

APPROVED

**Tompkins County Council of Governments
April 23, 2009
Courthouse Conference Room**

Members Present: T/Ithaca – H. Engman
V/Cayuga Heights – D. Donner
T/Dryden - M. Sumner
T/Caroline – D. Barber
T/Newfield – R. Dolge
V/Trumansburg – D. Nottke
Tompkins County - M. Robertson
T/Danby – R. Dietrich
C/Ithaca – C. Peterson
V/Groton – C. Rankin
T/Groton – G. Morey

Municipalities Not in Attendance: V/Dryden, V/Freeville, T/Lansing, V/Lansing, T/Ulysses, T/Enfield

Guests: S. Locey, Locey and Cahill, LLC; M. Lynch, J. Mareane, J. Kippola, County Administration; L. Shawley, Town of Danby; M. Koplinka-Loehr, W. Burbank, County Legislature; P. Dougherty, Town of Enfield Deputy Clerk; , K. Gashler, Ithaca Journal; H. Lambert, N. Morgan, Town of Dryden residents

Call to Order

Mr. Barber, Chair, called the meeting to order at 3:05 p.m.

Changes to the Agenda

There were no changes to the agenda.

SMSI Health Insurance Consortium

Mr. Locey distributed information relating to the budget and plan rates. He said this information was shared with the Steering Committee last Wednesday. There are still changes that will be made to the rates, but he expects to have those changes complete by next week, in addition to a detailed budget report.

Mr. Locey said they still have not met directly with the State Insurance Department to discuss implementation of the program. He referred to the document and explained why there are differences in the Liabilities – IBNR Reserve columns. He said with the way Article 47 is currently written for the incurred but not reported claims, the law states that there needs to be 25% percent of expected incurred claims or an amount that is approved by the Superintendent of Insurance in the reserve fund. He said they have had lesser amounts approved (around 17%) for other consortiums that have been running for multiple years. This is the only difference in the two columns of information presented. He spoke of building the reserves and said most of those funds would be built in during the first year. Mr. Locey said in looking at the unencumbered fund balance the only real variable is how long it is going to take the group to accumulate enough funds to completely satisfy the Insurance Department’s request. Mr. Locey continued to review preliminary budget estimates for the 2010 fiscal year. He said the County’s rate is an approximate five percent increase from 2009 to 2010 and the City of Ithaca is slightly lower than that. They are preparing a spreadsheet for each municipality that will show the current rate and what the 2010 rate will be. These preliminary estimates may be shared with municipal boards; however, Mr. Locey said there are factors that can affect those rates, such as adjustments due to municipalities deciding not to join the Consortium.

Mr. Dietrich referred to the section entitled “Options Available and said he would like further information or the comment “standard Excellus exclusions apply”. He also asked if there would be a list

of pharmacies that would need to be utilized. Mr. Locey said that would be the case but they would be selecting a company that has a very extensive network that could meet all of the current requirements.

Mr. Locey noted they are looking for a health plan administrator that is the equivalent of Excellus, which is what most of the municipalities currently use. He said they are still working on some comparative analysis and answering some questions relative to the teamsters program. They will not be able to offer Teamsters the exact program through the Consortium, but they believe they will be able to offer a program to the Teamsters that is a better model in the long-run and more efficient for all of the employers.

Ms. Sumner said during past discussions she got the impression that unions are on-board in the discussions and development of this program. Mr. Locey said they have been included in the process but have not been a part of the discussions in terms of the decision-making process.

Ms. Shawley recalled there were Teamsters at the original kickoff meeting at City Hall. *Ms. Kippola will follow-up and let members know when they were in attendance.*

Mr. Locey said they would like to begin to address questions as municipalities are beginning to buy into the process and offered to hold regional meetings to discuss plan design and rates in greater detail. He is looking for direction from TCCOG as to ideas on how to set up these meetings.

Ms. Kippola offered the following dates with one to be at 5:30 p.m. and one at 7 p.m.:

May 13 at the Borg Warner Room
May 19 at the Borg Warner Room

Mr. Locey said they would welcome any elected official and anyone who is in charge of health insurance administration from the municipalities to those meetings. The same presentation would be given at each meeting. It was stated that these dates would not be convenient for the City or the County; an additional meeting date will be established.

Mr. Koplinka-Loehr suggested reserving time on the Legislature agenda on May 5th and to invite Common Council and members of TCCOG. He will follow-up on this.

**RESOLUTION – SUPPORT OF THE COUNCIL OF GOVERNMENTS’ HEALTH BENEFITS
CONSORTIUM FOR NEW YORK STATE SHARED MUNICIPAL
SERVICES PROGRAM**

Mr. Barber said this resolution contains language that needs to be approved by TCCOG at the next meeting. There is also a separate resolution that will need to be approved by each municipal board that will need to be sent out. *Mr. Locey said the agreement is being revised based on changes made by TCCOG at the last meeting and it will be redistributed. This will be the Agreement that TCCOG will be referring to as this moves forward.*

Mr. Dietrich said he would be more comfortable having a resolution from his town board prior to approving a resolution at the TCCOG level. It was clarified that this is a resolution among TCCOG members and encourages municipalities to come on board. Ms. Sumner said while she endorses the concept of the Consortium, she thinks it is not likely the Town of Dryden will be able to participate because of outstanding union issues.

