

**Tompkins County Legislature**  
Regular Meeting Minutes – Approved 3-5-19  
**Tuesday, February 19, 2019 5:30 PM**  
Legislature Chambers

**Public Hearing**

**Proposed Local Law No. a of 2019 - Amending the County Charter, Section C-30.02 Providing for the Appointment of the Director of the Tompkins County Veterans Service Agency by the Tompkins County Administrator**

Ms. Robertson, Chair, called the public hearing to order at 5:30 p.m. concerning Proposed Local Law No. 1 of 2019 - Amending the County Charter, Section C-30.02 Providing for the Appointment of the Director of the Tompkins County Veterans Service Agency by the Tompkins County Administrator and asked if anyone wished to speak. No one wished to speak and the public hearing was closed at 5:31 p.m.

**Call to Order**

Ms. Robertson, Chair, called the regular meeting to order at 5:31 p.m.

**Pledge of Allegiance to the Flag**

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

**Roll Call of Members**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Shawna Black	Member	Present
Amanda Champion	Member	Excused
Deborah Dawson	Member	Present
Henry Granison	Member	Present
Rich John	Member	Present
Anna Kelles	Member	Present
Daniel Klein	Member	Present
Anne Koreman	Member	Present
Michael Lane	Member	Present
Leslyn McBean-Clairborne	Member	Excused
David McKenna	Member	Present
Glenn Morey	Member	Present
Martha Robertson	Chair	Present
Michael Sigler	Member	Present

**Announcements of Executive Sessions, Reordering of Business, and Special Orders of the Day**

Ms. Robertson reordered the agenda to accommodate staff present.

**Privilege of the Floor by the Public**

Scott Noren, Town of Ithaca resident and Oral Surgeon in Ithaca, spoke concerning an alleged fraudulent document he claimed was instigated by the Department of Social Services and a privacy

breach violation and fraud minus prosecution. He will provide Legislators with additional information.

Arielle Wisbaum, Cornell Law student at the Free Clinic who works closely with immigrant workers, spoke in opposition to expansion of the Ithaca Tompkins Regional Airport which she believes will lead to an expansion of an ICE (Immigration and Customs Enforcement) officials' presence.

Matthew Lutwen, Cornell Law student, spoke in opposition to expansion of the Ithaca Tompkins Regional Airport which he believes will lead to an expansion of an ICE officials' presence. He urged the Legislature to take actions to make Tompkins County truly a sanctuary to immigrants.

Shari Korthuis, County resident, spoke in opposition to expansion of the Ithaca Tompkins Regional Airport which she believes will lead to an expansion of an ICE presence. She said the Airport expansion will be expensive and is not needed. She spoke of climate change and the amount of fossil fuels used by airlines.

Rye Bornstein, Ithaca resident, spoke in opposition to expansion of the Ithaca Tompkins Regional Airport which he believes will lead to an expansion of an ICE presence.

Ms. Robertson said everyone's ancestors at one point were immigrants of this country and spoke of a grant opportunity for Catholic Charities to be funded by the State for an office for new American's that will be operated for Tioga and Tompkins counties. This office will serve people coming into this country from other countries and many free services will be provided. She would like people to understand that the Airport project is not the threat people are being led to believe it is. She urged people to pay attention to facts because they do matter.

Mr. Molino spoke of the Airport project and Customs facility and said the County will be entering into an MOU (Memorandum of Understanding) with the federal government; there is a 90-day out clause that can be executed without cause. At any point the Legislature can exercise that right and no longer have the facility used for customs service. There is no restriction other than the 90 day clause. The other element has to do with security at the Airport and the ability for people to access the secure area. There is no access to anyone without getting security clearance and Mr. Molino explained the process. If a security clearance was related to immigration it would come before this Legislature. Also in order for anyone to anyone to gain access beyond the security checkpoint they must be escorted by an Airport employee. He further commented that Homeland Security already has a presence at the Airport.

Ms. Robertson clarified an ICE agent cannot walk by and push aside any security or customs agent.

Ruth Yarrow, Ithaca, asked the Legislature to think outside the box and spoke of middle class and white privileged decisions being made and gave the Jail as an example of being placed outside the City and an inconvenience for family to see loved ones. She asked that when decisions are made to think of people who are not able to speak up for their own needs.

Stephanie Heslop spoke of the Customs facility and said it is a disaster for many reasons and opposes giving customs and border patrol a base in Tompkins County. She also spoke of Climate change and believes we are making the planet unable to support life; the County cannot support an Airport expansion that will only help the wealthy.

