

June 17, 2008

**Tompkins County Legislature
June 17, 2008**

Approved

Public Hearing

Chair Koplinka-Loehr called the public hearing to order at 5:30 p.m. concerning the 2008-2009 Tompkins Cortland Community College Operating Budget and asked if anyone wished to speak.

No one wished to speak and the public hearing was closed at 5:32 p.m.

Pledge of Allegiance to the Flag and Roll Call of Members

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

Present: 14 Legislators. Excused – 1 (Legislator Randall)

Privilege of the Floor by the Public

Sylvester Johnson, Brooktondale resident and member of the Climate Change Action group, spoke in favor of the resolution regarding Carbon Tax and provided background information related to the topic. He suggested the resolution would be stronger if the portion of the resolution referring to cap and auction was removed.

Ken Miller, Dryden resident, spoke of his attendance at the Village of Dryden meeting to request reconsideration of the addition of his property to the Agricultural District. He expressed disappointment that the Village did not discuss the matter further and noted the work the Agricultural and Farmland Protection Board undertook when considering addition of his property. Mr. Miller asked for support of the resolution.

Jean Fudala on behalf of the Climate Change Action group, spoke in support of the resolution regarding Carbon Tax. She provided information on the continuing need to address global warming and the part the use of carbon-based fuels plays. She requested the portion of the resolution referring to cap and auction be removed as well.

Margaret McCasland, City of Ithaca resident, spoke of the support of Climate Change Action, economists, and other individuals for carbon tax. She noted the cap and trade/auction system had many problems including the need to have accurate emission evaluation, which could be very unwieldy. She suggested the tax should occur at the point of origin of the fuel.

Distinguished Youth Award

Mr. Hattery, District No. 14 Legislator, presented the June Tompkins County's Distinguished Youth Award to Zachary and Michael Kirsch of Dryden, New York. The youth were nominated by Glenn Downey for their academic achievements, volunteerism, and participation in the Dryden United Methodist Church. Mr. Downey characterized the young men as ambitious and unselfish workers offering to help anyone in need. Zachary thanked the Legislature for the recognition and spoke of the CROP Walk's mottoes as "we walk because they walk", noting the need of low-income individuals who do not have transportation. He said the fundraiser also provides funding for local food pantries.

Privilege of the Floor by Legislators

Ms. Chock, District No. 3 Legislator, announced the Ithaca Festival would be held this week, taking place in many areas due to its increased popularity. The parade will be on Thursday at 6:30 p.m.,

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with the County Office for the Aging participating. She said the theme of “I am Ithaca” is appropriate for all and thanked all parties working on the event.

Mr. Dennis, District No. 15 Legislator, acknowledged Legislator Proto’s part in the apprehension of an individual who was robbing a bank. Mr. Proto said the Ithaca Police Department deserves recognition for their prompt response to his call, noting their skills were crucial in the apprehension of the individual.

Ms. Robertson, District No. 13 Legislator, announced there would be a public forum on June 25th at 7:00 p.m. regarding the water-monitoring plan for the south end of Cayuga Lake. The Varna Community Association will be meeting on June 30th at 7:00 p.m. regarding traffic mitigation through Varna and recommendations as a result of the Route 13 Corridor Study.

Ms. Herrera, District No. 5 Legislator, announced the International Dragonboat Festival would be taking place July 12th and 13th. This festival is a fun family tradition and she invited staff and their families to participate as a member of the County team. Mr. Koplinka-Loehr stated a formal challenge was made to Finger Lakes Parks, however, no response has been made to date.

Mr. Proto, District No. 7 Legislator, noted the public forum for water monitoring on June 25th is specifically for the monitoring plan and not issues relating to lake source cooling.

Report from Municipal Official(s)

No municipal official was in attendance.

Special Presentation – The Labor Market Study and the Workforce Strategy

Ms. Armstrong, Tompkins County Area Development, provided a brief presentation outlining the study completed by Chmura Economics & Analytics, Virginia-based consultants, which analyzes the current labor market, reports the findings of an employer survey, and provides an economic forecast for the Tompkins County labor market region (Tompkins and surrounding counties). Despite moderate growth in the seven-county region, the study’s findings include underemployment in the region, with a mismatch of skills and lack of opportunity at higher income levels, limited availability of basic-skill workers, and the 35-44-year-old age group declining faster than the national average. The report, which is available at the Tompkins County Area Development website, will be used to assist in determining specific areas of concern and potential remedies available to best fill positions in areas noted.

Ms. Mattick, Director of Workforce Development, reviewed the Workforce Strategy portion of the report and noted the need to increase stakeholder engagement. With this in mind they are beginning to start a dialog with the K-12 personnel to provide information regarding career opportunities available to youth. Numerous educators at all levels would be contacted.

In response to a question by Mr. Shinagawa, Ms. Armstrong said the most surprising outcomes were the depth of underemployment as well as the loss of individuals in the 35-44 age-range in relation to the national average. Mr. Shinagawa noted the age range is the key wage-earning and tax-paying years.

Ms. Mackesey inquired whether the business practice of hiring on a contract basis or part time could be responsible for underemployment, particularly since individuals may hesitate to take a job that is not full time. Ms. Mattick said it is an area that could be identified during the discussions; ongoing efforts to assist employers with recruitment and retention could assist in this area. It was noted that employers struggle to fill positions with adequate employees and retain them.

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Chair's Report and Appointment(s)

Mr. Koplinka-Loehr did not have a report or appointments.

Approval of Resolution(s) Under the Consent Agenda

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

RESOLUTION NO. 113 - REQUESTING THE JOINT SUBCOMMITTEE OF THE ITHACA AREA WASTEWATER TREATMENT FACILITY TO TAKE OVER FINANCIAL BILLING OF THE SEPTAGE DISPOSAL AT THE ITHACA AREA WASTEWATER TREATMENT PLANT FROM TOMPKINS COUNTY

MOVED by Mr. Burbank, seconded by Mr. Proto, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, Resolution No. 377 of 1988 authorized an agreement with the Ithaca Area Wastewater Treatment Facility (IAWWTF) for a capital investment to ensure a more environmentally acceptable method of septage treatment and disposal, and

WHEREAS, under the agreement Tompkins County is responsible for reimbursing the IAWWTF for operating and maintenance costs associated with septage receiving activity, and for the debt service on the improvements added to accommodate septage waste, and

WHEREAS, the debt for the aforementioned capital improvement has now been retired, and

WHEREAS, the continuing involvement of the County for billing and collecting for septage disposal now that the debt on the improvements have been retired is no longer warranted, and

WHEREAS, a more efficient method of financial billing at the point of service is practical and desirable and is acceptable to the IAWWTF, now therefore be it

RESOLVED, on recommendation of the Health and Human Services, the Government Operations, and the Budget and Capital Committees, That Tompkins County is supportive of the transfer of the financial billing operations of septage disposal from the County Finance Department to the IAWWTF effective January 1, 2009,

RESOLVED, further, That the County Finance Director is charged with coordinating with the IAWWTF to ensure a smooth transition of the financial billing function.

