

**Tompkins County Legislature**  
Regular Meeting Minutes – Approved 3-17-15  
**Tuesday, March 3, 2015 5:30 PM**  
Legislature Chambers

**Call to Order**

Mr. Lane, Chair, called the meeting to order at 5:30 p.m.

**Pledge of Allegiance to the Flag**

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

**Roll Call of Members**

| <b>Attendee Name</b>     | <b>Title</b> | <b>Status</b> | <b>Arrived</b> | <b>Departed</b> |
|--------------------------|--------------|---------------|----------------|-----------------|
| Will Burbank             | Member       | Present       |                |                 |
| Carol Chock              | Member       | Present       |                |                 |
| James Dennis             | Vice Chair   | Excused       |                |                 |
| Kathy Luz Herrera        | Member       | Excused       |                |                 |
| Dooley Kiefer            | Member       | Present       |                |                 |
| Daniel Klein             | Member       | Present       |                |                 |
| Michael Lane             | Chair        | Present       |                |                 |
| Leslyn McBean-Clairborne | Member       | Present       |                | 6:10 PM         |
| David McKenna            | Member       | Present       |                |                 |
| Martha Robertson         | Member       | Late          | 5:40 PM        |                 |
| Glenn Morey              | Member       | Excused       |                |                 |
| Nathan Shinagawa         | Member       | Late          | 5:56 PM        |                 |
| Michael Sigler           | Member       | Present       |                |                 |
| Peter Stein              | Member       | Present       |                |                 |

**Announcement of Poet Laureate**

Mr. Spence, Community Arts Partnership Executive Director, introduced John “Jack” Hopper and said the recommendation of the appointment of Mr. Hopper as Tompkins County’s Poet Laureate for 2015 was a unanimous decision by the selection committee.

Mr. Hopper thanked Mr. Spence and the Legislature for the opportunity to serve as the County’s Poet Laureate and read two poems he wrote. More information about Mr. Hopper and his work can be found at <http://www.johnhopperauthor.com>.

Ms. Robertson arrived at this time.

**Privilege of the Floor by the Public**

No member of the public was present.

**Report from a Municipal Official(s)**

There was no Municipal Official present.

**Presentation - "State of the College"**

“State of the College” Report - Dr. Carl Haynes, Tompkins Cortland Community College President (ID # 5346)

Dr. Haynes, Tompkins Cortland Community College President, distributed copies of the College's 2014 Annual Report and the 2015-2016 Community College Advocacy Plan. Dr. Haynes provided an overview of the College's accomplishments and said it continues to be committed to developing cutting-edge, innovative programs even though it finds itself in one of the more financially challenging periods in its history. Through all the challenges, the College maintains its commitment to developing programs that respond to community needs and have managed to strengthen its commitment to student success through a variety of initiatives.

Mr. Shinagawa arrived at this time.

At this time, he reviewed the some of the challenges: enrollment is down, taxpayer support is down, and the demand for accountability and compliance continues to increase. However, the College has accepted this reality and it is dealing with it and in fact is excelling as described above.

Mrs. McBean-Clairborne was excused at this time.

Mr. Lane suggested the appropriate committee consider a resolution to send to the State Legislature concerning the lack of State support in funding. Dr. Haynes said he could provide information to assist with the resolution and any letters that may be written.

\* \* \* \* \*

### **Chair's Report and Chair's Appointments**

#### Appointments

Mr. Lane confirmed and announced the following appointments:

#### Poet Laureate - 2015

John Jack Hopper

#### Special Negotiating Committee - 2015

Dan Klein

#### Tompkins County Area Development

Martha Robertson - term expires December 31, 2015 (replacing James Dennis)

### **Resolutions Added to and Withdrawn from the Agenda**

Mr. Lane gave Mr. McKenna permission to withdraw from the agenda the resolution entitled Authorize an Amendment to the Capital Program to Increase the Project Cost of the Pine Tree Road Bike and Pedestrian Paths Project (PIN 3950.43) (Town of Ithaca) to \$1,865,000 and Appropriate \$196,266 from the Road (Highway) Fund Balance to Support the Pine Tree Road Pedestrian Trails Project.

Mr. Lane gave Ms. Robertson permission to withdraw from the agenda the resolution entitled Accepting and Committing to Implementation of the 2015 Tompkins County Economic Development Strategy.

It was MOVED by Mr. Sigler, seconded by Mr. McKenna, and unanimously adopted by voice vote by members present, to add to the agenda the resolution entitled Authorizing Pay Above the Assigned Grade for the Public Health Director on an Interim Basis. MOTION CARRIED.

