

**Call to Order**

Mr. Koplinka-Loehr, Chair, 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 present. Excused: 1 (Legislator Herrera).

**Privilege of the Floor by the Public**

Mike Lane, Village of Dryden, spoke of his appreciation that the Legislature agreed to have this meeting rather than scheduling only one August meeting as discussed earlier in the year at the organizational meeting. He also spoke about the County budget and stated it is time to get back to basics and do what is important for the safety and health of people in Tompkins County. He commented on the report in the Ithaca Journal from the Health Department regarding inspections of restaurants and food services and said the Department is always there to make sure the public's safety is maintained. He said that service provided is the type of basics he is referring to and needs to continue.

Joel Harlin, Newfield, spoke of the need for bus transportation in the Ward's Trailer Park area in Newfield to the City of Ithaca. He recommended the County look into a shuttle bus service through TCAT (Tompkins Consolidate Area Transit). The second issue he spoke about was a program offered in Harlem for low-income people. The program offers assistance with education, training for a trade, applying for a job, or getting their GED. He believes this program could be offered through some of the County's alternatives-to-incarceration programs.

**Distinguished Youth Award**

Mr. Koplinka-Loehr presented the August 2009 Distinguished Youth Award to Eagle Scout Andrew Sternglass of Ithaca. Mr. Sternglass was nominated by Ithaca Town Supervisor Herb Engman and Marnie Kirchgessner, Recreation and Youth Coordinator, for his work in leading his Boy Scout Troop in completing beautification of a new playground in the Eastern Heights neighborhood. He helped design the project and led the beautification effort with support of his troop and other volunteers. Supervisor Engman said the program has also led to a long-term commitment by the Scouts to maintain the park through the town's Adopt-a-Park program.

**Privilege of the Floor by Legislators**

Ms. Mackesey, District No. 1 Legislator, reported the Governor's office released the regulations designating certain highways as off-limits for "through trucking" areas including Routes 38, 79, 89, and 96 in addition to other highways outside Tompkins County. There is a 45-day comment period starting next week. She spoke of the importance for people to comment on these regulations.

Mr. Burbank, District No. 12 Legislator, spoke about the recent experience he had with a bat in his house and the assistance he received from the Health Department. He said the Department was very helpful and provided him contact information for getting the assistance from an expert to come in and capture the bat and get it tested for rabies.

Ms. Chock, District No. 3 Legislator, congratulated the family of Andrew Sternglass, the Distinguished Youth Award recipient. Ms. Chock said the City of Ithaca is looking for input concerning the upgrade and repair of the Ithaca Commons. She will provide a form for Legislators to provide feedback on and return to the City Planning Department.

Ms. Chock said she has been receiving questions about the 25-mile detour referenced in the trucking regulations mentioned above by Ms. Mackesey and asked for more information. Ms. Mackesey said the State Department of Transportation (DOT) came up with a list of criteria to determine what roads would be included in the regulations and based on the criteria, the list of highways was developed. For a trucker to have to use interstates instead of local highways, 25 miles is the maximum additional distance his route would be. She does not believe it is a concern as DOT has been spent months working on this.

Ms. Robertson, District No. 13 Legislator, said she appreciated the recent press release from the Office for the Aging concerning the End-of-Life Provisions in the Health Care Choices Act (H.R. 3200). There has been a lot of misinformation about end-of-life planning and she said the press release addresses it. In addition, Ms. Robertson reported on a Town Hall meeting that Congressman Arcuri will be holding at the Mohawk Community College tomorrow concerning this issue.

Mr. Proto, District No. 7 Legislator, commented on the trucking issue and the route restrictions and understands there will be a public hearing on the proposed changes. One of the concerns is the transportation of harvested grain by farmers and that they may be inadvertently included in the list. In addition he announced that September 18<sup>th</sup> is the Watchfire in Lansing at Myers Point and October 3<sup>rd</sup> is the rededication of the Monument at Dewitt Park. He reported that the deadline was 5 p.m. today for individuals filing designated petitions to run for office this fall.

Mr. Randall, District No. 9 Legislator, reported that on August 25 there will be an open house at TST BOCES from 5-7 p.m. showing the latest project the students built. It is a three-bedroom stick built house. The house will be sold through a bidding process with a minimum bid requirement to cover the cost of building the house.

Ms. Mackesey continued to report on the trucking regulations and said in response to the issue Mr. Proto raised, that they only apply to through traffic. She said farm vehicles, local delivery trucks, etc. still have access to all roads. Mr. Shinagawa also commented that there are no random checks. If a truck is pulled over for speeding and then if there is a violation there will be other fines.

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

No municipal official was present.

#### **Report from the Chair**

Mr. Koplinka-Loehr expressed his appreciation to Administrative staff and Department Heads for their hard work and support on the budgets that were submitted.

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

Mr. Mareane said he did not have a report.

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

Mr. Wood had no report.

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

Mr. Squires distributed copies of the guidelines for elected officials reporting for retirement purposes. There is a sample log and resolution that the Legislature will need to adopt and posted on the website that shows title, name, standard work day, term of employee, and whether or not there is log on

file. The regulations state that each appointed and elected official must prepare a record for three consecutive months within 150 days of the start of a new term.

Mr. Squires also stated that the County's Audit Committee will need to meet and recommended a meeting on September 1<sup>st</sup> at 4:15 p.m.

**Withdrawal of Resolutions from the Agenda**

Mr. Koplinka-Loehr granted Mr. Proto permission to withdraw from the agenda the resolution entitled Award of Rural Feeder Proposal to Ithaca Dispatch, Inc.

**Addition(s) of Appointment to the Agenda**

It was MOVED by Ms. Robertson, seconded by Mr. Proto, and unanimously adopted by voice vote by members present, to add an appointment to the Family Court Advisory Council to the agenda.

