

Government Operations Committee
Regular Meeting Minutes – Approved 4-28-15
Tuesday, March 24, 2015 3:30 PM
Legislature Chambers

Attendance

Attendee Name	Title	Status
Daniel Klein	Chair	Present
Dooley Kiefer	Member	Present
David McKenna	Member	Present
Nathan Shinagawa	Vice Chair	Present
Glenn Morey	Member	Present
Mike Hall	Interim Director - Ithaca Tompkins Airport	Present
Joe Mareane	County Administrator	Present
Paula Younger	Deputy County Administrator	Present
Ed Marx	Planning Commissioner	Present
Amie Hendrix	Director of Youth Services	Present
Karen Baer	Director of Human Rights	Present
Jonathan Wood	Tompkins County Attorney	Present
Marcia Lynch	Public Info. Officer, County Administration	Present
Rick Snyder	Finance Director	Present
Anna Smith	Personnel	Present
Karen Fuller	Minute Taker, Legislature Office	Present

Guests: Linda-Grace-Kobas, George V. Kobas, Virginia Marques, Daniel Yokum, Nancy Gould, Deborah Grier, Steffen Schuhmann, Krys Cail, Indian Creek Neighborhood Association; Roy Luft, Town of Ithaca; Yvonne Fogarty, Town of Ithaca Planning Board; Keri Blakenger, Finger Lakes Times; Susan Currie, Sarah Glowkowski, Tompkins County Public Library; Ari Lavine, City of Ithaca Attorney

Call to Order

Mr. Klein, Chair, called the meeting to order at 3:35 p.m.

Changes to Agenda

There were no changes to the agenda.

Comments from the Public

Linda Grace-Kobas, Town of Ithaca resident and member of the Indian Creek Neighborhood Association, spoke of the previous involvement of the group to keep the County land located on Harris B. Dates Drive as a natural habitat and asked that the County reconsider the property as needed for public use and recognize its importance related to flood mitigation and that it has a historic background. She does not support development of the property.

Steffen Schuhmann, Town of Ithaca resident, said he had purchased the building known as the “K- House” building and if the County decides to sell its property on Harris B. Dates Drive, he and his wife would be interested in purchasing the property and maintain it as a green space.

Krys Cail, Town of Ulysses resident, spoke of the County's Harris B. Dates Drive property and expressed a desire to have the County and residents of the neighborhood work together and explore new ideas that may be available. She noted the Regional Economic Development Council stressed public input and feedback as important factors. Ms. Cail also spoke of the possibility of utilizing the land for

solar energy.

Roy Luft, Town of Ithaca resident and neighbor of the Indian Creek area, said if a development project is desired it should be on open land rather than a wooded area. He offered to trade some of his open land for the County's Harris B. Dates Drive property to maintain the wooded acreage if it would assist in preserving the area.

Airport

Resolution (ID # 5482): Authorizing Supplemental Consultant Agreement No. 12 with C&S Engineers, Inc., for Design, Bidding, Administrative and Part Time Construction Observation Services for the ARFF/CFR (Aircraft, Rescue, and Fire Fighting/Crash, Fire, and Rescue) Building Roof Repair at Ithaca Tompkins Regional Airport (ID #5482)

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Glenn Morey, Member
SECONDER:	Dooley Kiefer, Member
AYES:	Klein, Kiefer, McKenna, Shinagawa, Morey

WHEREAS the total roof project is estimated to be \$150,000 and the State Grant is \$120,000 (80%) with the remaining \$30,000 (20%) coming from Passenger Facility Charges (PFC's), and

WHEREAS, the New York State Department of Transportation (NYSDOT) has awarded the Ithaca Tompkins Regional Airport a Grant under the 2014 Aviation Capital Grant Program, and

WHEREAS the Supplemental Consultant Agreement No. 12 is \$31,200, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That Supplemental Agreement No. 12 with C&S Engineers, Inc., for Design, Bidding, Administrative, and Part Time Construction Observation Services in the amount of \$31,200 be approved and financing of the contract is as follows:

NYSDOT - 2014 Aviation Capital Grant Program (80%)	\$24,960.00
Passenger Facility Charges (PFC's)	\$ 6,240.00

, now therefore be it

RESOLVED, further, That the County Administrator be and hereby is authorized to execute the required documents,

RESOLVED, further, That the Finance Director be authorized to make payments for this project until reimbursement is received from the NYSDOT.

