

May 1, 2007

APPROVED 5/15/07

**Tompkins County Legislature
May 1, 2007**

Call to Order

Chair Joseph called the meeting to order at 5:30 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: 11 Legislators; Mr. Shinagawa arrived at 5:31 p.m. Excused: 4 (Legislators Booth, Luz Herrera, McBean-Clairborne, and Randall).

Presentation of Proclamation

Mr. Joseph presented a proclamation declaring May, 2007, to be Drug Court Month in Tompkins County. Ms. Rogers, Drug Court Coordinator, accepted the proclamation and expressed appreciation from both the City and Felony Drug Courts and the Family Treatment Center for the Legislature's support of the programs.

Addition of Resolution(s) to the Agenda

It was Moved by Mr. Proto, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present to add the resolution entitled: In Appreciation of John Andersson, Director of Environmental Health.

RESOLUTION NO. 65 – IN APPRECIATION OF JOHN ANDERSSON, DIRECTOR OF ENVIRONMENTAL HEALTH

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

WHEREAS, John Andersson has served Tompkins County faithfully as a Senior Public Health Engineer for over thirty years, and

WHEREAS, he is retiring as the Director of Environmental Health, and

WHEREAS, during his tenure he has led such projects as the Shelter Valley Water System, the Board of Health Waiver process, various Sanitary Code revisions, numerous restaurant/food inspections, the Open Burning regulations, and the Clean Air/Smoking regulations, and

WHEREAS, he participated in enhancing the public's knowledge of rabies, and environmental health issues, as well as keeping his division fiscally responsible, and

WHEREAS, he led the effort to find the elusive ferret, now therefore be it

RESOLVED, That because his service to Tompkins County is appreciated and recognized, the Legislature wishes to express its thanks and that of the entire Tompkins County Community for his efforts to keep us healthy, and well-regarded throughout New York State.

SEQR ACTION: TYPE II-20

Mr. Proto read and presented a copy of former County Attorney Henry Theisen's poem entitled "The Ballad of the Ferret". Mr. Andersson said he has seen many Legislators and staff over the years and appreciates all the support and effort given to the Health Department.

Privilege of the Floor by the Public

May 1, 2007

Fay Gougakis, City of Ithaca, expressed her continued concern regarding cellular telephone usage in the Tompkins County Public Library. She believes the written policy is not followed and is offended by the disrespect to other patrons as a result. She believes more active enforcement is necessary.

Privilege of the Floor by Legislators

Ms. Kiefer, District No. 10 Legislator, spoke of it being National Law Day, and noted Center for Constitutional Rights has sent a delegation to Washington to request legislation to restore habeas corpus petitions in Federal court. This right was taken away as a result of the Military Commissions Act of 2006; previously it had been part of our rights since the 13th century. Ms. Kiefer noted that some detainees at Guantánamo probably are there for reasonable cause, however, many seem simply due to a person being in the wrong place at a wrong time. She is grateful for the actions being taken today by Center for Constitutional Rights and finds them admirable.

Mr. Dennis, District No. 15 Legislator, spoke of having been at a Kitchen Theatre function recently and receiving a plaque on behalf of the Strategic Tourism Planning Board and the Tompkins County Legislature. He noted the Kitchen Theatre is proof that government can assist a community. The Kitchen Theatre started in 2004 and today provides over 200 events per year.

Mr. Proto, District No. 7 Legislator, reported that his current Frontier telephone bill indicated an increase in the Universal Service Fund fee to 11 percent. He expressed his concern of this ever-increasing fee that does not provide a reasonable payback to residents of the County and State. He recommends following the program and that every effort should be made to bring some of the funds back into the community. Mr. Proto then spoke of the April 18, 2007, Tompkins County Library Volunteer Appreciation event. He recommended that Legislators review the program that listed numerous individuals from every municipality providing over 100 hours of volunteer work to the library.

Mr. Stevenson, District No. 8 Legislator, announced that this past week was Administrative Professional Day and noted that what keeps government running are the many individuals providing service. He acknowledged the efforts of all employees, including the Legislature's staff.

Mr. Sigler, District No. 6 Legislator, congratulated the Tompkins County Soil and Water Conservation District for their Arbor Day events, including tree sales that give back to the environment.