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

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

Family Court Advisory Council

Gina Newlin – DSS Representative; term expires 12/31/2009  
Debra DiBartolo - At-large Representative; term expires 12/31/2011  
Trudy Pantaliala - At-large Representative; term expires 12/31/2011

STOP-DWI Advisory Board

Mathew Kochman – Youth At-large Representative; term expires 12/31/2009  
Debra DiBartolo - At-large Representative; term expires 12/31/2010

Personal Emergency Response Service Advisory Board

Joan E. Murphy - At-large Representative; term expires 12/31/2010

Greater Tompkins County Health Insurance Consortium

Anita Fitzpatrick - Delegate  
Stephen Estes – Alternate

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

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

**RESOLUTION NO. 141 - AMENDING RESOLUTION NO. 104 OF 2009 - AWARD OF  
TOURISM CAPITAL GRANTS**

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

WHEREAS, on June 15, 2009, the Legislature passed Resolution No. 104 to approve an award of a Tourism Capital Grant to the Ithaca Motion Picture in the amount of \$5,000 for the purpose of conducting a feasibility/business plan, and

WHEREAS, the recommended amount should have read \$5,500, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That Resolution No. 104 of 2009 be amended as follows and the County Administrator or his designee is authorized to sign all documents related to this project:

Entity	Project	2009	2010	2011	2012	2013
Ithaca Motion Picture	Feasibility/Business Plan	\$5,500				

**SEQR ACTION:** TYPE II-20

\* \* \* \* \*

**RESOLUTION NO. 142 - DESIGNATION OF TOURISM PROMOTION AGENCY FOR STATE FISCAL YEAR 2009-2010**

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

WHEREAS, New York State operates programs that aim to encourage tourism and promote economic development resulting from increased visitations to New York State, and

WHEREAS, the Strategic Tourism Planning Board (STPB) is charged by Tompkins County with making recommendations on tourism matters, and

WHEREAS, the STPB recommends that Tompkins County continue to designate the Ithaca/Tompkins County Convention and Visitor's Bureau as the Tourism Promotion Agency for State Fiscal Year 2009-2010, and

WHEREAS, counties are required to designate a Tourism Promotion Agency to be eligible to participate in certain New York State Tourism promotion funding opportunities that provide leverage for local activities, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, that the designation of the Tourism Promotion Agency for State Fiscal Year 2009-2010 be awarded to the Ithaca/Tompkins County Convention and Visitor's Bureau,

RESOLVED, further, That the Director of the Ithaca/Tompkins County Convention and Visitor's Bureau shall provide a quarterly report to the Planning, Development, and Environmental Quality Committee.

**SEQR ACTION:** TYPE II-20

\* \* \* \* \*

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

Mr. Dennis, Chair, announced the Audit Committee will meet September 1 at 4:15 p.m. He reported that most departmental budget presentations have been scheduled for September and October. He also announced the August 24<sup>th</sup> Committee meeting is canceled.

**RESOLUTION NO. 143 – AUTHORIZING MUNICIPAL ELECTRIC AND GAS ALLIANCE (MEGA) TO REQUEST PROPOSALS FOR OUTDOOR SOLAR PRODUCTS ON BEHALF OF THE COUNTY AND AUTHORIZING THE INCLUSION OF ALL POLITICAL SUBDIVISIONS AND DISTRICTS WITHIN THE STATE TO PARTICIPATE**

MOVED by Mr. Dennis, seconded by Mr. Hattery. Ms. Kiefer spoke about the lack of information available and said the varied technology to solar products is much more complicated technically to choose among. She asked if MEGA would just be compiling a list of what is available or if they would be recommending specific products. She noted MEGA's original purpose of getting bids to provide the cheapest electricity and gas was much more straight-forward than this undertaking; she is

concerned about whether MEGA has the expertise to choose among the varied technologies used in outdoor solar products. Mr. Dennis said he is unable to address the concerns and said Ms. Blanchard, a member of the MEGA Board of Directors, had attended the Committee meeting to answer questions. Ms. Kiefer noted she continues to support solar power, but can't vote for something with so little specifics known.

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

WHEREAS, the County previously authorized Municipal Electric and Gas Alliance (“MEGA”) to bid for both gas and electric power on its behalf and the bids resulted in contracts, and

WHEREAS, the American Recovery and Reinvestment Act of 2009 contains funding opportunities for counties to further reduce expenditures for electricity through the use of renewable and sustainable energy products in furtherance of MEGA’s mission, and

WHEREAS, MEGA has entered into a partnership with the New York State Association of Counties to provide assistance to counties in accessing funds and developing projects that support the goal of increasing the use of renewable and sustainable energy products, and

WHEREAS, under the authorization of County Resolution No. 53 of 2009, MEGA issued a Request for Qualifications and Expression of Interest (RFQ/EI) in order to better understand the options that might be available in developing a solar program for counties, and

WHEREAS, the information obtained as a part of the RFQ/EI process led to a determination that a procurement process using a Request for Proposals would better serve the diverse nature of potential solar projects, and

WHEREAS, the County desires the continued participation of other political subdivisions and district in the contracts, and

WHEREAS, rules regarding the terms by which other political subdivisions and districts participate have been established and will be reflected in contracts with the selected proposers, now therefore be it

RESOLVED, on recommendation of the Budget, Capital, and Finance Committee, That MEGA is hereby authorized to release a Request for Proposals for solar or other renewable energy generation systems that can be installed or otherwise deployed on municipal or government property to produce energy that can be consumed by such municipality and/or sold back to the local utility,

RESOLVED, further, That all political subdivisions and districts within the State are authorized to participate in the contracts awarded as a result of the RFP,

RESOLVED, further, That the County Administrator, upon recommendation of the MEGA Board of Directors, is authorized to award the contract to one or more proposers and to enter into contracts with selected proposers.

**SEQR ACTION:** TYPE II-20

\*\*\*\*\*

**RESOLUTION NO. 144 - EXTENSION OF ONE-PERCENT SALES TAX FOR TWO YEARS - INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK IN ORDER TO EXTEND THE EFFECTIVE DATE THROUGH NOVEMBER 30, 2011**

MOVED by Mr. Dennis, seconded by Ms. Robertson. Mr. Proto stated that traditionally he has voted against this extension, however, he understands sales tax revenue is down significantly and will support the resolution. In response to a question raised by Ms. Kiefer concerning why the effective date is only through November 30<sup>th</sup>, Mr. Wood said it is the same in other counties’ resolutions throughout the State.

