

March 18, 2008

Approved 4-1-08

**Tompkins County Legislature
March 18, 2008**

Public Hearing – Continuation of and Revisions to Agricultural District No. 2 (located within the Towns of Danby, Ithaca, Newfield, Enfield, and Ulysses)

Chair Koplinka-Loehr called the public hearing to order at 5:30 p.m. concerning a continuation of and revisions to Agricultural District No. 2 (located within the Towns of Danby, Ithaca, Newfield, Enfield, and Ulysses), and asked if anyone wished to speak.

No one wished to speak and the public hearing was closed at 5:31 p.m.

Call to Order

Chair Koplinka-Loehr called the meeting to order at 5:31 p.m.

Pledge of Allegiance to the Flag and Roll Call of Members

Members and guests participated in the Pledge of Allegiance.

Present: 13 Legislators; Excused: 1 (Legislators Chock); Vacancy: 1 (District No. 12 – Town of Ithaca)

Presentation of Proclamations

Mr. Koplinka-Loehr presented a proclamation declaring the hour of 8:00 p.m. to 9:00 p.m. on March 29, 2008, Earth Hour, and urged residents to turn off their lights at this time. Steve Nicholson, Chair of the Environmental Management Council, accepted the proclamation and asked that during the hour people take time to get to know your neighbors.

Mr. Koplinka-Loehr then presented a proclamation declaring the days of March 20, 2008 through March 27, 2008, as World Water Days for UNICEF. “Mac” (Charles) Larsen accepted the proclamation and noted that every dollar donated provides a day of clean water.

Privilege of the Floor by the Public

Steve Nicholson, Chair of the Environmental Management Council, spoke of his attendance at a Tompkins Renewable Energy Alliance meeting where the topic of a permit for a 165-foot meteorological tower at a proposed wind tower site at Ithaca College was discussed. The purpose of the tower is to study whether adequate wind exists to justify the location. At this time a planned second meeting has been cancelled as a result of hearing there is a request by County personnel to conduct a visual impact study. Mr. Nicholson said he was unaware of this and inquired if any Legislator was aware of such a request. Mr. Koplinka-Loehr said he would pass this request to the Commissioner of Planning and Public Works.

Distinguished Citizen Award

Mr. Stevenson, District No. 8 Legislator, said this award is not the usual Distinguished Youth Award presented at the Legislature meeting. He spoke of the life-saving efforts undertaken by Teresa Whitaker for her use of an AED at Cornell University on January 11, 2008, and Frank Towner for his use of an AED at the YMCA on February 15, 2008. Mr. Stevenson noted that the individuals were trained in the use of the AED, followed the instructions provided, and as a result were able to save the lives of two individuals. He presented both with a Tompkins County Distinguished Citizen Award and thanked them for their efforts. Mr. Stevenson noted that had an emergency of this type occurred in a County-owned

March 18, 2008

building the result could have had a negative outcome as we do not have public-access AED availability. Mr. Towner said that unfortunately using an AED does not always have a successful outcome and asked that recognition be given to all who attempt to assist others and not just the ones that have a positive outcome.

Privilege of the Floor by Legislators

Ms. Kiefer, District No. 10 Legislator, spoke of the Earth Hour proclamation having begun in Australia in 2007 as a demonstration that was the result of the government not having signed the Kyoto protocol. She noted that in November the government changed and an immediate step was the new government signed the Kyoto protocol, which she would like to see happen for this country.

Ms. Mackesey, District No. 1 Legislator, reported that the next meeting of the Upstate Task Force on Garbage Transport would take place on April 17th in the Scott Heyman Conference Room.

Ms. Robertson, District No. 13 Legislator, noted this week is the fifth anniversary of the war in Iraq, during which almost 4,000 Americans have died and thousands have been wounded, with untold number of Iraqi deaths. She asked that individuals continue to be aware of the situation. Ms. Robertson said Congressman Hinchey would be speaking at the First Baptist Church on March 19th to discuss the war. A meeting took place on March 17th with Mr. Arcuri and members of the Legislature, where budget cuts, the economy, and the effect of war spending have on the Country.

Ms. Mackesey reported former Legislator Stuart W. Stein received the first annual Howard Cogan Award for Tourism. She said Mr. Stein continues his efforts to improve tourism in the County.

Mr. Proto, District No. 7 Legislator, reported the Water Resources Council has been working with Cornell University to develop a lake-monitoring project that will continue the monitoring efforts of the south end of Cayuga Lake. There has been one meeting thus far with data presentation and it is anticipated that within the next several months a resolution will be brought forward to support this joint project. He noted that phosphorus levels are not as high as was thought and the majority is a result of sedimentary runoff from Fall Creek in particular. Mr. Proto then spoke of the proposed merger between New York State Electric and Gas and Iberdrola, noting he plans to write to Iberdrola to call attention to the need for increased maintenance work and staffing, particularly in light of the recent power outage and encouraged fellow Legislators to do the same.

