

MINUTES

Approved 3/14/08

GOVERNMENT OPERATIONS COMMITTEE

FEBRUARY 8, 2008 2:00 P.M. SCOTT HEYMAN CONFERENCE ROOM

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

Staff: C. Covert, Clerk of the Legislature; D. Squires, Finance Director; P. Younger, Deputy County Administrator; M. Lynch, Public Information Officer; S. Whicher, County Administrator; J. Wood, County Attorney; S. Dewitt, Election Commissioner; E. Cree, Election Commissioner; J. Steiner, Public Library Director; M. Reynolds, Deputy County Clerk; A. Valenti, County Clerk

Call to Order

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

Changes to Agenda

Mrs. Covert distributed copies of a revised resolution entitled Correction of Taxes – Town of Ithaca (61.-1-7.2/99). In addition, the following resolution was added to the agenda:

- Scheduling a Special Election in District No. 12 (Town of Ithaca)

Mr. Hattery said he would like to bring forward an item that was previously tabled by this Committee for a discussion. A brief discussion on this subject was held at the end of this meeting.

Report from the Committee Chair

Mr. Stevenson briefly reported on the progress of the team's work for updating the Administrative Manual. A timeline and task list has been developed and is available upon request. The Committee's 2007 goal was to have the Manual updated 50 percent by 2009. He wanted Committee members to be aware that several revised policies will be coming forward through the committee this year. Ms. Younger provided a brief overview of the task line and said it outlines the timeline for updating the Manual 50 percent. She also said an update and overview of the process will be provided to Department Heads at their next meeting.

Report from the County Administrator

Mr. Whicher mentioned that he just came from a Human Services Coalition luncheon where a powerful speaker spoke. He then reported on a Handicap Parking Education program that is funded by parking fines. This program is the responsibility of County government and municipalities are required to send the money collected to the County; however, municipalities have not been doing this for many years. There is currently \$4,000 in the account and another approximately \$20,000 anticipated. As the City has a Disability Advisory Council, the County will begin working with the City to develop a plan for an education and awareness program. Some of the funds collected will be used in developing this plan and once completed plan will be made available to the State as requested.

Mr. Whicher reported that he has begun Department Head reviews and was informed by the Weights and Measures Director, Don Ellis, of the need for more support as he is the only employee and is unable to get to all of the programs required of his department. Mr. Whicher has asked Mr. Marx, Planning and Public Works Commissioner, to look at the structure of Public Works Divisions to see where there could be support structure such as Solid Waste for a more efficient and effective program. Ms. Kiefer commented that looking at the Environmental Division of the Health Department makes sense as well.

Third, Mr. Whicher met with the Election Commissioners recently concerning the implementation of the HAVA requirements as well as the need for housing of the voting machines and said this is an area that needs to be addressed.

Finally, Mr. Whicher updated the Committee on the progress of the Health Insurance Consortium project through the Tompkins County Council of Governments (TCCOG). The group is about to enter phases two and three through an RFP (Request for Proposals) process and once a recommendation is ready, this Committee will be asked to award the contract. The Personnel Committee has also asked to be kept informed of this project. He asked for the Committee's guidance to go forward as outlined above. Committee members had no concerns or objections with the direction outlined by Mr. Whicher. In response to a question by Ms. Kiefer, Mr. Whicher stated there is no financial implication in phase two as it is funded by a grant.

Report from the County Attorney

Mr. Wood had no report.

Report from the Finance Director

Mr. Squires provided a brief overview of the status report of properties remaining on the foreclosure list. One of the properties on the list is owned by a County employee who has asked for a waiver of the foreclosure penalty of \$1,050. The owner has indicated they will pay the taxes after they receive their income tax refund, however, they do not have the ability to pay the additional charges. County policy and practice is that a fee of five percent of assessed value is added when the deadline of January 11th has passed. Mr. Squires does not recommend waiving the fee and explained other factors relating to this property. The only time the County considers waiving the fee is with residential owner-occupied homes. Mr. Sigler expressed concern with the five percent fee and believes it is high. No Committee wished to support a waiver.

