

Tompkins County Council of Governments
April 24, 2008

Minutes

Present: D. Austic-T. Ulysses, M. Coles-City of Ithaca, H. Engman-T. Ithaca, R. Dolge-T. Newfield, R. Barriere-T. Enfield, J. Gilmore-V. Cayuga Heights, M. Koplinka-Loehr-Co. Legislator, G. Morey-T. Groton, D. Barber-T. Caroline, B. Goodman-T. Ithaca, M.A. Sumner-T. Dryden, E. Conger-V. Groton.

Guests: Paula Younger and Norma Jayne from County Administration, Steve Locey from Locey and Cahill, LLC-Health Benefits Consulting Firm.

Motion: To accept the March 27, 2008 meeting minutes.
Made by: R. Dolge
Seconded: E. Conger
Carried Unanimously.

Technical Assistance for the Tompkins County Criminal Justice Data Sharing Initiative:

Deputy County Administrator Paula Younger and Executive Assistant to the Administrator Norma Jayne disseminated information on, and informed the membership of, an all day seminar on Monday, May 19, 2008, commencing at 9:00 a.m., at Tompkins-Seneca-Tioga BOCES regarding Technical Assistance (TA) for the Tompkins County Criminal Justice Data Sharing (CJDC) Initiative. The information disseminated contains a brief summary of what the workshop encompasses, data regarding the TA providers, and a participation registration form. Anyone from this organization who would like to attend this seminar is welcome. For further information contact Tompkins County Administration, 274-5551.

Health Benefits Update:

S. Whicher updated the membership regarding the process to hire and attorney for the Health Benefits Consortium and will explain what is needed here today, then Steve Locey will update everyone as to where we are in the overall project.

The resolution before you is in regards to "Legal Counsel Consulting Services for TCCOG". An RFP went out earlier this years regarding legal counsel for the Health Benefits Consortium. The resulting responses were reviewed by the steering committee, which lead to interviews of several law firms. The firm of Hancock and Estabrook was chosen unanimously by the committee as the legal counsel to recommend to the full TCCOG membership. If the resolution is passed at this meeting, the resolution will then go to the Tompkins County Government Operations committee who, once it passes in their committee, will recommend it to the Tompkins County Legislators. If the resolution goes through the Legislature, the County will contract with Hancock and Estabrook for legal assistance as it regards the Health Benefits Consortium.

Motion: To pass the resolution regarding Shared Municipal Services Incentive Health Benefits Grant-Legal Counsel Consulting Services for Tompkins County Council of Governments.

Motion made by: D. Austic
Seconded: D. Barber
Carried unanimously

Discussion that followed:

The legal firm being hired will represent the Consortium, and will be answering questions on behalf of the Consortium. The primary goal is to get us through the legal hurdles of establishing a legal consortium; things that need to be considered to protect the members of the consortium. The firm will be available to provide information and to answer questions for the municipalities, and their attorneys, as they arise. It would be the best possible use of time and money if questions and concerns were handled through emails and/or through discussions at TCCOG meetings before going to the attorney.

Amendment: Could we add a Fourth Whereas to the resolution which states that this is 100 percent funded through the SMSI grant.

Motion: Accept the amendment to the resolution.

Made by: D. Barber

Second: D. Austic

Carried Unanimously

On TCCOG's behalf, the Steering committee regarding Health Insurance is also working on the Phase 2 and 3 consultants of this project. They have completed the first section of the process and shall complete the project with interviews on April 30 and should report out at the next TCCOG meeting their recommendation for the Phase 2 and 3 consultant.

As a reminder, this is a general idea for what the 3 phases of the health benefits consortium are about:

Phase 1: Collection of information and organizational development

Phase 2: Development and plan design work

Phase 3: Implementation

Overall target date for implementation of the insurance consortium is January 1, 2010. Municipalities and staff will be expected to start signing up for the plan of their choice in November of 2009.

Two reminders:

1. Have your municipal Board pass the resolution to "Support the Council of Governments' Review of Health Benefits for New York State Shared Municipal Services Program"; AND have an elected official sign the Intermunicipal Agreement ADM-08-312, then returned both completed documents to County Administration by May 10, 2008.
2. Steve Locey of Locey and Cahill, LLC will facilitate an informational meeting regarding an overview of, and question and answer period for, the Health Benefits Consortium on April 28th, 2008, at the Tompkins County Public Library Borg Warner Conference room from 5:30 to 7:00 p.m.