Amanda Kirchgessner, Ulysses, believes priorities should be people; the homeless crisis could be solved with the amount of local funds that are going into the Airport project. Climate change is a very

real threat that affects everyone on the planet. She suggested funds could be better used by purchasing bus services. The focus should be on the people who are here and not the wealthy.

Ms. Robertson believes there is much fear-mongering coming from all sides. This is not a dangerous facility. It is under the County's control and what Mr. Molino and Mr. Hall have said is true. We all have a responsibility to listen to each other and pay attention to the facts. This is a facility where no one can get in without passing security and there won't be tolerance of ICE coming through the customs facility. They don't need a 5,000 sq. ft. office to do what they are already doing and the Legislature does not support what they are doing.

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

Ducson Nguyen, City of Ithaca Common Council member, reported on various topics and said the Ithaca Neighborhood Housing Services unveiled its plans for the Immaculate Conception building for rental units and single family homes. The City continues to work on the Green Building policy that was adopted last year. He reported on the Greater Southside plan and said last week the Planning Committee discussed better enforcement of tenants' rights with properties with expired certificates of compliance and increasing fines. The City also continues to look into the intercity bus situation on Green Street. Mr. Nguyen said most of the time it works well but at peak times there are difficulties and the City is looking at dealing with that. The Vision Zero initiative is being kicked off and one part of that will be asking the State Legislature to set speed limits as low as 20-25 mph Citywide. The goal is to have zero deaths. The City is also looking at zoning and the priorities of the Planning Department to determine what level is desirable. The zoning is complete for the Waterfront Plan and the next step is the design element.

### **Privilege of the Floor by Legislators**

Ms. Dawson shared information she has learned: the County is not allowed to spend money to build housing, the County cannot spend money to establish bus service between cities, and the County Sheriff or any official cannot tell a Deputy Sheriff they cannot call ICE. The planes from overseas that are coming in are going to have to land and go through customs before they arrive in Ithaca. She further commented that planes use a lot more fuel during takeoff than while they are in the air.

Ms. Robertson noted the County spends federal money on housing and is trying to figure out how to spend local money on housing will be taken up by the Housing and Economic Development Committee this year.

Ms. Koreman thanked members of the public for coming in to speak. Public speaking is not easy and she appreciates the public attending. She commented that the County will be hiring a customs official that some people are calling a border official; however, she said the person will be a customs official only. She announced on February 28<sup>th</sup> at the Tompkins County Public Library there will be a free presentation called "Combatting a Climate of Hate" and everyone is invited to attend. On February 26<sup>th</sup> the Agricultural and Farmland Protection Board and Cooperative Extension will be sponsoring a conference on climate smart farming at 10 a.m. at the VFW in Dryden.

Mr. Lane distributed and reviewed an Economic Impact Statement from Cornell that he received at the Chamber of Commerce and quoted figures outlining the economic impacts Cornell University has on the local Tompkins County economy. Cornell is often criticized but he is thankful to have the University here because it provides the engine that makes us the one county in New York State that is moving forward and seeing growth.

### **Chair's Report and Chair's Appointments**

Ms. Robertson further commented on Catholic Charities and said it already has a robust program for immigration services. She said LawNY has hired for the position the County funded on a three-year basis and said the individual will be working on homeless prevention. She reported on a trip she and a few other Legislators will be taking to Albany next week to meet with several elected officials. In addition to a range of issues that will be discussed, one topic that will be included in the discussions is the need for a third County Court Judge. She asked Legislators to let her know if they have other items to add to the list of discussion topics. She also said she sent a notice out to Legislators to set up a meeting to talk about process and goal-setting with committee chairs and vice chairs. She encouraged Legislators to respond on their availability.

Ms. Robertson had no appointments.

### **Report from the County Administrator**

Mr. Molino reported on the search process used for the Director of Youth Services and said over 25 applications were received. He asked if Legislators were interested in entering an executive session to discuss the appointment; there was no interest expressed. Mr. Molino requested confirmation of the appointment of Kate Shanks Booth to the position of Director of Youth Services.

It was MOVED by Ms. Kelles, seconded by Mr. John, and unanimously adopted by voice vote by members present, to confirm the appointment of Kate Shanks Booth as the Director of Youth Services.

Ms. Kelles welcomed Ms. Shanks Booth and said she impressed everyone with her dedication and passion for this work and looks forward to working with her.

