

Tompkins County Legislature
July 7, 2009

APPROVED 7-21-09

Call to Order

Mr. Koplinka-Loehr called the meeting to order at 5:30 p.m.

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

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

Present: 13 Legislators. (Mrs. McBean-Clairborne arrived at 5:37 p.m.). Excused: 2 (Legislators Randall and Stevenson).

Privilege of the Floor by the Public

Dr. William Tyler, Dryden resident and practicing physician for twenty-four years, favors single-payer health insurance, stating the current system is broken and irreparable. He noted medical insurance is something one cannot be without unlike insurance for homes or automobiles. He feels the cost is increasing exponentially and there is no evidence the competitive mode has assisted in controlling costs. He strongly feels the Federal government should be a national health insurance carrier.

Mike Lane, Dryden resident, agreed with Dr. Tyler's comments. He then spoke of the present situation within the New York State Senate, noting the gridlock is hurting Tompkins and other counties due to the delay of legislation to financially assist counties, including sales tax extensions. He recommended the County invite all three State Senators (Seward, Winner, and Nozzolio) to a meeting and have them explain what is causing the gridlock. He noted if they do not put aside differences and take action it would have repercussions.

Mrs. McBean-Clairborne arrived at this time.

Bernie Fetterly, Tompkins County Health Care Task Force and Single-Payer New York member, spoke in favor of single-payer health insurance. He stated the public option should be equal to the benefits provided Congress members and at a lower cost, while leaving the option to business owners to maintain their present coverage if desired. Mr. Fetterly does not think private insurance is beneficial as it splits the risk pool without benefit.

Pat Long, Ithaca resident, spoke in support of single-payer health insurance and provided a variety of examples of how it would assist individuals she was acquainted with who suffered due to a lack of or inadequate health insurance coverage. Ms. Long expressed concern that hard working individuals are not receiving the coverage they need and stressed the need for change to provide affordable insurance for everyone.

Rebecca Elgie, Tompkins County Health Care Task Force and Single-Payer New York member, spoke in favor of single-payer health insurance. She has worked at organizing awareness regarding this issue and said now is the time to provide appropriate legislation to make the health care system work. Ms. Elgie shared an associate's personal experience, noting she works three jobs and does not have adequate medical coverage that could be provided through single-payer health coverage. She shared information on meetings held regarding this issue, and said a group of concerned individuals would be taking a bus to Washington on July 30th to call attention to the issue. Ms. Elgie offered to take a copy of the resolution with them.

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Tom MacDonald, Ellis Hollow Road, spoke in favor of single-payer health insurance. He shared information regarding his experiences in England, particularly regarding the ability to choose physicians. He noted that when in Germany and required a specialist, it was easily transferable; it would be good for the United States to have reciprocal arrangements with Canada and Mexico as well. He said in this country, while under Medicaid and Medicare programs, he has had to request tests be done and believes better service would be provided under single-payer healthcare.

Beverly Livesay, Town of Ithaca, spoke in support of single-payer health insurance. She agrees with Mr. Lane regarding the current situation within the State Senate, noting it is time to resolve the issues. With regard to single-payer health insurance she said it is not a partisan issue, although it is being treated as such in Washington. It is a crisis of the same proportion as Katrina but with victims throughout the United States. She stated citizens are currently paying for health insurance in various manners; whether directly or through taxes or purchases made that support retailers. Single payer will cut out high profits and therefore cost less.

Report from a Municipal Official

Eric Rosario, Common Council member, reported the City of Ithaca will be making a decision by Fall of whether to build a new water system or join the Bolton Point Commission. A design consultant has been hired to evaluate and recommend repairs to the infrastructure and utilities on The Commons and will be having public input meetings during the process, including one at the Borg Warner conference room of the Tompkins County Public Library on July 8th at 5:45 p.m. Other comments regarding The Commons may be forwarded by e-mail to the City Planning Department. A possible regulation regarding outdoor smoking is being considered and it is hoped to have a draft ordinance developed within the next two months. The focus would be on areas of high-concentration of children as well as outdoor dining. He said the only peer-review publication regarding effects and exposure to outdoor smoking used in the process is a Stanford study. He noted *The Ithaca Journal* report regarding the City's budget situation was very well written; if there continues to be a decrease in sales tax revenue it will result in a shortfall of approximately \$850,000 at the end of the year.

In response to a question from Ms. Chock, it was noted the City's Department of Public Works meetings are not televised.

Privilege of the Floor by the Public – continued

Briggs Seekins, Village of Freeville, spoke in support of the resolution concerning single-payer insurance. He said the statement that health care is in crisis is accurate, noting 18,000 die each year due to a lack of insurance. In addition, thousands more die as a result of having reached the cap limit or due to a failure to disclose information resulting in denied claims. He does not agree with statements that the free-market system is beneficial, stating individual's premiums are paid to companies, however, the companies make their profit by denying services.

Stephanie Dvorak, Ithaca resident, spoke of her involvement with the Industrial and Labor Relations School at Cornell University. She said health insurance is one of the first benefits to be reduced or removed during difficult economic times and that the European system appears to work well. Ms. Dvorak shared her experience in seeking health care for her daughter, noting her primary care physician will no longer accept Medicaid, leaving her to decide whether to take her daughter to the specialist. In addition, when she had to be in another area of the country she was not able to receive coverage, leaving her with a \$6,000 hospital bill for the brief period she was medically treated, without being able to stay as long as needed for her problem. She stressed it is vital to have the infrastructure of health care in the country.

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Stephanie Agurkis, a resident of Freeville, nursing student, and personal trainer for health and fitness, spoke of having an autoimmune disease and how it consumes her life. It is difficult to find appropriate health care; although on Prednisone, she cannot afford the chemotherapy or regular testing needed for her condition. She requested support for the single-payer approach resolution.

Elizabeth Salon, member of New York State Association of Nurse Practitioners, spoke of the need to have single-payer health insurance, noting it would assist “independent contractors” who presently cannot afford to pay for health coverage. She shared information regarding her daughter’s experiences in the United Kingdom and encouraged support of the resolution.

