

## MINUTES

### GOVERNMENT PERFORMANCE AND WORKFORCE RELATIONS COMMITTEE

**MAY 8, 2009 2:00 P.M. SCOTT HEYMAN CONFERENCE ROOM**

Present: N. Shinagawa, Chair; J. Dennis; M. Hattery; L. McBean-Clairborne; D. Kiefer (arrived at 2:02 p.m.)  
Staff: C. Covert, Clerk of the Legislature; D. Squires, Finance Director; P. Younger, Deputy County Administrator; J. Leccese, Planning Department; E. Marx, Planning and Public Works Commissioner; S. Doyle, Planning Department; J. Mareane, County Administrator; V. Coggin, Assessment Director; S. Martel Moore, Human Rights Commissioner; A. Cole, Public Health Director; J. Wood, County Attorney; M. Lynch, Public Information  
Guests: N. Schuler, City resident; C. DeMarco, CSEA White Collar Unit representative; L. Smith, Assemblywoman Lifton's Legislative Aide

#### **Call to Order**

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

#### **Changes to Agenda**

At the request of Mrs. McBean-Clairborne, the Committee agreed to reorder agenda items.

Ms. Kiefer arrived at this time.

Mr. Shinagawa granted Ms. Schuler time on the agenda to present a resolution for the Committee to consider regarding a proposal for property tax change.

#### **Comments from the Public**

Ms. Schuler read the following resolution and asked the Committee to consider approving it:

#### **Proposal for Property Tax Change**

Whereas, people report they are reluctant to spruce up the exterior of their home because they fear their property taxes will go up, and

Whereas, neglecting regular maintenance results in the deterioration of the appearance of their property and of the neighborhood, and

Whereas, if maintenance was rewarded rather than penalized more people would be likely to maintain the positive exterior appearance of their property,

Therefore, Be it Resolved that maintaining and improving the physical appearance of a house such as painting and planting, without making structural changes, shall not be a basis for increasing assessment for tax purposes.

Ms. Schuler believes this to be a quality-of-life issue and expressed concern that people will continue to feel penalized and not rewarded for non-structural upgrades or improvements that are made to their homes.

Ms. Kiefer said she recently attended a Local Board of Assessment Review meeting and discussed this briefly with representatives from the Assessment Department. She was told that painting or plantings do not affect assessed values; however, at the time of a sale it could have an impact.

*Mr. Shinagawa said he will ask representatives of the Assessment Department to attend the next Committee meeting to discuss this resolution.*

#### **Liaison Assignment**

Approved 6-12-09

Public Library Board of Trustees

Mr. Shingawa said the Committee was asked to assign a member as a liaison to the Library Board of Trustees. He noted that Legislator Sigler has served in that capacity for the last two years. Ms. Kiefer asked when the meetings were held. As that information was unavailable, the Committee agreed to postpone the assignment until the meeting times are known.

**Report from the County Administrator**

Mr. Mareane said he did not have a report.

**Report from the Finance Director**

Mr. Squires announced the County auction on foreclosed properties is scheduled for June 9<sup>th</sup>. He distributed a list of the properties that would be included and said that he believes five of the properties will be redeemed.

**Workforce Diversity and Inclusion Committee Report**

Mrs. McBean-Clairborne, Chair, began by thanking Ms. Martel Moore for the work she has done with putting together the spending plan for the Workforce Diversity and Inclusion Committee. At this time, Mrs. McBean-Clairborne highlighted and reviewed the Fiscal Plan for 2009-2010 as distributed to the Committee. In reply to a question she acknowledged there is not a Strategic Plan completed yet.

Following a brief discussion, Mrs. McBean-Clairborne thanked the Committee and Steve Estes of the Personnel Department and President of the Consortium for the support in sponsoring the Workforce Diversity Consortium Roundtable session. The event took place yesterday and was well attended (over 150 participants). There were excellent presenters and discussions held as well as the information shared.

**Report from the County Attorney**

Mr. Wood said he did not have a report.

**Assessment Department**

Resolution

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

**RESOLUTION NO. - REFUND OF SCHOOL TAXES – TOWN OF NEWFIELD (28.-1-4.31)**

WHEREAS, an error has been made in the 2009 Town and County tax roll of the Town of Newfield namely parcel 28.-1-4.31 assessed to James R Haustein, was erroneously charged \$3,758.67 for the relieved Newfield Central School taxes which were actually paid before the school warrant expired yet were processed incorrectly by Newfield Central School, now therefore be it

RESOLVED, on recommendation of the Government Performance and Workforce Relations Committee, That the entry on the Town and County tax roll be changed to reflect a total of \$2,078.95 for 2009, for parcel 28.-1-4.31,

RESOLVED, further, That the Tompkins County Finance Department is directed to correct the 2009 Town and County tax roll.

