

**Tompkins County Legislature
March 20, 2007**

Public Hearing – Additions to Agriculture District No. 1 (east side of Tompkins County)

Chair Joseph called the public hearing to order at 5:30 p.m. concerning additions to Agriculture District No. 1 (east side of Tompkins County), and asked if anyone wished to speak.

Ken Miller, Town of Dryden, spoke of property he owns in the Town of Dryden. He said it is his understanding that the Village of Dryden is somewhat opposed to the addition of some Village parcels being included in the agriculture district. He said the property is not included in the district at the present time because at one time there was potential to develop water and sewer services, which are not permissible on land belonging to an agriculture district. Mr. Miller said this is still agriculture land that he will continue farming and it will remain as open space. He said this land is appropriate for inclusion in the agriculture district and asked the Legislature to consider his request that would provide both him and the Village with protection of the land.

No one else wished to speak and the public hearing was closed at 5:35 p.m.

Pledge of Allegiance to the Flag and Roll all of Members

Members and guests participated in the Pledge of Allegiance to the Flag.

Present: 13 Legislators. Excused: 2 (Legislators Kiefer and Randall).

Presentation of Tourism Partner Award

Legislator Dennis presented Mr. Robert Harris and Mr. LeNorman Strong representing Cornell University's Alpha Phi Alpha fraternity, with the first Tompkins Tourism Partner's Award. The Alpha Phi Alpha fraternity is the first African American Fraternity in the country, and is being presented this award in recognition of its centennial celebration, a national event that attracted more than 400 room nights at local hotels. Mr. Strong thanked the Legislature for the award and said many members have been extremely touched by the hospitality they have experienced from this community. He also noted that Mr. LeNorman is a national historian.

Presentation of Proclamation(s)

Chair Joseph presented the following proclamation(s):

Red Cross Month in Tompkins County - March, 2007

Girl Scouts Make the World a Better Place Week – March 11-17, 2007, to Mary Grainger

Sister2sister Day in Tompkins County – March 31, 2007, to Mary Grainger

Presentation of Distinguished Youth Award

Mrs. McBean-Clairborne, District No. 2 Legislator, presented the March, 2007, Distinguished Youth Award to Jonathan Reed. Mr. Reed was nominated for the award by GIAC Teen Program Director, Cassandra Nelson, who praised Jonathan's active involvement for the past three years with the Greater Ithaca Activities Center, and also his academic, athletic, and civic achievements. Mrs. McBean-Clairborne described Mr. Reed's personal characteristics and qualities including being dependable, reliable, and being able to take the initiative needed to do what needs to be done. His achievements

March 20, 2007

include participating in a Citywide teen focus group addressing teen input and attending a week-long conference last summer in Washington, DC, working with other youth from across the country to address youth violence, and being a member of the motivational youth singing group “Vitamin L”. He was called “a positive role model for other teens in this community”. Mr. Reed thanked the Legislature for the award and stated he doesn't see himself as doing that much; he just likes to help people.

Privilege of the Floor by the Public

Radhika Prabhu, the Art of Living Foundation, an international non-profit organization that works in 140 countries. She invited everyone to attend an event on Cornell University on April 4th with the founder of the Art of Living, Sri Sri Ravi Shankar. The theme of the meeting is “Becoming Tomorrow’s Leaders with a Global Vision. The entire Ithaca community is invited to interact with an amazing social leader, humanitarian, and spiritual leader who has reached 300 million people across the globe with remarkable programs. She said all Legislators will be receiving an invitation and packet of information on this event that is targeted towards launching an initiative for a violence-free and stress-free society.

William Meyer, City of Ithaca, spoke of the September 11, 2001, attacks on the World Trade Center. He said he sent an internet link to Legislators following his comments at the last Legislature meeting and why he believes those attacks were staged by elements within the United States government. Mr. Meyer spoke of the collapsing of building 7, a 47-story office building, and said the only way such a building has ever collapsed was the result of pre-planted, carefully placed charges. He said he would like to know who the owner of that building was, who were the tenants, and what was the official cause of collapse.

Privilege of the Floor by Legislators

Ms. Robertson, District No. 13 Legislator, announced the following activities:

- March 22 at 7 p.m. – “Clean Money, Clean Elections” by the Citizen Action Group of New York program;
- March 24 at 9:30 a.m.- Tompkins County Community Budget Forum at the Human Services Building
- March 24 at 1 p.m. – Job Fair at the Greater Ithaca Activities Center;
- March 24 at 10 a.m. – Housing Opportunities Fair at the Ithaca High School cafeteria; and
- March 24 at 6 p.m. – Gala benefit for the Ithaca Free Health Clinic at the Olivia Restaurant

Mr. Dennis, District No. 15 Legislator, congratulated the Ithaca High School Hockey Team for their recently earning a New York State title. Mr. Dennis said these athletes and their parents are to be commended as hockey is a very demanding sport.

Mr. Proto, reported NYSEG has begun to issue refund checks as requested by the State. He suggested everyone call NYSEG to find out what the refund represents on their bill and said they will likely be disappointed as it only applies to electric and not the gas portion of the bill. He said refunds are ranging from 1.12 to \$30, and given the amount of money paid to this company, this amount is “embarrassingly poor”.

Mr. Hattery, District No. 14 Legislator, reminded the public that today is village election day.

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

RESOLUTION NO. 39 – AUTHORIZATION TO SUPPORT ESTABLISHMENT OF TOBACCO-FREE ZONES AROUND ALL COUNTY FACILITIES

March 20, 2007

MOVED by Mr. Shinagawa, seconded by Mr. Booth. Mr. Proto said this is a voluntary resolution of participation and goes beyond County facilities and incorporates a request of individuals and owners of buildings in which County offices reside. He said this is one more step in the loss of some personal freedoms and he will not vote in support of the resolution.

