



# Tompkins County Legislature

Governor Daniel D. Tompkins Building  
121 East Court Street, Second Floor, Ithaca, NY  
Telephone (607) 274-5434  
www.tompkinscountyny.gov

## AGENDA

Tuesday, March 18, 2014 - 5:30 PM

at

Legislature Chambers

Announcement: A public hearing will be held by the Tompkins County Legislature at 5:30 p.m. in Legislature Chambers concerning p Proposed Local Law No. a of 2014 - A local law enacting Section 470 of the Real Property Tax Law - Providing for an exemption from County taxes for up to 10 years for the construction of buildings meeting LEED standards

1. Pledge of Allegiance to the Flag
2. Roll Call of Members
3. Presentation of Proclamations, Petitions, Communications, and Notices
4. Announcements of Executive Sessions, Reordering of Business, and Special Orders of the Day
5. Privilege of the Floor
  - A. Public
  - B. Municipal Official(s)
  - C. Legislators
6. Special Topical Presentation and/or Legislative Discussion
  - State of the College by Carl Haynes, President, Tompkins Cortland Community College (ID # 4674)
  - County Compliance Year-end Report (ID # 4721)
7. Chairs Report, and Chairs Appointments
8. Reports by County Administrator, County Attorney, and Finance Director
9. Report from Other County Staff as Recognized by the Chair of the Legislature
10. Resolutions Added to and Withdrawn from the Agenda
11. Consent Agenda: Resolutions and appointments to be voted on as a group unless any member of the Legislature requests that a resolution or appointment be instead included separately and individually as part of the business of Standing or Special Committee(s).

Appointment(s) (ID # 4698)

### Health and Human Services Committee

Res. No.   a   (ID # 4666) Budget Reappropriation for Unexpended 2013 Federal Funding to the 2014 Budget

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12. Standing and Special Committees:
  - A. Report
  - B. Motions and Resolutions

**Workforce Diversity and Inclusion Committee - L. McBean-Clairborne, Chair**

**Facilities and Infrastructure Committee - K. Herrera, Chair**

**Economic Development Committee - W. Burbank, Chair**

**Government Operations Committee - N. Shinagawa, Chair**

**Planning, Energy, and Environmental Quality Committee - C. Chock, Chair**

Res. No.    b (ID # 4592) Adoption of Local Law No.    a of 2014 - A Local Law to Enact Section 470 of the New York State Real Property Tax Law

**Charter Review Committee - M. Lane, Chair**

**Old Library Committee - M. Lane, Chair**

**Budget, Capital, and Personnel Committee - J. Dennis, Chair**

**Public Safety Committee - B. Robison, Chair**

**Health and Human Services Committee - P. Stein, Chair**

13. Individual Member-Filed Resolutions
14. Minutes of Previous Meeting
  - a. Tuesday, March 04, 2014
15. Unfinished Business
16. Adjournment



**SCHEDULED**

**RESOLUTION NO. *ab* DOC ID: 4666**

**Budget Reappropriation for Unexpended 2013 Federal Funding to the 2014 Budget**

WHEREAS, pursuant to Administrative Manual Policy 05-04, budget reappropriations for funding carried forward from one year to another require legislative approval, and

WHEREAS, the Office for the Aging has \$2,805 in unexpended Federal funding in the Title VII Long Term Care Ombudsman Program from 2013, and

WHEREAS, the Office for the Aging has \$2,208 in unexpended Federal funding in its New York Office for the Aging NY Connects Systems Integration Grant, and

WHEREAS, the Office for the Aging is allowed under Federal regulations to carry 2013 funding into the subsequent year, and

WHEREAS, the Systems Integration Grant is a multi-year grant, and

WHEREAS, the Office wishes to reappropriate this funding to be used in its 2014 Title VII Long Term Care Ombudsman Program and its NY Connects Systems Integration Grant, now therefore be it

RESOLVED, on recommendation of the Health and Human Services Committee, That the Director of Finance be directed to make the following adjustments to his books:

***Office for the Aging***

Revenue Account	Title	Amt	Approp Acct	Title	Amt
6798-44772	Federal Revenue	\$2,805	6798-54400	Program Expense	\$1,934
			6798-54412	Travel/Training	\$377
			6798-54414	Local Mileage	\$494
6785-44772	Federal Revenue	\$2,208	A6785-54400	Program Expense	\$2,208

Explanation: Federal guidelines for Title VII allow Area Agencies on Aging to move unexpended federal funding over from one calendar year period to another. A late year addition to Title VII funding did not leave enough time to for the Office for Aging to plan out its expenditure of funding so the office wishes to move the revenue from 2013 to 2014 so that COFA can carry out its Long Term Care Ombudsman Program. The Systems Integration Grant is a multi-year grant. The period of the grant is April 1, 2012-September 30, 2014. We wish to reallocate the unspent funding to cover 2014 telephone and a potential cut in the Health Insurance Information, Counseling, and Assistance Program.

