

April 15, 2008

**Tompkins County Legislature
April 15, 2008**

DRAFT 4-17-08

Call to Order

Vice Chair McBean-Clairborne called the meeting to order at 5:31 p.m.

Pledge of Allegiance and Roll Call of Members

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

Present: 11 Legislators (Mr. Sigler arrived at 6:42 p.m.). Excused – 3 (Legislators Herrera, Koplinka-Loehr, and Randall); Vacant – 1 (District No. 12)

Presentation of Proclamation

Vice Chair McBean-Clairborne presented a proclamation to Jerry Stern, Highway Technician for the Highway Division. Mr. Stern was recognized in honor of his commitment to diversity, his selfless acts of kindness, and his strong encouragement of others as they attempt to better their lives. He was also presented an Outstanding Service Award from the Skilled Trades Diversity Council for his dedication regarding their diversity initiatives. Mr. Stern has been instrumental in the development and implementation of the Pre-Construction Preparedness Program.

Privilege of the Floor by the Public

Brian Zapf, Alternatives Federal Credit Union, thanked the Legislature for its support of the tax clinic and stated this year they will do more returns than ever before. He spoke of the quality volunteers who performed the work and the quality of work done. Mr. Zapf also spoke of the economic stimulus payments that were passed by Congress and said those who don't usually file a return should do so this year, in order to receive their stimulus payment. He noted filers have until October 15th to file a return in order to receive an economic-stimulus payment.

Presentation of Distinguished Youth Award

Ms. Robertson, District No. 13 Legislator, presented Will Hine, 19, of Varna with the April Distinguished Youth Award. Will was nominated by three of his colleagues from the Varna Volunteer Fire Company for exemplary service as a member of the Company since December, 2006. Among his achievements, Will was the Company's second-highest responder in 2007, responding to 58 percent (nearly 200) of the emergency calls. The nominators stated the County should be proud of someone who gives this much to volunteering and they believe he could go far in serving the people around him throughout life.

Privilege of the Floor by Legislators

Ms. Mackesey, District No. 1 Legislator, reminded everyone that there will be a meeting of the upstate garbage truck group on April 17th at the Ithaca Town Hall. Assemblywoman Lifton and the Department of Transportation will be there to talk about legislation pending in the State Legislature.

Ms. Chock, District No. 3 Legislator, displayed a pie chart of the federal discretionary budget. She said 50 percent goes to the Pentagon, which means that all other needs including education, world hunger, transportation, health services, agriculture, science and energy, foreign affairs, and administrative housing have to share the rest. She noted the \$16,000 each family has spending on war in Iraq could go a long way towards supporting the services this Legislature will soon be debating as budget decisions are considered.

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Ms. Chock complimented Tompkins Cortland Community College on its renovations and new space. She reported on a meeting she had with TC3 President Carl Haynes and said she found it very informative and praised the College for its commitment to lifelong learning.

Mr. Proto, District No. 7 Legislator, reported several issues have been raised by the Public Service Commission that has led Iberrola to reconsider their purchase of Energy East. He also reported he met with John Rudd, Vice President of Finance for Cayuga Medical Center, to bring the issue of the Universal Service Charge to the Hospital's attention.

Mr. Proto also reported on the planned switch-over next February to high-definition televisions. The cable company is saying the public should not worry because it is a cable feed and in most cases a high-definition television will not be needed. Mr. Proto expressed concern for homebound senior citizens, and stated the Office for the Aging is working on exploring options for those individuals. He said this is an issue that needs to be closely followed and more clarification and assurance is needed from Time Warner Cable on this switch-over.

Mr. Proto requested an update on the County Administrator search process.

Ms. Robertson, District No. 13 Legislator, announced there will be a show on health care tonight on the Public Broadcasting Service (PBS). This broadcast will highlight countries around the world and how they spend a fraction of what the United State spends and cover everyone. She noted that all Legislators should have received a report from Catholic Charities on the security deposit program. The report identified how the emergency funding approved by the County last year was used. They served 41 families between May and October, 2007; of these, 29 were considered to be very low income. In 2007, there was an 18 percent increase over 2006 in all emergency services to families.

Ms. Robertson also reported on a November article in the New York Times regarding the sub-prime landscape and how it looks in different areas across the country. The article stated that of all cities surveyed Ithaca had the lowest number of foreclosures than any other. She will provide a copy of the article to all Legislators.