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

Be it enacted by the Tompkins County Legislature of the County of Tompkins, on recommendation of the Budget, Capital, and Finance Committee, as follows:

SECTION I. The first sentence of section two of Resolution No. 256A as enacted in nineteen hundred sixty-six, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after March first, nineteen hundred and sixty-seven, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992, and ending November 30, 2011, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution No. 256A as enacted in nineteen hundred sixty-six, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992, and ending November 30, 2011, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 256A as enacted in nineteen hundred sixty-six, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii), if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for

shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2011, the tax shall be at a rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration for any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2011, the tax shall be at the rate of four percent, and on and after December 1, 2011, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Paragraph (B) of subdivision (1) of section 11 of Resolution No. 256A as enacted in nineteen hundred sixty-six, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992, and ending November 30, 2011, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

SECTION 5. This enactment shall take effect December 1, 2009.

**SEQR ACTION:** TYPE II-20

\* \* \* \* \*

**RESOLUTION NO. 145 - ADDRESSING TOMPKINS COUNTY'S 2009 BUDGET  
CHALLENGES THROUGH A TEMPORARY AMENDMENT TO THE  
COUNTY'S ROLLOVER POLICY FOR FISCAL YEAR 2009, POLICY  
GUIDANCE TO THE COUNTY ADMINISTRATOR, AND  
AUTHORIZATION OF BUDGET TRANSFERS RECOMMENDED BY  
THE DIRECTOR OF FINANCE**

MOVED by Mr. Dennis, seconded by Mr. Hattery. Mr. Sigler said he would not support the resolution as he believes the flexible hiring freeze already exists pursuant to Resolution No. 44 of 2009. Eventually, the recession will end and he does not want that process to end at that time. This Legislature took proactive measures to address the fiscal crisis by the above-mentioned resolution. He understands the remaining areas outlined in the resolution and also believes the rollover policy should be a much broader discussion and would like to know what the Department Heads think about this proposal.

Mrs. McBean-Clairborne said she too would like to know what input Department Heads had and asked for a clarification of the title. Mr. Mareane said there was a great deal of interaction with Department Heads and they understand the situation the County is in. He said rollover accrued in prior years is not included in this proposal and stated this is not a permanent change. Mr. Mareane also explained the proposed temporary amendment to the rollover policy for 2009 and the other areas of the resolution that are “policy and policy guidance” including the flexible hiring freeze and review of equipment purchases over \$2,000.

It was clarified that the 2009 budget included 778 fulltime employees on the roster. The first quarter there were 748 positions filled, the second-quarter report identified 736 positions being filled. Mr. Mareane said the reduction in positions from the first quarter to the second quarter is a result of the resolution adopted earlier this year and the fact that Department Heads are taking this seriously and understand the County’s situation and have not been putting forward requests to fill positions unless it is essential.

Ms. Kiefer said in the budget information outlined below there is a reference to prior year settlements for the Department of Social Services and asked if the years in which they occurred could be provided. Mr. Mareane said he would have to provide that information at a later date.

Ms. Kiefer asked if the dollar amount could be broken out by each department; Mr. Mareane said he would look into it.

Mr. Sigler asked how the review of equipment purchases will be handled. Mr. Mareane said equipment being purchased over \$2,000 will be reviewed by the Finance Director and himself.

Ms. Chock stated her support for “belt-tightening” measures and interprets the policy changes to continue beyond 2009 with the exception of the rollover policy amendment, which will sunset at the end of 2009. Mr. Mareane said the intent is to help the County get through this year and actions that would occur in 2009. However, the resolution does not explicitly sunset the “policy guidance” section; the focus is to keep 2009 in balance. Mr. Koplinka-Loehr clarified that the language in the resolution does not specify any sunset clauses with the exception of the rollover policy amendment.

Ms. Kiefer noted that the word “temporary” in the title actually modifies and applies to all three items that follow, and asked the record to reflect that it is the intention of the County Administrator that this resolution is only for 2009.

Ms. Robertson said she hopes to have reports from the County Administrator during the budget process.

Mr. Sigler asked when the flexible hiring freeze sunsets if it reverts to Resolution No. 44 of 2009; Mr. Koplinka-Loehr said he believes it does unless the Legislature takes other action.

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

WHEREAS, the global recession has had far-reaching impacts in virtually every sector of our economy, including local governments, and

WHEREAS, economic downturns have a particularly immediate and severe effect on county governments within New York State, with budget gaps resulting from the combination of rising demands for mandated human services and falling sales-tax revenue counties rely on pay for those services, and

WHEREAS, Tompkins County is experiencing the effects of the global recession in the form of a significant decline in its 2009 sales-tax collections and increases in its human service costs, and

WHEREAS, other areas of the County's 2009 budget tied to the economy are also experiencing stresses not anticipated when the budget was developed in the fall of 2008, including reduced interest earnings and significant reductions in State aid, and

WHEREAS, the County has been the beneficiary of the Federal stimulus program in the form of a transfer of approximately \$1.76 million in Medicaid costs from the County budget to the Federal budget, and, in addition, has generated savings in its on-going operations and identified unencumbered resources that can be devoted to keeping the County's 2009 budget in balance, and

WHEREAS, the Director of Finance and the County Administrator have presented a plan to maintain the 2009 budget balance through a series of immediate and ultimate transfers of such savings and resources to areas of need as outlined in an August 11 memorandum entitled "Addressing 2009 Budget Challenges" that shall be attached to this Resolution, and

WHEREAS, several policy actions are necessary and appropriate to ensure that these resources are maintained through the end of the year and are available to balance the 2009 budget, and to create the potential for additional savings that may be needed in the event the economy continues to negatively impact the County's 2009 budget, now therefore be it

