

January 2, 2008

**Tompkins County Legislature  
January 2, 2008**

*Approved 1-15-08*

**Special Event**

Prior to the meeting the character-building singing group Vitamin L performed two songs for those in attendance.

**Call to Order**

Mrs. Covert, Clerk of the Legislature, called the organizational meeting of the Tompkins County Legislature to order at 5:32 p.m.

**Pledge of Allegiance to the Flag and Roll Call of Members**

Members and guests participated in the Pledge of Allegiance to the Flag.

Present: 14 Legislators. Excused – 2 (Legislator Kiefer; Legislator Shinagawa arrived at 7:35 p.m.)

- District No. 1 - Pam Mackesey, 323 Pleasant Street, Ithaca
- District No. 2 - Leslyn McBean-Clairborne, 528 West Clinton Street, Ithaca
- District No. 3 – Carol Chock, 39 Woodcrest Avenue, Ithaca
- District No. 4 - Nathan I. Shinagawa, 307 Stewart Avenue, Ithaca (arrived 7:35 p.m.)
- District No. 5 - Katherine Luz Herrera, 116 Utica Street, Ithaca
- District No. 6 - Michael J. Sigler, 218 Peruville Road, Freeville
- District No. 7 - Frank P. Proto, 2585 Slaterville Road, Slaterville Springs
- District No. 8 - Greg W. Stevenson, 130 Harvey Hill Road, Ithaca
- District No. 9 - Duane T. Randall II, 305 West Groton Road, Groton
- District No. 10 - Dooley Kiefer, 629 Highland Road, Ithaca
- District No. 11 - Michael A. Koplinka-Loehr, 124 Crest Lane, Ithaca
- District No. 12 - Tim Joseph, 772 Elm Street Extension, Ithaca
- District No. 13 - Martha Robertson, 1655 Ellis Hollow Road, Ithaca
- District No. 14 - Michael R. Hattery, 4 Greystone Drive, Dryden
- District No. 15 - James P. Dennis, 47 Elm Street, Trumansburg

**Election of Temporary Chair**

Mrs. Covert announced the first order of business was the election of a temporary chair. Ms. Robertson nominated Mr. Joseph as Temporary Chair, seconded by Mr. Dennis. After hearing no more nominations, it was Moved by Mr. Proto, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present, to close nominations. A voice vote resulted as follows for Temporary Chair: Ayes - 13, Noes – 0, Excused – 2 (Legislators Kiefer and Shinagawa). MOTION CARRIED. Mr. Joseph took the chair as Temporary Chairman.

Mr. Joseph thanked Legislators for the opportunity to be Temporary Chairman.

Mr. Joseph then opened nominations for a Permanent Chair.

**Election of a Permanent Chair**

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Nominations were opened. Ms. Herrera nominated Mr. Koplinka-Loehr as Permanent Chair for 2008, seconded by Mrs. McBean-Clairborne. Ms. Herrera read the following statement:

“Thank you Mr. Chair—I’m going to nominate a 10 year-veteran County Legislator who also served three years on the Ithaca School Board-- he has been consistent in practicing inclusion, collaboration, consensus, and in building community – he has dedicated his time to social justice in public life and also in his adjunct roles. Judging from my own experience of how he respects other people and viewpoints, I believe that as Chair my colleague will draw people and ideas together for the good of the county, long-term and short term. Think about it--

“From the formation and report of the Tompkins County Quality of Life Committee, to the appointment and utilization of many of the recommendations of the CAP (Community Advisory Panel) committee, Mike Koplinka-Loehr brings our community together in ways that make us all stronger. His leadership in the Village at Ithaca is but one example of how, for Mike, the phrase “inclusion through diversity” is more than just a saying. It’s also true that Mike’s leadership will demonstrate his commitment to balancing life-work-family, which is a great example for the Chair of the Legislature to set.

“In addition to having been a county employee at Department of Social Services for over 4 years, and having worked at the Tompkins County Youth Bureau, Mike Koplinka-Loehr has negotiated contracts for the union and helped Tompkins County become a union shop.

“He obtained a Masters in Regional Planning from Cornell in '84, has chaired the Budget committee for 3 years, chaired Government Operations for 3 years, has over 20 years experience working for local human service agencies such as the Learning Web, DSS, TC Youth Services, Cornell Institute for Public Affairs, working for CRESP, (the Center for Religion, Ethics and Social Policy) in 3 capacities, for the DeWitt Historical Society, and the Village at Ithaca.

“Mike will continue to work part time for the Village at Ithaca while serving as Chair of the Legislature. I believe that having this continued connection with our community not only demonstrates how Mike has aligned his life & values for public service, it also keeps the leader of the County very aware of equity issues in our community, and is a commitment I am proud to support.

“Mike knows what it’s like to work low wage jobs. He gets it when working people say that a hundred dollars more a year added to the County tax burden could just be what prevents them from buying a house, when unemployed residents have the desire to improve their education, when homeless youth talk about having nowhere to go. Because of his interpersonal skills, values, experience, and ability to make Tompkins County a model of a highly professional continuous learning organization, it is an honor and a privilege for me to hereby nominate Mike Koplinka-Loehr as Chair of the Tompkins County Legislature in 2008.”

