

Tompkins County Legislature
Regular Meeting Minutes – Approved 10-17-17
Tuesday, October 3, 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
Vacancy	District No. 11	Vacant

Presentation of Proclamations, Petitions, Communications, and Notices

Mr. Lane read and presented the proclamation declaring October 14, 2017, as Lifelong Day to Tom Butler, Board President of Lifelong.

Mr. Lane read and presented the proclamation declaring October 15-22, 2017, as Youth Services and Caring Adults Recognition Week in Tompkins County to David Sanders of the Youth Services Department.

Privilege of the Floor by the Public

No member of the public wished to speak.

Report from a Municipal Official(s)

George McGonigal, Common Council member, reported the City will begin its budget process tomorrow; the City will also vote on whether to transfer the Green Street parking garage to the Ithaca Urban Renewal Agency (IURA) and potentially selling it to a group that wants to develop it into something other than a parking garage.

In response to Ms. Robertson, Mr. McGonigal said the City's budget would be available tomorrow for review. Ms. Robertson said she would be interested in the Mayor's budget with regard to the funding to address the drug problem.

Mr. Burbank thanked Mr. McGonigal and Cynthia Brock for connecting with residents to explain the plans for the new lane designs in the West Hill area of the City. Mr. McGonigal explained the next steps and that the engineers are studying the plan including a second traffic light and reserving the center lane for left turns and trying to make that lane deeper so that more cars can be in that turning lane. These are the only two things that are still under consideration. The Board of Public Works will make its recommendation at the end of this month and Common Council will make a final decision in November.

Privilege of the Floor by Legislators

At Mr. Lane's direction a moment of silence was observed to recognize the victims and all those who have been impacted by the tragic events in Las Vegas.

Budget, Capital, and Personnel Committee

Resolution No. 2017-190: Confirming the Appointment of the Tompkins County Commissioner of Social Services (ID #7334)

RESULT:	ADOPTED [UNANIMOUS]
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, Martha Robertson, David McKenna, Glenn Morey, Michael Sigler

WHEREAS, the position of Commissioner of Social Services was vacated by longstanding Commissioner Patricia Carey in July 2017, and

WHEREAS, by Charter, the County Administrator is charged with appointing an individual to the position, subject to confirmation by the County Legislature and appropriate state agency, and

WHEREAS, to aid in the selection process, the County Administrator empaneled and chaired a search committee consisting of two County Legislators, the Deputy County Administrator, three County department heads, the president of the CSEA White Collar unit, and three community representatives that engaged in a six-month national recruitment and search, and

WHEREAS, upon the advice and counsel of the search committee, the County Administrator has appointed Ms. Kit Kephart to the position of Commissioner of Social Services, a position that carries a term of five years as required by Charter and New York State, now therefore be it

RESOLVED, on recommendation of the Budget, Capital, and Personnel Committee, That the Tompkins County Legislature hereby confirms the appointment of Kit Kephart to a five-year term as Commissioner of Social Services effective upon State confirmation of her appointment.

SEQR ACTION: TYPE II-20

* * * * *

Resolutions Added to and Withdrawn from the Agenda

It was MOVED by Ms. Chock, seconded by Ms. Kelles, and unanimously adopted by voice vote, to add to the agenda the resolution entitled Resolution in Support of New York State Aid to Puerto Rico and Urging Our Federal Government to Provide Immediate Additional Support for Puerto Rico and the United States Virgin Islands.

There were no resolutions withdrawn from the agenda.