SEQR ACTION: TYPE II- 2

RESOLUTION NO. 114 - AUTHORIZING AGREEMENT FOR PHASES 2 AND 3 FOR HEALTH BENEFITS CONSORTIUM CONSULTANT

MOVED by Mr. Burbank, seconded by Mr. Proto, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, the County, on behalf of the Tompkins County Council of Governments (TCCOG) has been awarded a Shared Municipal Services Incentive (SMSI) Grant from the New York State Department of State, and

WHEREAS, the total grant amount to Tompkins County is \$266,030 to design and establish a Health Benefits Consortium for the employees of all municipalities within Tompkins County, and

WHEREAS, once the Health Benefits Plan is designed, each participating municipality will be expected to sign an inter-municipal health benefits consortium agreement that defines the consortium structure, and

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WHEREAS, the details concerning an inter-municipal health benefits consortium are complex and require expert consulting from a firm experienced with municipal health benefits consortiums, and

WHEREAS, the Tompkins County Council of Governments (TCCOG) recognized the due diligence performed by the Health Benefits Steering Committee in recommending Locey & Cahill, LLC as the Phase I consultant for the Shared Municipal Services Incentive (SMSI) Health Benefits grant project, and

WHEREAS, it makes sense to have one expert consulting firm to represent the interests of the future consortium rather than each municipality retaining a consultant, and

WHEREAS, the County, on behalf of the Steering Committee, issued a Request for Proposals (RFP) for a consultant for Phases 2 (plan design) and 3 (implementation), and

WHEREAS the Steering Committee reviewed seven proposals, and interviewed four firms, and

WHEREAS, the Steering Committee determined that the best qualified firm is Locey & Cahill, LLC, and recommended to TCCOG that Locey & Cahill, LLC serve as the Phases 2 and 3 consultant for TCCOG, and

WHEREAS, the Tompkins County Council of Governments (TCCOG) requests that the County select Locey & Cahill, LLC as the Phases 2 and 3 consultant, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee and the Tompkins County Council of Governments (TCCOG), That the County enter into an agreement with Locey & Cahill, LLC, of Syracuse, New York, to provide consulting services to guide TCCOG's future health benefits consortium for Phases 2 and 3 at a rate not to exceed \$61,400 total,

RESOLVED, further, That the agreement will provide an option of renewal of the agreement at the end of Phase 3 to continue consulting for five years at a rate not to exceed \$48,000 annually,

RESOLVED, further, That the County will pay an additional amount up to \$3,000 per month through Phase 2 for support services,

RESOLVED, further, That 100 percent of the funds to pay for services in Phases 2 and 3 are paid from the SMSI Grant as approved by the State, with any outstanding balance charged back to the consortium.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 115 – AUTHORIZATION OF CONTRACT BETWEEN THE TOMPKINS COUNTY OFFICE OF EMPLOYMENT AND TRAINING AND THE CENTRAL NEW YORK AREA HEALTH EDUCATION CENTER AND BUDGET ADJUSTMENT

MOVED by Mr. Burbank, seconded by Mr. Proto, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, the Commission on Health Care Facilities in the 21st Century was created by former Governor Pataki and the New York State Legislature to undertake a rational, independent review of health-care capacity and resources in New York State, and

WHEREAS, the Commission report commonly known as the Berger Commission Report was released and recommended changes to the regional and local supply of hospital and nursing home facilities, and

WHEREAS, employees impacted by the Berger Commission Report will need to be retrained and career counseling services provided, and

WHEREAS, the Central New York Area Health Education Center has a grant from the New York State Department of Health and desires to contract with the Tompkins County Office of Employment and Training to provide such services, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the contract with the Central New York Area Health Education Center is hereby approved,

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RESOLVED, further, That the County Administrator or his designee is hereby authorized to execute the necessary contracts,

RESOLVED, further, That the Director of Finance is authorized and directed to make the following budget adjustment:

REVENUE:	6292.43790	State Aid Job Training	\$39,486
APPROPRIATION:	6292.44790	Federal Aid Job Training	(\$ 159)
	6292.44792	Federal Aid, WIA Adult	(\$ 3,514)
	6292.44793	Federal Aid, WIA Youth	(\$23,968)
	6292.44794	Federal Aid, WIA DW	(\$11,845)

SEQR ACTION: TYPE II-20

RESOLUTION NO. 116 – AUTHORIZATION OF CONTRACT BETWEEN THE TOMPKINS COUNTY WORKFORCE INVESTMENT BOARD AND THE TOMPKINS COUNTY CHAMBER OF COMMERCE AND BUDGET ADJUSTMENT

MOVED by Mr. Burbank, seconded by Mr. Proto, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, the Tompkins County Chamber of Commerce has received grant funding from the New York State Department of Labor to operate an Internship Program to for-profit businesses for high school and college students, and

WHEREAS, the Program will connect for-profit employers and potential interns and will increase the number of youth internship opportunities for young people in Tompkins County, and

WHEREAS, interns wages will be paid by the employers, and

WHEREAS, the Chamber of Commerce wishes to contract with the Tompkins County Workforce Investment Board for technical assistance in the start-up, management, and compliance with State reporting requirements for the Program, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the contract with the Tompkins County Chamber of Commerce is hereby approved,

RESOLVED, further, That the County Administrator or his designee is hereby authorized to execute the necessary contracts,

RESOLVED, further, That the Director of Finance is authorized and directed to make the following budget adjustment:

REVENUE:	6290.42225	Local Revenue – Federal	\$10,620
	6290.44959	Federal Aid Job Training	(\$10,620)

SEQR ACTION: TYPE II-20

RESOLUTION NO. 117 – DESIGNATION OF TOURISM PROMOTION AGENCY FOR STATE FISCAL YEAR 2008-2009

MOVED by Mr. Burbank, seconded by Mr. Proto, and unanimously adopted by voice vote, by members present, under the Consent Agenda.

WHEREAS, the Strategic Tourism Planning Board has traditionally recommended the appropriate agency for designation of the New York State Tourism Promotion Agency (TPA) designation as part of its review function for tourism matters, and

WHEREAS, the Strategic Tourism Planning Board has reviewed the matter with appropriate agency representatives, and

WHEREAS, the Strategic Tourism Planning Board feels qualified to make a recommendation of the best agency to have the TPA designation, now therefore be it

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RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the designation of the TPA for State Fiscal Year 2008-2009 be awarded to the Ithaca/Tompkins County Convention and Visitor's Bureau (I/TCCVB),

RESOLVED, further, That the Director of the I/TCCVB report to the Planning, Development and Environmental Quality Committee if change occurs.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 118 – BUDGET ADJUSTMENTS – VARIOUS DEPARTMENTS

MOVED by Mr. Burbank, seconded by Mr. Proto, and unanimously adopted by voice vote by members present under the Consent Agenda.

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

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

Office of Employment and Training

<u>Revenue Acct</u>	<u>Title</u>	<u>Amt</u>	<u>Approp Acct</u>	<u>Title(s)</u>
6292.44795	Federal Aid, TANF Summer Youth	\$15,000	6292.51000051	Participant Wages

Explanation: Increase in 2008 TANF Summer Youth Program fund will allow for a greater number of youth to be served this summer.

Workforce Investment Board

<u>Revenue Acct</u>	<u>Title</u>	<u>Amt</u>	<u>Approp Acct</u>	<u>Title(s)</u>
6290.43795	Federal Aid, TANF Summer Youth	\$30,000	6290.54491	Subcontracts

Explanation: Increase in 2008 TANF Summer Youth Program fund will allow for a greater number of youth to be served this summer and these additional funds will be subcontracted.

