

Tompkins County Legislature
Regular Meeting Minutes – Approved 9-19-17
Tuesday, September 5, 2017 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

Attendee Name	Title	Status
Will Burbank	Member	Present
Carol Chock	Member	Present
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 read and presented the proclamation honoring the celebration of the 100th Year of the Groton Public Library to Legislator Glenn Morey.

Legislator Kelles read and presented the proclamation declaring September 2017 as The Watershed Declaration Month to Scott MacLeod, the Sophie Fund Co-Donor Advisor.

Privilege of the Floor by the Public

Mr. Lane introduced Frank Proto, former Legislator and Chair of the Tompkins Consolidated Area Transportation (TCAT) Board of Directors. Mr. Proto introduced Scot Vanderpool who assumed the position of General Manager of TCAT. Mr. Vanderpool provided an overview of his experience and plans for TCAT and concluded his comments stating transparency, communication, and customer service are very important to him.

Robert Lynch, Town of Enfield resident, spoke in opposition of the resolutions on the agenda relating to the sale of the Old Library site and building. He said the building is too good to lose and the building has too many years of life left for public use.

Michael Koplinka-Loehr, Town of Lansing resident, spoke in support of the proposed Tompkins County budget being recommended by the County Administrator. There are two areas of investment he is glad to see included: one is the recommendations to reduce the Jail population by the consultants, CGR, and the second is in the Tompkins County Housing Strategy. These areas are critical in the County.

Report from a Municipal Official(s)

George McGonigal, City Alderman, said Common Council will meet tomorrow and will be discussing the Indigenous Peoples' resolution. They will also be discussing changes being proposed for the West State Street area that will include improvements for bicyclists and pedestrians. In response to Ms. Kelles, he said there is a movement to change the zoning in the South Hill area and that this issue will be discussed at the next Planning Committee meeting.

Chair's Report and Chair's Appointments

Mr. Lane announced there would be a special Legislature meeting held on September 11th at 5:30 p.m. to consider resolutions for grant acceptance for the Airport.

Resolutions Added to and Withdrawn from the Agenda

There were no resolutions added to or withdrawn from the agenda.

Appointments Approved Under the Consent Agenda

Advisory Board Appointment (ID # 7186)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Glenn Morey, Member
SECONDER:	Will Burbank, 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

Office for the Aging Advisory Committee

Wilma Lawrence - At-large representative; term expires December 31, 2019

Resolutions Approved Under the Consent Agenda

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Glenn Morey, Member
SECONDER:	Will Burbank, Member
AYES:	Burbank, Chock, Dennis, John, Kelles, Kiefer, Klein, Lane, McBean-Clairborne, Robertson, McKenna, Morey, Sigler, Stein

Resolution No. 2017-163: Budget Adjustment Related to Acceptance of 2017 New York State Office of Children and Family Services Funding - Youth Services (ID #7205)

WHEREAS, pursuant to Administrative Manual Policy 05-02, budget adjustments exceeding \$5,000 require Legislative approval, and

WHEREAS, the New York State Office of Family and Children Services has notified the County of our final 2017 state-aid figures, and

WHEREAS, the County's state aid is re-allocated to municipalities, programs, and our department, and

WHEREAS, the department has amended existing contracts and accounts, now therefore be it

RESOLVED, on recommendation of the Health and Human Service Committee, That the Director of Finance be directed to make the following 2017 budget adjustment as follows:

<u>Revenue Acct</u>	<u>Title</u>	<u>Amount</u>
7022.43820	Programs for Youth, State Aid	\$28,006

<u>Appropriation Acct</u>	<u>Title</u>	<u>Amount</u>
7026.54400	Program Expense	\$28,006

SEQR ACTION: TYPE II-20

Recess

Mr. Lane declared recess at 7:30 p.m. The meeting reconvened at 7:41 p.m.