Mr. Squires said in the list of properties there are three owner-occupied properties and of the three, two involve relatives of the deceased party as occupants.

Report from the Public Information Officer

Ms. Lynch circulated a draft brochure for the Assessment Department regarding the revaluation process. The brochure is being printed and made available electronically. It is intended to answer many questions from the public and will be distributed and made available in the towns. Ms. Mackesey spoke of a conversation she had with a constituent who said they are unable to visit the Assessment Department during regular business hours. She asked if evening hours to accommodate other similar situations could be considered. *Mr. Whicher agreed to contact Ms. Coggin to discuss it with her.*

Ms. Lynch said she will be showing a public information video on assessment at the next Committee meeting.

Assessment Department

Resolutions – Correction of Taxes

It was MOVED by Mr. Sigler, seconded by Mr. Hattery, and unanimously adopted by voice vote, to approve and submit the following resolutions to the full Legislature for approval:

RESOLUTION NO. – CORRECTION OF TAXES – TOWN OF ITHACA (61.-1-7.2/99)

WHEREAS, the Legislature is informed that an error has been made in the 2008 tax roll of the Town of Ithaca, namely parcel 61.-1-7.2/99, assessed to Cornell University, was erroneously charged for special district charges for Sewer District and Water District charges, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the entry on the tax roll of \$8,498.60 be corrected to reflect a total of \$0.00,

RESOLVED, further, that the Town of Ithaca Tax Collector is directed to correct the 2008 tax roll,

RESOLVED, further, that the amount of \$8,498.60 be charged back to the Town of Ithaca.

RESOLUTION NO. – CORRECTION OF TAXES – Town of Newfield (25.-1-10.36)

WHEREAS, the Legislature is informed that an error has been made in the 2008 tax roll of the Town of Newfield, namely parcel 25.-1-10.36, assessed to Sherry Livingstone, was erroneously charged for 22 Solid Waste units, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the entry on the tax roll of \$1,144.00 be corrected to reflect a total of \$105.35

RESOLVED, further, That the Town of Newfield Tax Collector is directed to correct the 2008 tax roll

RESOLVED, further, That the amount of \$1,144.00 be charged back to the Town of Newfield

RESOLUTION - CORRECTION OF TAXES - Town of Ithaca (28.1-1-18./1)

WHEREAS, the Legislature is informed that an error has been made in the 2008 tax roll of the Town of Ithaca, namely parcel 28.1-1-18./1, assessed to Judith Eda of Eco Village, was erroneously charged for special district charges for Solid Waste and Water District charges, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the entry on the tax roll of \$5,696.34 be corrected to reflect a total of \$609.24

RESOLVED, further, that the Town of Ithaca Tax Collector is directed to correct the 2008 tax roll,

RESOLVED, further, That the amount of \$3,300 be charged back to the Town of Ithaca,

RESOLVED, further, That the amount of \$1,787.10 be charged back to the Tompkins County Solid Waste Division.

Tompkins County Public Library

Appointments

It was MOVED by Mr. Hattery, seconded by Mr. Sigler, to approve and submit to the full Legislature for approval the appointment of Susan Currie to the Tompkins County Public Library for a term to expire December 31, 2010. A brief discussion followed concerning the individual who was not recommended for appointment by the Library's nominating committee. Ms. Steiner said there are two openings but there are other candidates in line for consideration. Ms. Steiner said the individual has agreed to serve on the Library's advisory council and her application will be kept on file for future consideration. Mr. Stevenson expressed concern and said there is a greater issue of the need for more people to serve on certain advisory boards and it is difficult when someone presents themselves and then they are denied.

A voice vote on the appointment of Susan Currie resulted as follows: Ayes – 5; Noes – 0.
MOTION CARRIED.