Mr. Dennis, District No. 15 Legislator, reported on a news report concerning the Drop-In Children's Center. He said the emergency appropriation the agency received from the County has made a difference and with the assistance they have been able to overcome past problems and the agency has moved forward.

Ms. Kiefer, District No. 10 Legislator, thanked Ms. Chock for her visual display of spending by the Federal government. She said there is much more spent on the military that is not reflected in the Pentagon budget. Ms. Kiefer also said she will distribute a copy of the National League of Women Voters' position on immigration, arrived at after study and meetings to arrive at consensus.

Report from a Municipal Official

There was no municipal official in attendance to give a report.

Chair's Report

Vice Chair McBean-Clairborne presented Jonathon Wood, County Attorney with a certification in recognition of fifteen years of service to Tompkins County.

Mrs. McBean-Clairborne also spoke of the Administrative Law Judge's recommendation in the Kearney case, and stated she hopes the community will see this as a wake-up call and stressed that old ways cannot continue. She said people need to be treated with respect and as human beings. She is optimistic that change will happen towards making this community more inclusive.

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Mrs. McBean-Clairborne also reported she and Mr. Koplinka-Loehr have been discussing the continued search process for the County Administrator position. She said she would like to discuss this in executive session. Questions were raised concerning the composition of the Search Committee. Mrs. McBean-Clairborne said membership has not yet been finalized, however, there will be ten members, of which all will be voting. Five of those members will be Legislators, three will be department heads or staff, and two will be members of the community.

Addition and Withdrawal of Resolution(s) to the Agenda

It was MOVED by Ms. Kiefer, seconded by Mr. Proto, and unanimously adopted by voice vote by members present, to add to the agenda the resolution entitled Requesting Continuation of Federal Aid for Tompkins County Highway Projects.

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

Report from the County Administrator

Mr. Whicher reported he has distributed copies of a letter from the New York State Chief Information Officer-Office of Technology (CIO-OFT). He said the letter is as far as the State can go at this point in saying they are planning to negotiate with Tompkins County regarding using our infrastructure for their communications system. This will be very significant to Tompkins County, particularly when developing the 2009 budget.

Mr. Whicher also reported on the subject of storage of the new voting machines that has been discussed by a few Legislature committees. He said these machines, which cost close to \$1 million, cannot be stored in the Old Library for any period of time because of problems with the roof. He said they have explored alternatives to store these machines with annual rent estimated at \$25,000-\$40,000 and have found it much more cost effective to construct a building at the Bostwick Road site that could be used by the Facilities Division in the future. Mr. Whicher said a resolution will be presented to the appropriate committees next month.

Report from the County Attorney

Mr. Wood had no report.

Report from the Finance Director

Mr. Squires reported the County has experienced some unusually large growth in sales tax distributions from New York State. He said he does not believe it is attributable to economic activity, but will know more when the quarterly report is received in ten days.

Consent Agenda

It was MOVED by Ms. Mackesey, 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. 66 – AWARD OF RIDEWISE PROPOSALS TO CORNELL COOPERATIVE EXTENSION OF TOMPKINS COUNTY, INC.

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

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WHEREAS, the Tompkins County Department of Social Services, in cooperation with Ithaca-Tompkins County Transportation Council, Tompkins Consolidated Area Transit, GADABOUT Transportation Services, Ithaca Car-Share, and other transportation providers, identified a need to create a comprehensive consumer education and outreach program on transportation alternatives for Tompkins County residents called RIDEWISE, and

WHEREAS, RIDEWISE will provide accessible information on current and future transportation options targeted to people with low incomes, people with disabilities, seniors, and also the general public, and

WHEREAS, RIDEWISE will be funded with Federal Transit Administration Section 5317 Job Access and Reverse Commute Grant NY-37-X010, up to \$156,184, and

WHEREAS, Tompkins County duly advertised and solicited proposals (RFP 08-01) for consultants to develop RIDEWISE curriculum, program, and to conduct training workshops for individuals, groups, and employers, and

WHEREAS, proposals were received from Cornell Cooperative Extension of Tompkins County, Inc., Staples Marketing, and Nelson/Nygaard, and opened on February 8, 2008, and were evaluated by department staff, and

WHEREAS, Cornell Cooperative Extension of Tompkins County, Inc.'s proposal most clearly indicated a strong strategy for reaching the target population, now therefore be it