For additional information there is a link on the Tompkins County home web page to the "Shared Services Health Benefits Study".

Mr. Locey's update:

The first phase coming to completion, Locey and Cahill representatives have evaluated all the benefits plan designs submitted by the municipalities, have looked at all the labor agreements, and have a pretty good understanding of what issues we will be facing with the consortium.

Structuring the plan is important in the next phase, to know exactly what is going to be offered with the Health Benefits packages. At the least we need to offer exactly what the municipalities have committed to with their staffs and unions now. In the next phase they will need to look for economies to scale, synergies, and make sure plan designs offer enough flexibility. They need to be structured in a cost effective manner. There needs to be flexibility to negotiate future changes to try to keep the benefits line cost effective. An essential next step is to concentrate on forming a Board of Directors-decide how it will be established, research issues such as how many votes will each entity be given, will it be a weighted process, will there be union representation on the Board, etc.

Plan design perspective: Membership and enrollment guidelines: we are going to have to make sure each entity is doing things similarly- enrollment, changing plans, etc. There will not be interference with how municipalities deal with their collective bargaining units or in terms of what is charged. But how you access that coverage, to be sure that it is fair and equitable to everyone involved.

Employer issues in terms of protections, the Municipalities will be represented on the Board of Directors, there will be NYS Insurance Department oversight over the program, sharing of information will generally go through the Board of Directors. In terms of withdrawals, they want to make sure that it is set up so that there is no penalty if you want to get out at a later date. The set up will apply to active employees and retirees.

Next Steps: Wednesday, May 14, 2008, there will be a meeting with the Health Benefits subcommittee. Locey and Cahill will be submitting a final report for Phase 1, which will then be disseminated out to the consultant for Phase 2 in terms of providing benefit analysis, anything else relative to labor wording and giving input from the consultant perspective on how this should move forward. We are ready for Phase 2 once the committee has finalized their review of consultants.

Discussion:

Q: Are there Albany Legislative hurdles to get over for this type of insurance consortium program?

A: SL: There can be issues; it usually depends on the structure of the programs. There have been requests that steps be taken at the State level to get Legislative changes to allow municipalities of less than 50 employees to participate in consortiums. That should not get in the way for progress for this consortium.

At this point we can set up consortium on the on a self-insured basis under Article 47 of the Insurance Laws, which allows municipalities to come together for health insurances purposes. It is very important to have good legal counsel at this juncture.

Q: Where is the process to include Union representation:

A: SW: There was an informational meeting about the consortium for union representatives from all county municipalities held in January of 2008. Throughout the County negotiations mention has been made of the health benefits consortium and what TCCOG is going with this grant.

The labor management entities will have to be included in the consortium but how that is going to be done will be decided at a later date, with steering committee and then with the Board of Directors.

SL: What has been done with other consortiums is to set up something like a joint labor management committee or an advisory committee, where labor management and consortium representatives get together a couple times a year to share information on what is happening with the consortium, where it is going and to garner feedback from the unions, to discuss what the unions would like to see the consortium do. This way Unions would have information up front, which could make negotiations a bit easier.

Q: Are we on time to hit the January 2009 deadline.

A: At this point we are ahead of the time line but that slack could be taken up at a later time with negotiations and municipalities joining.

This consortium is also serving as a model.

Q: Is there a possibility that the City or the County would loose money joining this organization?

SL: The City and County are the two largest entities in this organization and may not save money at first but things should level out in the long run. But the law of averages shows that with the larger group of participants the costs should go down. A goal of this process is to provide education for employees and to stabilize insurance costs.

This consortium can offer savings with wellness programs as well.

SPCA/Dog Control:

Mr. Dietrich talked to the SPCA and requested a break down of budget information as it applies to animal control for the municipalities in Tompkins County. He asked Ms. Smith to produce a line item budget in layman's terms, which was disseminated at this meeting. The budget appears to be "bare bones". The basic animal control bottom line budget is \$324,295, however, this budget may not cover everything the municipalities need. The SPCA animal control breakdown of \$324,295 is approximately 39 percent of the entire SPCA 2006 budget of \$1,225,000.