Privilege of the Floor by Legislators

Ms. Robertson, District No. 13 Legislator, thanked the members of the public in attendance for providing their viewpoints regarding single-payer health insurance and provided the telephone numbers of Senators Gillibrand and Schumer for anyone desiring to contact their offices. Three Senate committees are dealing with this issue, with basic decisions being made at this time. She said when a Senator is not certain of their stance it is the time to speak to them to make them understand your point of view.

Mr. Burbank, District No. 12 Legislator, thanked the public for speaking to the topic of health insurance, noting the problem affects millions of people daily. He said although there are two resolutions regarding this topic they are not incompatible, both convey the importance of single-payer health insurance, with his referencing a House bill. He thought that perhaps Ms. Kiefer’s resolution should be considered as it conveys the message of single-payer health insurance. He reinforced the fact now is the time to speak out on whatever level and said he waited over twenty minutes to be able to leave a comment on his Federal representatives telephone. Mr. Burbank said \$140 million is spent daily to fight against health care reform; hopefully citizens can be a counterweight to this fight.

Ms. Chock, District No. 3 Legislator, thanked everyone for speaking to the issue of health care reform. She does not know how she could be functional without good health care insurance and thinks it is unconscionable that in the United States health care coverage is not affordable to all citizens. Ms. Chock thanked all public safety officers involved in this year’s fireworks display, safety, and traffic control. She said it isn’t easy to control traffic and keep people safe and they did a wonderful job.

Ms. Kiefer, District No. 10 Legislator, also expressed appreciation for the public input on the topic of health care. She expressed her admiration of Ms. Elgie for the work done regarding health care reform and noted the individual experiences shared were moving. Ms. Kiefer said when President Obama spoke earlier in his career stating there must be single-payer health care she was happy, however, he now seems to have forgotten his comments. She hopes people will join together and send a message to their Washington representatives.

Mrs. McBean-Clairborne, District No 2 Legislator, said that regardless of personal opinions, the world lost a great man in Michael Jackson. She said research on what he spent to give to people and places in need speaks for itself. With regard to the single-payer health care resolution she said it was moving to hear the testimonies and thanked the public for sharing their experiences. Mrs. McBean-Clairborne knows what it is like not to have adequate health care coverage and although she has often heard that Washington should make their own decisions she believes this is an appropriate time to weigh in on the topic. She spoke of the MLK Community Build effort, stating she had the opportunity to read from the book *Chaos into Community*. It spoke of America being the richest country, but having some of the poorest people for failing to pay livable wage and failing to provide adequate health care and food.

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She would like to encourage momentum to provide health care for everyone and encourages support of the resolution.

Mr. Proto, District No. 7 Legislator, also thanked members of the public for speaking. He expressed disappointment that as the Chairman of the Health and Human Services Committee, the resolution was not brought through the committee structure to allow a full discussion and whether the resolution should have come forward due to its Federal consideration. Mr. Proto complimented Congressman Arcuri for voting against the energy bill at the Federal level; if it passes the electric rates in upstate New York will be devastating. He announced there would be an open house at the Slaterville Fire Department on September 18th.

Mr. Dennis, District No. 15 Legislator, spoke about the passage of a resolution adopted at the last meeting regarding farm workers and he had received calls expressing disappointment that he had supported the resolution. He clarified he was not present at that meeting and would not have supported the resolution. Some of his constituents have contacted him and shared some of their stories. A Schuyler County dairy farmer shared information they receive the same price for milk as they did in the mid-1970's. Mr. Dennis is concerned that people working on farms in New York State are for the most part undocumented and could not join a union without becoming a citizen. He believes that fact in itself would put people out of work. When reviewing the legislation it appeared no one spoke of the people it would most affect.

Ms. Herrera, District No. 5 Legislator, said what is intriguing and problematic about the dairy industry is the manner the prices are set makes it impossible to make a living, and the costs ultimately get pushed down to the workers. In addition, she said the dairy and agriculture fields rely on undocumented workers. It is not just a health care or labor issue, but citizens of our country live a better life due to these individuals work. She believes that the Fair Pay Act is a possible route to allow workers to receive a rate of pay that would allow them to become members of unions, which is why she supported the resolution.

Chair's Report

Mr. Koplinka-Loehr announced a special Tompkins Consolidated Area Transit (TCAT) budget presentation will be held on July 22nd with the City of Ithaca and asked Legislators to indicate if they would be attending. Mr. Proto said one reason for the meeting on that date is to accommodate the Mayor who had personal obligations at other times. Mr. Koplinka-Loehr said the draft Expanded Budget Committee would be scheduling approximately ten meetings during the months of September and October and asked that members provide information on their availability to Mr. Dennis or to Cathy Covert. Mr. Koplinka-Loehr congratulated the Tompkins County Public Library on having their four-millionth visitor; it shows how much service they give to our community.

Report from the County Administrator

Mr. Mareane thanked Legislators and Department Heads for their input at the quarterly retreat. He said the goal was to determine the best manner to inform and communicate information to assist with making good decisions during this difficult budget year. He anticipates completing the review of the discussions and will have notes completed and distributed.

Mr. Mareane referred to a letter he sent that expressed concern regarding the stalemate within the State Senate and the legislation regarding the sales tax extension being delayed. He said the delay would result in a loss of revenue in the amount of \$2.4 million in 2009 and \$9.9 million in 2010, not taking into account the loss to the City of Ithaca and other municipalities within the County. The second item in the

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letter was the request by the County to consider a surcharge to assist in paying for the County radio communication system, which is also delayed.

Mr. Mareane attended a meeting with other County Administrators on June 26th, all expressing similar concerns regarding budgeting. The County Administrators toured a quick-chill food preparation facility operated by the New York State Department of Corrections in Rome. Legislation was provided this year that would allow the facility to provide food service to outside organizations such as Meals on Wheels and food banks. The County Administrators also discussed New York State Association of Counties advocacy regarding use of broadband funding in the stimulus program to cover the cost of public safety communications. During the course of the conversation regarding communications it was noted there is a surcharge being collected by the State that was earmarked for the Statewide Wireless Network; the project is not moving forward and the State is retaining the revenues. Counties will be discussing whether the funding should be allocated to provide funding for the wireless networks counties are installing.

