

Minutes
Tompkins County Council of Governments
Thursday, January 27, 2011
Scott Heyman Conference Room

Approved

Members Present: (14 municipalities)

T/Caroline – D. Barber	V/Groton – B. Conger
T/Danby – L. Shawley	C/Ithaca – C. Peterson
T/Enfield – D. Teeter	Co./Tompkins – M. Robertson
T/Ulysses – E. Thomas	V/Trumansburg – D. Nottke
T/Newfield – R. Driscoll	T/Ithaca – H. Engman
V/Lansing – D. Hartill	T/Dryden – M. Sumner
T/Lansing – K. Miller	T/Groton – G. Morey

Municipalities Not in Attendance: (3 municipalities) V/Dryden, V/Freeville, V/Cayuga Heights

Guests: L. Lawyer, Ithaca Journal; B. Cheusson, Ithaca Times; D. James, Newfield Recreation
D.Klein, Community Beautification Coordinator

County Staff: J. Mareane, M. Lynch, County Administration; A. Hockett, Mental Health; A. Hendrix, K.
Coleman, J. Johnson, K. Bennett, Youth Services Department; M. Pottorff, Legislature Office

Call to Order

Mr. Barber called the meeting to order at 3:04 p.m.

Approval of Amendments to Bylaws

It was MOVED by Mr. Barber, seconded by Mr. Hartill, and unanimously adopted by voice vote by members present, to approve the proposed amendments to bylaws. Those changes include:

IV. Officers

The officers of the TCCOG will be two Co-Chairs and a Vice Chair.

D. Duties (new section)

The officers of the TCCOG shall undertake the duties commonly associated with their positions. The [Chair] Co-Chairs shall set agendas and preside over Council meetings. In the absence of [the Chair], both Co-Chair's, the Vice Chair shall preside. In the absence of the Chair, the Vice Chair shall preside.]

VI. Funding Reserve

Resolution No. 3 adopted on November 18, 2010, created a funding reserve to provide a modest source of one-time funding for projects that are of mutual benefit to the majority of municipalities within TCCOG and that serve the broadest interests of all members.

- A. **Voluntary Contribution:** Voluntary contribution should be set on an annual basis with a periodic evaluation of need for additional funds.
- B. **Requests for use of Funds:** Proposals to appropriate funds must be received by TCCOG Board at least one week prior to a TCCOG meeting.
- C. **Approval of Funds:** Appropriation of TCCOG reserve funds shall be made based by a 2/3 majority vote of those attending the TCCOG meeting where the proposal is being presented and discussed.

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Mr. Driscoll said leadership roles of this body will be an expectation moving forward. Everyone will need to understand that at some point all members will be put in queue to provide leadership of the Council.

Ms. Sumner arrived at 3:12 p.m.

Election of Officers for 2011

It was MOVED by Mr. Driscoll, seconded by Mr. Hartill, to nominate the following individuals for officers for 2011 as follows:

Co-Chair – Don Barber
Co-Chair – Herb Engman
Vice Chair – Richard Driscoll

Changes to the Agenda

There were no changes made to the agenda for this meeting.

Approval of Minutes – December 16, 2010

It was MOVED by Ms. Peterson, seconded by Mr. Hartill, to approve the minutes of December 16, 2010. A voice vote resulted as follows: Ayes – 13, Noes – 0, Abstentions – 1 (D. Teeter, T/Enfield).
MINUTES APPROVED.

Youth Services Department Presentation

Janice Johnson presented TCCOG with the following presentation on the Municipal Youth Services System (MYSS) and the importance of youth development programs. The intention of this presentation is to educate others and to encourage members to support and advocate for the MYSS.

Tompkins County Youth Services Department - Who are we and what do we do?

County-wide Youth:

- Planning
- Resource Allocation
- Program coordination
- Technical Assistance
- Training

