

**Tompkins County Council of Governments
September 25, 2008
Scott Heyman Conference Room
3 p.m.**

Members Present: T/Ithaca – H. Engman
T/Enfield – F. Podufalski
T/Caroline – D. Frongillo
T/ Danby – R. Dietrich
T/Ulysses – E. Thomas
T/Dryden – M. Sumner
C/Ithaca - C. Peterson
T/Groton – G. Morey
T/Lansing – B. Shattuck
T/Newfield – R. Dolge
Tompkins County – D. Kiefer

Municipalities not in Attendance:

V/Cayuga Heights, V/Dryden, V. Freeville, V/Trumansburg; V/Lansing, V/Groton

Others: L. Shawley, Danby; S. Whicher, County Administrator; M. Pottorff, Legislature Office; P. Dougherty, Town of Enfield Deputy Clerk; M. Lynch, Public Information; M. Armstong, TCAD; E. Marx, S. Doyle, Tompkins County Planning Department; A. Smith, SPCA; M. Cooper, Finger Lakes Newspapers

Call to Order

Mr. Engman, Vice Chair, called the meeting to order at 3:02 p.m.

Presentation on Energy and Greenhouse Gas Emissions Element proposed for the Tompkins County Comprehensive Plan

Mr. Marx, Commissioner of Planning and Public Works, said a series of public meetings on the proposed addition of an energy and greenhouse gas emissions element to the County's Comprehensive Plan have been held around the County and the last one will take place next week in Dryden. The new element is being added to the section of the Plan entitled "Interlocking Pieces: The Environment". It compliments existing elements that address water resources and natural features and relates directly to many of the policies adopted in support of other plan elements. Some examples of such policies include promoting nodal development patterns, developing alternative transportation options, investing in local jobs and business opportunities, and protecting rural resources and natural features. These policies all contribute positively toward energy sustainability. This new element explores the broad range of issues related to energy and greenhouse gas emissions and presents specific policies and actions to address them. Mr. Marx said this is an effort to address some of the many rising energy costs that everyone is facing. The process began at the beginning of the year and they are near the end of the public input phase with full Legislature adoption expected prior to the end of the year.

Mr. Marx said there is no single solution or single approach that will work to affect a major reduction in community energy usage and greenhouse gas emissions and a four-pronged approach is required: reduce energy demand, improve energy efficiency, transition to renewable energy sources, and enhance resources that naturally remove carbon from the atmosphere. There are many things the public and businesses can do to make progress towards this and to also reach the same end result using less energy. Most of the money spent on energy or fossil fuels for vehicles often goes out of the community and many times overseas to other countries. The more we can reduce our reliance on those energy sources the more dollars we will have to circulate in the economy.

Mr. Marx said there are eight draft policies contained within the element and he hopes other municipalities will consider adopting these as well. The overall goal is to reduce our carbon emissions (from the community, not just County government) by 80% by the year 2050. This is based on what the

basic international scientific consensus is on what is absolutely necessary to do to avoid the most catastrophic results of climate change. Many efforts are ongoing and they would like to have a policy statement that the County would foster and support implementation of those efforts throughout the community.

Mr. Marx said the information presented today is what has been provided to the communities they have visited so far and has led to very good discussions. Mr. Marx said all of the information is available on the Planning Department's website and he encouraged anyone with questions to contact him.

Ms. Peterson said the City of Ithaca has undertaken an educational campaign on sustainability and is requiring each of its 400 employees to participate. The City began with a kickoff and will move into a training module under Johnson Controls shortly.

RESOLUTION 002-2008 - ACCEPTANCE OF GRANT AND ENDORSEMENT OF MEMORANDUM OF UNDERSTANDING BY TOMPKINS COUNTY COUNCIL OF GOVERNMENTS – WATER AND SEWER INFRASTRUCTURE

MOVED by the Town of Danby (Dietrich), seconded by the Town of Groton (Morey), and unanimously approved by those present. Ms. Armstrong explained last summer TCCOG approved a resolution to move forward with the Study. In the Fall, an SMSI grant application was made and awarded. Most of the municipalities in the County have passed resolutions in support of that application and this action requests acceptance of the grant monies and moves the project forward. There is no financial burden on municipalities to participate; the ten percent local share will come from the Industrial Development Agency. The State requires that each of the participating municipalities will need to approve a version of this resolution.

WHEREAS, the Tompkins County Economic Development Strategy's goals include increasing and diversifying the County's housing supply and revitalizing the County's unique commercial districts and town centers, and

WHEREAS, the Economic Development Collaborative was organized to formalize, strengthen and deepen the cooperation among the many local agencies and municipal bodies addressing economic development issues in the County to make the process more effective through common goals and approach, and

WHEREAS, the Tompkins County Council of Governments (TCCOG) is a member of the Economic Development Collaborative, which is currently working to address the goals of the County's Economic Development Strategy, and

WHEREAS, the Economic Development Collaborative has suggested the creation of an updated, County-wide evaluation of existing water and sewer infrastructure and the development of a conceptual plan of water and sewer infrastructure needed to support future growth, and

