

AGENDA
Tompkins County Council of Governments
Thursday, January 22, 2015 - 3:00 PM
Scott Heyman Conference Room, 125 East Court Street, Ithaca, NY

- I. Call to Order** Ann Rider
- II. Greeting/Sign In/Review Agenda (3:05)**
- III. Minutes Approval**
- a. October 23, 2014
 - b. November 20, 2014
 - c. December 18, 2014
- IV. Shared Services (3:10)**
- a. Report from Subcommittee
 - b. **Resolution:** Recommending a Citizen's Panel Undertake a Study of the Town and Village Court System within Tompkins County for the Purpose of Assessing Potential Organizational Realignment that May Result in Cost of Qualitative Improvements
- V. Presentation on Domestic Violence Information by the Advocacy Center (3:20)** Heather Campbell
Liz Brundige
- a. **RESOLUTION:** DRAFT Resolution of the Tompkins County Council of Governments Department Freedom from Domestic Violence as a Human Right (ID # 5348)
- VI. Report from Sustainability Committee (3:30)** Irene Weiser
- VII. Discussion of TCCOG Potential Funding Requests in 2015 (3:50)**
- VIII. Assisting TCCOG with State Issues (4:00)** Charlie Kruzansky
- IX. Elect 2015 Leadership (4:20)**
- X. Next Meeting Agenda Items (4:25)**
- a. 2015 Annual Equity Maintenance Program (Jay Franklin)
 - b. Principle secure investment of municipal funds (Don Barber)
- XI. Adjournment**

Tompkins County Council of Governments
 Regular Meeting Minutes
Thursday, October 23, 2014 3:00 PM
 Scott Heyman Conference Room

Attendance

Attendee Name	Title	Status	Arrived
Michael Lane	Member, Tompkins County	Present	
Herb Engman	Member - Town of Ithaca	Present	
Ruth Hopkins	Alternate, Town of Lansing	Present	
Ric Dietrich	Member, Town of Danby	Present	
Marty Petrovic	Member, Village of Trumansburg	Present	
Ann Rider	Co-Chair, Town of Enfield	Present	
Kate Supron	Co-Chair, Village of Cayuga Heights	Present	
Kelly Smith	Member, Town of Groton	Present	
J.R. Clairborne	Vice Chair, City of Ithaca	Present	
Elizabeth Thomas	Member - Town of Ulysses	Present	3:10 PM
Chuck Rankin	Member - Alternate, Village of Groton	Present	
Svante Myrick	Member, City of Ithaca	Present	
Bill Goodman	Member - Alternate, Town of Ithaca	Present	
Joe Mareane	Tompkins County Administrator	Present	
Marcia Lynch	Public Info. Officer, County Administration	Present	
Michelle Pottorff	Minute Taker, Legislature Office	Present	
Joan Jurkowich	Planning Administrator	Present	
Thomas Knipe	Tourism Coordinator	Present	
Seth Murtagh	TCAT Board Member	Present	
Frank Proto	TCAT Board Member	Present	
Julie Holcomb	City of Ithaca Clerk	Present	
Krys Cail	Sustainability Committee	Present	
Richard Adie	Chair, Strategic Tourism Planning Board	Present	
Donald Hartill	Member, Village of Lansing	Present	4:00 PM
Daniel Klein	Legislator	Remote	

Media: K. Blakinger

Municipalities not Present: Village of Freeville, Village of Dryden, Town of Dryden, Town of Caroline, Town of Newfield, Village of Lansing

Call to Order

Ms. Rider called the meeting to order at 3:03 p.m.

Greeting/Sign In/Review Agenda

There were no changes to the agenda.

Minutes Approval

9/25/2014 Minutes

Minutes Acceptance: Minutes of Oct 23, 2014 3:00 PM (Minutes Approval)

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RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Ric Dietrich, Member, Town of Danby
SECONDER:	Kate Supron, Co-Chair, Village of Cayuga Heights
AYES:	Lane, Engman, Hopkins, Dietrich, Petrovic, Rider, Supron, Smith, Thomas, Rankin, Myrick

Report from TCAT Executive Committee

Mr. Clairborne said based on discussion at the last meeting TCAT Board members were invited to update members on TCAT and to address concerns that have been raised.

Mr. Proto said TCAT has not yet adopted a budget for the coming year. He explained the City, County and Cornell contribution to TCAT and said each equally contributes \$830,000 to sustain the public transportation system. Other funding sources are the State and Federal governments and the riders. In addition, Cornell pays a bulk rate for passes for staff and students and what they hope will now be based on a formula. They are getting 71% of the service and for the last several years have not been paying a comparable amount and have been approximately \$500,000 short. He said TCAT has been successful in negotiating with Cornell leadership; they agreed with the numbers and have agreed to a new formula. Because of the way their budget cycle runs, each July beginning in 2015 Cornell will be paying an incremental increase until they cover the shortfall which will take until 2018. This will provide TCAT with an additional \$1 million and the effect of the increase will be an amount going from \$2.6 million up to \$3.6 million. Mr. Proto said Cornell has been very cooperative and they will also be working on developing a Memorandum of Understanding (MOU) to avoid this from happening in the future. It was noted this does not include their equal share they contribute along with the City and the County.