RESOLVED, on recommendation of the Budget, Capital, and Finance Committee, That the Tompkins County Legislature formally authorizes the County Administrator to implement a flexible hiring freeze that will restrict the filling of vacant positions to those deemed essential by the Department Head and County Administrator, provided that the Department Head remains able to appeal to the Legislature a decision by the County Administrator to hold a position vacant as provided in Resolution No. 44 of 2009 "Establishing a Process to Fill Vacancies or Change Position Classifications",

RESOLVED, further, That the Tompkins County Legislature authorizes the County Administrator and Director of Finance to review all requests to expend operating budget funds to purchase operating equipment items in excess of \$2,000 per item and to reject any requests deemed non-essential, provided that any such rejections will be reported to the Legislature and subject to review by the Legislature if requested by the Department Head,

RESOLVED, further, That the Tompkins County Legislature hereby and temporarily amends the County's rollover policy for the 2009 fiscal year by directing that personnel-related savings generated by County departments that would otherwise be preserved for departmental rollover purposed instead be dedicated for general County deficit avoidance purposes as deemed necessary and appropriate by the Director of Finance. This amendment to the County's rollover policy shall sunset at the end of the County's 2009 fiscal year,

RESOLVED, further, That the Tompkins County Finance Director is authorized to make the appropriate budget transfers based on the attached report.

**SEQR ACTION:** TYPE II-20

\* \* \* \* \*



Inclusion Through  
Diversity

**Tompkins County**  
**Department of Administration**  
125 East Court Street, Ithaca, NY 14850  
Phone: (607) 274-5551  
Fax: (607) 274-5558

COUNTY ADMINISTRATOR  
Joe Mareane

DEPUTY COUNTY ADMINISTRATOR  
Paula E. F. Younger

*"Promoting excellence in County operations while respecting the needs of the people we serve."*

TO: JAMES DENNIS, CHAIRPERSON  
BUDGET, FINANCE, AND CAPITAL COMMITTEE

FROM: JOE MAREANE  
DAVID SQUIRES

DATE: AUGUST 11, 2009

RE: ADDRESSING 2009 BUDGET CHALLENGES

The continued erosion of sales tax revenue, the prospect of a deficit in the Assigned Counsel program, and the emergence of shortfalls in various human service programs has resulted a projected 2009 budget shortfall that is \$1.2 million greater than anticipated in earlier projections.

We have reviewed the County's overall finances and conclude that--based on current conditions--the 2009 budget can remain in balance without additional revenues or program eliminations provided that policy and accounting actions are taken in a timely manner.

**Our budget projection is based on a review of the largest sources of variable revenues and expenses. The basic pluses and minuses among those major items are as follows:**

<u>Expected Shortfalls</u>		<u>Available Resources</u>	
Sales Tax	(2,000,000)	FMAP (Federal Stimulus/Medicaid)	1,759,000
State Aid-Variou Depts	(630,000)	DSS Settled State Claim	875,000
DSS programs	(520,000)	Contingency Fund	500,000
Assigned Counsel	(225,000)	Personnel-Related Savings	800,000
Interest Earnings	<u>(200,000)</u>	Tobacco Revenue	<u>90,000</u>
Total Shortfall	(3,575,000)	Total Available Resources	4,024,000
Net Balance			449,000

Beginning with the August 10 meeting of the Budget, Capital and Finance Committee, we will be bringing transfers to the Legislature to align resources with need. There will be several initial transfers to shift existing, single-source available resources. There will also be subsequent transfers and year-end adjustments to allocate additional resources and to undertake more complex, multi-source transfers (e.g., transferring salary savings from various departments.)

A specific list of recommended initial transfers is attached.

To serve as buffer against additional changes in the County's 2009 financial status, we are recommending the following short-term policy directives that will continue through 2009 and, in the absence of additional legislative action, expire on December 31, 2009.

1. A flexible freeze on hiring, with only the most essential positions filled;

2. A flexible freeze on equipment purchases in excess of \$2,000, with all such purchases reviewed by Finance and authorized by Administration;
3. A one-year suspension of the rollover policy that would allocate personnel-related savings generated in 2009 to the general County as a means of offsetting projected 2009 deficits rather than being retained by the department's as a roll-over resource;

Additional Recommendation: The County needs to begin immediate discussions with its State Legislative Delegation, and work with other counties through NYSAC, to secure a waiver of the State's Maintenance of Effort (MOE) rule governing Indigent Legal Defense Fund aid and, ultimately, a permanent elimination of the MOE rule.

