

MINUTES

Approved 3/13/09

GOVERNMENT OPERATIONS COMMITTEE

DECEMBER 12, 2008 2:00 P.M. SCOTT HEYMAN CONFERENCE ROOM

Present: M. Hattery, Chair; G. Stevenson; P. Mackesey; D. Kiefer

Excused: M. Sigler

Staff: C. Covert, Clerk of the Legislature; J. Mareane, County Administrator; P. Younger, Deputy County Administrator; M. Lynch, Public Information Officer; G. Potter, Information Technology Services Director; A. Fitzpatrick, Personnel Commissioner; A. LeMaro, Facilities Manager; J. Wood, County Attorney

Call to Order

The meeting was called to order at 2:00 p.m.

Changes to Agenda

An appointment to the Library Board of Trustees was added to the agenda.

Chair's Report

Mr. Hattery did not have report. [A brief report was provided at the end of the meeting.]

Report from the County Administrator

Mr. Mareane spoke about the December 18th joint meeting with Department Heads and the Legislature and said he reviewed the draft agenda with the Department Heads at their last meeting and requested feedback. However, to date he has not received any further comments. He reminded the Committee that the Governor's draft budget is due out December 16th and he expects to work with the New York State Association of Counties and Department Heads about getting a rapid response to the Legislature as soon as possible.

Ms. Mackesey asked that the agenda for the December 18th joint meeting not be rushed through and that adequate time be given to the items. She would rather postpone an item and have it brought back at a future meeting; Mr. Mareane agreed.

Report from the County Attorney

Mr. Wood was not present at this time.

Report from the Finance Director

Mr. Squires was not present. Mr. Mareane said Mr. Squires had asked him to state that there was no report.

Report from the Public Information Officer

Ms. Lynch reported that *US Airways Magazine* will publish a "Business Outlook" feature package on Ithaca and Tompkins County in its February 2009 edition. Tompkins County Area Development is taking the lead role on this which will have a primary economic development focus, but will also highlight the region's quality of life. The issue will be 8 to 14 pages in length. Ms. Lynch said she has

been in contact with Fred Bonn of the Convention and Visitor's Bureau as well and is also looking for input from others for story ideas.

Information Technology Services

Communications Policy

Mr. Potter said that since the Committee last met on this subject, it was brought to his attention that there is an additional step of the policy review process that needs to occur as referenced in Policy 01-04. He believes that due to the amount of complications and amount of input needed, he recommends revising the Communications Policy be done in two phases. He handed out a flow chart of steps for producing a draft and refining it.

He reviewed and proposed process and schedule as follows:

Phase I

12/19 – Version 1

- Administrative Manual Change Request Form (to be completed by Greg Potter)

12/26 – Version 2

- Review by Anita Fitzpatrick, Personnel Commissioner; Jonathan Wood, County Attorney; Greg Potter, Director of Information Technology Services (Revisions by Greg Potter)

1/16 – Task Force – Three Independent Groups

- Department Head Representatives (12/10 Department Head meeting discussion) – Bob DeLuca, Mental Health Director; Cheryl Nelson, Public Works Administrator; Nancy Zahler, Youth Services Director; and Paula Younger, Deputy County Administrator, agreed to participate.
- Information Technology staff (both within IT Department and IT staff from other Departments)
- Organized Labor Representatives (work with Anita Fitzpatrick to form group)

A brief discussion followed concerning a review by the Legislature and/or Committee. Ms. Kiefer believes there may be some strong feelings about this policy and suggested there be time for Committee review during Phase 1. Mr. Hattery suggested and the Committee agreed that the policy be brought to the Committee for information only at the end of Phase 1 and at that time the Legislature will receive a copy as well.

Mr. Potter said one area of concern from a Legislator perspective is the question of what happens to information that should be a public record and how should it be preserved in a County's records program. Draft language will need to be written that addresses that topic. Mr. Potter said another area that will need to be addressed is the Department of Social Services as their systems are on the State's network.

