

July 1, 2008

**Tompkins County Legislature  
July 1, 2008**

*Approved*

**Call to Order**

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

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

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

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

**Privilege of the Floor by the Public**

No member of the public wished to speak.

**Privilege of the Floor by Legislators**

Mr. Dennis, District No. 15 Legislator, reported Aurora Valenti, Tompkins County Clerk, has been awarded the "Lifetime Achievement Award" by members of the New York State Association of County Clerks. He said this is significant for an elected official in Tompkins County such as Ms. Valenti who has served the County for a number of years and has done an outstanding job.

Mrs. McBean-Clairborne, District No. 2 Legislator, announced on July 5<sup>th</sup> the Race Liberation Alliance Block Party will take place on the 300 block of West Court Street. She encouraged everyone to attend this event that is a grassroots movement towards social justice and equality.

Ms. Robertson, District No. 13 Legislator, announced a good meeting took place last evening in Varna concerning land use, planning, and traffic, with community interest foremost first in traffic, Mr. Marx, Commissioner of Planning and Public Works, and Fernando deAragon, Director of the Metropolitan Planning Organization, were in attendance. She also reported on the formation of the "Dryden Renewal Energy Workgroup" headed by Dryden Town Board Member, David Makar. They are brainstorming and working on a lot of public and private ideas that would help Dryden become energy independent.

Mr. Burbank, District No. 12 Legislator, reported he has distributed information calling Governor Patterson to sign two bills that have passed the State Senate and Assembly that would establish a plan for a comprehensive State system of multi-use trails. This is a first and important step to create a Statewide system of trails that could be used for many different means that would be connected. He encouraged Legislators to look at the material and call on the Governor to sign.

Ms. Herrera, District No. 5 Legislator, reminded everyone that the Dragon Boat race will take place on July 12 and 13. There is still room on the boat and for sponsors.

Mr. Proto, District No. 7 Legislator, announced there will be discussion at the next Planning, Development, and Environmental Quality Committee on the Cayuga Lake Network's sponsorship of the Water Resources Council's presentation on the monitoring plan.

Ms. Chock, District No. 3 Legislator, extended an invitation to Legislators to attend the Human Services Coalition special forum on the outlook for 2008 and 2009 State and Federal funding. This will be held on July 17<sup>th</sup> from 1 p.m. to 3 p.m. at the Public Library.

July 1, 2008

### **Report from a Municipal Official(s)**

Pat Leary, Town of Ithaca Board Member, expressed appreciation that the Legislation passed a Carbon-tax resolution and updated the Legislature on the following items:

- Small Wind Energy Facilities Law – sent back to the Codes and Ordinances Committee for further review
- Lakefront Residential Zone Law proposes allowing docks up to 50' long, possible roofs on boat lifts – sent to the Planning Board, Zoning Board of Appeals, and Conservation Board for comment
- Storm Sewers System and Surface Waters Protection Act – will be coming forward soon
- Stream Setback Law – they are looking at how far back from a stream they want to leave natural
- Northeast Drainage issue – a public meeting was held, summer interns are visiting properties and obtaining additional information. Another public meeting will be held in the Fall
- Comprehensive Plan Revision Committee is planning a public meeting in the Fall
- Passed a resolution endorsing the County's Federal grant application for the transportation enhancement project improvements to bicycle and pedestrian facilities along Pine Tree Road  
Capital Projects:
- Hanshaw Road walkway extension up to Sapsucker Woods Road is something the Town would like to do and will be exploring Cornell initiative funding
- Forest Home Drive Reconstruction project – they would like to incorporate some of the elements from the Forest Home Traffic Calming Plan and will explore Cornell initiative funding
- Town Hall roof repair – the orientation of the metal part that needs repair isn't right for solar panels but they may put solar panels on once the roof is repaired. They will be exploring NYSERDA funding
- The Town continues to work on Carrowmoor housing project
- They are filling vacancies on the Planning Board and will be filling the position of Director of Code Enforcement. The Town had intended to have this position remain vacant; however, they found that not to be feasible.

Ms. Chock said the County has been looking at records storage management needs. She suggested the Town begin conversations with the County if the Town has additional records storage needs that are not met with the Town's current space.

Maria Coles, City of Ithaca Common Council Member, reported the City Controller and Mayor will soon be issuing guidelines for the 2009 City of Ithaca budget. She said cautions are already being issued that this will be a difficult budget. The City is filling the positions of Police Chief and Director of Planning and Economic Development. Search committees have been established to do the preliminary work and make recommendations. The City also must fill the position of Patricia Dunn, who has announced her retirement.

Ms. Coles reported the Colletown Vision Group continues to meet on what the vision for that area of the City is and recommendations will be made on height of buildings, traffic patterns, and what to do about the need for parking. She also reported the City has been negotiating with the Ithaca Farmer's Market as their 20-year lease has expired. They are hoping to negotiate a contract that will allow the Farmer's Market to remain in its current location. Ms. Coles stated the Workforce Diversity Committee in the City is charged with hearing from all department heads about progress they are making in diversifying their departments. Those departments that have reported to the Committee will now be reporting to Common Council. She also reported a soil analysis is being conducted on Southwest Park.

Mr. Burbank raised the issue of Floral Avenue being increasingly dangerous for pedestrians; Ms. Coles said the Board of Public Works has been asked to develop criteria for walks. 0

July 1, 2008

## Presentation on Activities of the Air Services Board

Larry Baum, Chair of the Air Services Board, introduced members of the Board: Ed Marx, Robert Nicholas, Michael Stamm, Nathan Shinagawa, and Alan Pederson. He also introduced local consultants: Michelle Berry and Alan Cohen.