**SEQR ACTION: TYPE II-20**



**Tompkins County Legislature**

Governor Daniel D. Tompkins Building  
Ithaca, NY 14850

Meeting: 03/18/14 05:30 PM

Department: Assessment

Category: Real Property

Functional Category:

**SCHEDULED**

**RESOLUTION NO. *b* DOC ID: 4592**

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1 **Adoption of Local Law No.   a\_ of 2014 - A Local Law to Enact Section**  
2 **470 of the New York State Real Property Tax Law**

3 WHEREAS, the Tompkins County Legislature wishes to encourage sustainable practices wherever possible,  
4 and

5  
6 WHEREAS, Section 470 of the Real Property Tax Law allows for up to a 10-year property tax abatement  
7 based upon the LEED certification level, and

8  
9 WHEREAS, once the property in question is initially LEED certified any future changes in its LEED  
10 certification status will not effect this exemption, now therefore be it

11  
12 RESOLVED, on recommendation of the Government Operations Committee, That proposed Local Law No.  
13   a\_ of 2014 - A Local Law to Enact Section 470 of the New York State Real Property Tax Law, is hereby adopted,

14  
15 RESOLVED, further, That the Clerk of the Legislature shall publish in the official newspaper of the County a  
16 notice of adoption containing a synopsis of said local law and shall within twenty days file one certified copy in the  
17 Office of the County Clerk, and one copy with the Secretary of State.

18 **SEQR ACTION: TYPE II-20**

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County

City of Tompkins

Town

Village

Local Law No. a of the year 20 14

A local law Enacting Section 470 of the Real Property Tax Law.  
*(Insert Title)*

Be it enacted by the Tompkins County Legislature of the  
*(Name of Legislative Body)*

County

City of Tompkins as follows:

Town

Village

### Section 1: Legislative Intent

It is the intent of this Local Law to provide an exemption from county real property taxes for newly constructed or the renovated portion of buildings that meet LEED certification standards.

### Section 2: Exemption from Taxation

An exemption shall be granted from County tax purposes based upon the scale below according to the appropriate LEED standards in effect at the time of completion of construction or renovation. Additionally, the maximum (taxable) value to be abated shall be capped at \$100,000.

Year of Exemption	Percentage of Exemption		
	(1) Certified/Silver	(2) Gold	(3) Platinum
1	100	100	100
2	100	100	100
3	100	100	100
4	80	100	100
5	60	80	100
6	40	60	100
7	20	40	80
8	0	20	60
9	0	0	40
10	0	0	20

### Section 3: Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State. +

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**Tompkins County Legislature**  
 Regular Meeting Minutes - DRAFT  
**Tuesday, March 4, 2014 5:30 PM**  
 Legislature Chambers

**Call to Order**

Mr. Lane 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>Excused</b>
Will Burbank	Member	Present	
Carol Chock	Member	Present	
James Dennis	Vice Chair	Present	
Kathy Luz Herrera	Member	Present	
Dooley Kiefer	Member	Present	
Daniel Klein	Member	Present	
Michael Lane	Chair	Present	
Leslyn McBean-Clairborne	Member	Present	9:10 p.m.
David McKenna	Member	Present	
Martha Robertson	Member	Present	
Brian Robison	Member	Present	
Nathan Shinagawa	Member	Present	
Michael Sigler	Member	Present	
Peter Stein	Member	Present	

**Distinguished Youth Award**

Mr. Burbank, District No. 12 Legislator, presented Gabe Shapiro, Senior at the Lehman Alternative Community School (LACS) with the March 2014 Tompkins County Distinguished Youth Award. Gabe, who lives at Ithaca's Ecovillage, was praised in 14 Letters of Recommendation submitted to the Legislature. Last spring Gabe helped organize the local Youth Power Summit that brought together young people to explore economic, social and climate justice issues, and in the fall he generated funds and co-led a local delegation of youth to the Power Shift conference in Pittsburgh, which addressed issues of climate change and explored alternatives for a clean energy economy. Among his many accomplishments, Gabe has been active in the Ithaca Youth Council, has served as student representative to the Sustainability Center and is on the TCAT Advisory Committee. LACS Principal Diane Carruthers described him as "courageous, passionate, reflective, strong, kind, generous, inspirational, and confident...a young man who has become a true leader"-a caring friend dedicated to learning and who pitches in to help every way he can and, most impressive, his involvement in civic action.