It was recommendation that the SPCA/Municipalities use the Recreation Partnership's formula for fees, which is already being used in the community, when dividing up the costs to the participating municipalities. This formula uses units of service and cost per units of service. If not all municipalities contract with the SPCA then SPCA costs should decrease as well, so things should equal out.

Ulysses has an agreement with SPCA and local animal control officer until the first of 2009. The agreement is for an Animal Control Officer, who Ulysses has a contract with, to pick up the animal and take it to the SPCA. Veterinary costs will be until the owner is found or up to \$500. Ulysses had an issue with the increase in fees and feels this is a good solution for small towns. However, it is something they are trying, it is not necessarily a permanent solution.

Some items covered in discussion/negotiation with the SPCA are:

Municipalities are charged shelter fees for up to seven days and then the SPCA carries the cost. All estimates were based on the actual number of animals served in the program, which happened to be 460 dogs for 2007.

The only place where there might be a small cut is with veterinary costs.

Salaries are low for SPCA employees.

Having the SPCA available for animal control is like an insurance policy, and you are not continually trying to find someone to cover necessary services.

If Towns increase dog-licensing fees they can recuperate some costs.

We need a unified dog enumeration system, do we want to contract that through SPCA?

Discussion Topics:

Five items for consideration:

1. Enumeration
2. Animal Control
 - a. Law Enforcement
 - b. Agriculture and Markets minimum requirements
3. Seven day animal maintenance
4. No-kill policy
5. The County is covering feline issues.
6. Three year contract
7. Continue with research and possible RFQ(s)

Three items we may be able to separate out and do RFQ's for are:

1. Enumeration
2. Law Enforcement (Animal Control)
3. Agriculture and Markets minimum requirements.

We need to see if there is someone who is qualified to perform these services separately. If we could contract out it might cut the overhead costs and bring down expenses. We should ask the SPCA what items they can do within their budget. We could possibly hire them as the no-kill shelter because that is what their mission is.

Are we working on an RFQ's or are we negotiating with the SPCA? One of the things that we have to consider with this issue is the amount of time and effort that has been spent and will be spent. Tremendous amounts of time have already been spent discussing this issue at TCCOG meeting and at meetings specific to the SPCA. An exorbitant amount of time has been spent researching this one subject when there are hundreds that we have to deal with. Is it worth the time and effort to put this out to bid

when we do not know if it will bare fruit? We may find people to do separate services such as: enumeration, law enforcement, and Ag & Markets, or someone who can provide a service for individual municipalities, but to date there is no indication that one entity could provide service for all that we are requesting. The ability to compile an RFQ, or several RFQ's, before December 31 seems impractical. Mr. Engman strongly recommends that municipalities and the SPCA formulate a contract, be locked into that for three years and then do further analysis/research. Are we spending more money than we are saving looking for what might be out there?

We are not just looking for the lowest price we can get. The provider should be able to cover our needs. The SPCA budget AND their services are minimal at best. There is supposed to be 24 hour a day, 7 day a week coverage and it is not happening. There are not enough people listed in the budget being reviewed today to carry out coverage for the entire county.

There seems to be two parts from the service perspective:

1. One is the methodology that goes into the SPCA budget, which can be discussed with Ms. Smith
2. The other is to garner input regarding services from Municipal Clerks.

Mr. Dietrich volunteered to meet with the Clerks to discuss services the SPCA is providing and to compile a list of services that need to be covered.

If you have one large contract with all the municipalities in the County you will have more bargaining power, whereas, if you splinter out you will not have much power.

Doing a dog enumeration on a set schedule will give the County a good idea of current animal population and could also increase licensing revenue.

We will continue this discussion at the next meeting. Mr. Dietrich will gather information from the SPCA and the Town Clerks regarding service issues to bring to the next meeting. Could Mr. Dietrich bring a resolution to the next meeting? The County has found that if an issue is stalled on the table you may need to compile a resolution for vote in order to promote forward movement.

Q: Is it only the Towns and the City, not the Villages, who contract for this service?

A: Yes, the Villages are covered under the Townships.