**SEQR ACTION:** TYPE II-20

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In response to Ms. Kiefer, Ms. Coggin said there have not been many people showing up at the Local Board of Assessment Review meetings; the most was six in the Town of Dryden.

### **2009 Foreclosure Report**

Ms. Leccese began her report by giving an update on properties below withheld from past auctions:

#### **Breed Road**

Town of Lansing, 7.2 AC, Tax Parcel Number 7.-1-11.1

In 2007 the Government Operations Committee decided to withdraw from auction a parcel on Breed Road that was acquired through foreclosure. In May 2008 the County Legislature authorized holding a stream buffer easement on the Breed Road Parcel for purposes of stream buffer protection and water quality enhancement. The parcel was sold to Habitat for Humanity of Tompkins and Cortland Counties at the 2008 County Foreclosure Auction for the amount of \$8,000. The assessed value was \$18,700.

#### **Buttermilk Falls State Park Additions**

On September 6, 2005 the Legislature authorized the County Administrator to execute the deed and closing paperwork to sell three parcels of land to State Parks for strategic additions to Buttermilk Falls State Park. In 2007, State Parks attorneys discovered problems with the title on one of the two parcels (Tax Parcel No. 1.-1-12.21) on West King Road. The Planning Department worked with the County Attorney's Office to remedy the situation. The transaction for the sale of both parcels was completed in September 2008. The two parcels were sold to State Parks for the amount of \$9,100.

In response to a question by Ms. Kiefer, Ms. Leccese said one of the three parcels as sold almost immediately in 2005 to the State Parks.

#### **Fall Creek Road**

Town of Dryden, 1.54 AC, Tax Parcel No. 24.-1-17.32

In 2008 the Government Operations Committee decided to withdraw from auction a parcel on Fall Creek Road to evaluate protection options. After various negotiations, The Nature Conservancy has determined that it is interested in acquiring the Fall Creek Road parcel as an addition to its adjacent O.D. von Engeln Preserve at Malloryville. A Purchase Offer is currently being developed by The Nature Conservancy. The Planning Department is recommending that the Governmental Performance and Workforce Relations Committee withhold the parcel from the 2009 auction to allow staff one more year to finalize protection options for this parcel.

#### **Hanshaw Road**

Town of Dryden, 1.35 AC, Tax Parcel No. 41.-1-15.2

In 2008 the Government Operations Committee decided to withdraw from auction a parcel on Hanshaw Road to evaluate protection options. The Planning Department reached out to Cornell Plantations and the Finger Lakes Land Trust, but neither have the capacity/interest in acquiring the parcel. The Department recommends selling the parcel at the 2009 auction.

As there is a small portion of the property that is a unique natural area, Ms. Kiefer recommended the Unique Natural Areas committee of the Environmental Management Council be informed of this at their meeting next week.

Ms. Leccese continued with her report on the 2009 Foreclosure properties and provided the following:

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This year's list includes 14 parcels (one property redeemed) subject to foreclosure proceedings by Tompkins County. The EMC was contacted on April 24, 2009 to provide comment on the two parcels (Tax Parcel No. 24.-1-3.2 and Tax Parcel No. 1.-1-12.42) containing UNAs. The EMC has not submitted comments as of May 1, 2009.

*West King Road*

**Town of Danby, 2.55 AC, Tax Parcel No. 1.-1-12.42**

One parcel, on West King Road, has been identified by the Planning Department as potentially having significant natural resources worthy of protection for the benefit of the public good and the Planning Department is recommending that the parcel be withheld from the 2009 auction to allow staff the opportunity to work with NYS Office of Parks, Recreation and Historic Preservation and/or the Finger Lakes Land Trust to study options for the land's protection.

This is a vacant, landlocked parcel located off of West King Road. It is located adjacent to two parcels that were sold by the County to New York State Office of Parks, Recreation and Historic Preservation in October 2008. The entire parcel is located in UNA-149, Lick Brook and Inlet Valley Slopes. Lick Brook runs through the parcel; as does the Finger Lakes Trail. The Planning Department is recommending that the Governmental Performance and Workforce Relations Committee withhold the parcel from the 2009 auction to allow staff the opportunity to work with NYS Parks and/or the Finger Lakes Land Trust to study options for the land's protection.