Ms. Herrera said when there was a move to make a local law banning smoking illegal in restaurants, she voted against that because she thought that was an action that should have taken place at the State level. She said this is different; it is a voluntary tool to help protect the health and safety of County employees, residents, and visitors by improving air quality at building entryways and outdoor areas frequented by the public. Ms. Herrera said she is someone who favors personal liberties but also favors workplace safety and she thinks this goes a long way to ensure the public's safety when they visit County-owned or occupied buildings.

A voice vote resulted as follows: Ayes - 12, Noes - 1 (Legislator Proto), Excused - 2 (Legislators Kiefer and Randall). RESOLUTION ADOPTED.

WHEREAS, the Tompkins County Health Department in July 2006 introduced the Tobacco- Free Zone program in part as a voluntary tool to protect the health and safety of County employees, residents, and visitors by improving air quality of building entryways and outdoor areas frequented by the public, and

WHEREAS, Local Law No. 6 of 1990, implemented smoking restrictions reflecting the Board of Representative's concern for the health and safety of County employees and members of the general public that use County-owned or County-occupied buildings and vehicles, and

WHEREAS, Local Law No. 3 of 2003, implemented smoking restrictions designed to protect the health and safety of County residents by improving indoor air quality in bars, restaurants, and places of employment, and

WHEREAS, a Report of the Surgeon General released on June 27, 2006, cites "massive and conclusive scientific evidence" that "there is no risk-free level of exposure to secondhand smoke," and that "exposure of adults to secondhand smoke has immediate adverse effects on the cardiovascular system and causes coronary heart disease and lung cancer," and

WHEREAS, a comprehensive survey of Tompkins County residents conducted in June 2006 shows that an overwhelming majority of Tompkins County adults (92.7%) consider exposure to secondhand smoke to be harmful, and

WHEREAS, the same June 2006 survey shows that 85.6% of Tompkins County adults favor restricting to certain areas, or not allowing at all, smoking in the area around public-building entryways in Tompkins County, and

WHEREAS, a Tobacco-Free Zone, which is intended to designate an outdoor area where the public will not be exposed to secondhand tobacco smoke, may be used to clearly demonstrate a preference for smoking restrictions to enhance public safety and comfort, and

WHEREAS, comprehensive efforts to further reduce the social and economic burden of tobacco use in Tompkins County must include reducing the initiation of tobacco use among youth, and

WHEREAS, while parents and schools can have a major role in youth smoking prevention, exposure to tobacco use outside of home and school has been shown to greatly influence youth tobacco use, and

WHEREAS, reducing smoking in areas around public-building entryways, doors, and common areas will both reduce the exposure of all individuals to harmful secondhand tobacco smoke and reduce youth exposure to common and casual tobacco use, now therefore be it

RESOLVED, on recommendation of the Tompkins County Board of Health, and the Health and Human Services and the Personnel Committees, That the Tompkins County Legislature supports the Health Department initiative for departments to designate voluntary Tobacco-Free Zones at buildings

March 20, 2007

owned or occupied by the County for the purpose of conducting County business, or as a workplace for County employees,

RESOLVED, further, That County Department Heads shall, upon due consideration of this resolution and the best interest of the County, its employees, and citizens, take action as seems appropriate in designating Tobacco-Free Zones at their worksites,

RESOLVED, further, That the Commissioner of Personnel or her designee shall respond to inquiries pertaining to the Tobacco-Free Zones at County workplaces and worksites.

SEQR ACTION: TYPE II-20

Presentation of Resolution(s) by the Planning, Development, and Environmental Quality Committee

RESOLUTION NO. 40 - RECOMMENDING APPROVAL OF THE ISSUANCE BY THE TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY OF UP TO \$32,000,000 CIVIC FACILITY REVENUE BONDS (ITHACA COLLEGE PROJECT), SERIES 2007

MOVED by Ms. Robertson, seconded by Mrs. McBean-Clairborne. Ms. Herrera said she is a member of the IDA where part of their discussions related to economic development. She commended Ithaca College and the provision that the College is going to utilize local contractors that have a certified apprenticeship program and who will pay a prevailing wage. She said it is important in these difficult fiscal times to know that bonding is being done in this community is utilizing local labor in this way. She thanked the College for taking this step.

Ms. Mackesey asked if the language pertaining to certified apprenticeship program and prevailing wages was included in the contract language.

Mr. Joseph said the contract has not yet been written and signed; however, he has spoken with bond counsel and was given assurance the language would be included. Carl Sgrecci, Vice President of Ithaca College Finance and Administration, stated the College will certainly work within the terms of the contract. Ms. Mackesey said if this language is going to be included in the contract she would be delighted to support the resolution.

Russ Genzel, Attorney for Harris Beach who is bond counsel for the Industrial Development Agency, said they first became aware of this request this afternoon. As stated by Mr. Joseph, final bond documents have not yet been completed. To the extent the Legislature is requiring prevailing wage rate provisions be worked into the documents, that will be done in conjunction with the local attorney.

Mr. Booth said with regard to requirements as this dealing with prevailing wage and other requirements the IDA puts in, he hopes the IDA will explore having an annual certification process in addition to putting language in a contract. Secondly, this supports the County's biggest industry, which is education.

Mr. Proto asked if any of the language that has been suggested this evening will make it impossible for a contractor to bid on a project because they can't meet any of the requirements. Mr. Joseph said contractors who cannot meet the specifications of a contract are not eligible for a contract.

Mr. Joseph clarified the purpose of the resolution. He stated the IDA is issuing bonds in a way that leaves Ithaca College entirely responsible for paying off those bonds but allows them to get a better

March 20, 2007

rate because they are doing it through the IDA, but the IDA does not take on the obligation for payment of the bonds.