Ms. Robertson, District No. 13 Legislator, reported there would be a Wildflower Appreciation Day May 5th at Six Mile Creek.

Mr. Dennis announced The Wonder of Water in Tompkins County would take place Saturday, May 5, 9:00 a.m. – 3: 00 p.m., at the Ithaca Farmers Market. He will be performing magic tricks with water at the event.

Mr. Sigler responded to Ms. Gougakis' comments made at this time, noting he has noted her concern and intends to speak about the topic at the next Library Board of Trustees meeting.

Presentation – Criminal Justice Advisory/Alternatives to Incarceration (CJA/ATI) Board's Strategic Plan

Ms. Cook, CJA/ATI Chair, provided a Powerpoint presentation providing background information on the development of the 2007 Strategic Action Plan.

Ms. Cook provided an extensive overview of the County's ATI programs including their purpose and responsibilities. She also reviewed Tompkins County's criminal justice processes from arrest to

May 1, 2007

incarceration or re-entry, what and who compromises its system and its players. The systematic review performed by the CJA/ATI Board included an examination of the criminal justice system flow from entry to reentry, current ATI programs, utilization, stakeholders, data gaps, successes, and areas in need of improvement. The Strategic Action Plan provides an in-depth summary of the process that was undertaken. Copies of the Plan were distributed to Legislators at this time.

In response to Mr. Dennis, Ms. Cook said that are seven Alternatives to Incarceration Programs: (1) Probation; (2) Day Reporting; (3) Drug Courts; (4) Electronic Monitoring; (5) Service Work Alternative Program (SWAP); (6) Interim Probation Supervision (IPS); and (7) Release Under Supervision. She noted that virtually everyone in an Alternatives to Incarceration Program is on Probation. In response to another question, Ms. Cook said Defender Based Advocates are not necessarily an attorney, some individuals as well as attorneys can receive specific training to become a Defender Based Advocate.

A brief discussion followed regarding the costs of ATI programs. When attempting to determine cost-savings, Ms. Cook noted it is difficult to fully determine due to various aspects surrounding individual situations. In addition, Mr. Joseph stated that once individuals are out of the programs it is not possible to track. Ms. Cook noted recidivism matters most; breaking the cycle of repeat offenders define success in the matter. In addition, no tracking of individuals in jail versus the alternatives to incarceration program is undertaken.

Ms. Robertson called attention to the fact there are specific objectives within the plan that utilize current staff and therefore do not have additional costs attached to them. Mr. Joseph said the reentry program will have a cost associated. Mr. Hattery disagreed that the cost of staff should not be included when determining the program costs.

Mr. Dennis suggested the Public Information Advisory Board undertake educating the public regarding the programs to improve perception of what they are designed for.

Mr. Sigler inquired about the Intensive Supervision Probation program and was informed this is for higher risk offenders who are offered a "last-chance" prior to serving jail time.

Ms. Cook responded to Ms. Kiefer's inquiry about the jail and prison worksheet and was informed it is not yet complete. This form should provide some additional information on program effectiveness. She also noted the average population of unsentenced individuals is 31.

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

Ms. Robertson, member, reported the Committee met on April 20th. Information was provided from Assigned Counsel regarding Judge Judith Kaye's interest in bringing assigned counsel and possibly probation forward as a State-run program. Judge Kaye's goal is that this will occur within twenty months. Ms. Hughes will have more information in May. The Committee reviewed the first draft of Committee goals and will continue to discuss them at future meetings. The Emergency Response Department reported the Communications Capital Project is moving forward on time and within the budget. Mr. Shurtleff reported on the subscriber equipment and how expenses will be shared between participants. The Committee is determining the type of equipment that should be provided and it is hoped to have a proposal coming forward for the May 15th special Committee meeting. Questions raised regarding equipment included contract replacement, ownership, maintenance, as well as how a specific private company would be dealt with.

Mr. Proto expressed surprise at the State interest in taking over Assigned Counsel. Mr. Whicher said he believes it is to provide a state-wide standard for assigned counsel; at the present time not all

May 1, 2007

assigned counsel offices operate as well as Tompkins County's. He believed it may involve a contract with the County to continue operations initially.

