

April 1, 2008

Approved 4/15/08

**Tompkins County Legislature
April 1, 2008**

Call to Order

Chair Koplinka-Loehr called the meeting to order at 5:31 p.m.

Pledge of Allegiance to the Flag and Roll Call of Members

Members and guests participated in the Pledge of Allegiance.

Present: 14 Legislators (Legislator McBean-Clairborne arrived at 5:50 p.m.); Vacancy: 1 (District No. 12 – Town of Ithaca).

Privilege of the Floor by the Public

Vincent Mulcahy, City of Ithaca resident, and Alan Vogel, Trumansburg resident, addressed the issue of increased assessment value and property taxes, noting the continual increases, have reached a critical point, often making it seem a penalty to own and improve real property. Mr. Mulcahy noted owners could have the ability to pay off a mortgage but not have the ability to continue to pay the increased real property taxes. Mr. Vogel spoke of his experience of reviewing assessments and tax rates throughout the country, noting Tompkins County's taxes are higher than any he had inquired about. Mr. Mulcahy and Mr. Vogel requested the County begin dialogues with citizens and businesses to attempt to review the tax problem and find solutions.

Amy Frith, Director of the Women, Infants, Children Program (WIC), spoke on behalf of the program's employees present and asked that Legislators carefully consider the implications of discontinuance of the WIC program sponsorship by the County. She shared her personal and professional experience regarding the program.

Jamaica Breedlove, Senior Clerk for the WIC program, spoke of her desire to attend so Legislators see the faces that would be affected by discontinuance of the program. Ms. Breedlove noted there are no fall-back positions available to the employees, many of who have become self-sufficient as a result of their work for the County. She asked that the program be allowed to continue to enable them to continue their employment with the County.

Giovanni Freesia, Brooktondale resident, spoke of the potential for the County to develop a partnership regarding renewable energy, and in particular wind energy. He suggested that through bonding issues residents would be able to install wind towers, utilizing energy credits as guarantees to banks.

Privilege of the Floor for Legislators

Mr. Proto, District No. 7 Legislator, noted Mr. Freesia's proposition was an interesting one. He reported that as noted at the previous meeting, he has written to the Public Service Commission regarding the possible purchase/merger of New York State Electric and Gas Corporation and Iberdrola, specifically requesting that if the proposal is allowed that staffing of electric line maintenance workers be increased to the same level they were when the Etna facility was fully utilized. Mr. Proto reported that presently only ¼ the staff is located locally should an emergency arise and that the electrical lines are not routinely replaced until damaged. He encouraged Legislators and the public to also write and express concern. Mr. Proto then spoke of Mr. Mulcahy and Mr. Vogel's comments regarding assessments, noting that discussions should also take place with schools, towns, villages, and the city regarding taxes, particularly regarding what programs should not continue in order to reduce the tax rates.

April 1, 2008

Mrs. McBean-Clairborne arrived at this time.

Ms. Robertson, District No. 13 Legislator, agreed with Mr. Proto's comments regarding discussions with schools and municipalities. She said Mr. Mulcahy and Mr. Vogel's comments are similar to those expressed when the group PushBack was formed several years ago to lobby to cap local Medicaid costs. She believes that higher income levels should pay a fair share of income to taxes. She reported the farewell party for former Legislator Tim Joseph would occur on June 1st, 4:30 p.m. at the large pavilion in Stewart Park, and all are invited. Ms. Robertson spoke of the Light Up Caroline initiative, reporting compact fluorescent bulbs will be distributed to every household in Caroline, with the Sew Green group making reusable shopping bags from recycled materials to hold the bulbs in the give-away. Volunteers to sew the bags or assist in distribution of the bulbs would be welcomed.

Ms. Chock, District No. 3 Legislator, recalled information on total New York State tax that indicated only 6.5 percent of higher incomes go toward taxes compared to 12.6 percent for lower incomes; she believes a change in this parity should occur. Ms. Chock spoke of her continued orientations at departments and agencies within the County and continues to be impressed at the dedication, use of resources, ability to leverage funds, and humanity shown by everyone.