Board of Elections

Resolution

Ms. Cree provided an overview of the Sequoia ImageCast Precinct Optical Scan System that both Commissioners have agreed upon, support the purchase of, and that meets the HAVA (Help America Vote Act) requirements. Currently there are 50 polling sites, but the Commissioners are looking at reducing that number to at least 45 and therefore would only require the need to purchase 45 machines. Discussion concerning the polling sites occurred later in the meeting. This machine serves two purposes: Audio Tactile Interface (ATI) and Ballot Box and ImageCast scanning unit. Ms. Cree said if this machine becomes the certified machine for full implementation of HAVA, it will only require a switch of a button to become compatible and allow the use of the scanner. One of the most important features of the machine is that it captures an image of the ballot. In response to Mr. Sigler's question, Ms. Cree said there were three options, but both Commissioners agreed the Sequoia machine was the best option. Mr. Dewitt commented that Sequoia was the most responsive vendor to the needs expressed and is also located in New York State. Ms. Cree also commented that most counties in New York State are purchasing this machine.

A brief discussion followed concerning the cost of future elections with the new requirements. Ms. Cree said there will be an increase in election expenses. Mr. Sigler noted that the increased cost would be approximately \$29,700 for each election every year. Ms. Cree said the Committee may want to discuss budget issues and how expenses are charged at a future meeting.

It was MOVED by Mr. Hattery, seconded by Ms. Mackesey, to approve and submit the following resolution to the Budget and Capital Committee for approval. Discussion followed concerning the funding available from the State and what the County is responsible for paying. Committee members requested a full accounting and documentation of the \$981,244 referenced in the resolution.

Mr. Sigler asked if there was any Federal money available for the housing and storage of voting machines. Ms. Cree said there was no money allocated for that purpose.

Ms. Kiefer suggested and the Committee agreed to remove the words "Ballot Marking Device" from the third Whereas and just use the initials as the initials are spelled out and referenced in the second Whereas. She also suggested and the Committee agreed to add language to the first Resolved that explains what the money is being used for.

A voice vote on the resolution resulted as follows pending receipt of the itemized list requested for the \$981,244 and the additional wording to be added to the resolution prior to the Budget and Capital Committee meeting: Ayes – 5, Noes – 0. RESOLUTION CARRIED.

RESOLUTION NO. – APPROPRIATION FROM CONTINGENT FUND AND AUTHORIZING THE PAYMENT TO THE OFFICE OF GENERAL SERVICES OF FIVE PERCENT MATCHING FUNDS FOR THE PURCHASE OF BALLOT MARKING DEVICES AND SUPPORT EQUIPMENT FOR EACH POLLING PLACE IN TOMPKINS COUNTY

WHEREAS, the Help America Vote Act of 2002 (HAVA) requires Tompkins County to have at least one voting machine in each of its polling places where any voter can vote independently and secretly, and

WHEREAS, under a court order from United States District Judge Gary L. Sharpe, New York State must have a Ballot Marking Device (BMD) in place and operational by the September 2008 Primary Election in order to comply with HAVA, and

WHEREAS, the Federal Government has provided funds to New York State under HAVA for the purchase of BMD'S statewide, and

WHEREAS, HAVA will cover the bulk of the cost of these devices, Tompkins County will be required to match 5 percent of the cost for Title II funds, and

WHEREAS, the Tompkins County Board of Elections has selected the Sequoia Image Cast Precinct Optical Scan System to be the BMD that will be deployed in Tompkins County, and

WHEREAS, Tompkins County has submitted an order to the Office of General Services for New York State (OGS) for forty-five machines, providing a BMD for each of its polling places, at a total cost of \$981,244, and

WHEREAS, OGS will bill Tompkins County for the five percent match of the Title II funds upon issuing a Purchase Order for the BMD's, and

WHEREAS, Tompkins County's five percent match equals \$41,345.34, and

WHEREAS, there are no funds within the Board of Elections to pay this cost, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee and Budget and Capital, That the Director of Finance is hereby authorized and directed to make the following budget appropriation:

FROM: A1990.54440	Contingent Fund	\$41,345.34
TO: 1450.54400	Program Expense	\$41,345.34

RESOLVED, further, That the County Administrator is authorized to execute the required documents.