Ms. Shanks Booth thanked the Legislature for the opportunity and said she looks forward to working in Tompkins County.

Mr. Molino described a similar process will be used for the Director of Veterans Services position and said they will begin advertising for the position soon.

He spoke of the State budget and the recent amendments that were released. He reported on two amendments: 1) increase in funding for new early voting laws; and 2) changes to AIM (Aid and Incentives to Municipalities). He will continue to keep the Legislature informed as new information is learned on all the issues relating to the State budget.

### **Report from the County Attorney**

Mr. Wood said he distributed a memorandum that provides an update on litigation.

### **Report from the Finance Director**

Mr. Snyder reviewed information provided to the Legislature concerning the sale of BANs (Bond Anticipation Notes) and new money Bonds. The County's bond rating was reaffirmed at Aa1 (stable). He also announced Andrew Braman has been hired as the Deputy Director of Finance and will begin January 25<sup>th</sup>. He is familiar with many different accounting systems and software and Mr. Snyder said he looks forward to working with him.

Finance Report - Bonds & BANs (ID#8440)

**RESULT: COMPLETED**

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

It was MOVED by Mr. Lane, seconded by Ms. Dawson, and unanimously adopted by voice vote by members present, to add to the agenda the resolution entitled A Resolution Opposing the Proposed and Amended 2020 Executive State Budget Impacting Aid and Incentives to Municipalities and County Sales Tax Revenues.

It was MOVED by Ms. Dawson, seconded by Ms. Black, and unanimously adopted by voice vote by members present, to add to the agenda the resolution entitled Resolution Condemning President Trump's Declaration of a National Emergency and Urging Our Senators and Congressman to Pass a Joint Resolution to Revoke It.

There were no resolutions withdrawn from the agenda.

**Consent Agenda**

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Daniel Klein, Member  
**SECONDER:** Anne Koreman, Member  
**AYES:** Black, Dawson, Granison, John, Kelles, Klein, Koreman, Lane, McKenna, Morey, Robertson, Sigler  
**EXCUSED:** Champion, McBean-Clairborne

**Advisory Board Appointment(s) (ID # 8384)**

Historical Commission

Terms expire December 31, 2019:

Marcia Lynch  
Raymond B Wheaton

Youth Services Board

Peter Angie - Town of Ulysses representative; term expires December 31, 2021

Workforce Diversity and Inclusion Committee

Marcia Lynch - County Staff representative; term expires December 31, 2021  
Anna Kelles - Legislator; term expires December 31, 2021

**Resolution No. 2019-25: Adoption of List of Designated Officers and Employees Required to File an Annual Financial Disclosure Form (ID #8396)**

WHEREAS, State Law requires employees "who hold policy-making positions, as annually

Minutes  
Tompkins County Legislature  
Tuesday, February 19, 2019

determined by" the County to fill out financial disclosure forms, and

WHEREAS, pursuant to Local Law No. 2 of 1997 and Administrative Manual Policy 01-29, Standards of Conduct, "key employees" shall be determined by separate resolution of the Tompkins County Legislature, and

WHEREAS, the list of "key employees" required to file the annual financial disclosure form has been updated, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the following list of designated officers and employees required to fill out the annual financial disclosure form be adopted:

<b><u>Title</u></b>	<b><u>Department/Division</u></b>
Contracts Coordinator	Administration
County Administrator	Administration
Deputy County Administrator (2)	Administration
Airport Director	Airport
Deputy Airport Director (2)	Airport
Director of Assessment	Assessment
Assistant Director of Assessment	Assessment
Valuation Specialists (2)	Assessment
Real Property Appraiser (3)	Assessment
Senior Valuation Specialist (1)	Assessment
Assistant Real Property Appraiser (1)	Assessment
Supervising Attorney	Assigned Counsel
Program Coordinator	Assigned Counsel
Elections Commissioner (2)	Board of Elections
Deputy Elections Commissioner (2)	Board of Elections
Director, Office for the Aging	Office for the Aging
Deputy Director, Office for the Aging	Office for the Aging
County Attorney	County Attorney
Deputy County Attorney	County Attorney
County Clerk	County Clerk
Deputy County Clerk (2)	County Clerk
District Attorney	District Attorney
Deputy District Attorney	District Attorney
Director, Emergency Response	Emergency Response
Deputy Director, Emergency Response	Emergency Response
Communications Center Manager	Emergency Response
Director of Facilities	Facilities
Assistant Director of Facilities	Facilities
Director of Finance	Finance
Deputy Director of Finance	Finance
Treasury Manager	Finance
Public Health Director	Health
Public Health Administrator	Health
Highway Director	Highway
Deputy Highway Director	Highway
Director of Human Rights	Human Rights