RESOLUTION NO. 66 - ACCEPTANCE OF ANNUAL ALTERNATIVES-TO- INCARCERATION CONSOLIDATED SERVICE PLAN

MOVED by Ms. Robertson, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present.

WHEREAS, the Criminal Justice Advisory/Alternatives-to-Incarceration Board at its April 19, 2007, meeting approved the 2007 Annual Alternatives-to-Incarceration Consolidated Service Plan, and

WHEREAS, it is a requirement that the approval of the legislative/governing body accompany the Plan upon submission to the New York State Division of Probation and Correctional Alternatives, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the Tompkins County Legislature approves the 2007 Alternatives-to-Incarceration Consolidated Service Plan for Tompkins County,

RESOLVED, further, That a copy of the Plan will be kept on file at the office of the County Administrator, the office of the Chair of CJATI, and the office of the Tompkins County Legislature.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 67 – APPROPRIATION FROM CONTINGENT FUND – TERMINAL PAY – DEPARTMENT OF PROBATION AND COMMUNITY JUSTICE

MOVED by Ms. Robertson, seconded by Ms. Kiefer. A short roll call vote resulted as follows: Ayes – 11; Noes – 0; Excused – 4 (Legislators Booth, Luz Herrera, McBean-Clairborne, and Randall). RESOLUTION ADOPTED.

WHEREAS, the Department of Probation and Community Justice had a Probation Officer retire effective March 3, 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:

FROM:	A1990.54440	Contingent Fund	\$4,973
TO:	A3142.51000585	Probation Officer	\$3,578
	A3142.58800	Fringes	\$1,395

SEQR ACTION: TYPE II-20

Report from the Chair

Mr. Joseph spoke of the Governor's new Commission on consolidation and efficiencies of local governments, noting he has received at least three official notices regarding the topic. One of the notices received indicated this commission will take some time to undertake the initiative, however, they are interested in pushing forward on individual initiatives and have asked local governments to identify consolidated shared services or smart growth projects. The identified items are to be forwarded to the County, which will compile them and sent to the Governor's office to assist in the work of the Commission.

With that information in hand, the Tompkins County Council of Government identified two items: (1) cooperative health insurance project, and (2) district court system. He noted there is already a

May 1, 2007

grant application submitted to the State to fund a study for the health insurance project and perhaps submission will provide an answer regarding grant approval. He indicated that statutory regulations defining who may belong to a pool could be an obstacle. With regard to the district court system, the idea is to replace town and village courts with a district court. Although the initiative was studied earlier, it was concluded this may not save money it was thought other savings could occur such as saving payroll for less staffing and not having to pay for local judges. But the cost for a district judge was higher than for the local judges, therefore, there appeared to be no savings in total to the taxpayers, but only to the local government. However, recently it was learned that if set up as a district system, New York State pays for court staff.

Mr. Joseph asked members of the Legislature to bring forward ideas for consolidation or efficiency they may have to forward on to the Commission.

Report from the County Administrator

Mr. Whicher said he did not have a report. However, he noted he is seeing a pattern indicating a change in communication at the State level at the present time. When asking for information he is receiving evasive responses that do not commit to a specific time period to receive information and/or updates. Several items he has requested have not been responded to; one for the past six months, the other is now 1 ½ years. Mr. Proto inquired on the status of the Statewide Communication Network project; Mr. Whicher stated that is one of the items he referred to. A call was received when he was out of the office recently indicating he will receive a “call in the future”. In addition, the State commented they are very interested still in the project.

Report from the County Attorney

Mr. Wood had no report.

Report from the Finance Director

Mr. Squires was not present.