Mr. Shinagawa, District No. 4 Legislator, spoke of his recent experiences as a Habitat for Humanity volunteer in New Orleans 9th Ward. Although not the area receiving the most damage during Hurricane Katrina, only a small percentage of residents have returned to the area. In addition, only one public school is opened at this time. Mr. Shinagawa praised the local musicians for their efforts in creating a musician village that will have fifty homes with a community center in the middle of the development.

Report from the Municipal Officials

Maria Coles, City of Ithaca, provided a copy of a resolution unanimously adopted by Common Council regarding capital funding to bring the Greater Ithaca Activities Center (GIAC) up to date. She noted approximately \$4 million would be available for renovations to the building. She then reported on discussions regarding back yard parking on South Hill. There is concern of green spaces being reduced due to rental housing. Also, the City has discussed unfunded mandates regarding stormwater runoff legislation. She said it is important as it deals with pollution and erosion. A stormwater officer has not yet been designated. A proposal for a new 102-room hotel downtown has been approved for construction. Ms. Coles expressed her opinion that the land being utilized has the equivalent of 30 to 40 residences and asked that in return for the property a living wage be provided to all employees of the hotel. The developer has agreed to pay a living wage to the housekeeping staff. Ms. Coles said she believes that not providing living wages to all staff is a half-empty glass.

Mr. Proto spoke of the opportunities afforded individuals at GIAC, noting a few weeks ago a young man was offered his first professional boxing match. Mr. Proto asked for an update on the Waterfront Trail; Mr. Koplanka-Loehr requested it be provided at another time.

Ms. Robertson inquired whether the mechanical system repairs at GIAC would include any green building technique features such as a green roof, solar panels, etc. Ms. Coles said not at this time, but a meeting will occur tomorrow and she will bring up the topic.

Mrs. McBean-Clairborne thanked Ms. Coles for her comments regarding obtaining a living wage and noted that it is important to have developers pay living wages and hopes that the City and others continue to encourage it.

April 1, 2008

Patricia Leary, Town of Ithaca, reported on a number of items under consideration by the Town Board, on numerous projects, policies, and data-gathering presently undertaken. She spoke of the possibility of having solar panels installed on the Town Hall during a roof repair project and possible installation of panels at the Town Barns located on Bostwick Road. In addition, a project that has shown interest by both municipal officials in the Town of Ithaca and Town of Ulysses as well as resident associations is dock regulations for properties located on Cayuga Lake. The Town also had discussions on a high-income housing project, the wind energy facility law, a safe streets school ramp on Warren road, and anticipates discussions on separation of church and state. Ms. Leary also said the comprehensive plan committee has voted to have the City to participate in an advisory capacity rather than voting capacity.

Approval of Resolution(s) Under the Consent Agenda

MOVED by Ms. Herrera, seconded by Mr. Proto, and unanimously adopted by voice vote to approve the following resolutions under the Consent Agenda:

RESOLUTION NO. 57 – AUTHORIZATION TO EXECUTE RIGHT-OF-WAY FUNDING AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION – CR 188, STATION ROAD CULVERT REPLACEMENT – P.I.N. 3753.86

MOVED by Ms. Herrera, seconded by Mr. Proto, and unanimously adopted by voice vote under the Consent Agenda.

WHEREAS, a Project to replace a large-diameter culvert carrying Cayuga Inlet under Station Road in the Town of Danby, P.I.N. 3753.86, (the Project), is eligible for funding under Title 23 United States Code, as amended; that calls for the apportionment of the costs of such program to be borne at the ratio of eighty percent Federal funds and twenty percent non-Federal funds, and

WHEREAS, Resolution No. 13 adopted on January 18, 2005, approved the Project and authorized execution of an agreement with the New York State Department of Transportation regarding administration and funding of Scoping, Design (Phases I-VI), and Right-of-Way (ROW) Incidentals, and

WHEREAS, in order to expedite advancement of the Project and realize potential total project cost reductions, the New York State Department of Transportation requires the County to appropriate one-hundred percent of the project costs and then file for reimbursement of eligible costs, and

