

June 3, 2008

**Tompkins County Legislature
June 3, 2008**

APPROVED

Mr. Koplinka-Loehr called the public hearing to order at 5:33 p.m. concerning adding parcels to Agricultural District No. 1 (East Side of Cayuga Lake), and asked if anyone wished to speak.

Ken Miller spoke concerning the addition of a parcel of land to Agricultural District No. 1 in Dryden. It is his understanding that a motion will be made to withdraw the resolution from the agenda; he supports this action and said he will be working with the Village of Dryden on this. Mr. Miller circulated pictures of the property. He said it has been claimed that the land has not been good agriculture land because it is wet most of the time. He said although there are wet spots on the land, the pictures show crops of corn that he said has grown well. Mr. Miller said the area in question is good agriculture land and was in an agriculture district previously. However, when the Village was looking to do low-income/senior housing it was taken out, however, that never happened. Mr. Miller said the land needs to be saved and looked after and he is willing to work with the Village.

Mr. Shinagawa arrived at this time.

Michael Lane, Village of Dryden, said there is a reason that the County is the one that determines the parcels that are in an agriculture district. It is because land-use planning is done by the lower level municipalities, except in unusual circumstances such as the Agriculture District Law. In the Law, the County, through the recommendation of the Agricultural and Farmland Protection Board, can look to protecting viable agricultural land and open space (in compliance with the County's Comprehensive Plan) by being a larger municipality to look at the issue. Most of the municipalities that have land-use planning guard that and want to be able to say what happens relative to zoning, building, and planning in its own municipality. He said he doesn't blame the Village of Dryden for saying it doesn't want this land in the agricultural district because they want to be able to supervise the land use of those properties. Mr. Lane said in this situation there is an advisory board to the County that is set up, staffed, and populated with people who have knowledge of the areas they deal with. They have made a recommendation and asked that the Legislature not go against the recommendation to add these properties to the agricultural district. He also said this would go along with the County's Comprehensive Plan and does not pose any harm to the Village of Dryden.

Michael Hattery entered a letter to the Legislature from the Reba Taylor, Village of Dryden Mayor, into the record regarding Parcels in the Village of Dryden requesting to be in the Agricultural District - 502401-#8.-1-14.1 (10.26 acre), 502410-#8.-1-14.2 (14.6 acre).

"Dear Board Members:

"At the Dryden Village Board of Trustees' meeting held on Thursday, March 20th, 2008, Mrs. Debbie Teeter addressed the Board regarding the above cited land parcels requesting to be re-instated to the County's Agricultural District. During a lengthy discussion at that time and again at a more recent Board meeting, the Board raised several issues regarding their objections to this proposal. The concerns and objections of this Board are also shared by the Village's Planning Board.

"The proposal appears to be in direct conflict with several Village local laws and the Village's Comprehensive Plan. A great deal of time and effort by numerous Village representatives, residents, business owners and outside consultants was spent in developing the Village's Comprehensive Plan, the adoption of which followed several public hearings. None of the public input included recommendations that the property in question be re-instated in the Agricultural District.

"Current Village local laws provide for prohibitions and restrictions as to the keeping of any farm animals within the Village limits. Also, current Village laws restrict the placement of R.V. campers and

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mobile homes within the Village limits. These locally adopted land use restrictions may be in conflict with Ag District provisions.

“It is our understanding that if this area were to be re-instated to the County Agricultural District, this property could be sub-divided, sold and used for small “hobby” farm operations and related construction. We further understand that the property would no longer be subject to the Village’s local land use provisions if it is determined that our local laws unreasonably restrict the farm’s operation. This possibility has raised significant concerns, especially in light of the fact that a large portion of this land is historically very wet and not particularly susceptible to agricultural uses other than the raising of poultry, goats, sheep and other farm animals that would otherwise be prohibited under our local restrictions.

“It was also noted during our Board discussions that (i) current Village laws in no way restrict the current agricultural use of the land and (ii) the land currently is receiving agricultural tax benefits. If the only reason for the re-instatement of these parcels to Ag District designation is the availability of tax benefits, it appears that such action is not necessary. If there is some fear that the Village may change its zoning laws for these parcels, we are quite sure that the County Legislature recognizes that any such action would be subject to public notice, public hearing, environmental review and the likely referral to the County Planning Department for its review and findings as to whether it would have negative inter-community or county-wide effect.