*Mazourek Road*

**Town of Newfield, 670 AC, Tax Parcel No. 24.-1-3.2**

The second parcel, on Mazourek Road, includes several significant natural and agricultural features and the Planning Department is recommending that the parcel be withheld from the 2009 auction to allow staff the opportunity to work with NYS DEC and/or the Finger Lakes Land Trust to study options for protection of the agricultural and natural resources on the property.

This is the site of Mazourek Farm, a crop production business which now specializes in horse and pig feed. The parcel includes agricultural lands, wetlands, forest lands, multiple farm buildings, a retail farm supply business, and the property owner's residence. This 670 acre parcel contains the "main farm" of the overall 1,011 acre Mazourek Farm operation, which includes 480 acres of prime soils or soils of statewide significance. The Farm began as a dairy in 1906.

The northern portion of tax parcel 24.-1-3.2 contains a large designated NYS Freshwater Wetland and lies in UNA-166, Key Hill Swamp Preserve and Seven Springs Swamp. The parcel lies in a rural residential and agricultural area. It is in The Wildlife Natural Features Focus Area. It also lies in the Pony Hollow Agricultural Resource Focus Area.

Due to the significance of this parcel, in the months leading up the foreclosure date, Planning Department staff has been working closely with the landowner and key conservation agencies to try and devise a way to protect the natural features on the parcel while striving to allow for the continued farming of the land. Should these efforts prove unsuccessful and the parcel is foreclosed upon, the Department is recommending that the Government Performance and Workforce Relations Committee withhold the parcel from the 2009 auction so that protection options may be explored. If it is necessary for the County to hold the parcel, the Planning Department would make every effort to quickly resolve the issue to avoid or reduce the amount of Town and School taxes paid by the County while it holds the parcel.

*Stream Buffer Easements on Foreclosure Properties*

**Village of Dryden, 15.31 AC, Tax Parcel No. 16.-2-4.2**

**Town of Caroline, 19.87 AC, Tax Parcel No. 25.-1-8.2**

In 2007, the Planning Department obtained a Water Quality Improvement grant from the Department of Environmental Conservation to assist in developing stream buffer protection tools. One of the protection tools developed was a model easement to be used to protect stream buffers. This tool was successfully used on the Breed Road parcel, located in the Town of Lansing. A stream buffer easement was placed on the parcel prior to sale of the land at auction. Two parcels in this year's auction (listed above) have streams running through them and could have stream buffer easements surveyed and developed prior to the June 9, 2009 auction. As was the case with the Breed Road Parcel, the parcels would be marketed in the auction as being subject to a stream buffer easement and would be subject to such restrictions when the parcel is deeded to the new owner. A summary of what each easement would consist of is attached.

*Trumansburg Road*

**Town of Ulysses, 0.17 AC, Tax Parcel No. 25.-6-15**

This parcel contains a single-family residence, a garage, and multiple out-buildings. It is located in the area of the Jacksonville gas spill. According to the County Health Department, the well serving the property was sampled in 1999 for petroleum products and none were detected. The property was contaminated by a second petroleum issue caused by contamination from a gas station located in the vicinity of the parcel. Although this lot is subject to a shared septic system with adjoining properties, the County Health Department does not have any information on the current sewage system serving this property. The Department recommends foreclosing on the parcel and selling at auction but highlighting that there are concerns with the parcel.

Executive Session

It was MOVED by Mr. Dennis, seconded by Mr. Hattery, and unanimously adopted by voice vote, to hold an executive session to discuss real estate negotiations. An executive session was held at 2:32 p.m. and returned to open session at 2:45 p.m.

Ms. Kiefer said she received one comment from the UNA committee concerning the Mazourek Farm property that states complete concurrence with the Planning Department.

Mr. Hattery asked what the communication is with either the local municipal planning boards and/or governing boards. Ms. Leccese said the inventory is first presented to the program committee with the recommendations from the Planning Department. Following Committee discussion and action, the municipal boards are informed of the County's decisions; no action is taken at the municipal level in most cases. Mr. Hattery expressed his opinion that the policies being used to enact the restrictions on these properties are issues that have to deal with the Tompkins County Comprehensive Plan and other County planning documents many of which local municipalities either adopt or not. He believes to respect local land-use controls and authority when proposing these types of restrictions on parcels, a resolution should be adopted giving consent or approval by the relevant municipalities.