Minutes  
Tompkins County Legislature  
Tuesday, February 19, 2019

Director, Information Technology Services	Information Technology Services
Deputy Director, Information Technology Serv.	Information Technology Services
Clerk of the Legislature	Legislature
Chief Deputy Clerk of the Legislature	Legislature
Legislators (14)	Legislature
Commissioner of Mental Health	Mental Health
Deputy Commissioner of Mental Health	Mental Health
Fiscal Administrator	Mental Health
Commissioner of Human Resources	Human Resources
Deputy Commissioner of Human Resources	Human Resources
Commissioner of Planning and Sustainability	Planning and Sustainability
Deputy Commissioner of Planning and Sustainability	Planning and Sustainability
Probation Director II	Probation and Community Justice
Deputy Director of Probation II	Probation and Community Justice
Sheriff	Sheriff
Undersheriff	Sheriff
Captain of Corrections	Sheriff
Lieutenant of Road Patrol	Sheriff
Senior Investigator	Sheriff
Commissioner of Social Services	Social Services
Deputy Social Services Commissioner	Social Services
Director of Services	Social Services
Director of Administrative Services	Social Services
Program Development Specialist	Social Services
Recycling and Materials Management Director	Recycling and Materials Management
Deputy Recycling and Materials Management Director	Recycling and Materials Management
Director of Weights and Measures	Weights and Measures
Employment and Training Director	Workforce Development
Workforce Development Director	Workforce Development
Youth Services Director	Youth Services
Deputy Youth Services Director	Youth Services

RESOLVED, further, That should additional successors need to fill a position that they be asked to fill out an Annual Financial Disclosure form at that time.

**SEQR ACTION:** TYPE II-26

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**Resolution No. 2019-26: Resolution to Update the Administrative Policy Manual: Policy 01-08, Dues, Memberships and Subscriptions; Policy 11-46, Exclusion Screening; and Policy 01-40 Public Statements About County Business (ID #8397)**

WHEREAS, pursuant to Tompkins County Administrative Manual Policy 01-04, Legislative approval (a formal vote) is required for new policies or for changes to existing policy, and

WHEREAS, Policy 01-08, Dues, Memberships and Subscriptions has not been reviewed within the past five years and requires updating to reflect actual practice, and

Minutes  
Tompkins County Legislature  
Tuesday, February 19, 2019

WHEREAS, Policy 11-46, Exclusion Screening contains contradictory language that requires clarification, and

WHEREAS, Policy 01-40, Public Statements About County Business has not been reviewed within the past five years and requires updating, and

WHEREAS, the policies above have been updated by the respective responsible departments and further reviewed by County staff and Legislators, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That Policies 01-08, 11-46, and 01-40 are hereby revised and adopted in the Administrative Policy Manual.

**SEQR ACTION: TYPE II-26**

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**Resolution No. 2019-27: Approval of Revised Bylaws - Public Information Advisory Board (ID #8401)**

WHEREAS, the Public Information Advisory Board was established by Resolution No. 135 of 1999, and

WHEREAS, the Advisory Board's existing bylaws were adopted by Resolution No. 207 of 2002, and

WHEREAS, the Advisory Board has revised its bylaws to reflect current procedures, and

WHEREAS, the proposed bylaws are also aligned with policies relating to advisory board appointments, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That the bylaws of the Public Information Advisory Board be and hereby are approved,

RESOLVED, further, That a copy of the revised bylaws shall be kept on file with the Clerk of the Legislature.

**SEQR ACTION: TYPE II-26**

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**Individual Member-Filed Resolutions**

**Resolution No. 2019-28: Resolution Condemning President Trump's Declaration of a National Emergency and Urging Our Senators and Congressman to Pass a Joint Resolution to Revoke It (ID #8436)**

Ms. Dawson explained the “state of emergency” should be factually supported and it should be a national emergency that requires the use of the armed forces. Since it does not and seeks to build a wall for military construction that is not being carried out for a military installation the President cannot declare a national emergency for this use of monies. Congress has already voted not to support giving the President the money he seeks to use; this threatens our Constitution and that is something everyone should oppose.

