

Tompkins County Council of Governments
 Regular Meeting Minutes - Approved
Thursday, April 24, 2014 3:00 PM
 Scott Heyman Conference Room

Attendance

Attendee Name	Title	Status	Arrived
Kate Supron	Co-Chair, Village of Cayuga Heights	Present	
Betty Conger	Member, Village of Groton	Present	
Kelly Smith	Member, Town of Groton	Present	
Herb Engman	Member - Town of Ithaca	Present	
Bill Goodman	Member - Alternate, Town of Ithaca	Present	
Irene Weiser	Member - Town of Caroline	Present	
Don Barber	Member - Alternate, Town of Caroline	Present	
Ric Dietrich	Member, Town of Danby	Present	
J.R. Clairborne	Vice Chair, City of Ithaca	Present	
Mary Ann Sumner	Member, Town of Dryden	Present	
Elizabeth Thomas	Member - Town of Ulysses	Late	3:22 PM
Donald Hartill	Member - Village of Cayuga Heights	Late	3:28 PM
Jim Zimmer	Member, Village of Dryden	Late	3:52 PM
Joe Mareane	Tompkins County Administrator	Present	
Michelle Pottorff	Minute Taker, Legislature Office	Present	
Marcia Lynch	Public Info. Officer, County Administration	Present	
Michael Lane	Member, Tompkins County	Present	

Municipalities Not Present: V/Freeville, T/Enfield, T/Lansing, V/Lansing, T/Newfield
 Guests: Carolyn Peterson, Local Governmental Advisory Committee to the U.S. Environmental Protection Agency; Ari Levine, Nick Goldsmith, City of Ithaca; Katherine Clement, Finger Lakes Community News; Keri Blakinger, Tompkins Weekly

Call to Order

Ms. Supron called the meeting to order at 3:10 p.m.

Greeting/Sign In/Review Agenda

There were no changes to the agenda.

Minutes Approval - 3/27/2014 Minutes

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Irene Weiser, Member - Town of Caroline
SECONDER:	Ric Dietrich, Member, Town of Danby
AYES:	Supron, Conger, Smith, Engman, Weiser, Dietrich, Clairborne, Sumner, Thomas
EXCUSED:	Donald Hartill, Jim Zimmer, Michael Lane

Report from Local Government Advisory Committee for the EPA

Ms. Peterson said the job of the Local Governmental Advisory Committee (LGAC) is to give advice to the Environmental Protection Agency (EPA) Administrator. She said she represents small communities and provided a handout of a report she wrote about the most recent meeting and stated there

Minutes
Tompkins County Council of Governments
Thursday, April 24, 2014

are couple of issues that are important to Tompkins County. The Administrator has seven themes she has promoted for the work in the EPA: making a visible difference in communities across the country, addressing climate change and improving our quality, taking action on toxics and chemical safety, protecting water, launching a new era of state, tribal, and local partnerships, embracing the EPA as a high performing organization, and working towards a sustainable future. She stressed the importance of partnerships and striving to work on the partnerships with small governments.

Within the LGAC there are several workgroups and one standing subcommittee - the Small Community Advisory Subcommittee, of which she was appointed to. She was also named Chair of the Air, Climate, and Energy workgroup; they will be talking about a number of issues at its first meeting in May. She is also very active on the Environmental Justice Committee which has overarching issues across all of the committees. At an Executive Committee meeting today there was a discussion of the request made to comment on the President's Task Force on Climate Preparedness and Resilience. She submitted comments about things she was aware of and asked members to provide her with additional comments. Lack of river gauges, wastewater system and anaerobic digestion, and steam and river management were some of the topics of her remarks.

Products that come out of the workgroups are letters directly to the Administrator along with recommendations. Some that she mentioned included: revamping of agricultural standards for farm workers. Another letter they have prepared that is pertinent for everyone but has come up in the City recently is a proposal for new standards for newly manufactured wood stoves and heaters that will take place in 2015. These kinds of issues are important for respiratory health for very young people and the elderly. Ms. Peterson said the Clean Air Act rules have just been clarified and released and she encouraged everyone to review them.

Ms. Thomas arrived at this time.

Ms. Sumner commented on the revamping of agricultural standards for farm workers and said this issue was recently brought to the Dryden Town Board's attention in response to a letter received from the Farm Bureau. She said farmers are feeling increased regulations. She will communicate and share information with Ms. Peterson.