Mr. Genzell said the IDA is a conduit issuer and provides the mechanism by which Ithaca College can enjoy a tax-exempt rate for federal income-tax purposes. The reason this resolution is before the County Legislature in addition to the IDA Board is because approval of the elected officials in the jurisdiction is required by tax law. Neither the County, nor the IDA, is liable for this money.

Ms. Robertson stated the IDA receives a significant benefit by this action because of fees that are accrued as a result of this transaction and that helps to fund other economic-development efforts. In clarifying the word "requirement", she stated this is an application that every applicant fills out and is asked several pages of questions. If Ithaca College had not put anything in the application about prevailing wages, apprenticeship programs, or local labor it would not be a requirement that they go back and do those things in order for this to be approved. She said they answered those questions by stating they intended to do those things voluntarily. They recognized that by inclusion of those questions on the application, these are items the IDA values.

Mr. Proto said he doesn't recall those items being raised at the Planning, Development, and Environmental Quality Committee meeting when this was discussed and questioned when the conversation took place with Ithaca College about amending the contract. Mr. Joseph said the discussion preceded the meeting of the Planning, Development and Environmental Quality Committee meeting. Mr. Proto requested the resolution be withdrawn because full disclosure was not made at that meeting. He said he would not have supported the resolution if the information had been available at the Planning, Development and Environmental Quality Committee meeting. As there were only three members in attendance at that meeting he said the resolution would not have passed and moved forward to the full Legislature. He requested the resolution be withdrawn and referred back to committee.

Mr. Wood, County Attorney, said there are often times when committee members learn information following a committee meeting, and recommended the appropriate course of action at this time would be for Mr. Proto to make a motion to Refer to Committee if that is the action he desires.

Ms. Robertson spoke of the full packet of materials made available at the Planning, Economic Development, and Environmental Quality Committee meeting. That packet included minutes of the public hearing of March 12 in which there are two comments about apprenticeship programs and other issues by Brian Noteboom of the Empire State Regional Council of Carpenters and Joiners, and Mike Talarski of the Electricians Union. Ms. Robertson said all Committee members received this information prior to the PDEQ meeting and noted that full applications are not routinely provided to the Committee.

It was MOVED by Mr. Proto to refer this resolution back to the Planning, Development, and Environmental Quality Committee. MOTION FAILED DUE TO LACK OF A SECOND.

Mr. Hattery spoke to the issue of criteria that are listed in the application and said although there may be items such as living wage or apprenticeship programs that are not required, the IDA at any time could chose to not vote in support of the project.

Mr. Wood said the purpose of this resolution is to comply with Internal Revenue Code laws. The Legislature's role is not to agree or disagree with the project itself, but to confirm that the project is a legitimate tax-exempt IDA project and entitled to exemption financing.

Mr. Booth said he thinks it is the responsibility of staff to identify and bring forward all key points of an issue to Legislators at committee meetings. Mr. Joseph agreed, and stated he thinks staff did

March 20, 2007

that in this case because, as Mr. Wood stated, this was not seen as an opportunity for the Legislature to review the work of the IDA.

Mr. Proto said given the statement by the County Attorney, trying to amend the arrangement (e.g., living wage and apprenticeship programs) by this Legislature is inappropriate as well and should have been addressed by the IDA. Mr. Joseph said those issues were addressed by the IDA.

Ms. Herrera congratulated and commended Ithaca College for going after \$32 million in bonding that will provide jobs for local people who will be involved in certified apprenticeship programs and who will be paid a living wage. She said this raises the quality-of-life in Tompkins County.

A roll call vote resulted as follows: Ayes – 12, Noes – 1 (Legislator Proto), Excused – 2 (Legislators Kiefer and Randall). RESOLUTION ADOPTED.

WHEREAS, the Tompkins County Planning, Development, and Environmental Quality Committee (the "Committee"), has been advised by the Tompkins County Industrial Development Agency (the "Issuer") that, in order to assist in the financing of a certain Project (as defined below) for the benefit of Ithaca College, a not-for-profit corporation duly organized and validly existing under the laws of the State of New York (the "College"), the Issuer proposes to issue its Civic Facility Revenue Bonds (Ithaca College Project), Series 2007, in an aggregate principal amount not to exceed \$32,000,000 (the "Bonds"), and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") requires the approval by the Tompkins County Legislature (the "Legislature") prior to the issuance by the Issuer of the Bonds, and

WHEREAS, the Committee desires to recommend to the Tompkins County Legislature that it give such approval in accordance with the Code, and

WHEREAS, the project (the "Project") consists of: (A) (i) the acquisition or retention by the Issuer of title to or other interest in a portion of the College's approximately 750-acre main campus located on Route 96B in Ithaca, New York (or applicable portion thereof) and the existing improvements located thereon (the "Campus"), (ii) the construction and equipping on the Campus of an approximately 58,200 square foot administrative office building to be used by the College to house administrative offices for the College's human resources, graduate studies, admissions, enrollment planning and senior administration departments (the "Gateway Building Facility"), (iii) the completion of the construction and equipping of the College's approximately 38,800 square foot School of Business building (the "School of Business Facility"), and (iv) the renovation, equipping, and repair of certain existing Campus facilities including, but not limited to, certain academic, teaching, and research facilities, certain dormitories and other housing facilities, certain auxiliary and utility plants (the "Existing Facilities", such Existing Facilities known as and consisting of: Alumni Hall, consisting of approximately 17,600 square feet of space, Bogart Hall, consisting of approximately 30,700 square feet of space, Boothroyd Hall, consisting of approximately 16,000 square feet of space, Central Services/Warehouse, consisting of approximately 22,000 square feet of space, Ceracche Center, consisting of approximately 24,100 square feet of space, Clarke Hall, consisting of approximately 23,100 square feet of space, Compost Facility, consisting of approximately 5,000 square feet of space, Dillingham Center, consisting of approximately 78,700 square feet of space, Eastman Hall, consisting of approximately 23,100 square feet of space, East Tower, consisting of approximately 77,900 square feet of space, Egbert Hall, consisting of approximately 37,400 square feet of space, Emerson Hall, consisting of approximately 63,300 square feet of space, Fitness Center, consisting of approximately 42,300 square feet of space, Friends Hall, consisting of approximately 19,500 square feet of space, Gannett Center, consisting of approximately 86,500 square feet of space, Garden Apartments, consisting of approximately 114,700 square feet of space, Hammond Health Center, consisting of approximately 17,200 square feet of space, Center for Health Sciences, consisting of approximately 92,000 square feet of space, Hill Center, consisting of approximately 92,200