RESOLVED, on recommendation of the Health and Human Services Committee, That the Tompkins County Legislature awards the RIDEWISE proposal to Cornell Cooperative Extension of Tompkins County, Inc., in the amount of \$129,800, to be paid from the Federal Transit Administration Section 5317 Job Access and Reverse Commute Grant NY-37-X010.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 67 - AUTHORIZING COMMUNITY SOLUTIONS FOR TRANSPORTATION CONTRACT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION

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

WHEREAS, the Tompkins County Department of Social Services was awarded a \$70,000 Federal Community Solutions for Transportation (CST) grant pursuant to the Temporary Assistance for Needy Families (TANF) Program for 2008, to be contracted with the New York State Department of Transportation, and

WHEREAS, the Department of Social Services will use the CST grant for transportation services targeted to eligible participants, who are defined as family-assistance persons and persons with incomes under two-hundred percent of Federal poverty rate, in accordance with procedures established by the New York State Department of Transportation and the New York State Office of Temporary Disability Assistance, as follows:

Program	Amount
TCAT Pass Program	\$ 8,000
Ridesharing, Guaranteed Ride and Subscription Van	\$52,000
RIDEWISE Public Education and Marketing	\$10,000
CST Total	\$70,000

, now therefore be it

RESOLVED, on recommendation of the Health and Human Services Committee, That the Department of Social Services is authorized to enter into a contract worth \$70,000 to pay for TANF Community Solutions for Transportation program in 2008,

RESOLVED, further, That the Commissioner of Social Services is hereby authorized to execute said agreement with the New York State Department of Transportation.

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SEQR ACTION: TYPE II-20

RESOLUTION NO. 68 - IN SUPPORT OF THE COUNCIL OF GOVERNMENTS' REVIEW OF HEALTH BENEFITS FOR NEW YORK STATE SHARED MUNICIPAL SERVICES PROGRAM

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

WHEREAS, Tompkins County joined the Tompkins County Council of Governments (TCCOG), and

WHEREAS, in 2007, the County, on behalf of TCCOG, accepted an incentive grant award under the New York State Shared Municipal Services Program, and

WHEREAS, the grant will assist the municipalities in Tompkins County to create a local health-care consortium, and

WHEREAS, the health care consortium will seek to develop health benefits coverage for all municipalities with the intent to provide a net savings to the taxpayers of Tompkins County, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the Chair of the Tompkins County Legislature is authorized to execute an inter-municipal agreement with TCCOG members to participate in the review of the development of the health benefits consortium,

RESOLVED, further, That Tompkins County understands that upon a complete review and plan design of a health benefits program, Tompkins County will have the option of joining a health benefits consortium that would require Tompkins County to sign another inter-municipal agreement.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 69 - BUDGET ADJUSTMENT – BOARD OF ELECTIONS

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

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

RESOLVED, on recommendation of the Government Operations Committee, That the Director of Finance be directed to make the following budget adjustment on his books:

Board of Elections

Revenue Acct	Title	Amt	Approp Acct	Title(s)
A1450.43089	Revenue State Aid	\$20,658	A1450.54400	Program Supplies
Explanation: 2007 Unspent grant money that needs to be transferred to the 2008 Board budget for polling place improvements.				

SEQR ACTION: TYPE II-20

RESOLUTION NO. 70 – IN SUPPORT OF S4616 – AN ACT TO AMEND THE MENTAL HYGIENE LAW, IN RELATION TO FEES FOR SERVICES RENDERED PATIENTS HELD IN STATE INPATIENT FACILITIES PURSUANT TO COURT ORDERS

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

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WHEREAS, proposed legislation S4616 – An Act to amend the Mental Hygiene Law, in relation to fees for services rendered to patients held in State inpatient facilities pursuant to court orders, will limit counties' fiscal responsibility for court-ordered confinement to a maximum of thirty-days, and

WHEREAS, although the majority of examinations and confinements do not exceed the thirty-day period, rare exceptions occur that are out of the control of local governments, and can create an unreasonable and extreme burden on local governments that can be particularly disproportionately burdensome in small and mid-size counties, and

WHEREAS, when a person is continuously hospitalized/confined to a psychiatric facility or a developmental center for more than thirty days, this is considered clinical care and treatment of a chronically disabled person that is traditionally a one-hundred percent State charge, and