Administration – Tourism

<u>Revenue Acct</u>	<u>Title</u>	<u>Amt</u>	<u>Approp Acct</u>	<u>Title(s)</u>
3090.8000	Room Tax Reserve	\$ 64,066	6475.54626	Tourism Marketing and Advertising Grants
3090.8000	Room Tax Reserve	\$ 98,000	6475.54628	New Tourism Initiative Grants
3090.8000	Room Tax Reserve	\$108,044	6475.54624	Tourism Project Grants

Explanation: Open another round of grants in 2008 since demand was high in Spring 2008.

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**RESOLUTION NO. 119 – AUTHORIZATION TO RESCIND RESOLUTION NO. 115 OF 2007
TRANSFER OF THE TOMPKINS COUNTY ECONOMIC
DEVELOPMENT REVOLVING LOAN FUND TO TOMPKINS
COUNTY AREA DEVELOPMENT, INC.**

MOVED by Mr. Burbank, seconded by Mr. Proto, and unanimously adopted by voice vote by members present under the Consent Agenda.

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WHEREAS, Resolution No. 115 of 2007 was intended to transfer the Economic Development Revolving Loan Fund in its entirety to Tompkins County Area Development, and

WHEREAS, it has been determined that the Fund will be administered through a grant program to Tompkins County Area Development, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That Resolution No. 115 of 2007 authorizing the transfer of the Tompkins County Economic Development Revolving Loan Fund to Tompkins County Area Development, Inc. is hereby rescinded.

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RESOLUTION NO. 120 – AUTHORIZATION TO SUBMIT CERTIFICATE-OF-NEED APPLICATION TO ADD MEDICAL SOCIAL SERVICES TO OPERATING CERTIFICATES – HEALTH DEPARTMENT

MOVED by Mr. Burbank, seconded by Mr. Proto, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, Tompkins County Health Department currently operates a certified home health agency (Tompkins County Home Health Care) and a diagnostic and treatment center for maternal-child services and requests approval to add medical social services to its operating certificates, and

WHEREAS, the provision of medical social services will benefit the needs of patients with complex family issues and will assist health department staff in coordinating appropriate resources, and

WHEREAS, the addition of a Medical Social Worker would enhance the quality of our care, and our ability to obtain managed-care contracts and preferred-provider status, and

WHEREAS, the Quality Improvement Sub-committee and the Professional Advisory Committee have repeatedly recommended the addition of a Medical Social Worker based on needs identified through patient record reviews, and

WHEREAS, funds were allocated for a part-time contract Medical Social Worker in the 2008 budget, now therefore be it

RESOLVED, on recommendation of the Tompkins County Board of Health and the Health and Human Services Committee, That the Health Department is authorized to submit a certificate-of-need application for approval from the New York State Department of Health to add medical social services to its operating certificates.

SEQR ACTION: TYPE II-20

Approval of Appointment(s) Under the Consent Agenda

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

Workforce Diversity and Inclusion Committee

Patricia Carey – County Staff representative – term to expire December 31, 2010

Larry Roberts – Community Member representative – term to expire December 31, 2010

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

RESOLUTION NO. 121 - APPROVAL OF TOMPKINS CORTLAND COMMUNITY COLLEGE PROFESSIONAL ADMINISTRATORS ASSOCIATION AGREEMENT FOR THE YEARS 2008-2013

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

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It was MOVED by Mr. Proto, seconded by Ms. Kiefer, to enter into an executive session to discuss contractual matters. A voice vote resulted as follows: Ayes – 13; Noes – 1 (Legislator Stevenson); Excused – 1 (Legislator Randall). MOTION CARRIED.

An executive session was held from 6:38 p.m. to 6:50 p.m.

A voice vote on the resolution resulted as follows: Ayes – 13; Noes – 0; Temporarily Out of the Room – 1 (Legislator Herrera); Excused – 1 (Legislator Randall). RESOLUTION ADOPTED.

WHEREAS, the contractual agreement between Tompkins Cortland Community College and the Professional Administrators Association expires August 31, 2008, and

WHEREAS, the College negotiating committee, comprised of representatives of the College administration and the sponsoring counties, met in collective bargaining with representatives of the Professional Administrators Association, and

WHEREAS, the negotiating teams reached agreement, and

WHEREAS, the Board of Trustees of Tompkins Cortland Community College accepts the report of the negotiating teams and recommends the proposed agreement to the Cortland and Tompkins County legislative bodies for their approval, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That the Tompkins County Legislature hereby approves the above said agreement,

RESOLVED, further, That this resolution shall become effective upon the adoption of a concurrent resolution by the Cortland County Legislature.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 122 – APPROVAL OF TOMPKINS CORTLAND COMMUNITY COLLEGE FACULTY ASSOCIATION AGREEMENT FOR THE YEARS 2008 – 2013

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

WHEREAS, the contractual agreement between Tompkins Cortland Community College and the Faculty Association expires August 31, 2008, and

WHEREAS, the College negotiating committee, comprised of representatives of the College administration and the sponsoring counties, met in collective bargaining with representatives of the Faculty Association, and

WHEREAS, the negotiating teams reached agreement, and

WHEREAS, the Board of Trustees of Tompkins Cortland Community College accepts the report of the negotiating teams and recommends the proposed agreement to the Cortland and Tompkins County legislative bodies for their approval, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That the Tompkins County Legislature hereby approves the above said agreement,

RESOLVED, further, That this resolution shall become effective upon the adoption of a concurrent resolution by the Cortland County Legislature.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 123 - ADOPTION OF 2008-2009 OPERATING BUDGET – TOMPKINS CORTLAND COMMUNITY COLLEGE

MOVED by Mr. Shinagawa, seconded by Mr. Hattery. It was MOVED by Ms. Kiefer, seconded by Mr. Stevenson, to amend the first Resolved as follows:

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“That said proposed 2008-2009 operating budget in the amount of \$32,358,578 of which the sponsoring community contribution is in the amount of \$4,170,327 (sixty-two percent Tompkins County, thirty-eight percent Cortland County) be and the same hereby is approved,”

Ms. Kiefer said she felt the increase to six percent was fully justified by the college at the Special Budget presentation, and the actual dollar amount – less than \$25,000 - is not significant. Mr. Hattery expressed concern that the amendment would require approval from Cortland County. Ms. Kiefer indicated she had spoken to the appropriate members of the Cortland County Legislature who did not have opposition to the change. Dr. Haynes indicated it would mean a total increase of approximately \$146,000. Ms. Chock stated that during discussions Cortland County supported the six percent increase. Mr. Shinagawa said due to the challenging budget year he could not support the amendment. Ms. Herrera, Ms. Robertson, and Mrs. McBean-Clairborne agreed with Mr. Shinagawa’s view. Mr. Dennis said he would support the amendment, stating the college assists in resolving the underemployment referred to in the previous presentation, acknowledging the college is a lead organization for educating young people to seek employment in various venues. He also noted that during budget deliberations there would be variables in funding required for many departments with some receiving funding different than others. Following the discussions, Ms. Robertson indicated she now would support the amendment. Mrs. McBean-Clairborne said she did not consider \$25,000 to be a small figure, it could represent an individual’s position.

Dr. Haynes expressed appreciation for the debate and noted the County saves approximately \$183,000 in charge-backs when students attend the local college, that the ability to have clients receiving County services getting an education to make them self-sufficient, combined with the college’s increased productivity over the last ten years by thirty-five percent, all assist in reducing County overall expenses.

Mr. Koplinka-Loehr said when the budget process occurs he believes all departments and agencies could request and justify funding. He stated he would not support the amendment, noting the college indicated they could find the difference in funding without a significant impact.