Ms. Thomas arrived at this time.

Mr. Proto spoke of the condition of the older fleet of busses and the high cost of maintenance and replacement. He said it costs \$440,000 to replace a bus. They will also be approaching federal representatives to assist with funding because over the years federal transportation monies have gone away. They will be putting a team together and will be asking Mayor Myrick to participate in this as well.

In the last four years Tompkins County has reached 4 million riders which shows efforts to get people to ride the bus have been successful but those busses need to be maintained and replaced.

Mr. Murtagh stated the MOU with Cornell will be a critical piece because the problem that existed before was that as ridership increases there was nothing tying the fiscal payment. They hope to come up with a formula that will tie ridership directly to Cornell's payment. Ms. Supron asked if there has been an increase in the non-Cornell ridership which is 30% of the ridership. Mr. Proto said there has been an increase but you have to be careful that you don't reach a point with the fares that will cause ridership will decline.

Mr. Proto said the budget for TCAT is \$14 million of which \$4 million is from ridership. Another funding stream comes from STOA (State Transit Operating Assistant) and is based on a formula that combines the number of miles traveled times the ridership. For the next fiscal year the State may be changing the STOA formula and it is unknown at this time what the effect of that will be.

Mr. Lane questioned how TCAT plans to address the loss of bus service in adjoining counties. Mr. Proto explained the State no longer supports public transportation through Medicaid funds and Tioga and Cortland Counties do not contribute to the public bus systems. He said they are looking at funding

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options for an additional van but stated the cost of that is very high. There have been discussions of developing a regional transportation system; they have explored setting up park and ride programs; however, in the past people felt that as long as they were in their cars they would just continue to Cornell. In many cases one parking space was purchased and people ended up carpooling. This is an issue that will continue to be discussed by the TCAT Board. Mr. Lane said the County is willing to work on this as well.

Mr. Clairborne asked if a municipality were to contribute to TCAT if that would provide an opportunity for input on where a bus stop would go, have input on the process for altering a fixed schedule, or have a seat on the TCAT Board. Ms. Supron said members have felt that there has been a barrier and haven't had a way to productively communicate and interact with TCAT.

Mr. Proto said if anyone has a suggestion they can contact Joe Turcotte, Doug Swartz, or Nancy Oltz at TCAT. Mr. Murtagh said TCAT has a Transit Committee that addresses concerns that come in from municipalities; this Committee is Chaired by David Howe.

Ms. Thomas questioned if towns and other municipalities contributed to TCAT funding TCCOG would be provided a with a seat on the TCAT Board. Mr. Myrick said if more funders came to the table it would make sense to him to change the composition of the TCAT Board; he cautioned; however, that the City although it has three seats on the Board does not always get what they want as decisions are made based on what is best on the system or the routes and this can sometimes be frustrating. Ms. Supron said one vote doesn't change anything but brings a different perspective to the table.

Mr. Proto said TCAT also has a Citizens Advisory Committee that is comprised of 20-22 members. Patty Poist is the contact person for that Committee.

It was suggested that a meeting be set up between TCAT Board members and TCCOG members. Mr. Clairborne will work with Ms. Pottorff to solicit interest by TCCOG members to meet with TCAT.

Reports from the Tompkins County Planning Department

Presentation of Comprehensive Plan (ID # 5151)

Ms. Jurkowich provided members with an update on the public outreach efforts for the draft Tompkins County Comprehensive Plan and asked that members provide comments and feedback to her on the Plan. She said comments that have been received to date have been incorporated into the draft Plan. The Legislature will take action to approve the Plan in February 2015.

Ms. Rider spoke highly of the presentation given to the Town of Enfield and said although there was very little public comment the Board members were very appreciative.

Ms. Jurkowich said there was not a large number of public who attended the individual outreach sessions; there will be about 50 in total throughout the County and many of the participants she hasn't seen before which means they are not hearing from the same people and this may be attributed to the drop-in format of the sessions.

Mr. Dietrich said there is cross fertilization with water issues and storm water regulations and asked if at some point there would be an opportunity to have a meeting among municipalities to discuss getting an understanding of how some of the groundwater protection laws might be able to be worked on collectively as opposed to individually and how that might affect the overall interaction with stormwater regulations.

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Ms. Jurkowich said the Plan identified three important things to do in the water resources area: to address where land and water meet in a way that affects water quality and that includes aquifer recharge areas, stream corridors to create a buffer to help strain water before it hits the creeks, and wetlands. She thinks it would be a good idea for municipalities to get together to address these things and water quality in the County.

Mr. Engman said he appreciates the addition of the Sustainability section and attention the Plan gives to Climate Protection. He was surprised by the projection for new jobs in the area and the lack of a workforce to fill those jobs. He said in the future there may be an influx of people looking for those jobs which could lead to housing, transportation, and traffic problems. Ms. Jurkowich noted the Healthy Communities section is also a new addition to the Plan.