Health and Human Services Committee

Resolution No. 2017-164: Revenue Adjustment for Balancing Incentives Program New York Connects Expansion and Enhancement and Budget Transfers Necessary to Fund One (1) Full-time Information Aide within Tompkins County Office for the Aging (ID #7217)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Anna Kelles, Member
SECONDER: Dooley Kiefer, 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, pursuant to Administrative Manual Policy 05-02, Section 4.02 B, All budget adjustments over \$5,000 must be reviewed and upon the recommendation of the Director of Finance must be approved by the program committee of the budgeting unit and by the Legislature, and

WHEREAS, pursuant to Administrative Manual Policy 05-02, Section 4.01 A, Transfers from program accounts to personnel lines may require further explanation and are made at the discretion of the Director of Finance and notification to the County Administrator, as well as optional approval or disapproval by the appropriate program committee, and

WHEREAS, the County Office for the Aging, hereafter known as COFA, has received a 2017 Notification of Grant Awards that results in a \$38,574 decrease in funding in the Balancing Incentives Program New York Connects Expansion and Enhancement, and

WHEREAS, COFA has deemed it necessary to cut one position on its staff and to decrease Program Expense funding in order to accommodate the decrease, and

WHEREAS, COFA has within its means funding to sustain one full-time Information Aide, now therefore be it

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

Office for the Aging Budget Adjustments

<u>Revenue Account</u>	<u>Title</u>	<u>Amt</u>	<u>Approp Acct</u>	<u>Title</u>	<u>Amt</u>
A6797-43803	State Revenue	\$-38,574	A6797-51000081	Salary	\$-10,099.62
			A6797-52230	Comp. Softw.	-353.70
			A6797-54400	Prog. Exp.	-24,798.68
			A6797-58800	Fringes	-3,322.00

Office for the Aging Budget Transfers

<u>From: Expenditure Account</u>	<u>Amount</u>	<u>To: Expenditure Account</u>	<u>Amount</u>
A6797-51000081 Salary	\$1,901.68	A6797-51000214 Salary	\$4,702
A6797-54412 Travel/Training	2,800.32		
A6777-54400 Program Expense	\$7,241	A6777-51000214 Salary	\$5,049
		A6777-58800 Fringes	2,192

SEQR ACTION: TYPE II-20

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Resolution No. 2017-165: Authorizing the Continuation of Salary for Position Above the Salary Range - Medical Director, Tompkins County Mental Health (ID #7222)

This resolution was adopted by a short roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Anna Kelles, Member
SECONDER:	Carol Chock, 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, in 2007 the Legislature determined that the system utilized by Tompkins County to assign salaries to positions based on job description was unable to match the market-rate salary of the specialized professional position of Medical Director of the Mental Health Department, and

WHEREAS, a salary was, accordingly, set by Resolution No. 38 of 2007, and

WHEREAS, the Legislature desired to revisit that salary upon a vacancy in the position, and

WHEREAS, circumstances with regard to the assignment of salaries based on the job description have not changed in relationship to market-rate salary for this position, and

WHEREAS, the Medical Director at the Mental Health Clinic holding the position for the last 20 years resigned as of the 21st of July, 2017, and

WHEREAS, the Mental Health Department has a fully qualified Medical Doctor certified in Psychiatry on staff who is able to take on the duties and responsibilities for Medical Director and has been appointed by the Commissioner of Mental Health, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget, Personnel, and Capital Committees, That the salary be approved in the amount of \$102.81 per hour (\$213,845 annually) for the Medical Director of Tompkins County Mental Health Services, effective immediately.

RESOLVED, further, That no new monies are needed to fund this.

SEQR ACTION: TYPE II-20

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Resolution No. 2017-166: Budget Adjustment and Appropriation of Unspent Funds from 2016 and Prior Years to Various Accounts of the Departments that Report to the Health and Human Services Committee (ID #7221)

This resolution was adopted by a short roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Anna Kelles, 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, Section 4.06 of Tompkins County Fiscal Policy on “Re-appropriation (Carryover or Rollover)” authorizes County Department Heads to “request re-appropriation of unspent funds from the previous year, provided that they are certified by the Director of Finance to be available and provided that this re-appropriation is authorized by the established appropriation procedures of the Legislature,” and