“Many of the foregoing concerns and issues were raised by the Village last year and apparently influenced the County’s decision not to include this property as part of the Agriculture District. We are most hopeful that our local voice will be heard again and that the County will not act in contravention to our expressed position.

“Thank you for your attention and consideration with respect to this matter. If you would like to speak with me or if you need further clarification of any of our concerns, please feel free to contact me at 844-8122.”

No one else wished to speak and the public hearing was closed at 5:45 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: 15 Legislators. (Legislator Shinagawa arrived at 5:38 p.m.)

Privilege of the Floor by the Public

Stuart Stein, Chair of the STPB (Strategic Tourism Planning Board), spoke to Resolution No. 103 of 2008. Mr. Stein said the Legislature should be aware the STPB is neutral on this issue and will abide by whatever the Legislature decides without any impact on its work. The tourism program has grown to be very successful and the STPB is very proud of it. As a result of its work there has been more jobs, and increase in room and sales taxes, and there has also been an improvement in the quality of life in Tompkins County. As a result of the increased activities there are many more grant applications that have come forward that work their way through the process. He said review of the applications takes a substantial amount of time and this does push away time from a number of decisions that the STPB could be addressing. He said the applicants often come in late to apply and are in need of having the funds made available in a timely manner. The current process takes an average of four to six weeks to go through after the STPB’s review and it would be a benefit to cut that time period. Although he supports the proposal that will be considered this evening, he would be happy to continue with the process that is currently in place.

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Allen Lambert, City of Ithaca, read and submitted the following statement:

“I rise for the third time in two years to call for action by the Tompkins County Legislature regarding policy, principles, procedures, and oversight of the County Assessment Department. I do so with strong evidence that assessments are arbitrary and capricious and often seriously flawed and grossly unfair. In addition, the Department does not do what it is supposed to do in regard to communicating with citizens who write letters and request hearings. Finally, it is not equipped to provide rationally defensible and fair assessments on an annual basis.

“I will comment in reverse order.

“True value assessments require occasional inspection of property, including interior. An interior inspection could make a great deal of difference in comparing properties that might otherwise look similar on the outside but vary substantially inside. Neither my home nor my apartment building has ever been inspected. Even at three-year interval, assessments cannot be done adequately with the given staff of the Department.

“I provide copies of my letters to the Assessment Department written this year in February and May. As you will note, my February letter requested a hearing. It was hand delivered and I specifically asked the Clerk whether there was a form to fill out; she replied no. I did not receive a reply. I got a hearing only by going down on the last day and personally requesting one. At that time I pointed out that I had written in February and asked but I received to reply. The answer? “We don’t know, but we will look into it.” I have written four years in a row without a reply. This is unacceptable conduct of public office towards citizens.

“About flawed assessments, there is more detail in the letters I provide to you. And additional documentation of claims and evidence are available. But here are some relevant facts to demonstrate the problem:

“My 4-unit apartment building on the Northeast corner of Court and Geneva Streets has repeatedly been jacked up in assessments way beyond any rational measure, including market and revenue. In addition, its assessments are way out of line compared to two similar apartment buildings on my block.

“A couple of years ago the assessment went from \$190,000 to \$250,000 in one jump, then last year to \$262,000 – despite income and market evidence to the contrary. Both market and revenue would justify something around \$200,000.

“Two apartments on my block put on the market over the past two years prove the market situation. In addition, an apartment near my home in Fall Creek and a real purchase offer I received in writing confirm that conclusion.

“Those same two apartments prove how flawed and arbitrary and capricious is my assessment since they were assessed last year far lower, at \$170,000 and \$200,000. The one with the lowest assessment is the largest of the three and highest income (about \$6,000 more than mine).

“Please exercise your oversight duty and fix this problem”.

Fay Gougakis, City of Ithaca, distributed copies of her recent guest column in the Ithaca Journal and a response from the Library Director, with regard to cell phone use in the Library. Ms. Gougakis said she met with Ms. Steiner yesterday; however, they remain in disagreement on this issue. She said she thinks there are too many distractions in the Library and thinks cell phones should be banned. She spoke

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of etiquette and said young people are using the cell phones with a disregard for the public. Ms. Gougakis asked the Legislature to bring this up with the Library when its budget is presented.