March 20, 2007

square feet of space, Hilliard Hall, consisting of approximately 23,100 square feet of space, Holmes Hall, consisting of approximately 23,100 square feet of space, Hood Hall, consisting of approximately 23,100 square feet of space, Job Hall, consisting of approximately 27,200 square feet of space, Landon Hall, consisting of approximately 30,700 square feet of space, Lyon Hall, consisting of approximately 27,500 square feet of space, Muller Faculty Center, consisting of approximately 26,500 square feet of space, Center for Natural Sciences, consisting of approximately 125,000 square feet of space, Observatory, consisting of approximately 750 square feet of space, Outdoor Pool, consisting of approximately 700 square feet of space, Park Hall, consisting of approximately 81,800 square feet of space, Phillips Hall, consisting of approximately 53,600 square feet of space, Physical Plant office building, consisting of approximately 5,000 square feet of space, Center for Public Safety and General Services, consisting of approximately 23,000 square feet of space, Rowland Hall, consisting of approximately 27,500 square feet of space, Smiddy Hall, consisting of approximately 35,600 square feet of space, Talcott Hall, consisting of approximately 23,100 square feet of space, Terrace Dining Hall, consisting of approximately 44,800 square feet of space, Terrace Residence Halls, consisting of approximately 188,300 square feet of space, Textor Hall, consisting of approximately 11,900 square feet of space, Towers Concourse and Towers Dining Hall, containing in the aggregate of approximately 23,000 square feet of space, West Tower, consisting of approximately 77,900 square feet of space, Whalen Center for Music, consisting of approximately 141,800 square feet of space, and Williams Hall, consisting of approximately 71,100 square feet of space) (the Existing Facilities, the Gateway Building Facility and the School of Business Facility are herein collectively referred to as the "Improvements"); (B) the acquisition and installation in and around the Improvements of certain items of machinery, equipment, fixtures, and other tangible personal property (the "Equipment" and, together with the Campus and the Improvements, the "Facility"); (C) paying certain costs incidental to the issuance of the Bonds; and (D) the sale or lease of the facilities financed with the Bonds from the Issuer to the College, and

WHEREAS, the Issuer proposes to assist in the financing of the Project by issuing the Bonds to: (i) pay all or a substantial portion of the cost of financing certain costs incurred by the College in its undertaking of the Project, and (ii) pay reserves and costs incidental to the issuance of the Bonds, and

WHEREAS, the Project involves a "Type I Action" as said term is defined in Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, "SEQR"), and

WHEREAS, based on a review of the Project, the Town of Ithaca Planning Board, as "lead agency" (as such quoted term is defined under SEQR), on August 15, 2006, made a negative determination of environmental significance pursuant to SEQR, and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), interest on the Bonds will not be excluded from gross income for Federal income-tax purposes unless the issuance of the Bonds is approved by the Tompkins County Legislature after a public hearing to consider both the issuance of the Bonds and the nature and location of the facilities financed therewith has been conducted following reasonable public notice, and

WHEREAS, a Public Hearing in connection with the Project was held on March 12, 2007, at 10:00 a.m. at the Town of Ithaca Highway Department, 106 Seven Mile Drive, Ithaca, New York. Notice of such Public Hearing was published in the *Ithaca Journal* on February 10, 2007, in compliance with the Code; and

WHEREAS, the Committee, after due consideration of the foregoing, desires to recommend to the Tompkins County Legislature that it approve the issuance of the Bonds, provided the principal, premium, if any, and interest on the Bonds shall be special obligations of the Issuer and shall never be a debt of the State of New York (the "State") or any political subdivision thereof including, without limitation, Tompkins County, New York, and neither the State nor any political subdivision thereof including, without limitation, Tompkins County, New York, shall be liable thereon, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That

March 20, 2007

Section 1. The Tompkins County Legislature, as the applicable elected representative of Tompkins County, New York, hereby gives its approval of the issuance of the Bonds in accordance with Section 147(f) of the Code.

Section 2. This Resolution shall be deemed to be made for the benefit of the holders of the Bonds.

Section 3. This Resolution shall take effect immediately.

SEQR ACTION: TYPE II-20

Chair's Report and Appointment(s)

Mr. Joseph reported the County bus-pass program has once again been renewed beginning in April. Mr. Booth requested a report on usage of this program.

Mr. Joseph made the following appointment(s).

Workforce Investment Board

Mary Opperman – Business representative; term expires June 30, 2009

Dr. Carl E. Haynes – Local Education representative; term expires June 30, 2009

Jean McPheeters – Economic Development representative; term expires June 30, 2008

S. Diane Bradac – WIA Title I representative; term expires June 30, 2008

Report from the County Administrator

Mr. Whicher reported Starbucks, Collegetown Bagels, and Wegmans, will be providing refreshments at the community budget forum to be held on March 24th. He requested an executive session to discuss contract negotiations.