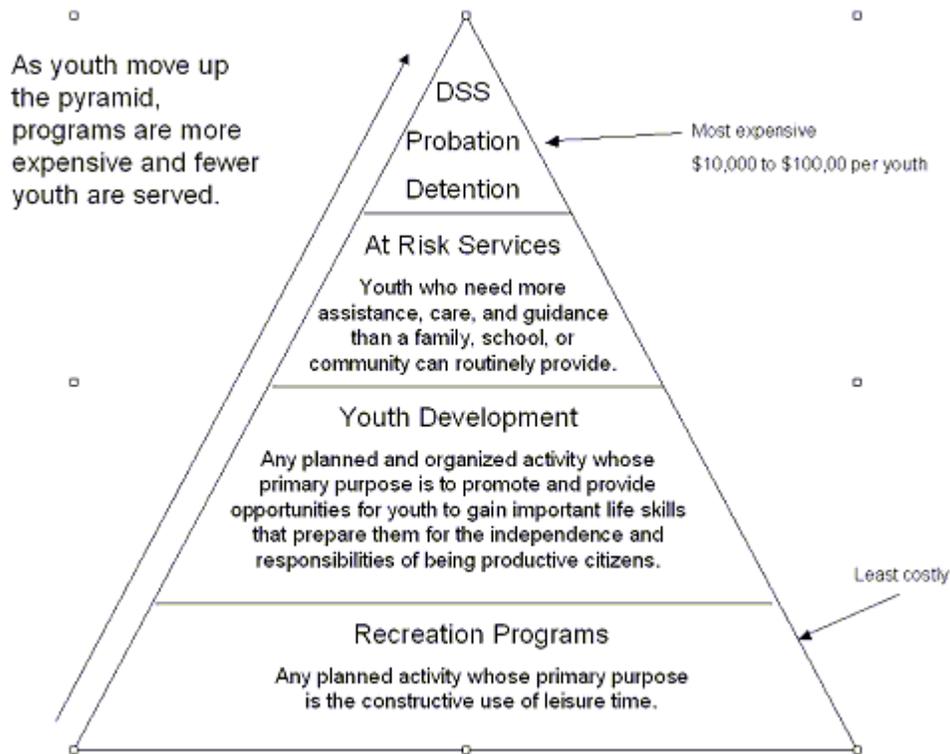
County Youth Services Board

Tompkins County Youth Services Board guides our work, sets priorities and does resource allocation. Each municipality has the ability to recommend a member to be appointed by the Legislature. Ms. Johnson said there are several vacancies; this is an important planning body that provides a way for municipalities to communicate their priorities. It is also a great way to share information among municipalities.

Makes Funding Recommendations

The Youth Board recommends funding in three different categories:

1. Youth Development Programs through the Municipal Youth Services System
2. At-Risk Programs by funding Ithaca-based agencies
3. Runaway and Homeless Youth Programs



The Cost & Financing of Youth Development

According to the Center for Youth Development and Policy Research & the Academy for Educational Development, Average Annual public cost for:

- Recreation: \$140 per youth
- Youth Development: \$572 per youth
- Tompkins County cost for youth development: only \$206 per youth
- Mentoring Programs: \$1,000 per youth

Mr. Engman said there is a different allocation by municipality and asked if Ms. Johnson could provide these numbers based on each municipality. Ms. Johnson said these numbers can be made available.

The landscape of society has changed!

- Weakened informal community support
- High rates of family mobility
- Neighborhoods have fewer adults to monitor with more parents working
- Schools are larger and more heterogeneous
- Extensive media exposure to violence and other negative behaviors
- More demands on young people
- Highly competitive world

Unlike young people a generation ago, youth today must pay to play. This eliminates many young people from programs!

Youth Development is not a highly sophisticated and complicated prescription for “fixing those troubled kids.” Youth development is about people programs, institutions and systems that provide all youth – “troubled or not” with the supports and opportunities they need to thrive.

The Research is clear!

- Young people who live in communities that are rich in developmental opportunities experience less risk and show evidence of higher rates of positive development.
- A diversity of program opportunities in each community is more likely to support broad adolescent development and attract the interest of and meet the needs of a greater number of youth.

What is Youth Development?

- The ongoing growth process in which all youth are engaged in attempting to meet their basic personal and social needs to be safe, feel cared for, be valued, be useful, and be spiritually grounded, and to build skills and competencies that allow them to function and contribute in their daily lives. *Karen Pittman: Forum for Youth Investment Ready by 21 Problem Free is not Fully Prepared*

Recommendations

(Center for Youth Development & Policy Research)

- Communities should provide an ample array of program opportunities that appeal to and meet the needs of diverse youth.
- Particular attention should be placed on programs for disadvantaged and underserved youth.
- Communities should put in place a locally appropriate mechanism for monitoring the availability, accessibility, and quality of programs.
- Private and public funders should provide the resources needed at the community level to develop and support community-wide programming.

What do you get from participating in the Municipal Youth Service System?

- Money to operate youth development programs.
- Locally made decision how to spend that funding.
- Individualized professional staff support to help your communities with youth development and recreation programs.
- Citizen engagement.
- Coordination between school, youth programs, libraries, businesses, and others.
- Community Service projects.