Mr. Marx noted that parcels for possible sale of land to the State and the filing of an application for the State PDR grant already require local municipal support.

Mr. Hattery asked the opinion of Mr. Marx on how the Department would feel about his suggestion as outlined above. Mr. Marx said the Department would be happy to do that.

Prior to Mr. Shinagawa asking for Committee approval on the actions being requested, Mr. Squires requested clarification on the two parcels (Mazourek Road and West King Road parcels) and what the time limitations would be.

Mr. Hattery noted that the County has entered into a new level of the value of parcels being reviewed.

Following further discussion, Mr. Dennis said he supports Mr. Squires' recommendation that the Mazourek Road parcel be foreclosed on and sent to auction. Ms. Kiefer said she is uneasy with holding the property and not going to auction; however, this is a different situation than what the County has had before. She was also "struck" by the comment from Mr. Marx that if the County takes title to the property it makes it much more difficult to pursue the PDR with the State. She is willing to also take a chance on the owner redeeming the property before the auction and if not she would prefer to withhold it.

Mazourek Road - Town of Newfield, 670 AC, Tax Parcel No. 24.-1-3.2

Action requested: Foreclosing on property and taking it to auction: Vote by show of hands resulted as follows: Ayes – 2 (Dennis and Hattery); Noes – 3 (Kiefer, McBean-Clairborne, and Shinagawa). MOTION FAILS.

Mr. Wood expressed concern and said he does not believe it is legal to not foreclose on properties in default unless there is a special reason not to such as there being a County liability. It was suggested that the County Attorney research this issue further and report back to the Committee.

The vote for foreclosure and taking it to auction was revisited and resulted as follows: Ayes – 2 (Dennis and Hattery); Noes – 3 (Kiefer, McBean-Clairborne, and Shinagawa). MOTION FAILS.

A vote to foreclose and withhold for one year resulted as follows: Ayes – 2 (Shinagawa and McBean-Clairborne); Noes – 3 (Dennis, Hattery, and Kiefer). MOTION FAILS.

A vote to request the County Attorney research other possible options available for the Committee to consider and have a special Committee meeting on May 19<sup>th</sup> resulted as follows: Ayes – 4; Noes – 1 (Hattery). MOTION CARRIED.

West King Road - Town of Danby, 2.55 AC, Tax Parcel No. 1.-1-12.42

It was MOVED by Mrs. McBean-Clairborne, seconded by Ms. Kiefer, and unanimously adopted by voice vote, to approve withholding this parcel from the 2009 auction to allow for one year to determine protection options.

Fall Creek Road - Town of Dryden, 1.54 AC, Tax Parcel No. 24.-1-17.32

It was MOVED by Ms. Kiefer, seconded by Mrs. McBean-Clairborne, to approve withholding this parcel that was withheld last year from the 2009 auction for an additional year to finalize protection options. Mr. Hattery asked if there would be the appropriate action as he requested above taken by the municipality; Mr. Marx said his department will seek to do that. A voice vote resulted as follows on the motion: Ayes – 5; Noes – 0. MOTION CARRIED.

Village of Dryden, 15.31 AC, Tax Parcel No. 16.-2-4.2 (Stream Buffer Easements on Foreclosure Properties)

It was MOVED by Mrs. McBean-Clairborne, seconded by Mr. Dennis, to approve placing a stream buffer easement on this parcel prior to sale at the 2009 auction. Mr. Hattery asked if the Village of Dryden has been informed; Ms. Leccese said the Village is aware this recommendation is being made. A voice vote resulted as follows: Ayes – 5; Noes – 0. MOTION CARRIED.

Hanshaw Road -Town of Dryden, 1.35 AC, Tax Parcel No. 41.-1-15.2

It was MOVED by Mrs. McBean-Clairborne, seconded by Mr. Hattery, to approve the inclusion of this parcel in the 2009 auction that was withheld from last year's auction. A voice vote resulted as follows: Ayes – 4; Noes – 1 (Kiefer). MOTION CARRIED.

Trumansburg Road - Town of Ulysses, 0.17 AC, Tax Parcel No. 25.-6-15

Ms. Kiefer expressed concern with the County taking title to this parcel as she believes it could be a potential liability to the County as described below.

