

Tompkins County Council of Governments
 Regular Meeting Minutes – Adopted 4/23/2015
Thursday, March 26, 2015 3:00 PM
 Legislature Chambers

Attendance

Attendee Name	Title	Status
Linda Lavine	Alternate - Town of Dryden	Present
Ric Dietrich	Member, Town of Danby	Present
Laura Shawley	Member - Alternate, Town of Danby	Present
Jason Liefer	Member - Town of Dryden	Present
Irene Weiser	Member - Town of Caroline	Present
Ann Rider	Co-Chair, Town of Enfield	Present
Kelly Smith	Member, Town of Groton	Present
Bill Goodman	Member - Alternate, Town of Ithaca	Present
Nancy Zahler	Alternate- Town of Ulyssess	Present
Betty Conger	Member, Village of Groton	Present
Svante Myrick	Member, City of Ithaca	Present
J.R. Clairborne	Vice Chair, City of Ithaca	Present
Joe Mareane	Tompkins County Administrator	Present
Marcia Lynch	Public Info. Officer, County Administration	Present
Jonathan Wood	Tompkins County Attorney	Present
Karen Fuller	Minute-Taker, Legislature Office	Present

Call to Order

Ms. Ryder, Co-Chair, called the meeting to order at 3:13 p.m.

Greeting/Sign In/Review Agenda

The County Compliance Program Overview was withdrawn from the agenda and items concerning seasonal roads, ambulance services, and cooperative investments were added to the agenda.

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RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Betty Conger, Member, Village of Groton
SECONDER:	Jason Liefer, Member - Town of Dryden
AYES:	Dietrich, Shawley, Liefer, Weiser, Rider, Smith, Goodman, Zahler, Conger, Myrick, Morey, Clairborne

Seasonal Roads

Ms. Ryder said a concern has been raised by Supervisor Barber regarding the severe weather and the potential difficulty in meeting the State Law regarding seasonal roads being opened as of April 1st.

Ms. Weiser said there are currently four-foot ice dams on seasonal roads in the Town of Caroline and due to the geography it is not considered safe to attempt to use equipment to open them. Supervisor Barber has written to Assemblywoman Lifton and Senator Seward asking for administrative relief to extend the opening requirement to April 15th or later.

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Discussion followed and Mr. Lane asked if State Legislation is necessary. Ms. Weiser said by State Law the seasonal roads are required to be open. Ms. Ryder said there are no residences on seasonal roads and the closure is normally for a technical reason. Ms. Sumner said she believes the Highway Superintendent has the authority to close roads for emergency purposes. Ms. Ryder said it appears closure may be under the municipal control. Mr. Engman said it is also his understanding the Highway Superintendent can do so and it only would require appropriate signage.

Gifting Rules for Municipalities (ID # 5448)

Mr. Wood, Tompkins County Attorney, provided information regarding Article 8 Section 1 of the New York State Constitution, noting that in general municipalities cannot give gifts. He then said it is more complicated when not-for-profit agencies are doing things and seeking municipal funding. He noted that each situation should be questioned since there are different rules for each type of municipality, with the broader leeway given to the county level. Mr. Wood said giving money from one municipality to another, however, is not considered a gift. Due to the way the law is written it is sometimes possible to join with other municipalities in order to do something. Mr. Wood used the example of Tompkins Consolidated Area Transit's partnership as allowable.

Discussion followed with Mr. Dietrich and Ms. Zahler providing examples of various things funded at their municipalities. Mr. Wood said although there are ways to be creative and assist with funding it is important to review how the law would apply to a situation. In response to a question by Mr. Engman about providing funding to not-for-profits, Mr. Wood said that if the services being funded benefit the municipality and/or its residents funding it is allowable.

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Reserve Fund (ID # 5447)

The Committee was provided an oral report of the balances of the various accounts. Ms. Weiser spoke of the matter coming up at the time Ms. Thomas discussed the possibility of funding for a trails website. Following the inquiry there was an initial discussion of how to use the reserve funds and what would be considered an appropriate use of funds. In the interim funding for the Trails website was secured and that specific request did not need to be considered further.