Mr. Baum said it has been reported in the news lately that Ithaca is one of 100 airports that may lose some or all of its air service in the next several months. After looking into this the Air Services Board has found that to be just one person's opinion and that Ithaca's market is very different than some of the other markets in jeopardy of losing market shares.

The three goals of the presentation are: Review the Airline Industry's Impact on Ithaca, Clarify the Airport's Economic Development role in Tompkins County, and provide an overview of current air service environment and current strategy.

### Historical Overview

There are two carriers: US Airways and Northwest Airlines.

The events of September 11, 2001, forever altered industry and by extension, the Ithaca Tompkins Regional Airport. The ASTF (Air Service Task Force) served as an advisory board, formed and informed by the leadership of Tompkins County Area Development and the Chamber of Commerce. The ASTF did work to see what could be done to stabilize the Airport and the County's air traffic. Its charge was to keep Ithaca on the national transportation map:

- Leveraging community/university assets
- Attracting new airlines
- Negotiating and communicating with existing airlines
- Devising strategies to address challenges in the unstable commercial air transportation industry
- Stemming leakages to other nearby airports

Today, the Airport has two airlines offering 12 flights a day; five round trips to LaGuardia and to Philadelphia, and two to Detroit. There will be a reduction in July reducing one flight to Philadelphia and two to LaGuardia; this reduction is typical in the summer since Ithaca is an academic community.

He said 2005 was a great year as they were able to bring Northwest Airlines to Ithaca. To do that they had to put up a revenue guarantee of \$250,000. Within ten months they exceeded the annual revenue target.

Mr. Baum announced they just received confirmation that one of the turboprop flights from Northwest is going to be replaced by a jet beginning in mid-August. This will add an additional 20 passengers. They are only doing it for one calendar quarter beginning in August so they have to work to fill those seats.

There were a number of successes:

- Received half a million dollars in funding from the Small Air Service Grant (2005);
- Temporary reduction of ITH-LGA fares
- Launched new website – [www.FlyIthaca.com](http://www.FlyIthaca.com) with Kayak fare finder
- Runway Safety Improvements
- Concierge Service replacing security guards
- Second Community Air Service Grant Application
- Continued discussions with NWA and USAirways for additional service

July 1, 2008

- Enplanements and load factors improved significantly
- Enhanced branding of the CLOSER campaign message (“Fly Ithaca, the Closer Connection”)

### **Direct Annual Economic Impact of Ithaca on our Area**

- Airport does not receive any local government funding; it is an enterprise unit (self-funded). Most of revenue comes from landing fees and rentals.
- Airport business have over 260 employees
- ITH generates \$456,000 annual sales tax revenue
- \$12.3 million in direct expenditures
- Over \$430 million annually in local economic activity from activities on the Airport
- Major national and international gateway to Cornell, Ithaca College, and major local employers

### **The Current Air Service Environment**

- At about \$78 per barrel for oil, airlines break even
- Cost of fuel is now higher than the cost of labor
- Profitability now more important than market share
- Reduction and elimination of service on less profitable routes
- Low cost carriers favor large markets
- Bankruptcies and mergers likely scenario in next three to five years
- Concern that major carriers may fail

### **Impacts on Ithaca**

- Potential cut backs, loss of services
- Price increase
- Potential effects of NWA-Delta merger
- Potential renegotiation of rental rates, landing fees, and other charges

### **Strategies for Mitigating Impacts**

- Proactive communication with airlines
- Entrepreneurial, flexible Airport structure
- Community-wide partnerships
- Competitor analysis, marketing our assets
- Continued leveraging of community assets, university connections, outreach to customers

### **What can the Legislature do?**

- Continued support – “Fly Ithaca”
- Consideration of future needs for funding and revenue guarantees
- Legislative support (local, state, federal)
- Consider leveraging airport real estate and other revenue sources

Mr. Baum highlighted a few testimonials from customers who use the Ithaca Tompkins Regional Airport.

Mr. Baum made a very preliminary, surprise announcement. He reported Continental Airlines plans to add new service between Ithaca Tompkins Regional Airport and Newark Airport, effective October 3, 2008. He said then there will be three strong airlines with at least 14 flights per day. Unlike

July 1, 2008

many other airports in Upstate New York that have had service reductions in the last week, the Ithaca Tompkins Regional Airport is adding service. He attributes this to a relatively resilient economy, large number of international travelers, Airport Administration, and the Air Services Board and its consultants.

Following the presentation, Mr. Baum responded to questions from the Legislature.

### **Report from the Chair**

Mr. Koplinka-Loehr announced there will be an opportunity to meet the new Ithaca College President, Thomas R. Rochon, in Legislature Chambers on July 10<sup>th</sup> from 10:15 a.m. to 10:30 a.m.

He reported the County Administrator Search Committee met today and the first round of interviews will be scheduled in the next two weeks.

### **Report from the County Administrator**

Mr. Whicher reported the selection process for a new Director of Probation and Community Justice is taking longer than expected. He said he continues to work on his recommendations for the 2009 proposed Tompkins County Budget and at this time he thinks he will be able to meet the Legislature's goal.

### **Report from the County Attorney**

Mr. Wood reported an appeal in the Coddington Road case has been filed; he will provide a copy for the Legislature Office.