SEQR ACTION: TYPE 1-6

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Resolution (ID # 5483): Authorizing Acceptance of a New York State Department of Transportation (NYSDOT) "2014 Aviation Capital Grant Program" Grant to Accomplish Repairs to the ARFF/CFR (Aircraft, Rescue, and Fire Fighting/Crash, Fire, Rescue) Building Roof - Ithaca Tompkins Regional Airport (ID #5483)

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	David McKenna, Member
SECONDER:	Nathan Shinagawa, Vice Chair
AYES:	Klein, Kiefer, McKenna, Shinagawa, Morey

WHEREAS, the County has received a grant offer from the New York State Department of Transportation (NYSDOT) under the "2014 Aviation Capital Grant Program", in the amount of \$120,000 (Total Project \$150,000) to assist with Repairs to the ARFF/CRF (Aircraft, Rescue, and Fire Fighting/Crash, Fire, Rescue) Building Roof, and

WHEREAS, the estimated maximum cost of this project is as follows:

NYSDOT Share (80.0%)	\$120,000
Local Share (20.0%)	\$ 30,000
Total	\$150,000

, and

WHEREAS, the local share will come from the Passenger Facility Charges (PFC's) and have no impact on the Airport's operational budget, and

WHEREAS, the Legislature will review and approve all proposed engineering and construction contracts prior to any work commencing, and

WHEREAS, in the event that said engineering or construction contracts are not approved by the Legislature, this grant will be returned to the NYSDOT for use at another airport, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the grant offer from the NYSDOT of \$120,000 be and hereby is accepted and that the County Administrator is authorized to execute the required documents.

SEQR ACTION: TYPE II-1

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Administration

Resolution (ID # 5451): Authorizing an Appropriation of \$20,000 from the Contingent Fund to Support a Community Outreach Worker Program in Downtown Ithaca (ID #5451)

It was MOVED by Ms. Kiefer, seconded by Mr. Shinagawa, and unanimously adopted by voice vote, to delete the word "lenders" from the second WHEREAS. MOTION CARRIED.

Additional changes agreed to as friendly were also made to the resolution.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Glenn Morey, Member
SECONDER:	David McKenna, Member
AYES:	Klein, Kiefer, McKenna, Shinagawa, Morey

WHEREAS, the City of Ithaca has been engaged in the long and thoughtful process of rebuilding its downtown, including the complete redesign of the Ithaca Commons in an effort to create a downtown

space where every person feels welcome and where businesses and services thrive, and

WHEREAS, much attention has been paid to understanding the needs, concerns, and wishes of the various downtown stakeholders (e.g., merchants, shoppers, tourists, visitors, restaurant goers, eatery owners, service providers, landlords, tenants, etc.) in order to effectively provide and promote continually positive and inclusive stakeholder experiences for those living in, working in, and visiting Ithaca's downtown area, and

WHEREAS, a Steering Committee comprised of designees of the City, County, Downtown Ithaca Alliance (DIA), and Family and Children's Service (F&CS) ("the Funding Partners") was tasked with looking into ways to help promote an inclusive and positive downtown experience, and the result was development of the Community Outreach Worker Program, and

WHEREAS, the purpose of the Community Outreach Worker Program is to create an effective infrastructure for developing, monitoring, and promoting a universally-applied standard of conduct for individuals in the targeted downtown that is both inclusive and encourages tolerance by way of referral, education/outreach, equal access, mediation, and conflict resolution, and

WHEREAS, the City of Ithaca has authorized the expenditure of \$20,000 to support the Community Outreach Worker initiative, and the DIA \$10,000 for the same, and