At this time, Mr. Potter briefly reviewed Phase 2 as outlined in the Administrative Policy 01-04 - Modifying the Administrative Manual: The Policies and Procedures of Tompkins County Government:

Phase II

2/2 – Submittal of Draft (Version 3, Phase 1) to County Administration

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- 2/16 – Impact Review by Department Heads
- 3/9 – Impact Review Form Completed by Greg Potter
- 3/23 – Verbatim Summary of Recommendations by County Administration
- 4/6 – Final Draft and Resolution by Greg Potter
- 5/6 – Committee for Content Review
- 6/8 – Committee for Procedural Review
- 6/23 – Legislature Meeting

Mr. Hattery requested that when the assignments for the task force groups are final to let the Committee know for the record.

Goals

Ms. Kiefer commented that the Government Operations Committee goals were not on the agenda; Mr. Hattery said he would address this at the end of the meeting.

Dedication of Bench

Mr. LeMaro updated the Committee on the status of his discussions and evaluation of the request from Elaine Joseph, a State employee working for Family Court, to have a bench placed in the front lawn of the Courthouse under a magnolia tree to provide clients a pleasant place to relax/wait. He opposes the proposed location due to maintenance with cleaning up the leaves and a need to have a walkway to the bench. It is his proposal to locate the bench at the northern corner of the building close to the flag pole. He learned from the conversation with Ms. Joseph that she would purchase the bench and concrete pad. In response to Ms. Kiefer's question about a cost estimate and informing her of that amount, Mr. LeMaro said he did not provide that information to Ms. Joseph, but said the cost estimate is \$750-\$800.

Mr. LeMaro said the alternative location was shared with Ms. Joseph and she said that she would "think about it".

Mr. Hattery asked Mr. LeMaro if he would be willing to be in the position of working with Ms. Joseph if she wishes to pursue this. A brief discussion followed concerning the installation of the bench, and Mr. LeMaro said his preference is to have Ms. Joseph pay for the project and the contractor with oversight by the County.

Ms. Kiefer asked if the type of bench was discussed; Mr. LeMaro said she agreed that it would match the other benches.

Mr. Hattery asked Mr. LeMaro to communicate back to Mrs. Covert if Ms. Joseph wishes to pursue this further.

A brief discussion followed concerning the plaque and what it would say on it. Ms. Kiefer expressed her interest in having the bench dedicated and the plaque read something such as "A gift of Elaine Joseph", etc. Mr. Hattery said if there is agreement on the location and other necessary details, the Committee will discuss how the plaque would read at a later date.

County Administration

Update from Administrative Manual Maintenance Team

Ms. Younger provided a brief update on the Administrative Manual Maintenance Team's work and distributed copies of two documents: (1) List of Policies not Updated for 15 Years or More (includes Department's expected completion date), and (2) list of Frequently Asked Questions (FAQs). She said the database is in place for managing and tracking all the updates. The other item to be completed that will be a priority next year is the Plain-language Guide.

Mr. Hattery asked Ms. Fitzpatrick about the process and her experience with updating the policies her department is responsible for. Ms. Fitzpatrick said the overall problem with the Manual is at the time it was adopted, there was not the technology in place that exists now and many of the policies relating to personnel issues are now available in other areas, are more accessible, and are updated more frequently. She said they will be recommending a master policy that represents all the collective bargaining agreements or other policies that are not covered by contracts to tell people where to go. All contracts are available on-line for all employees. Her staff is approaching this in a manner that does not duplicate the information, but directs employees where to go. There will be a proposal coming forward that recommends many of the policies be abolished.

In response to Ms. Kiefer's concern about question #10 of the Frequently Asked Questions, which makes no allowance for current policies that need no change, Ms. Younger commented that one of the challenges has been reformatted policies being submitted based on the revised template without any change to the content.

Appointments

It was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, to approve and submit the following appointments to the full Legislature for approval:

Public Information Advisory Board

Chuck Brodhead – At-large representative; term expires December 31, 2011

Library Board of Trustees

Eric Acree – term expires December 31, 2011

Nancy B. Schuler – term expires December 31, 2011

Michael S. Hall – term expires December 31, 2011

Mr. Stevenson expressed concern that an application submitted by one of the applicants interested in reappointment to the Library Board of Trustees was not filled out completely. Ms. Kiefer questioned the review process of applications and if there needs to be more direction. Following further discussion, the Committee agreed to separate out the appointment below.

A voice vote resulted as follows on the appointments above: Ayes – 4, Noes – 0, Excused – 1 (Sigler). APPOINTMENTS APPROVED.