WHEREAS, the last County-wide evaluation of water and sewer infrastructure was completed in 1994, and

WHEREAS, an updated evaluation would facilitate the development of housing within town and village centers, commercial revitalization of those centers and growth in the tax base, with the most efficient use of public dollars for infrastructure, and

WHEREAS, the result of this evaluation will be a report that is available for all municipalities to use in their planning of infrastructure development, but that no actual investment in water or sewer facilities is included in this project, and

WHEREAS, the County of Tompkins, on behalf of TCCOG, applied for and was awarded a grant known as Shared Municipal Services Incentive grant from the State of New York, to conduct a County-wide evaluation of water and sewer infrastructure and develop a conceptual plan, now therefore be it

RESOLVED, That the Tompkins County Council of Governments supports the development of a County-wide evaluation of water and sewer infrastructure and the development of a conceptual plan of water and sewer infrastructure needs to support future growth,

RESOLVED, further, That the members pledge to work with the Economic Development Collaborative to ensure cooperation of members' planning and engineering departments with this project, providing information and documentation requested by the consultant team, led by TG Miller, including but not limited to:

- Current rated capacity of water and wastewater treatment systems from existing SPDES (State Pollution Discharge Elimination System) permits and facility plans
- Electronic files or paper copies of maps showing current water distribution and/or sanitary sewer collection systems
- Recent studies of water and sewer facilities
- Treatment processes, mechanical and other systems related data
- Scheduled or anticipated system upgrades or new construction
- Historical problems and obstacles including operational difficulties, regulatory compliance, land use restrictions, public impact and complaints, and funding
- Current population served by the utilities including number of service connections
- Anticipated population growth rate for the next ten years
- Existing or planned funding sources that may be available, and

RESOLVED, further, That the County of Tompkins, on behalf of TCCOG, is authorized to accept a grant from the State of New York's Department of State in the amount of \$82,245.24 to conduct a County-wide evaluation of water and sewer infrastructure and develop a conceptual plan.

Statement of need:

Increasing housing supply and revitalization of commercial districts are two of the Tompkins County Economic Development Strategy's three goals. Both require improvements to water and sewer infrastructure, especially in the non-urbanized areas of the county. The proposed infrastructure study is, therefore, an integral step to achieving affordable housing and revitalization goals. In particular, to provide for housing to be reasonably affordable, housing requires density. Continuing to build individual homes on 1-2 acre lots is not an affordable approach to providing housing. Dependable water and sewer infrastructure is also critical for revitalization of our town and village centers.

Preliminary scope of work:

A consultant will be hired to:

- Update the 1994 County-wide evaluation of water and sewer infrastructure working with local municipal staff.
- Prepare a conceptual plan of water and sewer infrastructure, including potential service areas, to support future growth.
- Prepare preliminary costs to expand infrastructure to accommodate planned growth.

Work will reflect anticipated growth of the municipalities, local plans, and the Tompkins County Comprehensive Plan."

Animal Control

Mr. Engman said a subcommittee (M. Sumner, R. Dolge, C. Peterson, S. Whicher, R. Dietrich, and H. Engman) met to investigate parts of the RFP that weren't clear or were not included.

Payment Formula: neither organization cares how the costs are allocated among municipalities.

Enumeration: neither organization wants to do dog enumerations throughout the participating municipalities.

Police Officer: neither organization wants to provide the peace officer functions; the SPCA will continue for only the next three years if desired by TCCOG. Ms. Sumner commented that she had been in contact with the NYS Ag and Markets representative for this region who stated the dog officer does not have to be a peace officer. If they were not a peace officer they could not pick up cats and could not do humane investigations which is not a part of the contract.

Cooperation: both organizations are eager to cooperate with one another and with TCCOG to provide good care for dogs.

Pet Playhouse: still has no firm estimation of cost, especially beyond year one. Cell phones, catching equipment and training were not included in the bid. Firm kennel expansion costs are not yet calculated. Total budget will probably be equal to that of the SPCA.

SPCA: 2nd and 3rd year estimates were not included in the bid. Verbal estimates given to the committee were for \$400K for year two and \$500K for year three.

Committee Recommendation

The TCCOG Dog Control Committee Recommends that:

1. A one year contract, with the option of a second year, be negotiated with the SPCA for the sum of \$301,071. This assumes that all municipalities except Groton agree to participate. Should there be other non-participants, the amount would be renegotiated.
2. A dog control officer be hired by the county by the end of 2009 to serve the TCCOG group.
3. A dog enumerator be hired by the county at the beginning of 2009 to begin a rolling count of dogs (each municipality every three years) in the participating municipalities.
4. Negotiations begin immediately with Pet Playhouse and the SPCA to develop a comprehensive system of dog control and boarding. (It may be possible to lower costs by separating out the police officer, Ag. and Markets initial holding period, initial vet care, and long-term holding period.)
5. The funding formula agreed upon at the August TCCOG meeting be adopted for 2009 and adjusted as municipalities achieve an accurate count of dogs.

To Be Determined

Should cost allocations be based solely on dog count when all enumerations are completed?