WHEREAS, F&CS has committed to serve as the employer of the Community Outreach Worker position envisioned by this initiative and has graciously committed to devote substantial overhead and other resources in addition to the above-noted funding in furtherance of the success of this program, and

WHEREAS, the Funding Partners will have an opportunity to evaluate a sizable portion of the inaugural year of this initiative when considering funding ensuing years of this initiative, and

WHEREAS, in support of the City of Ithaca's exploration and potential implementation of such a Community Outreach Worker Program, the Tompkins County Legislature appropriated \$20,000 to the 2015 County Contingent account to contribute to the program, subject to additional legislative review of the details of the program and also to confirm that funding had been committed to the program by the City of Ithaca and other funding partners, and

WHEREAS, the Legislature directed that if the funds are released from the Contingent account, they be allocated to Tompkins County **Library Administration** to assure that Community Outreach Worker Program will extend to the Green Street corridor adjacent to the Library, now therefore be it

RESOLVED, on recommendation of the Health and Human Services, the Government Operations, and the Budget, Capital, and Personnel Committees, That the County Administrator be, and hereby is, authorized to enter into a funding agreement with the City and Family and Children's Service in furtherance of the initiative detailed in this resolution,

RESOLVED, further, That the Director of Finance be authorized to make the following budget appropriation:

FROM:	A1990.54400	Contingent Fund	\$20,000
TO:	A1230.54400	County Administration Program Expense	\$20,000
TO:	A7411.54400	County Library Program Expense	\$20,000

SEQR ACTION: TYPE II-20

Note: Highlighted changes as adopted by the Budget, Capital, and Personnel Committee on March 23,

2015.

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Minutes Approval

For the record Ms. Kiefer stated she voted against the minutes because she believes there should be headings of each item listed on the agenda. She would like to have Government Operations Committee reconsider the minutes policy. Ms. Kiefer noted the previous meeting had a presentation by Assessment that resulted in what she believes to be an action item requesting a resolution be prepared to send to New York State Association of Counties.

Tuesday, February 24, 2015

RESULT:	ACCEPTED [4 TO 1]
MOVER:	David McKenna, Member
SECONDER:	Nathan Shinagawa, Vice Chair
AYES:	Daniel Klein, David McKenna, Nathan Shinagawa, Glenn Morey
NAYS:	Dooley Kiefer

County Attorney

Resolution(ID # 5478): Adoption of Local Law No. a of 2015 - Allowing for Sparkling Devices to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405(5)(b) (ID #5478)

Mr. Klein noted the use of “Common, Safe Items” and said he would prefer to replace that with “Sparkling Devices”. He explained that people often think of sparklers and such as not dangerous, however, there have been injuries as a result of their use. The use of “Sparkling Devices” would not imply their safety. The suggestion was accepted as friendly by the mover and seconder.

For the record, Ms. Kiefer noted that she believes the Committee should only be acting on the resolution to hold a public hearing.

RESULT:	RECOMMENDED [4 TO 1]
MOVER:	Glenn Morey, Member
SECONDER:	Daniel Klein, Chair
AYES:	Daniel Klein, David McKenna, Nathan Shinagawa, Glenn Morey
NAYS:	Dooley Kiefer

WHEREAS, on November 21, 2014, Governor Cuomo signed into law Chapter 477 of the Laws of 2014 which amends the New York State Penal Law, the Executive Law, and the General Business Law to place further restrictions on the sale of dangerous fireworks, while at the same time recognizing that certain fireworks should not be labeled as "dangerous" when they pose little to no danger to the public, and should therefore be available for retail sale and public sale, and

WHEREAS, Chapter 477 of the Laws of 2014 allows for certain fireworks identified and described as “sparkling devices” to be excluded from the definition of “dangerous fireworks” and

“fireworks” set forth in the Penal Law, and to be sold and used in counties that enact a local law authorizing such actions, and