A voice vote on the amendment resulted as follows: Ayes 6 (Legislators Burbank, Chock, Dennis, Kiefer, Robertson, and Stevenson); Noes – 8 (Legislators Hattery, Herrera, Koplinka-Loehr, Mackesey, McBean-Clairborne, Proto, Shinagawa, and Sigler); Excused – 1 (Legislator Randall). MOTION TO AMEND FAILED.

Ms. Herrera disclosed that she has been a student at Tompkins Cortland Community College. At this time she spoke briefly about the college and said it is a real anchor for the community. She could not support the amendment to increase the budget six percent as the County needs to look ahead.

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

WHEREAS, a proposed operating budget for Tompkins Cortland Community College (TC3) for the fiscal year September 1, 2008, through August 31, 2009, has been presented to the Legislature of the County of Tompkins pursuant to County Law and Section 6306 of the Education Law, and

WHEREAS, the Legislature has conducted a public hearing on said proposed budget on the 17th of June 2008, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That said proposed 2008-2009 operating budget in the amount of \$32,306,736 of which the sponsoring community contribution is in the amount of \$4,130,985 (sixty-two percent Tompkins County, thirty-eight percent Cortland County) be and the same hereby is approved,

RESOLVED, further, That the Legislature of Tompkins County includes in the 2008 Tompkins County Budget an amount to be determined pursuant to the approved plan for said College in effect as of

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September 1, 2008, and that the amount when determined be raised by taxation in the County of Tompkins in the fiscal year 2009,

RESOLVED, further, That this resolution shall become effective upon the adoption of a concurrent resolution by the Cortland County Legislature.

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Presentation of Resolution(s) from the Public Safety Committee

RESOLUTION NO. 124 – APPROPRIATION FROM CONTINGENT FUND AND INCREASE IN HOURS FOR TRANSITION WORKFORCE SPECIALIST POSITION – DEPARTMENT OF PROBATION AND COMMUNITY JUSTICE

MOVED by Mr. Dennis, seconded by Mr. Hattery. Mr. Proto inquired whether the County would continue to make up the difference in a position when the State removes funding. Mr. Dennis clarified the addition of the last Resolved indicates this was only for the current budget year. Mr. Proto asked when a report on the effectiveness of the program would be received and was informed by Ms. Bradac that reports would be made on a regular basis. Ms. Robertson requested that when situations such as this arise an evaluation should be made to determine whether it is in the County's best interest to provide the funding to make up for the State's reductions.

A short roll call vote resulted as follows: Ayes – 12; Noes – 2 (Legislators Proto and Stevenson); Excused – 1 (Legislator Randall). RESOLUTION ADOPTED.

WHEREAS, funding that was previously available through Workforce New York and the Lansing Central School District has been discontinued and efforts to obtain other funding have failed, and

WHEREAS, the position of Transition Workforce Specialist is critical to the ongoing work at the Day Reporting Center, especially with the extra effort in the Re-Entry programming, now therefore be it

RESOLVED, on recommendation of the Public Safety and the Budget and Capital Committees, That fifty percent of the Transition Workforce Specialist position previously funded by Workforce New York and the Lansing Central School District for twenty hours of work be moved to the Department of Probation and Community Justice effective immediately,

RESOLVED, further, That the Director of Finance is hereby authorized and directed to make the following budget appropriation for 2008:

FROM:	A1990.54400	Contingent Fund	\$32,691
TO:	A3141.51000783	Transition Workforce Specialist	\$23,140
	A3141.58800	Fringes	8,793
	A3141.54414	Local Mileage	758

RESOLVED, further, That this funding is an appropriation for 2008 and is not to be assumed as funding for 2009.

SEQR ACTION: TYPE II-20

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

RESOLUTION NO. 125 – AUTHORIZATION TO PAY VACATION TIME IN EXCESS OF MAXIMUM – HEALTH DEPARTMENT

MOVED by Mr. Proto, seconded by Mr. Shinagawa. Ms. Herrera noted that Union Representative David Chase expressed concern that this action was being taken; however, there has been subsequent discussions regarding the resolution and it was assured this is an exception that would not

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again be offered. Mr. Dennis, on behalf of the Budget and Capital Committee, spoke to Mr. Chase and all concerns have been resolved.

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

WHEREAS, the Health Department has been operating under special circumstances since the beginning of the year, including multiple Community Health Nurse staff out on medical leave, increased work demands including responding to the syphilis situation, increased Home Care referrals, and being globally understaffed department wide in the Community Health Nurse title, and

WHEREAS, the Department requests special permission to pay 60 hours of vacation time on a one-time basis for one part-time (21 hours per week) Community Health Nurse who is providing additional assistance during this staffing crisis, and

WHEREAS, the Legislature recognizes this as an exception to existing policy and approves it based upon the above circumstances, now therefore be it

RESOLVED, on recommendation of the Health and Human Services, and the Budget and Capital Committees, That the Department is authorized to pay out \$1,655.89 in accrued vacation time and \$629.24 in associated fringes to reduce the employees fringe balance below the maximum permitted in the Union agreement,

RESOLVED, further, That no additional funding is needed; funds will be paid through existing salary lines.

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Individual Member-Filed Resolution(s)

RESOLUTION NO. 126 – EXPRESSING SUPPORT FOR FEDERAL ACTION TO REDUCE CARBON EMISSIONS THROUGH THE MECHANISM OF A CARBON TAX

MOVED by Ms. Chock, seconded by Mrs. McBean-Clairborne. Ms. Chock thanked the Environmental Management Council for their work on the resolution. She spoke of the need for Federal action on carbon emissions and that the City of Ithaca and Town of Ithaca both weighed in on the conversations. The resolution is the result of four months of presentations by scientists, environmentalists, and concerned citizens. Ms. Chock noted it is a complex issue and the resolution speaks to how to achieve reductions. While many agree that carbon emissions must be reduced, there is disagreement about how best to achieve that. This resolution stresses the need to reduce and offers a compromise position on the recommendation to federal and other officials about how to proceed. Ms. Chock thanked Ms. Kiefer for her work in preparing the resolution and urged members to support it.

Mr. Stevenson appreciated the work but is not supportive of the resolution. Although it is a complicated issue he cannot support more taxes. Ms. Herrera agreed it is a complex issue and is grateful for those who explained the concern of carbon emissions and therefore it is a tax she could support, although not the portion referring to trade and auction.

It was MOVED by Ms. Herrera, seconded by Ms. Robertson, to remove the following Resolved from the resolution:

“RESOLVED, further, That if a carbon tax fails to pass at the Federal Level, the Tompkins County Legislature declares its support for a cap-and-auction system as a next-best alternative, with the following caveats:

- polluters should pay for the right to pollute, using auctions not allotments, and should not be given permits at zero cost,

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- the cap-and-auction should be implemented as far upstream as possible, with auction via a single open market that is national not global, and with public monitoring to ascertain the validity of the system,
- the system should be strictly national; offsets would not be allowed; a significant penalty should be imposed for fossil-fuel use without allowances,
- a “hard cap” should be set for all large users of fossils fuels together, reduced every year, and reach eighty percent reduction in greenhouse gas emissions (as CO₂ equivalents) by 2050.”