WHEREAS, Resolution No. 107 adopted on June 20, 2006, authorized issuance of Design and Right-of-Way Plan approvals for the Project, and

WHEREAS, the County of Tompkins desires to advance the above project by making a commitment of one-hundred percent of the non-Federal share of the costs of ROW Acquisition, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the Tompkins County Legislature hereby approves the above-subject project and authorizes the County of Tompkins to pay in the first instance one-hundred percent of the Federal and non-Federal share of the costs of ROW Acquisition work for the subject Project or portions thereof,

RESOLVED, further, That the sum of \$18,680 is hereby made available within account HZ5103.59239.53.13, Station Road Capital Project Account, to cover the cost of participation in the ROW Incidentals and Acquisition phase of the Project,

RESOLVED, further, That in the event the full Federal- and non-Federal share costs of the project exceeds the amount appropriated above, the Tompkins County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof,

RESOLVED, further, That the Tompkins County Highway Manager be and is hereby authorized to execute all necessary agreements, certifications, and reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tompkins with the New York State Department of

April 1, 2008

Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first-instance funding of Project costs and permanent funding of the local share of Federal-aid and State-aid-eligible Project costs and all Project costs within appropriations therefore that are not so eligible,

RESOLVED, further, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project,

RESOLVED, further, That this resolution shall take effect immediately.

SEQR ACTION: Unlisted, Negative Declaration Issued

RESOLUTION NO. 58 - AUTHORIZATION TO ENTER INTO A PROPERTY ACQUISITION AGREEMENT WITH THE STATE OF NEW YORK – CR 188, STATION ROAD CULVERT REPLACEMENT – P.I.N. 3753.86

MOVED by Ms. Herrera, seconded by Mr. Proto, and unanimously adopted by voice vote under the Consent Agenda.

WHEREAS, Resolution No. 13 of 2005 authorized an agreement between Tompkins County and the State of New York Department of Transportation (NYSDOT) to fund the design of a culvert replacement to carry County Road 188, Station Road, over Cayuga Inlet in the Town of Danby, P.I.N. 3753.86, (the Project), and

WHEREAS, Resolution No. 107 of 2006 authorized approval of the Design Report and Right-of-Way Plan for the Project, and

WHEREAS, in order to expedite advancement of the Project and realize potential total project cost reductions, the Highway Division has requested that the NYSDOT administer right-of-way acquisition for the Project, and

WHEREAS, the State of New York has requested Tompkins County enter into an agreement for acceptance of permanent easements on certain property to advance the construction of the Project as set forth below:

1. Section Block Lot Number: 17.-1-5: 74 Station Road, Danby
 2. Section Block Lot Number: 18.-1-1.22: 97.5 Station Road, Danby
 3. Section Block Lot Number: 17.-1-4 and 18.-1-15: Right of Way of Pennsylvania Lines, LLC,
- and

WHEREAS, the aforementioned agreement has been approved and recommended by the County Highway Manager, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That Tompkins County hereby agrees to accept permanent easements from the State of New York in order to advance design and construction of the Station Road Culvert Replacement Project,

RESOLVED, further, That the State of New York Department of Transportation is hereby requested to submit the Station Road Culvert Replacement Project to the Federal Highway Administration for construction funding approval,

RESOLVED, further, That the County Administrator or designee be and hereby is authorized to enter into an agreement with the State of New York relative to the acceptance by Tompkins County of permanent easements at the locations referenced above.

SEQR ACTION: Unlisted, Negative Declaration Issued

RESOLUTION NO. 59 - AWARD OF BID – TOMPKINS COUNTY SOLID WASTE HAULING AND DISPOSAL SERVICE

MOVED by Ms. Herrera, seconded by Mr. Proto, and unanimously adopted by voice vote under the Consent Agenda.

