

**Tompkins County Council of Governments**  
 Regular Meeting Minutes – ADOPTED  
**Thursday, July 24, 2014 3:00 PM**  
 Scott Heyman Conference Room

**Attendance**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>	<b>Excused</b>
Michael Lane	Member, Tompkins County	Present		
Betty Conger	Member, Village of Groton	Present		
Donald Hartill	Member, Village of Lansing	Present		4:15 PM
Jim Zimmer	Member, Village of Dryden	Present		
Herb Engman	Member - Town of Ithaca	Present		
Bill Goodman	Member - Alternate, Town of Ithaca	Present		
Kelly Smith	Member, Town of Groton	Present		
Ric Dietrich	Member, Town of Danby	Present		
Irene Weiser	Member - Alternate, Town of Caroline	Present		
Don Barber	Alternate - Town of Caroline	Present		4:15 PM
Elizabeth Thomas	Member - Town of Ulysses	Present		
Ann Rider	Co-Chair, Town of Enfield	Present		
Ruth Hopkins	Alternate, Town of Lansing	Present	3:10 PM	
Joe Mareane	Tompkins County Administrator	Present		
Marcia Lynch	Public Info. Officer, County Administration	Present		
Catherine Covert	Clerk of the Legislature	Present		
Kate Supron	Co-Chair, Village of Cayuga Heights	Present		
J.R. Clairborne	Vice Chair, City of Ithaca	Present		

Not Present: Town of Dryden; Town of Newfield; Village of Freeville; Village of Trumansburg; Intern, County Administration

**Call to Order**

Ms. Supron called the meeting to order at 3:02 p.m.

**Greeting/Sign In/Review Agenda**

There were no changes to the agenda.

**Minutes Approval**

**6/26/2014 Minutes**

<b>RESULT:</b>	<b>ACCEPTED [11 TO 0]</b>
<b>MOVER:</b>	Michael Lane, Member, Tompkins County
<b>SECONDER:</b>	Betty Conger, Member, Village of Groton
<b>AYES:</b>	Lane, Conger, Zimmer, Engman, Smith, Dietrich, Weiser, Thomas, Rider, Hopkins, Supron
<b>ABSTAIN:</b>	Donald Hartill, J.R. Clairborne

**Sustainability Committee - Introduction of Members and Report**

Ms. Weiser provided an update on the activities of the Sustainability Committee. The Home Energy Rating and Disclosure project is moving forward and several interviews have been scheduled with candidates interested in serving as the Project Manager. The Team hopes to confirm the appointment by early next week. They are still awaiting a contract from New York State but hope to get this project

rolling soon.

She reported that NYSERDA has funded a program that will train building code officers on the updated Building Code. Local Code Officers will be encouraged to take advantage of the training which will likely be held late fall. She will keep municipalities informed and will make any information on the training available.

Ms. Weiser said the Committee was formed several months ago and is looking for areas that municipalities might want the Committee to focus on. She distributed information on the Cleaner Greener Southern Tier Sustainability Plan and the eight topic areas identified. Also distributed was a form that municipalities were asked to complete.

Ms. Hopkins arrived at 3:10 p.m.

Discussion followed concerning the questions on the form and areas of sustainability efforts that currently exist in municipalities that were identified. Ms. Weiser also asked that municipalities identify areas they would like the Sustainability Committee to work on.

It was suggested that an inventory of what already exists be compiled by each municipality; Ms. Weiser agreed to do a survey monkey for municipalities to respond to.

Open space and storm water management were areas identified that should be better understood, including identifying and analyzing gaps.

## **Emergency Management**

### Appointment of TCCOG representative to Emergency Planning Committee

Ms. Supron asked if there was any interest from TCCOG members in serving as the representative to the Emergency Management Committee.

Mr. Mareane believes the group meets quarterly and there are a number of agencies such as the hospital, Cornell, etc. that are involved. He agreed to provide the meeting schedule as requested. This appointment will be made at a future meeting.