### **Report from the Finance Director**

Mr. Squires had no report.

### **Report on the Sustainability Team and the Tompkins County Emergency Planning Group**

Cheryl Nelson, Public Works Administrator, provided the Legislature with the following reports:

“Thank you and good evening.

“I am pleased to be here tonight to give you two brief reports on committees that I am honored to be Chairing in 2008. I have provided written reports to you and I hope that if you have not had a chance to read them that you will take the time to do so.

“The first report is for the Tompkins County Sustainability Team. The Team's charge states that the Team is to give a report to the Legislature annually by Earth Day. The report was not quite finished by Earth Day, but since every day should be Earth Day, I hope that you still found it to be timely. I won't read the report, but I wanted to highlight a few items of particular note.

- The formation of the Finger Lakes Environmentally Preferred Products Consortium is a model that can be used by others to form partnerships within a community to pool the collective purchasing power. As far as we know, this is the first such consortium in NY. In fact, on April 26, Governor Paterson issued an Executive Order to “Green” State Government and it seems to reflect our model.
- The Waste Assessments have been completed in each county department and tips and tools have been provided to staff on how to improve recycling and reduce waste. This has also set the stage for the designation of Waste Reduction Representatives in each department that serve as the

July 1, 2008

communication conduit on all things related to sustainability, including managing the internal advertisement of surplus items that another department may find useable. Not only is the expectation that less waste will be generated for disposal, but that there will be a reduction in costs of dumpster service for Facilities over time. The Legislature's passing of the two administrative polices related to Surplus Equipment and Waste Reduction and Resource Management has been beneficial in providing support for these activities.

- The Health Department is awaiting the arrival of two hybrid vehicles for their department's fleet as the result of the Green Fleet team's work and the Legislature's approval of \$50,000 in the 2008 budget to be used for this purpose.
- We are excited that the new Health Department building at 55 Brown Rd. will be the first county-owned building to seek LEED certification.

"Even with these accomplishments in 2007, we cannot rest on our laurels. As you saw in the information I provided, 2008 will be an active year for the Team with goals like:

- Receiving the Energy Performance Contract report from Johnson Controls for the first full year of data and then developing the next steps for more energy conservation for the Legislature's consideration.
- The finalization of a Resource Guide that will list environmentally friendly alternatives for various product categories.
- Measuring the Finger Lakes Environmentally Preferred Products Consortium's efficiency and effectiveness with its first bid for office paper products.
- Launching the Sustainability Team's web site that will serve as a vital tool to advertise our successes, goals, tips, and other relevant topics of interest to employees, residents, and anyone else that visits the site.
- Receiving the final report on the Local Action Plan for 20% Reduction in Green House Gas Emissions from 1998 – 2008 and discussing possible next steps for further reductions.
- Receiving reports on the LEED process for the new Health Department building.

"I want to thank the Sustainability Team members who are County employees that serve on the team and accomplish the annual goals on top of their full-time job responsibilities.

"I would also like to invite you all to participate in an ICMA sponsored webinar on Thursday, July 17<sup>th</sup> at 1:00 – 2:30 PM entitled *Sustainable Communities: Successful Leadership Strategies* which will be taking place in the large conference room in the Department of Emergency Response. Please let me know if you are interested in attending and I can provide you with additional details.

#### Emergency Management Planning Group

"The second group on which I am reporting this evening is the Tompkins County Emergency Management Planning Group. You may remember that last fall, Lee Shurtleff, Shawn Martel-Moore, and I gave you an overview of the different emergency management teams and activities underway in the county. The Planning Group is the large group created by the Legislature with membership outlined in Administrative policy 01-19. Along with the 21 official voting members, many other individuals attend the meetings and serve as local and human resources.

"This group also accomplished many of its 2007 goals including:

- Holding a Public Officials Conference in the spring of 2007 to educate municipal officials on roles and responsibilities.
- Expanding the number of individuals to serve as Public Information Officers if or when needed and developing a training plan for these individuals.

July 1, 2008

- Developing and delivering a half-day presentation on September 11, 2007 at TC3 entitled Emergency Public Information – Linking Responders and the Public which was well-attended by local officials, utility companies, local fire chiefs, and local media representatives.
- Updating the Public Information Annex of the County’s Comprehensive Emergency Management Plan.
- Formalizing conversations between local police, fire, and EMS providers and local educational institutions on areas of common concern and interest.
- Beginning discussions on the development of the Recovery Annex of the County’s Comprehensive Emergency Plan.
- Making a presentation to TCCOG on emergency preparedness and mitigation plans.
- Organizing and conducting mandatory training for all first-responders.

“This group has also re-dedicated itself to a series of goals for 2008, as you will see from the information in your packet. Some of the highlights include:

- Updating the Human and Special Needs Annex.
- Developing a multi-year plan for exercise and training events.
- Meeting with the State Office of Emergency Management and other counties that have experienced recovery after a major event to help us in developing the Recovery Annex.
- Updating the Multi-Jurisdictional All-Hazards Mitigation Plan and having projects “on the shelf” when the county is notified of grant opportunities.
- Forming a Transportation team and developing a database of public and private vehicles available for use in transporting residents in an emergency situation and working on other related logistical issues.
- Working with the local municipalities to keep them updated on National Incident Management System (NIMS) requirements and assisting with training and other requirements as needed including the building of the database of equipment owned by each municipality for potential use in an emergency or disaster event.