Mr. Lane said there has been a lot of comments made about the Chesapeake regulations and stated there is a lot of concern that New York State is being treated unfairly. Ms. Peterson said they have heard similar comments about the Susquehanna Watershed all the way down to the Chesapeake Bay which includes a portion of Tompkins County. She said she was informed by Mr. Barber that there will be a meeting in May to talk about this.

Mr. Engman suggested stream setback laws could be of use in their work.

Lastly, Ms. Peterson reported on comment periods for proposed new source performance standards for residential wood heaters (thru May 5), proposed carbon pollution standard for new power plants, Safe Drinking water Act - Lead and Copper Rule (thru May 9), and the proposed Agricultural Worker Protection Standard (thru June 17). The Air, Climate, and Energy Workgroup will be hearing a new proposal for existing power plants and greenhouse gas emissions in the next couple of months.

Mr. Hartill arrived at this time.

Mr. Dietrich asked if there is any clarification on arsenic standards and how much it costs to remediate; Ms. Peterson said she will add this to an agenda. Mr. Dietrich also asked about radon remediation. Ms. Sumner said she knows of a local expert on this and will provide contact information to

him.

Ms. Peterson asked that members contact her on any issue and stressed they need to hear from small communities.

Road Preservation

Mr. Barber announced a Building Bridges Community Forum will be held on May 13th. The goal of the forum is to create a just and healthy community and encouraged members to attend.

He said the Assembly has been approached about an environmental conservation idea regarding invasive species, specifically legislative steps that can be taken to make sure invasive species cannot be brought into a water body or not taken away from. He said this is new and there is no proposed legislation at this time; however, Assemblywoman Lifton is looking for input.

Mr. Barber also announced the Community Dispute Resolution Center is offering a Heated Meetings training session on April 26th and May 1st and encouraged members to attend.

He also spoke about road preservation and said a meeting is scheduled for April 30th. There are several municipalities that have road preservation laws and if roads are being traveled by trucks during a project a municipality needs to be aware that the project is taking place. The meeting will be an opportunity for discussion of setting policy decisions by legislative bodies that will require more input whenever a project comes to a planning board or code enforcement officer for a permit. Mr. Barber said he hopes all municipalities will send a representative to this meeting.

Shared Services Study Required by NYS Tax Freeze

Mr. Lane said despite all of the efforts to bring to the attention of the New York State Legislature and the Governor the problems with unfunded mandates and the developing affect they have on property taxes in New York, local governments have been handed another unfunded State mandate that comes in year two of the tax freeze. He said if local governments stay within the tax cap set by the State (2% plus the carve-outs) residents may then receive a check from the State government at election time for small amounts of money that is their reward for residing within a municipality that did not exceed the tax cap. He said the problem with this is that the cost of mandates for counties and school districts are going up and are the real drivers for the increases in property taxes.

Mr. Lane said in the second year local governments not only have to keep to the tax cap they have to also prove they are saving money (1% of the levy) through efforts at consolidation of municipalities or of services. The details of this are still being worked out; however, he believes there will be some credit given for past consolidation efforts. He said there has been a lot of work on these fronts over the years in Tompkins County. Mr. Lane would like to be proactive on this and would like to see TCCOG lead an effort to begin inventorying what consolidations efforts have already taken place and what is currently being considered and to also identify what savings have been achieved as a result of the consolidation. He said the County is going to have an obligation to bring these figures together to be able to show that all of the municipalities have been able to have the one percent decrease in the tax levy.

Mr. Mareane said he will be attending a conference tomorrow and will learn more. He said he has been led to believe that counties will take the lead in the assembling of these reports that would involve any government within the county. He said it will have to be shown that the effect on the aggregate levies reached the one percent mark in three years.

Mr. Lane said TCCOG seems to be the logical conduit to bring things together but help will be

needed in assembling information.

Mr. Hartill said at some point he would like local governments to say no. He spoke of the continuous funneling of mandates down to local governments by the State government. The State has many funding resources, however, local governments only have property taxes. Mr. Engman agreed and said at some point local governments have to take a stand against mandates by the State that are insensible. He said another problem is the school districts and without them the local governments will not be able to show a one percent decrease in the levy.

There was consensus that it would still be a good idea to inventory all of the shared services that have taken place.