Mr. Hattery nominated Mr. Proto as Permanent Chair, seconded by Mr. Sigler.

Mr. Hattery said Mr. Proto’s the longest-serving member of the body and is successful in the business community and the Legislature, having served the County in every way imaginable. Mr. Sigler said Mr. Proto has the qualifications and track record for leadership and that he personally hopes to serve as long as Mr. Proto.

Hearing no more nominations, it was MOVED by Mrs. McBean-Clairborne, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to close nominations.

A vote by show of hands to elect Frank Proto Chair of the Legislature resulted as follows: Ayes - 4 (Legislators Hattery, Proto, Randall, and Sigler). A vote by show of hands to elect Michael Koplinka-

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Loehr Chair of the Legislature resulted as follows: Ayes - 9 (Legislators Chock, Dennis, Herrera, Joseph, Koplinka-Loehr, Mackesey, McBean-Clairborne, Robertson, Shinagawa, and Stevenson). Excused – 2 (Legislators Kiefer and Shinagawa.)

Mr. Koplinka-Loehr was declared Chair of the Legislature for 2008.

At this time Mr. Joseph turned the meeting over to Mr. Koplinka-Loehr, newly elected Chair.

### **Election of a Vice Chairman**

The next order of business was the election of Vice Chairman and Mr. Koplinka-Loehr opened nominations. Ms. Mackesey nominated Mrs. McBean-Clairborne as Vice Chair, seconded by Mr. Joseph. Mr. Joseph said Mrs. McBean-Clairborne has served the past two years as Vice Chair and he found her input, and advice supportive and invaluable. He said she is a leader not just in the Legislature, but in the Community, noting that at times not present at meetings she has been where she was needed. Mr. Joseph said it has been a pleasure to have her serve with him.

Mr. Randall nominated Mr. Sigler as Vice Chair, seconded by Mr. Proto.

Mr. Randall read the following statement:

“I have found Mike to be fair, consistent, and willing to look at issues from more than one perspective; but perhaps more importantly, he has a servant’s heart and places family above self, and has a heart of gold and a true compassion for all that he serves.”

Mr. Stevenson nominated Mr. Dennis as Vice Chair, seconded by Ms. Robertson. Mr. Dennis said that he appreciated the nominations and spoke of the many previous Vice Chair’s on the Legislature, including Mrs. McBean-Clairborne. He respectfully declined the nomination and thanked his fellow Legislators for the consideration.

Hearing no more nominations, it was MOVED by Mr. Joseph, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present, to close nominations.

A vote by show of hands to elect Michael Sigler Vice Chair of the Legislature resulted as follows: Ayes - 4 (Legislators Hattery, Proto, Randall, and Sigler). A vote by show of hands to elect Mrs. McBean-Clairborne Vice Chair of the Legislature resulted as follows: Ayes - 9 (Legislators Chock, Dennis, Herrera, Joseph, Koplinka-Loehr, Mackesey, McBean-Clairborne, Robertson, and Stevenson); Excused – 2 (Legislators Kiefer and Shinagawa).

Mrs. McBean-Clairborne was declared Vice Chair of the Legislature for 2008.

### **Presentation**

At this time, Chair Koplinka-Loehr presented Mr. Joseph and Mrs. McBean-Clairborne with a local handmade pottery bowl as a token of their leadership, vision, and undaunted public service, noting that like the former Chair and Vice Chair they were colorful and unique.

### **Address to the Legislature**

“Thank you for the trust you’ve placed in me. I certainly want to give special thanks to Leslyn McBean-Clairborne for two years of excellent service as Vice Chair and to Tim Joseph for six years of visionary, incredibly hard working and undaunted public service leadership as Chair – especially in facing the realities of the post 9/11 world.

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“I’d like to start the traditional “state of the county” message with a little story that has held great meaning for me. It’s about the balance we all try to maintain in our various roles in the community – as citizens, leaders, and residents from all walks of life. A wise rabbi was known to always carry two etched stones in his pockets that he could pull out as the situation demanded – representing two universal truths. One read: “for your sake alone was the universe created,” representing the truth that every human being is precious beyond measure, and that every individual has an equal claim on the glories of the entire universe. The other stone read: “you are but dust and ashes,” representing the truth that in the grand scheme of things, we are each a tiny part of the whole; that the history of humankind has been set in motion for millennia and that any one person’s role needs to be seen in relation to the timeless nature of those forces.

“While seeming contradictory, BOTH of these perspectives hold universal truths. In many situations we find we need to hold dualities like these in tension – which allows us to respect the individual while keeping a broad perspective for the good of the whole.

“Similarly, the state of Tompkins County can be viewed from multiple perspectives, and for a moment I’ll choose two lenses: external and internal. From almost all external perspectives, our county and Tompkins County government in particular have achieved exceptional standing. For example, after ten years of analysis, partnerships and implementation, in 2008 we will have completed a state-of-the-art emergency communications system at the lowest possible cost to local taxpayers. Our 20-year capital planning - to maintain our roads, bridges, and facilities infrastructure - is fast becoming a statewide model. Our diversity and inclusion efforts over the past several years have resulted in a permanent commitment to an internal culture change, that is, new ways of doing business to meet the needs of our community over the long-term. Almost every department of county government has won praise at statewide conferences of peers for innovation, cost-effectiveness and model partnerships, with many county department heads leading their New York State associations in their respective fields over the years.

