

Tompkins County Legislature
Regular Meeting Minutes – Approved 5-16-17
Tuesday, May 2, 2017 5:30 PM
Legislature Chambers

Public Hearing

Tompkins County’s current Community Development Block Grant (CDBG) project: Tompkins County Homeownership Program XI (CDBG # 1144HO337-15, \$691,500)

Mr. Lane, Chair, opened the public hearing at 5:30 p.m. concerning the Tompkins County’s current Community Development Block Grant (CDBG) project: Tompkins County Homeownership Program XI (CDBG # 1144HO337-15, \$691,500) and asked if anyone wished to speak.

Ms. McDonald of the Planning and Sustainability Department said the Tompkins County Homeownership Program is supported through CDBG funding, and this hearing is meant to provide an update on the program’s progress as well as an opportunity to receive comments regarding its administration. Since the start of the program in 1993, over 380 lower- to middle-income first-time homebuyers have purchased homes through the program. The current CDBG award is intended to assist 19 homebuyers. A total of 13 homebuyers have closed on homes, 3 clients are expected to close shortly, and another 16 clients are currently shopping for homes in this current funding round.

No one else wished to speak and the public hearing was closed at 5:33 p.m.

Pledge of Allegiance to the Flag

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

Roll Call of Members

Attendee Name	Title	Status	Arrived
Will Burbank	Member	Present	
Carol Chock	Member	Late	5:49 PM
James Dennis	Member	Present	
Rich John	Member	Present	
Anna Kelles	Member	Present	
Dooley Kiefer	Member	Present	
Daniel Klein	Vice Chair	Present	
Michael Lane	Chair	Present	
Leslyn McBean-Clairborne	Member	Present	
Martha Robertson	Member	Present	
David McKenna	Member	Present	
Glenn Morey	Member	Present	
Michael Sigler	Member	Present	
Peter Stein	Member	Present	

Presentation of Proclamations, Petitions, Communications, and Notices

Mr. Lane presented a proclamation declaring May 12, 2017, as Dorothy Cotton and Dorothy Cotton Jubilee Singers Day in Tompkins County to Dr. Whitehead. At this time, the Dorothy Cotton Jubilee Singers performed for the Legislature.

Ms. Chock arrived at this time.

Mr. Lane presented a certificate recognizing Legislator Carol Chock for ten years of service to Tompkins County.

Privilege of the Floor by the Public

Theresa Alt, City of Ithaca, spoke in opposition to Jail expansion and said it is an expensive way to address Jail overpopulation. She believes it also fails to address the real issue of providing adequate mental health services and drug rehabilitation in the community which would lower crime and eliminate the need to bring people into the justice system. In addition, reducing the use of bail can reduce the Jail population. She summarized her comments and said she thinks people with problems should be cared for before they become offenders.

Elizabeth Bergman, Town of Ithaca, thanked the Legislature for taking extra time to consider the proposed local law on Tobacco 21. She asked that a look also be taken at the effects of public housing smoking and youth smoking and the impacts of addiction and withdrawal issues. She encouraged continued discussions on these issues. She also asked if individuals age 18 will be able to access the proposed injection site by the City of Ithaca.

Douglas Bentley, Cortland County, encouraged the Legislature to pass the Tobacco 21 Law. He spoke of his health issues from smoking and how accessible cigarettes were at one time. He said Cortland County passed a similar law and believes Tompkins County should do the same.

Jennifer Hamilton, Homer, said she is Public Health Educator with Tobacco Free Zone of Tompkins, Cortland, and Chenango Counties and gave a list of flavorings for e-cigarettes. They are the most common form of tobacco among youth and are the new circle of addiction. She said in her work she has talked to people who have struggled with addiction and regret starting to smoke. The Legislature has a leadership role and can keep people from starting smoking.

Ted Schiele, Groton, said Tobacco 21 is one of the many tools available to reduce access to youth smoking and nicotine addiction. The more tools we have to use for prevention the more successful we will be. This Law has and will reduce tobacco use; it is not the only tool but is one more way to reduce tobacco use and addiction. It will save lives and it will save money.