**Privilege of the Floor by the Public**

Yvonne Dawson Roberts, Groton, spoke concerning problems she is experiencing that relates to denial of her requests for visitation of her grandchildren by the Department of Social Services.

Christy Palmer, Newfield, spoke concerning an inquiry she made to the Department of Social Services about the qualifications to become a foster parent. She also spoke of rules governing day care centers and the number of children allowed at a time which she separates her children in day care, she also spoke of child support collections and not requiring both parties to fill out a financial affidavit.

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Chuck Roberts, Groton, spoke concerning a decision by the Department of Social Services to not allow visitation by Yvonne Dawson Roberts of her grandchildren.

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

Bill Goodman, Member of the Ithaca Town Board, provided an update on discussions taking place at the Ithaca Town Board in light of the Governor’s budget proposals and said they are debating going over the property tax cap and will be considering discretionary spending. He spoke of the Town’s contributions to various organizations through its budget and said the Town’s Budget Committee will be bringing a proposal in the 2015 budget to cut the contribution by half of many community organizations. If the Town continues along the path it is on the Town’s General Fund balance will be zero in five years.

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

It was MOVED by Mr. Dennis, seconded by Mr. Robison, and unanimously adopted by voice vote, to add the resolution to the agenda entitled Recommending an Alternative to the Two-Year Property Tax Freeze Proposed in the 2014-2015 Executive Budget that will Lead to Permanent and Historic Property Tax Reductions by Eliminating the Cost of State Mandated Spending Imposed on County Property Taxpayers.

**Resolutions Approved Under the Consent Agenda**

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

**Resolution 2014-39: Reducing Standard Workweek for Social Services Attorney Position (ID #4637)**

WHEREAS, the senior-most of the Department of Social Services’ three full-time Attorney positions was vacated late in 2013, and

WHEREAS, this position had an associated standard workweek of 40 hours, reflecting the supervisory and Deputy Commissioner responsibilities assigned to the incumbent, and

WHEREAS, because those duties have not been assigned to the newly hired Attorney, the Commissioner of Social Services therefore wishes to decrease the standard workweek to 35 hours, and

WHEREAS, the new Social Services Attorney was offered and accepted her appointment based on the shorter workweek, which she has been following, and

WHEREAS, the new Attorney will receive reduced service credit in the Retirement System until the standard workweek for her position is aligned with her actual workweek, now therefore be it

RESOLVED, on recommendation of the Health and Human Services Committee and the Budget, Capital, and Personnel Committee, That the Commissioner of Personnel reduce the standard workweek and authorized hours of Position ID#1144 from 40 hours to 35 hours per week.

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**SEQR ACTION:** TYPE II-20

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**Resolution 2014-40: Approval of Appointment to the Tompkins County Council of Governments (TCCOG) (ID #4627)**

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 James Dennis be appointed as the alternate member to the Tompkins County Council of Governments (TCCOG).

**SEQR ACTION:** TYPE II-20

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**Resolution 2014-41: Appointment to Temporary Board of Assessment Review - Administrative Hearing Panels (ID #4658)**

WHEREAS, the Department of Assessment has entered into an annual reassessment program with the New York State Office of Real Property, and

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

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

RESOLVED, on recommendation of the Government Operations Committee, That six Temporary Board of Assessment Review Members, namely Jan deRoos, Robert Walpole, Josh Lower, Michael Cannon, Judy Malys, and James Lane, be appointed to serve on Administrative Review Panels,

RESOLVED, further, That Temporary Board of Assessment Review members be compensated at a maximum annual compensation of \$250.

**SEQR ACTION:** TYPE II-20

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**Appointments Approved Under the Consent Agenda**

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

Environmental Management Council  
Gary Stewart - At-large representative; term expires December 31, 2015

Minutes Acceptance: Minutes of Mar 4, 2014 5:30 PM (Minutes of Previous Meeting)



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Agriculture and Farmland Protection Board

Donald Specker - Land Preservation Organization representative; term expires December 31, 2016  
John P. Fleming - Farmer representative; term expires December 31, 2015

Strategic Tourism Planning Board

Andrew Zepp - At-large representative; term expires December 31, 2015

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Government Operations Committee

**Resolution 2014-42: Authorizing a Public Hearing on Proposed Local Law No. \_\_ of 2014 – A Local Law to Enact Section 470 of the New York State Real Property Tax Law (ID #4591)**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Nathan Shinagawa, Member
<b>SECONDER:</b>	David McKenna, Member
<b>AYES:</b>	Burbank, Chock, Dennis, Luz Herrera, Kiefer, Klein, Lane, McBean-Clairborne, McKenna, Robertson, Robison, Shinagawa, Sigler, Stein

WHEREAS, the County wishes to encourage sustainable practices wherever possible, now therefore be it