“From transportation to human services to emergency planning to public safety and health to economic development and tourism promotion, Tompkins County government is looked to as a place where program innovators continually adapt to changing external forces to best meet community needs. Justifiably, I hope every county employee and every member of our 55 active community advisory boards and sub-committees can take pride in setting high standards of service that achieve these well-deserved accolades. These efforts are nothing short of inspiring and I hope that we all take time to say “Thank You” as often as we think of it, to forge a culture of genuine appreciation.

“From an internal perspective, we can also take pride in our 190 years of county accomplishments, as each year we stand on the shoulders of and learn from giants who have come before us. 2008 brings us challenges and opportunities for significant change. Fourteen legislators (seven elected in 2005) will begin our third year serving together, with Carol Chock joining us just days ago with a fresh perspective, and this shared experience working together will allow us to take on certain new challenges as a team, which may not have been possible earlier in our service. Within three months we’ll be choosing a new County Administrator, a complicated role that is a kind of hybrid of a CEO and a COO depending on the needs on any particular day, with an admittedly “walk on water” set of expectations. We legislators are often described as “citizen activists,” and our first loyalty is always to the people who elected us and whom we represent. Many of us have years of experience in elected office, but we remain citizens. We have the great privilege of working with professional managers from 27 departments and 750-plus employees passionate about quality public service.

“Add to this dynamic steadily increasing fiscal pressures, an overloaded property tax burden, and other community-wide challenges such as: the need for affordable housing; energy and environmental sustainability; economic development; improving telecommunications capacity; jail-to-community

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reentry; interventions for and aftercare for youth at-risk; performance management and the capacity to demonstrate value, accountability, and responsiveness to the taxpayer; emergency preparedness and management for internal County operations; important community-wide conversations regarding race, class, and other dehumanizing stereotypes; working with Cornell on their financial commitment for transportation and housing; and the need to update many county policies and procedures – and anyone can understand the complex internal landscape. Thankfully, every employee of our county organization shares a common commitment to learning and improving every day – deeply dedicated to excellence in public service.

“If I could add two final points of perspective, relevant to every human situation, I would suggest first that the more we take a longer-term view, the better our decisions will become. We legislators especially must consistently look beyond our elected terms to invest resources wisely for the health of the community. And secondly, no leader, manager, or citizen can operate effectively in isolation; we all need the balance of each others’ perspectives in decision-making and priority setting to achieve the best for the public good. Yes, we are all essential and valuable (the universe is made just for us) AND the public good is determined through millions of human behaviors and actions that guide our common existence, and we need to learn from each other for our ultimate survival.

“Given these perspectives, especially the nature of transitions ahead, the Vice Chair and I have chosen to keep the structure of 2007 county standing committees essentially the same, to allow continuity of multi-year commitments underway. I have distributed committee assignments to each of you, and I ask that chairs work with committee members, Department Heads, and staff to determine the schedules for the year, as well as medium and longer-term performance goals and annual work plans. As continual learners ourselves, we will be given professional development opportunities to help us guide agendas and lead committees more effectively. I hope that we continue to improve on our existing culture of building task-oriented work teams where needed, asking for and offering help as we are able, and never leading in isolation. Our essential task in our various roles (as legislators, departmental managers, or direct service public employees) is to offer our perspective for the good of the whole. I look forward to this transition year with excitement, optimism and pride for all that we’ve accomplished and all that I’m confident we will become, working together, in the year ahead.”

### **Vice Chair Statement**

Mrs. McBean-Clairborne said she is very pleased to serve again as Vice Chair of the Legislature. Starting in 2007 she began to see more of the role of inclusiveness and productive leadership of the Legislature and in Tompkins County in general and is proud to be part of that leadership. Mrs. McBean-Clairborne is looking forward to serving in this capacity, and takes pride in the trust and confidence that colleagues, staff, and the community as a whole has put in her.

She said that in 2006 when first elected Vice Chair her daughter was born, causing her to be absent due to health issues, which did not allow her to get things done she desired. In 2007, she was able to put forth time to start to meet her goals. Mrs. McBean-Clairborne said she has had to learn to find a balance between her efforts and family, with family being a priority, and still being able to achieve goals. With this in mind, thinking of the vision of the County being a leadership community, and the City of Ithaca being viewed as a leader, to have read some of the narrow-minded views in the newspaper relating to what legislators should or should not be doing. She is happy to be out among people, working as Deputy Director of Greater Ithaca Activities Center, serving on several boards, and volunteering in many different ways.

Mrs. McBean-Clairborne feels as a Legislator it is what many individuals do that make them well-rounded, well-grounded, decision-makers. She recognizes it is not easy to balance all of the things individuals do, however, people do make it work in order to have a pulse on the community which assists when making decisions that will affect individuals.

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Mrs. McBean-Clairborne said she is looking forward to working with Ms. Robertson regarding poverty in the County, noting that as rich as Tompkins County is poverty should not exist here. She stated that Tompkins County should be a County where diversity and inclusion is high priority so that no individual is left feeling excluded from decisions or being a participant in any manner. Mrs. McBean-Clairborne said the Legislature has the opportunity to set an example, and she looks forward to working to make this a model County to follow. She will continue to work on internal communication, trust, and confidence. She looks forward to having colleagues stand with her on picket lines, supporting union workers, and understanding her statements that, "racism has to go." She would like to have Legislators stand and say how proud they are to make decisions, whether hiring, housing, or any number of things, including making sure people have food.