Bring Back "Future Topics" List for Membership Review:

Future Topics:

Proposed 2/22/07

SMSI Grant Health Insurance In Process-Remove from list

Planning Board Training-There are several entities that have trainings. We need shared knowledge, a master list of information. County Administration will contact Cooperative Extension to see if they could produce a master list of what trainings are being offered where. Could they do a quarterly update to TCCOG? Or could Coop Ext. put together a plan for TCCOG review regarding this issue. Will be on next month's agenda for review.

Waste Haulers: May of 2007 TCCOG sent a resolution "SUPPORTING MEASURES TO KEEP LONG HAUL TRUCKS ON INTERSTATE HIGHWAYS IN UPSTATE NEW YORK, AS PROPOSED BY SEN. CHARLES SCHUMER to: Tompkins County Legislature

Tompkins County Administration

Senator Charles Schumer

Senator Hillary Clinton

Senator James Seward

Senator Michael Nozzolio

Senator George Winner, Jr.

Congressman Maurice Hinchey

Congressman Michael Arcuri

Governor Elliot Spitzer

**Assemblyperson Barbara Lifton
NYS DEC Division of Environmental Permits Director
NYS DEC Bureau of Solid Waste, Reduction and Recycling
New York State Association of Counties**

Do we need to have all Municipalities sent additional letters?

Proposed: 1/25/07

Consolidated Courts- Was looked at before TCCOG was organized, there are a lot of problems there. This might be another major project to take on with a grant after we have finished with the Health Benefits Consortium grant. Leave on the list for the long term?

Proposed: 12/28/06

Reorganization of the recreation partnership-New contract was developed-Remove

Proposed: 10/26/06

Shared services agreement for Highway Departments-Work in progress, agreement has been developed-Remove*.

Shared Storm Water Officer for MS4 Municipalities-There was a grant to investigate this, which included three towns, Caroline, Newfield, and Ulysses. It was determined that there was not enough work to hire an officer. The three municipalities are contracting individually with Tompkins County Soil and Water for their services. The City and Town of Ithaca are still discussing possible shared Storm Water services-Remove

Added: 8/24/06 (revised 9/28/06)

- **Shared arrangements with borrowed/lent heavy equipment/machinery. Remove (same as above*)**
- **Removal of dead animals on the road, who is responsible for what, where. Consensus of the membership was to remove this item from the list.**
- **Emergency Response/Intermunicipal task force. Within the County there are three levels of organization:**
 - a. **EMSG-County Departments/Agencies: The goal of this group is to determine what will be done within the County in the event of a major emergency. The County is basically putting together an emergency plan, Shawn Martel Moore, Deputy County Administrator, is chairing that committee.**
 - b. **Intermunicipal Cooperation: This committee is coordinating a plan on how to work with other Tompkins County municipalities in the event of a major emergency, this effort is being coordinated through Cheryl Nelson, Tompkins County Public Works Administrator.**
 - c. **Lee Shurtleff is chairing the more formal Emergency Responders and their plan. This group also coordinates with the Federal and State Emergency Management plans.**

Ask Emergency Response Director Lee Shurtleff to update TCCOG on this issue.

Also ask Mr. Shurtleff to give an update on the Emergency Communications System.

- **Agreement between Towns/County/City-liability for people and equipment in Emergencies. Ask Emergency Response Director Lee Shurtleff to update TCCOG on this issue.**

Have cooperative Extension and Lee Shurtleff report out at the May meeting.

Review the remaining "Future Topics" list at May meeting.

- **When doing Emergency management, how do you manage your fuel resources? Discuss the possibility of a fuel depot with Cornell, County and local municipalities? Alternative fuel depot fleet management re: greenhouse gas emissions. (C. Peterson 9/28/06)**
- **Deer management (M. Robertson 9/28/06)**
- **Coordinating efforts for:**
 - a. **Affordable housing and planning. (C. Peterson & D. Austic)**
 - b. **Communications system.**
 - c. **Data Sharing.**

- Use this group to work with the new President of Cornell for support to the community. (C. Valentino)

An additional item for next month's agenda is for Ed Marx, Director of the County Planning Department, to report out on the Cornell/IRCTC housing and transportation contributions.

Motion: to adjourn the meeting at 4:35 p.m.

Made by: R. Dolge

Second by: R. Barriere