Mr. Barber spoke of the intent of the resolution and said it is to communicate that TCCOG has spent time talking about the Consortium, has reviewed the rates, has an understanding of what the Consortium is about, and endorses the concept so that each member can take back to their municipalities.

It will then be up to each individual employer to make a decision of whether to join. He noted the critical step is the passage of resolutions by the municipalities.

At this time there was discussion of the Board of Directors. Mr. Locey said there are certain functions that need to be developed and to have people perform the duties of the Consortium's operations. There is a Chief Financial Officer, Treasurer, Secretary, a Chair and Vice Chair of the Board of Directors. There also needs to be a central location at one of the employers. He asked that TCCOG members start to think about what makes sense as to where the Consortium should be housed and what makes sense to how those roles should be filled. *Ms. Robertson asked Mr. Locey to bring back to the next meeting information on each of the positions and an explanation of how much time and space would be required.*

Ms. Peterson referred to the March 26 minutes and the discussion of who would have the power to resolve conflicts. Mr. Locey said he will get back to the Council with an answer on this.

Staff will revise the language in the resolution based on the comments that have been made. The resolution will be placed on the agenda for the next TCCOG meeting.

**RESOLUTION NO. ___ SUPPORT OF THE COUNCIL OF GOVERNMENTS' HEALTH
BENEFITS CONSORTIUM FOR NEW YORK STATE SHARED
MUNICIPAL SERVICES PROGRAM**

WHEREAS, the Tompkins County Council of Governments (TCCOG) is comprised of all the municipalities in Tompkins County, and

WHEREAS, in 2007, the County, on behalf of TCCOG, accepted an incentive grant award under the New York State Share Municipal Services Program, and

WHEREAS, the grant's purpose is to assist the municipalities in Tompkins County to create a local municipal health care consortium, and

WHEREAS, the Health Care Consortium will develop health benefits coverage for all participating municipalities with the intent to provide a net savings to the taxpayers of Tompkins County, and

WHEREAS, TCCOG agrees that the agreement for creating the Greater Tompkins County Health Care Consortium are ready for municipalities to review, now therefore be it

RESOLVED, That TCCOG endorses the planning for a health care consortium and encourages the signature of an inter-municipal agreement by TCCOG members, and be it

RESOLVED further, that TCCOG recommends that each municipal board review the Greater Tompkins County Health Care Consortium agreement and vote and join it by July 1, 2009.

SEQR ACTION: TYPE II-20

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Approval of Minutes of March 26, 2009

It was MOVED by Mr. Dietrich, seconded by Ms. Sumner, and unanimously adopted by voice vote by members present, to approve the minutes of March 26, 2009 as submitted. MINUTES APPROVED.

Appointment to the Emergency Planning Committee

Cheryl Nelson, Chair, reviewed the following information with members:

The Purpose of the Tompkins County Emergency Management Planning Committee (TCEMPC) is to:

- Identify appropriate local measures and resources to prevent disasters

- ❑ Develop mechanisms to coordinate the use of local resources and human resources for service during and after disasters
- ❑ Deliver services to aid citizens and reduce human suffering resulting from a disaster
- ❑ Provide recovery, redevelopment and mitigation after disasters
- ❑ Prepare and annually update a Comprehensive Emergency Management Plan by using existing response plans, mutual aid agreements, hazardous materials plan, and other plans, resources, and information as appropriate and available
- ❑ Discuss after-actions of emergency situations in order to continually improve administrative, procedural, and action items

Mission:

The Mission of the TCEMPC is to utilize the resources of the committee members and additional community resources to advance the Committee's Purpose and to ensure that Tompkins County has mitigated the potential for emergency and disaster situations, that its municipal governments and residents are prepared in the event of an emergency, that response to emergency and disaster situations is as expeditious as possible, and that recovery from an emergency or disaster situation is as efficient as possible to allow for continuity.

Ms. Nelson said the EPC Committee sees itself as a resource and does not know where municipalities are in their planning. She sees the role of the position TCCOG designates as someone who can communicate issues to and from that group.

Mr. Barber asked Mr. Dietrich if he would be interested in filling this role. Mr. Dietrich spoke of a workshop he attended last week and said it was a workshop that all municipalities should have had someone in attendance; however, there were very few. He said there doesn't seem to be much interest in this and if municipalities want this position they should commit to it.

Ms. Sumner said it is a good idea to have a representative from TCCOG to the EPC and said outreach would be a very good idea. Ms. Nelson said they are feeling the same way and are looking for municipalities to tell the EPC what they need because they are not receiving enough feedback and participation from municipalities.