Mrs. McBean-Clairborne said she is proud to be a person who has pulled herself up from the "bottom of the barrel", that it is not easy to do and some individuals do not have the privilege of being able to do the same. She thanked her husband, Alderperson JR Clairborne, 2nd Ward, City of Ithaca and children, Kelsey, and Indira for their support as well as colleagues for allowing her to continue in the position of Vice Chair.

Mr. Proto congratulated Mr. Koplinka-Loehr and Mrs. McBean-Clairborne and asked they continue to follow Mr. Joseph's patient methods of hearing everyone and allowing discourse to occur.

### **Proclamation**

Mr. Koplinka-Loehr presented a proclamation to Carole Fisher of Cooperative Extension and Liz Cameron of the Tompkins County Health Department proclaiming January 2008 as Radon Action Month in Tompkins County. Ms. Fisher spoke of Radon being the leading cause of lung cancer for non-smokers and provided members of the Legislature with written material outlining facts and how to test for radon.

### **Privilege of the Floor by the Public**

Patrice Anthony, Ithaca, congratulated Mr. Koplinka-Loehr and Mrs. McBean-Clairborne as well as the entire Legislature for their having chosen them. She said they are capable of serving the County.

### **Privilege of the Floor by Legislators**

Ms. Robertson, District No. 13 Legislator, called attention to the recent flyer received from Cooperative Extension regarding green building seminars; she suggested interested individuals call Tompkins County Cooperative Extension for more information. She then spoke of the recent situation in Kenya, which is undergoing a nation-changing experience. She suggested BBC.com or www.allafrica.com to obtain more detailed information on the events occurring there. Ms. Robertson said a local family has a son in the Peace Corp in Nairobi who she hopes remains safe. She stated the situation shows how important elections and fairly counting the votes are.

Mrs. McBean-Clairborne, District No. 2 Legislator, announced the annual Greater Ithaca Activities Center's (GIAC) Martin Luther King, Jr., Day breakfast would be held on January 19<sup>th</sup> at the Beverly J. Martin Elementary School. In addition, on Monday, January 21<sup>st</sup> a variety of events would occur between GIAC and Beverly J. Martin Elementary School. Mrs. McBean-Clairborne spoke of the development of a GIAC program two years ago as a result of teen violence. The teens indicated they were bored and consequently a grant application was completed by Ms. Robertson within a two-day period, that enabled a late-night teen program. This program, which began as a six-month pilot, is open to all teens within Tompkins County; the dance sock hop concert will take place on Friday, February 8<sup>th</sup> from 7 to 10 p.m., at the First Baptist Church of Ithaca.

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Ms. Herrera, District No. 5 Legislator, noted the deadline for public comment regarding the Draft Master Plan for the Black Diamond trail is January 15<sup>th</sup>. She suggested interested parties go to the internet site for the plan and noted the trail will help to bring physical activities to residents.

Ms. Chock, District No. 3 Legislator, thanked Mr. Koplinka-Loehr for his welcome and address to the Legislature. She spoke of the Constitution of the United States and noted contrast in succession of leadership between what we have achieved and the current events in Kenya, and Pakistan. She is interested in encouraging more participation and discussion, even when members are not in agreement to maintain and enhance the special place that is Tompkins County.

Ms. Mackesey, District No. 1 Legislator, announced that during the week of January 20<sup>th</sup> the New York State Department of Environmental Conservation would come to Ithaca to discuss the South Hill pollution issue. They will be addressing plans for mitigation, which Ms. Mackesey noted the issue is broadening in geography and complexity.

Ms. Robertson provided members of the Legislature with information on the Strategic Tourism Planning Board's grant programs and awards.

### **Presentation – Beautification Program**

Chrys Gardner, Beautification Coordinator, presented a slide show highlighting the work of the Beautification Program in Tompkins County. This program provides municipalities to utilize matching funds to enhance a variety of sites within the town/village. It was noted that Ms. Gardner will be leaving her position due to a relocation to Ireland.

Following the presentation Mr. Dennis thanked Ms. Gardner for her hard work and assistance in bringing beauty to Tompkins County. Mr. Proto thanked Ms. Gardner for her ability to listen to suggestions and making modifications when necessary. He inquired about the signage for entering towns, noting several towns are interested in obtaining them. Ms. McPheeters said the signs have been designed and ordered and it is hoped to have them erected in the spring, bringing eleven signs to County borders on main highways.

### **Addition of Resolution(s) to the Agenda**

On motion and duly seconded and unanimously adopted by voice vote by members present, the resolution entitled In Appreciation of Beautification Coordinator was added to the agenda:

### **RESOLUTION NO. 1 - IN APPRECIATION OF BEAUTIFICATION COORDINATOR**

MOVED by Ms. Robertson, and unanimously seconded, and adopted by voice vote by members present. Ms. Gardner thanked the Legislature for what she found to be a fantastic learning experience. RESOLUTION ADOPTED.