Ms. Supron spoke about the process the Village of Cayuga Heights undertook concerning the review of their Emergency Management Plan and its compliance with NIMS (National Incident Management System). A consultant was hired to review their Plan and found it to be incompliant. She questioned what the status was of Emergency Management Plans in other municipalities and said the consultant expressed an interest in speaking to TCCOG and she asked if there was any interest in exploring this further.

Many municipalities stated they either did not have a Plan or it was in need of updating. Mr. Dietrich spoke about the importance of having procedures in place and the information that needs to be compiled efficiently and accurately during an emergency so that municipalities can receive the necessary resources and funding. Mr. Mareane said Beth Harrington of the County's Emergency Response Department attended a meeting a number of years ago and worked with individual municipalities in preparing local Plans. Following a brief discussion, there was agreement to invite Lee Shurtleff, Director of Emergency Response, to attend a TCCOG meeting to discuss this issue.

### **Update from Health Insurance Consortium**

Mr. Barber provided a brief update on the Health Insurance Consortium and the changes in the structure and various positions: Judy Drake is now the Chair of the Board of Directors, Rordan Hart, Vice Chair of the Board of Directors, Steve Thayer is the Chief Fiscal Officer, and Anita Fitzpatrick is the Secretary. The Consortium has Mr. Barber as the Executive Director. This is a \$40 million business that is run by volunteers. He provided information on some of the costs and said 94% of premiums are paid towards claims. All reserves are fully funded and there is a fund balance that fluctuates between \$7 and \$9 million. The Consortium is in a very good financial position at this time. For 2015, it is anticipated that there will be a 5% premium increase and is looking at that rate of increase for the next three years.

Mr. Barber announced a retreat on “health insurance 101” has been scheduled for September 15<sup>th</sup> and all Board members are being invited to attend as are the bargaining unions. He will be developing an orientation manual and will be visiting each municipality. In addition, he will be putting together a newsletter that will go out periodically throughout the year to employees and board members.

### **Shared Services Workgroup Update**

Mr. Mareane provided an update on the Shared Services workgroup's activities and said it has been a two-prong approach. One is to identify what has been done over the years that is generating reoccurring savings and Kevin Sutherland is working on putting that information together.

Since this group began its work, the State has now said they will only look back to shared services that have been done since 2012. Mr. Mareane said this issue was discussed at the last Government Operations Committee of the County and it was recommended that a list should be compiled of other services that have been provided prior to 2012 that are generating savings such as County-wide assessment, creation of the Health Consortium, 911 Center, etc. This will show the public that the County and municipalities have been working together for a long time and will continue to.

The four functional areas identified to explore further by the Shared-Services Workgroup include: highway, public safety, municipal courts, and central administration services. Mr. Mareane reported on the two areas he has been working on. With regard to municipal courts, he has had off-the-record conversations with people involved in the criminal justice system and the feedback he has been receiving is that there are areas that could be more efficient and improvements within the system. He will continue to have these conversations before going to the next step. At this time, he introduced an intern from Cornell who will be working in that area when appropriate.

Mr. Mareane reported on the other group he is involved with and distributed a list of potential areas identified by a small group of County employees for the Centralization of Administrative Services subgroup. He suggested that this area is ready to be taken to the next level and that a small group be put together to look at these ideas closer. He asked if there were any members of TCCOG interested in serving on it; Liz Thomas and Ann Rider expressed interest.

At this time, Mr. Barber spoke about the Governor’s proposal concerning the shared services and the 2012 date. He distributed a draft letter for municipalities to consider sending to the County’s State Senators and Assemblywoman Lifton requesting the 2012 date be changed to 2008.

It was MOVED by Mr. Engman, seconded by Ms. Rider, and unanimously adopted by voice vote by members present, to approve the Chairs of TCCOG and to encourage Chief Elected Officials in each municipality to send the letter to the County’s State Senators, and Assemblywoman, with copies to the New York State Governor, Governor’s budget officer, State Association of Towns, State Association of Counties, and the New York Conference of Mayors, requesting a change in the date to 2000.