* * * * *

Report on Airbnb (ID # 5190)

Mr. Knipe provided a presentation on Air BnB's which is a new nationwide phenomenon. He said there are over 200 Tompkins County residents who are Air BnB hosts and this is the equivalent of a new 50-room unregulated hotel. Last year an analysis was done for Tompkins County and showed a revenue estimate of \$1.5 million. It is big in Tompkins County because there is a high room rate here and a high weekend demand. He spoke of Room Tax funds and the programs that are used to support and although there are lost Room Tax funds the larger issue is a fairness and compliance issue.

Mr. Knipe outlined areas that are being focused on to address the issue: information, direct outreach, education, and enforcement. They are making it easier for people to learn about what is required with regard to Room Tax and are working with the Assessment Department and the Convention and Visitor's Bureau. He said the Greater Bed and Breakfast Association of Ithaca has approached them and asked what is going to be done about this by local governments. They have also agreed to help provide information to the community and they will be working with them. Ms. Supron said in addition to the revenue issue there is also a zoning issue. He said New York State Travel and Hospitality and Tourism Association has issued a statement that this issue will be on their State Legislative Policy Agenda for 2015. They have said they want all applicable taxes, code enforcement, and necessary insurance coverage to be enforced.

Mayor Myrick said although he shares some of the concerns, particularly with regard to regulations that in the right neighborhood this is a form of grassroots economic development and can be a good thing.

* * * * *

Update on Shared Services

Mr. Mareane reported the workgroup met yesterday. There were functional areas that were agreed to look at: Public Safety, collaborative buying, law enforcement, municipal courts (he shared information with TCCOG yesterday on findings and recommendations on this area), and shared administrative services. A few areas were identified on shared administrative services to focus on and the first meeting will be November 5th and the topic will be information technology.

Mr. Mareane said if anyone has input on the TC3 Supervisory Training it would be welcome.

Sustainability Committee Food Systems

Ms. Cail reported on a group that has been meeting to discuss an idea that has been popular that is circulating around the country on ways to look at the food system in a more holistic way. She said they are exploring whether having a food council would be good to have in this community. The basic idea is implemented differently in different places but is typically organized as an advisory committee. She

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stated that although it may be too late for inclusion in to the County's Comprehensive Plan the City is working on revising its Plan and it may be an opportunity for that. This is an opportunity to look at how food pantries has to do with how our local idea of how people are organized in terms of transportation.

Ms. Cail reviewed a list of values the group developed: foster helpfulness for all, be environmentally sound, sustainable, and more locally based, promote cooperation and interconnections, be inclusive at all levels, encourage empowerment and self determination, and emphasize fairness, equitable access, and the common food. A food policy organization itself should be inclusive, diverse and representative, be transparent and accountable, seek engagement and cooperation and interconnections, and be well-organized, practical, and effective.

She said Jeanne Lecese who previously worked for the Planning Department is now in a new position at the University of Buffalo doing nationwide research and is putting together information about food policy councils across the United States and advised them to go to government early on and let them know what is happening.

Members expressed support for this. It was suggested Ms. Cail reach out to the Community Foundation for possible grant opportunities. They will continue to use the Sustainability Committee as a point of contact.

Discussion of Taxi Cab Legislation

Ms. Holcomb said she attended a TCCOG meeting last year and said the City of Ithaca has a taxicab ordinance that is out of date and in need of being revised. At that time they thought it made more sense to reach out and take a regional approach because residents of other municipalities are experiencing problems as well. There was initial interest expressed at that time and a couple of meetings were held to talk about what is being done in other communities and they decided to hold a meeting with law enforcement personnel to find out what taxicab licensing entails and what enforcement is required before anyone commits any resources.

A meeting was held with the City Police and Sheriff Lansing and they learned about what current practices are and what frustrations exist with law enforcement and taxicab companies in terms of licensing. She noted the Sheriff has not had any involvement in the past with taxicab licensing. The Ithaca Police Department volunteered to take the lead on this if groups decided to join forces in terms of licensing and administration. She asked members if there is still interest in pursuing this by TCCOG. She said this needs to move forward because there are regulatory concerns and taxicab companies for the City of Ithaca have not had a rate increase in eight years but noted a surcharge was put in place so that they could add a charge for increased fuel costs. Ms. Holcomb said this will continue to become more important as bus service is reduced.

Ms. Supron asked if it is possible to have legislation that would cross municipal lines. Ms. Holcomb said this can be done with special New York State Legislation but the County that would need to apply and take the lead on it. If the County did not do this each municipality would have to adopt the same legislation and there would need to be coordination to ensure as amendments are adopted that they are adopted by all municipalities. She said she is hoping to have a Countywide map and a rate structure that is based on that. Ms. Thomas asked if the County would be willing to do this. Mr. Lane said the County referred this issue to TCCOG. He is not certain that a master regulation adopted by all municipalities would be too cumbersome and noted the current regulations haven't been changed in eight years. He said he cannot speak for the full Legislature but the County has never been involved in taxicab legislation and to move in this direction would be a major change, expense, and liability to the County. Ms. Holcomb said the City is willing to take on all of the licensing components; where she thinks they are falling short is in the area of enforcement and this would require assistance by the Sheriff.

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Ms. Supron was excused at this time.