Privilege of the Floor by Legislators

Ms. Herrera, District No. No. 5 Legislator, thanked her colleagues for the vote at the last meeting to bring back the cycle of annual assessments. She announced on behalf of Carol Kammen, County Historian, there will be a discussion of the Civil War commemoration in Tompkins County on June 18th at 4 p.m. at the History Center for anyone who is interested.

Mr. Randall, District No. 9 Legislator, thanked the McLean community for attending a meeting to discuss highways and bridges a couple of weeks ago. He said the meeting was very well-attended and a lot of questions were answered.

Ms. Robertson, District No. 13 Legislator, announced a public meeting will be held on June 5th at 7 p.m. at the Library for the purpose of getting input on proposed new Energy and Greenhouse Gas Emissions element for the Tompkins County Comprehensive Plan. A lot of work has been done by the focus groups and staff is working intensely on preparing a proposal to be added to the Comprehensive Plan on guiding the County and taking initiatives to reduce our carbon footprint in Tompkins County.

Ms. Chock, District No. 3 Legislator, said she was invited by the Office for the Aging Board to meet with the architects who are doing the initial program planning to look at the feasibility of the joint building with the Office for the Aging and Lifelong. A meeting will be coming up and she urged Legislators to attend and provide input.

Ms. Mackesey, District No. 1 Legislator, reported that because of increasing gas prices TCAT is projecting a \$250,000 shortfall in its budget this year. She said everyone needs to be aware of impacts such as these and stated she hopes some people will “step up to the plate” to help ease this burden.

Ms. Robertson, District No. 13 Legislator, asked for an executive session to discuss negotiations with a property owner.

Mr. Dennis, District No. 15 Legislator, displayed his new chair of which 99 percent of its parts are from recyclable materials. He commented the chair is very comfortable and nice-looking.

Report from Municipal Official(s)

No municipal official was in attendance.

Chair’s Report and Appointment(s)

Mr. Koplinka-Loehr thanked the committee that helped to plan a farewell and appreciation gathering for former Chair, Tim Joseph. Mr. Koplinka-Loehr also reported the news has been full of the New York State Property Tax Commission’s recommendations on the property tax. He said he personally supports a cap on the property tax; final recommendations will not be out until December.

Mr. Koplinka-Loehr made no appointment(s).

Report from the County Administrator

Mr. Whicher said he is happy to be back from vacation and is pleased to see a full complement of Legislators in attendance. He reported the budget process has begun and rollover forms have been

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distributed to departments. He hopes departments and Legislators will see rollover as a way to help them get through upcoming difficult budget times.

Report from the County Attorney

Mr. Wood had no report. In response to a question by Ms. Kiefer, Mrs. Covert, Clerk of the Legislature, reported there are four financial disclosure forms outstanding.

Report from the Finance Director

Mr. Squires reported tomorrow at 7 p.m. there will be a foreclosure auction preview of eight properties. The foreclosure auction will be June 12th. He said in this auction there is one property that has been in foreclosure several times but protected by bankruptcy; the property has accrued over \$90,000 in taxes due over a ten-year period. Mr. Squires said the County guarantees unpaid taxes and has to sell these properties to recover non-performing assets. He does not anticipate a lot of revenue from the auction but expects the County will cover its costs.

Mr. Proto said he had asked previously about the collection of sales tax from internet sales and asked Mr. Squires to contact the State to inquire about what revenues counties will enjoy from the legislation assessing this tax.

Report from County Staff

A report by staff on the Sustainability Team and the Tompkins County Emergency Management Planning Group was deferred to a future meeting.

Addition of Resolution(s) to the Agenda

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

Withdrawal of Resolution(s) from the Agenda

Later in the meeting, Chair Koplinka-Loehr gave Mrs. McBean-Clairborne permission to withdraw from the agenda the resolution entitled Authorizing a Consultant Agreement with C&S Engineers, Inc. for Construction Observation and Contract Administration Services – Runway Safety Area Improvement and Obstruction Clearance – Ithaca Tompkins Regional Airport.

Approval of Resolution(s) Under the Consent Agenda

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

**RESOLUTION NO. 107 - AUTHORIZATION FOR PUBLIC HEARING - TOMPKINS
CORTLAND COMMUNITY COLLEGE OPERATING BUDGET –
2008-2009**

MOVED by Mr. Dennis, seconded by Ms. Mackesey, and unanimously adopted by voice vote under the Consent Agenda.