“So, stay tuned for more success stories from both of these groups. Thank you for your time and feel free to let me know if you have any questions.”

Ms. Chock requested an electronic copy of Ms. Nelson’s Sustainability Team report.

#### **Report from the Public Information Officer**

Ms. Lynch announced copies of Tompkins County’s supplement to the Legislative Gazette, an Albany, New York, based publication, that highlights activities taking place in Tompkins County government, are now available.

#### **Addition and Withdrawal of Resolution(s) from the Agenda**

There were no resolutions added or withdrawn from the agenda.

#### **Approval of Appointment(s) Under the Consent Agenda**

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

Local Emergency Planning Committee – No set term  
Greg Cotterill – Community Group representative (ARC)

July 1, 2008

Traffic Safety Committee – term expires December 31, 2010

Will Burbank – Public Safety Committee member

Fire, Disaster, and EMS Advisory Board – term expires December 31, 2009

Beth Harrington – Town of Caroline representative

**Approval of Resolution(s) Under the Consent Agenda**

**RESOLUTION NO. 134 – INCREASE IN HOURS AND ABOLITION OF POSITIONS – EMERGENCY SERVICES DISPATCHERS – DEPARTMENT OF EMERGENCY RESPONSE**

MOVED by Mr. Proto, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, the Department of Emergency Response created four (4) additional part-time positions equivalent to one full-time position at 40 hours per week of Emergency Services Dispatcher labor grade L/12 (12/551), White Collar, to cover shift shortages per Resolution No. 172-99, and

WHEREAS, the Department has determined that it is no longer feasible to hire multiple part-time employees due to the extensive training requirements and the necessity to maintain proficiency in all disciplines and equipment, and

WHEREAS, the Department of Emergency Response requires a full-time employee due to the significant increase in call and incident volume, and

WHEREAS, no new monies are needed to fund these position changes, now therefore be it

RESOLVED, on recommendation of the Public Safety and the Budget and Capital Committees, That one (1) part-time position of Emergency Services Dispatcher, labor grade L/12 (12/551), White Collar, be increased to 40 hours and three (3) part-time positions of Emergency Services Dispatcher, labor grade L/12 (12/551), White Collar, be abolished effective immediately,

RESOLVED, further, That the department is not requesting additional funding.

**SEQR ACTION:** TYPE II-20

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**RESOLUTION NO. 135 - AUTHORIZING A CONSULTANT AGREEMENT WITH C&S ENGINEERS, INC., FOR CONSTRUCTION OBSERVATION AND CONTRACT ADMINISTRATION SERVICES - RUNWAY SAFETY AREA IMPROVEMENTS AND OBSTRUCTION CLEARANCE – ITHACA TOMPKINS REGIONAL AIRPORT**

MOVED by Mr. Proto, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, a contract has been awarded to Sealand Contractors Corporation of Rush, New York, in the amount of \$3,197,872 to construct Federally mandated safety area improvements and remove or mitigate various obstructions on Airport property, and

WHEREAS, it is necessary to oversee such activities and provide various contract administration services, and

WHEREAS, the Airport's engineering consultant, C&S Engineers, Inc., has proposed providing said services for a fee of \$322,285.00, and

WHEREAS, an Independent Fee Estimate (IFE) was recently performed by McFarland-Johnson of Binghamton, New York, and found the fee to be fair, and

WHEREAS, this fee is subject to Federal Aviation Administration and New York State Department of Transportation funding being received, and

July 1, 2008

WHEREAS, the budget for said construction observation and contract administration services is as follows:

Federal Aviation Administration Share (95.0%)	\$306,171.00
New York State Department of Transportation Share (2.5%)	\$ 8,057.00
Local Share (2.5%)	\$ 8,057.00
Total	\$322,285.00

, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the agreement with C&S Engineers, Inc., for \$322,285.00 be and hereby is approved, subject to Federal Aviation Administration and New York State Department of Transportation funding being received,

RESOLVED, further, That the local share of \$8,057.00 shall come from the Airport's operational budget,

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

**SEQR ACTION:** TYPE II-20

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**RESOLUTION NO. 136 - AUTHORIZING A CONSULTANT AGREEMENT WITH C&S ENGINEERS, INC., FOR CONSTRUCTION OBSERVATION AND CONTRACT ADMINISTRATION SERVICES FOR PARALLEL TAXIWAY RELOCATION (PHASE III) – ITHACA TOMPKINS REGIONAL AIRPORT**

MOVED by Mr. Proto, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, a contract has been awarded to Sealand Contractors Corporation of Rush, New York, in the amount of \$4,481,225.30 to construct the Federally mandated Parallel Taxiway Relocation (Phase III), and

WHEREAS, it is necessary to oversee such activities and provide various contract administration services, and

WHEREAS, the Airport's engineering consultant, C&S Engineers has proposed providing said services for a fee of \$358,533.00, and

WHEREAS, an Independent Fee Estimate (IFE) was recently performed by McFarland-Johnson of Binghamton, New York, and found the fee to be fair, and

WHEREAS, this fee is subject to Federal Aviation Administration and New York State Department of Transportation funding being received, and

WHEREAS, the budget for said construction observation and contract administration services is as follows:

Federal Aviation Administration Share (95.0%)	\$340,606.00
New York State Department of Transportation (2.5%)	\$ 8,963.50
Local Share (2.5%)	\$ 8,963.50
Total	\$358,533.00

, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the agreement with C&S Engineers, Inc., for \$358,533.00 be and hereby is approved, subject to Federal Aviation Administration and New York State Department of Transportation funding being received,

RESOLVED, further, That the local share of \$8,963.50 shall come from the Airport's operational budget,

RESOLVED, further, That the County Administrator is authorized to execute the required documents and the Finance Director is authorized to advance payment for these services until

July 1, 2008

reimbursement is received from the Federal Aviation Administration and New York State Department of Transportation.