Mr. Lane said he would like to know what a real emergency is. The President is saying he really didn't need to do this; this money should be reserved for real emergencies.

Mr. Sigler spoke of the need for having a port for people to come through and to do it legally. He also understands other emergencies have been declared where military was not used. He said before he would form an opinion, he would want to know what is going on from the people who are working on the border. He said as a Legislator he wants to spend time working on local issues to make Lansing and Tompkins County a better place to live and let federal officials deal with this issue.

Ms. Kelles said the point of the resolution is that it is very specific about the declaration of a state of emergency. The two things that should be asked are is it necessary and is it effective. She questions if this action is legal or necessary and doesn't think it is. A lot of this money could be used to address many issues in communities.

Ms. Dawson said this resolution is not political in the sense of how immigration should be handled and agreed it is a difficult problem. Being an undocumented immigrant in this country sets a person up for being taken advantage of in many ways. This is about using power to circumvent Congress.

Mr. John said he too isn't sure what is needed at the border. We need a border, people to be kept safe, and we should know who people are. This emergency seems to be symbolism but 33% of Independents and 6% of Democrats did not see this as an emergency, and 85% of Republicans said this is an emergency to justify an action; it is deeply troubling that there is such a dramatic difference in view. This country has been trying to do immigration reform for decades and everyone in the country is frustrated, however, that doesn't make it an emergency or a reason to go over Congress.

Ms. Koreman also agrees she does not see this as political but about trusting the process. She appreciates Ms. Dawson taking the time to work on this.

Ms. Robertson also appreciates the many hours Ms. Dawson spent on the resolution. She believes this action by the President is similar to what action the State Governor is taking on sales tax.

<b>RESULT:</b>	<b>ADOPTED [9 TO 3]</b>
<b>MOVER:</b>	Deborah Dawson, Member
<b>SECONDER:</b>	Shawna Black, Anna Kelles
<b>AYES:</b>	Shawna Black, Deborah Dawson, Henry Granison, Rich John, Anna Kelles, Daniel Klein, Anne Koreman, Michael Lane, Martha Robertson
<b>NAYS:</b>	David McKenna, Glenn Morey, Michael Sigler
<b>EXCUSED:</b>	Amanda Champion, Leslyn McBean-Clairborne

WHEREAS, on February 15, 2019, President Donald J. Trump declared a “state of emergency” pursuant to section 201 of the National Emergencies Act (50 U.S.C.1621), for the stated purpose of addressing a “border security and humanitarian crisis that threatens core national security interests,” and

WHEREAS, the President’s Proclamation describes the southern border as “a major entry point for criminals, gang members, and illicit narcotics,” and

WHEREAS, the Proclamation states that “large scale unlawful migration through the southern border is longstanding,” and asserts that the “situation has worsened in certain respects in recent years,” and

WHEREAS, the Proclamation further asserts that, “because of the gravity of the current emergency situation, it is necessary for the Armed Forces to provide additional support to address the crisis,” and

WHEREAS, the Proclamation includes the President’s declaration that “this emergency requires use of the Armed Forces and, in accordance with section 301 of the National Emergencies Act (50 U.S.C.1631), that the construction authority provided in section 2808 of title 10, United States Code, is invoked and made available, according to its terms,” and

WHEREAS, data collected and published by United States Customs and Border Protection, shows that between eighty and ninety percent of heroin, cocaine, methamphetamine, and fentanyl is intercepted and seized at ports of entry, and the United States Drug Enforcement Agency reports that only a “small percentage of all heroin” is seized at areas between ports of entry, and

WHEREAS, data collected by the Counter-Trafficking Data Collaborative indicates that approximately 80% of human trafficking victims pass through official ports of entry, and

WHEREAS, recent studies conducted by university researchers found no evidence that undocumented immigration increases the prevalence of violent crime, drug and alcohol arrests, drug overdoses, or DUI deaths, and a 2015 Cato Institute Study found that, in Texas, conviction and arrest rates for murder, sexual assault, and larceny were lower for undocumented immigrants than for native-born Americans, and

WHEREAS, it has been widely reported that crime rates in Texas border counties are no higher, and often lower than, crime rates in the rest of Texas counties, and that law enforcement officers in border counties do not agree with the President’s claim that undocumented immigrants create criminal law enforcement problems beyond their undocumented status, and