SEQR ACTION: TYPE II-20

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Consolidation of Polling Sites

Ms. Cree and Mr. Dewitt are reviewing options for reducing the number of polling places from 50 to 45 sites. A list of polling sites in each municipality was distributed and reviewed. Reducing the number of polling sites also reduces the number of voting machines and the technical support needed. Below is a list of municipalities and possible recommendations for consolidation:

City of Ithaca – No options presented by the municipality.

Town of Caroline – Limited consolidation possibilities. Supervisor will raise the issue at the next Town Board meeting and get back to the Board of Elections.

Town of Danby – No reasonable consolidation possible at this time.

Town of Dryden – Possibility of eliminating 2-3 polling sites. Scenarios being looked at are moving District 6 (Dryden Village Hall) and/or District 11 (Dryden Baptist Chapel) into the Dryden Fire Station with District 7 (Dryden Fire Station) and District 3 (Dryden Fire and Station) that currently vote there and moving District 2 (Freeville Fire Station) and District 10 (Reach Out for Christ Church) into the same building.

Town of Enfield – Already totally consolidated.

Town of Groton – No consolidation possibilities.

Town of Ithaca – Possibility of eliminating 2-4 polling sites through consolidation. Best opportunity is to move District 13 (Hospicare) in with District 3 and 10 at College Circle Apartments. There are currently five polling places serving Cayuga Heights area. Cayuga Heights Fire Station which currently houses two districts is becoming more problematic with each election so any consolidation plan would likely have to deal with the elimination of the Cayuga Heights Fire Department as a polling site. The Commissioners are working with the Town of Ithaca to come up with a satisfactory plan for Cayuga Heights that will hopefully reduce the number of polling places by one or two.

Town of Lansing – Good possibility of eliminating two polling sites. Likely scenarios are to combine District 7 (Maguire Chevy Cadillac Olds) with District 5 at C.F.R. Building and combining District 1 (Lansing Central Fire Station) with District 3 (Lansing Town Hall).

Town of Newfield – Already totally consolidated.

Town of Ulysses – Good possibility of eliminating one site by combining District 1 (Ulysses Town Hall) with District 3 at the Trumansburg Fire Station.

It was noted that the election districts cannot be relined until 2011. Ms. Kiefer suggested the Commissioners talk to the Village boards. *Mr. Stevenson suggested this information be shared with other Legislators for their information and review and if they have any comments to contact the Board of Elections.*

Housing Voting Machines

Ms. Cree spoke about the current situation with storing the existing lever voting machines and said the Old Library is not adequate. The Department believes it is in need of 4,200 square feet of space in a climate-controlled facility as outlined in the memorandum distributed to committee members. Ten percent of the voting machines are to be delivered in April and since Tompkins County got its order in early, ours should arrive then. The advantage of the Old Library is the close proximity of the Board of Elections office. Mr. Whicher said he will continue having discussions with the Commissioners about their space needs.

Additional Technical Inspectors

Ms. Cree reported on the need for additional Technical Inspectors because of the new HAVA requirements and additional machines at the polling sites. She is trying to make connections at Cornell University and Ithaca College and asked for any assistance that can be provided. She said she is open to any other ideas as well. Mr. Hattery suggested TC3.

Resolution – Scheduling a Special Election

It was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, and unanimously adopted by voice vote, to approve and submit the following resolution to the full Legislature for approval. There was a brief discussion concerning the date of the election and the Committee agreed with April 22.