**SEQR ACTION: TYPE II-20**

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**RESOLUTION NO. 137 - AUTHORIZING A CONSULTANT AGREEMENT WITH C&S ENGINEERS, INC., FOR DESIGN AND BIDDING SERVICES FOR HANGAR DECONSTRUCTION - ITHACA TOMPKINS REGIONAL AIRPORT**

MOVED by Mr. Proto, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by members present under the Consent Agenda.

WHEREAS, Taughannock Aviation Corporation has just completed the third and final phase of their new hangar and administration facility, and

WHEREAS, the old hangar and administration facility, being in a decrepit and unusable condition, needs to be removed to provide for much need ramp space, and

WHEREAS, the required design and bidding services will include testing for hazardous materials, developing site grading, drainage design, utility identification and relocation, contract drawings, bid specifications, and various other administrative tasks, and

WHEREAS, the budget for the actual deconstruction of said hangar complex was expected to be approximately \$125,000 but came in at \$199,000, and will be funded under the Federal AIP program with Federal, State, and local grant monies, and

WHEREAS, the budget for these design and bidding services is as follows:

Federal Aviation Administration Share (95.0%)	\$30,400
New York State Department of Transportation Share (2.5%)	\$ 800
Local Share (2.5%)	\$ 800
Total	\$32,000

, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the agreement with C&S Engineers, Inc., for \$32,000 be and hereby is approved, subject to Federal Aviation Administration and New York State Department of Transportation funding being received,

RESOLVED, further, That the local share of \$800 will come from the Airport's operational budget,

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

**SEQR ACTION: TYPE II-21**

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**RESOLUTION NO. 138 - DESIGNATION OF TOURISM PROMOTION AGENCY FOR STATE FISCAL YEAR 2008-2009**

MOVED by Mr. Proto, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote by members present under the Consent Agenda.

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

WHEREAS, the STPB has reviewed the matter with appropriate agency representatives and feels qualified to make a recommendation of the best agency to have the TPA designation, now therefore be it

July 1, 2008

RESOLVED, on recommendation of the STPB and 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 periodically.

**SEQR ACTION:** TYPE II-20

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

Mr. Proto, Chairman, reported the Committee will meet tomorrow and will hear several reports from departments and he expects to also be hear about the status of budget requests.

**RESOLUTION NO. 139 – APPROPRIATION FROM CONTINGENT FUND FOR SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (SPCA)**

MOVED by Mr. Proto, seconded by Mr. Shinagawa. Mr. Proto accepted a substitute resolution offered by Ms. Kiefer, as friendly. Ms. Herrera asked if the substitute resolution clarifies some of the issues that have been raised and that this is a Contingent Fund appropriation based on a decision that was made in 2008; Mr. Proto responded this statement is correct. A short roll call vote resulted as follows: Ayes – 14, Noes – 0, Excused – 1 (Legislator Randall). RESOLUTION ADOPTED.

WHEREAS, the Tompkins County Society for the Prevention of Cruelty to Animals (SPCA) has historically provided animal shelter and other services under contract with the County, and

WHEREAS, during the 2008 County budget process, the SPCA informed the Expanded Budget Committee that the cost of services exceeded the revenue from the County's contract, and

WHEREAS, during the 2008 budget process, the Expanded Budget Committee earmarked \$15,000 in the Contingent Fund, plus increased the County's allocation from \$28,216 to \$33,216, when the appropriate information is distributed detailing the programs and services supported by the County contract, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget and Capital Committees, That the County authorize and direct the Finance Director to make the following one-time appropriation:

FROM:	A1990	Contingent Fund	\$15,000
TO:	3520.54400	Tompkins County SPCA	\$15,000

RESOLVED, further, That County Administrator or his designee is authorized to execute any documents and agreements pertaining to the proposal.

**SEQR ACTION:** TYPE II-20

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

Mr. Robertson, Chair, reported the Committee met prior to this meeting to consider a resolution on the agenda. The next meeting will be July 10<sup>th</sup> at 3 p.m. Issues that will be discussed at that meeting include Lake Monitoring Plan, Notice of Funding Availability for the Housing Trust and Affordability Funds, and a lot of business for the tourism program.