WHEREAS, any inpatient service provided in State mental hygiene facilities is, under State and Federal law and rules, a one-hundred percent State charge and the existing chargeback process to counties for criminal and family court-ordered placements contradicts this policy and practice, and

WHEREAS, State authorities exercise control over judges, courts, and State mental hygiene facilities that order or provide these particular services for which counties must pay a share, and that said counties cannot authorize, approve, limit, or plan for these services, and

WHEREAS, a court-ordered confinement at a New York State Department of Mental Hygiene facility at local government expense could prove to be an exorbitant, unanticipated mandate, and

WHEREAS, this bill would amend an anachronistic statutory provision that permits counties to be billed for services provided by State operated facilities for one solitary cohort of patients that is inconsistent with the other laws and mechanisms enacted over the past thirty years under which other similarly disabled state facility patients have their net costs fully paid for by the State without the imposition of a local charge, now therefore be it

RESOLVED, on recommendation of the Health and Human Services Committee, That Tompkins County urges the State Legislature to support S4616 – An Act to amend the Mental Hygiene Law, in relation to fees for services rendered patients held in State inpatient facilities pursuant to court orders,

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

SEQR ACTION: TYPE II-20

Approval of Appointment(s) Under the Consent Agenda

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

Water Resources Council

Rick Manning – Business representative; term expires December 31, 2009

Patrick Barry – Natural Resource Conservation Service; term expires December 31, 2009

Planning Advisory Board

Peter Penniman – Business representative; term expires December 31, 2009

Scott Witham – Cultural/Historic Preservation representative; term expires December 31, 2010

Environmental Management Council

Lisa A. Skoler – Town of Danby representative; term expires December 31, 2010

Report from the Budget and Capital Committee

Mr. Shinagawa, Chair, reported on impacts of the State Budget and other challenges facing the County in the 2009 Budget. He said there are many fixed costs within the County that will go up and there are also many challenges being presented as a result of the economy and the recently adopted New

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York State budget. The State budget contains a two percent across-the-board reduction with the exemption of Medicaid, Pre-K, and entitlement programs, effective April 1st. Mr. Shinagawa said there is an additional two percent for 2009 and 2010, leaving the total possible reductions of approximately \$700,000 in State Aid. There are also increases in mandates of approximately \$840,000 and due to interest rates going down the County will be impacted by nearly \$400,000. He noted these are only estimates as all information is not yet known. Mr. Shinagawa stated this will be an incredibly difficult budget year and there will be many questions. Mr. Shinagawa reminded Legislators that a budget retreat will take place on April 29.

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

Ms. Kiefer, Member, reported the Committee met this afternoon to discuss Resolution No. 71 below.

RESOLUTION NO. 71 - AUTHORIZING MEMORANDUM OF UNDERSTANDING WITH LIFELONG REGARDING FEASIBILITY OF JOINT FACILITY

MOVED by Ms. Kiefer, seconded by Mr. Proto, and unanimously adopted by voice vote by members present.

WHEREAS, Tompkins County needs to move offices for the County Office for the Aging from their current location in the Tompkins County Courthouse in order to make room for the needs of the State Courts, and

WHEREAS, Lifelong, Inc., needs to expand its facilities to meet increasing demand for services, and

WHEREAS, the Office for the Aging and Lifelong cooperate on a number of programs, serve many common clients, and share a mutual interest in serving the needs of the older residents of Tompkins County, and

WHEREAS, a preliminary assessment has indicated that a facility could be developed on the Lifelong property that would accommodate both the needs of Lifelong and space for the County Office for the Aging, and

WHEREAS, it is in the interest of Tompkins County and Lifelong to cooperatively develop a facility to provide services to the people served by both organizations, and

WHEREAS, the Legislature has reviewed and approved a Memorandum of Understanding under which to advance the project, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the County Administrator or his designee is authorized to enter into a Memorandum of Understanding with Lifelong to advance the project,

RESOLVED, further, That the first step of such a process be a feasibility study to be conducted by Lifelong and to which the County shall contribute in an amount proportionate to the amount of space in a new facility to be occupied by the County, not to exceed \$10,000,

RESOLVED, further, That should the project move forward the County's share of the feasibility study shall be treated as an expense of the County's capital participation in the project,

RESOLVED, further, That before the County's involvement in the project moves beyond the feasibility stage further authorization from the County Legislature is required.