Ms. Supron reported briefly that she met with the County's Highway Director, Jeff Smith, to discuss purchasing of materials and services provided and he suggested that each municipality put together a list identifying services and materials purchased.

Mr. Barber and Mr. Goodman were excused at 4:15 p.m.

#### **Report from Cable Committee**

Mr. Engman said in reference to the COMCAST letter he had no further action to report.

#### **Next Meeting Agenda Items**

- Gary Stewart and Joe Malina of the University of Relations at Cornell have asked to attend a meeting to discuss how they might be able to assist the Committee in its efforts as appropriate.
- Update from the Water Resources Council
- Report from Lee Shurtleff about emergency management planning
- On-going reports on Shared Services and Cable Committee

Mr. Dietrich asked about the status of youth services; Mr. Marenae said there are a number of conversations being held about how services could be stream-lined.

Mr. Mareane also announced the Supervisory Training program has been distributed and hopes TCCOG members will participate.

#### **Adjournment**

The meeting adjourned at 4:21 p.m.

**Tompkins County Council of Governments**  
 Regular Meeting Minutes – Approved 7-24-2014  
**Thursday, June 26, 2014 3:00 PM**  
 Scott Heyman Conference Room

**Attendance**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
Betty Conger	Member, Village of Groton	Present	
Herb Engman	Member - Town of Ithaca	Present	
Kate Supron	Co-Chair, Village of Cayuga Heights	Present	
Casey Powers	Member, Town of Newfield	Present	
Ruth Hopkins	Alternate, Town of Lansing	Present	
Elizabeth Thomas	Member - Town of Ulysses	Present	
Ann Rider	Co-Chair, Town of Enfield	Present	
Kelly Smith	Member, Town of Groton	Present	
Irene Weiser	Member - Alternate, Town of Caroline	Present	
Ric Dietrich	Member, Town of Danby	Present	
Laura Shawley	Member - Alternate, Town of Danby	Present	
Michael Lane	Member, Tompkins County	Present	3:42 PM
Joe Mareane	Tompkins County Administrator	Present	
Marcia Lynch	Public Info. Officer, County Administration	Present	
Peter Stein	Legislator	Present	
Michelle Pottorff	Minute Taker, Legislature Office	Present	

Municipalities Not in Attendance: Village of Lansing, Village of Dryden, Village of Freeville, Village of Trumansburg, City of Ithaca, Town of Dryden

Guests: Keri Blakinger, Ithaca Times

**Call to Order**

Ms. Supron called the meeting to order at 3:00 p.m.

**Greeting/Sign In/Review Agenda**

There were no changes to the agenda.

**Minutes Approval**

**5/22/2014 Minutes**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Betty Conger, Member, Village of Groton
<b>SECONDER:</b>	Ric Dietrich, Member, Town of Danby
<b>AYES:</b>	Conger, Engman, Supron, Powers, Hopkins, Thomas, Rider, Smith, Weiser, Dietrich, Lane

**TCAT Funding**

Mr. Stein, Member of the Tompkins Consolidated Area Transit (TCAT) Board of Directors, spoke concerning TCAT funding by municipalities of which TCAT serves. He distributed a spreadsheet dated March 19, 2009 prepared by Dan Cogan, former City of Ithaca Alderman, that outlined the municipal share of TCAT by town and explained a previous argument that was offered by Mr. Cogan on

Minutes Acceptance: Minutes of Jun 26, 2014 3:00 PM (Minutes Approval)

why municipalities should provide financial support to TCAT. Throughout the United States public transportation systems are in very bad shape. They all have enormous difficulty with continuing to provide a service that was routinely provided years ago and a variety of circumstances, including cost and convenience, have made it impossible for busses to compete with automobiles.

Mr. Stein said the largest problem the world is facing is global warming and the one way it can be addressed by municipalities is to get people out of cars and into less-polluting means of transportation. He explained when all support is taken away it costs TCAT \$5.50 to provide a ride that costs a rider \$1.50; however, if the fare cost were to increase it would result in a decline in the demand for services. TCAT receives funding from the City of Ithaca (\$1 million), Tompkins County (\$2 million), and Cornell University (\$4 million) annually. In addition, TCAT receives a significant amount of money from New York State and the federal government and a small portion of funding comes from fares.