**Appointments Approved Under the Consent Agenda**

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Dooley Kiefer, Member   |
| <b>SECONDER:</b> | Martha Robertson, Member  |
| <b>AYES:</b>     | Burbank, Chock, Kiefer, Klein, Lane, McKenna, Robertson, Shinagawa, Sigler, Stein |
| <b>EXCUSED:</b>  | James Dennis, Kathy Luz Herrera, Leslyn McBean-Clairborne, Glenn Morey            |

Fish and Wildlife Management Board  
Carol Chock, Legislator; term expires December 31, 2016

Water Resources Council  
Dooley Kiefer, Legislator; term expires December 31, 2015  
William George - Municipal Representative; term expires December 31, 2017

Homeownership Oversight Committee  
Martha Robertson - Planning Committee Chair (Delegate); no set term

Housing Affordability Program and the Housing Trust Program Oversight Committee  
Martha Robertson, Legislator; no set term

Ethics Advisory Board  
Dooley Kiefer - term expires December 31, 2018

Workforce Diversity and Inclusion Committee  
Deb Prato - County staff - term expires December 31, 2016

**Resolutions Approved Under the Consent Agenda**

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Dooley Kiefer, Member   |
| <b>SECONDER:</b> | Martha Robertson, Member  |
| <b>AYES:</b>     | Burbank, Chock, Kiefer, Klein, Lane, McKenna, Robertson, Shinagawa, Sigler, Stein |
| <b>EXCUSED:</b>  | James Dennis, Kathy Luz Herrera, Leslyn McBean-Clairborne, Glenn Morey            |

**Resolution 2015-30: To Amend Resolution No. 2014-17 of February 6, 2014 - Determination and Certification of County Clerk's Allowance - Annual Expenses for Administering Mortgage Tax (ID #5332)**

WHEREAS, pursuant to Section 262 of the Tax Law, recording officers and treasurers are entitled to receive all their necessary expenses for purposes of administering mortgage taxes in their offices on approval and allowance by the New York State Tax Commission, and

WHEREAS, the State Tax Commission, by resolution duly adopted July 1, 1946, did determine that such mortgage tax expenses be approved at the amount certified to the State Tax Commission by

County Board of Representatives [Tompkins County Legislature] provided it is a reasonable and necessary allowance for such expenses, and

WHEREAS, the County Clerk has conducted a cost analysis and has recommended that the allowance for mortgage tax expenses be increased from \$245,642 per annum to \$252,665 per annum, and

WHEREAS, the Finance Director has conducted a cost analysis and has recommended that the allowance for the treasurer's expense for administering the mortgage tax be set at \$15,000 per annum (unchanged), now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the sum of \$252,665 per annum be, and the same hereby is, determined as a reasonable and necessary allowance of the Tompkins County Clerk, the recording officer of the County of Tompkins, for the hire of clerks and assistants and other expenses to assist in the administration of the mortgage recording tax law in her office, and that the sum of \$15,000 per annum be, and the same hereby is, determined as a reasonable and necessary allowance of the Tompkins County Finance Director, to assist in the administration of the mortgage tax funds, and that said sum of \$267,665 is hereby certified to the State Tax Commission as the reasonable and necessary allowance for such expenses,

RESOLVED, further, That the Clerk of the Legislature is hereby directed to send a certified copy of this resolution, with her original signature thereon, to the State Tax Commission,

RESOLVED, further, That this resolution shall take effect immediately.  
**SEQR ACTION: TYPE II-20**

\* \* \* \* \*

**Resolution 2015-31: Adoption of List of Designated Officers and Employees Required to File an Annual Financial Disclosure Form (ID #5363)**

WHEREAS, State Law requires employees "who hold policy-making positions, as annually determined by" the County to fill out financial disclosure forms, and

WHEREAS, pursuant to Local Law No. 2 of 1997 and Administrative Manual Policy 01-29, Standards of Conduct, "key employees" shall be determined by separate resolution of the Tompkins County Legislature, and

WHEREAS, the list of "key employees" required to file the annual financial disclosure form has been updated, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the following list of designated officers and employees required to fill out the annual financial disclosure form be adopted:

| <u>Title</u>                     | <u>Department/Division</u> |
|----------------------------------|----------------------------|
| Contracts Coordinator            | Administration             |
| County Administrator             | Administration             |
| Deputy County Administrator      | Administration             |
| Airport Manager                  | Airport                    |
| Assistant Airport Manager        | Airport                    |
| Director of Assessment           | Assessment                 |
| Assistant Director of Assessment | Assessment                 |
| Valuation Specialists (3)        | Assessment                 |