This parcel contains a single-family residence, a garage, and multiple out-buildings. It is located in the area of the Jacksonville gas spill. According to the County Health Department, the well serving the property was sampled in 1999 for petroleum products and none were detected. The property was contaminated by a second petroleum issue caused by contamination from a gas station located in the vicinity of the parcel. Although this lot is subject to a shared septic system with adjoining properties, the County Health Department does not have any information on the current sewage system serving this property. The Department recommends foreclosing on the parcel and selling at auction but highlighting that there are concerns with the parcel.

It was MOVED by Ms. Kiefer, seconded by Mr. Dennis, to hold an executive session to discuss property negotiations. A voice vote resulted as follows: Ayes – 4, Noes – 1 (Hattery). An executive session was held at 3:18 p.m. and returned to open session at 3:25 p.m.

Mrs. McBean-Clairborne was excused at 3:20 p.m.

It was MOVED by Ms. Kiefer to not foreclose on the *Trumansburg Road*, Town of Ulysses, 0.17 AC, Tax Parcel No. 25.-6-15 for reasons of potential contaminated soil. MOTION FAILED FOR LACK OF A SECOND.

Town of Enfield, Tax Parcel No. 16.-1-18

Mr. Marx stated that since filing the foreclosure report, State Parks has contacted the County as they have an interest in a portion of a property on Stone Hill Road; however, he believes it is likely to be redeemed. Any action would require the parcel to be subdivided.

It was MOVED by Ms. Kiefer to subdivide the property as being requested by the State Parks. MOTION FAILED FOR LACK OF A SECOND.

Stream Buffer Easements on Foreclosure Properties  
Town of Caroline, 19.87 AC, Tax Parcel No. 25.-1-8.2

It was MOVED by Mr. Hattery, seconded by Ms. Kiefer, and unanimously adopted by voice vote by members present, to approve placing a stream buffer easement on this parcel prior to sale at the 2009 auction.

**Health Department**

Resolution – Dedication of Conference Rooms

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

**RESOLUTION NO. - DEDICATION OF THE CONFERENCE ROOMS AT 55 BROWN ROAD – TOMPKINS COUNTY HEALTH DEPARTMENT**

WHEREAS, James Rice was a Charter and fifty (50) year member of the Tompkins County Board of Health, and

WHEREAS, Clara Goodman was a Supervising Public Health Nurse for greater than forty (40) years and organized the Certified Home Health Agency still in operation today, and

WHEREAS, Joanne Brazo was a clerical employee with greater than forty (40) years of service and an expert in the Physically Handicapped Children's Program, and

WHEREAS, John Andersson was the former Director of Environmental Health and a consummate Civil Engineer with greater than thirty (30) years of service in Public Health,

WHEREAS, Mr. Rice, Ms. Goodman and Ms. Brazo are deceased and Mr. Andersson retired as of May 4, 2007, now therefore be it

RESOLVED, on recommendation of the Tompkins County Board of Health, the Health and Human Services Committee and the Government Performance and Workforce Relations Committee, That in recognition of his service to Tompkins County, and as a lasting tribute to him, we hereby dedicate the main conference room to James Rice, and name it the James Rice Conference Room,

RESOLVED, further, That in recognition of her service to Tompkins County, and as a lasting tribute to her, we hereby dedicate the small side of the main conference room to Clara Goodman, and name it the Clara Goodman Conference Room,

RESOLVED, further, That in recognition of her service to Tompkins County, and as a lasting tribute to her, we hereby dedicate the Children With Special Care Needs and Planning and Coordination conference room to Joanne Brazo and name it the Joanne Brazo Conference Room,

RESOLVED, further, That in recognition of his service to Tompkins County, and as a lasting tribute to him, we hereby dedicate the Environmental Health area conference room to John Andersson and name it the John Andersson Conference Room.

**SEQR ACTION:** TYPE II-20

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### **Resolution – New York State Fair Pay Act of 2009**

It was MOVED by Ms. Kiefer, seconded by Mr. Dennis, to approve and submit the following resolution to the full Legislature.