A voice vote on the amendment resulted as follows: Ayes – 10 (Legislators Burbank, Dennis, Herrera, Koplinka-Loehr, Mackesey, McBean-Clairborne, Robertson, Shinagawa Sigler, and Stevenson); Noes – 4 (Legislators Chock, Kiefer, Hattery, and Proto); Excused – 1 (Legislator Randall).
AMENDMENT APPROVED.

Ms. Robertson will support the resolution, noting it is now a stronger document and she believes if the government had taken action when this problem was first discovered we would be better off. Mr. Hattery agrees with Mr. Stevenson regarding citizens’ need to limit taxation. Mr. Burbank expressed his belief that at a local level the resolution expresses community concern and should percolate to the level required. He hopes the community will continue discussions to exhibit strong support for the reduction of carbon emissions. Mr. Sigler does not support the resolution and feels it does not sequester the problem, rather it punishes those creating it. In addition, he does not feel another tax is appropriate, that the present fuel tax should be utilized to address the problem. Mr. Dennis will support the resolution, noting it expresses a concern to the appropriate government officials.

A voice vote on the resolution resulted as follows: Ayes – 10 (Legislators Burbank, Chock, Dennis, Herrera, Kiefer, Koplinka-Loehr, Mackesey, McBean-Clairborne, Robertson, and Shinagawa); Noes – 4 (Legislators Hattery, Proto, Sigler, and Stevenson); Excused – 1 (Legislator Randall).
RESOLUTION ADOPTED.

WHEREAS, global warming, characterized by extremes of climate change, has been identified by an overwhelming consensus of scientists as caused primarily by carbon dioxide emissions from manmade sources and by widespread deforestation, and

WHEREAS, global warming threatens economies and ecosystems throughout the world, and

WHEREAS, legislation at the Federal level is being considered for reductions in heat-trapping emissions of greenhouse gas emissions including carbon dioxide, through either a Federal carbon tax or emissions trading, and

WHEREAS, the outcome of this legislative debate will substantially affect residents of Tompkins County for decades, and

WHEREAS, both tradable pollution permits and taxing environmental pollution are economic methods to reach environmental goals, with the main difference between them being that (1) with permits, government sets the amount of emissions that are allowed and lets the market set the price of the permits as they are auctioned off or traded; in contrast (2) with an environmental tax the price of the environmentally destructive pollution is set by the government as the tax rate, and the market determines the amount of pollution that will occur at that price, and

WHEREAS, either auctioning pollution allowances or implementing a tax will raise Federal revenues that can be used to relieve the cost burden on low-income persons and to underwrite the development of alternative sustainable energy systems, and

WHEREAS, offsets and trading across national borders make the system particularly hard to monitor and enforce, inviting noncompliance, and

WHEREAS, both carbon taxes and cap-and-trade systems can be effective means of reducing emissions of CO₂, so from the perspective of economic theory they are equivalent, but from the regulatory and administrative perspective a tax is more cost effective, and

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WHEREAS, the Tompkins County Environmental Management Council has examined these issues and passed Resolution No. 01-2008 "Resolution Recommending County Support for a Federal Carbon Tax", now therefore be it

RESOLVED, That for these environmental, economic, and administrative reasons, the Tompkins County Legislature declares its support for enactment of a Federal carbon tax on importers and domestic extractors and refiners of fossil fuels, to be levied upstream in order to minimize the number of entities being directly taxed and the expense of monitoring compliance, with revenues directed to tax relief for low- and moderate-income households and financial support for conservation and sustainable energy programs, with public monitoring to assure compliance,

RESOLVED, further, That copies of the resolution shall be sent to the Tompkins County State and Federal representatives as well as the Chair and Members of the appropriate Senate and House Committees.

SEQR ACTION: TYPE II-20

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

RESOLUTION NO. 127 – AUTHORIZING GRANTING OF TOMPKINS COUNTY ECONOMIC DEVELOPMENT REVOLVING LOAN FUNDS TO TOMPKINS COUNTY AREA DEVELOPMENT, INC.

MOVED by Ms. Robertson, seconded by Mr. Hattery. Ms. Herrera does not support the resolution as she feels it is a way of abdicating oversight. A voice vote on the resolution resulted as follows: Ayes – 13; Noes – 1 (Legislator Herrera); Excused – 1 (Legislator Randall). RESOLUTION ADOPTED.

WHEREAS, the Tompkins County Economic Development Revolving Loan Fund was established in 1998 and has been continuously and successfully implemented since that time, and

WHEREAS, the Tompkins County Economic Development Revolving Loan Fund has been capitalized through grants from the United States Department of Housing and Urban Development and from the New York State Governor's Office for Small Cities, and

WHEREAS, the Tompkins County Economic Development Revolving Loan Fund has been managed by the Tompkins County Planning Department since its inception, and

WHEREAS, Tompkins County Area Development, Inc., is the County's principal economic development agency, and

WHEREAS, Tompkins County Area Development, Inc., has successfully managed and operated its own Economic Development Loan Program, and

WHEREAS, many borrowers making use of the Tompkins County Economic Development Revolving Loan Fund also make use of programs managed by Tompkins County Area Development, Inc., and

WHEREAS, Tompkins County Area Development, Inc., has expressed its desire to receive a grant of Tompkins County Economic Development Revolving Loan Funds for the purpose of making economic development loans, and

WHEREAS, Tompkins County Area Development, Inc., has presented the Policy Guidelines and Operating Plan to guide such activities, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality and the Budget and Capital Committees, That Tompkins County shall provide grants to Tompkins County Area Development, Inc., of Tompkins County Economic Development Revolving Loan Funds in a cumulative amount not to exceed five hundred thousand dollars (\$500,000.00) for the purpose of funding

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economic development loans to assist businesses that will provide economic benefits to Tompkins County and its residents,

RESOLVED, further, That Tompkins County approves and accepts the Policy Guidelines and Operating Plan to govern such activities by Tompkins County Area Development, Inc.,

RESOLVED, further, That these grants of the Economic Development Revolving Loan Fund will require Tompkins County Area Development, Inc., to

- Provide oversight and approval of loans through the Tompkins County Area Development, Inc., Finance Committee or its successors,
- Comply with all rules, regulations, and policies of the United States Department of Housing and Urban Development and the Governor's Office for Small Cities,
- Perform all administrative activities required pursuant to the use of funds from the United States Department of Housing and Urban Development and the Governor's Office for Small Cities, and
- Provide annual reports to the County on loan activity and performance,

RESOLVED, further, That County shall initially capitalize the Tompkins County Area Development Fund with a cumulative cash balance of two hundred and fifty thousand dollar (\$250,000), such amount to be derived from County's Community Development Block Grant Economic Development Funds, and that the Finance Director is authorized and directed to make the following budget adjustment:

Revenue	8693.CD599	Appropriated Fund Balance	\$250,000
Appropriation	8693.54400	Program Expense	\$250,000

RESOLVED, further, That the grant program will be for the term of two years with an end date of June 2010 at which time this agreement may be extended, and additional funds added to the Tompkins County Area Development Fund upon approval of the Tompkins County Legislature of a new sum of money and term of agreement,

RESOLVED, further, That the County Administrator or his designee be authorized to execute agreements in order to effect this grant program consistent with this resolution.