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|---|---------------------------------|
| Real Property Appraiser (2)                   | Assessment                      |
| Senior Valuation Specialist (1)               | Assessment                      |
| Supervising Attorney                          | Assigned Counsel                |
| Program Coordinator                           | Assigned Counsel                |
| Elections Commissioner (2)                    | Board of Elections              |
| Deputy Elections Commissioner (2)             | Board of Elections              |
| Director, Office for the Aging                | Office for the Aging            |
| Aging Services Specialist                     | Office for the Aging            |
| County Attorney                               | County Attorney                 |
| Deputy County Attorney                        | County Attorney                 |
| County Clerk                                  | County Clerk                    |
| Deputy County Clerk                           | County Clerk                    |
| District Attorney                             | District Attorney               |
| Deputy District Attorney                      | District Attorney               |
| Director, Emergency Response                  | Emergency Response              |
| Communications Center Manager                 | Emergency Response              |
| Assistant Director (3)                        | Emergency Response              |
| Director of Facilities                        | Facilities                      |
| Assistant Director of Facilities              | Facilities                      |
| Director of Finance                           | Finance                         |
| Budget and Finance Manager                    | Finance                         |
| Public Health Director                        | Health                          |
| Public Health Administrator                   | Health                          |
| Highway Director                              | Highway                         |
| Assistant Highway Director                    | Highway                         |
| Director of Human Rights                      | Human Rights                    |
| Director, Information Technology Services     | Information Technology Services |
| Deputy Director, Information Technology Serv. | Information Technology Services |
| Clerk of the Legislature                      | Legislature                     |
| Chief Deputy Clerk of the Legislature         | Legislature                     |
| Legislators (14)                              | Legislature                     |
| Commissioner of Mental Health Services        | Mental Health                   |
| Deputy Commissioner of Mental Health          | Mental Health                   |
| Commissioner of Personnel                     | Personnel                       |
| Deputy Commissioner of Personnel              | Personnel                       |
| Commissioner of Planning                      | Planning                        |
| Deputy Commissioner of Planning               | Planning                        |
| Probation Director II                         | Probation and Community Justice |
| Deputy Director of Probation                  | Probation and Community Justice |
| Sheriff                                       | Sheriff                         |
| Undersheriff                                  | Sheriff                         |
| Captain of Corrections                        | Sheriff                         |
| Captain of Road Patrol                        | Sheriff                         |
| Commissioner of Social Services               | Social Services                 |
| Deputy Social Services Commissioner           | Social Services                 |
| Director of Services                          | Social Services                 |
| Director of Administrative Services           | Social Services                 |
| Solid Waste Manager                           | Solid Waste                     |
| Assistant Solid Waste Manager                 | Solid Waste                     |
| Director of Weights and Measures              | Weights and Measures            |
| Employment and Training Director              | Workforce Development           |
| Workforce Development Director                | Workforce Development           |

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Youth Services Director  
Administrative Assistant  
**SEQR ACTION:** TYPE II-20

Youth Services  
Youth Services

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**Resolution 2015-32: Delegation of Authority to Authorize Certain Tax and Solid Waste Fee Refunds Under \$500 (ID #5362)**

WHEREAS, Section 556 of the Real Property Tax Law authorizes a tax-levying body to delegate the payment of tax refunds due to a clerical error or an unlawful entry (an unlawful entry is any information on the tax roll that violates the Real Property Tax Law), and

WHEREAS, Solid Waste Fee refunds are authorized under Resolution No. 181 of 1996, and

WHEREAS, it is the opinion of the Budget, Capital, and Personnel Committee, that the delegation to the County Administrator would be more efficient in processing said refunds and therefore beneficial to the taxpayer, now therefore be it

RESOLVED, on recommendation of the Budget, Capital, and Personnel Committee, That the County Director of Assessment shall transmit refund recommendations to the County Administrator,

RESOLVED, further, That the County Administrator is hereby authorized to make payments of any refunds of less than \$500 as if the Tompkins County Legislature had performed this audit in compliance with Paragraph 1-7 of Section 566 of the Real Property Tax Law,

RESOLVED, further, That any refund of \$500 or more must be approved by the Tompkins County Legislature pursuant to Paragraph 8(b) of Section 556 of the Real Property Tax Law,

RESOLVED, further, That the County Administrator shall transmit on or before the 15th day of each month a report to the Tompkins County Legislature of all the refunds processed,

RESOLVED, further, That this resolution shall only be in effect during the calendar year 2015.  
**SEQR ACTION:** TYPE II-20

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**Planning, Energy, and Environmental Quality Committee**

**Resolution 2015-33: Making a Negative Declaration of Environmental Significance in Relation to Resolution No. 34 of 2015: Adoption of the 2015 Tompkins County Comprehensive Plan (ID #5305)**

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Dooley Kiefer, Member   |
| <b>SECONDER:</b> | Martha Robertson, Member  |
| <b>AYES:</b>     | Burbank, Chock, Kiefer, Klein, Lane, McKenna, Robertson, Shinagawa, Sigler, Stein |
| <b>EXCUSED:</b>  | James Dennis, Kathy Luz Herrera, Leslyn McBean-Clairborne, Glenn Morey            |

WHEREAS, in Resolution No. 34 of 2015, the Tompkins County Legislature adopted the 2015 Tompkins County Comprehensive Plan, and

WHEREAS, the Tompkins County Legislature has reviewed and accepted as adequate a Full Environmental Assessment Form with respect to that action, now therefore be it

RESOLVED, on recommendation of the Planning, Energy, and Environmental Quality Committee, That Resolution No. 34 of 2015 is a Type I action,

RESOLVED, further, That the Tompkins County Legislature hereby makes a negative declaration of environmental significance in regard to Resolution No. 34 of 2015.