**RESOLUTION NO. 140 – APPROVAL OF CONTRACT FOR ARTS AND CULTURE STABILIZATION – HISTORIC ITHACA**

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

July 1, 2008

WHEREAS, the Tompkins County Legislature recognizes that the local arts and cultural community is a valuable and unique asset, and that a need exists to harness the power of the arts to develop tourism growth, and if strategically managed, that would stabilize and develop these assets to better serve tourists through well-planned marketing efforts, and

WHEREAS, CAP (Community Arts Partnership) was appointed to create a comprehensive arts marketing plan and develop and implement a plan for financial and operational stabilization of arts and cultural entities, and

WHEREAS, the arts and cultural community could better position itself in the marketplace to attract more visitors to and enhance visitors' stay in Tompkins County, thus generating more dollars into the local economy, and

WHEREAS, funding exists within the Tompkins County Tourism Program for the Arts and Cultural Stabilization Plan program, and

WHEREAS, Historic Ithaca (State Theatre) has proposed a project that meets the objectives and requirement for such funding, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality and the Budget and Capital Committees, with the advice of the Strategic Tourism Planning Board, That the following Arts and Cultural Organization Stabilization Grant be awarded in 2008:

	<u>2004 Amount</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
Historic Ithaca (State Theatre)	\$ 30,000	\$ 30,000	\$30,000	\$30,000	\$37,000

RESOLVED, further, That the Finance Director make the following budget adjustment:

FROM:	6475	Room Tax Reserve	\$37,000
TO:	6475.54619	Arts and Cultural Organization Stabilization	\$37,000

RESOLVED, further, That the County Administrator or his designee is authorized to sign any agreements with the recipient pertaining to this program.

**SEQR TYPE:** TYPE II-20

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**RESOLUTION NO. 141 - AUTHORIZATION TO EXECUTE A RURAL SMALL BUSINESS LOAN FOR THOMAS HOEBBEL/THOMAS HOEBBEL PHOTOGRAPHY FROM THE RURAL SMALL BUSINESS LOAN FUND**

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

WHEREAS, the Tompkins County Economic Development Revolving Loan Fund was expanded in 2004 to provide low-interest loans to small businesses (microenterprise businesses), and

WHEREAS, these loans are made using repaid United States Department of Housing and Urban Development Small Cities Community Development Block Grant funds targeted for economic development activities, and

WHEREAS, the Tompkins County Rural Small Business Loan Fund Oversight Committee reviewed an application and proposal for an equipment loan to Thomas Hoebbel to purchase updated and expanded photography equipment to allow for further growth and adaptability at Thomas Hoebbel Photography in the Town of Caroline, and

WHEREAS, the Oversight Committee has fully assessed the ability of Thomas Hoebbel to make timely payments on monies loaned from the Rural Small Business Loan Fund, and

WHEREAS, enhancing and supporting economic development efforts that expand rural income opportunities are policies supported by the Tompkins County Comprehensive Plan, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the County is hereby authorized to sign a Loan Agreement with Thomas Hoebbel,

RESOLVED, further, That the County Administrator be authorized to sign all documents related to this loan, and that the County Finance Director be authorized to adjust the budget in the following manner:

July 1, 2008

REVENUES

8693.44700      Repaid Econ. Dev. Loans      \$25,000

EXPENSES

8693.54400      Program Expense      \$25,000

**SEQR ACTION: TYPE II-25**

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**Report from the Human Resources Committee**

Mr. Dennis, Chair, reported the Committee will meet on July 3<sup>rd</sup> at 3:30 p.m.

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

Mr. Hattery, Chair, reported the Committee met prior to the Legislature meeting to consider a resolution on the agenda. The next meeting will be July 11<sup>th</sup>.

**RESOLUTION NO. 142 – APPROPRIATION FROM CONTINGENT FUND AND AUTHORIZATION TO EXECUTE MULTI-YEAR AGREEMENT - THE HISTORY CENTER**

MOVED by Ms. Kiefer, seconded by Ms. Herrera. Ms. Robertson said she will support the resolution; however, she is concerned with authorizing an agreement for five years prior to the budget season.

Mrs. McBean-Clairborne said she supports the History Center; however, will not support the resolution because she does not support multiple-year funding.

Ms. Herrera said she shares the concerns that have been expressed but can support the resolution because of the language contained in the last Resolved with respect to the development of a Memorandum of Understanding

Mr. Hattery said he will not support this resolution because the original amounts that were negotiated and agreed upon between the History Center and County Administration have been changed to higher amounts.

Mr. Koplinka-Loehr spoke of the range in increases the History Center has received and said he cannot support the ranges of increases because County departments or agencies are not guaranteed those kinds of raises. He also does not agree with some of the principles included in the resolution.

Mr. Proto asked Mr. Reinboldt if the numbers agreed to previously by the History Center and County Administration were consistent with the lease the History Center has with the Landlord and would there be support to return to the original amounts that were negotiated. Mr. Reinboldt said those increases are linked to the escalator that is in the lease. The dollar amounts now contained in the resolution reflect the cost of the insurance, parking, and security, which is a cost of occupancy.

Ms. Kiefer said utilities are not being included now and this is a huge amount that the County used to pay.

Ms. Mackesey said the County’s relationship with the History Center is different from its relationship with other agencies or County departments. These increases are not in programs or salaries, it’s for fundamental support of a very old and important relationship. The County does not have the capability to hold and secure its history and has an obligation to support the History Center. A multi-year agreement offers them the ability to plan and use the resources in the best way possible.

July 1, 2008

Ms. Chock said she believes those who maintain the County's history should have some assurance of continuity to do so.

Mr. Whicher expressed support for the resolution. The discussions with the History Center went back 15-20 years when the arrangement was first established. They tried to figure where the County should be and this resolution makes up for a shortfall. He said in looking forward the County will be paying a little more up front in helping to keep the overall costs down. He supports this resolution and said this is an attempt to building a long-term partnership.

Mr. Sigler said his only concern with this resolution is that he thinks a multi-year agreement should be done during the budget process.

Mr. Dennis spoke in support of the History Center's work and the importance of managing the County's history.

Ms. Kiefer said the actual shortfall over the years of what the County should have been paying is multiples of \$10,000; this is a small portion of what the County could have been paying.