SEQR ACTION: TYPE II – 20

RESOLUTION NO. 128 – AUTHORIZING THE DISSOLUTION OF THE TOMPKINS COUNTY ECONOMIC DEVELOPMENT REVOLVING LOAN FUND OVERSIGHT COMMITTEE AND TRANSFERRING RESPONSIBILITIES TO THE RURAL SMALL BUSINESS LOAN OVERSIGHT COMMITTEE

MOVED by Ms. Robertson, seconded by Mr. Proto. Ms. Herrera reiterated her belief that the resolution abdicates oversight. Ms. Robertson said both the prior and this resolution are to provide more appropriate accounting practices.

A voice vote on the resolution resulted as follows: Ayes – 13; Noes – 1 (Legislator Herrera); Excused – 1 (Legislator Randall). RESOLUTION ADOPTED.

WHEREAS, the Tompkins County Economic Development Revolving Loan Fund was established in 1998 to provide low-interest loan funds over \$50,000 to existing businesses, and

WHEREAS, these loans are made using repaid United States Department of Housing and Urban Development Small Cities Community Development Block Grant funds which are targeted for economic development activities to benefit low- and moderate-income persons, and

WHEREAS, Resolution No. 131 of 2006 authorized the Rural Small Business Loan Program as an additional activity under the Tompkins County Economic Development Revolving Loan Fund providing small business loans under \$25,000, and

WHEREAS, the Tompkins County Economic Development Revolving Loan Fund Oversight Committee was established to make loan recommendations for the Economic Development Revolving Loan Fund Program and the Rural Small Business Loan Program, and

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WHEREAS, Resolution No. 127 of 2008 authorized the granting of Tompkins County Economic Development Revolving Fund Loans to Tompkins County Area Development, Inc., and

WHEREAS, Tompkins County Area Development (TCAD) will establish the TCAD Loan Committee with members of the Finance Committee of the TCAD Board of Directors to review and approve TCAD Revolving Loan Fund applications, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Economic Development Revolving Loan Fund Committee be dissolved with the transfer of the Revolving Loan Fund to TCAD,

RESOLVED, further, That the Planning Advisory Board will establish a Rural Small Business Loan Oversight Committee,

RESOLVED, further, That the Rural Small Business Loan Oversight Committee will make small-business loan recommendations to the County Legislature based on information provided in a loan application and review of credit worthiness.

SEQR ACTION: TYPE II-20

Report from the County Administrator

Mr. Whicher reported he has been having discussions with department heads regarding the 2009 budget and it appears he would be able to meet the goal. The first interview for a new Probation Director has taken place and he hopes to bring the matter back to the Legislature on June 20th with a confirmation of appointment on July 1st.

Report from the County Attorney

Mr. Wood reported he had reviewed the financial disclosure forms. At this time only one is outstanding, with the individual out of the office this week. The review did not indicate any major issues raised by the forms. Mr. Wood noted for the future that completion of the forms does not require individuals to list the amount of their investments. Mr. Wood requested an executive session at the end of regular business to discuss litigation.

Report from the Finance Director

Mr. Squires reported the auction of foreclosed properties occurred on June 12th. There were sixty bidders for the eight properties sold. The County sale grossed \$321,000 with bids being between \$8,000 for property sold to Habitat for Humanity, to \$145,000 for property adjacent to the country club. The County net was \$165,000. It was noted the two resolutions added to the agenda will allow the property to transfer back to owners who redeemed the property prior to the auction as well as transfer title for those properties sold. Mr. Squires said the auction was within budgeted amounts.

Addition of Resolution(s) to the Agenda

It was MOVED by Mr. Hattery, seconded by Mr. Stevenson, and unanimously adopted by voice vote by members present, to add to the agenda the following resolutions:

- Authorization to Execute Quitclaim Deed – Properties Redeemed Before County Auction
- Authorization to Execute Quitclaim Deeds – Sale of Foreclosure Properties at Public Auction

Withdrawal of Resolution(s) from the Agenda

There were no resolutions withdrawn from the agenda.

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

Mrs. McBean-Clairborne, Chair, reported the Committee met prior to the Legislature meeting to take action on the resolution that follows.

RESOLUTION NO. 129 - AUTHORIZING ACCEPTANCE OF A FEDERAL AVIATION ADMINISTRATION (FAA) GRANT TO CONSTRUCT RUNWAY SAFETY AREA IMPROVEMENTS AND OBSTRUCTION CLEARANCE AND TO CONSTRUCT THE PARALLEL TAXIWAY RELOCATION (PHASE III) - ITHACA TOMPKINS REGIONAL AIRPORT

MOVED by Mrs. McBean-Clairborne, seconded by Ms. Herrera, and unanimously adopted by voice vote by members present. RESOLUTION ADOPTED.

WHEREAS, our congressional delegation is working with the Federal Aviation Administration (FAA) in Washington to secure Airport Improvement Program (AIP) funding to construct the above mentioned projects, and

WHEREAS, the County is expecting to receive said funding from the Federal Aviation Authority (FAA) in the amount of \$7,621,250, and

WHEREAS, the County has an additional amount of \$430,000 from a previous grant that has been designated by the FAA as part of the required funding, and

WHEREAS, the budget for these two projects is as follows:

FAA Share	(95.0%)	Account No. HT 5601.44592	\$8,051,250.00
NYSDOT Share	(2.5%)	Account No. HT 5601.43592	\$ 211,875.00
Local Share	(2.5%)	Account No. HT 5601.45031	\$ 211,875.00
Total			\$8,475,000.00

, and

WHEREAS, the projects for Construction of the Runway Safety Area Improvements and Obstruction Clearance, and Construction of the Parallel Taxiway Relocation (Phase III), have already been approved by the County Legislature subject to Federal and State funding being received, and

WHEREAS, the Construction Inspection and Contract Administration agreements for these projects will be brought before the County Legislature for approval before the projects are allowed to go forward, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That when the grant offer from the FAA of \$7,621,250 is received, it be accepted and the County Administrator be authorized to execute the required documents,

RESOLVED, further, That the local share of \$211,875.00 has already been factored into the airport's 2008 operational budget.

SEQR ACTION: TYPE II-20

Report from the Human Resources Committee

Mr. Dennis, Chair, did not have a report.

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

Mr. Hattery, Chair, said the Committee has not met.

RESOLUTION NO. 130 – AUTHORIZATION TO EXECUTE QUITCLAIM DEED – PROPERTIES REDEEMED BEFORE COUNTY AUCTION

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MOVED by Mr. Hattery, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by members present. RESOLUTION ADOPTED.

WHEREAS, Tompkins County works with property owners to allow them to redeem their property prior to auction, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the County Administrator is authorized to execute a Quitclaim Deed conveying property acquired by the County through 2007 tax foreclosures, back to the previous owners upon payment of all back taxes, penalties, interest, and fees as follows:

Town of Newfield	28-1-6.41	Robert & Tammy Spencer
City of Ithaca	55-1-1-9	William & Teresa Sullivan

SEQR ACTION: TYPE II-20

RESOLUTION NO. 131 – AUTHORIZATION TO EXECUTE QUITCLAIM DEEDS – SALE OF FORECLOSURE PROPERTIES AT PUBLIC AUCTION

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

WHEREAS, by tax foreclosure proceedings, the County acquired certain parcels in the County, and

WHEREAS, said properties were sold, contingent upon Legislature approval, at public auction on June 12, 2008, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That upon payment in full of the bid price, plus current taxes and filing fees, that the County Administrator be and hereby is authorized to execute quitclaim deeds for all parcels sold at the public auction.