April 1, 2008

WHEREAS, the Department of Finance – Division of Purchasing has duly advertised for a multi-year bid for Hauling and Disposal Services for the Tompkins County Solid Waste Management Division, and

WHEREAS, three bids from Hauling and Disposal companies were received and publicly opened March 13, 2008, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the bid for Hauling and Disposal Services for Tompkins County be awarded to We Care Transportation, LLC, of Jordan, New York, for a three (3)-year term (May 1, 2008 – April 30, 2011) at a cost of \$47.65 per ton of waste including an annual CPI increase of no more than three percent per year,

RESOLVED, further, That the funds are available in the Solid Waste Management Division's Budget, Account 8160.54442,

RESOLVED, further, That the County Contracts Administrator be authorized to execute this contract.

SEQR ACTION: TYPE II-20

Approval of Appointment(s) Under the Consent Agenda

It was MOVED by Ms. Herrera, seconded by Mr. Proto, and unanimously adopted by voice vote, to approve the following appointments under the Consent Agenda:

Local Emergency Planning Committee

Greg Stevenson, Public Safety Committee Chair – no set term

Criminal Justice Advisory/Alternatives to Incarceration Board

Greg Stevenson, Public Safety Committee Chair – term expires December 31, 2009

Presentation of Resolution(s) from the Facilities and Infrastructure Committee

RESOLUTION NO. 60 – AUTHORIZATION TO EXECUTE A CONTRACT FOR ENGINEERING SERVICES FOR CASWELL ROAD LANDFILL LEACHATE DISPOSAL STUDY

MOVED by Mrs. McBean-Clairborne, seconded by Ms. Herrera. Ms. Kiefer said that she would not support the resolution as stated at the Committee. She believed it would have been more desirable to have a Request for Proposal on the project that would have allowed the original consultant an opportunity to participate. Ms. Herrera said it was discussed thoroughly at the Committee and information provided was sufficient for her to support the resolution, particularly with the expertise shown by Barton and Loguidice.

A voice vote on the resolution resulted as follows: Ayes – 13; Noes – 1 (Legislator Kiefer); Vacant – 1 (District No. 12 – Town of Ithaca). RESOLUTION ADOPTED.

WHEREAS, Barton and Loguidice P.C. (B&L) has been retained to perform engineering services for the Caswell Road Landfill leachate project, and

WHEREAS, it has been determined that it is not feasible for the County to utilize the Freeville Wastewater Treatment facility making it necessary for the County to consider other alternative methods for leachate disposal, and

WHEREAS, the County has requested that B&L review and update the estimated costs (as necessary) for the various onsite treatment alternatives described in engineering report for “Caswell Road Landfill Feasibility Study – Alternative Leachate Treatment Processes” dated May 1996 and as

April 1, 2008

prepared by Malcolm Pirnie, Inc., due to the reduction in leachate productions as a result of 2002 modifications at the landfill and a low leachate strength, B&L will evaluate the feasibility and costs associated with two (2) alternative onsite systems for leachate treatment/disposal, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That a Scope of Services be approved to perform this work at an amount not to exceed \$25,000 with funds being available in the approved capital project budget for this project,

RESOLVED, further, That the County Administrator or designee be authorized to execute this change on behalf of the County.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 61 - APPROVAL OF ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR THE TOMPKINS COUNTY HEALTH DEPARTMENT BUILDING RENOVATION PROJECT

MOVED by Mrs. McBean-Clairborne, seconded by Ms. Herrera. Mr. Proto requested an update on the project and was informed by Mr. Marx that at this time the County is in the process of preparing the real property closing documents and hiring the consultant to work on the renovation. It is anticipated to have the closing in the beginning of May. Ms. Herrera said that although she has expressed some concerns it is important to move forward to provide the Health Department with appropriate room to continue their work. Mr. Proto then inquired about the temporary appointments to the Committee. He was informed it was due to illness and that the temporary members were knowledgeable of the status of the project. Ms. Kiefer explained her negative vote at Committee, stating it was not against LaBella Associates but her view that an interview of both respondents would have been useful. Mr. Hattery inquired if the \$500,000 limit was consistent with the project needs and was informed by Mr. Marx it was the amount determined to be appropriate for this portion of the project.