Moment of Silence

In response to a request by Ms. Kiefer, Mr. Koplinka-Loehr asked for a moment of silence in memory of those who lost their lives during the Iraq war.

Report from the Municipal Officials

There was no municipal official present.

Presentation – Convention and Visitors Bureau

Fred Bonn, Director, provided a presentation highlighting the year-end report on tourism in Tompkins County. The report indicated that winter-recess tourism significantly increased, almost doubling figures in all areas. He also noted that although concerns regarding increased fuel expense have been raised, 2008 business has in excess of \$3.5 million on the books. Mr. Bonn shared marketing information and national media success for the County as a result of a variety of activities taking place throughout the year. The economic impact for 2007 indicated that Tompkins County has an above-average rating for Upstate New York and the Finger Lakes Region and is on par with the overall United

March 18, 2008

States. In addition, tourism-generated taxes show that the County has obtained 7.2 percent of the regional share and provides \$16,732,363 in local taxes. Mr. Bonn provided information regarding the plans for the 2008 tourism season, for example, a Wine Cener opening in August, and indicated he believes that the County will continue to see growth in the tourism area.

Chair's Report

Mr. Koplinka-Loehr extended best wishes to newly appointed Governor David Paterson and said he hopes for the State budget to be adopted by April 1st. He reported a quarterly meeting between the County and Cornell University took place on March 17th, with the next meeting to occur in May. He noted interested parties could review the meeting minutes if desired. Mr. Koplinka-Loehr congratulated the Cornell University basketball teams that would participate in the NCAA tournaments. He reported he met with Congressman Arcuri to provide background briefing, exchange information, and discuss ways to assist the County. Mr. Koplinka-Loehr said he would be requesting an executive session later in the meeting to discuss personnel issues.

Report from the County Administrator

Mr. Whicher had no report.

Report from the County Attorney

Mr. Flash, Deputy County Attorney, had no report.

Report from the Finance Director

Mr. Squires reported the County was successful in bankruptcy court with the property being discharged and it will be included in the next auction. He then reported the February sales tax revenue is three percent above last February's figures and for the two-month period revenues are seven percent over last year. He said it appears the County's increase in sales tax revenue income is unique since sales tax revenue throughout the country has decreased. In response to Ms. Kiefer's question, Mr. Squires said the property is not owner-occupied. He then reported he would be undertaking an effort to personally speak to all owner-occupied dwellings that are in tax foreclosure to address the seriousness of the upcoming auction.

Withdrawal of Resolution(s) from the Agenda

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

Addition of Resolution(s) to the Agenda

There were no resolution(s) added to the agenda.

Approval of Resolution(s) Under the Consent Agenda

MOVED by Ms. Robertson, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present, to approve the following resolutions under the Consent Agenda:

RESOLUTION NO. 45 – CORRECTION OF TAXES – TOWN OF ENFIELD (10-1-14.11/1)

MOVED by Ms. Robertson, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present under the Consent Agenda.

March 18, 2008

WHEREAS, the Legislature is informed that an error has been made in the 2008 tax roll of the Town of Enfield, namely parcel 10.-1-14.11/1, assessed to Allan Porter and Debra Parsons for Judy Brown, was erroneously charged for 15 Solid Waste units, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the entry on the tax roll of \$780.00 be corrected to reflect a total of \$0.00,

RESOLVED, further, That the Town of Enfield Tax Collector is directed to correct the 2008 Tax Roll,

RESOLVED, further, That the amount of \$780.00 be charged back to the Tompkins County Solid Waste Division.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 46 - BUDGET ADJUSTMENTS – PLANNING DEPARTMENT

MOVED by Ms. Robertson, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, pursuant to Administrative Manual Policy 05-02, budget adjustments exceeding \$5,000 require Legislative approval, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committees, That the Director of Finance be directed to make the following budget adjustments on his books:

Planning

Revenue Acct	Title	Amt	Approp Acct	Title(s)
CD8688.44959	Federal Aid	\$600,000	CD8688.54400	Program Expense
CD8695.42411	CD Program Income	\$150,000	CD8695.54400	Program Expense