SEQR ACTION: TYPE II-20

Report from the Planning, Development, and Environmental Quality Committee

Ms. Robertson, Chair, reported the Committee met on June 10th and received a report from Workforce Development noting there have been significant budget cuts totaling \$230,000. The department is seeking specific contracts and grants to offset the reductions and retain staff. With regard to housing proposals, staff work continues and it is anticipated that a memorandum of understanding among Cornell University, City of Ithaca, and Tompkins County will come forward in the near future. One area of the housing proposal to be determined is governance of the funds. The Committee will meet next on July 10th. Ms. Robertson apologized for having pulled the Lake Monitoring Plan from the agenda, noting it was due to anticipated absences from the Committee and additional discussion required at the Environmental Management Council. This topic will be discussed after the public meeting.

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

Mr. Shinagawa, Chair, reported the Committee met on June 9th and discussed various topics. In addition, a meeting was held on May 29th with department heads to discuss short- and long-term reductions. A compilation of ideas will be gathered and presented at the end of the June 23rd meeting. Mr. Shinagawa would like to set another budget retreat to discuss short-term reductions and review criteria with the goal of developing consensus. He would like to utilize the August 5th regular Legislature meeting time to do so and requested department heads be contacted to determine if canceling the meeting would create any difficulty regarding action items.

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RESOLUTION NO. 132 – AUTHORIZING CHANGE IN COURT ATTENDANTS HOURLY REIMBURSEMENT RATE

MOVED by Mr. Shinagawa, seconded by Ms. Herrera. Ms. Herrera noted she would have liked to increase the hourly rate to reflect livable wage for the attendants, however as the County only acts as a pass-through for the funding it is not possible. Mr. Koplinka-Loehr commented the matter had been explored, however as the wages are set by the State it is out of the County's control.

A short roll call vote on the resolution resulted as follows: Ayes – 14; Noes – 0; Excused – 1 (Legislator Randall). RESOLUTION ADOPTED.

WHEREAS, the New York State Unified Court System and the Office of Supreme and County Court Clerks have authorized an increase in the base hourly rate for Court Attendants, and

WHEREAS, it is recommended that regular Court Attendants be reimbursed at the rate of \$7.88 per hour and where extra responsibilities are warranted such as assignment to magnetometer support, Family Court calendars, and courtroom coordination duties, Court Attendants are authorized to receive \$8.88 per hour, and

WHEREAS, a minimum of two hour's pay will be paid to any Court Attendant reporting for duty and time-and-one half rates will be paid for over forty hours per week, and

WHEREAS, New York State sets the rates for court attendants and pays in full for those court attendants with the County simply serving as a fiscal agent for those wages, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That the Tompkins County Legislature authorizes changing the Court Attendants base hourly rate retroactive to April 1, 2008, from \$7.65 to \$7.88 and from \$8.65 to \$8.88 for extra responsibilities.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 133 – ESTABLISHMENT OF GUIDELINES AND FISCAL TARGETS FOR ALL COUNTY BUDGETING UNITS FOR THE PREPARATION OF THE 2009 BUDGET

MOVED by Mr. Shinagawa, seconded by Mr. Hattery. Mr. Shinawaga said the guideline represents a remarkable achievement between the administration and departments working together to enable the low percentage.

It was MOVED by Ms. Robertson, seconded by Mr. Burbank, to amend the fiscal target for not-for-profit agencies to include an additional three percent adjustment for salary and benefit increases, not including a one-time funding. Ms. Robertson said if the County staff negotiated salaries and benefits are included in the guidelines she believes it should be the same for the agencies so that they do not have to absorb flat-funding. She noted some agencies struggle to bring employee wages to a livable wage and that not including an increase will only make wages fall further behind. Ms. Herrera supported the three percent increase for County employee wages and fringes due to the information provided by Administration. Although she would like to be able to do the same for the not-for-profit agencies it would not be possible to meet the County goal, which while difficult is best for taxpayers. Mr. Hattery is opposed to the amendment, stating that to add this does not allow the County Administrator the latitude and flexibility required to meet the Legislature's goal. Mr. Shinagawa said the resolution is the result of numerous discussions and to modify the guidelines would nullify some of the work completed to date and asked Mr. Whicher to address the issue.

Mr. Whicher explained agency funding is very complicated due to the manner in which each operates. He explained that he has had discussions with the Human Services Coalition and Youth Services who work closely with the agencies. Mr. Whicher expressed his opinion that giving agencies the additional funding without the same process as the County is undergoing would be inappropriate in light

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of what the County staff are being asked. He further explained that by setting the guidelines shown in the original resolution has provided the ability not to do across-the-board funding reductions.

Mr. Shinagawa indicated that he would not support the amendment.

Mrs. McBean-Clairborne was excused at this time (8:06 p.m.).

Ms. Kiefer stated that the agencies do work for the County that would cost more if done by County staff. Although she is pleased that Administration believes it can develop a budget without across-the-board cuts she is uncomfortable regarding the County's funding to agencies over the past several years and is supportive of the amendment.

Ms. Mackesey would like to have funding set aside to focus on agency needs and would also like to have a better understanding of how reviews for funding are undertaken for agencies.

Mr. Whicher responded there would be many requests by agencies and it is important not to approve increases prior to the budget process; if that occurs he does not believe he could meet the budget goal set by the Legislature.

Mr. Shinagawa stated the over-target request process would be available to request additional funding during the Legislature's budget review.

Ms. Robertson reiterated her belief that the agencies staff should receive the same as the County staff, noting it is very difficult when there is an anticipation of flat funding; she urged support of the amendment.

Mr. Proto explained the Human Services Coalition review process for agencies, noting they recommend how to allocate agency funding. He is concerned that increases would mean additional taxes to County residents. He believes that the County's first obligation is to its own departments and that Mr. Whicher has been straightforward about being unable to meet the goal if the Legislature continues to provide additional funding. Mr. Proto would like to be able to support the amendment but does not think the guidelines should be changed.

Ms. Herrera said although it is a difficult decision she will not support the amendment.

Mr. Dennis indicated that although he would like to support the increase to agencies he believes it is important to allow the Administrator go through the budget recommendation process and then review what the outcome is.

It was MOVED by Ms. Mackesey to amend the amendment and offer not-for-profit agencies funding at the 2008 level, with consideration given to cost of living increases. MOTION FAILED FOR LACK OF A SECOND.

Mr. Burbank believes by not providing the additional funding to not-for-profits would be moving in the wrong direction, and that he supports the amendment.

A voice vote on the amendment resulted as follows: Ayes – 5 (Legislators Burbank, Chock, Kiefer, Mackesey, and Robertson); Noes – 8 (Legislators Dennis, Hattery, Herrera, Koplinka-Loehr, Proto, Shinagawa, Sigler, and Stevenson); Excused – 2 (Legislators McBean-Clairborne and Randall). AMENDMENT FAILED.

It was MOVED by Mr. Proto, seconded by Mr. Hattery, to call the question on the resolution. A voice vote on calling the question resulted as follows: Ayes – 8 (Legislators Dennis, Hattery, Herrera,

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Koplinka-Loehr, Proto, Shinagawa, Sigler, and Stevenson); Noes –5 (Legislators Burbank, Chock, Kiefer, Mackesey, and Robertson)); Excused – 2 (Legislators McBean-Clairborne and Randall). MOTION CARRIED.