Mr. Barber said this is the opportunity to talk about how municipalities will move forward as a result of cutbacks in youth funding.

Ms. Johnson explained how Cooperative Extension fits in the picture of youth services. She said municipalities are given money through the Municipal Youth Services system to operate youth development programs and municipalities contract with a variety of different agencies. Some contract solely with Cooperative Extensions’ Rural Youth Services program and some contract with several different contract agencies. She said this has been a successful partnership for the last ten years.

Mr. Hartill said some of the problems the Village of Lansing has in hiring youth for summer jobs are the very severe restrictions on what they can actually do. He asked if there was any talk of alleviating these. Ms. Johnson agreed with Mr. Hartill on the restrictions but said the Youth Services Department has no control over this. She suggested perhaps a body of elected officials such as TCCOG could press the State and Federal government to relax NYS Health Department and Federal Labor Laws regulations that make it difficult to serve more young people and also make it more expensive.

Mr. Barber asked Ms. Hendrix what she sees as the next steps. Ms. Hendrix said at the next Youth Services Board meeting there will be discussion with members of the community youth commissions to discuss the current system and identifying what their focus in the coming years are going to be. She once again stressed the Youth Services Board has several vacant seats.

Mr. Engman spoke of the need for town board members to become educated on these programs and said because it is very complex it will help to clarify what each program does. Ms. Hendrix welcomed members to share this presentation with members of municipal boards. Mr. Engman also said each municipality is in a different place and it will be a challenge to identify where there are mutual grounds. In the Town of Ithaca, for example, the \$15,000 needed to continue its program this year was approved at the same level as last year. However, the Town Board placed a stipulation on the funding that it was a one-year allocation and will depend on what happens in the next year. A special committee has also been established to look at all of the Town's youth and recreation programs and determine how the Town will invest in the youth in the future.

Ms. Johnson extended an offer to attend town board meetings to conduct this presentation and/or to answer any questions members may have. She also said the kind of work the Town of Ithaca is now undertaking is the type of technical assistance the Youth Services Department provides to municipalities. She said the Department can provide information and will assist with analyzing data and urged municipalities to contact the Department for assistance with these efforts.

Ms. Thomas said municipalities have to have representatives for many different groups and suggested the Youth Services Board consider targeting quarterly meetings toward specific municipalities as it may be easier to commit to attendance on a quarterly basis rather than monthly.

Ms. Nottke thanked Karen Coleman for all she has done to communicate with the Town of Ulysses and Village of Trumansburg on youth services. She has kept the boards up-to-date so at budget time there have been no surprises.

Ms. Hendrix clarified the Recreation Partnership is not part of this system.

Asher Hockett, Chair of the Youth Services Board, said he hopes those who have questions will submit them to Ms. Johnson or Youth Services Department staff. He said this is an opportunity to help people understand the system and to forge a partnership where the County's Youth Services Board can work in conjunction with TCCOG.

Resolution Opposing State Property Tax Cap

Resolution No. 001-2011 - Urging New York State to Significantly Cut the Unfunded Mandates that Cause Local Property Tax Increases Before Imposing a Property Tax Cap

MOVED by Ms. Robertson, seconded by Mr. Hartill.

Mr. Barber said the Association of Towns has put together a Brief that they are submitting to the State and to the Committee that is working on the tax cap. The Brief goes back and reviews what is

happening in other states that have had this in effect for a long time and the impacts on fees and other areas where local governments can attain monies is tremendous. He said the things governments are responsible for such as infrastructure, social programs, or education are all suffering tremendously.

Ms. Peterson said the New York Conference of Mayors has also done a great deal of work on this. They have developed a list of mandate items that impact cities and villages that are different from counties. She said the City of Ithaca adopted a resolution opposing the tax cap and offered language from that resolution that was accepted as friendly (13th Whereas). She noted the City is now at approximately 1989 levels of State aid.

Mr. Engman said in the most recent issue of the State Association of Town's Newsletter (Talk of the Town) there is a very good analysis of the property tax cap proposal and referenced the academic studies that have been done on the topic. He said he found that article very helpful in making the case of why this is a very difficult road to go down for local municipalities. *Mr. Engman will send this article to Ms. Pottorff. He also said the Governor has a website that users can submit examples of unfunded mandates.*

Throughout the discussion several changes were accepted and included in the final version of the resolution.

A voice vote on the resolution resulted as follows: Ayes – 14, Noes – 0. RESOLUTION ADOPTED.