Mr. Barber said the people who are setting the parameters for this are not local government officials or members of the Association and members need to be pressing for representation at the table so that local government has a voice. He said everything being said by local governments is not being heard. He is very pessimistic about what will come out of this and thinks the State will make it very difficult to show the one percent. He said Tompkins County needs to create a community that keeps its wealth here and does not send it to other places. He said this is very serious; local governments are under attack by the Governor and there needs to be a change.

It was agreed that a special meeting will be convened to discuss this issue. An initial meeting will be held of TCCOG with the intent to bring school districts in at a later date. A Meeting Wizard will be sent to members.

Mr. Zimmer was excused at this time.

Supervisory Training

Mr. Mareane reported a small subgroup of TCCOG got together and agrees it would make sense for municipalities within TCCOG to bring their supervisors into the TC3.biz Supervising for Success workshop program under the umbrella of the County's program. He said for approximately \$300 per participant supervisors could be brought into this training program that would be offered at a downtown location and would be comprised of supervisors from all levels of government. He distributed information on the curriculum for Levels I and II and said TC3.biz is open to receiving input on the curriculum as well. He said the County would underwrite the first 20 seats and municipalities could notify the County's Personnel Department if they wish to enroll supervisors. The Level II program is much more expensive and a decision has not yet been made as to whether the County could underwrite that. It will be branded as the TCCOG Supervisory Program.

Report from Cable Committee

Mr. Engman said at the last meeting there was discussion of what consequences might come about as a result of the proposed Time Warner Cable (TWC) and Comcast merger. There has been no response from Time Warner Cable to the joint negotiation proposal that was made. He said a communication was received from a law firm about an offering they have to help municipalities.

Mr. Lavine said a proposed franchise agreement was sent to Time Warner Cable that was a drastic change from the existing franchise agreements TWC has with 14 different municipalities. Although a disappointment it was not a surprise that the letter was not responded to in three months. He reported on conversations he has had with Dan Cohen, an attorney in Pittsburgh that handles cable franchise law. He informed them that municipalities would be receiving a Form 394 which walks through

the structure of the TWC/Comcast merger. For those municipalities that received this it provides a resolution that can be adopted by a municipality authorizing the transfer.

Mr. Lavine said they discussed franchise negotiation, franchise transfer, and audits with Mr. Cohen. The transfer form can be levied for the transfer in the sense that they have some incentive to try to get at least the City to pass the resolution approving the franchise transfer and in exchange the Committee will be contacting Comcast and providing the information that was sent to TWC along with a statement that they believe this was a breach of Comcast's duties to maintain those franchises.

During the conversation Mr. Cohen said he would send a proposal to be considered for services he could provide in supporting any of the categories mentioned earlier. He said at this point he and Mr. Engman do not recommend signing up for a blanket set of services by Mr. Cohen. He will forward a copy of any proposal received by Mr. Cohen if and when one arrives. He would like to hear from any municipality that receives a Form 394.

Ms. Conger was excused at this time.

Announcements

Ms. Weiser reported last night the Energy Forum that was sponsored by TCCOG was held and was very well attended. She reminded members that the comment period for the Governor's Energy Plan will end on April 30th.

Report from the Sustainability Committee

Mr. Weiser reported the Sustainability Committee now has a full slate of members. She said an ad hoc Smart Energy Policy Committee has been meeting for a year and has worked on several initiatives TCCOG has already heard about. She said they joined the Sustainability Committee and because they were already working on energy policy matters it was a natural fit.

Discussion of TCCOG Meeting Location

Ms. Weiser said a group, OPNY, has requested time on the next agenda to do a presentation on what is going on in the community and to see how they can help promote solar adoption. They have requested to be able to do a presentation that would require the ability to do a webinar and it was suggested TCCOG consider meeting in May in the Legislature Chambers. After a brief discussion it was the consensus to hold the May meeting in Legislature Chambers to have the presentation and at the end of the regular agenda.

Next Meeting Agenda Items

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

- Follow-up on discussions municipal leaders have had with State Legislators on the shared services mandate to make sure the process establishes a look back period and involves local officials having a seat at the table; and
- Discussion of kinds of needs and interest the Sustainability Committee can work on.

Adjournment

The meeting adjourned at 4:31 p.m.

Minutes
Tompkins County Council of Governments
Thursday, April 24, 2014