Explanation: HO 8 State Grant Funds, HO HUD Program Income Funds.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 47 - AUTHORIZING THE TRANSFER OF LOCAL FUNDS AND CONTRACTUAL AUTHORITY FOR THE BRIDGES PROGRAM FOR YOUTH FROM THE YOUTH SERVICES DEPARTMENT TO THE SOCIAL SERVICES DEPARTMENT, AND AN ASSOCIATED BUDGET ADJUSTMENT FOR THE LATTER

MOVED by Ms. Robertson, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, through its Bridges program, Berkshire Farms provides anger-management training and crisis management support to help prevent 150 youth per year from acting aggressively and/or running away from home, thereby reducing or eliminating their need for foster care and/or juvenile justice services, and

WHEREAS, the New York State Office of Family and Children’s Services has approved the Department of Social Services’ application for the Bridges program to receive a COPS (Community Optional Preventive Services) designation, qualifying it for Federal and enhanced State reimbursement as a Preventive Services Program of the local Department of Social Services, and

WHEREAS, the Tompkins County Legislature had previously approved one-hundred percent local funding for this program through the Youth Services Department’s budget in 2008, and

WHEREAS, transferring local funding and contractual authority for this program from the Youth Services Department to the Department of Social Services will allow for those local funds to be leveraged and the program expanded at no increase to local cost, now therefore be it

March 18, 2008

RESOLVED, on recommendation of the Health and Human Services and the Budget and Capital Committees, That the Department of Social Services is authorized to enter into a contract worth \$48,000 to pay for the Rural Risk Reduction Bridges program from April through December,

RESOLVED, further, That the Youth Services Department shall redirect \$16,800 of the local funds in its 2008 budget for the Primary School Support Program to Social Services for the local cost of the program for the remaining three quarters of 2008,

RESOLVED, further, That the Director of Finance is authorized to make the following adjustments to the Social Services 2008 budget:

Appropriation:	6070.54400	Purchase of Services	\$48,000
Revenue:	6070.41894	Social Services Charges	\$16,800
	6070.43670	State Reimbursement	\$31,200

SEQR ACTION: TYPE II-20

RESOLUTION NO. 48 - AUTHORIZING THE TRANSFER OF LOCAL FUNDS AND CONTRACTUAL AUTHORITY FOR THE 'RURAL RISK REDUCTION PROGRAM' FROM THE YOUTH SERVICES DEPARTMENT TO THE SOCIAL SERVICES DEPARTMENT, WITH AN ASSOCIATED BUDGET ADJUSTMENT FOR THE LATTER

MOVED by Ms. Robertson, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, Cornell Cooperative Extension of Tompkins County provides youth development programming to 150 middle school-aged youth in Newfield and Enfield to reduce their need for foster care and/or juvenile justice services, and

WHEREAS, the New York State Office of Family and Children's Services has approved the Department of Social Services' application for this Rural Risk Reduction program to receive a COPS (Community Optional Preventive Services) designation, qualifying it for Federal and enhanced State reimbursement as a Preventive Services Program of the local Department of Social Services, and

WHEREAS, the Tompkins County Legislature had previously approved one-hundred percent local funding for this program through the Youth Services Department's budget in 2008, and

WHEREAS, transferring local funding and contractual authority for this program from the Youth Services Department to the Department of Social Services will allow for those local funds to be leveraged and the program expanded at no increase to local cost, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget and Capital Committees, That the Department of Social Services is authorized to enter into a contract worth \$81,828 to pay for the Rural Risk Reduction program from April through December,

RESOLVED, further, That the Youth Services Department shall redirect \$28,640 of the local funds in its 2008 budget for the Primary School Support Program to Social Services for the local cost of the program for the remaining three quarters of 2008,

RESOLVED, further, That the Director of Finance is authorized to make the following adjustments to the Social Services 2008 budget:

Appropriation:	6070.54400	Purchase of Services	\$81,828
Revenue:	6070.41894	Social Services Charges	\$28,640
	6070.43670	State Reimbursement	\$53,188

SEQR ACTION: TYPE II-20

Approval of Appointment(s) Under the Consent Agenda

March 18, 2008

It was MOVED by Ms. Robertson, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present, to approve the following appointments under the Consent Agenda:

Soil and Water Conservation District

Frank P. Proto, County Legislator; term expires December 31, 2008

Tompkins Consolidated Area Transit

Pamela Mackesey, County Legislator; term expires December 31, 2010

Planning Advisory Board

Martha Armstrong, Economic Development; term expires December 31, 2008

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

Mr. Hattery, Chair, reported the Committee met on March 14th and reviewed the Assessment Department public information DVD, which was favorably received. In addition the Assessment Department provided a brief presentation regarding annual versus triennial assessments; a resolution may come to the full Legislature following information regarding State aid. The Board of Elections provided an update on the consolidation of polling sites. The Committee approved some interim green-fleet guidelines for the establishment of a procedure. In addition a brief report was provided on process for future use of the Biggs property. At the next meeting the Committee will be discussing the 2010 to 2013 Legislature salaries.