Members expressed interest in continuing to pursue this issue on a regional basis. Ms. Holcomb said she or Council Member Murtagh would be willing to meet with County Legislators.

Gas Drilling

Spread of Fracking Waste on Roads in the County (ID # 5191)

Mr. Klein said he would like members to consider support of a resolution that would ban the spread of fracking waste on all roads in Tompkins County and also ban wastewater treatment facilities in Tompkins County from accepting fracking waste. There have been 14 counties in New York State that have banned or the other and nine counties that have banned both. He provided a copy of the Onondaga County Legislature as a template. He said he has had discussions with the Westchester County attorney and the Tompkins County Attorney and neither have expressed concern with the resolution. He asked that members take the resolution back to municipal boards and highway departments and speak with them to see if there are any concerns.

Mr. Engman said he spoke previously with the Department of Environmental Conservation about this and they had no concerns and was told there was no fracking waste being spread on roads in Tompkins County. Mr. Lane questioned if this ban would apply to the deep injection wells. Mr. Klein said he would have to look into this.

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Report from Cable Committee

Mr. Engman had no report.

Next Meeting Agenda Items

The TCCOG/CDRC training on “Facilitating Effective Participation in Public Meetings” will take place at 3:30 p.m. following a brief TCCOG meeting in November.

Adjournment

On motion the meeting adjourned at 4:55 p.m.

Minutes Acceptance: Minutes of Oct 23, 2014 3:00 PM (Minutes Approval)

Tompkins County Council of Governments
 Regular Meeting Minutes - DRAFT
Thursday, November 20, 2014 3:00 PM
 Scott Heyman Conference Room

Attendance

Attendee Name	Title	Status	Arrived
Kelly Smith	Member, Town of Groton	Present	
Ric Dietrich	Member, Town of Danby	Present	
Herb Engman	Member - Town of Ithaca	Present	
Bill Goodman	Member - Alternate, Town of Ithaca	Present	
Ann Rider	Co-Chair, Town of Enfield	Present	
Virginia Bryant	Town of Enfield	Present	
Don Barber	Town of Caroline	Present	
Irene Weiser	Member - Alternate, Town of Caroline	Present	
Marty Petrovic	Member, Village of Trumansburg	Present	
J.R. Clairborne	Vice Chair, City of Ithaca	Present	
Kate Supron	Co-Chair, Village of Cayuga Heights	Present	
Joe Mareane	Tompkins County Administrator	Present	
Michelle Pottorff	Minute Taker, Legislature Office	Present	

Guests: Paul Moore, Jeff Shepardson, CDRC; Keri Blakinger, News media

Call to Order

Ms. Supron, Co-Chair, called the meeting to order at 3:05 p.m.

Greeting/Sign In/Review Agenda

There were no changes to the agenda.

Minutes Approval

10/23/2014 Minutes

RESULT: DEFERRED DUE TO LACK OF QUORUM
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Update on Shared Services

Mr. Mareane reported the shared centralized administrative services efforts have gotten off the ground and a well-attended meeting was held on November 5th. There was discussion of whether there are opportunities for shared services in the information technology area and the possibility of a single operation. Those present did not think this would be the best direction in which to move and that there may be opportunities to share things such as software, expertise, and buying power. They will be following up by distributing a survey to TCCOG members about the current information technology environment and this will lead to further discussion. Mr. Mareane also reported on another shared services area - training and compliance on mandated policies. An agenda is being worked on and he expects a meeting will be held in the next couple of weeks.

Mr. Mareane noted that anyone interested is welcome to attend these meetings. The next functional area they looked at was municipal courts and if there are opportunities for savings and improved operations. He circulated a memorandum explaining the background and findings. He said municipalities within Tompkins County are now spending over \$1 million annually for their courts and

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this was an opportunity to ask whether those funds could be used to support a different model that would result in an improved level of service. The memo's conclusion stated the recommendations stray from the original mission of the shared services committee to explore other ways to save significant amounts of money. However, the exploratory work done for this task found a pervasive sense that the current State-imposed structure of the municipal justice courts may impact the level of consistency in dispensing justice by looking at different ways of organizing the system. Mr. Mareane said this is something that should take time and be done through an expert workgroup that is made up of people who are very familiar with the process and the system. The letter will be distributed to all members who are not in attendance.

Ms. Supron said she had a conversation with Dr. Jeffrey Matteson, Superintendent of the BOCES, and he was very interested in joining the shared services discussion and suggested having a roundtable discussion for school superintendents and municipal leaders. She asked whether members would be interested in having this sponsored by TCCOG or the shared services subcommittee. There was consensus in moving forward with TCCOG co-sponsoring this type of event.

Reserve Fund Update

The Committee reviewed the funds remaining in the Reserve fund of which the available balance is \$4,238 in unreserved funds. A contribution was not requested from members in 2012 or 2013; Ms. Supron asked if members felt there was a sufficient balance or whether municipalities should be asked for a contribution in 2015. Ms Weiser suggested there could be a use for funds to go towards educating builders and developers as to the kinds of buildings and energy efficiencies municipalities would like to see in the County. She said if there is interest a booklet could be developed that would be advisory about options and resources for developers. One topic where there could be a public education forum could be the pipeline issue.