WHEREAS, various departments have been certified by the Director of Finance to have available unspent appropriations and excess revenues from 2016 totaling \$698,168, which, combined with balances from prior years, results in an available rollover balance of \$1,135,477 on the County’s books as of December 31, 2016, and

WHEREAS, pursuant to County Fiscal Policy, surplus funds of \$159,635 have been requested by departments that report to the Health and Human Services Committee, of which \$156,635 have been recommended for use in the current year budget by the County Administrator, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Budget, Capital, and Personnel Committees, That the following transactions are approved:

BUDGET APPROPRIATION:

FROM:	General Fund Balance		\$156,635.00
TO:			<u>Requested Rollover</u>
	<u>Dept.</u>	<u>Use of Funds</u>	<u>Account</u>
	Health Department		
	Electronic Health Record for Early Intervention		
	Contribution to Construction	4047.54802	\$150,000.00
	Constr. Expense	HM FUND - HEALTH FUND	\$150,000.00
		HM4006.59239.40.06	
	Contribution fr General Fund	HM4006.45031.40.06	\$150,000.00
	Office of Human Rights		
	Enforcement Effort: Law Books/Legal Database	8040.54332	\$0.00*
	Outreach Effort: Office of Human Rights Tabling Banner	8040.54333	\$100.00
	Technology Package: Desktop upgrades, notebooks (2), & multimedia projector/screen	8040.52206	\$4,600.00
	Equipment: Office Furniture	8040.54412	\$1,500.00

Software: Adobe Acrobat Pro DC	8040.52230	\$250.00
Membership: NYSBA Affiliation	8040.54416	\$185.00

**See County Administrator's recommendation on attached
Office of Human Rights Rollover Request (PDF)*

SEQR ACTION: TYPE II-20

Old Library Committee

Resolution No. 2017-167: Determining that the Former Tompkins County Public Library (“Old Library”) Property, Located at 310-314 North Cayuga Street in the City of Ithaca, Is No Longer Needed for Public Use (ID #7231)

It was MOVED by Ms. Kiefer, seconded by Mr. Burbank, to amend the resolution as follows: 2nd Whereas change “the Old Library property...” to “the Old Library building...”; 3rd Whereas change “the Old Library parcel...” to “the Old Library building...”; and last Whereas add “at this time”. A voice vote resulted as follows: Ayes - 4 (Legislators Chock, Kiefer, Klein, and Lane); Noes - 10. AMENDMENT FAILED.

This resolution was adopted by a roll call vote.

RESULT:	ADOPTED [12 TO 2]
MOVER:	Leslyn McBean-Clairborne, Member
SECONDER:	James Dennis, Member
AYES:	Will Burbank, James Dennis, Rich John, Anna Kelles, Daniel Klein, Michael Lane, Leslyn McBean-Clairborne, Martha Robertson, David McKenna, Glenn Morey, Michael Sigler, Peter Stein
NAYS:	Carol Chock, Dooley Kiefer

WHEREAS, the County is the owner of certain real property in the City of Ithaca located at 310-314 North Cayuga Street and designated as Tax Parcel No. 61.-1-4, said parcel consisting of a building commonly known as the “Old Library” situated on a site of approximately 37,750 square feet, and

WHEREAS, the Old Library property is now vacant after serving as the home of the Tompkins County Public Library until its relocation to a new facility on Green Street in 2000, and subsequently serving as the home of the County’s Community Justice Center, which has now been relocated to new space within the County’s Human Services Building, and

WHEREAS, the Old Library parcel is no longer used or needed for any County purpose, and

WHEREAS, there is no other County purpose for this parcel, now therefore be it

RESOLVED, on recommendation of the Old Library Committee, That it is hereby determined that the Old Library parcel as described above is no longer needed for public use.