Report from the County Attorney

Mr. Wood had no report

Report from the Finance Director

Mr. Squires had no report.

Approval of Resolution(s) Under the Consent Agenda

It was MOVED by Mr. Proto, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present, to approve the following resolution(s) under the Consent Agenda:

RESOLUTION NO. 41 – IN SUPPORT OF INCREASED STATE TRANSIT OPERATING ASSISTANCE APPROPRIATION AND CREATION OF REVIEW PANEL

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

WHEREAS, the proposed funding increase in State Transit Operating Assistance (STOA) Appropriations for the Upstate Formula Group for 2006-2007 that includes TCAT (Tompkins Consolidated Area Transit), Inc., and Broome County Transit is \$4.9 million, and

March 20, 2007

WHEREAS, this increase will help maintain Tompkins County’s outstanding public transportation system, which has experienced two consecutive record ridership years, and

WHEREAS, the Department of Transportation and the Department of Budget have undertaken an initiative to convene a panel of transit experts to develop a fair and equitable allocation of STOA based on performance measures, and

WHEREAS, these performance measures will encourage all public transportation systems to achieve greater operational efficiencies and to better serve the riding public, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, That the Tompkins County Legislature hereby supports this inclusion of a \$4.9 million increase in State Transit Operating Assistance Appropriations for the Upstate Formula Group as contained in Governor Spitzer’s 2006-2007 Executive Budget,

RESOLVED, further, That Tompkins County supports the creation of a review panel to make recommendations for future STOA payments that will be fair and equitable and based on performance measures,

RESOLVED, further, That the Clerk of the Legislature be authorized to send certified copies of this resolution to Michael F. Nozzolio, Senator, 54th District; James L. Seward, Senator, 51st District; George H. Winner, Senator, 53rd District; Barbara Lifton, Assemblywoman, 125th District; Carolyn Peterson, Mayor, City of Ithaca; David Skorton, President, Cornell University; Barbara Fiala, Broome County Executive; and George Bagnetto, Director of Operations, Broome County Transit.

SEQR ACTION: TYPE II – 20

RESOLUTION NO. 42 - AUTHORIZATION TO ACCEPT PREVENTIVE DENTAL SERVICES GRANT AND ASSOCIATED BUDGET ADJUSTMENT – HEALTH DEPARTMENT AND DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, the Tompkins County Health Department has been awarded a \$42,700 grant by New York State Department of Health to support a program to be managed by the Tompkins County Department of Social Services’ to enhance access to dental care for pregnant women, young children, and children with special health-care needs as well as to individuals facing significant psychosocial and cultural barriers to dental health care in Tompkins County, and

WHEREAS, this grant will expand the already successful dental case-manager services implemented under the Department of Health grant “Improving Health Care Access and Service Delivery for Children and Youth, Component B: Innovative Dental Service Delivery Models”, now therefore be it

RESOLVED, on recommendation of the Health and Human Services Committee, That the Health Department is authorized to accept and contract said funds to the Department of Social Services,

RESOLVED, further, That the Director of Finance is authorized to make the following budget adjustment on his books:

REVENUE	A4010.43489	Other State Grants	\$42,700
APPROPRIATION	A4010.54442	Professional Service Fees	\$42,700

SEQR ACTION: TYPE II-20

March 20, 2007

RESOLUTION NO. 43 - AUTHORIZING 1.0 FTE POSITION AT NO LOCAL COST TO IMPROVE PRE-NATAL AND TODDLER ACCESS TO DENTAL CARE – DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, the Tompkins County Department of Public Health has been awarded a Preventive Dental grant by the New York State Department of Health on the strength of an application describing a case-management program targeting infants and toddlers to be run by the Department of Social Services, and

WHEREAS, the state-approved program calls for a dedicated Senior Social Welfare Examiner to staff the program and the Department has a vacant, unfunded position in that title on the books, and

WHEREAS, the Department hopes to be given spending authority and to begin staffing the program as of May 1st, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget and Capital Committees, That effective May 1, 2007, the Department of Social Services' vacant, unfunded, full-time (35-hour) Senior Social Welfare Examiner position #1061 be reactivated,

RESOLVED, further, That the Director of Finance is authorized to make the following pro-rated 2007 budget adjustments to reflect both the additional spending authority and the offsetting revenue identified above for the final eight months of the year:

Social Services Adjustments

REVENUE:	A6010.41894	Social Services Charges	\$38,349
APPROPRIATION:	A6010.51000.558	Salary – Sr. Social Welfare Examiner	\$27,589
	A6010.58800	Fringes	\$10,760

RESOLVED, further, That the position is contingent on receipt of grant funding.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 44 - AUTHORIZING ADDITION OF 3.0 FTE POSITIONS AT NO LOCAL COST TO IMPROVE BOTH HEALTH CARE ACCESS AND RESOURCE RECOVERY – DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, New York State has announced changes in the Medicaid program that will significantly increase caseloads, add to the average workload per case, and establish a new emphasis on resource recovery, and

WHEREAS, the Department of Social Services believes it can meet these challenges through the addition of three new staff to its Medicaid Division, and

WHEREAS, the Department will receive a mix of Federal and State reimbursement that, combined, will cover 100 percent of the additional administrative costs associated with these new positions, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget and Capital Committees, That effective April 1, 2007, the Department of Social Services' vacant, unfunded, full-time (35-hour) Social Welfare Examiner position #792 be reactivated; and that a new, full-time (35-hour) position in the Social Welfare Examiner title be created in that Department, together with a new, full-time (35-hour) Paralegal Aide position,

March 20, 2007

RESOLVED, further, That the Director of Finance is authorized to make the following pro-rated 2007 budget adjustments to reflect both the additional spending authority and the offsetting revenue identified above:

Social Services Adjustments

REVENUE:	A6010.44601	Federal – Medicaid	\$57,447
	A6010.43602	State – Medicaid	\$57,446
APPROPRIATION:	A6010.51000.565	Salary – Social Welfare Examiner	\$56,037
	A6010.51000.619	Salary – Paralegal Aide	\$26,620
	A6010.58800	Fringes	\$32,236

RESOLVED, further, That the positions are contingent on receipt of Medicaid funding.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 45 - BUDGET ADJUSTMENT SUPPORTING INTENSIVE CASE MANAGEMENT TO NON-COMPLIANT FAMILIES AT NO LOCAL COST – DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, New York State has recently awarded the Department of Social Services \$27,685 to fully fund a short-term, experimental program targeting Temporary Assistance recipient families whose members have failed to comply with work requirements, and

WHEREAS, the approved plan features intensive case-management services provided by a family services caseworker for a four-month period, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget and Capital Committees, That the Department of Social Services' vacant, unfunded, full-time (35-hour) Caseworker position #792 be reactivated and filled from March 1st through June 30th;

RESOLVED, further, That the Director of Finance is authorized to make the following pro-rated 2007 budget adjustments to reflect both the additional spending authority and the offsetting revenue identified above:

Social Services Adjustments

REVENUE:	A6010.44651	Federal – TANF	\$27,685
APPROPRIATION:	A6010.51000.562	Salary – Caseworker	\$15,345
	A6010.58800	Fringes	\$ 5,985
	A6010.54414	Local Mileage	\$ 5,545
	A6010.54306	Automotive Supplies	\$ 810

RESOLVED, further, That the position is contingent on receipt of State funding.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 46 – AUTHORIZATION TO REQUEST BIDS AND CHOOSE EMERGENCY HOME FURNISHINGS VENDOR – DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, the Department of Social Services spends approximately \$40,000 annually on emergency purchases of certain home furnishings for client families, and

March 20, 2007

WHEREAS, the Department of Social Services and Purchasing Department have agreed it is not in the County's interest to renew the contract with the previous vendor, now therefore be it

RESOLVED, on recommendation of the Health and Human Services Committee, That the Department of Social Services, with the assistance of the Purchasing Department, is authorized to solicit bids for provision and delivery of these goods,

RESOLVED, further, That the Department of Finance is authorized to award the emergency home furnishings contract as per County fiscal policy.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 47 – AUTHORIZATION TO REQUEST BIDS AND CHOOSE SECURITY SYSTEM UPGRADE AND ANNUAL PREVENTIVE MAINTENANCE VENDOR – DEPARTMENT OF SOCIAL SERVICES

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

WHEREAS, the Human Services Building's Secure Access System software, control panel interfaces, and associated firmware need to be upgraded in order to assure uninterrupted, reliable service, to the building and its occupants, and

WHEREAS, it will be prudent to have the provider of this upgrade also accept responsibility for providing preventive maintenance for the system, and

WHEREAS, the Department of Social Services has funding for both the upgrade and the preventive-maintenance agreement in its 2007 budget, now therefore be it

RESOLVED, on recommendation of the Health and Human Services Committee, That the Department of Social Services, with the assistance of the Purchasing Department, is authorized to solicit bids for the security-system upgrade and a preventive-maintenance agreement for the system,

RESOLVED, further, That the Department of Finance is authorized to award the contract for these as per County fiscal policy.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 48 - FUNDING OF COMMUNITY CELEBRATIONS GRANT (VILLAGE OF GROTON – 2007 WINTERFEST)

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

WHEREAS, Tompkins County has a grant program for community celebrations using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, Tompkins County has requested and reviewed a grant application for recommendation to the Tompkins County Legislature through the Planning, Development and Environmental Quality Committee, and

WHEREAS, within the Room Occupancy Tax budget, \$25,000 was allocated for this program, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the following grant is approved:

Village of Groton	2007 Winterfest	\$700
-------------------	-----------------	-------

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

SEQR ACTION: TYPE II-20

March 20, 2007

RESOLUTION NO. 49 - FUNDING OF TOURISM MARKETING AND ADVERTISING GRANTS

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

WHEREAS, Tompkins County has a grant program for the marketing and advertising of tourist-generating events using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, Tompkins County has requested and reviewed grant applications for recommendation to the Tompkins County Legislature through the Planning, Development and Environmental Quality Committee with the advice of the Strategic Tourism Planning Board, and

WHEREAS, within the Room Occupancy Tax budget, \$15,400 was allocated for this program, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the following grants are approved:

<u>Ithaca Downtown Partnership</u>	<u>Targeted Marketing Campaign 2007</u>	<u>\$2,000</u>
<u>Cayuga Lake Wine Trail</u>	<u>The Grapehound Wine Tour 2007</u>	<u>\$1,000</u>
<u>Light in Winter</u>	<u>Light in Winter Festival 2008</u>	<u>\$2,000</u>
<u>Cayuga Lake Triathlon</u>	<u>Cayuga Lake Triathlon 2008</u>	<u>\$2,500</u>
<u>Community Arts Partnership</u>	<u>Greater Ithaca Art Trail New Marketing Plan 2007</u>	<u>\$2,600</u>
<u>Paleontological Research Institution</u>	<u>Along the Shores of Time: Highlights from a National Monument Fifty Million Years in the Making</u>	<u>\$2,500</u>
<u>Ithaca Theatre Collective</u>	<u>The Ithaca Theatre Collective: Marketing Ithaca as a Theater Destination</u>	<u>\$2,800</u>
	TOTAL	\$15,400

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 50 - FUNDING OF COMMUNITY CELEBRATIONS GRANTS

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

WHEREAS, Tompkins County has a grant program for community celebrations using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, Tompkins County has requested and reviewed grant applications for recommendation to the Tompkins County Legislature through the Planning, Development and Environmental Quality Committee with the advice of the Strategic Tourism Planning Board, and