**SEQR ACTION: TYPE I-1**

\* \* \* \* \*

**Resolution 2015-34: Adoption of the 2015 Tompkins County Comprehensive Plan (ID #5306)**

It was MOVED by Ms. Kiefer, seconded by Mr. Klein, and unanimously adopted by voice vote by members present, to amend the Introduction section of the Comprehensive Plan as follows:

“One of the duties of the Planning Department, according to the County Charter, is to prepare a comprehensive plan for the development of the county, including those topics authorized by New York State Law, which deal with “the protection, enhancement, orderly growth and development of the county.”<sup>1</sup> **Accordingly, the Plan focuses on the physical and natural environment and not on human-services concerns.** The Comprehensive Plan **was initiated using a 20-year horizon to determine what issues need to be addressed, and** will be monitored annually, updated as necessary, and formally reviewed every five years in accordance with the County Charter. The content of the Plan was developed from issues citizens identified as critical. It describes existing conditions and identifies issues and opportunities that can inform decision-makers at all levels of government, as well as individuals, businesses, educational institutions, and not-for-profit organizations as they plan for the future of Tompkins County.”

Mr. Sigler explained why he would be voting against the resolution. He agrees the Planning Department has done everything they were tasked with. However, he has heard concerns from his constituents that believe the Plan focuses on the City and not the towns and that they pay more because of that. For example, the Plan references affordable housing, however, unlike the City, there is no natural gas infrastructure in place. He also said this Legislature has not supported natural gas and therefore it makes it difficult to provide affordable housing.

This resolution was adopted by a roll call vote.

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [8 TO 2]</b>  |
| <b>MOVER:</b>    | Dooley Kiefer, Member  |
| <b>SECONDER:</b> | Carol Chock, Member  |
| <b>AYES:</b>     | Burbank, Chock, Kiefer, Klein, Lane, Robertson, Shinagawa, Stein       |
| <b>NAYS:</b>     | David McKenna, Michael Sigler  |
| <b>EXCUSED:</b>  | James Dennis, Kathy Luz Herrera, Leslyn McBean-Clairborne, Glenn Morey |

WHEREAS, in 2004, the Tompkins County Legislature adopted the Tompkins County Comprehensive Plan by resolution (Resolution No. 275 of 2004), and

WHEREAS, the Tompkins County Planning Department, with guidance, advice, and recommendation from the Tompkins County Planning Advisory Board, has developed an updated Tompkins County Comprehensive Plan that addresses regional and intermunicipal issues that affect the

daily lives of Tompkins County residents, including the economy, housing, transportation, natural resources, water resources, energy and greenhouse gas emissions, climate adaptation, healthy communities, and development patterns, and

WHEREAS, the County has, through its Department of Planning, engaged in an extensive outreach effort to solicit public input and determine public support for the Comprehensive Plan's Principles and Policies as a means for guiding growth and development in Tompkins County in ways that enhance our quality of life, and

WHEREAS, the Draft Comprehensive Plan was presented for feedback and comments at community open houses and at community groups and advisory board meetings, including business and economic development organizations and local government groups, and

WHEREAS, New York State law clearly places land use authority in the hands of its towns, villages, and cities, and

WHEREAS, New York State also specifically recognizes that intermunicipal planning is needed to cooperatively address regional issues and encourages the development of county comprehensive plans to address development and preservation issues that transcend local political boundaries, and

WHEREAS, New York State General Municipal Law specifically gives counties the authority to develop and adopt comprehensive plans, and

WHEREAS, the Tompkins County Charter directs that the Commissioner of Planning prepare, in consultation with the County Planning Advisory Board, a Comprehensive Plan for the development of the County, and

WHEREAS, the 2015 Tompkins County Comprehensive Plan provides a strategic framework for addressing issues of concern to the County, and

WHEREAS, a public hearing was held on February 17, 2015, to hear all interested parties, and

WHEREAS, as a result of comments received on the Plan at the public hearing and in written comments submitted prior to the hearing the Plan has been modified to include clarifying language regarding the greenhouse gas emissions reduction policy and the importance of historic resources and the clarifying language was accepted by the Planning, Energy, Environmental Quality Committee on February 18, 2015, now therefore be it

RESOLVED, on recommendation of the Planning, Energy, and Environmental Quality Committee, That the Tompkins County Comprehensive Plan is intended to be used to guide County program development and decision-making,

RESOLVED, further, That the 2015 Tompkins County Comprehensive Plan should be used in association with other factors, such as fiscal impacts, service-delivery needs, and environmental impacts, to guide decision-making by the County,

RESOLVED, further, That, when there is a perceived conflict between sections of the Plan, the Tompkins County Legislature intends that the 2015 Tompkins County Comprehensive Plan's Principles and Policies be used as a whole to evaluate the impacts of various actions,

RESOLVED, further, That the Principles and Policies contained in the 2015 Tompkins County Comprehensive Plan now supersede the previously adopted Principles and Policies contained in the 2004

Tompkins County Comprehensive Plan and 2008 amendment to the plan,

RESOLVED, further, That the 2015 Tompkins County Comprehensive Plan is adopted,

RESOLVED, further, That the Plan can be amended from time to time and that the Plan shall be reviewed, at a minimum, every five years.