Ms. Supron said she thinks this would be a different use of funds than TCCOG has used reserve funds for in the past and suggested having further discussion and it take place when more members are present. She said it may also be difficult for municipal boards to contribute to the reserve fund when there is already a balance in the fund. Mr. Engman suggested members bring ideas to the next meeting on what TCCOG may be asked to fund in the coming year. Mr. Dietrich would like to hear more information on Ms. Weiser's request.

It was agreed to discuss this further in January.

Next Meeting Agenda Items

The following items were suggested for inclusion on the next agendas:

- Discussion of what TCCOG may be asked to fund in the coming year (January);
- Request for consideration of a resolution relating to freedom from domestic violence as a human right (Discussion of the request at the December meeting and possible action at the January meeting);
- Shared services update;
- Trying to improve community access to solar energy and net metering (to be taken up and reported out by the Sustainability Subcommittee; and
- Leadership planning for 2015

Adjournment

On motion the meeting adjourned at 3:32 p.m.

Tompkins County Council of Governments
 Regular Meeting Minutes - DRAFT
Thursday, December 18, 2014 3:00 PM
 Scott Heyman Conference Room

Attendance

Attendee Name	Title	Status	Arrived	Excused
Elizabeth Thomas	Member - Town of Ulysses	Present		
Kate Supron	Co-Chair, Village of Cayuga Heights	Present		3:25 PM
Mary Ann Sumner	Member, Town of Dryden	Late	3:20 PM	
Irene Weiser	Member - Alternate, Town of Caroline	Present		
J.R. Clairborne	Vice Chair, City of Ithaca	Present		
Ann Rider	Co-Chair, Town of Enfield	Present		
Sharon Bowm	Alternate, Town of Lansing	Present	3:22 PM	
Joe Mareane	Tompkins County Administrator	Present		
Michelle Pottorff	Minute Taker, Legislature Office	Present		
Don Barber	Town of Caroline Supervisor	Present		

Municipalities Not in Attendance: Tompkins County, Towns of Danby, Groton, Ithaca and Newfield, Villages of Dryden, Freeville, Groton, Truimasburg, Lansing

Guests: Keri Blakinger, News Media; Jeff Shepardson, Community Dispute Resolution Center

Call to Order

Ms. Rider, Co-Chair, called the meeting to order at 3:05 p.m.

Greeting/Sign In/Review Agenda

There were no changes to the agenda.

Minutes Approval

10/23/2014 Minutes

RESULT:	DEFERRED
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11/20/2014 Minutes

RESULT:	DEFERRED
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Update on Shared Services

Mr. Maraene reported at the last meeting he brought forward the issue of the structuring of municipal courts and expects a resolution to be presented at the next meeting. He stated with regard to information technology, survey results have been received and staff is looking at where there may be possible areas to work on. Another area where there may be opportunities to share services is in training. He has asked Deb Prato, Tompkins County Commissioner of Personnel, to work with Schelley Michell Nunn, City of Ithaca Human Resources Manager, and Judy Drake, Town of Ithaca, Human Resources Director, to develop an agenda and facilitate a meeting within the next month that would include experts, practitioners, and stakeholders. Mr. Mareane said code compliance and policies are other areas that will also be looked at.

Minutes Acceptance: Minutes of Dec 18, 2014 3:00 PM (Minutes Approval)

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Ms. Supron reported that students from Cornell will be assisting the subcommittee in putting together a report on shared services and it will highlight what has been done historically in Tompkins County and will also include a look-back to 2012 as well as ideas moving forward. She said there has been discussion of whether this report will serve as the Governor's compliance requirement for each municipality. Municipalities will be able to draw upon what is in the report but will need to verify savings with each municipality's finance staff.

Overview of Request to take action on Resolution - Freedom from Domestic Violence as a Human Right

Ms. Rider said TCCOG received a request to take action on a resolution entitled "Declaring Freedom from Domestic Violence as a Human Right" and members have received copies of resolutions that have been adopted by individual municipalities. Ms. Supron said the Village of Cayuga Heights Board did not wish to take action on the resolution because members felt it was not something the Village was directly involved in. Instead, a Trustee will be bringing forward a resolution at the Board's January meeting supporting the resolution that the County adopted.

Ms. Sumner arrived at this time.

Mr. Clairborne said he has information that he will have circulated to all members.

Ms. Weiser said she has experience running a national online activist organization called "Stop Family Violence". She understands that having municipalities adopt the resolution is a good sentiment but questioned what it is actually doing. She suggested that the Advocacy Center be invited to attend the next meeting to discuss what can be done in municipalities and be more active in communities for this cause such as additional training for magistrates or the gathering of additional data. She would also like to see how cases are being handled in the court system.

Ms. Bowman arrived at 3:22 p.m.

2015 Leadership Planning

Ms. Weiser volunteered to serve as Vice Chair for 2015.

Ms. Supron was thanked for her service as Co-Chair for 2013 and 2014 and excused at this time.

Next Meeting Agenda Items

Ms. Thomas said she has been meeting with the Trails Committee and said Vicki Armstrong of the Healthy Places Project will be putting forward a proposal to create a website that has a comprehensive set of maps of hiking and bicycling trails and said if they cannot get enough funding a request may come forward for assistance from TCCOG.