CC: Budget, Capital and Finance Committee

2009 Budget Shortfall

Recommended Budget Actions to Offset Anticipated State Aid Shortfall				Anticipated Reduction
Department Name	Units	Account	Program Title	
Assessment Department	1355	43089	Annual Reassessment	\$ (23,500)
Department of Social Services	6123	43623	Secure and Non-Secure Detention	\$ (25,000)
Mental Health	4331	43495	Cayuga Addiction Recovery Services (CARS)	\$ (65,000)
Mental Health	4312	41607	Continuing Day Treatment Program	\$ (30,000)
Mental Health	4310	43485	Reduction by 1% from OASAS	\$ (3,321)
Mental Health	4310	43499	Reduction by 1% from Office of Mental Health	\$ (23,668)
Mental Health	4310	43493	Reduction by 1% from OMRDD	\$ (10,521)
Mental Health	4331	43495	Cayuga Addiction Recovery Services (CARS)	\$ (49,000)
Mental Health	4331	43495	Cayuga Addiction Recovery Services (CARS)	\$ (21,000)
Office for the Aging	6777	43803	Transportation	\$ (5,395)
Office for the Aging	6780	43803	Expanded In-Home Services for the Elderly Program (EISEP)	\$ (4,180)
Office for the Aging	6794	43803	OMRDD Grant	\$ (2,643)
Office for the Aging	6777	43803	Performance Outcomes Measurement Project	\$ (2,591)
Office for the Aging	6793	43803	Health Insurance Information, Counseling, and Assistance Program	\$ (882)
Office for the Aging	6777	43803	Community Services for the Elderly	\$ (638)
Office for the Aging	6771	43803	Long Term Care Ombudsman Program	\$ 1,361
Office for the Aging	6774	43803	Supplemental Nutrition Assistance Program	\$ 2,436
Office for the Aging	6790	43803	Long Term Care Insurance Education and Outreach Program	\$ (3,137)
Probation and Community Justice	3141	43310	Alternatives to Incarceration	\$ (14,736)
Probation and Community Justice	3160	43310	ATI Initiatives	\$ (4,387)
Probation and Community Justice	3140	43310	Planning & Coordination	\$ (3,452)
Probation and Community Justice	3142	43310	Probation Intake/Investigation	\$ (22,719)
Probation and Community Justice	3142	43310	Probation Intake/Investigation	\$ 22,083
Probation and Community Justice	3142	42770	Probation Intake/Investigation	\$ (161,466)
Sheriff's Office	3150	43390	State Ready Reimbursement	\$ (120,000)
Youth Services Dept.	7028	43820	City Youth Bureau	\$ (8,552)
Youth Services Dept.	7029	43820	IYB Special Delinquency Prevention Program (SDPP)	\$ (363)
Youth Services Dept.	7020	43820	Planning and Coordination	\$ (8,708)
Youth Services Dept.	7022	43820	Youth Programs	\$ (16,428)
Youth Services Dept.	7023	43820	Youth Programs - SDPP	\$ (3,984)
DSS	6070		PYS (Prior Year Settlement) Services for Recipients	\$ 489,039
DSS	6010		PYS (Prior Year Settlement) Services for Recipients	\$ 107,820
				\$ -

Recommended Budget Actions to Offset Anticipated Sales Tax Shortfall

Unallocated Revenue	9999	41110	Sales Tax Shortfall	\$ (2,000,000)
FMAP				\$ 1,759,223
Personnel Related Savings				\$ 240,777
				\$ -

**2009 Budget Shortfall**

<b>Recommended Budget Actions to Offset Other Anticipated Shortfall</b>		
DSS	6010	Projected Shortfall
Unallocated Revenue	9999	Interest Earnings
Assigned Counsel	1171	Maintenance of Effort
Contingent Fund	1990	
PYS (Prior Year Settlement) Services for Recipients	54400	
Personnel Related Savings		
		\$ (520,000)
		\$ (200,000)
		\$ (225,000)
		\$ 334,031
		\$ 278,851
		\$ 332,118
		\$ -

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

Ms. Mackesey, Chair, reported the Committee met August 12<sup>th</sup> and discussed the 2010 tourism budget. The Committee reviewed the over-target request from the Agricultural and Farmland Protection Board. She said the Housing Oversight Committee is making progress. They approved their bylaws and revised the NOFA (Notice of Funding Availability). Ms. Mackesey commented that the Planning Department will not be submitting any over-target requests for their budget in 2010.

Ms. Kiefer asked about the availability of the minutes of the Housing Oversight Committee. Ms. Mackesey said she will make sure all Legislators receive them.

**RESOLUTION NO. 146 - SUPPORT FOR STATE LEGISLATION AUTHORIZING MUNICIPALITIES TO ESTABLISH GREEN LOAN PROGRAMS TO PROVIDE FINANCING TO RESIDENTIAL AND COMMERCIAL PROPERTY OWNERS FOR ENERGY EFFICIENCY AND RENEWABLE ENERGY IMPROVEMENTS**

MOVED by Ms. Mackesey, seconded by Mr. Burbank. A voice vote resulted as follows: Ayes – 13, Noes – 1 (Legislator Hattery), Excused – 1 (Legislator Herrera). RESOLUTION ADOPTED.

WHEREAS, in 2008, the Tompkins County Legislature adopted the Energy and Greenhouse Gas Emissions element as an amendment to the Tompkins County Comprehensive Plan, and

WHEREAS, the Energy and Greenhouse Gas Emissions element set in motion a multi-faceted plan for the Tompkins County community to reduce energy demand, improve energy efficiency, make the transition to renewable sources of energy and reduce greenhouse gas emissions in the County by at least two percent of the 2008 level for each of the next forty years, achieving at least an eighty percent reduction in greenhouse gas emissions by the year 2050, and

WHEREAS, the element contains action items to help achieve energy and greenhouse gas emissions goals, including an action to investigate the feasibility of developing low-interest financing mechanisms to improve the payback for energy-efficiency investments made by homeowners, landlords, and businesses, and

WHEREAS, upon investigating financing mechanisms to reduce the payback periods on energy efficiency and renewable energy improvements for homeowners, businesses, and landlords, the Planning Department found that State legislation would be required to allow municipalities to establish green loan financing programs that could be paid in conjunction with other municipal real property taxes and would be imposed at an annual rate equal to the annual energy savings to the owner of the real property as a result of the energy-efficiency improvements performed with the proceeds of the financing, and

WHEREAS, similar programs have been very successful in places such as Berkeley, California and Babylon, New York, but are not easily replicable for municipalities in New York State without creating complex authorities or requesting special authorization from the New York State Legislature, and

WHEREAS, the New York State Legislature is considering bills in the Assembly and Senate (currently A7611-B Englebright, same as S4954-B Thompson) to amend New York State General Municipal Law to allow counties, as well as cities, towns and villages, to provide financing for green loan programs for improvements to buildings to implement energy efficiency measures and reduce greenhouse gas emissions, and

WHEREAS, Tompkins County and its community members will need many different strategies to achieve their emissions-reductions targets while at the same time reducing energy costs and improving comfort for homeowners, renters, and businesses, and low-cost financing options are key to making progress in these sectors, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature hereby requests the State of New York to adopt

legislation amending General Municipal Law to authorize counties, as well as towns, cities, and villages, to establish green loan programs to provide financing to residential and commercial property owners for energy-efficiency and renewable energy improvements,

RESOLVED, further, That the Clerk of the Legislature is authorized to forward this resolution in support of amending General Municipal Law to Governor David A. Paterson; Senate Temporary President, Malcolm Smith; Senate Majority Leader Pedro Espada, Jr.; Senate Minority Leader Dean Skelos; Senator George Winner; Senator James Seward; Senator Michael Nozzolio; Assembly Speaker Sheldon Silver; Assembly Minority Leader James Tedisco; Assemblywoman Barbara Lifton; and the New York State Association of Counties.