WHEREAS, within the Room Occupancy Tax budget, \$25,000 was allocated for this program, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the following grants are approved:

March 20, 2007

City of Ithaca	Juneteenth 2007	\$1,800
Town of Groton	2007 Annual Halloween Party	400
Town of Newfield	Newfield Old Home Days 2007	1,800
Town of Newfield	Finnish Heritage Concert 2007	1,200
City of Ithaca	GIAC Community Festival	1,650
Town of Groton	Happenin' in the Hamlet 2007	1,400
Village of Groton	Groton Winter Festival 2008	900
City of Ithaca	Latino Heritage Month Celebrations 2007	1,650
Town of Ithaca	Tutelo Festival 2007	2,000
City of Ithaca	Lakefest 2007	1,300
City of Ithaca	Historical Display of African Americans in Ithaca	500
City of Ithaca	Cinco de Mayo Festival	1,200
TOTAL		\$15,800

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

SEQR ACTION: TYPE II-20

RESOLUTION NO. 51 - FUNDING OF TOURISM PROJECT GRANTS

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

WHEREAS, Tompkins County has a grant program for supporting tourist-generating projects using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, Tompkins County has requested and reviewed grant applications for recommendation to the Tompkins County Legislature through the Planning, Development and Environmental Quality Committee with the advice of the Strategic Tourism Planning Board, and

WHEREAS, within the Room Occupancy Tax budget, \$40,000 was allocated for this program, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the following grants are approved:

The History Center in Tompkins County	2007 Summer in the Finger Lakes Exhibition	\$2,000
Ithaca Downtown Partnership	2007 Downtown Ithaca's Parade of Ice Celebration	\$4,000
Paleontological Research Institution and its Museum of the Earth	2007 Along the Shores of Time: Highlights from a National Monument Fifty Million Years in the Making	\$5,000
Cayuga Wine Trail, Inc.	2007 Grapehound Wine Tour	\$2,000
Ithaca Asian American Association	2007 Annual Finger Lakes International Dragon Boat Festival	\$12,000

March 20, 2007

Light in Winter Festival, Inc.	Light in Winter 2008	\$15,000
TOTAL		\$40,000

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

SEQR ACTION: TYPE II-20

Appointment(s) Approved Under the Consent Agenda

It was MOVED by Mr. Proto, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present, to approve the following appointment(s) under the Consent Agenda:

Mental Health Subcommittee

Nancy Rosen – term expires December 31, 2008

Youth Services Board

Bernice Yarosh – At-large representative; term expires December 31, 2008

Jane Powers – At-large representative; term expires December 31, 2008

Strategic Tourism Planning Board

Kathryn Pearce –Arts representative; term expires December 31, 2009

Elizabeth C. Prentice – Culture representative; term expires December 31, 2008

Pam Grueldner – Restaurant representative; term expires December 31, 2007

Soil and Water Conservation District

Greg Stevenson – County Legislator; term expires December 31, 2007

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

Mr. Koplinka-Loehr, Chair, reported the Committee met on March 12th and some of the items acted upon at that meeting are on the agenda this evening. He said the Committee began discussion of what would be an appropriate level of fund balance for Tompkins County. At this point there is a difference in opinion between the County Administrator and Finance Director about whether to begin to incrementally increase that fund-balance target and they will be bringing a recommendation before the April Legislature retreat. The Committee also continued discussing the Rollover policy including proposals for that policy from the Finance Director and County Administrator. Discussion will continue at the next meeting on March 26th. He announced a department head and legislator forum will be held on April 19th to discuss budget process issues.

RESOLUTION NO. 52 - AUTHORIZING THE EXTENSION OF AUDIT CONTRACT WITH CIASCHI, DIETERSHAGEN, LITTLE, & MICKELSON, LLP

MOVED by Mr. Koplinka-Loehr, seconded by Mr. Booth. Mr. Proto disclosed he is a partner with Mr. Dietershagen on an enterprise that is independent of the action taken by this resolution. A voice vote resulted as follows: Ayes – 13, Noes – 0, Excused – 2 (Legislators Kiefer and Randall). RESOLUTION ADOPTED.

WHEREAS, governmental accounting standards and financial reporting requirements are becoming more complex, and

March 20, 2007

WHEREAS, Tompkins County will be required to implement the provisions of Government Accounting Standards Board (GASB) 45 that provides information on the cost of providing benefits to retired employees, and

WHEREAS, the modification of financial reporting for compliance with GASB 45 will be required before December 31, 2007, and

WHEREAS, the application of AICPA (American Institute of Certified Public Accountants) promulgation SAS (Statement of Accounting Standards) 112, will present significant challenges for the County, and

WHEREAS, our current auditor, Ciaschi, Dietershagen, Little, & Mickelson, LLP, has a significant understanding of the County's financial reporting systems, which would enhance the County's effort to implement and transition to the new accounting standards and internal control procedures, now therefore be it

RESOLVED, on recommendation of the Budget and Capital Committee, and the Audit Subcommittee, That the Director of Finance is authorized to accept a proposal for contract extension of the audit engagement with Ciaschi, Dietershagen, Little, & Mikelson, LLP, for the years 2007- 2008,

RESOLVED, further, That the County issue an Request for Proposals for auditing services upon the expiration of the aforementioned contract extension.

SEQR ACTION: TYPE II – 20

Report from the Public Safety Committee

Mrs. McBean-Clairborne, Chair, reported the Committee met on March 16 and heard a report from the Director of Emergency Response on the status of Dispatch operations and also on the Communications Capital Project. Mr. Shurtleff informed the Committee that the project is moving forward and ideas around subscriber equipment are also moving along. A subcommittee of the Emergency Communications Review and Oversight Committee continues to look at this and a proposal on ownership and payment is expected at an upcoming meeting. The Committee also received a report on the Criminal Justice Advisory/Alternatives-to-Incarceration Board's Strategic Plan. They will continue to look at evaluation of programs and finding ways to evaluate the cost effectiveness of those programs.