**SEQR ACTION:** TYPE I-1

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**Resolution 2015-35: Authorizing a Contract with the Tompkins County Soil and Water Conservation District to Provide Interim Financial Assistance to Support the Eradication of Hydrilla in and around Cayuga Lake (ID #5403)**

This resolution was adopted by a short roll call vote.

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Dooley Kiefer, Member   |
| <b>SECONDER:</b> | David McKenna, Member   |
| <b>AYES:</b>     | Burbank, Chock, Kiefer, Klein, Lane, McKenna, Robertson, Shinagawa, Sigler, Stein |
| <b>EXCUSED:</b>  | James Dennis, Kathy Luz Herrera, Leslyn McBean-Clairborne, Glenn Morey            |

WHEREAS, the Tompkins County Soil and Water Conservation District (the “District”) is working to eradicate the Invasive Hydrilla plant from the Cayuga Inlet, Fall Creek, adjacent tributaries, and the southeast corner of Cayuga Lake, and

WHEREAS, the Finger Lakes-Lake Ontario Watershed Protection Alliance (FOLLOWPA) has received New York State Department of Environmental Conservation (NYSDEC)-administered grant funding (Aid to Localities Contract No. C304750) for hydrilla eradication efforts (including in-field management/treatment, extensive plant community and hydrilla tuber monitoring), and

WHEREAS, NYSDEC requires a “full reimbursement” process for Hydrilla Project activities, meaning that costs must first be paid by the District, and then be reimbursed by NYSDEC, and

WHEREAS, the District does not have funding on hand to cover up-front Project costs, but must continue the coordination and implementation of critical Hydrilla Project activities with the Hydrilla Task Force to ensure Project success, and

WHEREAS, the District has requested the assistance of Tompkins County and City of Ithaca to provide funding to support the cost of Hydrilla Project activities in the first instance, with such funding fully returned to the County and City as NYSDEC reimbursements for that work are received, and

WHEREAS, concurrent with the Legislature’s consideration of interim financing, the City of Ithaca Common Council is considering a resolution that would provide \$100,000 in interim financing to the District for the Hydrilla Project, bringing the total local support for this Capital Project to \$300,000, and

WHEREAS, the eradication of hydrilla in and around Cayuga Lake is in the interest of Tompkins County, now therefore be it

RESOLVED, on recommendation of the Planning, Energy, and Environmental Quality and the Budget, Capital, and Personnel Committees, That the Tompkins County Legislature hereby authorizes the County Administrator to enter into a contract with the Tompkins County Soil and Water Conservation District that will provide up to \$200,000 to the District for Hydrilla Project activities in 2015 and obligate the District to repay the County as NYSDEC reimbursements for Hydrilla Project activities are received,

RESOLVED, further, That the possibility for additional funding requests from Tompkins County for subsequent treatment seasons (2016-2017) will be considered based upon results of contract-extension discussions with NYSDEC,

RESOLVED, further, That the Director of Finance is hereby authorized and directed to advance to the District an amount not to exceed two hundred thousand dollars (\$200,000), said advance to be made from the General Fund of the County,

RESOLVED, further, That the advance will be repaid to the County when the District is reimbursed by NYSDEC and the advance will be recorded in the General Fund accounting records as a Contract Agencies Receivable - Soil & Water, account number A14418730.

**SEQR ACTION:** TYPE II-20

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**Facilities and Infrastructure Committee**

**Resolution 2015-36: Authorization to Execute a Contract with C&S Companies for Road Stabilization Investigation and Design Services – Brooktondale Road (County Road 115) - Town of Caroline (ID #5386)**

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | David McKenna, Member   |
| <b>SECONDER:</b> | Daniel Klein, Member  |
| <b>AYES:</b>     | Burbank, Chock, Kiefer, Klein, Lane, McKenna, Robertson, Shinagawa, Sigler, Stein |
| <b>EXCUSED:</b>  | James Dennis, Kathy Luz Herrera, Leslyn McBean-Clairborne, Glenn Morey            |

WHEREAS, road stabilization design for a section of Brooktondale Road (County Road 115) in the Town of Caroline (the Project), is included in the County Capital Budget, and

WHEREAS, the Department of Finance - Division of Purchasing has duly advertised for proposals for design services in relation to this road stabilization, and

WHEREAS, seven (7) proposals were received on November 18, 2014, and

WHEREAS, the Tompkins County Highway Division has recommended C&S Companies, as best qualified to provide design services, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure and the Budget, Capital, and Personnel Committees, That the County Administrator or his designee be and hereby is authorized to execute a contract with C&S Companies of 499 Col. Eileen Collins Blvd, Syracuse, NY, for investigation services in connection with the Project for a contract amount of \$27,575.00, funds to be provided from the Brooktondale Road Stabilization Capital Account (HZ 5108.59239),

RESOLVED, further, That the Highway Division be authorized to implement this contract and execute supplemental agreements on behalf of the County for final project design with total values not to exceed an additional \$22,425.00, bringing the total authorization to \$50,000.00, funds to be provided from the Brooktondale Road Stabilization Capital Account (HZ 5108.59239),