Withdrawal of Resolution(s) from the Agenda

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

Approval of Resolution(s) Under the Consent Agenda

It was MOVED by Ms. Kiefer, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present, to approve the following resolution(s) under the Consent Agenda:

RESOLUTION NO. 68 - AWARD OF BID – BRIDGE REPLACEMENT, CR164, RINGWOOD ROAD OVER CASCADILLA CREEK, BIN 3314160, TOWN OF DRYDEN

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

WHEREAS, Resolution No. 22 of 2006 approved a project to replace the Ringwood Road Bridge over Cascadilla Creek, BIN 3314160, P.I.N. 3753.20, in the Town of Dryden, and authorized an agreement with the State of New York whereby State and Federal sources furnished ninety-five percent of the funding necessary for design and right-of-way acquisition for the project, and

May 1, 2007

WHEREAS, the Department of Finance - Division of Purchasing has duly advertised for bids for the project, and

WHEREAS, five (5) bids were received and publicly opened on April 10, 2007, and

WHEREAS, the bids for replacement of the bridge exceeded the project budget, but 80 percent of the shortfall will be made available by the New York State Department of Transportation, now therefore be it,

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the bid be awarded to G. DeVincentis & Son Construction Company of Binghamton, New York, the lowest responsible bidder, in the amount of \$397,000.00, pending approval and confirmation of funding levels by the New York State Department of Transportation,

RESOLVED, further, That the Highway Division be authorized to implement this bid and execute change orders with total values not to exceed ten percent of the aforementioned bid amount on behalf of the County, funds to be provided from the Ringwood Road Capital Account (HZ 5103.59239.53.11) and Road Maintenance Program Capital Account (HZ 5105.59239.51.05).

SEQR ACTION: TYPE II- 2

RESOLUTION NO. 69 - AWARD OF BID – WOOD WASTE – SOLID WASTE DIVISION

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

WHEREAS, Tompkins County now manages woody/leafy yard waste by accepting it at the Recycling and Solid Waste Center, and contracting to have it chipped and incorporated into food waste, which together are composted and eventually sold as finished compost, and

WHEREAS, the Tompkins County Finance – Division of Purchasing has duly advertised for bids for acceptance of all County managed wood waste, and

WHEREAS, two (2) bids were received and publicly opened and read on April 9, 2007, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the bid be awarded to P & S Excavating of Trumansburg, New York, with a bid of \$37.50 per ton of materials received,

RESOLVED, further, That the Division of Solid Waste be authorized to implement this bid on behalf of the County, funds being available in Account No. 8163.4442

SEQR ACTION: TYPE II-20

RESOLUTION NO. 70 - CORRECTION OF ERROR AND REFUND OF TAXES – TOWN OF LANSING (45.1-1-52.5)

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

WHEREAS, this Legislature is informed that an error has been made in the 2007 tax roll of the Town of Lansing, namely parcel 45.1-1-52.5, assessed to United States Postal Service, was erroneously charged for the Lansing Fire District tax (a United States government agency is not to be liable for any special district charges), now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the Town of Lansing Tax Collector is directed to correct the 2007 Town and County Tax Roll,

RESOLVED, further, That the amount of \$8,612.31 be charged back to the Town of Lansing.

SEQR ACTION: TYPE II – 20

May 1, 2007

RESOLUTION NO. 71 - ADOPTION OF REVISED ADMINISTRATIVE POLICY 05-02 - FISCAL POLICY

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

WHEREAS, the Fiscal Policy has been revised to require departments to identify the source of Rollover funds, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That the following paragraph in Administrative Policy 05-02 – Fiscal Policy, be revised as follows:

Section 5.06 Re-appropriation (Carryover or Rollover) of Unspent Funds from Previous Years

“County department heads are authorized to request re-appropriation of unspent funds from the previous year provided that they are certified by the Director of Finance to be available and provided that this re-appropriation is authorized by the established appropriation procedures of the Legislature. All departments shall clearly define the source of surplus funds”.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 72 - ADOPTION OF CASH MANAGEMENT AND INVESTMENT POLICY

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

WHEREAS, Article 2 -Section 10 of the General Municipal Law requires each local government to authorize depositories for public funds, and

WHEREAS, Article 2 -Section 11 of the General Municipal Law requires each local government to authorize Permitted Investments for public funds not required for immediate expenditure, and

WHEREAS, Article 3 -Section 39 of the General Municipal Law requires each local government to adopt a comprehensive investment policy that details the local government's operative policy and instructions to officers and staff regarding the investment of public funds, and that the Investment Policy shall be annually reviewed by the local government, and

WHEREAS, the cash management policy of 2006 has been reviewed by the Finance Director and found to be appropriate to continue, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the Cash Management and Investment Policy dated January 2007, is hereby adopted.