WHEREAS, Tompkins Cortland Community College is a joint enterprise of Tompkins County and Cortland County whose budgets must be acted on by each county, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That a public hearing be held on June 17, 2008, at 5:30 o'clock in the evening thereof in the Legislature's Chambers of the

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Tompkins County Courthouse, 320 North Tioga Street, Ithaca, New York, concerning the 2008-2009 operating budget request for Tompkins Cortland Community College. At such time and place all persons interested in the subject matter will be heard concerning the same,

RESOLVED, further, That the Clerk of the Legislature be and hereby is directed to place such notice of public hearing in the official newspaper of Tompkins County.

SEQR ACTION: TYPE II-20

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Approval of Appointment(s) Under the Consent Agenda

There were no appointment(s) approved.

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

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

MOVED by Ms. Robertson, seconded by Ms. Chock.

Mr. Hattery asked that this resolution be postponed to the next meeting as the Dryden Village Board was not notified about this until recently.

It was MOVED by Mr. Hattery, seconded by Ms. Herrera, to Postpone this resolution to the June 17, 2008 meeting. Mr. Hattery explained that there has been a 50% turnover on the Village Board and new members would like to have a face-to-face discussion with the landowner on this issue. He said that meeting will take place on June 11th.

A voice vote on the motion to Postpone to June 17 resulted as follows: Ayes – 15, Noes – 0. MOTION CARRIED.

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Reconsideration of Resolution

It was MOVED by Ms. Mackesey, seconded by Ms. Chock, to Reconsider Resolution No. 103 of 2008. A voice vote on the motion resulted as follows: Ayes – 13, Noes – 2 (Legislators Proto and Randall). MOTION TO RECONSIDER CARRIED.

RESOLUTION NO. 103 – DELEGATING APPROVAL AUTHORITY FOR CERTAIN TOURISM PROGRAM CONTRACTS

Ms. Herrera acknowledged the valuable work of the Strategic Tourism Planning Board (STPB). The Legislature needs to be diligent about the kind of oversight involved in these grants and suggested if the burden is so great on the Planning, Development, and Environmental Quality Committee that a special committee could be created. Ms. Herrera also said the time spent discussing these grants is well spent and this oversight should not be abdicated. She stated tourism is what is driving the County's economic engine right now.

Ms. Mackesey referred to an editorial in today's journal about this issue and said she takes the County's fiduciary responsibility seriously but thinks this Legislature has a responsibility to make sure its time is spent wisely. She spoke of trust that has been built up over time and the STPB has earned the County's trust. She would not agree to handing over large grants but said while those under discussion are important, they are small grants. This action will also save weeks of work.

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Ms. Chock said of the 13 programs listed, this discussion pertains to only three of those programs and last year they were in the amount of \$136,000. She displayed packets of information to demonstrate the volume of materials that the STPB reviews. She thinks the Legislature is doing better due diligence in trusting the work of the STPB.

Ms. Robertson stressed that the Planning, Development, and Environmental Quality Committee has always and will continue to review the entire budget. She also noted the Legislature does not review every expenditure of other entities, such as Tompkins Cortland Community College, the Public Library, or TCAT, Inc. and each of those entities have much larger budgets than that under discussion. She spoke of the time-consuming process involved with these grants and said she would like the Committee to have time to discuss larger policy issues.

Ms. Herrera said there are moves afoot to try to reallocate the tourism money; she has been a big supporter of the STPB and has asked for the big packets of paper that accompany grant requests, and she does take the time to go through them.

Ms. Herrera again suggested the creation of a special committee to review these grants of which she would volunteer to serve.

It was MOVED by Ms. Herrera, to Table this resolution until a time when the Chair can make a decision about appointing a special committee to review these grants. MOTION FAILED DUE TO A LACK OF A SECOND.

Mr. Dennis said he sees this as allowing the organization that has been involved from the beginning to make some determinations; he said interested Legislators could still involve themselves in the process.

Ms. Mackesey said under this proposal the Legislature would still receive quarterly reports and updates.

Mr. Koplinka-Loehr said he will not support this resolution; although he applauds the spirit of this; he thinks in this particular matter there are ways to address this without taking this action. He suggested incorporating a consent agenda to the Committee's order of business.