RESOLUTION NO. 49 – APPOINTMENT OF TEMPORARY BOARD OF ASSESSMENT REVIEW HEARING MEMBERS TO SERVE ON ADMINISTRATIVE HEARING PANELS

MOVED by Mr. Hattery, seconded by Mr. Stevenson. A voice vote on the motion resulted as follows: Ayes – 12; Noes – 0; Temporarily Out of Room – 1 (Legislator Proto); Excused – 1 (Legislator Chock); Vacant – 1 (District No. 12 – Town of Ithaca). RESOLUTION ADOPTED.

WHEREAS, Real Property Tax Law 523-a permits the County Legislature to appoint up to six Temporary Board of Assessment Review members to serve on Administrative Review Panels, and

WHEREAS, Real Property Tax Law 523-a permits the compensation of Temporary Board of Assessment Review Members, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That six Temporary Board of Assessment Review Members, namely Jan deRoos, Edward Laine, Robert Walpole, Michael Cannon, Susan Lustick, and Judy VanNest be appointed to serve on Administrative Review Panels,

RESOLVED, further, That Temporary Board of Assessment Review members be compensated at a maximum annual compensation of \$250.00.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 50 - APPROVAL OF DESIGNATIONS OF SUCCESSORS

MOVED by Mr. Hattery, seconded by Mr. Dennis. Ms. Kiefer said she believed the order of succession for the Emergency Response Director should be amended to reflect Lee Shurtleff's initial order which was changed at Government Operations; she noted her belief that the Communication System Manager is knowledgeable about day-to-day operations and would defer to the Assistant Director of Fire and Emergency Medical Services in the event of an emergency situation which is the responsibility of the Assistant Director.

March 18, 2008

It was MOVED by Ms. Kiefer, seconded by Mr. Stevenson, to amend the resolution to indicate the Communication System Manager would be first successor, with the Assistant Director of Fire and Emergency Medical Services as second successor for the position of Director of Emergency Response. A voice vote on the resolution resulted as follows: Ayes – 4 (Legislators Dennis, Kiefer, Mackesey, and Stevenson); Noes – 8 (Legislators Hattery, Herrera, Koplinka-Loehr, McBean-Clairborne, Randall, Robertson, Sigler, and Shinagawa); Temporarily Out of Room – 1 (Legislator Proto); Excused – 1 (Legislator Chock); Vacant – 1 (District No. 12 – Town of Ithaca). MOTION FAILED.

A voice vote on the original resolution resulted as follows: Ayes – 10; Noes – 2 (Legislators Kiefer and Stevenson); Temporarily Out of Room – 1 (Legislator Proto); Excused – 1 (Legislator Chock); Vacant – 1 (District No. 12 – Town of Ithaca). RESOLUTION ADOPTED.

WHEREAS, Section 31.07 of the County Charter specifies that the County Administrator and specified department heads shall designate in writing, and in order of succession, the deputies (or in the absence of officially designated deputies, the employees of the department) who shall possess the powers and perform the duties of the principal in the event of the latter's absence from the County or inability to perform or exercise the powers of the office, and

WHEREAS, the Charter further requires those designations, except department heads elected on a countywide basis, to be approved by the Tompkins County Legislature, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the following designations of successors are hereby approved,

RESOLVED, further, That this list is complete and supercedes all previous designations:

Airport Manager:	Assistant Airport Manager Airport Terminal Services Coordinator Operations Supervisor
County Administrator:	Deputy County Administrators Full-Time Part-Time County Attorney Finance Director
County Attorney:	Deputy County Attorney
Commissioner of Social Services:	Director of Children's Services Director of Administrative Services Social Services Staff Development and Quality Coordinator
Director of Emergency Response:	Assistant Fire and Emergency Management Director Systems Manager Communication Center Manager
Public Health Director:	Public Health Administrator Director of Patient Services
Medical Examiner:	Deputy Medical Examiner, William Klepack, M.D. Deputy Medical Examiner, David Newman, M.D.
Mental Health Commissioner:	Deputy Commissioner Mental Health Medical Director Director of Mental Health Clinic Clinic Supervisor
Director of Finance:	Budget and Finance Manager Director of Accounting Services
Commissioner of Personnel:	Deputy Commissioner of Personnel
Commissioner of Planning and Public Works:	Deputy Commissioner of Planning