Mr. Shinagawa introduced Linda Smith, Assemblywoman Lifton's Legislative Aide. Ms. Smith explained that the Assembly for the last 12 years has passed a package of bills every year relative to this issue. She said since the Federal Fair Pay Act passed in 1963, adjustments have been made over the years to equalize pay between women and men; however, universally there is still not pay equity in New York State. Currently, there are four bills that have been introduced by the Assembly this year. The purpose of the four bills is the different sections of the Law that need to be amended: labor and civil service. The Law submitted by Assemblywoman Lifton amends the Human Rights Law. There continues to be discrepancies in jobs where a woman will make less than a man with the same job title and duties. In the past there have not been Senate sponsors; however there are sponsors this year for all the bills except one, but believes eventually it will receive a sponsor.

The bill referenced in the Committee's resolution is the Susan John bill. It is the New York State Fair Pay and it amends labor law. It eliminates discriminatory wage practices based on sex, race, and/or national origin, requires employers to establish a job comparison system, and provides wage disclosure by employers.

Assemblywoman Lifton's proposed bill amends the human rights law. It applies to both public and private employers, puts forth the comparable work system, and enforcement is handled through the Division of Human Rights.

Mr. Dennis asked what the impact would be on Tompkins County. Ms. Smith said at this time there is not an economic impact statement included with the bill.

Mr. Shinagawa said he would support Assemblywoman Lifton's bill.

Mr. Hattery said he disagrees with the logic of the bill referenced in the proposed resolution prepared by Legislator Kiefer. He also reiterated his opinion that these types of resolutions supporting State and Federal legislation should not be “clogging up” agendas for committee and Legislature meetings. Mr. Dennis said he does not completely agree with Mr. Hattery as some issues impact County employees and residents.

It was MOVED by Mr. Dennis, seconded by Mr. Hattery, and unanimously adopted by voice vote by members present, to Table the resolution. RESOLUTION TABLED.

Mr. Shinagawa believes more review of the proposed Assembly bills is needed and a resolution then developed and brought forward.

**RESOLUTION NO. - SUPPORTING THE NEW YORK STATE FAIR PAY ACT OF 2007  
(ASSEMBLY BILL NO. A3911; SENATE BILL NO. S955)**

WHEREAS, the very first bill signed into law by President Obama was the Lilly Ledbetter Fair Pay Act, which restored the 1964 Civil Rights Act’s Equal Pay Protection for persons whose jobs involved the same work, and

WHEREAS, the Ledbetter Act does not address pay inequities across different but equally valued job titles, and

WHEREAS, the New York State Fair Pay Act (A3911, S955) addresses this problem by removing discrimination in job titles traditionally done by women and people of color, now therefore be it

RESOLVED, on recommendation of the Government Performance and Workforce Relations Committee, That the Tompkins County Legislature recognizes the need for the New York State Fair Pay Act and urges the New York State Assembly and Senate to pass, and the Governor to sign, this important Legislation,

RESOLVED, further, That copies of this resolution be sent to our State Senators and Assemblywoman, the Chairs of the relevant State legislative committees, the Governor, and the New York State Association of Counties (NYSAC).

**SEQR ACTION:** TYPE II-20

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**Performance Review of Four Direct Reports**

Appointment of Committee Designee

Mr. Shinagawa said the Committee needs to appoint a designee to serve on the performance evaluation team for the four Direct Reports to the Legislature. Mrs. McBean-Clairborne and Ms. Kiefer both expressed interest in serving. Although Committee members understand the importance of continuity, the Committee agreed to have Mrs. McBean-Clairborne and Ms. Kiefer serve in this capacity either consecutively or split the responsibility.

Discussion – Performance Evaluation

Mr. Shinagawa said the Legislature had asked this Committee to discuss the issue of adding an “Integrity performance standard” to the list for the Direct Report evaluations. In terms of that discussion, he does not believe it is necessary as the document clearly shows how much of the language is now in the accountability standard.

Ms. Kiefer said she reviewed the evaluation document and does not believe the forms make reference to integrity. She suggested that the category entitled Technical could be changed to Technical and Personal and said that was the section where language about integrity originally was included.

As requested by Mrs. McBean-Clairborne, Mr. Shinagawa stated she does not support adding an integrity category.

Mr. Hattery believes the Legislature should continue with the process as it is to see how it works.

Mr. Dennis agrees with Mr. Shinagawa comments above.

It was MOVED by Mr. Shinagawa, seconded by Mr. Hattery, that adding language pertaining to integrity is unnecessary because it is implied throughout the performance evaluation process. A voice vote resulted as follows: Ayes – 3 (Shinagawa, Dennis, and Hattery); Noes – 1 (Kiefer); Excused – 1 (McBean-Clairborne). MOTION CARRIED.