Mr. Burbank spoke of hearing that Suffolk County was suing the Senate as a result of the negative fiscal impact their actions are causing and asked if there are any broader discussions regarding legal action. Mr. Mareane had not heard anything to date.

Ms. Herrera asked about staffing of the New York State Department of Corrections quick-chill facility. Mr. Mareane said the management is handled by New York State Corrections employees and inmates from the Oneida Correctional Facility provide the labor. Initially the facility was built to provide food service to the State prison population but has now expanded and is able to provide additional services. The inmates are paid \$.35/hour, which is more than their peers in other jobs assigned. Ms. Herrera said although New York State is trying to fill a need by utilizing inmate labor it could be seen as a lowering of area local standards. Although it is an interesting concept the exploitation of labor is hard to not wonder about.

Ms. Kiefer said she had read an article that the Statewide Wireless Network was just postponed, not abandoned. Mr. Mareane said the surcharge was put in place to assist in the cost of the State-led project. Upon completion of the system in western New York, the radio coverage was not what was desired and the project was abandoned. Now, counties are responsible for the installation and it is believed the surcharge revenue should be shifted to the counties.

Ms. Chock asked what the \$9.9 million revenue shortfall relates to in local tax increases. She was informed it would require a 27 percent increase to make up for the loss. Ms. Chock reiterated the need for citizens to contact State Senators for their area to indicate the need to act on their business.

Mr. Proto noted the loss of sales tax revenue would also affect Tompkins Consolidated Area Transit; the City of Ithaca contribution (between \$800,000 and \$900,000) is funded through sales tax revenue. With regard to broadband service he reiterated his belief that legislation allowing payment through the Universal Service Fund (USF) revenue would be appropriate. There had been interest in this possibility at the State level and asked if anything was discussed at the June County Administrator meeting; Mr. Mareane said he has not heard anything at this time. Mr. Proto suggested the possibility of a resolution from the County supporting the broadband funding from USF.

Mr. Shinagawa announced that time has been set at the Government Performance and Workforce Relations Committee meeting to discuss a resolution condemning the actions of the State Senate and asking them to move forward; the goal is to have a resolution that all Legislators could support.

Report from the County Attorney

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Mr. Wood did not have a report.

Report from the Finance Director

Mr. Squires reported the County was chosen by the New York State Comptroller as one of ten update counties for review of the use of Environmental Protection Fund Grants; the largest grant was for Farmland Protection. The State review will be conducted in ten municipalities to determine if the funds were used wisely or if there was any impairment to use or access of the grant funding. Mr. Squires said the only problem was that only one-half the available funding could be used due to the technicalities of the grant that made access difficult due to requirements for easements, etc. The review began today and is anticipated to be completed within thirty days and include the Household Hazardous Waste and Stormwater programs.

Mr. Squires spoke of the revenue reduction that would occur from sales tax having a detrimental effect on the County's municipal financing; normally it is simply reported sales tax income is renewable, now it must be indicated that it will expire due to the delay at the State level.

Mr. Proto asked that the municipalities be made aware of the sales tax revenue reduction as soon as possible to assist with budget planning.

Mr. Koplinka-Loehr reported there would be a brief Executive Session regarding personnel matters at the end of the meeting.

Addition of Resolution(s) to the Agenda

There were no resolutions to be added to the agenda.

Withdrawal of Resolution(s) from the Agenda

There were no resolutions withdrawn from the agenda. [Mr. Burbank withdrew his member-filed resolution at the appropriate time later in the meeting.]

Approval of Appointment(s) Under the Consent Agenda

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

Air Service Board

Leslyn McBean-Clairborne – Representative of appropriate committee of the Legislature; term expires December 31, 2009

Approval of Resolution(s) Under the Consent Agenda

MOVED by Mr. Proto, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to approve the following resolution(s) under the Consent Agenda:

RESOLUTION NO. 110 - BUDGET ADJUSTMENTS – VARIOUS DEPARTMENTS

MOVED by Mr. Proto, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present under the Consent Agenda. RESOLUTION ADOPTED.

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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 and the Facilities and Infrastructure 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)
A8027.43959	State Aid Planning	\$82,245	A8027.54400	Program Expense
A8027.42797	Contributions from Other Governments	\$ 9,400	A8027.54400	Program Expense

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

Airport

Revenue Acct	Title	Amt	Approp Acct	Title(s)
5610.41774	Commissions	\$25,000	5610.54333	Education and Promotion

Explanation: Needed to help cement the improving passenger numbers in an effort to retain air service. Projected revenues are running at about \$110,000 over budget estimates.

SEQR ACTION: TYPE II-20

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RESOLUTION NO. 111 – AWARD OF BID – RELOCATE RUNWAY 32 LOCALIZER ARRAY PROJECT – ITHACA TOMPKINS REGIONAL AIRPORT

MOVED by Mr. Proto, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present under the Consent Agenda. RESOLUTION ADOPTED.

WHEREAS, the Finance Department advertised and received three bids to relocate the runway 32 localizer array, a project that is necessary to meet Federal Aviation Administration safety standards, and

WHEREAS, the airport's engineering consultants, C&S Engineers of Syracuse, New York, have reviewed all the bids and found the lowest responsible bidder is B&H Taxilane Lighting, Inc., of Conklin, New York, with a bid of \$106,525.00, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the bid be awarded to B&H Taxilane Lighting, Inc., of Conklin, New York,

RESOLVED, further, That the funding sources for this project are as follows:

Federal Aviation Administration Share (95.0%)	\$101,198.00
New York State Department of Transportation Share (2.5%)	\$ 2,663.00
Local Share (Airline Rates & Charges) (2.5%)	\$ 2,664.00
TOTAL	\$106,525.00

RESOLVED, further, That the County Administrator be and hereby is authorized to execute a contract with B&H Taxilane Lighting of Conklin, New York,

RESOLVED, further, That the Finance Director be authorized to borrow monies if necessary, until reimbursement is received from the Federal Aviation Administration and New York State Department of Transportation.