SEQR ACTION: TYPE II-20

March 18, 2008

RESOLUTION NO. 51 - AUTHORIZING APPROXIMATELY 12.5 ACRES OF LAND BELONGING TO THE ITHACA TOMPKINS REGIONAL AIRPORT TO BE INCLUDED IN A TOWN OF LANSING SEWER DISTRICT DEVELOPMENT

MOVED by Mr. Hattery, seconded by Mr. Stevenson. Ms. Herrera said she will not support the resolution; she does not feel that it is a government's place to assist in adding fees for revenue-generating real estate transactions. She believes it would be more appropriate to join the district at a later date. Mr. Hattery noted the development area is outside of the buffer zone. Mr. Marx clarified a portion of the parcel is in the runway protection zone, however it is excluded from the 12.5 acres that are a potential Empire Zone area. He further stated the estimated cost is \$4,500 per year, with the project proceeding with or without the airport participation. He noted that based upon the level of expenditure, it is anticipated that if development of the property began within five years it would pay back the fees spent within a two-year period and have a net positive revenue of up to \$250,000 in twenty years. Also having the infrastructure in place makes the property more desirable to prospective developers. In response to Mr. Sigler's question, Mr. Marx said the property was purchased in part with Federal Aviation Administration (FAA) funds and would require any revenue to be made to the airport. In addition, although the FAA would need to approve any developments, it is not anticipated there would be a problem, particularly since they encourage the airports to seek other revenue streams. Ms. Kiefer said that she voted against this at Committee and is not enthusiastic, however she will support the resolution at this time.

A voice vote on the resolution resulted as follows: Ayes – 10; Noes – 3 (Legislators Herrera, Proto, and Randall); Excused – 1 (Legislator Chock); Vacant – 1 ((District No. 12 – Town of Ithaca).
RESOLUTION ADOPTED.

WHEREAS, the Town of Lansing is proposing to create a sewer district to provide requested service to the Dutch Mill Industrial Park on Warren Road, and

WHEREAS, said expansion would bring the sewer line east along Cherry Road and thence north along Warren Road, and

WHEREAS, said expansion would run alongside two parcels of airport land totaling approximately 12.5 acres, and

WHEREAS, including said 12.5 acres in the new sewer district would provide the airport with a means of future development, additional income from land rental and a positive economic impact to the area, and

WHEREAS, it has been agreed with the Town of Lansing that the annual cost to the airport of including said 12.5 acres in the expanded sewer district would be approximately \$4,487 but that said annual cost shall not exceed \$5,000, and

WHEREAS, based on available evidence and conservative calculations, the airport will be able to recover these costs within five to eight years and will gain a net income thereafter of approximately \$285,000 over the course of the next twenty years, and

WHEREAS, said annual cost will form part of the airport's operational budget and be absorbed by tenant rates and charges, and

WHEREAS, the Town of Lansing will act as Lead Agency for the SEQR review of this action, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, and with the concurrence of the Facilities and Infrastructure Committee, That approximately 12.5 acres of airport property be authorized to become part of the expanded Town of Lansing Sewer District and that the County Administrator be authorized and directed to execute any agreements with the Town of Lansing necessary to effectuate this action.

SEQR ACTION: TYPE II-11

Report and Presentation of Resolution(s) from the Planning, Development, and Environmental Quality Committee

Ms. Robertson, Chair, said the Committee met March 13th and heard a report from Sylvester Johnson regarding a Federal Carbon Tax. She said the Environmental Management Council is discussing the matter and believes it will be an important issue in the future. She reported there are vacancies on the South Central Resource Conservation and Development District, the Fish and Wildlife Management Board, and the Regional Forest Practice Board if any Legislator is interested in serving. The Planning Department has started work on the comprehensive plan element of greenhouse gas emissions and a subcommittee will work closely with staff on this project. In addition, a discussion with Cornell University regarding housing and transportation is taking place. Ms. Robertson spoke of a desire to amend the process for the Strategic Tourism Planning Board grants, and that Committee is reviewing options that would enable less committee interaction. At this time the Committee is interested in the process to include various degrees of Committee participation based on the amount of grants. She anticipates a resolution for policy revision to come through the Committee to the Legislature in the future. Mr. Proto noted that the entire committee has not yet reached consensus and the topic is still under discussion.

RESOLUTION NO. 52 – APPROPRIATION OF 2008-2009 BUDGETS FOR THE ITHACA-TOMPKINS COUNTY TRANSPORTATION COUNCIL

MOVED by Ms. Robertson, seconded by Ms. Kiefer, and unanimously adopted by voice vote by members present. RESOLUTION ADOPTED.

