

Approved 4/11/08

MINUTES
GOVERNMENT OPERATIONS COMMITTEE
MARCH 14, 2008 2:00 P.M. SCOTT HEYMAN CONFERENCE ROOM

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

Excused: M. Sigler

Staff: C. Covert, Clerk of the Legislature; M. Lynch, Public Information Officer; J. Wood, County Attorney; D. Squires, Finance Director; V. Coggin, Assessment Director; J. Franklin, Deputy Assessment Director; P. Younger, Deputy County Administrator; B. Shattuck, Town of Lansing; E. Marx, Planning and Public Works Commissioner; B. Nicholas, Airport Manager; H. Filiberto, Empire Zone Coordinator

Guests: T. Ashmore, Ithaca Journal Reporter

Call to Order

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

Changes to Agenda

A transfer from the Board of Elections was distributed to Committee members for information only. A revised resolution concerning the lease of Airport property was also distributed. Ms. Kiefer asked if Greg Potter, Information Technology Services Director, could be scheduled for a future meeting.

Chair's Report

Mr. Hattery said he did not have a report.

Report from the County Administrator

Mr. Whicher noted that Greg Potter, Information Technology Services Director, has requested that the issue of County e-mail addresses for Legislators be on the next Committee's agenda.

Report from the County Attorney

Mr. Wood said he did not have a report.

Report from the Finance Director

Mr. Squires distributed copies of a Memorandum of Law Preliminary Statement from the United States Bankruptcy Court Southern District of New York in regard to Joseph James Duhe, III and Mary M. Duhe, Debtors. This is in relation to the property on Pleasant Grove Road.

He updated the Committee on the foreclosure process and said next Wednesday he, the auctioneer, and staff from the Planning and Assessment Departments will be inspecting the 15 properties on the list of foreclosed properties in preparation of the annual auction being held June 12. As a follow-up to the report provided at the last meeting, Mr. Squires said the County employee whose property was in foreclosure called and stated that he thought he could come up with the money including the fees to redeem his property by mid-April.

Mr. Squires reported on an SMSI - Office of Real Property grant application submitted for \$125,000 to study a centralized database for taxes. A uniform database will provide at any time the current status of taxes paid or owed.

Mr. Wood commented that the County has always used outside counsel for bankruptcy cases.

Report from the Public Information Officer

Ms. Lynch did not have a report.

Assessment Department

DVD

At this time, Ms. Lynch showed a DVD about the Assessment Department and their activities. She noted that the Public Information Advisory Board has been working on two DVD projects: one with Assessment and the other with Solid Waste. The DVD's are being produced with a communications class at TC3.

Resolution – Correction of Taxes – Town of Enfield

It was MOVED by Ms. Kiefer, 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. Ms. Coggin noted this was a clerical error and that solid waste units were duplicated.

RESOLUTION NO. – CORRECTION OF TAXES – TOWN OF ENFIELD (10-1-14.11/1)

WHEREAS, the Legislature is informed that an error has been made in the 2008 tax roll of the Town of Enfield, namely parcel 10.-1-14.11/1, assessed to Allan Porter and Debra Parsons for Judy Brown, was erroneously charged for 15 Solid Waste units, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the entry on the tax roll of \$780.00 be corrected to reflect a total of \$0.00,

RESOLVED, further, That the Town of Enfield Tax Collector is directed to correct the 2008 Tax Roll,

RESOLVED, further, That the amount of \$780.00 be charged back to the Tompkins County Solid Waste Division.

SEQR ACTION: TYPE II-20

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Resolution – Appointment of Temporary Board of Assessment Review Members

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. Ms. Kiefer questioned the appointment of Mr. Dwyer who has only been in the area for a short time. Ms. Coggin said it is difficult to find a realtor to serve as they feel it is a conflict of interest and a detriment to their business. She noted that this individual is an office manager. She said they try to have a balance of representation for all types of property including commercial, residential, and agriculture.

RESOLUTION NO. – APPOINTMENT OF TEMPORARY BOARD OF ASSESSMENT REVIEW HEARING MEMBERS TO SERVE ON ADMINISTRATIVE HEARING PANELS

WHEREAS, Real Property Tax Law 523-a permits the County Legislature to appoint up to six Temporary Board of Assessment Review members to serve on Administrative Review Panels, and

WHEREAS, Real Property Tax Law 523-a permits the compensation of Temporary Board of Assessment Review Members, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That six Temporary Board of Assessment Review Members, namely Jan deRoos, Edward Laine, Robert Walpole, Michael Cannon, Herbert Dwyer, and Judy VanNest be appointed to serve on Administrative Review Panels,

RESOLVED, further, That Temporary Board of Assessment Review members be compensated at a maximum annual compensation of \$250.00.

SEQR ACTION: TYPE II-20

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Annual versus Triennial Revaluation and Budget Impact

Copies of a draft resolution that directs the Assessment Department to value real property in the County in one-year intervals were distributed to the Committee for review. Ms. Coggin briefly explained the process for this year and said this is the last year of the Triennial Reassessment Cycle.