It was MOVED by Mr. Proto to Postpone this resolution to January, 2009. MOTION FAILED DUE TO LACK OF A SECOND.

A roll call vote resulted as follows: Ayes – 7 (Legislators Burbank, Chock, Dennis, Kiefer, Mackesey, Robertson, and Shinagawa); Noes – 8 (Legislators Hattery, Herrera, Koplinka-Loehr, McBean-Clairborne, Proto, Randall, Sigler, and Stevenson). RESOLUTION FAILED.

WHEREAS, Resolution No. 103 of 1996 adopted a comprehensive rewrite of the administrative policy 01-10, which delegated specific approval authority of contracts by the Legislature, and

WHEREAS, this policy outlined authority to the Legislature to approve all Tourism Program contracts as follows: "Program committee recommends, full Legislature approves unless it delegates approval authority by specific resolution", and

WHEREAS, in 1996, there were approximately ten Tourism Program contracts per year, and the program has since grown to include an elaborate multi-level grants process to review and award approximately seventy-five contracts per year, which is attributable to the growing success of the entire Tourism Program, and

WHEREAS, the Legislature appoints eighteen voting members to the Strategic Tourism Planning Board (STPB) for the purpose of reviewing grants and making recommendations to the Legislature, and

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WHEREAS, a support position for the STPB is provided within County Administration to provide guidance, oversight, daily support, and grant review, and

WHEREAS, the STPB has created guidelines, application, and evaluation processes for each of its specific grants programs, and it has appointed working committees of 5 – 6 people to provide detailed review of extensive application materials within each of those grants programs, and

WHEREAS, the support staff reads every grant, calls the applicants when pieces are missing, and then mails the full applications to STPB working committee members, who then read the applications, review the detailed grant guidelines, meet as a committee to weigh each application's merits and prioritize them, and

WHEREAS, the working committee's recommendations then go to the full STPB, a 24-person board, with 18 voting members, which votes on the recommendations, and

WHEREAS, in the last seven years of the Tourism Grants Program, hundreds of grants have been awarded, but the Legislature has altered the recommendations of the STPB in only two or three cases, and

WHEREAS, in an effort to streamline the grants process and relieve program committee review time, it is recommended by the Planning, Development, and Environmental Quality Committee that the Legislature delegate a specific amount of authority to approve certain grant approvals, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the following authority is delegated to STPB and County Administration: Marketing Advertising Grants, New Tourism Initiatives, and Tourism Project Grants \$25,000 or less,

RESOLVED, further, That any contracts and grants from the Program's Tourism Capital line item must have both program committee and Legislature approval,

RESOLVED, further, That as any contracts and grants from the Program of more than \$25,000 will be approved by the program committee and Legislature,

RESOLVED, further, That County Administration will provide to the Legislature written quarterly updates to all Tourism Program activities, including grants awards.

SEQR ACTION: TYPE II-15

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Report from the Planning, Development, and Environmental Quality Committee

Ms. Robertson, Chair, reported the Committee has not met since the last Legislature meeting. The next meeting will be June 10th.

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

Mrs. McBean-Clairborne, Chair, reported the Committee met this afternoon with those items reflected on the agenda. She encouraged Legislators to let her know if there are infrastructure-related items they would like the Committee to discuss. She announced the Committee approved a right-of-way and the Highway Division to seek bids on the Banks Road Bridge. The next meeting will be June 19th.

RESOLUTION NO. 109 – MAKING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE – HANGAR DEMOLITION PROJECT - ITHACA TOMPKINS REGIONAL AIRPORT

MOVED by Mrs. McBean-Clairborne, seconded by Ms. Herrera, and unanimously adopted by voice vote by members present (Legislators Dennis and Proto were temporarily out of the room).

WHEREAS, in keeping with the Airport Master Plan and to improve the operational capacity of the airport, the Airport Manager in conjunction with C&S Engineers, Inc., and Federal Aviation Administration, has decided that the old hangar complex, formerly occupied by Taughannock Aviation Corporation, shall be demolished, now therefore be it

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RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That in terms of the State Environmental Quality Review (SEQR) process, the Hangar Demolition Project is an Unlisted action,

RESOLVED, further, That the Tompkins County Legislature does hereby make a Negative Declaration of Environmental Significance for said project.