SEQR ACTION: TYPE II-20

Resolution No. 2017-168: Concurring in Negative Determination of Environmental Significance with Respect to Authorizing the Sale of County Property for the DeWitt House Project (ID #7230)

RESULT:	ADOPTED [12 TO 2]
MOVER:	Leslyn McBean-Clairborne, Member
SECONDER:	James Dennis, Member
AYES:	Will Burbank, James Dennis, Rich John, Anna Kelles, Dooley Kiefer, Daniel Klein, Michael Lane, Martha Robertson, David McKenna, Glenn Morey, Michael Sigler, Peter Stein
NAYS:	Carol Chock, Leslyn McBean-Clairborne

WHEREAS, Resolution No. 169 of 2017 authorizes the sale of the Old Library property at 310-314 N. Cayuga Street to allow construction of the DeWitt House project, and

WHEREAS, Tompkins County concurred with the designation of the City of Ithaca Planning and Development Board as the Lead Agency for purposes of review of the DeWitt House project under the New York State Environmental Quality Review Act (SEQRA), and

WHEREAS, Tompkins County has received, reviewed, and accepted the City of Ithaca Environmental Quality Review (CEQR) documents, including a Full Environmental Assessment Form (FEAF), for the project listed as DeWitt House (Mixed Use Residential 310-314 N. Cayuga Street), and

WHEREAS, the City of Ithaca Planning and Development Board has determined the DeWitt House (Mixed Use Residential 310-314 N. Cayuga) project to be a Type I Action with a Negative Declaration of Environmental Significance under SEQRA, now therefore be it

RESOLVED, on recommendation of the Old Library Committee, That Tompkins County concurs with the CEQR Negative Determination of Environmental Significance with respect to the DeWitt House (310-314 North Cayuga Street) project and finds that the project will not have a significant environmental impact.

SEQR ACTION: Type 1
(FEAF on file with Clerk of the Legislature)

Resolution No. 2017-169: Authorizing the Sale of the Tompkins County Old Library Property at 310-314 North Cayuga Street to Dewitt House Associates, LLC (ID #7232)

This resolution was adopted by a roll call vote.

RESULT:	ADOPTED [11 TO 3]
MOVER:	Leslyn McBean-Clairborne, Member
SECONDER:	Martha Robertson, Member
AYES:	Will Burbank, James Dennis, Rich John, Anna Kelles, Daniel Klein, Michael Lane, Martha Robertson, David McKenna, Glenn Morey, Michael Sigler, Peter Stein
NAYS:	Carol Chock, Dooley Kiefer, Leslyn McBean-Clairborne

WHEREAS, Tompkins County owns property commonly known as the “Old Library” located at 310-314 North Cayuga Street, Real Property Tax Parcel 61.-1-4, in the City of Ithaca, and

WHEREAS, the property consists of approximately 0.88 acres with a 38,630 square foot building that was originally built to serve as the Tompkins County Public Library, and

WHEREAS, subsequent to the Library moving to its current location on Green Street in 2000, the Old Library building has been primarily used for records storage and as the site of the Community Justice Center, and

WHEREAS, the Old Library is now vacant as the result of the digitization of County records and the relocation of the Community Justice Center to new space added to the County’s Human Services Building, and

WHEREAS, studies of County space needs have considered re-use of this site but found no economically feasible use for County purposes, and

WHEREAS, the property is strategically located in the City of Ithaca and has the potential to contribute to the community and to the tax base if redeveloped, and

WHEREAS, by Resolution 2013-199, this Legislature authorized the issuance of a Request for Expression of Interest (RFEI) to seek potential developers who would purchase or lease the property for the purpose of redevelopment, and

WHEREAS, by Resolution 2014-221, this Legislature authorized the release of a Request for Proposals (RFP) to three respondents to the RFEI, requiring the presentation of additional project details and commitments that would inform the Legislature’s ultimate selection of a preferred developer for the Old Library site, and

WHEREAS, by Resolution 2015-158, following seven meetings by the Old Library Committee during which responses to the RFP were reviewed and debated, and as the first step in a review process that included completion of a coordinated State Environmental Quality Review (SEQR) with the City of Ithaca, this Legislature designated Travis Hyde Properties of Ithaca, New York (in collaboration with HOLT Architects) as the preferred developer for the Old Library Property, and