WHEREAS, New York property taxes are nearly eighty percent (80%) above the national average, and

WHEREAS, New York municipal leaders have long recognized the need for lower property taxes and have been strong advocates in support of lowering the local property tax burden for decades, and

WHEREAS, Governor Cuomo and many State Legislators support a cap on local property tax levies of two percent (2%) or the rate of inflation, whichever is less, but the current crop of property tax cap proposals does nothing to reduce or eliminate current State mandates on local governments or prevent new mandates, and

WHEREAS, a simple property tax cap will leave in place the inequities of New York's system, which relies on the regressive property tax to pay for public schools, health care for the poor, and other safety net programs, and

WHEREAS, arbitrarily capping property taxes without addressing root causes would cripple local governments within a few short years, because all non-mandated spending would have to be eliminated to meet the cap, and

WHEREAS, little action has been taken by New York State to decrease or control the costs of unfunded State mandates, which have been driving up local property tax levels for decades, and

WHEREAS, counties have no choice over how to spend most of their locally raised revenues, as mandates from Albany and state-determined pension costs make up as much as ninety percent (90%) of a typical county budget, and

WHEREAS, in addition to State Mandated pensions the major cost drivers of local property taxes are other unfunded and underfunded state mandates, such as Medicaid, early intervention services, pre-school special education, public assistance, child welfare, youth detention, probation, and indigent defense, along with numerous other programs, such as storm water regulations and code enforcement, and

WHEREAS, these mandated costs grow well in excess of the rate of inflation nearly every year, including for example:

- County payments by all local governments to the New York State Retirement System are expected to rise forty percent (40%) in 2011 and by a similar amount in 2012, and have grown by over one-thousand percent (1,000%) since the year 2000, due to generous benefit expansions determined and mandated by the State Legislature and Governor.

- Since 2005, the local share of Medicaid costs has increased at least three percent (3%) each year and sometimes by double-digit annual increases in the years prior to 2005.
- The State continued to shift its costs to counties in the 2009-2010 and 2010-2011 State budgets by more than \$400 million in human service delivery alone, and

WHEREAS, school districts are facing cuts in state foundation aid as well as a cap in the amount of local revenue that can be raised to fill the gaps created by those cuts. As proposed the tax cap will destroy the ability of many districts to meet the needs of children, and

WHEREAS, school district budgets are passed by public referendum of those who reside within its boundaries, a powerful tool for local citizens that would be greatly diminished by an artificial cap imposed by another government body, and

WHEREAS, the cap will leave in place the inequities among school districts because it does nothing to level the playing field between wealthy and poorer districts, and because the wealthier districts will be more likely to override the cap. The property tax cap, especially coupled with state aid cuts, will disproportionately hurt lower-income New Yorkers and widen the gap between rich and poor in New York State, and

WHEREAS, our State government has both consistently reduced State Aid to Municipalities and has failed to amend the formulas which place municipalities with significant percentages of tax exempt properties at a considerable disadvantage in how it raises the moneys needed for the delivery of essential services, and

WHEREAS, simply capping property taxes does nothing to reduce the costs of these and many other State services that local municipalities must pay for and implement at the local level; in fact a property tax cap preserves the unjust system of taxation, where local taxes pay for state programs, and

WHEREAS, there is a fundamental difference between the state paying for a service and local governments paying for it, since New York State is the only entity that collects income tax, so a person pays *state* taxes according to their ability to pay. Property tax is not charged according to ability to pay, which is why it is unjust to rely on it to pay for state programs, and

WHEREAS, this injustice drives people and businesses out of New York and acts as a deterrent to relocation to our state, and

WHEREAS, the Governor's property tax cap proposal allows local boards to override the cap with a two-thirds majority vote, thereby not only shifting costs to local governments, but also unfairly shifting blame to local leaders for tax increases that are actually caused by the State, now therefore be it

RESOLVED, That the Tompkins County Council of Governments (TCCOG), which includes all municipalities in Tompkins County, urges New York State to take fiscal responsibility for services over which it has decision-making authority, rather than require local governments to pay for its decisions; this will in turn reduce the property tax burden and not preserve the status quo,

RESOLVED, that TCCOG, which does not include school districts among its members, stands with school districts in opposing the property tax cap without mandate relief,

RESOLVED, further, That Tompkins County Council of Governments urges the Governor and State Legislature not to impose a local property tax cap (in itself another unfunded State mandate) unless and until it is coupled with significant cuts in local costs for State mandated programs that cause local property tax increases or to develop an aid formulas and Home Rule Legislation authority to recognize the burdens borne by local governments

RESOLVED, further, That copies of this resolution be sent to Governor Cuomo, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, State Senate Leader Dean Skelos, Senate Minority Leader John Sampson, State Senators Thomas O'Mara, James Seward, Michael Nozzolio, and Jeffrey Klein, Assemblywoman Barbara Lifton, the New York Association of Counties, the New York State Association of Towns, and the New York State Conference of Mayors.