SEQR ACTION: TYPE II-2

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

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RESOLUTION NO. 112 - ADOPTION OF INTERMUNICIPAL LAW ENFORCEMENT TECHNOLOGY SHARED SERVICES (LETSS) GROUP AGREEMENT AND BYLAWS – LAW ENFORCEMENT TECHNOLOGY SHARED SERVICES (LETSS)

MOVED by Ms. Robertson, seconded by Ms. Herrera. Ms. Robertson noted the bylaws would be ratified by the County first, with other municipalities to follow. Mr. Koplinka-Loehr asked how records were to be kept by the group. He stated he would not want the minutes to be at the same standard as a regular Legislative committee. Ms. Robertson said it was to be simply a public record, with approved minutes to be posted on the Information Technology Services website.

Ms. Herrera seconded the resolution as it is an example of what can happen when people decide to collaborate, work together, and come to consensus. It is the type of work that leads to true cost savings and she hopes the municipalities reap the benefits of having been cooperative in the collaborative effort and in a voluntary manner.

Mrs. McBean-Clairborne is pleased to see this work occur. In response to her question on funding, Mr. Koplinka-Loehr said the agreement assumes that \$50,000 would be approved for 2010, presently the 2009 budget is \$30,000. She then asked about previous grants for the project. Mr. Potter explained that previously there had been a small amount of grant funds utilized as part of the COPS Program years ago that were placed within the Information Technology Services budget to move the project forward, however, no grant funding has been available for the past three years. Mr. Koplinka-Loehr explained that if \$50,000 is allocated the documents indicate the level of service that would be provided; if funding is allocated at a lower level it would require renegotiation of the level of service the County would be providing. Mr. Potter said there is a separate budgeting unit for this project in the amount of \$30,000, and it is associated with software needs, hardware, professional services, and salary and fringes for a portion of a position. It does not adequately cover the amount of work being done for the project and Mr. Potter would request a budget of \$50,000 in 2010 rather than ask for funding as an over-target request as done for the past four years.

Mr. Hattery spoke of previous discussions regarding other participant contributions and asked what the final outcome was. Mr. Potter said as part of the original resolution to proceed with the group there was a directive to review the financial impacts. The first step was working with County Administration to determine how to best fund the program. Following the evaluation of what the financial impact at the local level would be if contributions were from agencies rather than the County, it was determined having the County cover the base amount was the best option.

Ms. Robertson stated the program is the culmination of many years of work and it is as a product of collaboration. She said there is a sense of consensus and ownership by participating agencies and this agreement is a tribute to our staff and agency staff.

Ms. Kiefer appreciated the work required to bring the resolution before the Legislature as well as the clarification of the services it would provide. She asked for further clarification of whether voting is based upon a majority of the full membership or only a majority of those positions filled. Ms. Robertson noted the question came up and it was determined it was the full membership of the board.

Mrs. McBean-Clairborne spoke of the leadership and noted the bylaws indicated members would speak directly to Mr. Potter with regard to their needs. She would like to know what direction is given to Mr. Potter and who does he report to. Mr. Potter said there is an administrative component; Information Technology Services would take over the administrative responsibility as defined within the \$50,000 mark. As items are discussed that require additional review it would be brought to the Public Safety

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Committee. Within the board, there would only be the Chair and Vice Chair. Ms. Robertson said if there are other tasks above what is covered within the budgeted amount a formula would be determined to cover any additional expense.

Ms. Herrera stressed the work done to bring the resolution to the Legislature is an accomplishment and shows consensus. She does not believe it would have worked if imposed or pushed through and it is a good example of collaborative work. Ms. Herrera said real consensus does not mean total unanimity and lack of questions. Although she has questions regarding a \$50,000 base budget item, she will support it due to it being a two-year renewable agreement that could have an option for an additional five years. It is a much-needed program and she is glad it is being undertaken.

Mr. Proto complimented the work completed and said the work done between Information Technology Services and Administration should not go unrecognized.

A voice vote on the resolution resulted as follows: Ayes – 12; Noes – 1 (Legislator McBean-Clairborne); Excused – 2 (Legislators Randall and Stevenson). RESOLUTION ADOPTED.

WHEREAS, in November of 2008, Resolution No. 248, “AUTHORIZATION TO PROCEED WITH A GOVERNANCE STRUCTURE FOR MULTI-JURISDICTIONAL DATA SHARING AMONG COUNTY LAW-ENFORCEMENT AGENCIES INCLUDING LAW-ENFORCEMENT TECHNOLOGY SHARED SERVICES (LETSS) GROUP “ was adopted, and

WHEREAS, it is considered desirable that a more permanent group be established to continue with the work undertaken by the Law Enforcement Technology Shared Services group, and

WHEREAS, the Law Enforcement Technology Shared Services group drafted and adopted the Intermunicipal Law Enforcement Technology Shared Services (LETSS) Group Agreement and Bylaws dated July 7, 2009, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the Law Enforcement Technology Shared Services group is hereby established as an oversight group reporting to the Public Safety Committee, and that the Intermunicipal Law Enforcement Technology Shared Services (LETSS) Group Agreement and Bylaws dated July 7, 2009, be adopted and filed with the Clerk of the Legislature.

SEQR ACTION: TYPE II-20

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RESOLUTION NO. 113 - RESOLUTION URGING PASSAGE OF STATE LAW REGARDING TEXT MESSAGING WHILE DRIVING

MOVED by Ms. Robertson, seconded by Mr. Shinagawa. Mr. Hattery spoke of concerns raised at the last meeting when this issue was discussed. Ms. Robertson said this resolution urges the State to pass a law rather than the County adopting a local law. If it is a State law, it is not jurisdictional and it would create a uniform traffic ticket system. Both these concerns as raised by the District Attorney and Sheriff were taken into consideration during Committee discussions. She also believes a State law would send a clear message that text messaging is not allowed and is a life-threatening hazard.

Mr. Shinagawa expressed support for the resolution and noted passage at the State level would provide a cultural benefit as it would become part of state driving permits and other training that develops good motor vehicle driving skills. With regard to enforcement, two separate law officers are required to verify use of the phone and he believes there is an additional fine when text messaging is involved in an accident.