Ms. Ryder suggested a small group could be formed to review the history and bring forward recommendations. Ms. Weiser said the current resolution has some guidelines that indicate funding should be for specific use that would benefit many areas. She spoke of various events and projects the funds have been used for in the past. Ms. Sumner said she would be cautious of impulse buying and expressed concern regarding how permission is provided at this time.

Mr. Engman said part of the purpose of the fund was to allow a rapid response if needed due to the requirement of obtaining municipal approval for some items. He believes there is no need to spend the funds at this time and they should not be used for a recurring cost and the fund was created for one-time items.

Ms. Weiser asked whether a booklet with a list of resources that could be distributed to the public is an item that could be used by the fund. The cost may include design and printing. Ms. Ryder said in discussions with other Supervisors it was noted that solar energy is being discussed by many municipalities. She has been in touch with Ms. Kemp of Solar Tompkins and items such as that should be considered. Ms. Zahler believes if there were not any other resource available printing of material may be considered. Mr. Engman said there is a precedent for producing an item when the majority of the group chooses to.

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Ms. Ryder expressed a desire to have a small working group formed to review the resolution to come back next month. Ms. Zahler noted that the resolution also speaks of paying annual dues and there may need to reflect current practice. Ms. Weiser offered to be a member of the working group and Ms. Ryder will find additional volunteers.

Ms. Sumner stated generic budget planning may help plan for spending of the reserve funds. Mr. Leifer disagreed saying to set a budget would change the makeup of the Council. Determining a use for funds such as lobbying for the entire group is an item for consideration versus spending for printing, etc. Ms. Sumner disagreed and said having to vote and then go back to obtain approval from each municipality is not best practice.

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Update on Shared Services - February 26, 2015 Meeting with BOCES

Mr. Mareane spoke of the recent meeting of school districts and municipalities at Tompkins-Seneca-Tioga BOCES that provided information regarding sharing costs over municipal lines of what they could offer such as tax collection and building safety. He said it may be possible to use TST-BOCES as a model of how to centralize back-of-the office services.

Mr. Engman said each school still has a local representative at each school to collect taxes, allowing people to pay locally. He had thought it was an either off site or local but not both, which he believes was efficient and effective. In addition, TST-BOCES also processes the payroll input by the schools.

Ms. Zahler also said another service is the in-house print shop, which is often opened for use.

Mr. Mareane said there will be continuing discussions with TST-BOCES. He said Mildred Warner of Cornell University has often suggested using TST-BOCES as a model and he said one item to note was all participating districts have the same financial software system enabling them to do the tax collection and payroll. He said it may be worthwhile to look into the possibility of all municipalities having the same software. It would help to determine what types of services could be shared and suggested the possibility of obtaining a grant to do so.

Ms. Zahler said another item spoken of was how TST-BOCES assists in reviewing energy efficiencies in schools. She then said although not addressed a great deal, it appeared there was interest in the possibility of community solar use. Mr. Dietrich said he is interested in bringing in solar to municipal buildings and believes it would be possible to include school districts as well.

Ms. Lavine said TST-BOCES had sponsored a meeting on solar energy and the advancements at the State level that was very good. She also said municipalities spend a great deal on technical assistance for their computer systems and if municipalities had the same software it would be possible to receive assistance from other municipalities versus hiring expert advice.

Mr. Clairborne said it was positive that TST-BOCES offered to assist municipalities with shared services and he also felt it was very beneficial to have so many participants that were able to connect and to provide input on potential initiatives that were not found to be successful and how the goals were then met. He would like to see semi-annual meetings like this continue.