She reported on a new program at the State level that would give Tompkins County ten dollars a parcel as maintenance aid in 2009 if the County returned to annual assessments. Tompkins County has over 30,000 parcels and therefore would receive \$310,000.

Ms. Mackesey said at the time she agreed with the three-year reassessment cycle, but now believes that annual reassessments would be in the best interest of the County. Mr. Whicher spoke about a position paper he prepared three years ago and that the conclusion of that document would be different now as the State is putting up more money for the program. Mr. Franklin commented that if the County were to return to the annual reassessment program, the difference in staff would be the need for one more appraiser position.

Ms. Kiefer supported staying with the annual reassessment cycle three years ago and continues to support it.

Following a brief discussion the Committee requested that for the next meeting, a third column be added to the three-year budget scenarios that includes the five dollar amount per parcel.

Mr. Stevenson said he supported the Triennial Revaluation because of the strong feedback from his constituents. He is uncertain if his constituents would agree to an annual reassessment program and said it will be important to educate the public.

County Administration

Resolution – Designation of Successors

It was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, to approve and submit the following resolution to the full Legislature for approval. Mr. Stevenson raised a concern with the order of succession for the Director of Emergency Response. He contacted Lee Shurtleff who stated and agreed that for the day-to-day administration of the department, the Communication Systems Manager should be listed first and in the case of an international emergency, the Assistant Director should be in charge. Mr. Stevenson said that he would like to add an asterisk that gives this direction in the resolution.

Ms. Kiefer expressed concern that there was no succession listed for the Public Works Department.

Further discussion followed concerning Mr. Stevenson's suggestion above and the Committee agreed to postpone action until later in the meeting to allow Mr. Whicher to contact Mr. Shurtleff.

Board of Elections

Consolidation of Polling Sites

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County Attorney
Finance Director

County Attorney: Deputy County Attorney

Commissioner of Social Services: Director of Children's Services
Director of Administrative Services
Social Services Staff Development and Quality Coordinator

Director of Emergency Response: Assistant Director of Fire and Emergency Medical Services
Communication Systems Manager
Communication Center Manager

Public Health Director: Public Health Administrator
Director of Patient Services

Medical Examiner: Deputy Medical Examiner, William Klepack, M.D.
Deputy Medical Examiner, David Newman, M.D.

Mental Health Commissioner: Deputy Commissioner Mental Health
Medical Director
Director of Mental Health Clinic
Clinic Supervisor

Director of Finance: Budget and Finance Manager
Director of Accounting Services

Commissioner of Personnel: Deputy Commissioner of Personnel

Commissioner of Planning and Public Works: Deputy Commissioner of Planning

SEQR ACTION: TYPE II-20

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For information only -

Countywide Elected Officials:
Designation of successor, in order of succession

Sheriff: Undersheriff
District Attorney: Assistant District Attorney
County Clerk: Deputy County Clerk

Corrections to Tax Roll – 2008

Committee members briefly reviewed the Corrections to Tax Roll for 2008 report.

Public Works Department

Interim Green Fleet Guidelines

Mr. Marx provided an overview of the draft interim Green Fleet Guidelines being proposed for Committee approval. He has begun working with departments to implement a process for allocating the \$50,000 provided in the 2008 budget to support the initiative in reducing the efficiency of the County's

fleet and reducing greenhouse gas emissions. Once all the requests are submitted by departments and evaluated, a resolution will be prepared for Legislative approval that authorizes the expenditure of the funds.

Following further discussion, it was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, and unanimously adopted by voice vote by members present, to approve going forward in the manner recommended in the interim Green Fleet Guidelines pending development of a policy. Ms. Kiefer asked that fuel efficiency and super-low emissions be considered in the review process. *Ms. Kiefer also requested that the Committee receive a report of what was and was not approved.*

Resolution – Inclusion of Airport Property in Proposed Warren Road Sewer District

It was MOVED by Mr. Stevenson, seconded by Ms. Mackesey, to approve and submit the following resolution to the full Legislature approval. Mr. Marx displayed a map showing the parcel referenced in the resolution. He believes this proposal will help the Airport generate some revenue over time from business uses to help strengthen the financial position of the Airport. In response to a question raised by Ms. Mackesey, Mr. Marx said the County's portion being discussed is zoned industrial. Mr. Marx explained the property becomes more marketable when a sewer district is in place rather than going through the process at a later date. The proposed parcel of land is also in the Empire Zone and the County will be able to work with TCAD (Tompkins County Area Development) to offer the property to respective businesses.

Mr. Shattuck said this sewer district is already funded and the Town is moving forward with it. It could be a few years before the Town would consider any additional properties in the district and the cost is unknown if the County were to join later.

Ms. Kiefer expressed concern that it is going to cost the Airport immediately. Mr. Squires clarified that FAA approval is required for any development of the property for non-aviation purposes. Mr. Nicholas reiterated the importance of offering this parcel as part of the sewer district as it makes it much more attractive for development.