**SEQR ACTION – TYPE II-20**

\* \* \* \* \*

**RESOLUTION NO. 147 - AUTHORIZING SUBMISSION OF A COORDINATED GRANT APPLICATION TO THE NEW YORK STATE ENVIRONMENTAL PROTECTION FUND 2009-2010 LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) FOR A CAYUGA LAKE BLUEWAY TRAIL PLAN, IN PARTNERSHIP AND COORDINATION WITH CAYUGA COUNTY AND SENECA COUNTY**

MOVED by Ms. Mackesey, seconded by Ms. Chock. Ms. Chock spoke in support of the resolution and believes Cayuga Lake is a wonderful resource in Tompkins County and that this will provide information on areas to enhance public access.

In response to a question by Ms. Chock concerning the County's role, Mr. Marx explained the County's match for this will be through in-kind staff efforts from each of three counties. In Tompkins County it is likely Planning Department staff will take the lead role with the GIS work and also work on the inventory and outreach efforts. It is intended to be a two-year project and the time put into it will be divided over those two years. The Cayuga Lake Water Trail is included in the Department's work plan this year, as the Planning Advisory Board believed this was an important initiative.

Mr. Proto believes lake access is important, but is opposed to the resolution and voted against it at the Committee level. In the 2010 proposed budget, it is being proposed that staff support be reduced for many advisory boards because of budgetary constraints. At the Committee meeting, it was also stated that "perhaps" some of the staff time for this will come from staff person responsible for overseeing the Flood Hazard Program. He expressed concern with that because of the need for that program. He also expressed concern that this is a new initiative, although worthwhile, and that it is premature as the Legislature is about to begin the budget process.

Mr. Marx said Cayuga County has passed a resolution and Seneca County will be considering their resolution later this week. The impacts projected in the budget on advisory boards would not affect any of the funding received from State sources, and staff support will continue for advisory boards in a way that allows them to function as required by State law or to bring funds into the community. As a Planning Department, it needs to be looking forward and taking on new projects. This has been a priority of the Water Resources Council's Recreation Committee, Strategic Tourism Planning Board, and the Planning Advisory Board.

In response a question by Ms. Robertson, Mr. Marx said the State money would be for consultant services to put together the plan.

In response to Mr. Sigler's questions, this proposal is staff time only, there are no out-of-pocket expenses.

Ms. Kiefer said she is a member of the Water Resources Council's Recreation Committee and said a similar project was taken up by that group several years ago, with OPRHP encouragement, but it was difficult to pursue, as we recognized the risks to human-powered craft in sudden weather changes. She supports the concept but has some reservations, and believes the other two counties will benefit since the concept is more appropriate for the northern part of the lake.

Mr. Stevenson said he generally supports the resolution, but does have a concern with the Flood Hazard Mitigation as he hears regularly from constituents about that issue. Mr. Marx said he does not anticipate any impact on the Flood Hazard Mitigation program or any other primary activity handled by the Department. The grant has not been awarded yet and staff assignments have not been made.

It was MOVED by Mr. Proto, seconded by Mr. Burbank, to postpone the resolution until September 15<sup>th</sup>. Ms. Robertson noted the grant application is due September 14<sup>th</sup>.

A voice vote resulted as follows to postpone: Ayes – 4 (Legislators Burbank, Hattery, Proto, and Randall); Noes – 10; Excused – 1 (Legislator Herrera). MOTION TO POSTPONE FAILED.

A voice vote resulted as follows on the resolution: Ayes – 9 (Legislators Chock, Dennis, Koplinka-Loehr, Mackesey, McBean-Clairborne, Robertson, Shinagawa, Sigler, and Stevenson); Noes – 5 (Legislators Burbank, Hattery, Kiefer, Proto, and Randall); Excused – 1 (Legislator Herrera). RESOLUTION ADOPTED.

WHEREAS, Blueways are small boat and paddling routes that combine recreation and environmental awareness and allow users to travel to and between designated stops that link New York's heritage trails and sites, greenways, historic resources, scenic by-ways, and revitalized community centers, and

WHEREAS, a Blueway Trail that can be a catalyst for local economic development, and intermunicipal Blueway Corridors can contribute to regional economies, and

WHEREAS, the Tompkins County Comprehensive Plan includes a policy to "Promote appropriate development of waterfront lands for water-dependent or water-enhanced uses including enhancing public access to Cayuga Lake," and

WHEREAS, the Long-Range Tompkins County Strategic Tourism Plan (2005) identified the need for enhanced access to, promotion, and use of Cayuga Lake's resource, and

WHEREAS, Tompkins County has cooperated with Seneca County and Cayuga County to create the Cayuga Lake Scenic By-way, which provides a tourism route that encircles the lake by land, and

WHEREAS, Cayuga Lake is part of the Federally designated Erie Canalway National Heritage Corridor, which promotes water trails as part of the tourism, recreation, and historic attraction of the corridor, and

WHEREAS, a Cayuga Lake Blueway Trail will enhance the lake's tourism potential by providing a designated water trail to complement the Cayuga Lake Scenic Byway and by strengthening Cayuga Lake's place within the Erie Canalway National Heritage Corridor, and

WHEREAS, the New York State Environmental Protection Fund (EPF) 2009-2010 Local Waterfront Revitalization Program (LWRP) is soliciting grant applications specifically for intermunicipal plans for creation of Blueway Trails that requires a fifty percent matching contribution by participating localities, and