WHEREAS, the first thing that visitors to a town notice is how clean and neat it is or is not, and  
WHEREAS, the image presented by a beautifully clean town reveals a lot about the people who live there. Residents, however, can become so accustomed to their surroundings that they never notice the eyesores and unsightly places they pass by everyday, and

WHEREAS, a tourism program of community beautification is one from which everyone can profit and one in which almost every member of the community can participate, and

WHEREAS, on January 1, 2003, the Tompkins County Legislature, upon recommendation of its Strategic Tourism Planning Board, budgeted Room Tax funds to start a community beautification program in Tompkins County, and

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WHEREAS, Chrys Gardener began serving as the Beautification Coordinator for Tompkins County, and

WHEREAS, Chrys has assisted and facilitated town and city governments in developing beautification plans, and

WHEREAS, she personally planted thousands of plants and has organized volunteers to plant tens of thousands of plants thereby beautifying communities throughout our County, and

WHEREAS, she served as the driving force in developing a comprehensive plan for beautification, and

WHEREAS, she inspired others throughout the county to create beauty in their own areas, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature recognizes the many significant contributions that our Beautification Coordinator, Chrys Gardener, has made to preserve and improve the quality of life for the citizens of our County,

RESOLVED, further, That the Tompkins County Legislature extends its sincere appreciation and best wishes to Chrys, as we applaud her achievements in making Tompkins County a beautiful place to live.

**SEQR ACTION:** TYPE II-20

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### **Chair's Report**

Mr. Koplinka-Loehr requested Committee Chairpersons to take time following the meeting to determine if the proposed meeting schedules are acceptable.

### **Report from the County Administrator**

Mr. Whicher, congratulated Mr. Koplinka-Loehr and Mrs. McBean-Clairborne, and thanked Mr. Joseph as well for his work. He then asked Legislators to complete the budget survey they were provided, noting it is used as a planning tool for subsequent budget reviews. Mr. Whicher welcomed Ms. Chock to the Legislature.

### **Report from the Finance Director**

Mr. Squires reported that tomorrow the official bids will occur for the County's financing. He indicated the document prepared for Federal Communications Commission filing for the financing is extensive and he takes the information contained within it very seriously.

### **Presentation – 55 Brown Road – Proposed Health Department Building**

Mr. Marx provided a brief overview of the work completed by the Health Department Building Construction Committee to date. He noted the work completed has been to evaluate, look at the building structurally, and determine how the programs of the Health Department could be accommodated in the building. As a result, he believes the conceptual design indicates the building is functional and would work for the Health Department programs, accommodating current and future needs within the building and the long-term options of additions if required in the future.

Mr. Marren of LaBella Associates reviewed the conceptual plans for the 33,000 sq. ft. building. The review included the layout of the various programs and possible additions to the building if needed in the future.

Following the presentation Mr. Proto inquired whether there are cost estimates for the addition options. Mr. Marx indicated that the cost would be determined at the time an addition is considered. Mr.

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Proto stated he believes it would be beneficial to have an estimate for potential additions in order to determine if the building is the best choice.

Ms. Herrera also expressed a desire to be provided comparison figures to assist in determining the best option for the Health Department. She also inquired whether the glass would be LEED eligible. Mr. Marren said the windows are comparable to what is available and are insulated glass. He said there are some areas of the frame that will require gasket replacements. Ms. Herrera also expressed concern that a lack of natural lighting may occur within the building as well. She asked why there is a high grossing factor for the building. Mr. Marren indicated part of the reason is due to the building design as well as having mechanicals upon the roof. Ms. Herrera then asked about the square footage of the conference room's initial design and how it compared to the potential addition. Mr. Marren noted the original design was for 1,000 sq ft. conference room, with a 500 sq. ft. educational room that could be opened up. The addition would be 1,200 sq. ft. with the education room being maintained, although in its original position. In addition, Mr. Marren noted the design would provide 26 to 33 LEED credits that would make it a certified building. Ms. Herrera thanked all the staff that worked on the project.

Ms. Mackesey stated the issue of additions is confusing the basic question of whether the building is adequate for the present Health Department programs. She does not believe it is necessary to be provided additional information on additions as they are not under consideration at the present time.

Ms. Chock was provided information regarding the basic lease/purchase of the property. In response to her inquiry of useful life of the building, Mr. Marren said the standard is 50 years, although the roof would require work after approximately 20 years, and the air handling equipment would be 20 to 25 years.

Mr. Proto inquired whether the 104 work stations/83 full-time equivalent staff are provided adequate work area as proposed in the County standards. Mr. Marx indicated that the areas meet and sometimes exceed the County standards.

Ms. Robertson pointed out that 104 available workstations represents space for approximately twenty-five percent growth above current staffing levels.

Mr. Dennis noted that the many questions raised regarding the building have been answered and that it appears the building would be adequate for the Health Department. He said the only question he has is whether Cornell University would approve any additions, and was informed that Cornell University is amenable to any proposed addition.

Mr. Koplinka-Loehr noted the lease/purchase agreement is available for Legislators to review if desired.

Mr. Shinagawa arrived at this time.

### **Chair's Report – Continued**

Mr. Koplinka-Loehr presented Mr. Stevenson with a 20-year service award, and Mrs. McBean-Clairborne with a five-year service award. He noted that the awards should have been presented in 2006.