Ms. Mackesey noted this proposal was brought forward during the budget process last year and the Legislature directed it to come back when it was not in the middle of the budget season.

A roll call vote resulted as follows: Ayes – 10, Noes – 4 (Legislators Hattery, Koplinka-Loehr, McBean-Clairborne, and Sigler); Excused – 1 (Legislator Randall). RESOLUTION ADOPTED.

WHEREAS, the County wishes to enter into an agreement with The History Center, formerly known as the Dewitt Historical Society, to maintain a public museum and procure, store, and preserve the records and artifacts that document the history of the County and the municipalities thereof, and

WHEREAS, for over fifty years the County has maintained a relationship with The History Center related to the cost of maintaining space for the aforementioned services, and

WHEREAS, the County first provided space for the agency for the operation of a County Historical Museum in 1939 in the Old Tompkins County Courthouse (County Board Resolution of December 20, 1939), and

WHEREAS, the County continued its commitment to The History Center and its services by compensating the agency for its occupancy costs at the Historic Clinton House in 1973 (County Board Resolution 138 of May 29, 1973), and

WHEREAS the agency's move to the Historic Clinton House was prompted by the County as a result of the County's initiative for the adaptive restoration of the Old Court House, and

WHEREAS, the County further continued its commitment to The History Center and its services by compensating the agency for its occupancy costs following the agency's latest move to the Dean Building in 1993,

WHEREAS, the County wishes to continue its commitment to the agency and enter into a five-year agreement, now therefore be it

RESOLVED, on recommendation of the Government Operations and the Budget and Capital Committees, That beginning January 1, 2009 and expiring December 31, 2013, the County shall compensate The History Center for occupancy costs (rent for space and parking, insurance, and security) as follows:

2009 - \$88,228  
2010 - \$90,840  
2011 - \$93,401  
2012 - \$96,171  
2013 - \$99,026

July 1, 2008

RESOLVED, further, That the County shall also compensate The History Center a one-time payment in 2008 for a sum not to exceed \$10,000 as reimbursement for prior years' occupancy-cost shortfalls,

RESOLVED, further, That the Comptroller is authorized to make the following adjustment:

FROM: 1990.54400	Contingency Fund	\$10,000
TO: 7510.54400	The History Center	\$10,000

RESOLVED, further, That the County Administrator or his designee is authorized to sign all documents related to this agreement,

RESOLVED, further, That the County and The History Center shall develop a Memorandum of Understanding detailing the Center's obligation(s) to the County with respect to records and artifacts pertaining to Tompkins County history in return for the County's contribution to the cost of maintaining space for The History Center in Tompkins County. Any materials pertinent to Tompkins County history shall not be de-accessioned without the County Historian's and Record Officer's review and approval.

**SEQR ACTION:** TYPE II-20

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

Mr. Shinagawa, Chair, reported the Committee met on June 23<sup>rd</sup>. The Committee discussed the May 29<sup>th</sup> meeting where a discussion took place of short-term budget strategies, common criteria for looking at the budget moving forward, and long-term strategies. He said consideration of many of the short-term ideas will depend on the County Administrator's report at the next meeting. He also reported the Community Advisory Panel will be convened once a tentative budget is produced. Mr. Shinagawa announced a budget retreat for the Legislature will take place on August 5<sup>th</sup> at the Mental Health Building.

Mr. Proto said he received material from NYSAC (New York State Association of Counties) that makes reference to the Preschool Handicapped Children's Program. Because of the influence of school districts and what the impact there may on the County, Mr. Proto asked if information will be available by the August 19 Legislature meeting. While the impact is approximately \$50,000, the entire program costs approximately \$2 million and this causes a major concern. Mr. Proto asked if there will be consideration given to meeting with the school districts to discuss this. Mr. Whicher said the financial impact is small; however, the principle behind the State's action is cause for great concern. He thinks while there could be discussion with the school districts, there needs to be discussion with County's State representatives. Mr. Proto asked that a meeting be held with State representatives as soon as possible because the long-term impact of this is severe.

**RESOLUTION NO. 143 - APPROPRIATIONS AND BUDGET ADJUSTMENTS FOR SALARY INCREASE - WHITE COLLAR, MANAGEMENT/ CONFIDENTIAL, AND BLUE COLLAR EMPLOYEES**

MOVED by Mr. Shinagawa, seconded by Mr. Dennis. A short roll call vote resulted as follows: Ayes – 14, Noes – 0, Excused – 1 (Legislator Randall). RESOLUTION ADOPTED.

WHEREAS, Resolution No. 117 of 2007, "ESTABLISHMENT OF GUIDELINES AND FISCAL TARGETS FOR ALL COUNTY BUDGETING UNITS FOR THE PREPARATION OF THE 2008 BUDGET" stated that all salary changes and associated fringe costs or savings will be paid through or received by the General Fund, and

WHEREAS, the bargaining agreement between Tompkins County and the White Collar Union, for the years 2008, was ratified by Resolution No. 26 of February 19, 2008, and

WHEREAS, Management and Confidential salary adjustments follow the White Collar Union, and WHEREAS, the bargaining agreement between Tompkins County and the Blue Collar Union for the years 2008, was ratified on April 15, 2008, by Resolution No. 75, now therefore be it

July 1, 2008

RESOLVED, on recommendation of the Budget and Capital Committee, That effective July 1, the departmental accounts listed on the attached departmental summary document for fiscal year 2008 will be adjusted from the following revenue accounts:

REVENUE: General Fund Balance, Highway Fund Balance, Airport Fund Balance, Solid Waste Fund Balance, Workforce Development Fund Balance

RESOLVED, further, That the Departments' Fiscal Targets in preparation for the 2008 budget have been increased by the net salary adjustments, except for positions designated as onetime.