SEQR ACTION: TYPE II-21

Mr. Sigler arrived at 6:42 p.m.

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**RESOLUTION NO. 72 - REQUESTING CONTINUATION OF FEDERAL AID FOR
TOMPKINS COUNTY HIGHWAY PROJECTS**

MOVED by Ms. Kiefer, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present. Mr. Whicher stated he has been in contact with Senator Schumer and Congressman Arcuri and they are aware of this resolution and that this is Tompkins County's highest priority at this time in terms of the Federal budget.

WHEREAS, Tompkins County was awarded Federal Aid funds for the Warren Road Reconstruction (PIN 3753.73), the McLean Road Bridge over Fall Creek (PIN 3754.50), the Station Road Culvert over Cayuga Inlet (PIN 3753.86), the Coddington Road Reconstruction (PIN 3753.24), and the Hanshaw Road Reconstruction (PIN 3753.25) projects, and

WHEREAS, the Warren Road, McLean Road, and Station Road projects have been progressed through the completion of design and are ready to go to bid in 2008, and

WHEREAS, the Coddington Road and Hanshaw Road projects are at the stage of right-of-way acquisition in 2008, and

WHEREAS, Tompkins County has been notified by the New York State Department of Transportation that the Federal Highway Administration has rescinded the construction and right-of-way funding for these projects because they were originally scheduled to start in 2007, and

WHEREAS, legitimate delays in the progression of the projects caused the start of these right-of-way and construction phases to be delayed beyond 2007, and

WHEREAS, Tompkins County has worked diligently with Federal, State, and other local partners to advance these projects to the point where they are now about to be bid for construction expending \$1 million in Federal, State, and County dollars in the process, and

WHEREAS, the taxpayers of Tompkins County stand to lose \$4.9 million in Federal Aid if these projects are not allowed to continue, and

WHEREAS, the roads in question are vital to the local economy, and to the health, safety, and welfare of the traveling public, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the Tompkins County Legislature requests that the Federal Highway Administration reinstate and continue funding for the Warren Road Reconstruction, McLean Road Bridge, Station Road Culvert, Hanshaw Road Reconstruction, and Coddington Road Reconstruction projects, and that action be taken to prevent impacts on other existing projects that are delayed for justifiable reasons,

RESOLVED, further, That by copy of this resolution our elected Federal representatives are asked to intercede on behalf of Tompkins County to assure that this funding is restored,

RESOLVED, further, That a copy of this resolution be sent to our entire delegation of Federal and State elected representatives as indicated below.

SEQR ACTION: TYPE II-20

Report from the Public Safety Committee

Mr. Stevenson, Chair, reported the Committee will meet on April 18th. The Traffic Safety Committee will also meet on April 18th. Tompkins County's representative from the Governor's Traffic Safety Committee will be in attendance.

Report from the Workforce Diversity and Inclusion Committee

Mrs. McBean-Clairborne, Chair, reported the Committee will meet on April 23rd.

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

Mr. Proto, Chairman, reported the Committee met on April 2nd and some of the items discussed are reflected in the resolutions that were on this evenings agenda. Highlights from that meeting include the Committee hearing an update from Lisa Holmes, Director of the Office for the Aging, regarding the co-location with Lifelong; a presentation from Nancy Zook of the Youth Services Department and Mr. Schumacher of the Learning Web, on the Youth Housing Task Force. That group received a grant of \$192,000 per year for five years from the City of Ithaca Urban Renewal Fund; the purpose of the grant is to find housing for homeless youth. The resolution relating to the WIC program was withdrawn and is presently undergoing further review. Mr. Proto said he expects this to come back to the Committee at the May 7 meeting. He also reported Cooperative Extension was granted authorization from the Committee to move ahead with an education program on alternative modes of transportation throughout the County. They have received a grant in the amount of \$129,800 specifically for this initiative. The next Committee meeting will be May 7th.

RESOLUTION NO. 73 – APPROPRIATION FROM CONTINGENT FUND FOR GREEN FLEET PURCHASES

MOVED by Mr. Proto, seconded by Ms. Robertson. Mr. Proto said he had raised a question last year relating to emergency responders accessing these vehicles in the event of an accident. Mr. Proto said he has met with Lee Shurtleff, Director of Emergency Response, who has informed him there is now training for this purpose. It was also noted this is the County’s first purchase of “green” vehicles. A short roll call vote resulted as follows: Ayes – 11, Noes – 0, Excused – 3 (Legislators Herrera, Koplinka-Loehr, and Randall); Vacancy – 1 (District No. 12) . RESOLUTION ADOPTED.

