She said this is a wonderful festival, however due to the booking of the entire Clarion Hotel, with events occurring and that location there was concern it was not public enough. Following discussions with the applicant that indicated the events are open to all it was decided to proceed with awarding the grant. Ms. Kippola said the event does bring

in visitors to the area from as far away as Finland. The event had been funded previously when only on a local level through the Community Celebrations Grant. Ms. Mackesey noted there is a great deal of history of individuals from Finland in our area. Ms. Chock spoke of her attendance at the Strategic Tourism Planning Board, noting she was surprised it passed following the discussions. She said it was not clear that they were coming in specifically for this program and not just coming to visit the general area. She believes there is some confusion regarding eligibility for programs within the County. It was not necessarily that they were eligible, rather that they were not. Ms. Robertson noted the information normally provided would indicate the balance of the program budget. She said that the fact marketing is also being undertaken to increase the participation makes her supportive of the resolution. Ms. Kippola noted there are buses rented to take individuals from this event to other visitor sites such as the Discovery Trail and Wine Trail.

It was MOVED by Mr. Proto, seconded by Mr. Burbank, and unanimously adopted by voice vote to call the question. QUESTION CALLED.

A voice vote on the resolution resulted as follows: Ayes – 4; Noes – 1 (Legislator Chock).
RESOLUTION ADOPTED.

WHEREAS, Tompkins County has a grant program for Tourism Project using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, the Strategic Tourism Planning Board, on behalf of Tompkins County, has requested and reviewed grant applications for recommendation to the Tompkins County Legislature through the Planning, Development, and Environmental Quality Committee with the advice of the Strategic Tourism Planning Board, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the following grant is approved:

Finger Lakes Finns 2009 Finn Funn Weekend \$2,000

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

SEQR ACTION: TYPE II-20

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RESOLUTION NO. - FUNDING OF TOURISM MARKETING AND ADVERTISING GRANT

It was MOVED by Mr. Proto, seconded by Mr. Burbank, and unanimously adopted by voice vote, to recommend adoption of the following resolution to the full Legislature. RESOLUTION OPTED.

WHEREAS, Tompkins County has a grant program for Tourism Marketing and Advertising using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, the Strategic Tourism Planning Board, on behalf of Tompkins County has requested and reviewed grant applications for recommendation to the Tompkins County Legislature through the Planning, Development, and Environmental Quality Committee with the advice of the Strategic Tourism Planning Board, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the following grant is approved:

Finger Lakes Finns 2009 Finn Funn Weekend \$1,500

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

SEQR ACTION: TYPE II-20

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Discussion on Capital Grants

Mr. Proto said he had asked several meetings ago for a spreadsheet of all the programs that fall into the capital grant category. He said it shows how far back and the total funding various entities have received. He believes that the total distributed was close to \$1 million over the course of the program. He asked what the status is of the grant awards. *It was asked that Ms. Kippola provide Committee members with an update of the information.*

2009 and 2010 Budget Discussion

The Committee was provided a revised 2009 budget for review. Mr. Sparrow, Chair of the Strategic Tourism Planning Board (STPB), said he is bringing the revised 2009 and preliminary 2010 budgets for review by the Committee. The 2009 budget reflects an approximate 22.5 reduction in spending due to the downturn in the area of tourism due to the economy. Ms. Mackesey noted that the 2010 budget marketing section was reduced by 27 percent reduction versus the "product" line with a 31 percent reduction. In addition the levels of reduction varied within the marketing line. Mr. Sparrow noted that in some areas there are fixed costs that do not allow for the reduction taken in other areas. He noted there are some areas where a ten percent growth is anticipated.

Ms. Chock asked about the decisions for reductions in the marketing and product areas. Mr. Sparrow said many of the marketing costs are relatively fixed. He said there are many discussions regarding product, with many of those that are supported being brought to the STPB individually. He indicated the festivals are seeing reductions due to their popularity with residents of the County but that they do not generate many tax dollars.

The Committee reviewed the budget information presented, with general questions being answered for clarification.

Ms. Robertson asked why the CVB Administration line did not have reductions for 2009, noting there have been reductions in the amount of work to be completed, and that the cuts would continue in the 2010 budget. Mr. Bonn said the CVB has other revenue outside of the funds received through STPB through cooperative marketing and advertising space. It is anticipated to have a revised web site that would offer advertising. Ms. Robertson noted that if there is increased revenue to CVB she would like to see a reduction in tax-dollar support for staff, particularly with reduced work. Ms. McPheeters noted the information the Committee received does not indicate the detail of the areas being reported.

Ms. Chock appreciates the cuts made by STPB. She spoke of the overall programs keeping in proportion to the regular budget process. She also appreciated keeping the staffing position in place. She believes it would be very helpful in the future. She inquired if action was required at that time. It was noted it is not necessary at this time. Ms. Chock indicated a desire to have a conversation about advertising on our website.

Mr. Proto asked if he were correct in understanding the anticipated revenue for 2010 is \$1.7 million with \$100,000 from unallocated revenues total \$1.8 million; this is close to the 2008 revenue. He recalled there was an anticipated 6 percent reduction in tourism due to the downturn and asked why it is almost the same. In addition, he asked what the rental figures are. It was noted the rent is \$82,400 and has a request for \$84,048 for 2010. With regard to the anticipated revenues, Mr. Bonn said from September 2008 until March 2009 there was a revenue reduction of approximately 12.7 percent. The first quarter saw twenty percent from the previous year. It is anticipated that although gas prices may increase some, room rates are dropping as well, which causes a reduction on both sides.

Mr. Proto asked if the rent would be dropping as well. Ms. McPheeters said the rent is based on actual costs; she provided the information to Mr. Proto. Mr. Proto questioned the increase in rent, noting that he has

had to reduce his rentals due to the economy. He questioned keeping staff at the same level when programs are reduced. Mr. Bonn offered to sit down and discuss the matter further.

Ms. Robertson asked what occurs if the budget were approved. Mr. Sparrow said the actual budget would come in more or less the same, depending on income levels. Ms. Chock indicated the budget would have to have Legislature approval. Ms. Robertson expressed her concern that compared to the 2009 contingency plan there is a shift of funds away from program while preserving staff at the same level, even though there is a reduced workload.

Following the discussion, it was consensus to delay approval of the 2010 budget until questions have been answered. Questions by Committee members should be addressed to Ms. Kippola via e-mail. She would direct the questions to appropriate personnel and notify all members so that there are not duplications.

Ms. McPheeters stated the goal of the budget committee was to maintain staffing for both marketing and the CVB during the downturn, with the anticipation of the economy improves.

Adjournment

On motion the meeting adjourned at 5:50 p.m.

Respectfully submitted – Karen Fuller, Deputy Clerk