At this time TCAT does not have enough funding to support its operation. The busses are getting old and they have not been able to adequately fund its costs for many years. Mr. Stein said the spreadsheet shows what Mr. Cogan believed would be the shares of each of the municipalities of which TCAT serves. He explained how the calculation was made and the results which led to the Town of Ithaca providing \$50,000 annually to TCAT. He said it is TCAT's hope that other municipalities would join in and contribute as well. An additional question that he said has been raised was if municipalities were to give to TCAT would TCAT be required to provide something in return. He and others believe there is an exemption in State law that allows municipalities to contribute funds for a transportation service. He also noted that the Town of Ithaca has pledged to match any contribution by a municipality to TCAT up to \$50,000.

*Ms. Supron disputed a statement that 50% of the Town of Ithaca ridership is from the Village of Cayuga Heights and asked Mr. Stein to provide further information on this.*

Mr. Stein said another thing that has been suggested is whether funds from a municipality could be traded for some type of service but he doesn't think this would be appropriate. Ms. Hopkins said the Town of Lansing had received a request last year from a developer asking if a route could include a loop through his apartment complex at the end of Warren Road. *Mr. Stein asked her to provide information on this and he will look into it.*

Ms. Weiser said this discussion raises the question of what services exist that are paid for both at the County level and again at the town level and asked why the County couldn't just pay more rather than requesting funds from the towns. Mr. Stein said it would be easy to say that the County should just pay more; however, taxes are a negative thing and there are negative political consequences on those running for office who are a representative of an entity that has increased taxes.

Mr. Dietrich said how the Town of Danby is being impacted by the loss of funding to rural transportation services such as Tioga Transport and he would be interested in speaking to TCAT about this loss in service. Mr. Stein said he will pass this information along.

Mr. Mareane said the Countywide levy and now the Mortgage Recording Tax, provides a basic community support for a service that benefits the entire community. Having specific payments by other municipalities allows the model to somewhat better align benefits with cost, acknowledging that everyone in the County benefits from TCAT.

Mr. Stein said another argument that was raised was anyone contributing should have a "seat at the table". This was given a lot of thought and the Board of Directors decided that for an undefined contribution TCAT would be willing to give the other municipalities a single non-voting seat at the table. He said the Board never takes a vote that is not unanimous and there is almost never a contentious issue.

Ms. Thomas said she is fully supportive of the TCAT service and it provides great service to the Town of Ulysses and the Village of Trumansburg. She recognizes that it is fiscally stressed and the reasoning for spreading funding around but if the votes are unanimous she does not understand why a voting seat would not be provided. Mr. Stein said if a voting seat were allowed it would require a change in the way TCAT is structured and would be very complicated.

Ms. Supron said regardless of whether municipalities are contributing fiscally TCAT's service would be improved by working closer with municipalities, particularly on an operations level. She said it would be nice to see TCAT have a more collaborative relationship in making decisions by taking input from municipalities regardless of finances. Mr. Stein said he would welcome any suggestions for ways this could happen and would be happy to present them to the TCAT Board of Directors.

### Report from Cable Committee

#### Time Warner Cable/Comcast Merger

Mr. Engman said he reported at the last meeting that the consortium of 13 had submitted a proposal to Time Warner Cable and for months they never received a response. The City of Ithaca received a packet of information from Comcast dated June 10, the company that is proposing to take over Time Warner Cable. Because the City's franchise agreement states they have a right to agree or disagree with mergers, the City wrote back to Comcast and stated it did not agree with the merger because it was still trying to negotiate a franchise agreement with Time Warner Cable and they have not responded. Although it is not a good response, within a couple of weeks from that point Time Warner Cable sent in a response.

Mr. Lane arrived at this time.