WHEREAS, the 2008 Budget includes \$50,000 in the Contingent Fund for the purpose of supporting the marginal cost of the purchase of “green” vehicles that would reduce greenhouse gas emissions, and

WHEREAS, the Green Fleet subcommittee of the County’s Sustainability Committee developed a procedure for reviewing applications for use of this fund, and the procedure was reviewed and approved by the Government Operations Committee, and

WHEREAS, the Green Fleet subcommittee reviewed and analyzed three proposals submitted for use of the funds in accordance with that procedure, and

WHEREAS, two proposals are being recommended by the Green Fleet subcommittee and the County Administrator for funding at this time, and

WHEREAS, additional applications may be made throughout the remainder of the year and will be evaluated by the Green Fleet subcommittee and the County Administrator in the same manner as those submitted to date, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget and Capital Committees, That the amount of \$8,542 be appropriated from the Contingent Fund to allow the purchase of two hybrid vehicles by the Health Department,

RESOLVED, further, That the Director of Finance be directed to make the following budget adjustments:

<u>Revenue Acct</u>	<u>Title</u>	<u>Amount</u>	<u>Approp Acct</u>	<u>Title</u>
1990.52231	Contingent Fund - Vehicles	\$4271	4016.52231	Vehicles
1990.52231	Contingent Fund - Vehicles	\$4271	4090.52231	Vehicles
4095.43401	PH State Aid	\$2403	4016.52231	Vehicles
4095.43401	PH State Aid	\$2403	4090.52231	Vehicles

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Report from the Human Resources Committee

Mr. Dennis, Chair, reported the Committee met on April 3rd and had a discussion on Workers' Compensation 207(c). The Committee also received a calendar of upcoming training for employees. Mr. Dennis requested an executive session to discuss labor negotiations.

Mr. Proto asked for a status report on health insurance and retirees as they would relate to the Council of Governments review of health benefits. Mr. Shinagawa said the retirees have been brought into the process and they had a meeting with the consultant.

Report from the Government Operations Committee

Mr. Hattery, Chair, reported the Committee met last week and approved forwarding two proposed changes to the Code of Ethics that have been recommended by the Ethics Advisory Board. The Committee heard a report from the Assessment Department on options between staying with triennial assessment or reverting to annual assessment. A resolution will be brought forth the second meeting of May. Mr. Hattery said Greg Potter, Director of Information Technology Services, and Suzanne Etherington of the State Records and Archives Administration, talked to the Committee about the County's e-mail and use by Legislators. Mr. Potter and Aurora Valenti, County Clerk, have been asked to make a presentation to the Legislature in May on this issue.

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

Ms. Robertson, Chair, reported the Committee met on April 10th and much of the business will come before the Legislature at its next meeting. Fernando deAragon, Director of the Transportation Council, talked about a recent conference he attended entitled "Incorporating Global Warming Concerns into Long-Range Transportation Planning". She said she can provide copies of the presentation to anyone who is interested. Mr. deAragon said Tompkins County will be seeking approval of an updated Transportation Plan in the Fall. Ms. Robertson said the Planning Department presented its "Indicators of Success, Winter 2007". One topic that received a lot of discussion was tourism grants; there is a proposal to revise the Legislature's review process and that will be coming back in the form of a resolution. Mr. Marx reported on the Route 96 Corridor Study that is getting underway; a public meeting will take place on April 23rd at the Paleontological Research Institution. The Committee also discussed a Cornell initiative on transportation and a draft list of projects will be presented at the Facilities and Infrastructure Committee on April 17th. Mr. Marx also reported he met with Tim Joseph, the new Director of the Finger Lakes Regional State Parks. Mr. Joseph said they have been looking at a waterfront trail and analyzing public space on the Finger Lakes with Seneca and Cayuga Lakes still having opportunities for development of trails.