WHEREAS, data reported by United States Custom and Border Protection indicates that illegal border crossings have dropped significantly since the early 2000’s, from over 1.5 million a year to just 310,000 in 2017, 304,000 of which occurred along our southern border, and

WHEREAS, the Proclamation asserts the existence of law enforcement and humanitarian “crises” at the border, and

WHEREAS, the United States government has numerous law enforcement agencies which exist to deal with such crises, including Customs and Border Protection, Immigration and Customs Enforcement, Citizenship and Immigration Service, and the Drug Enforcement Agency, and

WHEREAS, the President has often stated that these law enforcement agencies are doing an “incredible” job of fighting crime on the border and “turning back” immigrant caravans, and

WHEREAS, the Proclamation invokes 10 U.S.C.2808, which states that, “in the event of a declaration of war or the declaration by the president of a national emergency . . . that requires use of the armed forces, the Secretary of Defense . . . may undertake military construction projects . . . not otherwise authorized by law that are necessary to support such use of the armed forces,” and

WHEREAS, 10 U.S.C.2801(a) defines “military construction” as “any construction, development, conversion, or extension of any kind carried out with respect to a military installation,” and

WHEREAS, the Proclamation describes law enforcement and humanitarian crises - crises which are not military in nature - and fails to present a reason why a military presence is needed to bolster the law enforcement agencies’ operations on our southern border, and

WHEREAS, the Proclamation fails to describe a national emergency “that requires use of the armed forces,” and, therefore, 10 U.S.C.2808 cannot be invoked to authorize construction of a border wall, and

WHEREAS, the alleged purpose of the border wall that the President seeks to have built pursuant to his declaration of national emergency is to prevent undocumented immigrants from crossing our southern border, and not to support the use of the Armed Forces at the border, and

WHEREAS, the border wall is not “military construction” within the purview of 10 U.S.C.2808 and as defined in 10 U.S.C.2801(a), and

WHEREAS, immediately following his declaration of national emergency, President Trump stated, on national television, that “On the wall, they [Congress] skimped. I can do the wall over a longer period of time. I didn’t need to do this. But I want to do it much faster,” and

WHEREAS, the President’s statement makes it clear that he declared a national emergency in order to build his wall quickly, using funds that Congress would not appropriate for the purpose of immediate wall construction, and

WHEREAS, at the very least, the President’s willingness to use his power to declare a national emergency in order to bypass Congress’s Constitutional power to appropriate funds poses a grave threat to the separation of powers created by the United States Constitution, now therefore be it

RESOLVED, That the Tompkins County Legislature condemns the Proclamation declaring a state of emergency requiring the use of armed forces to build a wall on our southern border as an overreach and abuse of executive power,

RESOLVED, further, That the Tompkins County Legislature urges Senators Charles Schumer and Kirsten Gillibrand, and Congressman Thomas Reed, to vote to support a joint resolution of termination, pursuant to 34 U.S.C.1622, to end the emergency status declared by the President on February 15, 2019,

RESOLVED, further, That copies of this resolution be sent to Senators Charles Schumer and Kirsten Gillibrand, and to Congressman Thomas Reed.

**SEQR ACTION: TYPE II-26**

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**Housing and Economic Development Committee**

**Resolution No. 2019-29: Authorization to Sell Tompkins County’s Community Development Block Grant Loan Portfolio and Commit Program Income to ITH Airport Accessibility Improvements (ID #8406)**

Ms. Kelles said Tompkins County is the only county that has been able to recapture funding that would have been lost because of an incredibly creative solution to keep that funding local to support ADA (American with Disability Act) additions at the Airport. She noted that the initial attempt was to look at ways to reinvest in housing but the County was not able to find something suitable to the State's approval. She thanked Megan McDonald, Deputy Planning and Sustainability Commissioner for her work on this.

Ms. Koreman thanked Ithaca Neighborhood Housing Services (INHS) for purchasing the portfolio.

Ms. McDonald commented on the resolution and said it was a team effort and a result of a lot of creativity including having a unique partner in INHS. For the vast majority of homeowners their day-to-day experience with their loans will not be different in any way.