RESOLVED, on recommendation of the Government Operations Committees, That a public hearing be held before the Tompkins County Legislature in the Legislative Chambers of the Governor Daniel D. Tompkins Building, 121 East Court Street, Ithaca, New York on March 18, 2014, at 5:30 o'clock in the evening thereof concerning proposed Local Law No. \_\_ of 2014 - A Local Law Enacting Section 470 of the New York State Real Property Tax Law - Providing for an exemption from County taxes for up to 10 years for the construction of buildings meeting LEED standards. At such time and place all persons interested in the subject matter will be heard concerning the same,

RESOLVED, further, That the Clerk of the Legislature is hereby authorized and directed to place proper notice of such public hearing in the official newspaper of the County.

**SEQR ACTION:** TYPE II-20

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Health and Human Services Committee

**Resolution 2014-43: Authorizing Changes in Selected Environmental Health Division Fees for 2014 - Health Department (ID #4621)**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Stein, Member
<b>SECONDER:</b>	Kathy Luz Herrera, Member
<b>AYES:</b>	Burbank, Chock, Dennis, Luz Herrera, Kiefer, Klein, Lane, McBean-Clairborne, McKenna, Robertson, Robison, Shinagawa, Sigler, Stein

Minutes Acceptance: Minutes of Mar 4, 2014 5:30 PM (Minutes of Previous Meeting)

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It was MOVED by Ms. Kiefer, seconded by Ms. Chock, to amend the fourth Whereas to read: "WHEREAS, discussions with the New York State Department of Health concluded that the Finger Lakes GrassRoots Festival should be regulated not as three campgrounds but as a Mass Gathering in 2014, and"

It was MOVED by Mr. Dennis, seconded by Mr. Robison, to Call the Question. A voice vote on calling the question resulted as follows: Ayes - 11, Noes - 3 (Legislators Burbank, Chock, and Kiefer). THE QUESTION WAS CALLED.

A voice vote on the amendment resulted as follows: Ayes - 7 (Legislators Burbank, Chock, Kiefer, Lane, McBean-Clairborne, Robertson, Shinagawa); Noes - 7 - (Legislators Dennis, Herrera, Klein, McKenna, Robison, Sigler, and Stein). MOTION FAILED.

It was MOVED by Mr. Stein, seconded by Mr. Robison, to Call the Question. A voice vote on calling the question resulted as follows: Ayes - 12, Noes - 2 (Legislators Chock and Kiefer). THE QUESTION WAS CALLED.

Ms. Kiefer noted the intent of her motion was to clarify the specifics of the resolution.

WHEREAS, the Health Department establishes fees for the Environmental Health Division to partially offset the cost of services provided, and

WHEREAS, the fee rates for 2014 were approved with the 2014 budget, and

WHEREAS, a further review of fees for the On-site Wastewater Treatment System (OWTS) program conducted during the implementation of a new permit management software identified the need for changes to some of the OWTS fees, and

WHEREAS, discussions with the New York State Department of Health concluded that the Finger Lakes GrassRoots Festival should be regulated as a Mass Gathering in 2014, and

WHEREAS, the fee established for Mass Gatherings is excessive and is not needed to recover costs for the program consistent with cost recovery in other Environmental Health Division programs, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget, Capital, and Personnel Committees, That the Tompkins County Health Department is authorized to adopt the following Environmental Health Division fee changes for 2014:

- a) An interim mass gathering permit fee for existing events (i.e., Fingerlakes GrassRoots Festival) of \$1,500 plus \$80/staff-hour in the event that the Health Department must respond to an incident,
- b) An interim mass gathering plan review fee for existing events (i.e., Fingerlakes GrassRoots Festival) of \$1,000 for the Mass Gathering Plan Review fee,
- c) An application renewal and transfer fee for OWTS permit applications of \$75, and
- d) An OWTS new construction/conversion permit fee of \$415 instead of \$575.

**SEQR ACTION:** TYPE II-20

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**Public Safety Committee**

**Resolution 2014-44: Creation of Position - Professional Development Coordinator - Department of Emergency Response (ID #4650)**

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<b>RESULT:</b>	<b>ADOPTED [12 TO 2]</b>
<b>MOVER:</b>	Brian Robison, Member
<b>SECONDER:</b>	Peter Stein, Member
<b>AYES:</b>	Burbank, Chock, Dennis, Kiefer, Klein, Lane, McKenna, Robertson, Robison, Shinagawa, Sigler, Stein
<b>NAYS:</b>	Kathy Luz Herrera, Leslyn McBean-Clairborne

WHEREAS, the Department of Emergency Response is in need of a position to plan, organize, direct, and evaluate the activities of Department of Emergency Response personnel in order to ensure that staff are adequately trained and to provide quality assurance and accreditation services for the Department of Emergency Response Communication Center, and

WHEREAS, the funds necessary for this position were approved in the 2014 budget, now therefore be it

RESOLVED, on recommendation of the Public Safety and the Budget, Capital, and Personnel Committees, That one full-time 40-hour per-week position is hereby created in the title of Professional Development Coordinator, Job Code 1057, at a White Collar Labor Grade of 14 in the Tompkins County Department of Emergency Response, effective immediately.