**SEQR ACTION:** TYPE II-20

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### **Report from the Public Safety Committee**

Mr. Stevenson, Chair, reported the Committee met on June 20 and recognized Kathy Leinthall, Director of Probation and Community Justice, who recently retired, for her many years of service to Tompkins County. The Committee also heard a presentation on a proposed Countywide PAD (Public Access to Defibrillation) Program. The next meeting is July 18<sup>th</sup>.

### **Report from the Workforce Diversity and Inclusion Committee**

Mrs. McBean-Clairborne, Chair, reported the Committee met on June 25<sup>th</sup> and continued discussion of the proposed Strength in Diversity Award.

Mrs. McBean-Clairborne announced on July 16<sup>th</sup> from 12 to 3 p.m. the Finger Lakes Independence Center will hold its annual picnic. She also reported they are looking for persons with hand disabilities to assist in testing HAVA-compliant voting machines. This is one of the areas that they still need for assistance in design of these machines. Interested persons can contact the Board of Elections or the Finger Lakes Independence Center.

Mrs. McBean-Clairborne reported the Committee received a very interesting presentation by Constance Thompson. The presentation was an overview of creating an inclusive organization. In addition to being a member of the Committee, Ms. Thompson is the Manager of Diversity and Recruitment at Cornell University. Some of the key points in that very informative presentation included a definition of the following terms:

- Equal Opportunity: This is the law and there are certain requirements when doing business with the government;
- Affirmative Action: Enforcement of the Equal Opportunity law;
- Diversity: Management piece that requires outreach and mentoring; and
- Inclusion: Leveraging diversity, recognizing the members of the organization, developing the strong sense of communication and understanding, continued acceptance of what they bring, supporting the talent we have, providing opportunities for valuing opinions and uniqueness, providing opportunities for promotion

Tompkins County does have a "line of sight" already: our Diversity Statement.

Mrs. McBean-Clairborne said the Solid Waste Division was highlighted for the work they are trying to do in diversifying the staff and build a more inclusive organization at Solid Waste. She hopes this Legislature will allow this presentation to be given at an upcoming meeting. Mr. Koplinka-Loehr will speak with Mrs. McBean-Clairborne and Ms. Thompson about providing the Legislature with a presentation.

July 1, 2008

Ms. Kiefer reported on the enthusiasm about the presentation she heard from Karen Fuller, Legislative staff, who provides support to that Committee.

Mr. Whicher noted his earlier attendance at a workshop in Syracuse where Ms Thompson was one of the presenters, and what an excellent experience that was.

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

Mrs. McBean-Clairborne, Chair, reported the Committee met on June 9. The Committee has heard about the County losing federal funding for some of the construction projects and there continues to be efforts to work with State and Federal legislators on those issues. Mrs. McBean-Clairborne said there has been an inquiry about the use of the Old Library Building, and stated there is no information and there have been no conversations about a sale of that building. She noted reuse of that site was included in the County's Capital Plan. The Committee received a presentation on energy performance from Johnson Controls, who had estimated \$217,000 in savings for the first year, and actual savings have been \$230,000 for the first 11 months. A presentation was also given on Records Management by LaBella Associates, noting our volume of records is expected to increase 30 percent over the next ten years. The study was funded by a State Archives and Records Administration grant in the amount of \$17,500.

Ms. Herrera commented on the records management presentation and said she found it to be very informative, including that records management is a mandated program. She also learned of how much money the County is continuing to spend needlessly at the Old Library to maintain the space records are presently housed in.

A joint meeting will be held with the Health and Human Services Committee on July 17<sup>th</sup> at 2:30 p.m. to discuss the co-location of the Office for the Aging and Lifelong.

**RESOLUTION NO. 144 - AUTHORIZING A CONSULTANT AGREEMENT WITH C&S ENGINEERS, INC., FOR OBSERVATION AND CONTRACT ADMINISTRATION SERVICES FOR HANGAR DECONSTRUCTION - ITHACA TOMPKINS REGIONAL AIRPORT**

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

WHEREAS, a contract has been awarded to Ritter & Paratore of Utica, New York, in the amount of \$199,900.00 for deconstruction of the former Taughanock Aviation hangar complex, and

WHEREAS, it is necessary to oversee such activities and provide various contract administration services, and

WHEREAS, the Airport's engineering consultant, C&S Engineers, Inc. has proposed providing said services for a fee of \$28,716.00, and

WHEREAS, the budget for said observation and contract administration services is as follows:

Federal Aviation Administration Share (95.0%)	\$27,280.00
New York State Department of Transportation Share (2.5%)	\$ 718.00
Local Share (2.5%)	\$ 718.00
Total	\$28,716.00

, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the agreement with C&S Engineers for \$28,716.00 be and hereby is approved, subject to Federal Aviation Administration and New York State Department of Transportation funding being approved,

RESOLVED, further, That the local share of \$718.00 shall come from the airport's operational budget,

July 1, 2008

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

**SEQR ACTION:** TYPE II-20

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**Adjournment**

On motion the meeting adjourned at 7:45 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office