Adjournment

The meeting adjourned at 3:35 p.m.

Minutes Acceptance: Minutes of Dec 18, 2014 3:00 PM (Minutes Approval)



Tompkins County Council of Governments

Governor Daniel D. Tompkins Building
Ithaca, NY 14850

Meeting: 01/22/15 03:00 PM
Department: County Administration
Category: Intermunicipal
Functional Category:

SCHEDULED

RESOLUTION NO. DOC ID: 5347

**RECOMMENDING A CITIZEN’S PANEL UNDERTAKE A STUDY OF
THE TOWN AND VILLAGE COURT SYSTEM WITHIN TOMPKINS
COUNTY FOR THE PURPOSE OF ASSESSING POTENTIAL
ORGANIZATIONAL REALIGNMENTS THAT MAY RESULT IN COST OR
QUALITATIVE IMPROVEMENTS**

WHEREAS, the Tompkins County Council of Governments has established a Shared Services Committee (“Committee”) to consider areas where structural changes may result in greater efficiency or effectiveness, and

WHEREAS, the Committee has focused its attention on four functional areas, including Highways, Public Safety, Administrative Services, and the Municipal Courts, and

WHEREAS, the Committee’s approach to the review of these functional areas is to undertake an initial exploratory review to determine whether improvements may result from structural changes such as mergers, consolidations, and shared services and, if so, to undertake a more rigorous and detailed review to confirm that improvements are possible and to make specific recommendations regarding the implementation of changes and

WHEREAS, the Committee has undertaken such an exploratory review of the Town and Village Court system and has concluded that, while cost savings are unlikely, recommendations regarding qualitative improvements may result from a rigorous and detailed review undertaken by local individuals knowledgeable in the court and criminal justice system, and

WHEREAS, such a citizens’ panel would operate only in an advisory capacity, and would exist to provide knowledgeable input to local policy-makers, and

WHEREAS, an efficient and effective justice system is in the interest of all of TCCOG’s member municipalities and citizens of those municipalities, now therefore be it

RESOLVED, That the Tompkins Council of Governments hereby endorses the creation of a citizens panel that will review on its behalf the current structure and operations of the municipal court system for the purpose of identifying potential ways and means to sustain and improve the efficiency of operations and quality of justice provided by the town and village courts,

RESOLVED, further, That the Shared Services Committee will identify potential members of the citizens’ panel and will report its recommendations to the TCCOG Board for its approval.



Tompkins County Department of Administration

125 East Court Street
Ithaca, NY 14850
Phone: (607) 274-5551
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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: TCCOG BOARD MEMBERS
FROM: JOE MAREANE
DATE:
RE: MUNICIPAL COURTS

In response to Governor Cuomo's call for local governments to consider cost-saving mergers, consolidations, and shared services, TCCOG established a Shared Services Committee to explore areas that may lend themselves to the kind of restructuring envisioned by the State. The Committee decided to take a two-phased approach, beginning with an exploratory review of several functional areas (public safety, highways, centralized administrative services, and municipal courts). If the exploratory work found merit in further review, a more intensive study would follow.

As a part of my involvement on the Committee, I volunteered to do the exploratory work regarding the municipal court system. This consisted of interviews with several individuals who are involved with various aspects of the municipal justice courts, and also on financial information available through the Office of the State Comptroller and caseload information available through the NYS Office of Court Administration.

The product of the exploratory review is a recommendation to proceed forward with a high-level review of the current town and village court structure to determine if changes would help or hinder the efficiency or quality of the justice system. This recommendation has been presented to the Shared Services Committee, which has referred it to the TCCOG board for its consideration.

Findings:

- Towns and villages in Tompkins County spent slightly over \$800,000 in 2012 to operate their courts.
- Court personnel costs represented about 85% of cost incurred to support the municipal courts.
- These courts handled 832 criminal cases in 2013. The number of non-criminal cases has not been determined.

(However, information provided by the Towns of Groton, Ithaca, and Ulysses suggest that criminal cases represent a small fraction of total caseload.)

Town/Village	Personnel	Non-Personnel	Total
Danby	40,254	7,426	47,680
Dryden	117,445	23,176	140,621
Ithaca	150,159	21,382	171,541
Lansing	105,118	12,133	117,251
Caroline	39,932	6,019	45,951
Enfield	30,379	26,030	56,409
Groton	54,738	5,453	60,191
Newfield	41,447	5,459	46,906
Ulysses	64,752	6,002	70,754
Cayuga Hgts	40,743	2,643	43,386
Freeville	5,006	2,815	7,821
Total	689,973	118,538	808,511