A voice vote on the resolution resulted as follows: Ayes – 8 (Legislators Dennis, Hattery, Herrera, Koplinka-Loehr, Proto, Shinagawa, Sigler, and Stevenson); Noes – 5 (Legislators Burbank, Chock, Kiefer, Mackesey, and Robertson); Excused – 2 (Legislators Mcbean-Clairborne and Randall). RESOLUTION ADOPTED.

WHEREAS, the Tompkins County Fiscal Policy specifies that a fiscal target is the maximum amount of general revenue spending authority that a department head or program director may request without initiating an Over-Target Request, and changes in fiscal targets should be communicated to department heads and program directors as timely as possible in order for them to submit their budget requests by August 11, 2008, and

WHEREAS, already-negotiated salary increases will require more than a three percent increase in department salary and fringe expenses, and

WHEREAS, the Tompkins County Legislature wishes to establish targets in order for departments and agencies to submit their 2009 budget requests, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That fiscal targets for all budgeting units for preparation of the 2009 budget are hereby established as follows:

1. For not-for-profit agency grants, fiscal targets shall be equal to the amount approved in the 2008 adopted budget – not including one-time funding nor any funds re-appropriated from previous years.
2. For Towns and Villages applying for reimbursement for County-wide services, and for Human Service and Criminal Justice agencies receiving reimbursement pursuant to the Sales Tax Agreement between the County and City of Ithaca, fiscal targets shall be equal to the current year appropriation – not including one-time funding nor adjustments for prior years.
3. For all County departments, fiscal targets shall be equal to the fiscal target approved in the 2008 adopted budget, plus the 2009 negotiated salary increase for the department's bargaining units including management and confidential.
4. In addition, department fiscal targets shall not include one-time funding nor any funds re-appropriated from previous years.

RESOLVED, further, That the County Administrator, for the purpose of constructing his recommended budget, shall have the full authority of the Legislature to reduce department targets as needed to achieve the Tax Levy goal set by the Legislature.

SEQR ACTION: TYPE II-20

Report from Public Safety Committee

Mr. Stevenson, Chair, did not have a report. The Committee will meet on July 20th.

Report from Workforce Development and Inclusion Committee

The Committee did not have a report. The next meeting is on June 25th.

Report from the Health and Human Services Committee

Mr. Proto, Chair, reported the Committee met on June 4th and received an update from the Drop-In Children's Center indicating that since last year they have modified the program to enable financial stability. The modifications included adding a second Director position to provide supervision of staff and programs, with a second position dealing with the operations and finances. A concern expressed was to maintain staffing, particularly with the new program operations at Cornell University. Also of concern was the manner in which slots are filled, primarily with low-income slots being filled when subsidized

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funding allows; if there is none, the slots are filled by those who are able to pay the full amount of the sliding-fee structure. Youth Services reported on their various programs including youth employment and the need to provide internet access to rural and home-schooled youth. Mr. Proto has written to State representatives in an effort to seek funding options, including the feasibility of use of Universal Service Fee funding to provide this much-needed service. Ms. Allinger of the Health Department and Mr. DeLuca, Mental Health Commissioner, reported on the May 30th forum regarding autism and the changing guidelines that have led to broadening the spectrum of this disability. One item that will be taken up is the training of emergency responders, which will include Broome Developmental Center. Mr. Proto reported it appears as though Lakeside Nursing and Rehabilitation Center may be receiving positive news with regard to the day program as well as the assisted-living aspect.

Mr. Shinagawa was pleased to hear that Lakeside may be approved for all aspects of service, noting it is a necessary piece to provide stabilization to the facility. He also noted the success of the Drop-In Center was due in part to Mr. Whicher and other County staff working closely to develop a plan to provide financial stability.

Government Operations Committee Report - Continued

Mr. Hattery reported that the Tompkins County Library Board has come forward to speak about a proposal to create a partnership to make permanent Sunday hours for library services. The proposal requests equal contributions from the Town of Ithaca, City of Ithaca, and the County. In August there would be a meeting between the Budget and Capital Committee and Core Performance Committee to discuss the findings and proposals.

It was MOVED by Mr. Proto, seconded by Ms. Herrera, to lift the following resolution from the table. Mr. Hattery expressed appreciation for allowing the action to be postponed to provide the opportunity to have Mr. Miller and the Village discuss the matter. Although he had hoped the parties would have come to a positive resolution it has not occurred. Mr. Hattery expressed his understanding that it is a difficult issue and although he would like to see it added understands the Village's position. Not adding the land would not change the intent of farming Mr. Miller is proposing and he would therefore not support the addition of the property.

RESOLUTION NO. 108 - ADDING PARCELS TO AGRICULTURAL DISTRICT NO. 1 (EAST SIDE OF CAYUGA LAKE)

MOVED by Ms. Robertson, seconded by Ms. Chock. A voice vote resulted as follows: Ayes – 2 (Legislators Proto and Stevenson); Noes – 11; Excused – 2 (Legislators McBean-Clairborne and Randall). RESOLUTION LOST.

WHEREAS, Resolution No. 25 of 2004 designated an annual review period when landowner proposals for inclusion of viable agricultural lands within existing certified agricultural districts will be accepted for review and action by the Tompkins County Legislature, and

WHEREAS, Resolution No. 201 of 2007 revised the schedule of the annual review period so that it begins February 1, and

WHEREAS, one landowner has requested addition of parcels totaling 24.95 acres to Tompkins County Agricultural District 1 and no landowners have requested addition of parcels to Tompkins County Agricultural District 2, and

WHEREAS, this request has been reviewed and recommended for approval by the Agricultural and Farmland Protection Board, and

WHEREAS, this request has been reviewed by the Planning Advisory Board, which, based on objections expressed by the Village of Dryden in 2007, recommended not approving addition of parcels in the Village of Dryden, and

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WHEREAS, the County Legislature held the required public hearing on such proposals on June 3, 2008, and

WHEREAS, the County Legislature is required to act on such proposals within 120 days under New York State Agriculture District Law, and

WHEREAS, the Village of Dryden, by letter dated May 29, subsequent to the County's Planning, Development, and Environmental Quality Committee meeting, has again expressed opposition to the addition of the Miller parcels as being in "direct conflict with several Village land use laws and the Village's Comprehensive Plan, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That approval is granted for the requested additions to Agricultural District 1 of Tompkins County, as specified in the Explanatory Note below.

SEQR ACTION: TYPE II-20

Explanatory Note: Addition of these parcels would result in new total acreage of District 1: 102,379 acres.

Owner of these parcels has requested they be added to the Agricultural Districts:

Village of Dryden (Agricultural District #1)

<u>SWSS:</u> 502401	<u>Parcel:</u> 8.-1-14.1	10.26 acres	Spring House Road (no street# assigned)
<u>SWSS:</u> 502401	<u>Parcel:</u> 8.-1-14.2	14.69 acres	Spring House Road (no street# assigned)

Approval of Minutes of June 3, 2008

It was MOVED by Mr. Dennis, seconded by Ms. Robertson, and unanimously adopted by voice vote by members present, to approve the minutes of June 3, 2008. MINUTES APPROVED.

Recess

Mr. Koplinka-Loehr declared recess from 8:50 p.m. to 8:53 p.m.

Executive Session

It was MOVED by Mr. Dennis, seconded by Ms. Herrera, and unanimously adopted by voice vote, by members present, to enter into executive session at 8:53 p.m. to discuss litigation. The meeting returned to open session at 9:10 p.m.

Adjournment

On motion the meeting adjourned at 9:10 p.m.

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Respectfully submitted by Karen Fuller, TC Legislature Office