**SEQR ACTION:** TYPE II-20

\* \* \* \* \*

Recess

Mr. Lane declared recess from 7:30 p.m. to 7:42 p.m.

Health and Human Services Committee

**Resolution 2014-45: Appropriation from Contingent Fund - Terminal Pay Reimbursement for 2013 - Mental Health Department (ID #4639)**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Peter Stein, Member
<b>SECONDER:</b>	Kathy Luz Herrera, Member
<b>AYES:</b>	Burbank, Chock, Dennis, Luz Herrera, Kiefer, Klein, Lane, McBean-Clairborne, McKenna, Robertson, Robison, Shinagawa, Sigler, Stein

Adopted by short roll call vote.

WHEREAS, during 2013, Mental Health employees terminated their employment with Tompkins County, and

WHEREAS, the Fiscal Policy of Tompkins County allows for reimbursement of terminal pay to the Department through the Contingent fund, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget, Capital,

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and Personnel Committees, That the Director of Finance is hereby authorized and directed to make the following budget appropriation for 2013:

FROM:	A1990.5440	Contingent Fund	\$ 81,539.49
TO:	A4330.51000294	Salary - Program Director	\$ 21,503.79
	A4330.58800	Fringe	\$ 12,450.69
	A4330.51000562	Salary - Caseworker	\$ 7,285.57
	A4330.58800	Fringe	\$ 4,218.34
	A4310.51000214	Salary - Information Aide	\$ 3,869.59
	A4310.58800	Fringe	\$ 2,240.49
	A4312.51000261	Salary - Day Treatment Spec	\$ 1,710.99
	A4312.58800	Fringe	\$ 990.66
	A4312.51000591	Salary - Comm Ment Hlth Nurse	\$ 2,920.88
	A4312.58800	Fringe	\$ 1,691.18
	A4311.51000591	Salary - Comm Ment Hlth Nurse	\$ 2,909.66
	A4311.58800	Fringe	\$ 1,684.69
	A4335.51000562	Salary - Caseworker	\$ 6,253.59
	A4335.58800	Fringe	\$ 3,620.82
	A4311.51000599	Salary - Psych Social Worker	\$ 5,185.91
	4311.58800	Fringe	\$ 3,002.64

**SEQR ACTION:** TYPE II-20

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

**Resolution 2014-46: Providing Comments on and Recommending Important Revisions to the 2014 Draft New York State Energy Plan (ID #4693)**

<b>RESULT:</b>	<b>ADOPTED [10 TO 4]</b>
<b>MOVER:</b>	Carol Chock, Member
<b>SECONDER:</b>	David McKenna, Member
<b>AYES:</b>	Burbank, Chock, Luz Herrera, Kiefer, Klein, Lane, McBean-Clairborne, McKenna, Robertson, Shinagawa
<b>NAYS:</b>	James Dennis, Brian Robison, Michael Sigler, Peter Stein

It was MOVED by Mr. Stein to delete the following language in the attachment: "Increasing NYS reliance on natural gas and policy support promoting a substantial build-out of natural as infrastructure will inhibit the chances for successful achievement overall goal"; and to delete the word "instead" in the next bullet.

A voice vote on the amendment resulted as follows: Ayes - 6 (Legislators Dennis, Lane, McKenna, Robison, Sigler, and Stein); Noes - 8 (Legislators Burbank, Chock, Kiefer, Klein, Herrera, McBean-Clairborne, Robertson, and Shinagawa). MOTION FAILED.

A voice vote on the original resolution resulted as follows: Ayes - 10, Noes - 4 (Legislators Dennis, Robison, Sigler, and Stein). RESOLUTION ADOPTED.