WHEREAS, Chapter 477 of the Laws of 2014 limits the sale of sparkling devices in the State to the time periods from June 1st through July 5th of each calendar year and December 26th through January 2nd of adjacent calendar years, and to people eighteen years of age or older, and

WHEREAS, the Tompkins County Legislature believes that allowing our County residents the use of safe “sparkling devices” will benefit them and our local businesses, and

WHEREAS, the proposed Local Law and Chapter 477 of the Laws of 2014 are compliant with safety standards established by the National Fire Protection Association (NFPA 1124) for the manufacture, transportation, storage, and retail sale of fireworks, and

WHEREAS, a public hearing was held before the Tompkins County Legislature on April 21, 2015, to hear all persons interested in proposed Local Law No. a of 2015, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That Local Law No. a of 2015 - Allowing for Sparkling Devices to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405(5)(b) is hereby adopted,

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

SEQR ACTION: TYPE II-20

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Resolution (ID # 5481): Scheduling a Public Hearing on Proposed Local Law No. a of 2015 – Allowing for Sparkling Devices to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405(5)(b) (ID #5481)

The Committee agreed to amend the resolution to reflect the changes in the title of the law as on the previous resolution.

For the record, Ms. Kiefer stated she would be voting against the resolution as she would like the public hearing to be held earlier and requested that if that was possible that the Committee consider it.

RESULT:	RECOMMENDED [4 TO 1]
MOVER:	Glenn Morey, Member
SECONDER:	Nathan Shinagawa, Vice Chair
AYES:	Daniel Klein, David McKenna, Nathan Shinagawa, Glenn Morey
NAYS:	Dooley Kiefer

WHEREAS, Governor Cuomo signed into law Chapter 477 of the Laws of 2014 that amends the New York State Penal Law, the Executive Law and the General Business Law to place further restrictions on the sale of dangerous fireworks, while at the same time recognizing that certain fireworks should not be labeled as "dangerous" when they pose little to no danger to the public, and should therefore be available for retail sale and public sale, and

WHEREAS, the County is considering adopting a local law allowing for sparkling to be excluded

from the dangerous fireworks definition as permitted by New York State Penal Law section 405(5)(b), now therefore be it

RESOLVED, on recommendation of the Budget, Capital, and Personnel Committee, 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 April 21, 2015, at 5:30 o'clock in the evening thereof concerning proposed Local Law No. a of 2015 - Allowing for Sparkling Devices to be Excluded from the Dangerous Fireworks Definition as Permitted by New York State Penal Law Section 405(5)(b). 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 County Legislature is authorized to place proper notice of this public hearing in the official newspaper of the County.

SEQR ACTION: TYPE II-20

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Administration - Continued

Resolution (ID # 5489): Authorizing the Tompkins County Public Library to Utilize for Library Purposes the Space Formerly Occupied by the Finger Lakes Library System within the Tompkins County Library Building (ID #5489)

Ms. Kiefer offered friendly suggestions to the resolution.

It was MOVED by Ms. Kiefer to amend the fourth WHEREAS paragraph of the resolution as follows: "...renovate the Woolworth's Building on Green Street for use as the County Library, using a substantial gift from the Park Foundation to assist with the cost of acquiring and improving the property for Library purposes (while at the same time forbidding the addition of a second story)". MOTION FAILED FOR LACK OF A SECOND.

Ms. Kiefer requested Ms. Currie's document be included in the Legislature agenda information.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	David McKenna, Member
SECONDER:	Dooley Kiefer, Member
AYES:	Klein, Kiefer, McKenna, Shinagawa, Morey

WHEREAS, the Tompkins County Legislature recognizes the great value of the Tompkins County Public Library ("TCPL") in serving the varied needs of our diverse community, and

WHEREAS, for generations, Tompkins County has provided substantial support to the TCPL, both in direct and substantial financial contributions and also in the provision of high-quality, well-maintained space provided without charge, and