Mr. Sigler said he does not support the resolution and said it feels like the County is legislating “common sense”. He believes if you make all things a crime then everyone is a criminal. He said

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enforcement takes two vehicles to confirm an individual text messaging; he would rather see them “walking a beat” rather than seeking driving violations.

Ms. Chock expressed a preference for a local law, however understands the State would provide a public education component, which she hopes would occur as the legislation moves forward. However, she would like to have the ability to bring back the possibility of a local law regarding this topic if the State does not take action.

Mr. Dennis stated the State law indicates a violation if seen holding a device; if a phone is visible the driver would be stopped.

A voice vote on the resolution resulted as follows: Ayes – 10; Noes – 3 (Legislators Dennis, Hattery, and Sigler); Excused – 2 (Legislators Randall and Stevenson). RESOLUTION ADOPTED.

WHEREAS, Section 1225-c of the Vehicle and Traffic Law of the State of New York provides that no person shall operate a motor vehicle upon a public highway while using a mobile telephone to engage in a call while such vehicle is in motion, and

WHEREAS, there have been instances throughout the State of New York where operators of motor vehicles are text messaging while driving and cause a crash, including fatalities, and

WHEREAS, several bills have been proposed in the State Assembly and Senate to prohibit operators of motor vehicles from using a mobile electronic device for writing, sending, or reading a text message while at the wheel of a vehicle in motion, and

WHEREAS, the Tompkins County Legislature believes that a statewide ban on text messaging while driving is more effective than a patchwork of local laws banning the practice, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That to reduce the potential of crashes caused by texting distraction, the Tompkins County Legislature hereby urges the State Legislature to adopt as soon as possible an amendment to the Vehicle and Traffic Law to prohibit operators of motor vehicles from text messaging while they are driving, and urges the Governor to sign such legislation,

RESOLVED, further, That the Clerk of the Legislature is authorized and directed to immediately send certified copies of this resolution to Governor David A. Paterson, New York State Senate Majority Leader, Assembly Speaker Sheldon Silver, Senate Minority Leader, Assembly Minority Leader Brian M. Kolb, New York State Senators James L. Seward, George H. Winner, and Michael F. Nozzolio, and Assemblywoman Barbara S. Lifton.

SEQRA ACTION: TYPE II-20

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Ms. Robertson, Chair, said the Committee would meet on July 20th at 2:30 p.m.

Member-Filed Resolution

RESOLUTION NO. 114 - REAFFIRMING SUPPORT FOR A SINGLE-PAYER APPROACH TO CONTROLLING HEALTH-CARE COSTS AND ENSURING EVERYONE IS COVERED

MOVED by Ms. Kiefer, seconded by Mr. Burbank. Ms. Kiefer said she did not present this resolution to the Health and Human Services Committee because she believes it simply reaffirms the resolution adopted three years ago. The purpose of the additional Resolved is to describe the sense of disappointment in the lengthy process that exists.

Mr. Shinagawa believes the single-payer approach is the best option available; noting that administrative costs, which run 22 to 34 percent could be reduced. He said the single-payer system

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would have a true economy of scale that would produce large savings. When individuals speak of other national programs being insufficient, there needs to be recognition that other countries spend significantly less per person on coverage, particularly since at the present time there are 65 million people not covered by any insurance. Mr. Shinagawa also acknowledged the need to provide reasonable reimbursement rates for services provided. At the present time, Medicare has a reimbursement rate of 80% and the Medicaid rate is 60-70%. This results in providers having a heavy reliance on private insurance plans to pay the full cost and to cover their margin of profit. He believes the public option must be administered by government, be available and affordable to all people, have the competitive reimbursement rates, and negotiate the economy of scale with regard to prescription drugs. He noted the Veterans Administration has negotiated a plan to pay only one-fourth of the retail cost of prescription drugs.

Ms. Herrera said she appreciated the suggestions regarding amendments to the resolution and noted amendments could still be considered, particularly because it did not have the benefit of going through the Committee process. She said she will support the resolution but wishes the discussions had been open and had included the Chair of the Health and Human Services Committee being informed.

Mr. Hattery noted this is not a partisan issue; the difference is in determining the best manner to proceed in order to have a better program. He said he is always surprised to hear local officials speak of ineffectiveness of working with the State and Federal government, but believing things would be better by turning this program over to them.

Ms. Robertson spoke in support of the resolution and said there are many individuals like Ms. Long who earn a minimum wage and who do not have health insurance. She said Medicaid only covers the very poor and there is a huge gap of individuals making too much to obtain coverage, yet not enough to afford it. She also spoke of different ways the topic was looked at, noting the cost for the public option was determined by the Congressional Budget Office, but not the savings that would result. She shared information previously written by former Legislator Tim Joseph, stating the many places where County government pays for health care. She also noted health care providers are taking jobs at insurance companies rather than in their field.

Mr. Burbank believes it is time for reform of the health care system and said the issue of single-payer health insurance is a moving target and it is time to reaffirm the stance taken two years ago. He was disheartened to learn that the President's Chief of Staff spoke of the White House being open to removing a public option; however, President Obama said that is not his intention at this time.

Mr. Sigler said eighty-five percent of the people in America have health insurance, the 47 million without health insurance include those who lost it within the last year. Of those with health care, almost all are happy with their coverage and of those without coverage, forty percent who received health care are happy with the care they received. He agrees those without coverage need to have it provided but does not think it is necessary to revamp the entire industry. He expressed concern for universal healthcare, noting other countries have had difficulties and lawsuits. He spoke of individuals with cancer and other chronic illnesses and questioned whether a national health insurance plan would cover individuals receiving repeated treatments. Mr. Sigler said it does not make sense to take away the tax-paying businesses that comprise one-seventh of the economy and have the government operate it instead and suggested providing a tax-exempt status for medical care that would reduce expenses.