Mr. Mareane said since the Municipal Court Study of the Justice Court System the Shared Services group has met and agreed to a structure the panel would take. Membership will include the District Attorney or her representative, the Supervising Attorney of the Assigned Counsel Program or his representative, either Judge Mulvey from the State Supreme Court or his designee, two defense attorneys, two judges, one non-attorney judge, and two Chief Executive Officers of municipalities. Over the past several weeks he has been reaching out who are willing to serve, however, the list is not yet complete. He

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offered to provide a list of those that have volunteered and asked for tentative approval of the panel by the Shared Services group and he would come back to the Council with a summary of appointees.

Ms. Weiser said originally when the idea was approached it had been suggested to have a representatives from the Domestic Violence Coalition and the Opportunities, Alternatives, and Resources Programs. Mr. Mareane said the list is not finalized and there will be an opportunity for all stakeholders to be involved, including hearing presentations and providing input.

MOTION NO. 001-2015

It was MOVED by Mr. Dietrich, seconded by Mr. Clairborne, to approve leaving the selection of the Municipal Court Study Panel to the Shared Services group.

Ms. Zahler said she agrees with Ms. Weiser that those likely to be affected by Court projects need to be informed. There is also an active effort to raise the age of juvenile delinquents to 18, which would remove from Justice Courts youth between the ages of 16 to 17.

Ms. Weiser said there is a qualitative difference between an invitation to hear versus being put on the panel. Mr. Mareane will take the suggestion back to the group.

Mr. Clairborne noted there was not any drug court representative in the list of panel members. Mr. Mareane said there will be a City Court judge on the panel.

A voice vote on the motion to leave the selection of the Court Study Panel resulted as follows:
Ayes - Unanimous; Noes - 0; Abstain - 0. MOTION CARRIED.

Mr. Mareane then provided members with an efficiency report completed by the Shared Services group. He said it is important to come up with ways to save one percent of levy's for a three year period and asked each municipality to review the list to determine if there are additional shared services they can undertake and return the information to him within the next two weeks. He said the report will also be shared with constituents to show what has been done. He also provided a link for information on the State and Federal Affordable Care Act. He said the efficiency report shows many things have already been to provide savings through shared services and there will also be additional work that is now considered that was started prior to the requirement. He also said there is a question of whether the addition of new members to the Health Consortium could be viewed as a shared services and that it should not be only Homer and Cortland getting the benefit since there was a consolidation of services.

This report could potentially be filed separately for municipalities or as a single report.

Report from Sustainability Committee - Update on Energy Ratings Process

Ms. Wieser said the primary focus has been on the Home Energy Rating Project that was funded. The partner, Performance System Development, has been working with the Department of Energy and NYSERDA, which are excited about the project. The Department of Energy has developed an easy home energy rating system scale and would like to do a trial. Susan Brock is studying whether municipalities could require homes on the market to have an energy rating performed and published. The Technical Advisory Committee will be advising the project has been assembled and will meet soon.

Ms. Weiser suggested that Melissa Kemp of Solar Tompkins to speak at the next meeting. She said there is a community choice aggregation for Westchester County under the REV proceeding that has been approved by the Public Service Commission for the County to contract to work with an ESCO regarding solar and renewables, including resident options to participate.

There is a webinar outlining this that can be forwarded to members. Mr. Dietrich said he is more interested in municipal utilities and funding available. He believes it would be a worthwhile project that

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could include school districts. It was suggested that a presentation toward the end of the meeting take place to allow additional time for individuals having questions.

Ambulance Service

Ms. Weiser said their local ambulance service has notified the Town that due to financial and stressing constraints will not be continuing service.

Cooperative Investment

Ms. Weiser said as a follow-up to the Cooperative Investment discussed in February a meeting will be set up to provide additional information and answer questions.

Report from Cable Committee

Mr. Engman did not have a report.

Next Meeting Agenda Items

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

Solar Energy Presentation - Melissa Kemp and others
Working Committee Finance Report - Irene Weiser
Taxi Cab Fee Structure – (May agenda)
Shared Services Update

Adjournment

On motion the meeting adjourned at 4:34 p.m.