WHEREAS, the 2014 Draft New York State Energy Plan (Draft Plan), which sets forth a vision for New York's energy future, was released for public comment on January 7, 2014, with a revised deadline for comments of April 30, 2014, and

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WHEREAS, Tompkins County agrees with the statement in the Introduction to the Draft Plan, “The boldness of our solutions should match the magnitude of our challenges,” and applauds the Governor’s new initiatives on renewable energy and clean technology, in particular the State’s reaffirmation of its commitment to an 80% reduction in greenhouse gas emissions by 2050, with an interim goal of a 50% reduction by 2030, and

WHEREAS, public policy decisions taken to implement the Draft Plan in the coming years will to a large degree determine whether or not New York State reaches these goals, and

WHEREAS, success in meeting these goals will require specific measurable targets for transitioning to renewable energy sources and reducing greenhouse gas emissions that are tied to specific actions across all sectors to achieve these targets, and

WHEREAS, such targets and actions are not currently included in the Draft Plan, and

WHEREAS, the Regional Sustainability Plans developed for all ten regions of New York State in 2013 under the Governor’s Cleaner Greener Communities program required each region to develop such measurable targets and specific actions that could be undertaken within the regions to achieve those targets, and

WHEREAS, an example of such a target from the Southern Tier Regional Sustainability Plan is to reduce on-site building fuel and electricity consumption by 10% in residential and commercial sectors and 7.5% in the industrial sector within the next 5 years, and an example of such an action to achieve that target is to facilitate use of combined heat and power in private development projects and public facilities, and

WHEREAS, many actions needed to reach the State’s greenhouse gas emission reduction goals can only be undertaken at the State level, now therefore be it

RESOLVED, on recommendation of the Planning, Energy, and Environmental Quality Committee, That the Tompkins County Legislature calls upon the Governor, NYSERDA, and the State Legislature to revise the Draft Energy Plan to include specific measurable targets to transition to a renewable energy future, in particular those specified in the attached list, including specific actions that need to be undertaken across all sectors to meet the State’s goals for greenhouse gas reductions by 2030 and 2050,

RESOLVED, further, That the projected energy mix for New York State in the plan should reflect these targets, actions and greenhouse gas emission reduction goals,

RESOLVED, further, That copies of this resolution shall be sent to the Chair of the New York State Energy Planning Board; John B. Rhodes, NYSERDA President and CEO; Governor Andrew Cuomo; Senator Dean Skelos and Senator Jeffrey Klein, Senate Republican Conference Majority Leaders; Senator Andrea Stewart-Cousins, Senate Democratic Conference Leader; Assemblyman Sheldon Silver, Majority Leader; Assemblyman Brian Kolb, Assembly Minority Leader; Audrey Zibelman, Chair, New York State Public Service Commission; Senator George D. Maziarz, Chair of the Senate Energy and Telecommunications Committee; Assemblywoman Amy Paulin, Chair of the Assembly Energy Committee, Senator James Seward; Senator Michael Nozzolio; Senator Thomas O’Mara; and Assemblywoman Barbara Lifton.

**SEQR ACTION:** TYPE II-20

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**Attachment to Resolution No. 1 4664 A from Tompkins County:  
 Providing Comments on and Recommending Important Revisions to the 2014 Draft New York  
 State Energy Plan**

**Draft Plan Elements Supported by Tompkins County:**

- Tompkins County applauds the commitment to an 80% reduction in greenhouse gas emissions by 2050, with an interim goal of a 50% reduction by 2030 as the most important element.
- Emphasis on building resiliency to the impacts of climate change.
- Initiative to expand microgrids and distributed energy.
- Initiatives to transition to renewable energy sources.
- NYSERDA initiatives to provide assistance to communities to integrate and cross-reference land use, smart growth and transportation capital projects for consistent outcomes.

**Challenges for Tompkins County and other New York State Municipalities:**

- Tompkins County residents and businesses have experienced and suffered from recent weather events at cost to NYS and local taxpayers for recovery. We anticipate greater expense due to such events in the coming years.
- Tompkins County and other communities across the state will experience economic and social impacts from changes and uncertainties in the energy supply mix and price structures for existing and new sources of energy without advance planning for required transitions.

**Revisions Suggested to the Final Energy Plan**

- Specific measures must be included to implement the Community Transitions Program established as part of the NYS Energy Highway Blueprint. Any plan meant to establish “bold solutions” to new challenges must meet those challenges with new solutions by making sure that new opportunities and incentives are available in the communities that have built their employment and tax base on the older technologies; renewable technology incentives should be offered to companies to build in those communities formerly housing fossil fueled or nuclear fueled plants.
- Establish a clear path to achieve stated goals, most importantly by establishing specific state interim targets. For example, projections for electricity on page 59 of Volume II: Sources indicates an electrical energy generation mix of 40% natural gas by 2030 but only 5.5% non-hydro renewable generation by that same date. Greenhouse gas emissions goals cannot be achieved through that energy mix and a projection showing an energy mix that would achieve the State’s goals should be included in the Plan.
- Technology exists to meet forecasted demand through tougher building standard and energy efficiency methods. NYS should use its authority to require new buildings to achieve net-zero energy use by a specific target date.
- Tompkins County, the home of Cornell University, is the home of state-of-the-art research demonstrating the potential energy generating capacity using currently available sources of renewable energy, such as those provided by researchers Jacobson, Howarth et. al. (Energy Policy 57, 2013) and Morris et. al. (Pace Law School Climate and Energy Center, *New York's Renewable Portfolio Standard: Where To From Here?* In addition, New York State has the opportunity to benefit from relevant ideas and analysis contained in the work of knowledgeable and reputable non-New York Groups such as Union of Concerned Scientists (UCS), multi-university peer-reviewed studies, and United States National Academy of Sciences reports, all of whose work is directly related to and even includes specifics about New York State’s possible energy futures. Policy and practice changes should be specified to incorporate these findings into