WHEREAS, the Travis-Hyde (“Dewitt House”) proposal received a Certificate of Appropriateness from the Ithaca Landmarks Preservation Commission on February 14, 2017, and

WHEREAS, the City of Ithaca declared the Dewitt House project to be a Type I Action under the

City of Ithaca Environmental Quality Review Ordinance (“CEQRO”) §176-4 (1) (h)[4], (k) and (n) and the State Environmental Quality Review Act (“SEQRA”) § 617.4 9 (b) (9), for which the City of Ithaca Planning Board issued a Negative Declaration of Environmental Significance on May 23, 2017, and

WHEREAS, the City of Ithaca Planning Board gave preliminary and final site plan approval for the Dewitt House project on June 27, 2017, and

WHEREAS, this Legislature’s Old Library Committee has reviewed the plan for the Dewitt House and found that the core elements of the project are in keeping with the preliminary Travis-Hyde proposal earlier considered by this Legislature and will include a four-story structure of approximately 86,700 (gross) square feet comprised of approximately fifty-eight apartment units, thirty-two underground parking spaces, 1,160 square feet of commercial space, and 2,000 square feet of community space that will be managed and utilized by Lifelong, and

WHEREAS, the development will be undertaken by Dewitt House Associates, LLC, a limited liability corporation created by the Travis-Hyde/HOLT Architects team, and

WHEREAS, a sale price of \$925,000 was established in the Request for Proposals based on the appraised value of the parcel which was reviewed by the County’s Director of Assessment and found to be fair and reasonable based on current market values, and

WHEREAS, the process followed in the disposition of this parcel is compliant with Chapter 19-1 of the County Code governing the sale or lease of County Property, now therefore be it

RESOLVED, on recommendation of the Old Library Committee, That the County Administrator be and hereby is authorized to execute any and all documents to complete the sale of the Old Library property, City of Ithaca tax parcel 61.-1-4, to the Dewitt House Associates, LLC of Ithaca, New York, for the sum of \$925,000, with the County retaining a reversionary interest in the property,

RESOLVED, further, That the Director of Finance be and hereby is authorized to record the proceeds of \$925,000 in the Capital Reserves Fund Account No. HQ1698.42660 Sale of Real Property.

SEQR ACTION: TYPE I (Negative Declaration)

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Government Operations Committee

Resolution No. 2017-170: Appropriation from Contingent Fund - Terminal Pay - County Attorney's Office (ID #7185)

This resolution was adopted by a short roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Daniel Klein, Vice Chair
SECONDER:	Carol Chock, 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, a staff member of the County Attorney's Office has retired as of May 31, 2017, and

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

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

FROM: A1990.54400	Contingent Fund	\$30,843.18
TO: A1420.51000312	Paralegal to County Attorney	\$30,843.18

SEQR ACTION: TYPE II-20

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Budget, Capital, and Personnel Committee

Resolution No. 2017-171: Ratification of Bargaining Agreement Between Corrections Officers Local 2062 and the County of Tompkins (ID #7264)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Dennis, Member
SECONDER:	David McKenna, 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 collective bargaining agreement between Tompkins County and the Tompkins County Corrections Officers Unit Local 2062, expired on December 31, 2014, and

WHEREAS, negotiations for a successor agreement have been ongoing, and

WHEREAS, on August 20, 2017, the Corrections Officers Unit Local 2062 held a vote and ratified an agreement covering the years 2015, 2016 and 2017, which encompass the following changes: 2.25% for each of the three years covered retroactive to January 1, 2015, for employees as specified below, and a one-time lump sum shall be added to the base-line salary in the year 2017 for those at Step 6 and above, as well as other minor language changes as discussed by the negotiating teams, now therefore be it

RESOLVED, on recommendation of the Budget, Capital, and Personnel Committee, That the rate of pay for each Corrections bargaining unit member will be increased by 2.25% for each year 2015, 2016, and 2017, and that the 2017 base-line salary is raised as follows (non- accumulative):

- +\$500 for Step 7 (New step 6) 5-8 yrs
- +\$750 for Step 8 (New step 7) 8-10 yrs
- +\$750 for Step 9 (New step 8) 10-15 yrs

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- +\$1,000 for Step 10 (New step 9) 15-20 yrs
- +\$1,000 for Step 11 (New step 10) 20+ yrs
- +\$1,000 for Sergeants for Steps 1 and 2

Retroactivity only applies to employees on payroll at the time of ratification by both the Union and the Legislature and applies to any former employee who has retired directly with a pension from the NYS Retirement System.