Source: Open Book New York, New York State Office of the Comptroller

- Among those interviewed, nearly all indicated some level of concern about the consistency of justice in the current system of municipal courts. Much of that concern is related to the fact that town and village judges hear criminal cases that can result in jail time for defendants, but are not required to be attorneys and therefore do not have a common grounding in the law.
- While careful to note that the town and village courts function well in Tompkins County, most of those interviewed believe that a restructuring of the municipal court system could result improve the consistency of quality, particularly if it included a requirement that judges be attorneys. When opinions were offered, most did not believe that cost savings would accompany such a restructuring.
- Some noted that keeping the courts close to those served is an important link between citizens and the justice system, and creates an important sense of “ownership” and trust that diminishes with distance.
- Several alternatives to the current system were offered by interviewees, ranging from the creation of one or two district courts (with the City Court continuing to serve the City); to a central court to handle all arraignments; to using the City court (or a central district court) to handle all criminal cases, with the town and village courts continuing to hear non-criminal cases.
- In Orleans County, three towns have consolidated their town courts under the State’s Uniform Justice Court Act Section 106-A, which allows two or more contiguous towns to establish a single town court with voter approval from each participating town. Judges are still selected by each participating town (i.e., there is at least one judge elected from each participating town). Also in Orleans, two village courts have been dissolved. The number of court personnel in the Western area of Orleans County decreased to half from four judges and four clerks to two judges and two clerks.

Town/Village	Criminal Cases
Danby	8
Dryden	240
Ithaca	158
Lansing	176
Caroline	24
Enfield	34
Groton	58
Newfield	20
Ulysses	96
Cayuga Hgts	15
Freeville	3
Total	832

Source: NYS Office of Court Administration

Though the number of personnel decreased, town court costs diminished only slightly because of salary increases amongst the four remaining judges and clerks—something expected to attract more credentialed judges and clerks in the long-run. Despite the slight cost decrease, county ancillary expenses such as the transport of representatives from the District Attorney’s office, Public Defender’s office, Sheriff’s Department and Probation Department have significantly gone down.

- Every person consulted in the course of this exploratory review noted that the idea of restructuring municipal courts has often been proposed, and has almost always failed. Some, however, have indicated that the political culture in Tompkins County may be more open to change than other places, particularly if it carries the prospect of improved quality of justice.

- Any change in the current municipal court structure, other than the Orleans County-style consolidation allowed under existing law, would require changes in State law.

Observations: The goal of the State's property tax freeze is to incentivize local governments and schools to save money through mergers and consolidations. It is not at all clear that there is any model less expensive than the current justice court system. A reorganization of the court system will not make a meaningful contribution to a savings target of 1% of the combined tax levies of the participating municipalities.

However, municipalities within Tompkins County are now spending over \$800,000 annually for their courts. It may be timely to ask whether that same \$800,000 could support a different model that would result in an improved level of service.

Recommendations:

1. TCCOG should *not* undertake a review of the municipal court system as a part of the current effort to identify high-yield, money-saving ventures for submission in the 2015 Government Efficiency Plan.
2. However, TCCOG *should* consider reviewing the structure of municipal courts on a separate path that may take longer than allowed under the tax freeze statute and that would be directed toward finding alternative models aimed at improving the consistent quality of service without increasing local costs.
3. If TCCOG chooses to undertake that review, I would recommend the appointment of a group of ten or so knowledgeable, experienced, and community-minded individuals to identify and analyze alternative models, without regard to limitations imposed by existing State Law, and to return within 6-12 months with a more comprehensive cost analysis and recommendations. Those recommendations may or may not include a departure from the current justice court system. The panel's report would include the estimated cost of their recommended model and any changes in State Law required to implement the plan. Again, the fiscal goal would be cost-neutrality.

Conclusion:

The recommendations in this memo stray from the original mission of the shared services committee to find ways to save significant amounts of money. However, the exploratory work done for this task found a pervasive sense that the current State-imposed structure of the municipal justice courts may impact the consistency and quality of justice.

In its 2008 report, the State Special Commission on the Future of the New York State Courts concluded that changes in the town and village court system were needed, but should not come from a top-down statewide mandate. Instead, the Commission recommended the creation of county panels that would be better positioned to address local needs and opportunities.

While the Special Commission also called for the State to be involved in that local process, the notion of assembling a group of local, knowledgeable individuals to review the organization of the local court system and recommend improvements seems both reasonable and timely.



Tompkins County Council of Governments

Governor Daniel D. Tompkins Building
Ithaca, NY 14850

Meeting: 01/22/15 03:00 PM

Department: Legislature Office

Category: Human Rights

Functional Category: Legislation/Regulations

SCHEDULED

RESOLUTION NO. *DOC ID: 5348*

**DRAFT Resolution of the Tompkins County Council of Governments
Department Freedom from Domestic Violence as a Human Right**

WHEREAS, the Tompkins County Council of Governments seeks to enhance the public welfare by declaring that freedom from domestic violence is a fundamental human right; and

WHEREAS, domestic violence can take many forms, including physical, sexual, psychological, or economic abuse, intimidation, isolation, and coercive control by intimate partners or family members;

WHEREAS, domestic violence is a human rights concern that affects individuals of every gender, sexual orientation, race, age, nationality, religion, and economic status; and

WHEREAS, survivors of domestic violence must deal with the effects of physical injuries, long-term psychological damage, financial and career instability, and trouble finding safe housing; and

WHEREAS, domestic violence has a deeply negative impact on children who are exposed to it; and