Mr. Proto appreciated Ms. Kiefer's remarks regarding the reason she had not brought the resolution to Committee. He said discussions relating to the topic make it appear profit is not good in the industry and he disagrees with that opinion. He can relate to the concerns expressed and noted that no system is perfect. The reference to the portion of the resolution that said the profit is used for "insurance-company profits, CEO salaries, lobbying, etc.," represents \$.03 of every dollar. Although the resolution

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states the Legislature strongly supports, he believes it should indicate the actual vote, either unanimous or the exact number supporting the resolution. He said not everyone in the County supports what is being presented. Mr. Proto said if there is a problem it needs to be fixed, however, it is unrealistic to think the government can operate this system at a much lower cost.

Ms. Chock said she would not object to sending the resolution to Committee; however, she believes that in matters like this there are benefits to having a group discussion. With regard to national health care, she said it would be basic health care and would not supplant the ability to have private health coverage or supplemental programs, preserving the best of both. Ms. Chock said the savings in administrative costs could be used to hire more people into the health care system to provide necessary care. She said there are times to compromise and times to express what we believe to be best for the nation; she believes it is time to express the latter.

Mr. Shinagawa said what is missing in the debate is what the care would look like. In the future there could be a resolution regarding what is needed, such as electronic medical record systems, collaboration between primary care physicians and specialists, reduction of hospital infections, etc. He said there is a need to speak to these things at a national level and that local communities can contribute to the discussions.

Ms. Robertson noted that there is documentation that 75 percent of individuals going bankrupt due to medical bills had health insurance at the time.

It was MOVED by Mr. Sigler, seconded by Mr. Proto, to add an additional paragraph as follows: "WHEREAS, single-payer should be fair to all and Congress, the Executive Branch, Federal workers, and union workers should not be exempt from this as is currently being suggested by Congress." A voice vote on the amendment resulted as follows: Ayes – 3 (Legislators Hattery, Proto, and Sigler); Noes – 10; Excused – 2 (Legislators Randall and Stevenson). AMENDMENT FAILED.

It was MOVED by Mr. Proto, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by memers present, to Call the Question. THE QUESTION WAS CALLED.

A roll call vote on the resolution resulted as follows: Ayes – 10; Noes – 3 (Legislators Hattery, Proto, and Sigler); Excused – 2 (Legislators Randall and Stevenson). RESOLUTION ADOPTED.

WHEREAS, access to health care continues to be a major concern for all Americans [with an estimated 48 million currently uninsured and twice that number underinsured], and

WHEREAS, health-care costs continue to rise at rates above inflation [personal insurance premiums have doubled over the last eight years, and 62.1% of all bankruptcies in 2007 were linked to medical bills or illness, up from 49.6% in 2001], and

WHEREAS, on June 20, 2006, by Resolution 95 of 2006, the Tompkins County Legislature expressed its support of and preference for a single-payer approach to health-care coverage for New York State, and

WHEREAS, the Tompkins County Legislature continues to believe that both controlling health-care costs and ensuring health care for all residents are both of paramount importance, and it is even more important that this issue be addressed on the national level, and

WHEREAS, the simplest approach is to move directly from the current multiple-payer approach, with its high costs of administration, marketing, and profits for shareholders of the many insurance companies, to a national single-payer system, where the Federal government is the insurer of all, a system used in other industrialized democracies, and which results in residents having comparatively lower costs and greater satisfaction than we do [the U.S. pays \$7,129 per person for health care, 50% more than other

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industrialized countries, yet ranks 37th in health-care outcomes, lower than some third-world countries], and

WHEREAS a single-payer approach, as the name implies, only federalizes how health-care providers are paid, leaving the choice of doctors and hospitals completely up to each individual and the choice of treatment up to each patient and his/her doctor, and

WHEREAS, there is no reason for health care to be tied to employment; this linkage is an artifact of post-World War II economics when wage and price controls were in place and American employers chose to offer health-care benefits in place of salary increases, and continuing to tie health insurance to employment will only help prop up the current flawed system, and

WHEREAS, there is no reason to fear for the survival of insurance companies, since there is still the big business of home insurance, car insurance, life insurance mortgage insurance, bond insurance, liability insurance, key-person insurance, contents insurance, professional indemnity insurance, workers compensation insurance, earthquake and flood insurance, errors and omissions insurance, and pet insurance, and the possibility of add-on insurance for elective procedures and hospital accommodations, and

WHEREAS, of all the proposals currently being considered in Washington these days, only single-payer can save the approximately 30 cents of every health-care dollar currently being used for nothing to do with health or care, such as for insurance-company profits, CEO salaries, lobbying, mass marketing, and massive billing bureaucracies that challenge doctors' orders and patient and doctor claims; single-payer will replace that with a government-administered health fund that pays our health-care providers' bills, and, similar to Medicare, will cost only about 3 cents of every dollar, and

WHEREAS, the government, as the single payer, will have enormous negotiating leverage with drug companies, so that can drive down the costs to consumers even more, and

WHEREAS, recent polls indicate that a large majority of Americans want and need health-insurance reform, and a majority want at least to have a choice between a private plan and a public health insurance plan [June 12-16 New York Times/CBS telephone survey: 72% ± 3% supported a government administered plan, something like Medicare for those under 65, that would compete for customers with private insurance], and

WHEREAS, only a single-payer plan can save enough in unnecessary costs to pay for the costs of extending coverage to all the uninsured and underinsured for basic necessary medical care; all the other proposals under discussion have recently been estimated to cost so much that they appear unaffordable into the future, and they are not even planning to cover everyone initially, now therefore be it

RESOLVED, That the Tompkins County Legislature strongly supports adoption this year of a national single-payer health-care system [as exemplified in HR 676, The United States National Care Act (Medicare for All Act), and S.703, The American Health Security Act of 2009], that will cost much less per person and thereby enable provision of coverage for all,

RESOLVED further, That we urge Congress to waste no more time tinkering with the present failing profit-based insurance system but instead seize this moment of health-care crisis, recognize the widespread support for a new public approach, escape the inside-the-beltway mindset that major reform is "politically infeasible" (a self-fulfilling prophecy!), and take the opportunity to accomplish this major and long-needed reform.

SEQR ACTON: TYPE II-20

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Withdrawal of Resolution

Mr. Koplinka-Loehr granted Mr. Burbank permission to withdraw his resolution entitled In Support of 111th United States Congress H.R. 676 – United States National Health Care Act or the Expanded and Improved Medicare for All Act.