RESOLVED, further, That the bargaining agreement between Tompkins County and the Tompkins County Corrections Officers Unit Local 2062, for the period of January 1, 2015, through December 31, 2017, is hereby ratified and the Director of Finance is hereby authorized to make such appropriations from the Contingent Fund to the Sheriff's salary and fringe benefits lines as are necessary in order to implement this agreement.

SEQR DESIGNATION: TYPE II-20

Advisory Board Appointment(s) (ID # 7223)

Ms. Robertson stated for the record that her opposition to the appointment is because of Ms. Buck's residency and is not related to her qualifications or service.

RESULT:	ADOPTED [13 TO 1]
MOVER:	James Dennis, Member
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
NAYS:	Martha Robertson

Tompkins Cortland Community College Board of Trustees

Roxann Buck - Tompkins County representative; term expires June 30, 2024

Jail Study Committee

Resolution No. 2017-172: Accepting the "Assessment of the Future of the Tompkins County Jail" Report and Commending the Center of Governmental Research for its Thorough and Thoughtful Work (ID #7245)

It was MOVED by Ms. Kiefer, seconded by Ms. Chock, to amend the title and Resolved from "Commending the Center of Governmental Research for its Thorough and Thoughtful Work" to "Thanking the Center of Governmental Research for its Work". Following a brief discussion, a voice vote resulted as follows: Ayes - 6 (Legislators Chock, Dennis, Kiefer, Lane, McBean-Clairborne, and Sigler); Noes - 8 (Legislators Burbank, John, Kelles, Klein, McKenna, Morey, Robertson, and Stein). AMENDMENT FAILED.

RESULT:	ADOPTED [12 TO 2]
MOVER:	Rich John, Member
SECONDER:	David McKenna, Member
AYES:	Will Burbank, James Dennis, Rich John, Anna Kelles, Daniel Klein, Michael Lane, Leslyn McBean-Clairborne, Martha Robertson, David McKenna, Glenn Morey, Michael Sigler, Peter Stein
NAYS:	Carol Chock, Dooley Kiefer

WHEREAS, by Resolution No. 234 of 2016, and in response to the possible revocation of an 18-bed variance at the Tompkins County Jail by the New York State Department of Corrections, this Legislature commissioned a “Criminal Justice/Jail Population Trends Assessment” by the Rochester-based Center for Governmental Research (“CGR”) to analyze the current and projected population of the County’s Jail, incorporating the several current, pending, and potential activities intended to reduce the jail population, and

WHEREAS, the CGR study involved a combination of qualitative information obtained in interview and focus group discussions, and extensive quantitative analyses of empirical data obtained from the jail, Probation, other agencies and various ATI and community-based programs, and

WHEREAS, during the course of the study, CGR conducted interviews with more than 125 individuals broadly representative of and knowledgeable about the local community and the Jail and criminal justice system and also met with the Jail Study Committee, the Criminal Justice Advisory/Alternatives-to-Incarceration Board, two groups of persons with direct experience as defendants in the local criminal justice system and as inmates in the local jail, and participated in a Jail Study Committee-sponsored town meeting at which about 20 speakers offered various perspectives on our study and the future of the County Jail, and

WHEREAS, numerous quantitative analyses were undertaken, most prominently including detailed independent analyses of data provided by the County Jail and by the Department of Probation and Community Justice, as well as data obtained and analyzed from various County and community-based agencies and from New York State Offices including the Division of Criminal Justice Services, Commission of Correction, Office of Court Administration, and Office of Alcoholism and Substance Abuse Services, and