Report from the Workforce Diversity and Inclusion Committee

Mrs. McBean-Clairborne, Chair, reported the Committee will meet on March 28th at 3:30 p.m.

Report from the Health and Human Services Committee

Mr. Shinagawa, Chair, reported the Committee met on March 7. Mr. Sigler, Vice Chair, led the first part of the meeting and said there was discussion of the contract with Birnie Bus Service. It was the general consensus of the Committee to pursue a two-year extension of the present contract. He said there are issues relating to cost increases and reimbursement and noted the cost went from \$53 per day to \$71 per day per child. The Committee also discussed Tobacco-free zones.

Mr. Shinagawa said the Department of Social Services reported that Tompkins County was discussed in an article of the American Dental Association about the work the County does in acting as a liaison for clients between dentists and government programs. The Committee also took action on the resolutions that were approved under the Consent Agenda. He said there are 10,000 individuals who are eligible for Medicaid services in Tompkins County and the grant resolution approved this evening will help get those people enrolled. The Committee also heard a report from Legislator Proto about the Recreation Partnership Agreement and this will be looked at once again this year.

March 20, 2007

Mr. Shinagawa announced Lakeside Nursing Home received its notification of closure from New York State and the Committee is working hard to ensure there are enough nursing-home beds. He said Tompkins County has done a very good job in its efforts to assist people in remaining in their homes. Therefore, when Tompkins County has a need for skilled nursing-home beds, that need is very real. The Committee also discussed the ongoing issue of the shortage of home health aides and will continue to work on this in the coming months.

After discussing the goals at length the Committee agreed upon a set of goals for 2007 and will be discussing specific subject matters and action items at the second meeting of the month. The next meeting will be March 21st.

Report from the Health Department Building Committee

Mr. Proto, Chair, reported the Committee met on March 8 and went over the existing list of sites; April 1 is the deadline for submission of additional sites. Mr. Proto said the criteria were slightly changed to recognize the consistency with nodal development that the County's Comprehensive Plan speaks of. They also wanted to make sure they were sensitive to municipal concerns, including the property tax implications. He said there was an issue raised by Mr. LeMaro, Director of Facilities, with regard to any site providing flexibility to emergencies and a concern of not having all County services in a concentrated area. He said the County should also take into consideration the safety and security of all County employees.

Mr. Proto said the agreement with LaBella Associates was extended and some of the requirements were amended. He announced that in order to accommodate this work and to comply with the Chair to have sites to the Legislature on time, the April 12th meeting has been moved to April 5th and the May 24th meeting has been moved to May 17th. He said there will be site visits to any new sites that meet the criteria.

Report from the Facilities and Infrastructure Committee

Ms. Herrera, Chair, reported the Committee met today and conducted a work session on Committee goals. She will see that anyone who is interested receives copies of minutes and handouts gets them. The next meeting will be March 27th at 3:30 p.m. At that meeting the Committee will discuss road and bridge swaps and have a report from the Solid Waste Division.

Ms. Herrera spoke of Resolution No. 41 adopted earlier in the meeting and stated it asks for adjustment of the State Transit Operating Assistance formula to make it more balanced for communities like ours. She said she received information today from Joe Turcotte, TCAT General Manager, who stated under the current formula TCAT stands to receive an increase of \$400,000. Under the provisions of the legislation addressed in Resolution No. 41, it could be even better.

Report from the Personnel Committee

Mr. Dennis, Chair, reported the Committee met on March 14th and said the next meeting is in the process of being rescheduled.

Report from the Government Operations Committee

Mr. Stevenson, Chair, reported the Committee met on March 9th and discussed reorganization of the County Attorney's Office, heard a report from Cheryl Nelson about the work of the Sustainability Team, and worked to condense and finalize Committee goals. The next meeting will be April 13th.

March 20, 2007

Report from the Planning, Economic Development, and Environmental Quality Committee

Ms. Robertson, Chair, reported the Committee met on March 12th. They also heard a report from the Sustainability Team. This is a cross-departmental group of employees who are working on ways to reduce energy use and the resulting emissions. Kate Hackett reported to the Committee on the County's history with the ICLEI Program (International Council on Local Environmental Initiatives) Program. The County has a goal to reduce its emissions by 20 percent by 2008, compared to 1998 levels. An inventory will be done over the summer to see where the County now stands. Commissioner Marx reported on a number of grant awards that have been received lately in excess of \$900,000. These grants were received for projects such as flooding in Ludlowville, stream management in Six Mile Creek and Highway Department equipment. She commended the Soil and Water Conservation District for its work in bringing funds into Tompkins County. Ms. Robertson referred to the tourism grants that were approved under the Consent Agenda and recognized the work of the Strategic Tourism Planning Board in reviewing those tourism grant applications. The next meeting will be April 9th.

Approval of Minutes of March 6, 2007

It was MOVED by Mr. Booth, seconded by Mr. Stevenson, and unanimously adopted by voice vote by members present, to approve the minutes of March 6, 2007. MINUTES APPROVED.

Recess

Chair Joseph declared recess from 7:12 p.m. to 7:22 p.m.

Executive Session

It was MOVED by Mr. Dennis, seconded by Ms. Mackesey, and unanimously adopted by voice vote by members present to enter into executive session at 7:22 p.m. to discuss collective bargaining and a real estate matter. The meeting returned to open session at 8:00 p.m.

Adjournment

On motion the meeting adjourned at 8:00 p.m.