SEQR ACTION: Unlisted

(Negative Declaration - Short Environmental Assessment Form is on file in the Clerk's Office)

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RESOLUTION NO. 110 - AWARD OF BID – HANGAR DEMOLITION - ITHACA TOMPKINS REGIONAL AIRPORT

MOVED by Mrs. McBean-Clairborne, seconded by Mr. Stevenson.

Ms. Herrera stated the Committee did not receive the numbers contained in this resolution until earlier today at its meeting, and expressed concern that she is not aware of who the lowest bidders were. She said the dollar amounts contained in the resolution are very high and asked that efforts be made to find a way to give Legislators two weeks of advance notice to review information.

Mr. Randall said the public has not seen this and he is concerned with the great disparity between the bids for asbestos removal. He does not agree that this bidder is the lowest responsible bidder.

Mrs. McBean-Clairborne said new language with regard to asbestos removal has been added to the resolution as a result of the discussion that took place in today's Facilities and Infrastructure Committee meeting.

Mr. Stevenson said while Mr. Randall and Ms. Herrera have made good points, he would like to see this building removed.

Mr. Nicholas said because of a dispute at the federal level about how the airport improvement program would be funded this year there has been a delay in the release of funding. He said he only received the dollar amounts contained in the resolution today.

Mr. Randall noted that the low bidder was supposed to submit a letter about how the asbestos removal would be handled and to date, that letter has not been received.

A voice vote on the resolution resulted as follows: Ayes – 12 (Legislators Burbank, Hattery, Koplinka-Loehr, McBean-Clairborne, Proto, Robertson, Shinagawa, Sigler, and Stevenson); Noes – 3 (Legislators Herrera, Mackesey, and Randall). RESOLUTION ADOPTED.

WHEREAS, the Finance Department advertised for and received four (4) bids to demolish the hangar complex formerly occupied by Taughannock Aviation Corporation, and

WHEREAS, the lowest responsible bidder for said demolition project was Ritter & Paratore of Utica, New York, with a bid of \$199,900, and

WHEREAS, the funding sources of said demolition project are:

Federal Aviation Administration Share	(95.0%)	\$189,905.00
New York State Department of Transportation Share	(2.5%)	\$ 4,997.50
Local Share (Airline Rates & Charges)	(2.5%)	\$ 4,997.50
TOTAL		\$199,900.00

, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the County Administrator be and hereby is authorized to execute a contract with Ritter and Paratore, contingent upon the Facilities and Infrastructure Committee receiving and reviewing a full report of the asbestos removal

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procedure prior to work proceeding or funds being disbursed, and subject to grants being received from the Federal Aviation Administration (FAA) and New York State Department of Transportation (NYSDOT),

RESOLVED, further, That the Finance Director be authorized to borrow monies if necessary, until reimbursement is received from the FAA and NYSDOT.

SEQR ACTION: Unlisted

(Short Environmental Assessment Form is on file in the Clerk's Office)

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Explanation: This demolition project consists of removing two old hangars and a cinderblock building, all built in the 1940's. the three-building complex was formerly used by Taughannock Aviation prior to the construction of their new facility. There are large quantities of asbestos and lead paint present and with parts of the building inside beginning to collapse, the building is a hazard as well as an eyesore.

<u>Contractor</u>	<u>Base Bid</u>
Danair, Inc.	
Asbestos	\$200,000
Add on 1	<u>\$ 49,000</u>
TOTAL	\$269,000
Empire Dismantlement	
Asbestos	\$387,610
Add on 1	<u>\$ 60,000</u>
TOTAL	\$467,610
ERSI	
Asbestos	\$155,000
Add on 1	<u>\$132,000</u>
TOTAL	\$307,000
Ritter & Paratore, Utica, NY	
Asbestos	\$ 48,000
Add on 1	<u>\$131,900</u>
TOTAL	\$199,900

Withdrawal of Resolution From the Agenda

Chair Koplinka-Loehr gave Mrs. McBean-Clairborne permission to withdraw from the agenda the resolution entitled Authorizing a Consultant Agreement with C&S Engineers, Inc. for Construction Observation and Contract Administration Services – Runway Safety Area Improvement and Obstruction Clearance – Ithaca Tompkins Regional Airport.