RESOLUTION NO - ACCEPTING THE FORMULA FOR DOG CONTROL EXPENSES

MOVED by Town of Newfield (Dolge), seconded by Town of Ithaca (Engman). Mr. Engman reported he was just informed that the suggested option of including a component on the upcoming Countywide census as part of an effort to determine the dog population within the County is not possible.

Ms. Sumner said she could not consider a proposal that is based on enumeration because the Town of Dryden is the only municipality that has a current physical enumeration.

Ms. Peterson said she finds the proposed formula for the City of Ithaca very difficult to support, particularly because of the large number of rental properties that do not allow dogs. Ms. Kiefer said Ms. Peterson's concern sounds reasonable and thought it could be addressed if this resolution were delayed. Mr. Dietrich and Mr. Engman spoke to the need for TCCOG to not delay taking action on this issue. Mr.

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Dietrich said he needs to have a number to plug into his Town Budget; therefore, a decision cannot be postponed. He also reinforced the importance of enumeration being done in all municipalities for many different reasons. Mr. Engman spoke of the many variables that exist that make it extremely difficult to address every element of cost.

A roll call vote resulted as follows: Ayes – 6, Noes – 5, Not Present – 6. MOTION CARRIED.

<u>Ayes</u>	<u>Noes</u>	<u>Not Present</u>
T/Ulysses (Thomas)	T/Dryden (Sumner)	V/Trumansburg
T/Newfield (Dolge)	T/Lansing (Shattuck)	V/Groton
T/Ithaca (Engman)	T/Groton (Morey)	V/Freeville
T/Enfield (Podufalski)	City/Ithaca (Peterson)	V/Lansing
T/Caroline (Frongillo)	Tompkins County (Kiefer)	V/Dryden
T/Danby (Dietrich)		V/Cayuga Heights

WHEREAS Article 7 of the New York State Agriculture and Markets Law requires municipalities to provide for the licensing and identification of dogs, the control and protection of the dog population and the protection of persons, property, domestic animals and deer from dog attack and damage and

WHEREAS the Tompkins County Council of Governments (TCCOG) wishes to provide an efficient, effective and humane level of dog control service for those residents of Tompkins County in municipalities participating in a coordinated contract with a dog control provider and

WHEREAS at its August 28, 2008 meeting of TCCOG an agreement was reached to create a formula for dog control costs based on the ratio of dog population to human population and requested that the Town of Danby use the formula to create the proposed 2009 cost for each municipality

RESOLVED the attached chart is accepted as the official distribution of costs for the 2009 dog control contract.

Attachment

SPCA ALLOCATION - 2009

TOWN	POP.	POP. %	ENUM. ENUM.	ENUM. %	ALLOC. % *	ALLOC.
T. CAROLINE	3,010	3.06	361	3.12	3.09	9,270
C. ITHACA	29,829	30.31	3,579	30.94	30.62	91,860
T. DANBY	3,167	3.22	380	3.29	3.26	9,780
T. DRYDEN	13,916	14.14	2,459	21.26	17.7	53,100
T. ENFIELD	3,536	3.59	424	3.67	3.63	10,890
T. GROTON	5,849	5.94	702	6.07	6	18,000
T. ITHACA	18,198	18.49	1,152	9.96	14.22	42,660
T. LANSING	10,833	11.01	1,300	11.24	11.13	33,390
T. NEWFIELD	5,142	5.23	617	5.33	5.28	15,840
T. ULYSSES	<u>4,934</u>	<u>5.01</u>	<u>592</u>	<u>5.12</u>	<u>5.07</u>	<u>15,210</u>
TOTAL	98,414	100	11,566	100	100	300,000

Enumeration based on actual enumeration in the current year or 12% of population.

* Allocation % = (Population % plus Enumeration %) /2

Withdrawal of Resolution from the Agenda

Although the previous resolution passed, it was assumed that it is unlikely that the six towns in favor would proceed with the proposed agreement for dog control services at a cost of \$300,000. Those towns agreed to meet following this meeting to discuss how to proceed. The resolution authorizing a dog control contract be awarded was withdrawn from the agenda.

Approval of Minutes – June 26, July 24, and August 28, 2008

It was MOVED by Mr. Frongillo, seconded by Mr. Dietrich, and unanimously adopted by voice vote by members present, to approve the minutes of June 26, July 24, and August 28, 2008 as corrected. MINUTES APPROVED.

Next Agenda

The following topics were suggested for inclusion on the October agenda:

- Gas Drilling – Mr. Whicher asked that members review the email he distributed pertaining to Marcellus Shale. Mr. Whicher will be looking for a speaker to address this subject. Mr. Dietrich said there is a tremendous amount of information that is needed on this and he would like to see meetings held in every town. He thinks municipalities should be discussing joining together to negotiate. He thinks negotiating leases as a county is going to be very important. He also spoke of the importance of protecting the water supply.
- SMSI Health Insurance Project – Report from Steve Locey, Consultant, and John Powers, Legal Counsel. TCCOG accepted Mr. Whicher’s offer to continue working on this project.
- Presentation on “LIDAR” (Light Imaging Detection and Ranging)

Adjournment

The meeting adjourned at 4:33 p.m.