A voice vote on the motion resulted as follows: Ayes – 11; Noes – 3 (Legislators Kiefer, McBean-Clairborne, and Proto); Vacant – 1 (District No. 12 – Town of Ithaca). RESOLUTION ADOPTED.

WHEREAS, Resolution No. 10 of 2008 approved the acquisition (purchase and lease) of the property located at 55 Brown Road, Village of Lansing, New York, for use by the Tompkins County Health Department, and

WHEREAS, part of the charge to the Health Department Building Construction Committee is to take part in the selection of a design team, working with that team to ensure that the building meets the needs of the programs, staff, and public who will use it and move the project forward to the design and renovation/construction phases needed to accommodate the Health Department's needs, and

WHEREAS, a Request for Qualifications for architectural and engineering design services for the project was advertised with submissions due by February 29, 2008, and

WHEREAS, two (2) proposals were received from Labella Associates, P.C., 300 State Street, Suite 201, Rochester, New York 14614, and William Taylor Architects, PLLC, 6432 Baird Avenue, Syracuse, New York 13206-1045, and

WHEREAS, the Health Department Building Construction Committee reviewed the two proposals and forwarded its recommendation to the Facilities and Infrastructure Committee, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the contract for architectural and engineering design services for the renovation of 55 Brown Road to serve as offices for the Tompkins County Health Department be awarded to LaBella Associates, PC, in the amount not to exceed \$500,000,

RESOLVED, further, That the County Administrator or his designee is authorized to execute all contracts or agreements necessary to provide these services.

SEQR ACTIONS: TYPE II-21 AND TYPE II-2

Presentation – Report on the Shared Municipal Services Incentive and Tompkins County Council of Governments Health Benefits Consortium

Mr. Whicher provided a Powerpoint presentation outlining the work done to date. He explained the project is basically creating an insurance company for municipalities that would cover approximately 2,000 individuals. The program objective is to offer a common health insurance program that pools health insurance risk and assures reasonable cost sharing while providing more efficient and fiscally responsible delivery of services. The stakeholder groups involved are the City of Ithaca, Tompkins County, union representatives, Tompkins Cortland Community College, Tompkins County Public Library, and the towns and villages. The project plans for implementation January 1, 2010. Mr. Whicher spoke of providing quarterly reports on the progress of this project and noted there will be a detailed presentation on April 28th at the Tompkins County Public Library. He noted the challenges involved include development of an agreement that would be approved by all parties, policy development, how to determine each stakeholder's voting ability, and defining union and retiree participation in the process. Mr. Whicher expressed concern with the level of staff required to complete the work, noting there is grant money that could be utilized to assist in providing adequate staff if necessary. He anticipates there will be resolutions brought forward by all parties indicating a desire to continue to participate in this project.

Mr. Shinagawa said Albany County has completed a similar project and has realized several million dollars in benefit in several years. He inquired what the anticipated saving is for the County and was informed it is believed to save between eight and ten percent. Mr. Whicher spoke of the need to find incentives for employees to change their insurance from the present indemnity plans to the new program. Mr. Shinagawa said he has been involved in the project from its inception and that it has been a very transparent, well-documented process. He said two project assistants from Cornell University have been assisting in the work as well. He thanked the administration for its support on the project.

Chair's Report

Mr. Koplinka-Loehr had no report.

Report from the County Administrator

Mr. Whicher reported that State budget bills were beginning to be passed and could cost the County close to \$400,000 in 2008, and approximately \$1.4 million in 2009. Mr. Whicher said that, as part of the budget, the State Legislature has cut state aid for counties by 2 percent, effective today. (The reduction does not affect Medicaid, preschool special education, or other entitlement programs.)

He then reported the Director of the State-wide Network has informed him of the intent to enter into a written agreement upon completion of the State system's proof of concept in Chautauqua and Erie Counties. He spoke of how the County's development of the system to the specifications of the State would enable use of our system and placement of State antennas on the towers.

Mr. Whicher noted New York State Association of Counties has expressed gratitude to counties who have passed resolutions regarding various aspects of the initial proposed budget, which has proven successful in some areas.