It was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, to approve the appointment of Richard Driscoll to the Library Board of Trustees for a term expiring December 31, 2011. Following a brief discussion and a request that Ms. Steiner be informed of concern raised earlier, a voice vote resulted as follows: Ayes – 4, Noes – 0, Excused – 1 (Sigler). APPOINTMENT APPROVED.

Tompkins County Legislature

Resolutions

It was MOVED by Ms. Mackesey, seconded by Mr. Stevenson, and unanimously adopted by voice vote by members present, to approve and submit the following resolution to the full Legislature for approval:

RESOLUTION NO. - CORRECTION OF ERRORS

WHEREAS, it is important that official minutes and reports be accurately written, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the Clerk of the Legislature be and hereby is authorized to correct any manifest errors in the 2009 minutes of the Legislature or in reports of any committees.

SEQR ACTION: TYPE II-20

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It was MOVED by Ms. Ms. Mackesey, seconded by Mr. Stevenson, to approve and submit the following resolution to the full Legislature for approval. Ms. Kiefer suggested and the Committee agreed to add the Whereas reflected in the resolution below. A voice vote resulted as follows: Ayes – 4, Noes – 0, Excused – 1 (Sigler). RESOLUTION CARRIED.

RESOLUTION NO. - DESIGNATION OF NEWSPAPER

WHEREAS, the Tompkins County Legislature must annually designate an official newspaper, and

WHEREAS, there is only one daily newspaper in Tompkins County, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the official newspaper for the County of Tompkins for the publication of all local laws, notices and other matters required by law to be published pursuant to Section 214 of County Law and Chapter 58 of the Tompkins County Code be designated from January 1, 2009, to December 31, 2009, as follows:

The Ithaca Journal, Ithaca, New York

SEQR ACTION: TYPE II-20

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Legislature Salaries

The Committee briefly discussed the salaries for Legislators for the term 2010-2013. The resolution included in the agenda packet proposes a zero percent increase for the four-year term. Ms. Kiefer provided an overview of the proposal she presented to the Committee for consideration that increases salaries by \$500 annually.

Mr. Hattery said after reading the minutes from the last meeting, one of the issues is “what is a Legislator”. He referenced Ms. Kiefer’s proposal and said he disagrees with including many of the Whereas’ as it makes assumptions of who Legislators are and their rights to consider this a half-time employment. He views a Legislator’s position as a public service; it is a stipend, not a salary. In addition, he does not believe it to be true with the current Legislature as many of them have full-time employment elsewhere.

Ms. Kiefer said she does not believe the historical information she included in her proposal was intended to characterize any of the Legislators currently serving; it is her belief that the Whereas’ define the history. She disagrees with referring to the salary as a stipend as Legislators can receive a retirement credit based on the salary level. She spoke briefly about the resolution included in the agenda packet

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setting salaries at a zero percent and said several years ago the Legislature did agree to zero percent as an example to staff in recognition of difficult times and said it served no purpose.

A discussion followed concerning the legality of decreasing the salary for Legislators during their term of office. Mr. Wood said he is unsure if the Legislature can take action to decrease their salary or if it would have to be done on an individual basis voluntarily.

Ms. Mackesey spoke of her support to increase the salary the same amount as the current term.

Mr. Hattery said he would like to postpone any further discussion on this issue until all Committee members are present.

Approval of Minutes

October 10, 2008

It was MOVED by Mr. Stevenson, seconded by Ms. Kiefer, and unanimously adopted by voice vote by members present, to approve the minutes of the October 10th meeting as submitted.

November 14, 2008

It was MOVED by Mr. Stevenson, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present, to approve the minutes of the November 14th meeting as corrected.

Committee Goals/Chair's Report

In reference to Ms. Kiefer's comment earlier in the meeting regarding committee goals, Mr. Hattery said the Committee has been making progress with them including the update of the Administrative Manual and the Communications Policy.

Other Business

Ms. Mackesey said she would like to have an update from the Board of Elections regarding the last election and how it went at a future meeting.

Mr. Hattery said he would like have the four direct reports attend a meeting early next year to give a report on any upcoming issues and where they are headed.

Ms. Younger reminded Committee members that she is trying to schedule the performance reviews coaching session at the end of January.

Adjournment

The meeting adjourned at 3:32 p.m.