WHEREAS, based on the findings derived from this qualitative and quantitative analysis, CGR provided approximately 25 recommendations that, if implemented, provide an opportunity to appreciably reduce the population of the Tompkins County Jail, and

WHEREAS, this Legislature finds that CGR fully met its charge and has provided many well-substantiated recommendations, and

WHEREAS, it is the commitment of this Legislature to pursue policies and programs such as those recommended by CGR in order to reduce Jail population as the alternative to expanding the capacity of the Jail, now therefore be it

RESOLVED, on recommendation of the Jail Study Committee, That this Legislature accepts the July 2017 Report by the Center for Governmental Research titled “An Assessment of the Future of the

Tompkins County Jail” and commends its authors for their thorough and thoughtful work.
SEQR ACTION: TYPE II-20

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Resolution No. 2017-173: Amending Resolution 2016-234 to Increase the Criminal Justice/Jail Population Trend Contract with the Center for Governmental Research by \$15,000 (ID #7233)

This resolution was adopted by a short roll call vote.

RESULT:	ADOPTED [12 TO 2]
MOVER:	Rich John, Member
SECONDER:	Anna Kelles, Member
AYES:	Will Burbank, Carol Chock, James Dennis, Rich John, Anna Kelles, Michael Lane, Leslyn McBean-Clairborne, Martha Robertson, David McKenna, Glenn Morey, Michael Sigler, Peter Stein
NAYS:	Dooley Kiefer, Daniel Klein

WHEREAS, by Resolution 2016-155, this Legislature authorized \$85,000 in funding from the Contingent fund to study the County’s Jail population and population trends and to subsequently develop design options to accommodate that population trend, and

WHEREAS, by Resolution 2016-234, this Legislature authorized the County Administrator to execute an Agreement with the non-profit Center for Governmental Research (CGR) to Undertake a Criminal Justice/Jail Population Trend Analysis, and

WHEREAS, that Agreement anticipated the need to conduct thirty interviews, including a combination of individual interviews and group discussions, and

WHEREAS, during the course of the study, CGR was strongly encouraged to significantly expand the number of interviews conducted in order to increase the inclusiveness of the process and the breadth of perspective brought into the analysis, and

WHEREAS, CGR ultimately conducted more than sixty in-person meetings involving more than seventy-five individuals, as well as more than ten teleconference meetings and two meetings with groups of between fifteen and eighteen former inmates and family members with experience in the local jail, and

WHEREAS, CGR also encountered problems with the County’s jail data base and other automated systems that further added to the time necessary to undertake the analytical studies, and that also resulted in improvements to the County’s ability to monitor the Jail population in the future, now therefore be it

RESOLVED, on recommendation of the Jail Study and the Budget, Capital, and Personnel Committee, That the County Administrator be and hereby is authorized to amend the Agreement with CGR to reflect the increased scope of work undertaken by CGR, and to increase the fee by \$15,000 to a total fee of \$78,000.

RESOLVED, further, That the Finance Director be and hereby is authorized and directed to make the following budget adjustments for 2017 to support the cost of undertaking such studies:

FROM: 1990.54400 Contingent Fund
 \$15,000.00
 TO: A1230.54442 County Administration-Professional Services \$15,000.00
SEQR ACTION: TYPE II-20

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Public Safety Committee

Resolution No. 2017-174: Budget Adjustment and Appropriation of Unspent Funds from 2016 and Prior Years to Various Accounts of the Departments that Report to the Public Safety Committee (ID #7219)

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, Section 4.06 of Tompkins County Fiscal Policy on “Re-appropriation (Carryover or Rollover)” authorizes County Department Heads to “request re-appropriation of unspent funds from the previous year, provided that they are certified by the Director of Finance to be available and provided that this re-appropriation is authorized by the established appropriation procedures of the Legislature,” and

WHEREAS, various departments have been certified by the Director of Finance to have available unspent appropriations and excess revenues from 2016 totaling \$698,168, which, combined with balances from prior years, results in an available rollover balance of \$1,135,477 on the County’s books as of December 31, 2016, and