Mr. Proto asked about the status of transportation bills and was informed that as of now they are doing well, particularly in major cities.

Ms. Kiefer asked what the status of the State's proof of concept was. Mr. Whicher explained that M/A-COM, the States vendor, is presently testing their installations, and are having some difficulties with

April 1, 2008

building penetration. He spoke of the need to fine-tune systems to have maximum capacity, noting that upon completion of our system's proof-of-concept time period it exceeded initial expectations.

Report from the County Attorney

Mr. Wood had no report. He requested an executive session be held to discuss litigation and a non-related personnel matter later in the meeting.

Report from the Finance Director

Mr. Squires had no report.

Withdrawal of Resolution(s) from the Agenda

There were no resolution(s) withdrawn from the agenda.

Addition of Resolution(s) to the Agenda

It was MOVED by Mr. Hattery, seconded by Mr. Proto, and unanimously approved by voice vote, to add the resolution entitled Sincere Appreciation to W.B. Strong Fire Company and Freeville Fire Department to the agenda. RESOLUTION ADDED.

Report from the Planning, Development, and Environmental Quality Committee

Ms. Robertson, Chair, said the Committee has not met. The next meeting would be on April 10th.

Report and Presentation of Resolution(s) from the Budget and Capital Committee

Mr. Shinagawa, Chair, reported the Legislature Budget Retreat would be on April 29th from 6:00 p.m. to 8:30 p.m. The Administration staff is working on scenarios that would be made available prior to that time. He reported Stuart Stein of the Strategic Tourism Planning Board would speak to the committee about a potential proposal for room tax revenue use.

RESOLUTION NO. 62 – URGING THE STATE LEGISLATURE TO OPPOSE THE PROPOSED CHANGES THAT AFFECT AGENCIES THAT PROVIDE VITAL SERVICES TO TOMPKINS COUNTY

MOVED by Mr. Shinagawa, seconded by Ms. Robertson, and unanimously adopted by voice vote. RESOLUTION ADOPTED.

WHEREAS, Tompkins County believes that the 2008-09 Executive Budget changes the fundamental state/local partnership by proposing to cut funding to the local not-for-profit agencies that provide needed assistance to the taxpayers of Tompkins County, and

WHEREAS, the Governor's proposed budget includes changes that affect several agencies in Tompkins County, for example:

- Human Service Coalition 2-1-1 Program - the Executive budget includes a \$100,000 reduction in funding.
- Rural Preservation - The Executive budget includes a twenty-five percent cut (\$42,000 reduction). This funds two programs: (1) Better Housing for Tompkins County -\$22,000 and (2) Ithaca Neighborhood Housing -\$20,000.
- Catholic Charities of Tompkins - Tioga - will experience a reduction if the Governor's budget includes the proposed shift, which will increase the county

April 1, 2008

share of public assistance by two percent, while simultaneously decreasing the state share by two percent.

- The Tompkins Learning Partners - will experience up to a thirty-eight percent cut (\$15,000 reduction). The State's Executive budget for Adult Literacy Education funding proposal is \$1 million less than last year and the distribution is being changed so that the upstate agencies will not be able to compete for the funds that were previously available.
- The Women's Opportunity Center - the Governor's proposed budget eliminates funding for Displaced Homemakers Program and reduces \$3 million from the SUNY Bridge Program. If this funding is not restored it will eliminate thirty percent of their programs.
- Neighborhood Legal Services - The proposed budget reduces statewide funding for civil legal services from \$15 million to \$1 million, and it appears that Tompkins County's Neighborhood Legal Services would face a ninety-three percent cut (\$41,000 per year).

WHEREAS, these funding reductions would hurt our citizens who have the greatest need, and would greatly increase the property tax burden if absorbed by Tompkins County, and may result in the programs being seriously reduced or eliminated, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That Tompkins County opposes any State policy or fiscal initiative that hurts the poor and shifts the tax burden to those least able to pay,

RESOLVED, further, That the County shall forward copies of this resolution to Governor Paterson, the New York State Legislature, and all others deemed necessary and proper.