WHEREAS, the Tompkins County Planning Department has established a partnership with the Cayuga County and Seneca County Planning Departments to coordinate the development and submittal of a joint funding application to the 2009-2010 LWRP Grant Program for creating a Cayuga Lake Blueway Trail Plan, and

WHEREAS, the due date for submission of grant applications is September 14, 2009, and requires commitment resolutions from each municipality with each providing up to \$20,000.00 of in-kind staff services as the required match over the two-year planning period, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature hereby authorizes the Planning Department to participate in the preparation and submittal of a coordinated Grant Application to the New York State Environmental Protection Fund 2009-2010 Local Waterfront Revitalization Program for the Cayuga lake Blueway Trail, including a commitment of up to \$20,000.00 in staff in-kind services over two years, in partnership with Cayuga and Seneca Counties,

RESOLVED, further, That the County Administrator or his designee is hereby authorized and directed to execute any required application materials or documents necessary for the submission of the grant application and/or execution of contracts upon a grant award for the Cayuga Lake Blueway Trail project,

RESOLVED, further, That this resolution shall take effect upon adoption of concurrent resolutions by Cayuga and Seneca Counties.

**SEQR ACTION:** TYPE II-20

\* \* \* \* \*

**RESOLUTION NO. 148 - URGING THE FEDERAL GOVERNMENT TO IMPLEMENT IMMEDIATE ACTIONS TO HELP RELIEVE THE CURRENT FISCAL CRISIS FOR DAIRY FARMERS**

MOVED by Ms. Mackesey, seconded by Mr. Proto. It was MOVED by Ms. Kiefer, seconded by Mr. Burbank, to offer the substitute resolution below. Mr. Burbank said he is uncomfortable endorsing programs he is not familiar with and believes the language in the substitute resolution is more general and supports it. Mr. Proto clarified that some of the bulleted statements in the original resolution came from the Federal bill and some of the efforts Senator Schumer is proposing. He suggested the original resolution be approved. Mr. Hattery commented that he has a number of dairy farms in his district and understands it is a very serious problem. He said he had a conversation with an individual who is very familiar with State and Federal initiatives and the dairy policy situation, and his response was that each of the items are on target and are well stated. He also stated that he supports the original resolution. Ms. Chock said she researched this topic as well and spoke of the importance in supporting dairy farmers. Ms. Mackesey also spoke of the importance in supporting dairy farmers and that she supports the original resolution.

A voice vote resulted as follows: Ayes – 4 (Legislators Burbank, Kiefer, Koplinka-Loehr, and Shinagawa); Noes – 10; Excused – 1 (Legislator Herrera). MOTION TO SUBSTITUTE FAILED.

**RESOLUTION NO. URGING THE FEDERAL GOVERNMENT TO IMPLEMENT IMMEDIATE ACTIONS TO HELP RELIEVE THE CURRENT DAIRY FISCAL CRISIS FOR DAIRY FARMERS**

WHEREAS, Tompkins County is very concerned about the current ~~dairy~~ fiscal crisis **for dairy farmers**, and

WHEREAS, Tompkins County recognizes that the following measures are needed to help to provide some relief from the economic challenges facing New York State's dairy farmers and to preserve local dairy production – ensuring the availability of fresh, safe, high-quality, nutritious, and affordable milk and dairy products, and

WHEREAS, Tompkins County knows that dairy producers are struggling to meet their financial commitments because of historically low milk prices coupled with erratically high energy, feed and fertilizer costs, and

WHEREAS, Tompkins County knows that the bleak economic climate has softened demand for dairy products in both domestic and foreign markets, creating a surplus of dairy products in the marketplace, thereby driving down dairy commodity prices even further, and

WHEREAS, Tompkins County realizes that many well-run **and organic** dairy farms will not be able to continue in business in this fiscal climate unless immediate, decisive, meaningful government action is taken, and

WHEREAS, Tompkins County recognizes that ~~the following~~ **specific** measures are needed **right away** to help maintain the **dairy portion of the** economic backbone of New York's rural communities and agricultural infrastructure, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, **That measures such as temporary increased milk price supports, purchase for Women, Infant, and Children (WIC) and other nutrition programs that received large increases in Federal Stimulus Funding, and full utilization of the Food for Peace Program be implemented as soon as possible, ~~the following measures be implemented as soon as possible:~~**

- ~~Provide immediate, additional funding for increased payments to dairy farmers from the Milk Income Loss Contract (MILC) program;~~
- ~~Urge the United States Department of Agriculture (USDA) to move dairy commodities off the domestic market as quickly as possible by fully utilizing the Dairy Export Incentive Program (DEIP) and the Food for Peace Program;~~
- ~~Urge the USDA to take immediate administrative action to increase temporarily the product price levels in the Dairy Product Price Support Program (DPPSP);~~
- ~~Urge the USDA to make immediate dairy product purchases for the Special Supplemental Nutrition Program for Women, Infants & Children (WIC) and other nutrition programs which received large increases in funding from the Federal stimulus package;~~

RESOLVED, further, That we recognize that this is only short-term assistance and urge the USDA to implement long-range policies to preserve the ability of all Americans to purchase healthful local food and ~~will to~~ address the changes in agricultural purchasing patterns,

RESOLVED, further, That the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to President Barack Obama, United States Senators Charles Schumer and Kirsten Gillibrand, United States Congressmen Maurice Hinchey and Michael Arcuri, all the counties of New York State, New York State Association of Counties, Inter-County Association of Western New York, and all others deemed appropriate and necessary.

**SEQR ACTION – TYPE II-20**

\* \* \* \* \*

Ms. Kiefer stated for the record that she believes something needs to be done to seriously change the way the dairy industry is supported nationwide; however, she will vote against the resolution as she is uncomfortable with the details.

Mr. Dennis said he has had recent conversations with dairy farmers and they are receiving the same price for milk as they were in the 1970's. He urged support of the resolution.

In response to a Mrs. McBean-Clairborne's request for an explanation of the second and third bullet below, Ms. Chock explained there is more dairy product on the market than what is being sold. This is a move to enhance the ways in which the product will be bought.