the Final Plan.

- Include a greater level of detail about reductions in demand that could be achieved through energy efficiency improvements and demand-response requirements.
- Tompkins County is also the home of state-of-the-art research regarding the contribution of methane (CH<sub>4</sub>) and other greenhouse gases to climate problems, especially on a 20-30 year time horizon. The plan should address the risk from methane emissions in addition to those included in the Draft Plan regarding the negative impacts of carbon dioxide (CO<sub>2</sub>) on the longer time frame.
- Increasing NYS reliance on natural gas and policy support promoting a substantial build-out of natural gas infrastructure will inhibit the chances for successful achievement of the overall goal. New York should instead be investing more in clean, renewable energies, such as solar, wind, tidal, and geothermal to achieve a transition to a safer, cleaner energy future. Establish interim targets with reductions every five years and include specific activities to promote continuous action to reduce greenhouse gas emissions.
- Establish defined targets for clean vehicular transportation to achieve and surpass the Zero Emissions Vehicle memorandum of understanding recently signed by Governor Cuomo with seven other states.
- The Draft Plan emphasizes market-based solutions to our energy transition. We believe that a balanced approach that includes implementation of regulations or tax policies aimed at penalizing polluting energy sources and encouraging efficiency and renewable energy will be necessary to dramatically change the market in favor of renewable energy and efficiency in time to meet the State’s greenhouse gas reduction goals; this complementary approach should be incorporated in the Final Plan.

**Demonstrated Activities by Tompkins County in Support of a Renewable Future:**

- See Tompkins County Comprehensive Plan, 2020 Energy Strategy, and Energy Road Map, and the Cleaner Greener Southern Tier Regional Sustainability Plan at <http://www.tompkins-co.org/planning/energyclimate/>
- Tompkins County is demonstrating the feasibility of current renewable energy technology through projects to expand solar PV installations, build infrastructure for regional biomass pellet delivery, create opportunities for energy efficiency improvements in existing housing to be reflected in the marketplace, and identification of planning and zoning barriers for solar and electric vehicle deployment.

\* \* \* \* \*

**Budget, Capital, and Personnel Committee**

**Resolution 2014-47: Recommending an Alternative to the Two-Year Property Tax Freeze Proposed in the 2014-15 Executive Budget that will Lead to Permanent and Historic Property Tax Reductions by Eliminating the Cost of State-Mandated Spending Imposed on County Property Taxpayers (ID #4697)**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	James Dennis, Vice Chair
<b>SECONDER:</b>	Kathy Luz Herrera, Member
<b>AYES:</b>	Burbank, Chock, Dennis, Luz Herrera, Kiefer, Klein, Lane, McBean-Clairborne, McKenna, Robertson, Robison, Shinagawa, Sigler, Stein

It was MOVED by Mr. Stein, seconded by Mr. Lane, to insert the following additional Resolved

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before the last Resolved: “Resolved, further, That the tax cap basis on counties would be adjusted to take into account the reduction due to the mandate takeover,”

It was MOVED by Mr. Sigler, seconded by Mr. Robison, and unanimously adopted by voice vote, to Call the Question. THE QUESTION WAS CALLED.

A voice vote on the amendment resulted as follows: Ayes - 1 (Legislator Stein); Noes - 13. MOTION FAILED.

It was MOVED by Ms. Kiefer, seconded by Ms. Chock, to add the following to be the 10th Whereas: “Whereas, a simple of governance is that whatever level of government decides what is required should be the level of government that collects taxes to pay for the requirement”,

Mrs. McBean-Clairborne was excused at this time.

A voice vote on the amendment resulted as follows: Ayes - 4 (Legislators Burbank, Chock, Kiefer, and Robertson). Noes - 9. MOTION FAILED.

A voice vote on the original resolution resulted as follows: Ayes – 13, Noes – 0, Excused – 1 (Legislator McBean-Clairborne). RESOLUTION ADOPTED.