RESOLUTION NO. 111 – AWARD OF BID – RELOCATION OF PARALLEL TAXIWAY (PHASE III) - ITHACA TOMPKINS REGIONAL AIRPORT

MOVED by Mrs. McBean-Clairborne, seconded by Mr. Dennis. Ms. Herrera reiterated her previous comment that she is troubled by not receiving figures until today. Mrs. McBean-Clairborne said while she agrees with Ms. Herrera's concerns she does not want to see the Airport punished. Mr. Proto said this is a great action and it will be appreciated. A voice vote resulted as follows: Ayes – 13, Noes – 2 (Legislators Herrera and Mackesey). RESOLUTION ADOPTED.

WHEREAS, the Finance Department advertised for and received two (2) bids for construction of the Relocation of the Parallel Taxiway (Phase III) project at the Ithaca Tompkins Regional Airport, and

WHEREAS, the lowest responsible bid of \$4,481,225.30 was submitted by Sealand Contractors of Rush, New York, and

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WHEREAS, the funding for this construction project is as follows:

Federal Aviation Administration Share	(95.0%)	\$4,257,164.00
New York State Department of Transportation Share	(2.5%)	\$ 112,030.65
Local Share (Airline Rates & Charges)	(2.5%)	\$ 112,030.65
TOTAL		\$4,481,225.30

, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That subject to grants being received from the Federal Aviation Administration (FAA) and the New York State Department of Transportation (NYSDOT), the County Administrator be and hereby is authorized to execute a contract with Sealand Contractors,

RESOLVED, further, That the Finance Director be authorized to borrow monies if necessary, until reimbursement is received from the FAA and NYSDOT.,

SEQR ACTION: TYPE II-2

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RESOLUTION NO. 112 - SUPPORTING PINE TREE ROAD PEDESTRIAN ENHANCEMENT PROJECT AND ITS INCLUSION IN THE CORNELL/COMMUNITY TRANSPORTATION INVESTMENT INITIATIVE

MOVED by Mrs. McBean-Clairborne, seconded by Ms. Chock. Mr. Proto asked to receive an update on this project at a future meeting. A voice vote resulted as follows: Ayes – 15, Noes – 0. RESOLUTION ADOPTED.

WHEREAS, the former Lehigh Valley Railroad bridge over Pine Tree Road in the Town of Ithaca, poses an obstacle to safe pedestrian and bicycle traffic as well as to the movement of goods between New York State Route 366 and Cornell University on the north and New York State Route 79 and the East Hill commercial /residential area on the south, and

WHEREAS, the former railroad bridge is now owned by Cornell University and leased by the Town of Ithaca for use as a pedestrian and bicycle trail (East Ithaca Recreation Way), and

WHEREAS, the New York State Department of Transportation is accepting applications for Transportation Enhancement Program (TEP) funding that will fund up to eighty percent of costs for projects that provide facilities for pedestrians and bicycles and/or preserve abandoned railway corridors for pedestrian or bicycle trails, and

WHEREAS, a project to provide multi-modal enhancements along Pine Tree Road between Route 366 and Maple Avenue and also eliminate this obstacle is included in the draft Cornell/Community Transportation Investment Initiative that is supportive of Cornell’s Transportation-Generic Environmental Impact Statement (T-GEIS) and Master Plan and local planning efforts, and

WHEREAS, Tompkins County, Town of Ithaca, and Cornell University staff have initiated planning for a Pine Tree Road Pedestrian Enhancement Project that is eligible for TEP funding, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the Tompkins County Legislature supports submission of a Transportation Enhancement Program funding application to the New York State Department of Transportation for the Pine Tree Road Pedestrian Enhancement Project where Tompkins County would be the local sponsor,

RESOLVED, further, Tompkins County Planning and Highway staff hereby are authorized to develop an agreement among the Town of Ithaca, Cornell University, and Tompkins County by which project funding and future ownership and maintenance jurisdictions would be established.

SEQR ACTION: TYPE II- 21

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Report from the Health and Human Services Committee

Mr. Proto, Chair, reported the Committee will meet tomorrow at 3 p.m. and will hear updates from the Drop-In Children’s Center and the Wastewater Treatment Plant and how the funding and fee structure will be handled in the future. The Committee will also hear a report on the Office for the Aging and Lifelong joint relocation project at a special meeting with the Facilities and Infrastructure Committee on July 2nd at 2 p.m.