Appointments Approved Under the Consent Agenda

Advisory Board Appointment(s) (ID # 7327)

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

Youth Services Board

Lisa Campbell, Town of Lansing representative; term expires December 31, 2019

Resolutions Approved Under the Consent Agenda

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

Resolution No. 2017-191: Rescinding Bylaws of Tompkins County Fire, Disaster, and Emergency Medical Services (EMS) Advisory Board and Delegating Duties to Emergency Response Oversight Committee (EROC) Fire and EMS Sub-Committee (ID #7301)

WHEREAS, Article Five of the County Law of New York State authorizes the creation of a County Fire Advisory Board through Section 225-a, and of a County Emergency Medical Services (EMS) Advisory Board through Section 223-b, and

WHEREAS, Section C-23.02 of the Tompkins County Charter establishes a County Fire, Disaster & Emergency Medical Services (EMS) Advisory Board for purposes delineated in County Law, most notably and primarily for the development of mutual aid plans and responder training programs, and

WHEREAS, the framework of the Advisory Board dates to 1949, and the Bylaws of the Advisory Board were last updated in 1992, and

WHEREAS, the Fire, Disaster and EMS Advisory Board has not been appointed, nor been active for over a decade, and

WHEREAS, the Emergency Communications Review and Oversight Committee (ECROC), as predecessor body to the newly renamed and reconstituted Emergency Response Oversight Committee (EROC), has in recent years substantially performed the duties of and has the same membership as a Fire Advisory Board and an EMS Advisory Board while more fully endeavoring to assure the interoperability of the first responder community that includes both fire and emergency medical services, and

WHEREAS, merger of these advisory boards and committees will promote a higher level of coordination, communication, cooperation, and activity among the many response agencies and local governments charged with provision of public safety first response, and

WHEREAS, the voting members of Fire and EMS Sub-Committee of EROC, as appointed by the Tompkins County Legislature, comprise a representative and requisite number of members to effectuate the purposes of a Fire Advisory Board and EMS Advisory Board and will conform to the requirements of both the NYS County Law and the County Charter, and

WHEREAS, the voting members of the Fire and EMS Sub-Committee of EROC shall at a minimum include the Director of the Department of Emergency Response (serving as County Fire, Disaster and EMS Coordinator), the Ithaca Fire Chief or designee, two (2) volunteer firefighters or designees, one representative of the community-based ambulance services or designee, and one representative of the commercial ambulance services or designee, and broadly represent the fire and EMS community, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the Tompkins County Legislature rescinds the bylaws of the Tompkins County Fire, Disaster and EMS Advisory Board, as adopted by Resolution No. 178 of 1992,

RESOLVED, further, That the Fire and EMS Committee of the EROC is herewith designated as the Tompkins County Fire Advisory Board and EMS Advisory Board and the Fire, EMS and Disaster Advisory Board, in accordance with the provisions of New York State County Law and the Tompkins County Charter and Code, and all such duties of the advisory board are hereby delegated to those voting members of EROC,

RESOLVED, further, That the Fire and EMS Sub-Committee of EROC, acting as the newly constituted Fire, EMS and Disaster Advisory Board shall submit to the County Legislature bylaws to effectuate the purposes of New York County Law, as these pertain to fire and EMS advisory boards, and may expand membership as may be deemed appropriate by the Legislature's future adoption and amendment of the bylaws.

SEQR ACTION: TYPE II-20

Budget, Capital, and Personnel Committee

Mr. Dennis, Chair, said the Expanded Budget Committee (EBC) has finished hearing

departmental budget presentations with the exception of the Capital Program. October 10th EBC will begin its voting meetings and will consider amendments. He asked that any Legislator wishing to propose an amendment to provide Mr. McGuire with information in advance.

Ms. Kiefer said due to the Commission of Correction only renewing the Jail variances through December 31st, she would like to see consideration given to expediting some of the proposed Budget recommendations. Mr. Dennis commented it would take a long time to see results from new programs. Mr. Mareane said the County could stay on the schedule but once the budget is approved there are a lot of administrative things that can be ready to begin January 1 and if signaled by the Legislature, some work could begin immediately.

Ms. Kelles said there are some programs that would have an immediate effect such as electronic monitoring and positions could be posted as beginning on January 1 so applicants are aware. Mr. Mareane agreed a process could be started immediately to begin work on filling positions and move on one-time funding requests. This all could be done based on the action of the tentative budget.