SEQR ACTION: TYPE II-20

Approval of Appointment(s) Under the Consent Agenda

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

Air Service Board

Richard W. McDaniel – Cornell University representative; term expires December 31, 2009

Traffic Safety Committee

William Sczesny – Highway Division representative; term expires December 31, 2009

Youth Services Board

Mary Agnes Hamilton – Village of Cayuga Heights representative; term expires December 31, 2009

May 1, 2007

Report from the Health and Human Services Committee

Mr. Shinagawa, Chair, reported the Committee met on April 18th at which time they were provided information from the Human Services Coalition on Home Health Aides in New York State. Information indicated the largest barriers to the field are low-wage, no benefits, and transportation costs. It was suggested individuals be advised to utilize Home Health Aide experience as a platform for future additional training in the home health care field. Mr. Shinagawa said the Committee heard from a variety of departments and agencies on homelessness in Tompkins County, with statistical information provided. Catholic Charities spoke of the security deposit program running out of funding until next October's grant arrives. The Committee will be meeting with them to discuss this topic further. Mr. Jeremy Alderson of the Homeless Marathon spoke of the problems existing nationwide and offered recommendations such as designating an area for homeless individuals to exist without recourse. The Committee will meet tomorrow at 3:00 p.m.

Mr. Proto inquired if any Home Health Aide agencies are certified as livable wage employers. Mr. Shinagawa indicated that much of that information is proprietary; the committee is requesting the information from those willing to offer it.

Report from the Health Department Building Committee

Mr. Proto, Chair, reported the Committee has not met; the next meeting is May 17.

Report and Presentation of Resolution(s) from Facilities and Infrastructure Committee

Ms. Kiefer, Vice Chair, reported the Committee met on April 24th and acted upon the two resolutions offered in the Consent Agenda. The next meeting will be on May 8th.

Report from the Personnel Committee

Mr. Dennis, Chair, reported the Committee would meet on May 9th.

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

Mr. Stevenson, Chair, reported the Committee would meet on May 11th in the Courthouse Conference room.

RESOLUTION NO. 73 - APPROVAL OF 2007 SUCCESSION OF MEMBERS OF THE COUNTY LEGISLATURE TO SERVE IN THE ABSENCE OF THE CHAIR AND VICE CHAIR

It was MOVED by Mr. Stevenson, seconded by Mr. Dennis.

It was MOVED by Ms. Kiefer, seconded by Mr. Proto, to offer the following substitute resolution. [Mr. Joseph noted the list was in order of seniority on the Legislature.]

WHEREAS, Section 2.00 of the County Charter specifies that the succession of members of the Legislature to serve in the absence of the Chair and Vice Chair be annually designated by resolution, and

WHEREAS, for 2007, it is recommended that individuals be designated based on their experience in the Legislature and their likely availability to serve, now therefore be it

RESOLVED, That the following order of succession for the year 2007 be approved to serve in the absence of the Chair and Vice Chair:

May 1, 2007

Frank Proto
Dooley Kiefer
Mike Koplinka-Loehr
Martha Robertson

SEQR ACTION: TYPE II-20

A voice vote on the motion to substitute resulted as follows: Ayes – 2 (Legislators Kiefer and Proto); Noes – 9; Excused – 4 (Legislators Booth, Herrera, McBean-Clairborne, and Randall).

A voice vote on the original resolution resulted as follows: Ayes – 10; Noes – 1 (Legislator Kiefer); Excused – 4 (Legislators Booth, Herrera, McBean-Clairborne, and Randall). **RESOLUTION ADOPTED**

WHEREAS, Section 2.05 of the County Charter, specifies the succession of members of the Legislature be designated annually by resolution to serve in the absence of the Chair and Vice Chair, and

WHEREAS, the Government Operations Committee recommends the chairs of standing committees be designated, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the following order of succession of County Legislators for the year 2007 be approved to serve in the absence of the Chair and Vice Chair:

- Chair, Budget and Capital Committee
- Chair, Planning, Development and Environmental Quality Committee
- Chair, Health and Human Services Committee
- Chair, Government Operations Committee
- Chair, Facilities and Infrastructure Committee

SEQR ACTION: TYPE II-20

Report from the Planning, Development, and Environmental Quality Committee

Ms. Robertson, Chair, said the Committee will meet on May 14th in the Courthouse Conference Room. At that meeting members will hear reports on Tompkins County Area Development economic development programs, including the Empire Zone and Industrial Development Agency. In addition, the Planning Department will provide information on a variety of studies such as Route 13, Walkability Northeast, Northeast Waterfront Circulation, etc.