WHEREAS, Tompkins County serves as the Host Agency for the Ithaca-Tompkins County Transportation Council, the Metropolitan Planning Organization for the Ithaca-Tompkins County area, and

WHEREAS, the County has a contract with the New York State Department of Transportation to provide funding for the Ithaca-Tompkins County Transportation Council through grants provided by the Federal Highway Administration and Federal Transit Administration, and

WHEREAS, the Ithaca-Tompkins County Transportation Council has grant authorizations for its 2008-2009 fiscal year, beginning April 1, 2008, and ending March 31, 2009, in the amounts of \$281,321 from the Federal Highway Administration and \$40,396 from the Federal Transit Administration, and

WHEREAS, the Policy Committee of the Ithaca-Tompkins County Transportation Council has adopted Resolution No. 08-2, *APPROVAL OF THE 2008-2009 ITHACA-TOMPKINS COUNTY TRANSPORTATION COUNCIL OPERATING BUDGET*, which requests that the Host Agency (Tompkins County) take the appropriate actions to fully implement said operating budget, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the budgets for the Ithaca-Tompkins County Transportation Council, as presented in "ATTACHMENT A" to this resolution, be amended in the 2008 Tompkins County budget and that the County Finance Director be authorized to expend such funds for the period from April 1, 2008, through March 31, 2009.

SEQR ACTION: TYPE II-20

ATTACHMENT A

2008-2009 ITCTC OPERATING BUDGET

CODE	DESCRIPTION	08/09 FHWA	08/09 FTA	08/09

		A8675	A8673	TOTAL
.4959	REVENUES: FEDERAL AID	281,321	40,396	321,717
	EXPENSES: COMBINED SALARIES	169,184	23,071	192,255
.8800	FRINGE	65,982	8,998	74,979
.2206	COMPUTER EQUIPMENT	2,500	0	2,500
.2210	OTHER EQUIPMENT	500	0	500
.2214	FURNITURE & FIXTURES	500	0	500
.2230	COMPUTER SOFTWARE	200	300	500
.4303	OFFICE SUPPLIES	700	800	1,500
.4330	PRINTING	700	500	1,200
.4332	BOOKS/PUBLICATIONS	800	0	800
.4400	PROGRAM EXPENSE	22,000	0	22,000
.4486	SCI PROJECT	2,500	0	2,500
.4402	LEGAL ADVERTISING	1,500		1,500
.4412	TRAVEL/TRAINING	723	1,177	1,900
.4414	LOCAL MILEAGE	1,000	1,000	2,000
.4416	PROFESSIONAL DUES	300	300	600
.4424	EQUIPMENT RENTAL	3,500	0	3,500
.4425	SERVICE CONTRACTS	1,000	0	1,000
.4432	RENT	1,000	0	1,000
.4442	PROFESSIONAL SERVICE FEES	1,250	1,250	2,500
.4452	POSTAGE SERVICES	1,500	1,500	3,000
.4472	TELEPHONE	1,550	1,000	2,550
.4618	INTERDEPARTMENTAL CHARGE	0	500	500
.4905	CENTRALLY DISTRIBUTED ITEMS	2,432	0	2,432
	TOTAL EXPENSES	281,321	40,396	321,717

Report and Presentation of Resolution(s) from the Budget and Capital Committee

Mr. Shinagawa, Chair, said the Committee met March 10th. On March 24th the Committee will have a presentation from the Strategic Tourism Planning Board pertaining to discussions held regarding the use of the room tax revenue for economic development purposes.

RESOLUTION NO. 53 - APPROPRIATION FROM GENERAL FUND – CITY OF ITHACA – MUNICIPAL SALES TAX AGREEMENT

MOVED by Mr. Shinagawa, seconded by Mr. Dennis. A short roll call on the resolution resulted as follows: Ayes – 13; Noes – 0; Excused – 1 (Legislator Chock); Vacant – 1 (District No. 12 – Town of Ithaca). RESOLUTION ADOPTED.