RESOLVED, further, That the Director of Finance be, and hereby is, authorized to allocate \$50,000 from the Road (Highway) Fund Balance to the Brooktondale Road (County Road 115) Stabilization Project Capital Account (HZ5108.59239.51.08):

**HZ FUND - HIGHWAY FACILITIES AND PROJECTS**

Incr. Revenue Account: HZ5108.45035.51.08 Interfund (D) \$50,000

Incr. Expense Account: HZ5108.59239.51.08 Brooktondale Rd Stabilization Project (CR115) \$50,000

**D FUND - COUNTY ROAD**

Incr. Expense Account: D5110.54802 - Contribution to Design \$50,000

**SEQR ACTION: TYPE II-18**

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**Economic Development Committee**

**Resolution 2015-37: Award of 2015 Grants for Arts and Culture Organizational Development - Community Arts Partnership (ID #5438)**

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Martha Robertson, Member  |
| <b>SECONDER:</b> | Will Burbank, Member  |
| <b>AYES:</b>     | Burbank, Chock, Kiefer, Klein, Lane, McKenna, Robertson, Shinagawa, Sigler, Stein |
| <b>EXCUSED:</b>  | James Dennis, Kathy Luz Herrera, Leslyn McBean-Clairborne, Glenn Morey            |

WHEREAS, the Community Arts Partnership (CAP) and the Tompkins County Legislature recognize that the local arts and cultural community is a valuable and unique asset, and that a need exists to harness the power of the arts to grow tourism, and that strategic management and stabilization of these assets will better serve tourists through well-planned marketing efforts, and

WHEREAS, the County contracts with CAP to develop and implement a plan for financial and operational development and capacity building of arts and cultural entities, and

WHEREAS, the arts and cultural community could better position itself in the marketplace to attract more visitors to and enhance visitors' stay in Tompkins County, thus generating more dollars into the local economy, and

WHEREAS the Strategic Tourism Planning Board has since 2007 recommended allowing tourism grant programs to have the previous year's allocated but unspent funding reallocated to the next year's budget, and

WHEREAS, at the end of 2014 a balance of \$7,654 was considered allocated but unspent within the Arts and Culture Organizational Development Grant Program, and

WHEREAS, pending a recommended budget adjustment, funding exists within the Room

Occupancy Tax funded Tompkins County Tourism Program budget for the Arts and Culture Organizational Development Program, and

WHEREAS, CAP has requested and reviewed grant applications and reports for recommendation to the Tompkins County Legislature through the Economic Development Committee with the advice of the Strategic Tourism Planning Board, now therefore be it

RESOLVED, on recommendation of the Economic Development Committee, That the following Arts and Culture Organizational Development Grants be awarded in 2015:

|   | 2007             | 2008             | 2009             | 2010             | 2011             | 2012             | 2013             | 2014             | 2015             |
|---|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <b>Cayuga Chamber Orchestra</b>                             | \$22,000         | \$23,275         | \$18,700         | \$21,373         | \$21,800         | \$22,236         | \$27,000         | \$27,000         | <b>\$27,000</b>  |
| <b>Cayuga Nature Center</b>                                 | \$0              | \$0              | \$28,000         | \$25,000         | \$25,000         | \$25,000         | \$0*             | \$0              | <b>\$0</b>       |
| <b>Hangar Theatre</b>                                       | \$32,500         | \$37,500         | \$24,000         | \$22,600         | \$23,052         | \$23,513         | \$27,000         | \$27,000         | <b>\$27,000</b>  |
| <b>History Center</b>                                       | \$30,000         | \$30,000         | \$23,200         | \$21,458         | \$21,887         | \$22,325         | \$27,000         | \$27,000         | <b>\$27,000</b>  |
| <b>Kitchen Theatre</b>                                      | \$39,680         | \$34,000         | \$22,400         | \$21,264         | \$21,689         | \$22,123         | \$27,000         | \$23,000         | <b>\$27,000</b>  |
| <b>Light in Winter</b>                                      | \$0              | \$22,000         | \$0              | \$0              | \$0              | \$0              | \$0              | \$0              | <b>\$0</b>       |
| <b>PRI (Museum of the Earth &amp; Cayuga Nature Center)</b> | \$25,000         | \$30,000         | \$18,000         | \$15,000         | \$15,300         | \$15,606         | \$40,000*        | \$40,000*        | <b>\$40,000*</b> |
| <b>Sciencenter</b>  | \$0              | \$0              | \$10,000         | \$16,000         | \$16,320         | \$16,646         | \$17,000         | \$17,000         | <b>\$17,000</b>  |
| <b>State Theatre</b>  | \$30,000         | \$37,000         | \$16,000         | \$17,000         | \$22,850         | \$23,307         | \$23,773         | \$27,000         | <b>\$27,000</b>  |
| <b>Grant Totals</b>   | <b>\$179,180</b> | <b>\$213,775</b> | <b>\$160,300</b> | <b>\$159,695</b> | <b>\$167,898</b> | <b>\$170,756</b> | <b>\$188,773</b> | <b>\$188,000</b> | <b>\$192,000</b> |

