

Tompkins County Council of Governments
July 24, 2008
Scott Heyman Conference Room
3 p.m.

DRAFT 7-28-08

Present: D. Barber (Town of Caroline), R. Dietrich (Town of Danby), L. Shawley (Town of Danby), M. Sumner (T/Dryden), R. Barriere (Town of Enfield), D. Austic (Town of Ulysses), E. Thomas (Town of Ulysses), C. Peterson (City of Ithaca), S. Whicher, M. Lynch (County Administration); M. Pottorff (Legislature Office)

Call to Order

Ms. Peterson called the meeting to order at 3:20 p.m. as Mr. Austic, Chair, had not yet arrived and Mr. Engman, Vice Chair, was not in attendance.

Request for Proposals – Animal Control Services

Mr. Whicher provided an update on the “Animal Control and Shelter Services of Stray Dogs” Request for Proposals, and said the RFP went out and proposals are due back on August 15th. Questions were due by July 21st; however, he received none. RFP’s were sent out to the SPCA, Country Acres, and was posted on the Statewide system which is used by vendors across New York State. He said municipalities really need to make a decision about whether responses will be accepted and if so, how costs will be allocated. A question was raised as to which municipalities have broken away from this process. Mr. Whicher said the only breakaway municipalities at this time are Groton and possibly Ulysses. He noted the SPCA is exploring different alternatives and will be responding to the RFP with two different service levels.

Ms. Sumner said the Town of Dryden has reached out to other Clerks around the Southern Tier and has obtained interesting and varied responses on how they deal with dog control. In one county all towns jointly hire one dog control officer and she would like to pursue discussion with the SPCA about this option because under the current proposal Dryden may be looking at an expense of between \$45,000-\$65,000.

Mr. Whicher reported the SPCA has spoken of a need for administrative office space.

Mr. Barber said he has had discussions with Ms. Smith of the SPCA and was informed they do not have enough staff to cover 24/7 dog control services. He spoke of a model that would include use of a dog control officer and the SPCA; Mr. Whicher said one of Ms. Smith’s responses will include that type of scenario.

There was discussion of development of a formula to cover the costs of a contract. Mr. Austic said a municipality cannot be expected to pay three to four times what they are paying now. Ms. Peterson noted that even if this group reaches agreement on a formula, municipal boards would have to approve a contract.

Mr. Barber spoke of municipalities breaking away from the group in order to provide services to their municipalities at a lower cost and stated such a decision impacts all municipalities. He said the process of putting parochial interests first undermines what is going on throughout the entire County. A scenario in which there are very different levels of dog control throughout the County would not be in the County’s best interest. Mr. Dietrich spoke of the benefits of the County having a grip on the overall picture of the health of its animal population.

Mr. Whicher will provide the Committee with the responses at the next meeting on August 28th as well as an executive summary of the RFP that he will provide to the Committee.

Mr. Barber clarified that TCCOG is not in a position to make a decision, it is the purveyor of the process and each municipality will have to negotiate or sign a contract with the SPCA.

There was discussion of allocation of costs. It is anticipated that there will be two responses to the RFP from one supplier with two bids – one bid that complies with the RFP and one bid that will exclude the enforcement component. TCCOG or each municipality will then have to address that second part, how the service will be provided, and how that cost will be distributed. It was also noted that the process by which dogs are enumerated across the County is greatly different and some towns do not have a current enumeration. Mr. Austic suggested costs be based on the number of dogs and not by enumeration.

Mr. Dietrich said there needs to be discussion with the State to begin a process of making legislative changes in fees to reflect current costs. Mr. Whicher said it would be worthwhile to approach the New York State Association of Towns to discuss changes in fees to reflect current costs.

There was discussion of formulas that have been developed to-date. Ms. Shawley agreed to continue to develop formulas and encouraged others to let her know and she will produce formulas based on those suggestions. Mr. Barber suggested that we try to reach agreement on how to assess costs without attaching numbers. He believes attaching the numbers from the beginning will hinder any consensus being reached on how to assess fees.

When discussing assessing fees based on the number of licenses, Ms. Sumner noted that was not a reasonable approach because the SPCA is located in Dryden and this greatly impacts the number of licenses that are issued there. Mr. Barber also noted there is no correlation between the number of dogs and the number of calls as the Town of Caroline has many more dogs than the City but many fewer calls. Mr. Dietrich will also distributed copies of information he had in an attempt to clarify each of the SPCA charges. Mr. Whicher advised TCCOG not to apportion costs by service because of the volatility municipalities would be exposed to. He recommended apportionment by enumeration in order to maintain stability in costs.

Ms. Pottorff was asked to collect all formulas that have been created and disseminate to members.

Discussion Topics – Next Meeting

Intermunicipal Shared-Services Agreements

Mr. Dietrich said he is unclear on the status of intermunicipal agreements in terms of towns sharing services in emergency situations and would like to have further discussion of this. There was a brief discussion of which municipalities have not signed the agreement. It was stated that Guy Krogh has the list of who has signed on; it was thought at this time the Town of Dryden, the City of Ithaca, and the Village of Trumansburg are the only municipalities who have not signed on at this point.

Ms. Sumner said it is unlikely that the Town of Dryden will come forth with shared municipal agreements although they are willing to help anyone in an emergency situation. Mr. Dietrich and Mr. Barber said are liability issues that arise out of situations in which there is not a signed shared intermunicipal agreement. Ms. Sumner said the Dryden Town Board has authorized the Highway Superintendent to make decisions on a case-by-case basis. There was a lack of clarity as to what services can be shared without an agreement in place.

Ms. Sumner was asked why the Town of Dryden would not want to participate in an agreement that provides a benefit to the Town of Dryden and other municipalities at the same time. Ms. Sumner said the Town does not see such an agreement as being necessary and if the towns or the County could no longer provide services to the Town of Dryden, the Town would obtain services elsewhere if needed.

Mr. Whicher said this is an important issue that needs to be resolved. He said prior to his retirement he will recommend to the Legislature that the County start notifying those municipalities that do not have an intermunicipal shared services agreement that they are to no longer anticipate County support for roads, emergencies, or any other services. He said he sees the unwillingness of some municipalities to sign an agreement as being a way to protect the municipality while exposing the County to liability issues. Mr. Whicher will begin the process by speaking with the County Attorney and the County's insurance carrier, followed by presentation to the Facilities and Infrastructure and Government Operations Committees.

Ms. Pottorff was asked to obtain a list of who has/has not signed a intermunicipal shared services agreement. In a telephone conversation to Guy Krogh on August 1, Mr. Krogh stated the following have signed the Intermunicipal Shared Services Agreement; others claim they have signed, but he has not received anything in writing, so as far as he is concerned these are the only municipalities who have signed:

Towns of Caroline, Danby, Enfield, Ithaca, Lansing, and Ulysses
Village of Cayuga Heights
Tompkins County

Quorum

Ms. Shawley suggested TCCOG perform a quorum check prior to the next meeting.

Approval of Minutes

Approval of the June 26, 2008 minutes will also be included as there was not quorum to take action at this meeting.

Adjournment

The meeting adjourned at 4:30 p.m.

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Respectfully submitted by Michelle Pottorff, TC Legislature Office