### **Administrative Manual**

#### **Resolution**

It was MOVED by Mr. Hattery, seconded by Mr. Dennis, to approve and submit the following resolution to the full Legislature for approval. Following an overview of the information presented to the Committee by Ms. Younger, the Committee discussed each policy as follows:

#### **01-05 – Disposition of Records (Revised)**

Ms. Kiefer suggested and the Committee agreed to add a reference to the Schedule CO-2 document and the adopting resolution under the reference section. Ms. Kiefer also asked if the three bulleted comments on the impact review summary form were addressed.

#### **01-31 – Tompkins Employees Federal Credit Union (Propose deleting policy)**

A brief discussion followed; no action or suggestions offered.

#### **01-35 – Submission of Plans for Approval by the United States Government and/or the Government of New York State (Revised)**

Ms. Kiefer suggested and the Committee agreed to add language that references the official newspaper is designated by the Legislature annually by resolution.

#### **02-11 – Positions Eligible for State and/or Federal Reimbursement (Propose deleting policy)**

Ms. Kiefer asked if #2 of this policy was covered in Policy 02-02 Recruiting Employees; Ms. Fitzpatrick assured Ms. Kiefer that Policy 02-02 covered it.

#### **04-11 – Payment to Substitute Employees (Propose deleting policy)**

Ms. Kiefer asked if #2 of this policy was covered in Policy 02-02 Recruiting Employees; Ms. Fitzpatrick assured Ms. Kiefer that Policy 02-02 covered it.

Ms. Fitzpatrick said it is the responsibility of the Personnel Commissioner to ensure all employees meet the minimum qualifications pursuant to civil service law.

A voice vote resulted as follows on the following resolution: Ayes – 4, Noes – 0, Excused – 1 (McBean-Clairborne). RESOLUTION CARRIED.

### **RESOLUTION NO. - APPROVING REVISIONS AND ABOLISHING POLICIES AND PROCEDURES OF THE TOMPKINS COUNTY GOVERNMENT ADMINISTRATIVE POLICY MANUAL**

WHEREAS, a 2007 goal of the Government Performance and Workforce Relations Committee (formerly Government Operations) charged County Administration with developing a plan for routine

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review and/or updates to the County Administrative Manual and improving manual currency by fifty percent by the end of 2009, and

WHEREAS, as part of that process, the following administrative policies and procedures have been reviewed and processed according to the guidelines of Policy 01-04: Modifying the Administrative Manual: The Policies and Procedures of Tompkins County Government:

- Policy 01-35: Submission of Plans for Approval by the United States Government and/or the Government of New York State;
- Policy 01-31: Tompkins Employees Federal Credit Union;
- Policy 01-05: Disposition of Records;
- Policy 02-11: Positions Eligible for State and/or Federal Reimbursement; and
- Policy 04-11: Payment of Substitute Employees, and

WHEREAS, these policies also have been reviewed by the Government Performance and Workforce Relations Committee, now therefore be it

RESOLVED, on recommendation of the Government Performance and Workforce Relations Committee, That revised Administrative Policy 01-05: Disposition of Records is hereby adopted,

RESOLVED, further, That revised procedures for Administrative Policy 01-35: Submission of Plans for Approval by the United States Government and/or the Government of New York State is hereby accepted,

RESOLVED, further, That the following Administrative Policies are hereby abolished:

- Policy 01-31: Tompkins Employees Federal Credit Union,
- Policy 02-11: Positions Eligible for State and/or Federal Reimbursement, and
- Policy 04-11: Payment of Substitute Employees.

**SEQR ACTION:** TYPE II-20

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**Meeting Schedule**

Mr. Shinagawa asked if the Committee would be willing to change the meeting time to accommodate his new work schedule. Committee members present agreed to meet at 3:00 p.m. and Mr. Shinagawa said he would consult with Mrs. McBean-Clairborne prior to confirming the meeting time change. Ms. Kiefer said she was not enthusiastic about the change.

**Approval of Minutes**

April 7 and 10, 2009

It was MOVED by Mr. Dennis, seconded by Mr. Hattery, and unanimously adopted by voice vote by members present, to approve the minutes of the April 7 and 10, 2009, meetings as corrected. MINUTES APPROVED.

**Adjournment**

The meeting adjourned at 4:17 p.m.