Mr. Proto noted there would be a Water Resources Council meeting on May 9 at 6:30 p.m. in the Borg Warner Room of the Tompkins County Public Library regarding lakesource cooling and integration with Cornell University monitoring project. Other agencies assisting in the project are the Cayuga Lake monitoring group and Cayuga Lake Watershed Network.

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

Mr. Koplinka-Loehr, Chair, reported the Committee met on April 23rd and in addition to the resolutions coming forward there are two areas to note: the rollover reports of unused 2006 funds have been set back due to delays in finalizing summaries, and a review of the pros and cons to setting a target for the public library was discussed. He explained the library has a strong financial consideration but is an independent entity. The discussion regarding the library included how the County deals with TCAD, TC3, and others. There was no decision but it is hoped to determine what direction to take prior to setting targets for County departments.

May 1, 2007

Mr. Sigler inquired if there will be the opportunity for a discussion on setting a target for the library and was informed by Mr. Koplinka-Loehr it would take place at the second meeting on Tuesday, May 29th.

Mr. Koplinka-Loehr reported that subsequent to the April 23rd meeting the Citizens Advisory Panel (CAP) held a revisit meeting to give information on the budget forums and will type up responses for review. Ms. Kiefer indicated she thought the CAP advisory board was disbanded. Mr. Koplinka-Loehr stated it had been agreed to meet annually to follow-up and speak of various tasks. Ms. Kiefer requested that if this is to occur that the Legislature be notified in advance of the meeting.

RESOLUTION NO. 74 – ESTABLISHMENT OF 2008 COUNTY FINANCIAL GOALS

It was MOVED by Mr. Koplinka-Loehr, seconded by Mr. Shinagawa.

It was MOVED by Mr. Hattery, seconded by Mr. Proto, to amend the resolution to reflect a tax levy increase of 1.5 percent, and tax rate of 0 percent. A voice vote on the amendment resulted as follows: Ayes – 4 (Legislators Hattery, Proto, Sigler, and Stevenson); Noes – 7 (Legislators Dennis, Joseph, Kiefer, Koplinka-Loehr, Mackesey, Robertson, and Shinagawa); Excused – 4 (Legislators Booth, Herrera, McBean-Clairborne, and Randall). MOTION LOST.

Mr. Dennis suggested that no goal be set, noting the County Administrator and Department Heads perform budget-setting duties well. Ms. Robertson agreed with Mr. Dennis, noting some departments set three-year goals. Although she feels goal-setting is a worthwhile effort, she does not feel it is productive as it creates a great deal of tension and has negative consequences among staff without an appreciable return.

Ms. Robertson believes setting a target early in the year does not accomplish much. Mr. Proto said if there is no direction to the County Administrator the budget could be too high; he believes there should be direction provided.

Mr. Koplinka-Loehr pointed out that the revised resolution does have a decrease from the original recommendations. Mr. Joseph stated the purpose of the resolution is to set a goal.

Mr. Hattery believes the target is too high, that meeting this or a lower target will require program and personnel cuts. He said there is a need to think seriously about targets prior to setting a budget; he will support the resolution but believes the target is too high.

Mr. Shinagawa agreed with Mr. Hattery's comments. He believes it is important to set a target to provide a fiscal discipline and general sense of what to do. He supports the current proposal as he believes it is realistic; last year's zero percent was not possible. He believes the suggested target is wise and prudent.

Ms. Mackesey would like to see a stabilized tax levy increase. She believes if it were stabilized and kept within a reasonable increase such as the cost of living it would help; she does not agree with a target of zero. Ms. Mackesey believes the County Administrator's projections are the right way to go and will not support radical decreases as a budgeting tool. She believes that if it is the desire to reduce the size of County government program cuts could be done in any desired manner. Ms. Mackesey said it is counterproductive to do otherwise and only creates stress for department heads and staff.