Johanna Anderson of INHS also commented and said she really is appreciative to have such a great team to find a solution that keeps the money invested in Tompkins County.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Anna Kelles, Member
<b>SECONDER:</b>	Deborah Dawson, Member
<b>AYES:</b>	Shawna Black, Deborah Dawson, Henry Granison, Rich John, Anna Kelles, Daniel Klein, Anne Koreman, Michael Lane, David McKenna, Glenn Morey, Martha Robertson, Michael Sigler
<b>EXCUSED:</b>	Amanda Champion, Leslyn McBean-Clairborne

WHEREAS, the County has a New York State Community Development Block Grant (CDBG) loan portfolio generated through awards from New York State which it used to provide loans to low- to moderate-income households to purchase homes in Tompkins County, and

WHEREAS, under New York State rules, payments made on these loans become program income funds, and

WHEREAS, due to New York State policy changes, any program income funds communities receive after March 31, 2019, must be returned to New York State, and

WHEREAS, many of these loans are expected to generate program income for years to come, and in the case of loans due at sale, payments may be made decades into the future, and

WHEREAS, Tompkins County consulted with New York State Homes and Community Renewal (NYS HCR) regarding opportunities to retain some value from this future program income for use and benefits within Tompkins County, and

WHEREAS, NYS HCR agreed that this retention of value could be achieved if Tompkins County sold its NYS CDBG loan portfolio and committed the proceeds from the sale, which are considered program income funds, to an eligible activity with its approval by March 31, 2019, and

WHEREAS, Tompkins County contracted with the Bonadio Group for an objective, third-party valuation of this portfolio to establish the fair value should it be sold, and

WHEREAS, the Bonadio Group established the fair value of the County's NYS CDBG loan portfolio is \$386,000, and

WHEREAS, Ithaca Neighborhood Housing Services (INHS) agreed to purchase the full portfolio at this fair value of \$386,000, and

WHEREAS, INHS has previously assisted the County in managing the majority of these loans and brings greater expertise and interest than a typical mortgage purchaser in financial counseling and related services targeted towards helping low- to moderate-income homeowners successfully remain in their homes, and

WHEREAS, Tompkins County was unable to identify a housing-related activity to which these program income funds could be committed by March 31, 2019, while also meeting CDBG eligibility criteria and approval from NYS HCR, and

WHEREAS, NYS HCR agreed that use of program income funds to pay for American with Disability Act (ADA) related specific improvements that will enhance the accessibility of a public facility as part of the ITH Airport Terminal Improvement project is an eligible use that meets with its approval, and

WHEREAS, the Tompkins County Legislature through Resolution No. 227 of 2018 determined that the capital improvement project at the County's existing Ithaca Tompkins Regional Airport is an Unlisted Action under the New York State Environmental Quality Review Act ("SEQRA") and issued a Negative Declaration with regards to the project, now therefore be it

RESOLVED, on recommendation of the Housing and Economic Development Committee, That the County agrees to sell its New York State CDBG loan portfolio to INHS for \$386,000,

RESOLVED, further, That the County commits the use of the proceeds of this sale to the construction of ADA-related improvements as part of the ITH Airport Terminal Improvement project, that may include to the extent funds permit the following elements which have been reviewed by NYS HCR:

ITH Terminal Improvements - Phase 2

- Terminal area Concourse Access Ramp
- Concourse area walkway guardrails
- Concourse area walkway Handrails
- Sliding (powered) entrance/exit door systems
- ADA-compliant toilet partitions
- ADA-compliant toilets
- ADA-compliant grab bars
- ADA-compliant toilet counter
- ADA-compliant sinks
- ADA-compliant faucets
- ADA-compliant truncated dome / sensory warning areas (sidewalks)
- ADA-compliant door at TSA screening
- ADA-compliant drinking fountains

- Curbside overhead canopy system
- Lighting fixtures for enhanced visibility
- Identification signs (braille)
- Drop counter at post-security concessions/bar area
- Drop counters at ticketing area
- Pet relief area (domestic pets and service animals)
- Sidewalk replacement (to repair uneven, unsafe traveling surfaces for pedestrians and wheelchairs)

GA Customs Facility:

- ADA-compliant toilet partitions
- ADA-compliant toilets
- ADA-compliant grab bars
- ADA-compliant toilet counter
- ADA-compliant sinks
- ADA-compliant faucets
- ADA-compliant truncated dome / sensory warning areas (sidewalks)
- ADA-compliant drinking fountain
- Identification signs (braille)
- Drop counter at ticketing area

ITH Airport Terminal Area and Building Enhancements not currently included in design drawings, but which may be included as the project budget permits:

- T-Coil Inductive Loop Hearing Assistance System
- Curb cut for ADA-compliant drop-offs
- ADA-compliant area of assisted rescue (boarding area exit)
- Sensory garden
- Ramp (exterior) passenger lift
- Wheelchair/disabled access informational kiosk
- Parking lot improvements - handicap-accessible parking and lighting upgrades

RESOLVED, further, That the County Administrator or his designee is authorized to execute any contracts or agreements related to these actions,

RESOLVED, further, That the Director of Finance is hereby authorized to make such appropriations as necessary and appropriate to implement this agreement.