RESOLVED, further, That an agreement with Rent-a-CFO, LLC is authorized in an amount not to exceed \$3,000 to conduct financial and fiscal progress reviews of grant recipient organizations to determine their current operational status and their ability to fulfill the goals of the Arts and Culture Organizational Development Program of the Tompkins County Tourism Program,

RESOLVED, further, That CAP is paid an amount up to \$10,000 for administrative evaluation and oversight services,

RESOLVED, further, That the County Administrator or his designee is authorized to sign any agreements with the recipients and CAP pertaining to this program,

RESOLVED, further, That the Arts and Culture Organizational Development Grant Program budget for 2015 is increased by \$7,654 bringing the total modified 2015 budget for this program from \$199,519 to \$207,173:

6475.54619 Arts and Cultural Organizational Development      \$7,654  
 6475.41113 Room Tax      \$7,654

**SEQR ACTION: TYPE II-20**

Explanation: \*In 2013, for the first time, PRI applied jointly under a Mergers/Shared Services category. The recommended award to PRI of \$40,000 is a joint award to support both the Cayuga Nature Center and the Museum of the Earth.

\*\*\*\*\*

**Recess**

Mr. Lane declared recess at 7:27 p.m. The meeting reconvened at 7:31 p.m.

**Resolution 2015-38: Approval of Appointment to the Tompkins County Council of Governments (TCCOG) (ID #5425)**

Ms. Robertson expressed concern with appointing a new Legislator to the Tompkins County Council of Governments (TCCOG) as Mr. Morey has only attended a couple of Legislature meetings. She believes it should be someone who is well versed in County government and that maybe next year consider him for this appointment.

It was MOVED by Ms. Robertson, seconded by Mr. Burbank, to postpone the resolution until the next meeting for further review.

Following further discussion, a voice vote resulted as following on the motion to postpone: Ayes - 3 (Legislators Burbank, Chock, and Robertson); Noes - 7 (Legislators Kiefer, Klein, Lane, McKenna, Shinagawa, Sigler, and Stein); Excused - 4 (Legislators Dennis, Herrera, McBean-Clairborne, and Morey). MOTION FAILED.

At this time, Ms. Robertson requested her comments for not supporting the appointment be included in the minutes.

It was MOVED by Ms. Chock, seconded by Ms. Robertson, to Table the resolution. A voice vote resulted as following on the motion to postpone: Ayes - 2 (Legislators Chock and Robertson); Noes - 8 (Legislators Burbank, Kiefer, Klein, Lane, McKenna, Shinagawa, Sigler, and Stein); Excused - 4 (Legislators Dennis, Herrera, McBean-Clairborne, and Morey). MOTION FAILED.

It was MOVED by Ms. Robertson to replace Glenn Morey with James Dennis as the alternate to the Tompkins County Council of Governments. MOTION FAILED FOR A LACK OF A SECOND.

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [9 TO 1]</b>  |
| <b>MOVER:</b>    | Daniel Klein, Member   |
| <b>SECONDER:</b> | David McKenna, Member  |
| <b>AYES:</b>     | Burbank, Chock, Kiefer, Klein, Lane, McKenna, Shinagawa, Sigler, Stein |
| <b>NAYS:</b>     | Martha Robertson   |
| <b>EXCUSED:</b>  | James Dennis, Kathy Luz Herrera, Leslyn McBean-Clairborne, Glenn Morey |

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

RESOLVED, on recommendation of the Government Operations Committee, That Michael E. Lane be appointed as a member and Glenn Morey be appointed as the alternate member to the Tompkins County Council of Governments (TCCOG).

**SEQR ACTION:** TYPE II-20

\* \* \* \* \*

**Resolution 2015-39: Authorize a Budget Adjustment for the Debt Service Fund to Reallocate Debt Service Payments Due to the Restructuring and Reissuance of Debt in November 2014, Resulting in Increases and Decreases in Revenue, Decreases in Certain Principal and Interest Payments, and Increases in Other Principal and Interest Payments Within the 2015 Tompkins County Budget (ID #5414)**

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Michael Sigler, Member  |
| <b>SECONDER:</b> | David McKenna, Member   |
| <b>AYES:</b>     | Burbank, Chock, Kiefer, Klein, Lane, McKenna, Robertson, Shinagawa, Sigler, Stein |
| <b>EXCUSED:</b>  | James Dennis, Kathy Luz Herrera, Leslyn McBean-Clairborne, Glenn Morey            |

WHEREAS, budget adjustments greater than \$5,000 are subject to approval by the County Legislature, and

WHEREAS, the Finance Department has restructured and refinanced the County's bonds, and

WHEREAS, this restructuring has resulted in decreased principal and interest payments for the 2005 bonds, 2007 bonds, and 2010 bonds, and increased principal and interest payments for the 2014 bonds, the 2014 Refunding Bonds, Series A, and the 2014 Refunding Bonds, Series B, all of these payments accounted for in the Debt Service Fund, and