RESOLUTION NO. - SCHEDULING A SPECIAL ELECTION IN DISTRICT NO. 12 (TOWN OF ITHACA)

WHEREAS, Legislator Tim J. Joseph has resigned from the Tompkins County Legislature effective at the end of the day on February 19, 2008, and

WHEREAS, pursuant to County Charter Article 2, Section 2.04, when a vacancy occurs on the Tompkins County Legislature on or before August 15 of any year, such office shall be filled for the remainder of the unexpired term at a special election in the district of said office, and

WHEREAS, the special election must be held as soon as practicable and be held not later than 75 days from the date of such vacancy, and

WHEREAS, the term of office for this vacancy shall be for the remainder of the unexpired term of December 31, 2009, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That a special election be held on April 22, 2008, in District No. 12 (Town of Ithaca) to fill the unexpired term of Legislator Joseph,

RESOLVED, further, That the Board of Elections be directed to prepare the ballots, voting machines, and other matters so that such election may be properly held and conducted as provided in Election Law.

SEQR ACTION: TYPE II-20

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Ms. Cree requested the Board of Elections have some time on the agenda for the next Committee meeting.

County Clerk

Grant Application

Ms. Reynolds reported on a grant the County Clerk's office is applying for to continue digitizing old land records. She also commented that the Information Technology Services Department has submitted a grant application for \$75,000 for the Legislature's office to review options for management of its records.

County Administration

Resolution – Council of Governments

It was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, to approve and submit the following resolution to the full Legislature for approval. A voice vote resulted as follows: Ayes – 4, Noes – 1 (Hattery). RESOLUTION CARRIED. (Resolution reconsidered later in the meeting.)

RESOLUTION NO. - APPROVAL OF APPOINTMENT TO THE TOMPKINS COUNTY COUNCIL OF GOVERNMENTS (TCCOG)

WHEREAS, the Tompkins County Council of Governments is an association of local governments organized to provide a forum of discussion, study, and negotiation leading to agreements for more efficient, improved, and/or less costly delivery of government services, and

WHEREAS, Tompkins County desires to change its appointed member of the Tompkins County Council of Governments, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That Martha Robertson be appointed as the voting member and Michael Koplinka-Loehr as the alternate member.

SEQR ACTION: TYPE II-20

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Budget Adjustment

It was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, and unanimously adopted by voice vote, to approve and submit the following budget adjustment to the full Legislature for approval:

<u>Revenue Acct</u>	<u>Title</u>	<u>Amt</u>	<u>Approp Acct</u>	<u>Title(s)</u>
1231.43089	Other State Aid	\$ 2,000	1231.54330	Printing
1231.43089	Other State Aid	\$123,250	1231.54400	Program Expense
1231.43089	Other State Aid	\$ 3,120	1231.54412	Travel/Training
1231.43089	Other State Aid	\$130,500	1231.54442	Professional Services

Explanation: The SMSI Budget was not transferred from 2007 to 2008. There is no County Cost associated with this budget.

Approval of Minutes

January 2, 2008

It was MOVED by Ms. Kiefer, seconded by Ms. Mackesey, and unanimously adopted by voice vote, to approve the January 2, 2008, minutes as submitted.

January 11, 2008

It was MOVED by Ms. Kiefer, seconded by Mr. Hattery, and unanimously adopted by voice vote, to approve the January 11, 2008, minutes as corrected.

MOTION TO RECONSIDER

It was MOVED by Mr. Sigler, seconded by Mr. Hattery, and unanimously adopted by voice vote, to reconsider the resolution entitled Approval of Appointment to the Tompkins County Council of Governments (TCCOG). Mr. Sigler said he would like to change his vote.

It was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, to approve and submit the resolution entitled Approval of Appointment to the Tompkins County Council of Governments (TCCOG) to the full Legislature for approval. Mr. Sigler said he believes the Chair of the Legislature should be the voting member on the Council of Governments. A voice vote resulted as follows: Ayes – 3 (Stevenson, Kiefer, and Mackesey); Noes – 2 (Hattery and Sigler). RESOLUTION CARRIED.

Other Business

Mr. Hattery said he would like the Committee to revisit the subject raised and discussed at a previous meeting concerning conflict of interest and abuse of authority and power. Ms. Kiefer also asked that the date for filing Annual Financial Disclosure forms be revisited as well and recommend the deadline of January 30th. Committee members agreed to discuss these two items at a future meeting.

Adjournment

The meeting adjourned at 3:50 p.m.