WHEREAS, after study of various alternatives, the County determined that the relocation of the TCPL from its facility on Cayuga Street to the former Woolworth's Building at the intersection of Green Street and Cayuga Street would be the most cost-effective approach to maintaining a quality library that served the community's needs, and

WHEREAS, by Resolution No. 233, dated September 28, 1998, this Legislature amended the 1998 Capital Program to purchase and renovate the Woolworth's Building for use as the County Library, using a substantial gift from the Park Foundation to assist with the cost of acquiring and improving the property for Library purposes, and

WHEREAS, since the relocation of the TCPL to its current space on Green Street in the year 2000, the number of users of the Library has grown steadily to 430,000 users in 2013 and the scope of services and programs provided to the public has expanded significantly; and

WHEREAS, over that 15-year period, library utilization patterns have changed markedly, particularly as the digital "revolution" has become an ingrained part of our lives and culture, and

WHEREAS, after occupying the Green Street location for 15 years, the opportunities and limitations of the existing space configuration have become evident, and

WHEREAS, with the 2000 relocation of the TCPL to its current location, the County has leased a 6,112-square foot portion of the facility to the Finger Lakes Library System under a 10-year lease that was extended for five additional years in 2010, and

WHEREAS, upon due and proper notice, the Finger Lakes Library System has now relocated its operations to a facility within the Town of Dryden, leaving the space within the Library vacant, and

WHEREAS, the Finger Lakes Library System's annual rental payment to the County was eliminated in the 2015 budget, and

WHEREAS, in keeping with the County's intent when it acquired and improved the property for the purpose of housing the County Library, and consistent with a 2008 space study commissioned by the Library, the TCPL has a strong and vital interest in utilizing the space vacated by the Finger Lakes Library, and

WHEREAS, in furtherance of that interest, and as a means of minimizing the cost burden to the County, the TCPL Foundation has embarked on a fund-raising campaign that has raised \$2.4 million to date and has a total fundraising goal of \$2.75 million, and

WHEREAS, prior to proceeding with design and other work related to the use of the space vacated by the Finger Lakes Library System, the TCPL has requested an affirmation by the County Legislature that the vacated 6,112 square feet shall be made available by the County and without charge to the Tompkins County Public Library, provided that the space is used for Library purposes, and

WHEREAS, the Tompkins County Legislature wishes to provide such assurances to TCPL, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the Tompkins County Legislature does hereby grant the Tompkins County Public Library the authority to utilize the space formerly occupied by the Finger Lakes Library System under the same terms as the TCPL's occupancy of the remainder of the County Library facility.

SEQR ACTION: TYPE II-20

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Legislature

Resolution (ID # 5370): Approval of 2015 Succession of Members of the County Legislature to Serve in the Absence of the Chair and Vice Chair (ID #5370)

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	David McKenna, Member
SECONDER:	Glenn Morey, Member
AYES:	Klein, Kiefer, McKenna, Shinagawa, Morey

WHEREAS, Section 2.06 of the County Charter, specifies the succession of members of the Legislature be designated annually by resolution to serve in the absence of the Chair and Vice Chair, and

WHEREAS, the Government Operations Committee recommends the chairs of standing committees be designated taking into consideration availability and Legislative experience, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the following order of succession of County Legislators for the year 2015 or until successors are appointed be approved to serve in the absence of the Chair and Vice Chair:

- Dooley Kiefer
- Martha Robertson
- Nathan Shinagawa

SEQR ACTION: TYPE II-20

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Appointments

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Glenn Morey, Member
SECONDER:	Dooley Kiefer, Member
AYES:	Klein, Kiefer, McKenna, Shinagawa, Morey

Library Board of Trustees

Janet Corson-Rikert - At-large representative; term expires December 31, 2017

Air Services Board

Michael Stamm - At-large representative; term expires December 31, 2016

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Legislature - continued

Parking Spaces for Legislators

Mr. Klein said after looking into options for parking spaces for Legislators it does not appear there is any simple solution. It was decided to continue this conversation at a future meeting.

Adjournment

On motion the meeting adjourned at 5:39 p.m.