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

WHEREAS, Tompkins County is very concerned about the current dairy fiscal crisis, and

WHEREAS, Tompkins County recognizes that the following measures are needed to help to provide some relief from the economic challenges facing New York State's dairy farmers and to preserve local dairy production – ensuring the availability of fresh, safe, high-quality, nutritious, and affordable milk and dairy products, and

WHEREAS, Tompkins County knows that dairy producers are struggling to meet their financial commitments because of historically low milk prices coupled with erratically high energy, feed and fertilizer costs, and

WHEREAS, Tompkins County knows that the bleak economic climate has softened demand for dairy products in both domestic and foreign markets, creating a surplus of dairy products in the marketplace, thereby driving down dairy commodity prices even further, and

WHEREAS, Tompkins County realizes that many well-run and organic dairy farms will not be able to continue in business in this fiscal climate unless immediate, decisive, meaningful government action is taken, and

WHEREAS, Tompkins County recognizes that specific measures are needed right away to help maintain the dairy portion of the economic backbone of New York's rural communities and agricultural infrastructure, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the following measures be implemented as soon as possible:

- Provide immediate, additional funding for increased payments to dairy farmers from the Milk Income Loss Contract (MILC) program;
- Urge the United States Department of Agriculture (USDA) to move dairy commodities off the domestic market as quickly as possible by fully utilizing the Dairy Export Incentive Program (DEIP) and the Food for Peace Program;
- Urge the USDA to take immediate administrative action to increase temporarily the product price levels in the Dairy Product Price Support Program (DPPSP);
- Urge the USDA to make immediate dairy product purchases for the Special Supplemental Nutrition Program for Women, Infants & Children (WIC) and other nutrition programs which received large increases in funding from the Federal stimulus package,

RESOLVED, further, That we recognize that this is only short-term assistance and urge the USDA to implement long-range policies to preserve the ability of all Americans to purchase healthful local food and to address the changes in agricultural purchasing patterns,

RESOLVED, further, That the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to President Barack Obama, United States Senators Charles Schumer and Kirsten Gillibrand, United States Congressmen Maurice Hinchey and Michael Arcuri, all the counties of New York State, New York State Association of Counties, Inter-County Association of Western New York, and all others deemed appropriate and necessary.

**SEQR ACTION – TYPE II-20**

\* \* \* \* \*

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

Ms. Robertson, Chair, said the Committee met yesterday and reviewed statistical information regarding the jail population; board outs in July were 7.5 on average. The Committee discussed the alternatives to incarceration report being done by Deana Bodnar of the Department of Social Services. Ms. Bodnar provided a timeline and requested feedback from Legislators. Ms. Dietrich of OAR (Opportunities, Alternatives, and Resources) provided a report on bail funds and a concern was raised about "bail inflation". A brief report about housing for ex-offenders was provided, and that continues to be a problem. The Committee also heard a report about the public-access defibrillator program; it continues to move forward and a follow-up report is expected in October. Next month, the Committee will discuss a local law concerning the landline surcharge. The next Committee meeting is September 21<sup>st</sup>.

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

Mrs. McBean-Clairborne, Chair, said she did not have a report. However, interviews are underway for a project assistant. There were eight applications submitted and four interviews are being conducted.

**Report from the Legislative Rules and Procedures Committee**

Ms. Kiefer, Chair, said the Committee has completed its review of Rule XVII – Acquiring and Disclosing Information and this will be presented to the Legislature at the next meeting for consideration. Copies of the Rule with the proposed changes were distributed.

**Report from the Health and Human Services Committee**

Mr. Proto, Chair, highlighted reports from the last Committee meeting. Ms. Cole, Public Health Director, updated the Committee on the status of the H1N1 flu vaccine and reviewed the guidelines. Mr. Proto reported that Lakeside Nursing Home is complying with the court order timetable and there is no danger of the facility closing. Departments reporting to the Committee including the Human Services Coalition provided updates on the status of their budgets. The next Committee meeting is September 8<sup>th</sup>.

Mr. Dennis asked what the next steps are for the resolution concerning the rural feeder program that was withdrawn earlier in the meeting. Mr. Proto said there are several items that need to be addressed that were raised by the executive committee of TCAT. As soon as a response and clarification is received concerning the question about the STOA funding and approval by the three entities: Tompkins County, City of Ithaca, and Cornell University. He believes it will be coming forward by the end of September.

**Report from the Facilities and Infrastructure Committee**

Mrs. McBean-Clairborne, Chair, said the Committee will meeting this Thursday. Ms. Kiefer will be chairing the meeting and one of the topics to be discussed is the new Federal Aviation Administration (FAA) regulations for aircraft rescue and firefighting rules.

**Report from the Government Performance and Workforce Relations Committee**

Mr. Shinagawa, Chair, said most of the Committee's business will be reflected on the next Legislature's agenda. The Committee heard a presentation from Lawson Software, Inc., and approved a resolution to authorize a contract for the human resources and payroll project. The Committee also reviewed and approved several Administrative Manual Policy revisionses that will be coming forward at the next Legislature meeting.

**Approval of Minutes**

It was MOVED by Ms. Robertson, seconded by Mr. Proto, and unanimously adopted by voice vote by members present, to approve the minutes of June 16 and July 21 meetings as submitted. MINUTES APPROVED.

**Recess**

Mr. Koplinka-Loehr declared recess at 7:55 p.m. The meeting reconvened at 8:02 p.m.

**Executive Session**

It was MOVED by Mr. Dennis, seconded by Ms. Robertson, to hold an executive session to discuss personnel matters. A voice vote resulted as follows: Ayes – 13, Noes – 1 (Legislator Sigler), Excused – 1 (Legislator Herrera). An executive session was held at 8:02 p.m. and returned to open session at 9:00 p.m.

Tompkins County Legislature  
August 18, 2009

**Adjournment**

The meeting adjourned at 9:00 p.m.