Mr. Engman said the idea of Comcast merging and franchises agreeing or disagreeing with the merger seems to have some power and puts some of the influence back on municipalities as opposed to the large company. He asked if other municipalities received the document from Comcast; a number responded that they had but it was unclear upon what criteria they were sent the information. He said in there is an article in the Town Topics from the New York State Association of Towns on the merger. It said that municipalities should be careful and if they want to have any influence on the merger they should send back a letter within the specified time period stating whether they agree or disagree with the merger. He urged those municipalities that received the information to respond that they don't agree with the merger because 13 municipalities do not have current franchise agreements and are currently in negotiations with Time Warner Cable and want to complete that process in good faith. He also stated that by law those agreements would have to be accepted by Comcast.

Secondly, he suggested TCCOG send a letter to Comcast stating it doesn't agree with the merger because it wants municipalities to complete negotiations before the merger takes place. He will share a copy of his response to Comcast with the membership.

It was MOVED by Mr. Engman, seconded by Mr. Dietrich, and unanimously adopted by voice vote by members present, to authorize the Chair of TCCOG is authorized to send a letter to Comcast objecting to the merger of Time Warner Cable with Comcast until franchise agreements have been signed by Time Warner Cable.

Mr. Lane asked what would happen if TCCOG says it doesn't approve. Mr. Engman said the regulating authority would have to approve the merger and it would probably require Comcast to divulge who agreed and who didn't and if they see enough disagreements they may ask that they get resolved

before approving the merger.

**Update from Shared Services Group**

Mr. Mareane reported in response to the Governor's Tax Freeze proposal the Shared Services workgroup has decided to take a look back at what this community has already been done with shared services, consolidations, and mergers that are continuing to generate savings for local governments. An inventory of those services is being put together and a first draft will be reviewed at the next meeting on July 1<sup>st</sup> at 9 a.m.

The Workgroup also talked about additional areas where there could be consolidation and agreed to look at four key areas: highway, public safety and fire services, administrative functions, and the court system. Small workgroups will be formed that include both elected officials and staff that is knowledgeable in those areas. As suggestion that the area of law enforcement be explored as well. There has also been outreach to Cornell for possible assistance on the following areas:

- quantify what the effects of shared services has been or will be;
- development of a common reporting format to respond to this;
- skilled facilitation; and
- research interests

Mr. Mareane said there appeared to be interest and he is waiting to hear back.

**Update from Deer Management Working Group**

Ms. Supron said an initial meeting was held last month in the Village of Cayuga Heights and a lot of ideas on how to move forward were expressed. The main thing that needs to be done is to put together a draft resolution that this body can adopt that calls for everyone to work together to manage the deer population.

Ms. Thomas reported on changes that are taking place in rules regarding bow hunting in Trumansburg that would result in a reduction in deer. Ms. Supron reported on changes that have taken place in the Village of Cayuga Heights, particularly with an exemption to the weapons discharge law, and she stated there has been very little resistance.

**Gas Drilling**

Ms. Thomas reported the Court of Appeals heard the drilling case and they are awaiting a response.

Ms. Conger was excused at this time.

**Report on Economic Development Council**

Mr. Lane reported Round 4 of the project grants closed on July 16th with action expected in August on the approximate 180 applications that were submitted within the Southern Tier. He stated the Town of Lansing had sent in a letter and because of the political necessities it was rejecting the \$2.537 million grant for the sewer project in Lansing. He said there are good projects that have been submitted from within Tompkins County and he will provide updates as they become available.

**Announcement**

Ms. Weiser announced a presentation will be held on June 30th at the Unitarian Church on the situation with the Cayuga Power Plant and some alternatives for local development that support the whole community and the environment.

**Next Meeting Agenda Items**

The following items were suggested as agenda items:

Sustainability Committee - Introduction of members and report;  
Shared Services Workgroup update; and  
Emergency Management

Ms. Thomas suggested extending an invitation to Senator O'Mara or Nozzolio to attend to talk members.

**Adjournment**

On motion the meeting adjourned at 4:25 p.m.