Chris Owens, Onondaga County, said he is an employee at St. Joseph's Hospital in Syracuse and he believes the approval of the Tobacco 21 Law will reduce tobacco use in youth and is an evidence-based strategy.

Lily Gershon, Village of Freeville, addressed a question that was raised about services in the Jail and whether it has to be an either/or situation. The group, Decarcerate Tompkins, is not against services in the Jail but don't think mental health or detox services belong there. They want to know if services can be provided without adding any additional cells. She spoke of the lack of information available to the public so they can do research on the facility and what services they think can be put in the Jail.

Jesse Goldberg, City of Ithaca, agreed with the previous speaker and said they don't want to see new jail cells built but are not against adding services in the Jail. He spoke of the last Jail Study meeting and the statement made that incarcerated people need services particularly in the Jail because these people have reached a low point in their lives and this is a teachable moment for them. He disagrees with the

statement and said people who are already incarcerated need all of the services they say they need and every effort needs to be made to make sure there are fewer people incarcerated by making sure there are no new cells to incarcerate them in.

Shari Korthuis, Ithaca, spoke about the recent SWAT raids and said those individuals will likely end up in the Jail. Until the justice system is fixed she doesn't think expansion should be looked at. She read a letter by the Corrections Officers and said the services referenced in the letter can be provided in the community.

Tim Marchell, Town of Ithaca, spoke of the proposed increase in the age for purchasing tobacco and compared the legal drinking age and what the increase in age has had on the health and safety on the public and youth and said it has been great. He supports the proposed Tobacco 21 Law and said the potential benefits to children, youth, and the community is worth supporting the law.

Bill Sherman, Schenectady County and representative of American Cancer Society, said he supports evidence-based policy and solutions to reduce cancer. He spoke of his personal experience with having parents who were smokers. This policy will help thousands of people not become addicted. By raising the age it will cut off the social component of kids having access to other kids who can purchase tobacco. He asked the Legislature to take a leadership role in New York by making sure there is much less access to tobacco.

Elan Shapiro, Town of Ithaca, said he attended the final session of the new Jim Crowe reading; many people are learning about the mass incarceration system. He wants to see Tompkins County as a leader in changing this. Even changing the bail system can make a difference.

Erin Griffeth, City of Ithaca, spoke of the Jail and said there was discussion about having access to services in the community; Jail removes people from the community. There are a lot of teachable moments other than when someone is arrested. He believes providing access to services needs to be addressed as they are not easily accessible. She doesn't support providing services in the jail and expanding to create more cells.

Report from a Municipal Official(s)

There were no Municipal Officials present.

Health and Human Services Committee

Resolution No. 2017-76: Adoption of Local Law No. 2 of 2017 – A Local Law Raising the Legal Age to 21 for Tobacco Sale and Purchase (ID #6764)

It was MOVED by Ms. Chock, seconded by Mrs. McBean-Clairborne, to amend the law and remove "or any combination thereof" from the definition of "Shisha" in Section 2.

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

This resolution was adopted by a roll call vote.

RESULT:	ADOPTED [9 TO 5]
MOVER:	Anna Kelles, Member
SECONDER:	David McKenna, Member
AYES:	James Dennis, Rich John, Anna Kelles, Dooley Kiefer, Michael Lane, Leslyn McBean-Clairborne, Martha Robertson, David McKenna, Glenn Morey
NAYS:	Will Burbank, Carol Chock, Daniel Klein, Michael Sigler, Peter Stein

WHEREAS, a public hearing has been held before the Tompkins County Legislature to hear all persons interested in proposed Local Law No. 2 of 2017, and

WHEREAS, the Tompkins County Legislature has determined that adoption of Local Law No. 2 of 2017 is in the public interest, now therefore be it

RESOLVED, on recommendation of the Tompkins County Board of Health and the Health and Human Services Committee, That proposed Local Law No. 2 of 2017 - A Local Law Raising the Legal Age to 21 for Tobacco Sale and Purchase is hereby adopted,

RESOLVED, further, That the Clerk of the Board 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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Recess

Mr. Lane declared recess at 7:28 p.m. The meeting reconvened at 7:40 p.m.