SEQR ACTION: TYPE II-20

Report and Presentation of Resolution(s) from Public Safety Committee

Mr. Stevenson, Chair, had no report. He said the Committee would meet on April 15th.

RESOLUTION NO. 63 – ACCEPTANCE OF AMENDED 2007 ANNUAL ALTERNATIVES TO INCARCERATION CONSOLIDATED SERVICE PLAN – OPPORTUNITIES, ALTERNATIVES AND RESOURCES RE-ENTRY SERVICES

MOVED by Mr. Stevenson, seconded by Ms. Robertson. Mr. Proto said he requested the resolution be removed from the Consent Agenda to inquire about previously requested reports on the effectiveness of alternatives-to-incarceration programs. It was explained by Ms. Robertson that Opportunities, Alternatives and Resources is not an alternatives-to-incarceration program, rather it serves inmates when in jail or upon their release. It was further explained that these funds could have been lost to the County. Initially they were to fund a Department of Social Services counselor to complete substance abuse evaluations on inmates. The search for a candidate took almost a year, and then the individual declined the position. In 2008 an individual was hired and the State allowed the County to keep the 2007 funds as one-time money for the use specified within the resolution.

A voice vote on the resolution resulted as follows: Ayes – 14; Noes –0; Vacant – 1 (District No. 12 – Town of Ithaca). RESOLUTION ADOPTED.

WHEREAS, the Criminal Justice Advisory/Alternatives to Incarceration Board at its February 25, 2008, meeting approved the Amended 2007 Annual ATI (Alternatives to Incarceration) Consolidated Service Plan for use of State Division of Probation and Correctional Alternatives funds in the amount of \$26,800 by OAR (Opportunities, Alternatives and Resources) for re-entry services, and

April 1, 2008

WHEREAS, it is a requirement that the approval of the legislative/governing body accompany the Plan upon submission to the New York State Division of Probation and Correctional Alternatives, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the Tompkins County Legislature approves the Amended 2007 ATI Consolidated Service Plan for Tompkins County for use in 2008, and the contract date shall run from January 1, 2008, to January 1, 2009,

RESOLVED, further, That a copy of the Service Plan will be kept on file at the office of the County Administrator, the office of the Chair of the Criminal Justice Advisory/Alternatives to Incarceration Board, and office of the Tompkins County Legislature.

SEQR ACTION: TYPE II-20

Report from the Workforce Diversity and Inclusion Committee

Mrs. McBean-Clairborne, Chair, reported the Committee has not met.

Report and Presentation of Resolution(s) from the Health and Human Services Committee

Mr. Proto, Chair, reported the Committee will meet on April 2nd, at which time an update on the proposed Lifelong/County Office for the Aging co-location will be discussed as well as having a discussion regarding the resolution recommending discontinuance of sponsorship for the Women, Infants, and Children (WIC) program. He reiterated his invitation to WIC staff members as well as other interested parties.

Report from the Facilities and Infrastructure Committee

Mrs. McBean-Clairborne, Chair, reported the Committee would meet on March 20th. She thanked the temporary committee members who served that day and noted that the majority of work completed was represented through resolutions presented. Mrs. McBean-Clairborne noted one discussion that took place was with regard to the proposed traffic light at the United States Post Office entrance on Warren Road and the numerous discussions taking place regarding its funding. The Committee also heard from Library Director Janet Steiner about space needs and potential capital project work that could occur in the event the Finger Lakes Library Service does not continue to be housed within the library. Ms. Steiner also requested that the present utility surcharge for Sunday hours be absorbed by the County due to the ten-year history of Sunday operations.

Report from the Human Resources Committee

Mr. Dennis, Chair, reported the blue collar contract is pending and there would be another meeting for the road patrol members. The Committee will meet on April 3, 2008.

Report and Presentation of Resolution(s) from the Government Operations Committee

Mr. Hattery, Chair, reported the Committee would meet on April 11th. He called attention to information provided to Legislators regarding County policies that have not been amended within the last fifteen years and said to expect some reviews to come to the appropriate committees in the future.