March 18, 2008

WHEREAS, Resolution No. 87 of 1993, gave authorization for the County to enter into an agreement with the City of Ithaca for the distribution of sales tax, and

WHEREAS, the County agreed to pay the City of Ithaca for selected services provided by the City and further agreed that the City and the County would develop mechanisms for more efficient consolidation of services, and

WHEREAS, in separate amendments to the original agreement, the City has allocated this funding to human services, recreation mainstreaming, youth services, emergency dispatch, and transit services, and

WHEREAS, the 2007 sales tax for this agreement increased by 10.2 percent or \$1,511,269 for use in 2008, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That the Director of Finance be authorized and directed to make the following budget appropriation:

From: Unallocated Revenues A9999.41110 \$140,190

To:	2008 Budget	2008 Modified Budget	Difference
<u>Expense</u>			
OAR A6315.54400	6,307	6,952	645
HSC Agencies A6305.54400	267,909	295,302	27,393
Rec Mainstream Youth 7028.54666	125,195	149,256	24,061
Rec Mainstream Adult 4326.54400	78,673	88,673	10,000
County/City Program 6901.54666	381,995	460,086	78,091
<u>Total Expense</u>	<u>860,079</u>	<u>1,000,269</u>	<u>140,190</u>
<u>Revenue</u>			
OAR A6315.41110	6,307	6,952	645
HSC Agencies A6305.41110	267,909	295,302	27,393
Rec Mainstream Youth 7028.41110	125,195	149,256	24,061
Rec Mainstream Adult 4326.41110	78,673	88,673	10,000
County/City Program 6901.41100	381,995	460,086	78,091
<u>Total Revenue</u>	<u>860,079</u>	<u>1,000,269</u>	<u>140,190</u>

RESOLVED, further, That payments to Southside Community Center - *a pass-through payment that the County makes to the City and the City makes to Southside* - as outlined in the agreement, shall total \$30,225 for 2008, and

RESOLVED, further, That payments to Tompkins County Public Library - *a pass-through payment that the County makes to the City and the City makes to the Library* - as outlined in the agreement, shall total \$12,846 for 2008, and

RESOLVED, further, That payments to Tompkins County Area Transit, Inc., (TCAT) as outlined in the agreement, shall total \$364,000 for 2008 and to Tompkins County Emergency Response shall total \$147,000 for 2008 for Emergency Dispatching.

SEQR ACTION: TYPE II-20

Report from Public Safety Committee

Mr. Stevenson, Chair, reported the Committee will meet on March 21st.

Report from the Workforce Diversity and Inclusion Committee

Mrs. McBean-Clairborne, Chair, reported the Committee has not met.

Report and Presentation of Resolution(s) from the Health and Human Services Committee

March 18, 2008

Mr. Proto, Chair, reported the Committee met on March 5th and heard a presentation from Ms. Allinger of the Health Department regarding the conclusions and recommendations from the State Task Force on Preschool Special Education. This topic will be discussed further to more fully understand the impact of the recommendation of more funding going to school districts. The Committee was provided an update on the possible relocation of the Office for the Aging to Lifelong property, noting that former Legislator Dan Winch is on the Lifelong Board of Directors and is working with the County on this proposal. In addition, the Committee was informed that at this time no new information has been received regarding the Berger Commission decisions regarding Lakeside Nursing and Rehabilitation's resubmission of a proposal to the Department of Health. Mr. Proto spoke of the Youth Service Department's national recognition of the Community Coalition for Healthy Youth and requested the Public Information Officer assist in preparing a news release.

RESOLUTION NO. 54 – APPROPRIATION FROM CONTINGENT FUND – TERMINAL PAY – HEALTH DEPARTMENT

MOVED by Mr. Proto, seconded by Mr. Randall. A short roll call on the resolution resulted as follows: Ayes – 13; Noes – 0; Excused – 1 (Legislator Chock); Vacant – 1 (District No. 12 – Town of Ithaca). RESOLUTION ADOPTED.

WHEREAS, the Health Department had a Senior Clerk resign effective January 25, 2008, and WHEREAS, the Fiscal Policy of Tompkins County allows a department to receive terminal-pay reimbursement from the Contingent Fund, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget and Capital Committees, That the Director of Finance is hereby authorized and directed to make the following budget appropriation:

FROM:	A1990.54440	Contingent Fund	\$1,053
TO:	A4016.51000518	Senior Clerk	\$ 763
	A4016.58800	Fringes	\$ 290

SEQR ACTION: TYPE II-20

RESOLUTION NO. 55 – AUTHORIZING ESTABLISHMENT AND ASSESSMENT OF COMMUNITY WATER SYSTEM FEES FOR 2008 - HEALTH DEPARTMENT

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

It was noted that the present fee was the result of complying with a lawsuit ruling; it is anticipated the amount would be amended for the 2009 budget. The County Attorney has been requested to explore possible language that would allow billing on a per capita basis. This would require State legislation.