### **Report from the County Attorney**

Mr. Wood, County Attorney, did not have a report.

### **Addition of Resolution(s) to the Agenda**

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There were no other resolution added to the agenda.

**Withdrawal of Resolution(s) from the Agenda**

There were no resolution(s) to be withdrawn from the agenda.

**Approval of Appointment(s) Under the Consent Agenda**

It was MOVED by Mr. Joseph, seconded by Mr. Dennis, and unanimously adopted by voice vote by members present, to approve the following appointment(s) under the Consent Agenda:

**Youth Services Board**

Gale Smith	Town of Ithaca	12/31/10
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**Emergency Comm. Review and Oversight Committee**

Edward Abruzzo	NYS Police	12/31/10
Leslie P. Gifford III	Vol. Ambulance Squad	12/31/10
Jason Fulton	West side – Fire/EMS	12/31/10

**Fire, Disaster, and EMS Advisory Board**

David H. Cornelius	At-large	12/31/10
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**Criminal Justice Advisory/Alt. to Incarceration Bd.**

John P. Beach	Crime Victim	12/31/10
Peter J. Meskill	Sheriff	12/31/10
Linda Riley	Director of Community Services	12/31/10
Betty F. Poole	Town/Village Court Judge	12/31/10
William Furniss, Jr.	At-large	12/31/10
Diana Bodnar	DSS	12/31/10
Susan Cook	County Attorney's Office	12/31/10
Judith Saul	Agency providing mediation Services	12/31/10

**Advisory Board on Indigent Representation**

Deborah Dietrich		12/31/10
Diane V. Bruns		12/31/10
Kelly A. Damm		12/31/10

**Traffic Safety Committee**

Fernando DeAragon	MPO	12/31/10
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**Family Court Advisory Council**

Louise Miller	At-large	12/31/10
Mary Cole	Schools	12/31/10
Patricia M. Karr-Segal	Family and Children's Service	12/31/10
Diane Withiam	At-large	12/31/10

**STOP-DWI Advisory Board**

Ronald H. Schoneman	At-large	12/31/10
Stu Bergman	Substance Abuse Subcommittee	12/31/10
Sonja Seamon	Restaurant/Tavern/Hotel	12/31/10
Peter J. Meskill	Sheriff	12/31/10

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**Report and Presentation of Resolution(s) from the Public Safety Committee**

Mrs. McBean-Clairborne, Chair, reported the Committee met on December 21<sup>st</sup>. She noted the Sheriff's report should be forthcoming as soon as final billing figures are received, however, it appears the board-out expenses may be half of last year's expenses and the number of inmates is down from last year. In 2008, the Sheriff will be addressing the SWAT team and vehicle in use. The vehicle is in need of replacement and the 2007 Committee recommends that the new Committee will discuss how the County can become a community partner to assist in the purchase of a new vehicle. Mrs. McBean-Clairborne spoke of the report from Offender Aid and Restoration regarding the bail fund program, noting that in 2007, 69 individuals had been assisted versus 48 in 2006. The Committee also heard from Ms. Younger regarding the Criminal Justice Data Communication System, discussing the need of guidance regarding the structure. She noted there would be oversight on the project, which is very useful to all public safety agencies in the area. It is hoped to have the technical assistance from State and Federal departments. She also spoke of tracking individuals to determine trends and assist in appropriately developing programs. Mrs. McBean-Clairborne spoke of concerns regarding the Criminal Justice Center Building (the Old Library) and what can be done to improve conditions. The Committee also reviewed goals for 2007.

**RESOLUTION NO. 2 – APPROPRIATION FROM CONTINGENT FUND – TERMINAL-PAY REIMBURSEMENT– SHERIFF'S OFFICE – JAIL**

MOVED by Mrs. McBean-Clairborne, seconded by Mr. Hattery. A short roll call resulted as follows: Ayes – 14; Noes – 0; Excused – 1 (Legislator Kiefer). RESOLUTION ADOPTED.

WHEREAS, the Sheriff's Office had three (3) Correction Officers resign, two (2) effective August 8, and one (1) on September 27, 2007, and

WHEREAS, the Fiscal Policy of Tompkins County allows for terminal-pay reimbursement from the Contingent Fund, now therefore be it

RESOLVED, on recommendation of the Public Safety and Budget and Capital Committees, That the Director of Finance is hereby authorized and directed to make the following budget appropriation for 2007:

FROM:	A1990.54440	Contingent Fund	\$9,093
TO:	A3150.51000290	Correction Officers	\$6,542
	A3150.58800	Fringes	\$2,551

**SEQR ACTION: TYPE II-20**

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**RESOLUTION NO. 3 – APPROPRIATION FROM CONTINGENT FUND – REPLACEMENT PAY – SHERIFF'S OFFICE - JAIL**

MOVED by Mrs. McBean-Clairborne, seconded by Ms. Mackesey. A short roll call resulted as follows: Ayes – 14; Noes – 0; Excused – 1 (Legislator Kiefer). RESOLUTION ADOPTED.