WHEREAS, the Governor and State Legislature have prioritized property tax relief as necessary to help improve New York’s economic competitiveness, and

Whereas, the Governor has proposed a two-year property tax freeze that includes a state-financed rebate for any increase in property taxes in municipalities that stay within the State-imposed property tax cap over the next two years, while also implementing major shared services or consolidation of functions with other local governments in the second year, and

WHEREAS, the annual amount of the proposed rebate to an average Tompkins County homeowner is estimated at \$7.31, based on an application of the formula to the County’s 2014 budget, and

WHEREAS, the proposed property tax freeze would create a costly new layer of tax bureaucracy and procedures with unknown costs to the taxpayers, which bureaucracy and costs have not been adequately analyzed, calculated, and publicly discussed, and

WHEREAS, the proposed freeze would also create a disproportionate burden on those local governments now branded as “distressed” by the State Comptroller, favor one class of property owners (homeowners) over others (small business), and place consolidation thresholds well beyond the reach of local governments while ignoring the savings produced by prior consolidations, and

WHEREAS, Tompkins County is a strong proponent of intergovernmental cooperation and has implemented several major shared-service ventures including one of only two countywide assessment offices in New York State, a countywide 911 Emergency Dispatch Center (served by a countywide interoperable communications system), and a countywide Health Benefits Consortium that recently added the City of Cortland in Cortland County, and

WHEREAS, Tompkins County strongly supports meaningful State and county efforts to lower the property tax burden for homeowners and businesses across the State, and

WHEREAS, the levying of county property taxes is directly linked to State-mandated spending



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since county governments act as the State’s administrative arm through the delivery and financing of State programs, and

WHEREAS, the Tompkins County Legislature believes the best way to improve New York’s economic climate and competitiveness is to reduce property taxes through fundamental reform of State mandates that directly impacts the causes of high property taxes and not simply the symptoms (not just slow the rate of growth), and

WHEREAS, recognizing the need for property tax relief and consistent with the call for realignment of responsibilities between governments, the State would achieve historic levels of property tax relief spanning all classes of property by paying the cost of its major human service programs, addressing a misalignment of responsibilities that is a primary reason property taxes in New York State are higher than those in other states, and

WHEREAS, by accepting responsibility for the cost of its major human service programs (Medicaid, Public Assistance, Child Welfare, Pre-K Special Education and Early Intervention, and Legal Aid to the Indigent), New York State would cut property taxes in Tompkins County by \$25.5 million, or 57%, saving an average homeowner an estimated \$636 per year, and

WHEREAS, if the State began a phased realignment of responsibilities by paying \$11.8 million of its own Medicaid bill that is now shifted to Tompkins County, Tompkins County taxpayers would enjoy an immediate (year one) 26% reduction in County taxes, saving the average homeowner \$294 per year, and

WHEREAS, the benefits, scope, and ultimate cost of Medicaid has been set and controlled by the State for nearly 50 years, but not fully financed with State resources, instead transferring a significant cost burden to local property tax payers and this transfer contributes greatly to the disparity between property taxes in New York State and those in other states, and

WHEREAS, the ultimate realignment of all major human service costs from the counties to the State would produce a historic and sustainable property tax relief throughout New York State, and result in a far more equitable distribution of the State’s costs through the progressive and broad-based taxes available to the State, now therefore be it

RESOLVED, That the Tompkins County Legislature agrees with the need to prioritize property tax relief,

RESOLVED, further, That Tompkins County finds no quantifiable evidence that the property tax freeze would result in significant property tax relief, whereas a phased State takeover of the costs of its own mandated human services, starting with Medicaid, would provide immediate, permanent, and measurable property tax reduction for all classes of property owners, including small businesses ignored by the proposed tax rebate and circuit breaker proposals,

RESOLVED, further, That copies of this resolution be sent to Governor Andrew M. Cuomo, Assemblywoman Barbara Lifton, Senator Thomas O’Mara, Senator James Seward, Senator Michael Nozzolio, Assembly Speaker Sheldon Silver, Senate Majority Leader Dean Skelos, and all others deemed necessary and proper.

**SEQR ACTION:** TYPE II-20

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<b>RESULT:</b>	<b>ACCEPTED [13 TO 1]</b>
<b>MOVER:</b>	Michael Sigler, Member
<b>SECONDER:</b>	Martha Robertson, Member
<b>AYES:</b>	Burbank, Chock, Dennis, Luz Herrera, Klein, Lane, McBean-Clairborne, McKenna, Robertson, Robison, Shinagawa, Sigler, Stein
<b>NAYS:</b>	Dooley Kiefer

**Adjournment**

On motion the meeting adjourned at 9:28 p.m.

Minutes Acceptance: Minutes of Mar 4, 2014 5:30 PM (Minutes of Previous Meeting)