RESOLUTION NO. 74 – AFFIRMING ITHACA-TOMPKINS COUNTY TRANSPORTATION COUNCIL (ITCTC) RECOMMENDATION TO INCREASE THE ITCTC STAFF DIRECTOR'S SALARY

MOVED by Ms. Robertson, seconded by Ms. Mackesey. A short roll call vote resulted as follows: Ayes – 11, Noes – 0, Excused – 3 (Legislators Herrera, Koplinka-Loehr, and Randall); Vacancy – 1 (District No. 12). RESOLUTION ADOPTED.

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

WHEREAS, Board Resolution No. 99 of 1993, "Clarification of Employment Status – Position of Ithaca-Tompkins County Transportation Council Planning Director" stated the following: "...the position of Ithaca-Tompkins County Transportation Council Planning Director shall be entitled to the terms and conditions

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of employment established by this [County] Board for management employees unless otherwise recommended by the Council and established by this [County] Board of Representatives”, and

WHEREAS, on March 14, 2000, the Director’s salary was modified by ITCTC Resolution No. 00-1 above the management salary range with the stipulation that the Host Agency, Tompkins County, execute the necessary administrative procedures to implement this modification, and

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

WHEREAS, on March 11, 2008, the ITCTC passed Resolution 08-1 to adjust the salary of the Staff Director, retroactive to January 1, 2008, based on the Tompkins County proposed 2008 adjustments for management employees of three percent, and

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

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Board affirm the three percent increase of the salary for the Ithaca-Tompkins County Transportation Council Planning Director to a total of \$75,912, as approved by the Ithaca-Tompkins County Transportation Council.

SEQR ACTION: TYPE II-20

Approval of Minutes of April 1, 2008

It was MOVED by Mr. Proto, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to approve the minutes of April 1, 2008, with the corrections submitted. MINUTES APPROVED.

Mr. Proto asked that the Legislature be given an update on the Brown Road site at the next meeting. Mr. Whicher reported the closing on the building will take place on April 22nd. Mr. LeMaro reported staff is currently negotiating the terms of the agreement with LaBella Associates. Additional information has been requested and he expects it to be available later this week.

Mr. Dennis suggested that a Brown Road progress report be reported on to this Legislature on a regular basis.

Recess

Mrs. McBean-Clairborne declared recess from 7:25 p.m. to 7:35 p.m.

Executive Session

It was MOVED by Mr. Hattery, seconded by Ms. Chock, and unanimously adopted by voice vote by members present, to enter into executive session at 7:35 p.m. to discuss negotiations and a personnel matter. The meeting returned to open session at 8:37 p.m.

RESOLUTION NO. 75 - RATIFICATION OF BARGAINING AGREEMENT CIVIL SERVICE EMPLOYEES ASSOCIATION, BLUE COLLAR UNIT

MOVED by Mr. Dennis, seconded by Ms. Robertson. A roll call vote resulted as follows: Ayes – 11, Noes – 0, Excused – 3 (Legislators Herrera, Koplinka-Loehr, and Randall), Vacancy – 1 (District No. 12). RESOLUTION ADOPTED.

April 15, 2008

WHEREAS, the collective bargaining agreement between Tompkins County and the Civil Service Employees Association, Blue Collar Unit, expired on December 31, 2007. Negotiations for a successor agreement began on June 27, 2007 and continued until CSEA declared impasse on January 16, 2008, and

WHEREAS, thereafter, mediation was conducted through the Public Employees Relations Board (PERB) and the negotiating teams agreed to a two-year contract, January 1, 2008, through December 31, 2009, which extends the terms and conditions of the previous four-year agreement with minor wording and the following monetary changes:

- Three percent on base effective January 1, 2008;
- One percent on base effective October 1, 2008;
- Three percent on base effective January 1, 2009;
- Increase shift premium from 80¢ to \$1.00 per hour;
- Sick leave to accumulate to a maximum of 180 days;
- Increase the clothing allowance from \$250 to \$350;
- Increase the shoe/boot allowance from \$75 to \$100;
- Accrual of compensatory time from 70 hours to a maximum of 105 hours for a 35-hour per week employee;
- Accrual of compensatory time from 80 hours to a maximum of 120 hours for a 40-hour per week employee,

, now therefore be it

RESOLVED, on recommendation of the Negotiating Committee and the Human Resources Committee, That the bargaining agreement between Tompkins County and the Civil Service Employees Association, Blue Collar Unit, for the period January 1, 2008, to December 31, 2009, is hereby ratified.

SEQR ACTION: TYPE II-20

Adjournment

On motion the meeting adjourned at 8:39 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office