Public Safety Committee

Resolution No. 2017-192: Appropriation from Contingent Fund - Replacement Pay - Sheriff's Office (ID #7244)

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

WHEREAS, the Sheriff's Office had five (5) employees out on disability leave or 207C as of July 2017 for greater 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 hereby is authorized and directed to make the following budget appropriations for 2017:

FROM:	A1990.54400	Contingent Fund	\$ 75,005.00
TO:	A3113.51000419	Deputy Sheriff	\$ 19,546.00
	A3150.51000406	Corrections Officer	\$ 29,635.00
	A3150.51000411	Corrections Sgt.	\$ 3,120.00
	A3113.58800	Fringes	\$ 8,485.00
	A3150.58800	Fringes	\$ 14,219.00

SEQR ACTION: TYPE II-20

* * * * *

Resolution No. 2017-193: Adoption of Inter-Municipal Emergency Communications Agreement and Bylaws – Emergency Response Oversight Committee (EROC) (ID #7300)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Rich John, Member
SECONDER:	Anna Kelles, 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

WHEREAS, the local governments of Tompkins County and our emergency response community have since 1950 worked collaboratively to develop and implement a variety of shared communications systems and technologies that provide our responders with necessary, reliable, and resilient tools to assist in the performance of public safety protection, and

WHEREAS, the County has long provided for the diverse, inclusive involvement and input of the many response disciplines, municipalities, and County departments in developing and administering these shared assets and functions under the auspices of advisory boards, inter-municipal committees, and user groups, and

WHEREAS, the County recognizes the hard work, dedication, and outstanding results contributed to these initiatives and operations through the efforts of the Fire, Disaster, and Emergency Medical Services (EMS) Advisory Board (first organized in 1950), the E911 Task Force (established in 1990), the 911 Operations Committee (1998), the expanded Emergency Communications Review and Oversight Committee (2002), the Law Enforcement Technology Shared Services (LETSS) Group (2008), the Fire and EMS Technology Committee (FEMTech, 2014), and the respective fire, EMS, and law enforcement associations, and

WHEREAS, these efforts resulted in the implementation of Enhanced 911 (1997), wireless 911 (2000), consolidated dispatch operations (2001-2004), an Emergency Communications Center (2004), the Public Safety Communications System (land mobile radio, 2008), shared Traffic and Criminal Software (TraCS, 2009), expansive Computer Aided Dispatch and Records Management Systems (CAD/RMS, 2010), and multiple shared data repositories enhanced through the deployment of mobile data terminals (MDTs, 2010-2016), all of which have produced integrated, state-of-the-art networks, applications, and operations, and

WHEREAS, the establishment of the National Incident Management System (NIMS), as adopted by the Tompkins County Legislature in August 2006 and by all local governments thereafter, has institutionalized and continually reinforced the principles of unified command, incident management, and interoperable communications systems and strategies, and

WHEREAS, the sophistication and continued integration of both legacy and developing communications systems, technologies, and protocols will require even more collaboration, coordination, and participatory governance, and

WHEREAS, the functions of these many boards, committees, and groups have consequently, yet unofficially, converged to leverage the respective assets and infrastructure for use by an increasing pool of responder agencies, and

WHEREAS, evolving Next Generation 911 technologies, advancing data applications and unfolding public safety broadband networks will further require our public safety agencies to synthesize operations and more closely cooperate in the development of operating procedures and protocols, and

WHEREAS, moving forward, the various advisory bodies and users groups have agreed that a reconstituted ECROC, that incorporates, within this broad governance structure, the continued efforts of the various users groups, including LETSS, FEMTech, and the Law Enforcement and Fire and EMS Committees, will best serve the collective needs of the local governments and responders for future shared initiatives and operations, now therefore be it

RESOLVED, on recommendation of the Public Safety Committee, That the Emergency Communications Review and Oversight Committee (ECROC) is hereby reconstituted and renamed as the Emergency Response and Oversight Committee (EROC) and that the EROC Bylaws and Inter-municipal Tompkins County Emergency Response Oversight Committee Agreement be adopted and filed with the Clerk of the Legislature,

RESOLVED, further, That those currently appointed members of ECROC whose memberships remain identified for continued membership on the EROC shall transfer to the new body and that newly designated members will be appointed in conformance with the Policies and Procedures of Tompkins County Government, Policy 01-26,

RESOLVED, further, That Resolution No. 112 of 2009, "Adoption of Inter-municipal Law Enforcement Technology Shared Service (LETSS) Group Agreement and Bylaws - Law Enforcement Technology Shared Service (LETSS)," is hereby rescinded and all functions hereafter transferred to the EROC and its identified committee structures.