WHEREAS, the Sheriff's Office has four (4) employees out on medical leave for greater than two months in the Jail, and

WHEREAS, the Fiscal Policy of Tompkins County allows for replacement pay from the Contingent Fund, now therefore be it

RESOLVED, on recommendation of the Public Safety and Budget and Capital Committees, That the Director of Finance is hereby authorized and directed to make the following budget appropriation for 2007:

FROM:	A1990.54440	Contingent Fund	\$67,663
TO:	A3150.51000290	Corrections Officer	\$48,678
	A3150.58800	Fringes	\$18,985

January 2, 2008

**SEQR ACTION: TYPE II-20**

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**RESOLUTION NO. 4 - APPROPRIATION FROM CONTINGENT FUND - REPLACEMENT PAY – DEPARTMENT OF PROBATION AND COMMUNITY JUSTICE**

MOVED by Mrs. McBean-Clairborne, seconded by Ms. Robertson. A short roll call resulted as follows: Ayes – 14; Noes – 0; Excused – 1 (Legislator Kiefer). RESOLUTION ADOPTED.

WHEREAS, the Department of Probation and Community Justice had an employee out on disability for greater than two months in the Core Probation Services Program, and

WHEREAS, the Fiscal Policy of Tompkins County allows for replacement pay from the Contingent Fund, now therefore be it

RESOLVED, on recommendation of the Public Safety and Budget and Capital Committees, That the Director of Finance is hereby authorized to make the following adjustment to his books for 2007:

FROM:	A1990.54440	Contingent Fund	\$5,553
TO:	A3142.51000585	Probation Officer	\$3,995
	A3142.58800	Fringes	\$1,558

**SEQR ACTION: TYPE II-20**

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**Report from the Workforce Diversity and Inclusion Committee**

Mrs. McBean-Clairborne, Chair, reported the Committee did not meet since the last Legislature meeting. They will meet next January 23<sup>rd</sup>. Mr. Koplinka-Loehr noted the Committee would now become an advisory board.

**Report from the Health and Human Services Committee**

Mr. Shinagawa, Chair, reported the Committee has not met since the last Legislature meeting.

**Report from the Facilities and Infrastructure Committee**

Ms. Herrera, Chair, reported the Committee has not met since the last Legislature meeting.

**Report from the Personnel Committee**

Mr. Dennis, Chair, noted the name change for 2008 to Human Resources Committee. He then reported that \$12,500 was donated by County employees to the United Way. Mr. Dennis reported that labor negotiations are at impasse and meetings will continue with all parties. The County Administrator Search Committee will meet on January 3<sup>rd</sup>. He expressed his disappointment that a local radio station announced the names of individuals they feel may be in line for the position of County Administrator. He said the report should have provided the County an opportunity to comment on, noting that potential candidates hearing the report could find it troubling. Mr. Dennis would appreciate it if the media would contact an appropriate Committee member prior to a report. He said the issue of management salaries will be coming before the Committee again and noted the three percent figure was not acceptable to the bargaining units.

Mr. Dennis said he would like to keep the second Wednesday for Committee meetings. He also said he is bothered by the reports regarding Legislator attendance at meetings, stating there are times an absence cannot be avoided.

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Mr. Proto expressed appreciation to Mr. Dennis for his remarks about former Legislator Richard Booth at his reception.

**Report and Presentation of Resolution(s) from the Government Operations Committee**

Mr. Stevenson, Chair, said the Committee will meet January 11<sup>th</sup>.

**RESOLUTION NO. 5 - ADOPTION OF REVISED ADMINISTRATIVE POLICY – 01-04 –  
MODIFYING THE ADMINISTRATIVE MANUAL: THE POLICIES  
AND PROCEDURES OF TOMPKINS COUNTY GOVERNMENT**

MOVED by Mr. Hattery, seconded by Ms. Mackesey.

Ms. Chock requested clarification of what the amendments were. Ms. Younger, Deputy County Administrator, stated the amendments provide clarity of the process to be followed.

Mr. Proto noted that Section 2 of the policy is directed to staff and departments; however, there is an opportunity for Legislators to weigh in during the process. He suggested that Step 6 provide Legislators with information on suggested language amendments and the name of the contact person, saying he is concerned that Legislators have an opportunity to have knowledge of and make suggestions if desired on an equal basis to staff and department heads.

In response to a question from Ms. Robertson regarding the difference between a policy and procedure, Ms. Younger said from an operational standpoint the procedure outlines the best way to appropriately carry out a policy.

A voice vote on the resolution resulted as follows: Ayes – 14; Noes – 0; Excused – 1 (Legislator Kiefer). RESOLUTION ADOPTED.

WHEREAS, there is a need to establish a clear procedure for amending the Administrative Policy 01-04 and to ensure that all policies and procedures of the Administrative Manual are reviewed and updated through a coordinated and monitored process, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the following Administrative Policy is hereby revised and adopted:

01-04 – Modifying the Administrative Manual: The Policies and Procedures of Tompkins County Government

**SEQR ACTION:** TYPE II-20

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**RESOLUTION NO. 6 - ESTABLISHING 2008 MEETING DATES**

MOVED by Mr. Sigler, seconded by Ms. Mackesey. Ms. Chock inquired whether the proposed meeting dates would adversely affect the work of Department Heads and was informed it would not. Mr. Stevenson said previously he had opposed the suggested changes to the meeting schedule, however as a result of his observations he believes the schedule accommodates the need to be flexible at that time of year as well as facilitating operations appropriately. Ms. Herrera believes the original proposed meeting schedule is appropriate, if desired, an individual could request to be excused. Mr. Joseph stated that when he first became a Legislator the schedule was much like the one suggested, however as a result of the length of time between meetings compounded with large agendas the schedule was modified to provide two meetings, he would not support the resolution. Ms. Robertson noted that the Planning, Development, and Environmental Quality Committee work has many sequences to be maintained and the suggested schedule would create difficulties; she would not support the resolution.