WHEREAS, the restructuring results in a decrease in revenue from Other Local Governments (Cortland County) and a necessary increase in the revenue to be received as a Contribution from the General Fund, now therefore be it

RESOLVED, on recommendation of the Budget, Capital, and Personnel Committee, That the Director of Finance be directed to make the following adjustments to his books for fiscal year 2015:

***Debt Service Fund (V Fund) Budget Adjustments***

| <b><u>Increase (Decrease) Revenue Account</u></b>     | <b><u>Title</u></b>            | <b><u>Amt</u></b> |
|---|--------------------------------|-------------------|
| 9710-42797  | Other Local Govt. Contribution | (\$2,333)         |
| 9710-45031  | Contribution from A Fund       | \$485,948         |
|   |                                | \$483,615         |
| <b><u>Increase (Decrease) Expenditure Account</u></b> | <b><u>Title</u></b>            | <b><u>Amt</u></b> |
| 9710-56623  | 2014 Bonds-Principal           | \$450,500         |
| 9710-56675  | 2010 Bonds-Principal           | (\$640,000)       |
| 9710-56695  | 2014 Refund Bonds B-Princ.     | \$520,000         |
| 9710-56696  | 2014 Refund Bonds A-Princ.     | \$ 25,000         |
| 9710-57723  | 2014 Bonds-Interest1           | \$ 65,454         |
| 9710-57750  | 2005 Bonds-Interest            | (\$54,201)        |
| 9710-57760  | 2007 Bonds-Interest            | (\$147,200)       |
| 9710-57775  | 2010 Bonds-Interest            | (\$564,931)       |
| 9710-57792  | 2012 Interest                  | \$ 1              |
| 9710-57795  | 2014 Refund Bonds B-Interest   | \$577,600         |
| 9710-57796  | 2014 Refund Bonds-Interest     | \$151,392         |
|   |                                | \$483,615         |

Explanation: The reallocation involves paying off the 2005, 2007, and 2010 bonds, thus, the reduction of principal and interest for these. Offsetting these reductions are increases for the new bonds, the 2014 bonds, the 2014 Refunding Bonds, Series A, and the 2014 Refunding Bonds, Series B. There is a slight adjustment in the revenue from Other Local Governments (Cortland County) and a large increase to the revenue to be received as a Contribution from the General Fund.

There is no corresponding increase to the Contribution to Debt Service Fund in the General Fund because a large enough amount was already appropriated in that line item.

**SEQR ACTION:** TYPE II-23

\* \* \* \* \*

**Resolution 2015-40: Authorizing Pay Above the Assigned Grade for the Public Health Director on an Interim Basis (ID #5446)**

This resolution was adopted by a short roll call vote.

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Michael Sigler, Member  |
| <b>SECONDER:</b> | Dooley Kiefer, Member   |
| <b>AYES:</b>     | Burbank, Chock, Kiefer, Klein, Lane, McKenna, Robertson, Shinagawa, Sigler, Stein |
| <b>EXCUSED:</b>  | James Dennis, Kathy Luz Herrera, Leslyn McBean-Clairborne, Glenn Morey            |

WHEREAS, a vacancy exists in the title of Commissioner of Mental Health Services, and

WHEREAS, the County is committed to making continued progress on important process, regulatory, and client-service delivery initiatives currently in the works for the Mental Health Department, and

WHEREAS, the County Administrator has asked the Public Health Director to lead the Mental Health Department on an interim basis, while simultaneously continuing to head the Health Department, until a new Commissioner of Mental Health Services can begin employment, and

WHEREAS, the Public Health Director will provide executive-level management by handling responsibilities such as monitoring and managing progress on major projects, establishing accountabilities for those who report to the Commissioner, providing final approval for personnel and funding decisions, and fostering communication at all levels within the department, and

WHEREAS, the Public Health Director should be recognized and appropriately compensated for the significant amount of additional work that this commitment will require, now therefore be it

RESOLVED, That effective March 1, 2015, the salary of the Public Health Director shall be increased to \$108,202, on a temporary basis until such time as a new Commissioner of Mental Health Services begins employment,

RESOLVED, further, That the salary listed above has already been factored into the 2015 Mental Health budget and no additional funding is required.

**SEQR ACTION:** TYPE II-20

\* \* \* \* \*

Minutes  
Tompkins County Legislature  
Tuesday, March 3, 2015

**Minutes of Previous Meeting**

**2/17/2015 Minutes**

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ACCEPTED [9 TO 1]</b>   |
| <b>MOVER:</b>    | Peter Stein, Member  |
| <b>SECONDER:</b> | Daniel Klein, Member   |
| <b>AYES:</b>     | Burbank, Chock, Klein, Lane, McKenna, Robertson, Shinagawa,<br>Sigler, Stein |
| <b>NAYS:</b>     | Dooley Kiefer  |
| <b>EXCUSED:</b>  | James Dennis, Kathy Luz Herrera, Leslyn McBean-Clairborne,<br>Glenn Morey    |

**Adjournment**

The meeting adjourned at 8:04 p.m.