SEQR ACTION: TYPE II-20

Individual Member-Filed Resolutions

Resolution No. 2017-194: Resolution in Support of New York State Aid to Puerto Rico and Urging Our Federal Government to Provide Immediate Additional Support for Puerto Rico and the United States Virgin Islands (ID #7357)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Carol Chock, Member
SECONDER:	Anna Kelles, 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

WHEREAS, Puerto Rico and the United States Virgin Islands are Territories of the United States and people born in the territories have been citizens of the United States since 1917, and

WHEREAS, damage from Hurricanes Maria and Irma caused extremely widespread damage and devastation in which many residents lack adequate drinking water, food, healthcare, or passable roads to deliver supplies even weeks after the storms*, and

WHEREAS, the magnitude of the disaster in Puerto Rico is such that the functional areas of the island are not large enough to support the large geographic area in which services have been destroyed and, in addition, provision of aid in the coming months will continue to be impacted by shipping laws that restrict deliveries, and

WHEREAS, humanitarian assistance to citizens of the United States should be made available regardless of economic circumstance, and

WHEREAS, as in other natural disasters, the Tompkins County Sheriff's office has offered its assistance through the New York State Sheriff's Association, and

WHEREAS Governor Cuomo has launched the Empire State Relief and Recovery Effort for Puerto Rico, bringing together civic, business and industry partners to provide needed services, goods, and funds to help the people of Puerto Rico recover and rebuild, and

WHEREAS, federal relief efforts have not been adequate to ensure the continued health, welfare, or safety of this portion of the United States, now therefore be it

RESOLVED, That the Tompkins County Legislature applauds Governor Cuomo for instituting the Empire State Relief and Recovery Effort, and be it further

RESOLVED, That the Tompkins County Legislature urges the provision of additional federal humanitarian and recovery support to Puerto Rico and the United States Virgin Islands in proportion to the need,

RESOLVED, further, That the Legislature urges that federal regulations regarding shipped deliveries be suspended for the duration of the humanitarian crisis as they were recently for deliveries to Texas and Florida,

RESOLVED, further, That the Clerk of the Legislature send copies of this resolution to President Donald Trump; Senators Charles Schumer and Kirsten Gillibrand; to Congressman Tom Reed; State Senators Tom O'Mara, James Seward, and Pamela Helming; State Assemblymember Barbara Lifton; and Governor Andrew Cuomo.

SEQR ACTION: TYPE II-20

* NOTE: As of 10/2/2017, over half the population of Puerto Rico lack clean drinking water, only one of its 69 hospitals is fully functional, 80% of the crops were destroyed, 91% of cellular communications sites and 1,360 of the 1,600 cell phone towers were toppled, 85% of telephone and internet cables were destroyed and only 5% of the island's electricity is in service. While the U.S. Virgin Islands have potable water, food and services, many homes remain without roofs or temporary roof coverings. Plastic has been delivered but deployment to homes remains inadequate.

Minutes of Previous Meeting

September 11, 2017

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Martha Robertson, Member
SECONDER:	Rich John, Member
AYES:	Burbank, Chock, Dennis, John, Kelles, Kiefer, Klein, Lane, McBean- Clairborne, Robertson, McKenna, Morey, Sigler

Recess

Mr. Lane declared recess at 6:45 p.m. The meeting reconvened at 7:28 p.m.

Executive Session

It was MOVED by Ms. Kelles, seconded by Ms. Kiefer, and unanimously adopted by voice vote, to hold an executive session at 7:28 p.m. to discuss a personnel matter with respect to a particular person. The meeting returned to open session at 8:57 p.m.

Adjournment

The meeting adjourned at 8:57 p.m.