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

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RESOLUTION NO. 115 – AUTHORIZING A FIVE-YEAR EXTENSION TO THE AIR SERVICE BOARD – ITHACA TOMPKINS REGIONAL AIRPORT

MOVED by Mrs. McBean-Clairborne, seconded by Ms. Herrera. Ms. Kiefer requested the resolution be pulled from the Consent Agenda to clarify that the extension is a five-year period ending December 31, 2013. A voice vote on the resolution resulted as follows: Ayes – 13; Noes – 0; Excused – 2 (Legislators Randall and Stevenson). RESOLUTION ADOPTED.

WHEREAS, the Air Service Task Force (ASTF) was established in 1998 by the Tompkins County Chamber of Commerce and Tompkins County Area Development as a result of community concern over diminishing air service at the Ithaca Tompkins Regional Airport, and

WHEREAS, due to the continuing concern over the volatility of the airline industry and the financial plight of the airport's principal tenant, US Airways, the County Legislature, by Resolution No. 80 dated April 20, 2004, charged the Charge for the ASTF to review the operational and financial condition of the airport and improve air service, and

WHEREAS, in January 2005, the Chair of the County Legislature established a seven-person Air Service Committee (ASC) to focus more keenly on completing the ASTF's Charge and assist airport management with stabilizing the airport's future, and

WHEREAS, after a number of notable successes, it was deemed desirable that a more permanent group be established to work closely with airport management in the ever-changing aviation climate, and

WHEREAS, through Resolution No. 281 on December 20, 2005, the County Legislature established an Air Service Board for a three-year period, ending on December 31, 2008, and

WHEREAS, the Air Service Board has been very successful in helping airport administration with business and air service development, marketing, public relations, airline negotiations, and community relations, and

WHEREAS, through Resolution No. 57 of 2009, the Air Service Board with its 2008 membership was continued through May 31, 2009, to allow for a complete review of the Board, membership, bylaws, and charge, and

WHEREAS, it is deemed desirable for airport management to continue to have the benefit of this diverse group of business and community leaders to assist with sustaining and developing air service and related services, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the term of the Air Service Board be and hereby is extended until December 31, 2013,

RESOLVED, further, That the current members' terms are extended until such time as revised bylaws are reviewed and approved by the Legislature, at which time new or continued appointments would be made if necessary.

SEQR ACTION: TYPE II-20

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RESOLUTION NO. 116 – AUTHORIZING A CONSULTANT AGREEMENT WITH C&S ENGINEERS, INC., TO CONDUCT A TWENTY-YEAR “GREEN” MASTER PLAN – ITHACA TOMPKINS REGIONAL AIRPORT

MOVED by Mrs. McBean-Clairborne, seconded by Ms. Kiefer. Mr. Hattery asked what the nature of the study to be completed would include. Mr. Nicholas, Airport Manager, provided information indicating a standard Airport Master Plan costs approximately \$200,000 for the work. The “Green” Master Plan will incorporate components on how to make the improvements in an environmentally friendly manner with the goal of reducing greenhouse gas emissions. Mr. Proto spoke of his participation in the 1996 Master Plan and asked if Legislators or others would have an opportunity to participate; Mr. Nicholas said there are many stakeholders and all would have the opportunity to be involved.

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A voice vote on the resolution resulted as follows: Ayes – 13; Noes – 0; Excused – 2 (Legislators Randall and Stevenson). RESOLUTION ADOPTED.

WHEREAS, an Airport Master Plan was last developed in 1996 and the components outlined in said master plan are substantially complete, and

WHEREAS, good business practices dictate that it is prudent to plan ahead to anticipate future needs, and to investigate the environmental and financial impacts of any planned projects, and

WHEREAS, the Federal Aviation Administration (FAA) requires advanced notice of any and all projects that an airport may request funding assistance with, and

WHEREAS, in addition to the usual components of a traditional Airport Master Plan, it is deemed desirable to incorporate sustainable elements into all future airport projects, whenever possible, with the goal of greatly reducing or totally eliminating the airport’s carbon footprint, and

WHEREAS, the FAA has reviewed the Scope of Services for the “Green” Master Plan, is fully supportive of its goals and direction, and has agreed to fund the project with a Federal Airport Improvement Program (AIP) grant, and

WHEREAS, the budget for said “Green” Master Plan is:

Federal Aviation Administration Share (95.0%)	\$279,108
New York State Department of Transportation Share (2.5%)	\$ 7,345
Local Share (Airline Fees) (2.5%)	\$ 7,345
Total	\$293,798

, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the agreement with C&S Engineers, Inc., of Syracuse, New York, for \$293,798 be and hereby is approved, subject to Federal Aviation Administration and New York State Department of Transportation funding being received, and subject to an Independent Fee Estimate (IFE) confirming the fee is fair,

RESOLVED, further, That the local share of \$7,345 will come from the airport's operational budget,

RESOLVED, further, That the County Administrator is authorized to execute the required documents and the Finance Director is authorized to advance payment for these services until reimbursement is received from the Federal Aviation Administration and New York State Department of Transportation.

SEQR ACTION: TYPE II - 21

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Mrs. McBean-Clairborne, Chair, reported the Committee met on June 18 and July 1. At the June meeting, Ms. Eckstrom, Solid Waste Division Manager, spoke of the Solid Waste Division operation being featured as one of twenty-one worldwide operations (one of three in the United States) being featured in a book regarding World Waste. The Project Approval Request (PAR) forms for capital projects were reviewed. There were questions regarding the Old Library and whether it is beneficial to repair the building if it was not going to be used. A further review of the plan to build a new jail also needs to take place. Mrs. McBean-Clairborne spoke of the need to consider the increased need to rent office space for such departments as the Office for the Aging, Board of Elections, and Human Rights. The Committee was informed of the Federal Aviation Administration’s enthusiastic approval of the “Green” Master Plan for the airport. This will be the first of its kind in the country and would be featured in Aviation Week and Space Technology, a highly-prestigious and leading journal in the United States. There has also been interest expressed from other states and cities.