Announcement from Community Beautification Coordinator

Dan Klein informed members that there are funds available for towns and villages to do beautification projects through the Tompkins County Beautification Program, a program of Tompkins

County Cooperative Extension and funded by the Room Occupancy Tax. The program has been in existence since 2002; last year more money was given out than ever before. The major criteria for the grants are:

- The projects must be in a public place, usually one where tourists go;
- The money must be matched by the municipality with either money, materials, or labor (volunteer labor is acceptable);
- The grants are reimbursement grants – the municipalities must put the money up front; and
- The grants cannot be used to pay someone already on payroll

He distributed information on projects that have been done by other towns over the last year and stressed the grant process is simple and it is very easy for municipalities to meet the match requirement.

Report from the Health Insurance Consortium

Mr. Barber reported the Consortium is up and running with lives being covered. A representative from both Excellus and Locey and Cahill was in town yesterday meeting with Personnel and individuals with questions. They are being very responsive and are now working on a list of questions that were raised. He said the Board of Directors now has a joint committee that has labor as well as municipal representatives. He noted any benefit changes will go through this Board; therefore it is very important that each municipality, regardless of whether they have a labor union is represented on the Board.

Report from Gas Drilling Task Force

Ms. Thomas reported the Drilling Task Force met in January and the meeting was focused on the direction it will be moving in the coming year. The Task Force has people working in the following areas: land use, public safety, air quality, mapping, road protection, State and Federal communications, and assessment and land values. There are areas where people are not working such as water issues. This is a large and important area and said she is working with Sharon Anderson and Darby Kiley and asked if anyone knows someone who would be willing to help out to let her know. Community impacts will continue to be worked on by people at Cornell. There is no one working at this time on pipelines or gas storage.

Ms. Thomas said the Task Force has been meeting for nine months and although there is nothing concrete at this time things are starting to come together. There have been some very knowledgeable speakers who have come to the Task Force, including Susan Christopherson and Tony Ingraffea. Ms. Teeter said she would be interested as a town board member, to be added to the list serve for the Task Force.

She also reported a printed report on the recent trip to Bradford County is available if anyone is interested.

Ms. Thomas reported on a free Energy Conference that the Cornell Law School is sponsoring with a focus on hydrofracking. The conference entitled “Gas Drilling’s Sustainability and Energy Policy – Searching for Common Ground” will be held from March 31 to April 2nd. There will be breakouts of: an overview of hydrofracking in New York State, energy security and sustainability, environmental law, the science behind hydrofracking, and marketing of natural gas. She said various groups around the community, including the Task Force have been asked by organizers to be a sponsor of this conference (in name only and at no cost). It was the consensus of the Task Force to be a sponsor.

Ms. Peterson was excused at 4:20 p.m.

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It was MOVED by Ms. Thomas, seconded by Ms. Sumner, and unanimously adopted voice vote by members present, to approve the Task Force on Gas Drilling being a co-sponsor of this conference. *Ms. Robertson requested TCCOG members receive information on this.*

Ms. Thomas said there are many events that will be taking place; a list can be found on the minutes of the last meeting. Karen Edelstein is working GIS mapping on a program called "Fracktracker". She is entering information from New York State into this program that has a way of visualizing space in a variety of ways, but has just found out that she is not able to use UNA (Unique Natural Areas) data.

Announcement

Mr. Barber announced TCCOG has received a second award from Sustainable Tompkins for having a Natural Gas Planner. (The first was for the Health Insurance Consortium).

Update on Cell Towers

Ms. Robertson announced the meeting with consultants will be February 14th from 2:30 p.m. with Silverberg Zalentis. They will be doing a presentation on legal issues associated with forming a collaborative. This is open to municipalities who have signed up and are part of that contract. Ms. Sumner asked that ordinances that have been received to date be circulated in advance of that meeting.

Next Agenda Items

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

Emergency Preparedness Checklist – Beth Harrington, Department of Emergency Response
Discussion of being Lead agency for County's Comprehensive Plan
Emerald Ash Borer
TCAT funding (Spring agenda)

Adjournment

The meeting adjourned at 4:35 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office

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