WHEREAS, in 2013, the Advocacy Center of Tompkins County answered 2,055 calls on its domestic violence and sexual assault hotline and served 212 new adult domestic violence clients, including providing shelter for 37 adults and their 25 children and helping 72 individuals obtain final orders of protection from the courts; and

WHEREAS, the Advocacy Center of Tompkins County, with Cornell Law School's Avon Global Center for Women and Justice and Global Gender Justice Clinic, released a report in October 2014, "Recognizing Freedom from Domestic Violence as a Fundamental Human Right," which compiled international, national, state, and local statistics supporting the need for greater government involvement in preventing and responding to domestic violence;

WHEREAS, the report cites Centers for Disease Control and Prevention statistics noting that more than 1 in 3 women and more than 1 in 4 men in the United States will experience rape, physical violence, and/or stalking by an intimate partner during their lifetimes; and

WHEREAS, according to the report, 87 women and men in New York State died as a result of intimate partner homicide in 2013; and

WHEREAS, according to the report, in 2013, law enforcement agencies in New York State outside of New York City responded to 189,152 domestic violence incidents and reported 31,106 assaults committed by intimate partners, 80% of which were committed against women; and

WHEREAS, the report notes that New York State courts issued 300,236 orders of protection in 2013, nearly 210,000 of which were required to be recorded in the Unified Court System's Domestic Violence Registry; and

1 WHEREAS the report further notes that in Tompkins County, law enforcement agencies reported an average of 147
2 victims of domestic violence offences per year between 2010 and 2013; and

3
4 WHEREAS, social service agencies, law enforcement, courts, cities, towns, villages, and other local government
5 entities constitute the first line of defense against domestic violence;

6
7 WHEREAS, the United Nations has recognized that freedom from domestic violence is a human right affecting the
8 realization of many other rights and freedoms and that governments have a responsibility to prevent and respond to
9 such violence; and

10
11 WHEREAS, in 2011, the Inter-American Commission on Human Rights found in *Jessica Lenahan (Gonzales) v.*
12 *United States* that the United States' failure to protect women from gender-based violence constitutes discrimination
13 and a human rights violation and urged the United States to enact law and policy reforms at all levels to protect
14 survivors of domestic violence and their children; and

15
16 WHEREAS, law enforcement, courts, cities, counties, towns, villages, social service agencies, and other local
17 government entities constitute the first line of defense against domestic violence; and

18
19 WHEREAS, over the past 25 years, Tompkins County has been a leader in domestic violence response by introducing
20 a number of initiatives, including the establishment of an Integrated Domestic Violence Court; and

21
22 WHEREAS, by recognizing that freedom from domestic violence is a human right, the Tompkins County Council of
23 Governments will raise awareness and enhance domestic violence response and education in communities, the public
24 and private sectors, and within government departments;

25
26 NOW THEREFORE, BE IT RESOLVED BY THE TOMPKINS COUNTY COUNCIL OF GOVERNMENTS:

- 27
- 28 1. That the Tompkins County Council of Governments joins world leaders and leaders in the United States in
29 recognition of domestic violence as a human rights concern and declares that freedom from domestic violence
30 is a fundamental human right;
 - 31 2. That the Tompkins County Council of Governments believes that state and local governments should continue
32 to secure this human right on behalf of their citizens;
 - 33 3. That this resolution shall serve as a charge to all local governments in Tompkins County to ensure that their
34 policies and practices are informed by the principles contained in this resolution and by domestic violence
35 survivors' voices and needs;
 - 36 4. That the Tompkins County Council of Governments will support the county's and human service agencies'
37 efforts to prevent domestic violence, strengthen the response to domestic violence, and improve the provision
38 of services to survivors;
 - 39 5. That the Tompkins County Council of Governments shall consider undertaking, together with community
40 partners, a study of the causes of local domestic violence incidents and of the gaps and barriers in local
41 governments' service delivery to survivors of domestic violence, with the goals of preventing domestic
42 violence, strengthening the county-wide response to domestic violence, and improving the provision of
43 services to survivors; and
 - 44 6. That a copy of this resolution shall be sent to the City and Village Mayors and Town Supervisors in Tompkins
45 County, the Honorable Members of the Tompkins County Legislature, the Tompkins County Office of Human
46 Rights, the Tompkins County Sheriff, the Police Chiefs for the Villages of Cayuga Heights, Dryden, Groton,
47 and Trumansburg, the Cornell University Police Chief, the Ithaca College Public Safety Director, the

1 Tompkins Cortland Community College Campus Safety Director, the New York State Police Troop C Station
2 Commander, the Tompkins County District Attorney, the judges in Tompkins County, Governor Andrew
3 Cuomo, Assembly Speaker Sheldon Silver, Assemblywoman Barbara Lifton, Senate Majority Coalition
4 Leaders Dean Skelos and Jeff Klein, Senators James Seward, Thomas O'Mara, and Michael Nozzolio, and the
5 media.



Tompkins County Council of Governments

Governor Daniel D. Tompkins Building
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- 1
- 2 ** This draft was prepared by Cornell Law School's Avon Global Center for Women and Justice and Global Gender*
- 3 *Justice Clinic and the Advocacy Center of Tompkins County.*