January 2, 2008

A voice vote on the motion resulted as follows: Ayes – 5 (Legislators Dennis, Hattery, Mackesey Sigler, and Stevenson); Noes – 9 – (Legislators Chock, Herrera, Joseph, Koplinka-Loehr, McBean-Clairborne, Proto, Randall, Robertson, and Shinagawa); Excused – 1 (Legislator Kiefer). RESOLUTION LOST.

RESOLVED, on recommendation of the Government Operations Committee, That the 2008 regular meetings of the Tompkins County Legislature are as follows:

Wednesday,	January 2,	2008 at 5:30 p.m.
Tuesday,	January 15,	2008 at 5:30 p.m.
Tuesday,	February 5,	2008 at 5:30 p.m.
Tuesday,	February 19,	2008 at 5:30 p.m.
Tuesday,	March 4,	2008 at 5:30 p.m.
Tuesday,	March 18,	2008 at 5:30 p.m.
Tuesday,	April 1,	2008 at 5:30 p.m.
Tuesday,	April 15,	2008 at 5:30 p.m.
Tuesday,	May 6,	2008 at 5:30 p.m.
Tuesday,	May 20,	2008 at 5:30 p.m.
Tuesday,	June 3,	2008 at 5:30 p.m.
Tuesday,	June 17,	2008 at 5:30 p.m.
Tuesday,	July 1,	2008 at 5:30 p.m.
Tuesday,	July 22,	2008 at 5:30 p.m.
Tuesday,	August 19,	2008 at 5:30 p.m.
Tuesday,	September 2,	2008 at 5:30 p.m.
Tuesday,	September 16,	2008 at 5:30 p.m.
Tuesday,	October 7,	2008 at 5:30 p.m.
Tuesday,	October 21,	2008 at 5:30 p.m.
Wednesday,	November 5,	2008 at 5:30 p.m. (Tuesday, November 4 - Election Day)
Tuesday,	November 18,	2008 at 5:30 p.m.
Tuesday,	December 2,	2008 at 5:30 p.m.
Tuesday,	December 16,	2008 at 5:30 p.m.

**SEQR ACTION:** TYPE II-20

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#### **RESOLUTION NO. 7 - ESTABLISHING 2008 MEETING DATES**

MOVED by Mr. Stevenson, seconded by Mr. Hattery, and unanimously adopted by voice vote by members present. RESOLUTION ADOPTED.

RESOLVED, on recommendation of the Government Operations Committee, That the 2008 regular meetings of the Tompkins County Legislature are as follows:

Wednesday,	January 2,	2008 at 5:30 p.m.
Tuesday,	January 15,	2008 at 5:30 p.m.
Tuesday,	February 5,	2008 at 5:30 p.m.
Tuesday,	February 19,	2008 at 5:30 p.m.
Tuesday,	March 4,	2008 at 5:30 p.m.
Tuesday,	March 18,	2008 at 5:30 p.m.
Tuesday,	April 1,	2008 at 5:30 p.m.
Tuesday,	April 15,	2008 at 5:30 p.m.
Tuesday,	May 6,	2008 at 5:30 p.m.
Tuesday,	May 20,	2008 at 5:30 p.m.

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Tuesday,	June 3,	2008 at 5:30 p.m.
Tuesday,	June 17,	2008 at 5:30 p.m.
Tuesday,	July 1,	2008 at 5:30 p.m.
Tuesday,	July 15,	2008 at 5:30 p.m.
Tuesday,	August 5,	2008 at 5:30 p.m.
Tuesday,	August 19,	2008 at 5:30 p.m.
Tuesday,	September 2,	2008 at 5:30 p.m.
Tuesday,	September 16,	2008 at 5:30 p.m.
Tuesday,	October 7,	2008 at 5:30 p.m.
Tuesday,	October 21,	2008 at 5:30 p.m.
Wednesday,	November 5,	2008 at 5:30 p.m. (Tuesday, November 4 - Election Day)
Tuesday,	November 18,	2008 at 5:30 p.m.
Tuesday,	December 2,	2008 at 5:30 p.m.
Tuesday,	December 16,	2008 at 5:30 p.m.

**SEQR ACTION:** TYPE II-20

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**Report from the Planning, Development, and Environmental Quality Committee**

Ms. Robertson, Chair, reported the Industrial Development Agency bonding for Tompkins Cortland Community College will require a meeting of the Committee prior to the next Legislature meeting. She will contact members to determine the time.

**Report from the Budget and Capital Committee**

Mr. Koplinka-Loehr, Chair, reported the Committee has not met since the last Legislature meeting, however, a poll on items presented to the Legislature took place.

**Adjournment**

On motion, the meeting adjourned at 8:15 p.m.