A brief discussion followed concerning flight plans and if any changes in the future would have an impact on this. Mr. Nicholas does not believe any major changes would be made because of the type of community we are.

Mr. Marx said that the numbers are very conservative and that no revenue for the first five years has been projected. Mr. Hattery clarified that this parcel is already in a water district.

A voice vote resulted as follows on the resolution: Ayes – 3 (Hattery, Mackesey, and Stevenson); Noes – 1 (Kiefer); Excused – 1 (Sigler). RESOLUTION CARRIED.

RESOLUTION NO. - AUTHORIZING APPROXIMATELY 12.5 ACRES OF LAND BELONGING TO THE ITHACA TOMPKINS REGIONAL AIRPORT TO BE INCLUDED IN A TOWN OF LANSING SEWER DISTRICT DEVELOPMENT

WHEREAS, the Town of Lansing is proposing to create a sewer district to provide requested service to the Dutch Mill Industrial Park on Warren Road, and

WHEREAS, said expansion would bring the sewer line east along Cherry Road and thence north along Warren Road, and

WHEREAS, said expansion would run alongside two parcels of airport land totaling approximately 12.5 acres, and

WHEREAS, including said 12.5 acres in the new sewer district would provide the airport with a means of future development, additional income from land rental and a positive economic impact to the area, and

WHEREAS, it has been agreed with the Town of Lansing that the annual cost to the airport of including said 12.5 acres in the expanded sewer district would be approximately \$4,487 but that said annual cost shall not exceed \$5,000, and

WHEREAS, based on available evidence and conservative calculations, the airport will be able to recover these costs within five to eight years and will gain a net income thereafter of approximately \$285,000 over the course of the next twenty years, and

WHEREAS, said annual cost will form part of the airport's operational budget and be absorbed by tenant rates and charges, and

WHEREAS, the Town of Lansing will act as Lead Agency for the SEQR review of this action, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, and with the concurrence of the Facilities and Infrastructure Committee, That approximately 12.5 acres of airport property be authorized to become part of the expanded Town of Lansing Sewer District and that the County Administrator be authorized and directed to execute any agreements with the Town of Lansing necessary to effectuate this action.

SEQR ACTION: TYPE II-11

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Process for Determining Future of Biggs Property

Mr. Marx outlined the process for determining the future use of the Biggs Property and said the County owns approximately 30 acres. He does not want the County to be in a position of having an empty building indefinitely when the Health Department moves to Brown Road. A number of questions need to be addressed as to what should the future use of the property be. This area has been identified as a potential node for development. The Chair of the Legislature has asked the Planning, Development, and Environmental Quality Committee to look at the property in terms of planning issues. At that Committee meeting yesterday, there was agreement that a special committee of the Planning Advisory Board would be created to work on the issues to be considered in determining what the County could do with the property. The intent is to have some recommendations by the end of this year on how to proceed. Disposition and lease of property falls under the responsibility of this Committee who will give direction on how to proceed. He hopes to have a process and plan in place at the time the property is vacated. *Ms. Kiefer requested a copy of the report from the special committee when it is complete.*

Approval of Minutes

February 5, 2008

It was MOVED by Ms. Kiefer, seconded by Mr. Stevenson, and unanimously adopted by voice vote by members present, to approve the minutes of the February 5th meeting as submitted.

February 8, 2008

It was MOVED by Ms. Mackesey, seconded by Mr. Stevenson, and unanimously adopted by voice vote by members present, to approve the minutes of the February 8th meeting as corrected.

Next Meeting

Mr. Hattery briefly highlighted the items to be discussed at the next Committee meeting. There are two items relating to the Code of Ethics: Misuse of Position and changing the filing date for Annual Financial Disclosure forms. Other agenda items include a discussion on Legislators' salaries for the

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2010-2013 term of office, Courthouse building security during meetings, e-mail accounts for Legislators, and 2008 goals.

Ms. Kiefer clarified that the proposal is to change the filing date for Annual Financial Disclosure forms to January 30th. She also spoke about the issue relating to the word “significant” in the proposed law discussed at the November 9th Committee meeting and suggested changing it as follows: “...as determined by the Office of the key employee...”.

She also spoke briefly about some information she received from the New York State Association of Counties Conference concerning Code of Ethics. The information contained many examples and under Nassau County’s plain language section it read: Misuse of County resources....that means County letterhead, personnel equipment, supplies or resources for non-county purposes.” She asked Committee members to consider adding that language to the proposed law.

Review 2007 Goals

Ms. Younger provided an update on the Administrative Manual Maintenance Policy Team activities and distributed a prioritized list of policies that have not been updated in the last 15 years or more. She noted that this list represents 51 percent of the Committee’s goal.

Ms. Kiefer asked that a third bullet be added to the first list of bullets in Goal 1 for the 2008 Goals that reads as follows: Ensures availability of e-mail whose retention is legally required, retrievable by subject matter.

Adjournment

The meeting adjourned at 4:00 p.m.