Mr. Sigler agrees with Ms. Mackesey's comments regarding the need for stabilization and stated that is why the recommendation is made. He believes it adds a layer of transparency to the budget process. He believes it is a good tool to understand how the County spends its funds and provides the Legislature with a baseline to make decisions on.

May 1, 2007

Ms. Robertson feels it is patronizing to say we need to set a goal or staff will have no direction. She believes they are very capable in producing budgets that are reasonable and disciplined, as well as providing relevant information to make a decision, with or without our goal setting. She said it is very clear there is a desire to keep taxes to a minimum, however, she feels it is up to the Legislature to have discipline. Ms. Robertson believes that setting the target only creates tension and she would prefer to trust the staff to submit appropriate budgets.

Mr. Dennis will not support the resolution; he believes the County Administrator and Department Heads have a sense of the County's needs and what it can support. He said a vote at budget time would indicate whether the proposals are acceptable.

Ms. Kiefer thanked Ms. Robertson for her statements. She said she was embarrassed and angry with last year's budget process. It resulted in the County Administrator presenting a budget he could not recommend. She feels the County Administrator should bring forward a proposed budget that will allow the County to function; the Legislature will then decide if it is appropriate. Ms. Kiefer said she would not support the resolution on the floor.

Mr. Proto appreciated Ms. Robertson's comments and indicated for many years budgets were set without a target-setting resolution. He inquired about the last Resolved paragraph references to health insurance modifications and whether it is tied to contractual obligations. Mr. Whicher replied it is to allow him the ability to seek alternative insurance options to offer employees. He clarified that the amendments would be in the 2008 budget and any existing contractual agreements with unions would not be amended.

Mr. Sigler asked what the target would be if the budget were to only include a maintenance of effort. Mr. Whicher indicated it would be a 6.76 percent increase in the tax levy. He said other structural things could be done with sales tax revenue, however in order to achieve a figure of 3.5 to 5 percent would require a reduction of programs.

Mr. Dennis noted the insurance clause in the resolution was included in last year's resolution as well and reinforced that it would not have any impact on union employees contractual obligations.

Mr. Joseph said the resolution is not dealing with setting the tax levy or cutting programs but for the Legislature to make a decision whether they desire to instruct the County Administrator to bring the budget within a certain amount or tax rate. He acknowledged previous budgets did this without a resolution. The difference is that when a goal was not set budgets required cuts to come to an acceptable rate; when set the budget allowed items to be added in. Mr. Joseph said the decision is made in November, this is just how to make the next step.

A roll call vote on the motion resulted as follows: Ayes – 6 (Legislators Hattery, Koplinka-Loehr, Mackesey, Proto, Shinagawa, and Sigler); Noes – 5 (Legislators Dennis, Kiefer, Joseph, Robertson, and Stevenson); Excused – 4 (Legislators Booth, Herrera, McBean-Clairborne, and Randall)
RESOLUTION FAILED.

WHEREAS, Tompkins County, as part of its budget policy and process, wishes, to establish the framework for the budget over the next year, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That the Legislature establishes the goal of a maximum tax levy increase of 3.6 percent (3.6%) for 2008 resulting in a 2.1 percent tax rate increase for 2008 also resulting in a projected decrease of \$1,100,000 in locally controlled spending over 2008 projections, and use 2008 to begin a process to stabilize the rate of tax levy increase,

May 1, 2007

RESOLVED, further, That the County Administrator shall be charged to recommend modifications to employee health and prescription costs and further consolidations of departments and functions where opportunities exist for improved efficiencies.

SEQR ACTION: TYPE II-20

Report from the Workforce Diversity and Inclusion Committee

No report was given as Mrs. McBean-Clairborne was excused from this meeting.

Approval of Minutes of April 17, 2007

It was MOVED by Mr. Koplinka-Loehr, seconded by Ms. Kiefer, and unanimously adopted by voice vote by members present, to approve the minutes of April 17, 2007, as presented.

Adjournment

The meeting adjourned at 7:49 p.m.

May 1, 2007

Respectfully submitted by Karen Fuller, TC Legislature Office