Resolutions Added to and Withdrawn from the Agenda

It was MOVED by Mr. Klein, seconded by Mr. Morey, and unanimously adopted by voice vote, to add to the agenda the resolution entitled Authorizing the County Administrator to Establish a Shared Services Panel and to Undertake the Tasks Assigned to County Chief Executive Officers by State's Shared Services Legislation.

There were no resolutions withdrawn from the agenda.

Government Operations Committee

Resolution No. 2017-77: Authorizing the County Administrator to Establish a Shared-Services Panel and to Undertake the Tasks Assigned to County Chief Executive Officers by the State's Shared Services Legislation (ID #7024)

RESULT:	ADOPTED [13 TO 0]
MOVER:	Daniel Klein, Vice Chair
SECONDER:	Glenn Morey, Member
AYES:	Will Burbank, Carol Chock, James Dennis, Rich John, Anna Kelles, Dooley Kiefer, Daniel Klein, Michael Lane, Leslyn McBean-Clairborne, David McKenna, Glenn Morey, Michael Sigler, Peter Stein
AWAY:	Martha Robertson

WHEREAS, Part BBB of Chapter 59 of the Laws of 2017 ("Law"), commonly referred to as the "Countywide Shared-Services Initiative", requires counties to assume the lead role in the development and submission of a Shared Service Plan ("Plan") to the State, and

WHEREAS, the Law assigns responsibility for the development of the Shared Service Plan to the Chief Executive Officer of each county, and

WHEREAS, the Law defines the Chief Executive Officer of the county as the County Executive, County Administrator, County Manager or, in the absence of one of these positions, the Chair of the County Board, and

WHEREAS, in Tompkins County the County Administrator is not an elected official, but rather is appointed by, and reports directly to, the Tompkins County Legislature, and

WHEREAS, the Law assigns tasks to the Chief Executive Officer that exceed those ordinarily delegated to an appointed official and include organizing a Shared Services Panel consisting of all mayors and supervisors of municipalities within the County, soliciting input of all collective bargaining units of Panel members, presenting a tentative Plan to the County Legislature for its review, conducting at least three public hearings, securing final approval of the Plan by the Panel, certifying savings associated with the Plan, submitting the Plan to the State, and issuing the Plan to the public, now therefore be it

RESOLVED, That for the purposes of undertaking the Shared Services Initiative, this Legislature grants the County Administrator the authority to undertake the tasks that are delegated to him/her by Part BBB of Chapter 59 of the Laws of 2017.

SEQR ACTION: TYPE II-20

Public Safety Committee

Resolution No. 2017-78: Appropriation from Contingent Fund - Replacement Pay - Sheriff's Office (ID #6943)

This resolution was adopted by a short roll call vote.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Rich John, Member
SECONDER: Martha Robertson, Member
AYES: Will Burbank, Carol Chock, James Dennis, Rich John, Anna Kelles, Dooley Kiefer, Daniel Klein, Michael Lane, Leslyn McBean-Clairborne, Martha Robertson, David McKenna, Glenn Morey, Michael Sigler, Peter Stein

WHEREAS, the Sheriff's Office had four (4) employees out on disability leave longer than two months, and

WHEREAS, the Fiscal Policy of Tompkins County allows replacement pay to the Department from the Contingent Fund for the period beyond the initial two months, now therefore be it

RESOLVED, on recommendation of the Public Safety and the Budget, Capital, and Personnel Committees, That the Director of Finance be and is hereby authorized and directed to make the following budget appropriation for 2017:

FROM:	A1990.54400	Contingent Fund	\$ 56,406.00
TO:	A3113.51000419	Deputy Sheriff	\$ 13,108.00
	A3150.51000406	Correction Officer	\$ 26,224.00
	A3113.58800	Fringes	\$ 5,690.00
	A3150.58800	Fringes	\$ 11,384.00

SEQR ACTION: TYPE II-20

Minutes of Previous Meeting

April 18, 2017

RESULT: ACCEPTED [13 TO 1]
MOVER: James Dennis, Member
SECONDER: Michael Sigler, Member
AYES: Burbank, Chock, Dennis, John, Kelles, Klein, Lane, McBean-Clairborne, Robertson, McKenna, Morey, Sigler, Stein
NAYS: Dooley Kiefer

Adjournment

The meeting adjourned at 9:29 p.m.