RESOLUTION NO. 64 - SINCERE APPRECIATION TO W.B. STRONG FIRE COMPANY AND FREEVILLE FIRE DEPARTMENT

MOVED by Mr. Hattery, and unanimously seconded and adopted by voice vote. RESOLUTION ADOPTED. Mr. Hattery said this is one of a number of fire companies within the Town of Dryden and

April 1, 2008

like volunteer fire companies throughout the County, an enormous amount of volunteer hours of service are provided to our citizens.

WHEREAS, by 1908, the Village of Freeville, New York, had developed into a bustling community following the expansion of the South Central and Lehigh Valley Railroad lines, and

WHEREAS, at the time, the only form of fire protection available to Freeville's citizenry was the ineffective "bucket brigade," and

WHEREAS, concerned leaders advocated for the formation of a volunteer fire department, and following a popular vote of the village electorate, organized an entity that consisted of a Chemical Engine Company and a Hook and Ladder Company, and

WHEREAS, one hundred years later, the Freeville Fire Department responds to the calls of its neighbors over four hundred times annually, providing fire protection and first-response emergency medical services, and

WHEREAS, the W.B. Strong Fire Company has provided service to the people of the Village of Freeville and the Town of Dryden since April 7, 1908, and will commemorate this milestone with a series of events throughout the year ahead, and

WHEREAS, the W.B. Strong Fire Company - Freeville Fire Department exemplifies the spirit of volunteerism that traditionally characterizes the discipline of emergency services, now therefore be it

RESOLVED, That the Tompkins County Legislature does hereby extend its congratulations and sincere appreciation to the officers and members of the W.B. Strong Fire Company and of the Freeville Fire Department, for their selfless and continuing devotion to the residents and visitors of Tompkins County, the Town of Dryden, and Village of Freeville, New York.

SEQR ACTION: TYPE II-20

Approval of Minutes of March 18, 2008

It was MOVED by Ms. Robertson, seconded by Mr. Proto, and unanimously adopted by voice vote by members present, to approve the minutes of March 18, 2008. MINUTES APPROVED.

Recess

Mr. Koplinka-Loehr declared recess from 7:32 p.m. to 7:39 p.m.

Executive Session

It was MOVED by Mr. Dennis, seconded by Mrs. McBean-Clairborne, and unanimously adopted by voice vote, to enter into executive session at 7:39 p.m. to discuss litigation and personnel matters. The meeting returned to open session at 8:30 p.m.

Presentation of Resolution

It was MOVED by Ms. Mackesey, seconded by Mr. Hattery, and unanimously adopted by voice vote, to add the resolution entitled Temporary Reappointment of County Administrator to the agenda.

RESOLUTION NO. 65 – TEMPORARY REAPPOINTMENT OF COUNTY ADMINISTRATOR

MOVED by Mr. Hattery, seconded by Ms. Chock, and unanimously adopted by voice vote. RESOLUTION ADOPTED.

WHEREAS, County Administrator, Steve Whicher, retired effective March 26, 2008, and

April 1, 2008

WHEREAS, Steve Whicher has agreed to continue as County Administrator until a successor is appointed, now therefore be it

RESOLVED, That the Tompkins County Legislature hereby reappoints Steve Whicher as the County Administrator at the current rate effective March 27, 2008, through no later than November 30, 2008,

RESOLVED, further, That the Tompkins County Legislature credits Steve Whicher 120 hours vacation upon reappointment,

RESOLVED, further, That Steve Whicher will not cash out accrued benefits when his appointment ends,

RESOLVED further, That there is no effect on the 2008 budget.

SEQR ACTION: TYPE II-20

Executive Session

It was MOVED by Ms. Mackesey, seconded by Ms. Kiefer, and unanimously adopted by voice vote, to enter into executive session to discuss litigation. An executive session was held at 8:33 p.m. and returned to open session at 9:40 p.m.

Adjournment

The meeting adjourned at 9:41 p.m.

Respectfully submitted by Karen Fuller, TC Legislature Office