WHEREAS, pursuant to County Fiscal Policy, surplus funds have been requested for use in the current year budget by departments that report to the Public Safety Committee in the amount of \$40,769 and \$78,571 are being released to the unassigned General Fund Balance, now therefore be it

RESOLVED, on recommendation of the Public Safety and the Budget, Capital, and Personnel Committees, That the following transactions are approved:

BUDGET APPROPRIATION:

FROM:	General Fund Balance	\$40,769.00
TO:		
<u>Dept.</u>	<u>Use of Funds</u>	<u>Account</u> <u>Requested Rollover</u>

District Attorney

Replacement of office furniture in office of District Attorney waiting area and in conference room	1165.52214	\$5,000.00
Replacement of computer equipment as it reaches the end of its useful life	1165.52206	\$5,000.00

Sheriff's Office

Computer Equipment	3110.52206	\$3,622.00
Computer Equipment	3113.52206	\$8,360.00
Computer Equipment	3150.52206	\$3,037.00

Probation and Community Justice

Computer Equipment: Seven Desktop PCs, five Monitors, one Laptop and three Printers (all replacement equipment)	3142.52206	\$6,000.00
Office Equipment: One Projector (replacement equipment)	3142.52210	\$1,500.00
Office Furnishing: Three Task Chairs (replacement) and one Utility Tub Cart (to facilitate the wandering process of Probation clients visiting HSB)	3142.52214	\$800.00
Books: Evidence-based Interactive Journaling Curriculum designed for Youth along with Facilitator Guides	3142.54332	\$1,450.00
Professional Services: Electronic Monitoring (due to a spike in utilization not anticipated earlier)	3141.54442	\$6,000.00

Release unspent funds from 2016 appropriation for Re-Entry Programming to the unassigned General Fund Balance \$78,571.00

SEQR ACTION: TYPE II-20

Resolution No. 2017-175: 2017 Re-appropriation from Contingent Fund – Funding of Body Camera Service Contract and Equipment Maintenance/Replacement (ID #7176)

Ms. Kiefer commented that the General Order continues to be incomplete; Mr. John said he would follow-up with the Sheriff to get updated information.

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, Resolution No. 2016-5 adopted January 5, 2016, appropriated funding from the Contingent Fund for the purchase, maintenance, and ongoing support of body-worn cameras for use by

the Tompkins County Sheriff's department, including a \$23,000 increase in the Sheriff's Department's target budget for the ongoing costs of the program, and

WHEREAS, this additional funding for ongoing costs was inadvertently omitted from the 2017 target budget of the Sheriff's Office, and

WHEREAS, this Legislature continues to concur that these ongoing annual costs borne by the County will be justified by the benefits produced by the utilization of body cameras by the members of the Sheriff's Office, now therefore be it

RESOLVED, on recommendation of the Public Safety and the Budget, Capital, and Personnel Committees, That funds for the Sheriff's Office in the amount of \$23,000 shall be appropriated from the County's Contingent Fund to cover the \$19,000 annual service contract for the body camera system and to provide \$4,000 for maintenance and replacement of system hardware,

RESOLVED, further, That the Director of Finance be and hereby is authorized and directed to make the following budget adjustment in fiscal year 2017:

FROM:	A1990.54400	Contingent Fund	\$23,000
TO:	A3113.52220	Departmental Equipment	\$4,000
	A3113.54425	Service Contracts	\$19,000

RESOLVED, further, That the target budget for the Sheriff's Office shall be increased by \$23,000 to cover the future annual ongoing costs of supporting the body camera system, beginning in fiscal year 2018.

SEQR ACTION: TYPE II-20

Minutes of Previous Meeting

August 15, 2017

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

Executive Session

It was MOVED by Ms. Kelles, seconded by Ms. Robertson, and unanimously adopted by voice vote, to hold an executive session at 10:01 p.m. to discuss a personnel matter about a particular person. The meeting returned to open session at 10:15 p.m.

Minutes
Tompkins County Legislature
Tuesday, September 5, 2017

Adjournment

The meeting adjourned at 10:15 p.m.