Mr. Engman said he hasn't had this come to his level of attention that it should, thinks Mr. Dietrich will be a great representative to this group and hopes a greater level of attention will be brought to this. Ms. Shawley noted that if there are not shared service agreements between municipalities FEMA will not reimburse project funding. Mr. Dietrich said there are financial repercussions for not being actively involved and participating in this process. He stated those who chose not to have shared service agreements are putting everyone in jeopardy.

It was MOVED by Mr. Barber, seconded by Mr. Dolge, and unanimously adopted by voice vote by members present, to appoint Ric Dietrich as TCCOG's representative to the Emergency Planning Committee. APPOINTMENT CARRIED.

Animal Control

Mr. Barber updated members on a meeting that was held with a few town superintendents, Pet Playhouse, and the SPCA. Both contractors have said they would like to have all or most municipalities involved and they also want to establish a long-term relationship with municipalities. He said those present indicated they would like the County and City to participate in future meetings. Efforts are underway to set up another meeting in mid to late May with the County and City, as well as anyone else from TCCOG who wants to be involved. He will let members know when that meeting is scheduled and he would like to move this issue forward before budget season.

Mr. Engman noted the SPCA and Pet Playhouse are working cooperatively and not against each other.

Cell Tower locations

Ms. Robertson said she had suggested this topic because it seems like a few municipalities are seeing applications. She stated that while this is not an area of County responsibility, the County could support municipalities that are trying to work together on this. One idea she suggested would be a coordination and a review of each town's ordinances to see if there are discrepancies that may be leading companies to one municipality rather than another. She suggested the possible creation of a proactive plan that provides details on a set of sites that are recommended by municipalities.

Mr. Engman said he would like to know what the feasibility is of using co-location on the County's emergency system. There has been a suggestion of that but he doesn't know if that would be technically possible and said some of the municipalities might be interested in getting together and jointly looking at the overall technical components. The Town of Ithaca Planning Board will be requiring Verizon in their current request to provide some funding to hire a technical consultant; however, the Town Attorney has advised that the Town cannot require Verizon to do a broader-scale study, just of that site. He said if a broader study is going to be done that would include the County's towers, a partnership will need to be in place amongst municipalities to fund a study. Mr. Engman proposed such a partnership.

Ms. Sumner said the Town of Dryden Building Department is compiling a GIS map of existing towers and tall buildings. They also have discovered a document that was put together ten years ago by the EMC (Environmental Management Council) that identified all tower locations Countywide. She said this document needs to be updated and perhaps the EMC would participate in that update. Ms. Sumner said if other towns are interested in pursuing a similar project the Town of Dryden would be happy to discuss this further. Mr. Engman said cell companies may be interested in participating in this type of effort because it may save them time and money in the long run.

Ms. Robertson said a suggestion that has been made is to place a moratorium on tower siting to allow time for communities to get together and develop a plan. She said Susan Brock, Town of Ithaca Attorney, has a great deal of knowledge on this issue and suggested a meeting with her might be helpful.

Mr. Barber suggested a meeting be set up with those who are currently engaged in these efforts to talk about process and next steps. Mr. Dietrich said Lee Shurtleff, Director of Emergency Response, had previously raised the issue of using County towers to co-locate broadband. He suggested also discussing possible revenues that could be derived from the towers; the need for broadband by rural residents, and coordination of the many different existing technologies. Mr. Dietrich said there are not many choices in tower placement in the County, but would be in favor of discussing ways to use the towers in a way that would help all municipalities.

Mr. Mareane noted efforts are underway to try to address where the dead spots are within the County.

Mr. Burbank said he has been following this because Verizon wants to site one of its towers in a residential area in the Town of Ithaca. He stated what is missing from this is the ability for one municipality to say there might be a better spot in another area in the County. He said there is no existing coordination and there needs to be because applications are being done now.

Natural Gas Drilling

Mr. Barber followed up on the March 30 meeting and said two suggestions came out of that meeting that municipalities can do: 1) Creating a process for permitting of heavy trucks to be traveled on local roads; and 2) Identification of all of the significant and critical environmental and other areas within municipalities and make sure the Department of Environmental Conservation is aware of those. He said a meeting was held this month and a list of things to do was created dealing with these two aspects. Another meeting will be held on April 29th at 3 p.m.

Mr. Engman asked if TCCOG should take a position of whether it would like more local control over these matters and suggested there be some communication with state representatives as to what our position is.

Ms. Peterson said she would like to see a map showing all of the drilling lease locations and what the coverage looks like both in the City and throughout the County. *Mr. Marx is working on producing this and will provide the information once it is complete.*

Next agenda

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

SMSI

Animal Control

Natural Gas Drilling

Stimulus package – update on where funding is and thinking of positioning Tompkins County with one or two transformational ideas, such as broadband or regional bus service.

Adjournment

The meeting adjourned at 4:30 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office