Mr. Proto asked if the Space Needs report has been reviewed with regard to the old library; Mrs. McBean-Clairborne said it has not at this time.

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Report from the Government Performance and Workforce Relations Committee

Mr. Shinagawa, Chair, reported the Committee would meet on July 10th.

Report from the Planning, Development, and Environmental Quality Committee

Ms. Mackesey, Chair, reported the Committee would meet on July 8th. She reported on the Tompkins County Homeownership Program. The program targets first-time homebuyers outside the City of Ithaca (all municipalities), with an income not greater than eighty percent of the area median income for the household side. She noted the minimum income is \$14,000, with loans evenly distributed throughout the county, the majority of them for existing housing. For individuals seeking housing they not only are given the opportunity to purchase a home, but also receive educational information regarding financial matters, repair and maintenance, etc. Throughout the history of the program there have been only two foreclosures out of 292 loans, less than one percent. Funding for the program comes from the State government through the Community Development Block Grant program, and as it is paid back into the fund it provides additional funding for new applicants. Ms. Mackesey said the County has a stellar reputation for the program, which has helped leverage funds and develop good working relationships.

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

RESOLUTION NO. 117 - BUDGET ADJUSTMENT AND APPROPRIATION OF UNSPENT FUNDS FROM 2008 TO VARIOUS ACCOUNTS

MOVED by Mr. Dennis, seconded by Mrs. McBean-Clairborne. A short roll call resulted as follows: Ayes – 13; Noes – 0; Excused – 2 (Legislators Randall and Stevenson). RESOLUTION ADOPTED. Ms. Kiefer expressed concern with the return of rollover funds from Finance to the General Fund when the Purchasing Division is understaffed.

WHEREAS, various departments have been certified by the Director of Finance to have unspent appropriations and excess revenues from 2008 resulting in a surplus of \$1,207,714 on the County's books as of December 31, 2008, and

WHEREAS, pursuant to County Fiscal Policy, surplus funds have been requested for use in the amount of \$329,185 current year budget, now therefore be it

RESOLVED, on recommendation of the Health and Human Services, the Planning, Development and Environmental Quality, the Public Safety, the Government Performance and Workforce Relations, the Facilities and Infrastructure, and the Budget, Capital, and Finance Committees, That the following transactions are approved:

BUDGET APPROPRIATION:

FROM: General Fund Balance \$329,185

TO:

DEPT	Use of funds	Account		Requested Rollover
Facilities	Main Courthouse Stair Repair project	1620	54470	145,000
Weights and Measures	Existing computer equipment is 6 years old and well out of warranty; looking to replace two existing computers with one new one.	3630	52206	1,700
	Return to the General Fund			1,645
Public Works Admin	Return to the Appropriate Funds (A, CT and CL)			873
County Clerk	Archives grant completion - indexing backfiled land records into County Clerk EDMS (Challenge Industries is vendor)	1410	54442	32,844

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	Laserfiche software upgrades for centralized digitized Records Center (Weblink, Workflow, and Audit Trail modules)	1410	52230	42,389
	Return to the General Fund			127,515
Department of Assessment	Return to the General Fund			29,752
Board of Elections	Hewlett Packard LaserJet 9050DN and Security System	1450	52206	14,185
	Return to the General Fund			21,939
Legislature	Return to the General Fund			7,614
Information Technology	Purchase of new router to support Sheriff's Office, Airport Terminal, Crash Fire and Rescue, and Department of Emergency Response locations	1680	52202	5,267
Finance	Return to the General Fund			75,113
County Attorney	Computer Replacement			1,900
	Return to General Fund			21,232
County Administration	Return to the General Fund			6,823
Planning Department	Matching funds for a green fleet grant to replace the Department's car with a hybrid car.	8020	52231	5,400
Probation	Purchase of copier to replace the 8 year old one at HSB	3141	52220	4,000
	Purchase of Copier to replace the 8 year old one at CJC	3160	52220	1,500
Sheriff's Office	3 Marked Patrol Cars - All exceed 90K miles	3113	52231	75,000

SEQR ACTION: TYPE II-20

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Mr. Dennis reported the committee would meet on July 13th at 3:30 p.m.

Report from the Workforce Diversity and Inclusion Committee

Mrs. McBean-Clairborne, Chair, reported the Committee met on June 24th and spent the majority of the meeting speaking with Don Kelly, CSEA Union State Representative, regarding the civil service reform project the Committee has been discussing. Although there were many questions that could not readily be answered, it was beneficial to discuss the union's viewpoint to determine how to work together. The study is continuing to move forward and Mrs. McBean-Clairborne thanked Mr. Mareane for his work with CIPA at Cornell University. It is hoped the work completed by the CIPA class would provide information to determine the best method to create civil service reform.

Mr. Dennis spoke with CSEA union representatives and expressed concern with what is occurring statewide as well as the pass/fail system. Unions believe pass/fail could cause problems due to the broadness of the selection it afforded. Mrs. McBean-Clairborne said although unions are opposed to pass/fail of any type, they indicated they would be willing to engage in a conversation regarding how to deal with the problems in the system.

Report from the Legislative Rules and Procedures Committee

Ms. Kiefer, Chair, reported the Committee has not met.

Report from the Health and Human Services Committee

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Mr. Proto, Chair, reported the Committee would meet July 14th. At that time the Committee would review the request of the Intermunicipal Recreation Partnership not to require the 6.25 percent reduction due to the nature of the agreement in place. The SPCA will be present to discuss contracted services provided to the County.

Garbage Hauling Announcement

Ms. Mackesey announced there would be a meeting of the Upstate Coalition regarding Garbage Transportation taking place at noon on July 16th at the Chamber of Commerce.

Recess

Mr. Koplinka-Loehr declared recess at 8:35 p.m. The meeting reconvened at 8:40 p.m.

Executive Session

It was MOVED by Ms. Robertson, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by members present, to enter into an executive session to discuss personnel matters. An executive session was held at 8:40 p.m. and returned to open session at 9:48 p.m.

Adjournment

On motion the meeting adjourned at 9:48 p.m.

Respectfully submitted by Karen Fuller, Deputy Clerk