Report from the Human Resources Committee

Mr. Dennis, Chair, reported the Committee will meet on June 5th at 3:30 p.m.

Report from the Government Operations Committee

Mr. Hattery, Chair, reported the Committee has not met since the last Legislature meeting.

Report from the Budget and Capital Committee

Mr. Shinagawa, Chair, reported the Committee held a special meeting on May 29th with department heads and Legislators to discuss the 2009 budget. During that meeting there was discussion of short-term ideas, long-term strategies, and budgeting tools and criteria for looking at what the County prioritizes. The results of those discussions will be made available to department heads and legislators. He spoke of the creation of an advisory panel to advise on budget decisions and said it is too late in the process to have such a group offer suggestions into the 2009 budget, but hopes this group can provide guidance and help the Legislature prioritize and offer long-term strategies for the future. The next meeting will be June 9th. He encouraged Legislators to attend that meeting and participate in the discussion of setting fiscal targets. He noted we don’t, at present, have criteria we use, but hopes to; e.g. “leverage other dollars”, “avoid future costs”.

Report from the Public Safety Committee

Mr. Stevenson, chair, reported the Committee has not met since the last Legislature meeting. The next meeting will be June 20th at 2 p.m.

Report from the Workforce Diversity and Inclusion Committee

Mrs. McBean-Clairborne, Chair, thanked Ms. Martel-Moore for chairing the last meeting in her absence. She pointed out moving the diversity and inclusion agenda forward proves sometimes to be difficult because there are no personnel specifically dedicated to do the footwork of the Committee. She said she hopes we can engage on doing more organizational development to focus on diversity and inclusion so that we can get things moving forward to be an inclusive organization. Mrs. McBean-Clairborne said the Committee continues to work on the Diversity Award.

Approval of Minutes of May 20, 2008

It was MOVED by Mr. Proto, seconded by Mr. Stevenson, and unanimously adopted by voice vote, to approve the minutes of May 20, 2008. MINUTES APPROVED.

Recess

Mr. Koplinka-Loehr declared recess from 7:28 p.m. to 7:33 p.m.

June 3, 2008

Executive Session

It was MOVED by Mr. Proto, seconded by Ms. Robertson, and unanimously adopted by voice vote, to enter into executive session at 7:33 p.m. to discuss personnel issues and land negotiations. The meeting returned to open session at 8:10 p.m.

County Administrator Search Process

Mr. Koplinka-Loehr provided an update regarding the following: (1) marketing and posting of the County Administrator's job description; (2) screening process; (3) applicant/talent rating and criteria system; and (4) roles and responsibilities of the Legislature. All applicants are encouraged to complete applications no later than June 25, 2008. Legislators will be notified by Personnel when the last application for the county administrator's position is received and posted to the secured web site. He said the Search Committee is striving to commence the interview process no later than mid-July 2008.

Constance Thompson, Consultant, stressed that Legislators should utilize the rating system developed by the Search Committee and assess each applicant independent of other talent and only by the rating/criteria system. The input provided by individual legislators will be weighed and considered as part of the selection process. Ms. Herrera expressed concern over whether or not the rating system will be anonymous or not. Mr. Koplinka-Loehr suggested that the Committee could explore keeping the rating by non-committee members anonymous.

Mr. Sigler objected to the fact that the Search Committee did not set a deadline for the applicants to apply for the County Administrator's position. Mr. Koplinka-Loehr stated all applicants are encouraged to apply by June 25, 2008. Ms. Robertson requested that Steve Estes in Personnel notify the Legislature as to how many new applicants apply. Mr. Koplinka-Loehr stated that he would have Mr. Estes provide a weekly update. Ms. Robertson also requested a detailed timeline relative to the process. Mr. Koplinka-Loehr stated that the Search Committee reviewed the timeline yesterday and agreed to conduct screenings after June 30, 2008, as well as set interviews in mid-July.

Following discussion, Ms. Kiefer reminded the Legislature that it is important to decide what questions we wish to ask and take the time to draft the questions prior to interviewing candidates.

Adjournment

On motion the meeting adjourned at 8:40 p.m.

June 3, 2008

Respectfully submitted by Michelle Pottorff, TC Legislature Office