WHEREAS, Tompkins County has received a decision regarding the Community Water System (CWS) Fees from the State of New York, Supreme Court, Appellate Division, Third Judicial Department, and

WHEREAS, the adopted fees for 2008 (which have not been billed) would not be sustained because of this ruling, and

WHEREAS, it is fair and desirable to collect some fee for the services provided, and

WHEREAS, given the timing of the court decision and the County's subsequent billing dates, basing a revised 2008 fee on the one originally charged to the smallest CWS's seems least burdensome to the CWS's, although it leaves a revenue shortfall of more than \$31,000 in the 2008 Department of Health budget, now therefore be it

March 18, 2008

RESOLVED, on recommendation of the Tompkins County Board of Health, the Health and Human Services, and the Budget and Capital Committees, That the Tompkins County Health Department implement a fee of one-hundred and thirty dollars (\$130.00) for the year 2008 for each Community Water System.

SEQR ACTION: TYPE II - 20

Report from the Facilities and Infrastructure Committee

Mrs. McBean-Clairborne, Chair, reported the Committee would meet on March 20th.

Report and Presentation of Resolution(s) from the Human Resources Committee

Mr. Dennis, Chair, reported the Committee met prior to the Legislature meeting to act upon the resolution being presented. The next meeting would be on April 3rd. He noted that at this time the Tompkins County Library is at an impasse with employees and it is hoped that the Public Employee Relations Board (PERB) can assist in resolving their issues.

RESOLUTION NO. 56 – URGING THE STATE LEGISLATURE TO OPPOSE S6649/A9894 – AN ACT AFFECTING THE HEALTH INSURANCE BENEFITS AND CONTRIBUTIONS OF CERTAIN RETIRED PUBLIC EMPLOYEES

MOVED by Mr. Dennis, seconded by Ms. Kiefer. Mr. Dennis explained the purpose of the resolution is to express opposition to the State Legislature bills S6649/A9894 that would lock in the present retiree health insurance benefits. Ms. Herrera stated she would not support the resolution due to retirees and public desire to discuss the matter.

A voice vote on the resolution resulted as follows: Ayes – 11; Noes – 2 (Legislators Herrera and Stevenson); Excused – 1 (Legislator Chock); Vacant – 1 (District No. 12 – Town of Ithaca).
RESOLUTION ADOPTED.

WHEREAS, counties and all other municipal employers are finding themselves overburdened by the skyrocketing cost of health care coverage, and

WHEREAS, for the period May 1, 2008, to May 15, 2009, proposed legislation S6649 and A9894 – An Act in relation to affecting the health insurance benefits and contributions of certain retired public employees, will prohibit counties and all municipal employers from diminishing the health insurance benefits, or the contributions made by the municipal employers for such benefits, for public retirees unless a corresponding diminution of benefits or contributions is affected from the present level for active employees, and

WHEREAS, the broad language contained in the bill, effectively locking in all municipal employers to the existing benefit structure and contribution level for health insurance for retirees, unduly eliminates potential cost-saving options of local governments' desperately seeking ways to meet the financial challenges they all face, and

WHEREAS, the language prohibiting the diminution of employer contributions would not allow a public employer to explore other more cost-effective health insurance coverage options, including municipal health insurance cooperatives, which may result in savings to the taxpayers, even if these options are largely identical in scope to those currently received by the retiree, and

WHEREAS, this bill would effectively prohibit local governments from seeking to manage prescription drug benefit costs, and

WHEREAS, this bill is too broad in its approach and would tie the hands of any local governments attempting to maintain its level of health care coverage, while at the same time reducing the cost to the local taxpayers through innovative application of available health care resources for its retirees, now therefore be it

March 18, 2008

RESOLVED, on recommendation of the Human Resources Committee, That Tompkins County urges the State Legislature to oppose S6649 and A9894 – An Act in relation to affecting the health insurance benefits and contributions of certain retired public employees,

RESOLVED, further, That the Tompkins County Legislature shall forward copies of this Resolution to Governor Paterson, the New York State Legislature, and all others deemed necessary and proper.

SEQR ACTION: TYPE II-20

Approval of Minutes of March 4, 2008

It was MOVED by Ms. Robertson, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by members present, to approve the minutes of March 4, 2008. MINUTES APPROVED.

Recess

Mr. Koplinka-Loehr declared recess from 7:08 p.m. to 7:15 p.m.

Executive Session

It was MOVED by Mr. Hattery, seconded by Ms. Robertson, to enter into executive session at 7:15 p.m. to discuss personnel matters. A voice vote resulted as follows: Ayes – 12; Noes – 1 (Legislator Sigler); Excused – 1 (Legislator Chock); Vacant – 1 (District No. 12 – Town of Ithaca). MOTION CARRIED. The meeting returned to open session at 8:33 p.m.

Adjournment

The meeting adjourned at 8:33 p.m.

Respectfully submitted by Karen Fuller, TC Legislature Office