**SEQR ACTION:** Unlisted  
(EAF on file with Clerk of the Legislature)

\* \* \* \* \*

**Public Safety Committee**

Mr. John, Chair, reported the Committee will meet on February 21<sup>st</sup> and will receive a presentation from the Undersheriff on the detection of drugs. There is similar machinery to drugs as there is to alcohol. This is a timely report with the legalization of marijuana. A resolution is being put forward by Legislator Kelles urging the State to pass legislation to allow driver licenses to be issued to residents regardless of immigration status.

**Health and Human Services Committee**

Ms. Black, Chair, reported the Committee has not met since the last Legislature meeting. The next meeting will be March 1<sup>st</sup>.

**Facilities and Infrastructure Committee**

Mr. McKenna, Chair, reported the Committee has not met since the last Legislature meeting; the Committee will meet on February 21<sup>st</sup>. He said the Committee will be discussing its goals for this year. Mr. Molino reported an update on the Tioga Street property will be provided at that meeting. Ms. Robertson also said there will be a discussion concerning signage on County facilities.

**Government Operations Committee**

Mr. Lane, Chair, reported the Committee met on February 7<sup>th</sup> and discussed goals for this year. The Committee will be reviewing and updating many administrative policies and he hopes to have a goal to get through one-third of the policies. Another topic that the Committee will begin to discuss is the 2020 Census and what will be needed for that which led to a discussion of election changes and impacts on redistricting.

**Resolution No. 2019-30: Appropriation from Contingent Fund – Terminal Pay – Assessment (ID #8383)**

This resolution was adopted by a short roll call vote.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Lane, Member
<b>SECONDER:</b>	Deborah Dawson, Member
<b>AYES:</b>	Shawna Black, Deborah Dawson, Henry Granison, Rich John, Anna Kelles, Daniel Klein, Anne Koreman, Michael Lane, David McKenna, Glenn Morey, Martha Robertson, Michael Sigler
<b>EXCUSED:</b>	Amanda Champion, Leslyn McBean-Clairborne

WHEREAS, the Department of Assessment had one GIS Technician retire effective November 30, 2018, 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 is hereby authorized and directed to make the following appropriation for 2018:

FROM:	A1990.54400	Contingent Fund	\$15,360.70
TO:	A1355.51000	GIS Technician	\$10,572.44
	A1355.58800	Fringes	\$ 4,788.26

**SEQR ACTION:** TYPE II-26

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**Resolution No. 2019-31: Adopting Local Law No. 1 of 2019 - Amending the County Charter, Section C-30.02 Providing for the Appointment of the Director of the Tompkins County Veterans Service Agency by the Tompkins County Administrator (ID #8341)**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Lane, Member
<b>SECONDER:</b>	Shawna Black, Member
<b>AYES:</b>	Shawna Black, Deborah Dawson, Henry Granison, Rich John, Anna Kelles, Daniel Klein, Anne Koreman, Michael Lane, David McKenna, Glenn Morey, Martha Robertson, Michael Sigler
<b>EXCUSED:</b>	Amanda Champion, Leslyn McBean-Clairborne

WHEREAS, pursuant to New York State Executive Law Article 17 §357 and Tompkins County Charter § C-30.02, Tompkins County is required to have a County Veterans Service Agency as well as a Director of such agency, and

WHEREAS, Executive Law provides that the County Veterans Service Agency Director is appointed by the County's Chief Executive Officer, and

WHEREAS, the Tompkins County Charter states that the County Administrator is the County's Chief Executive Officer, but states further that the Veterans Service Agency Director is appointed by the Legislature, and

WHEREAS, Tompkins County wishes to make the language in the County Charter consistent with Executive Law by naming the County Administrator as the appointing authority, and

WHEREAS, a public hearing was held before the Tompkins County Legislature to hear all persons interested in proposed Local Law No. 1 of 2019, now therefore be it

RESOLVED, on recommendation of the Health and Human Services and the Government Operations Committees, That proposed Local Law No. 1 of 2019 - Amending the County Charter, Section C-30.02 Providing for the Appointment of the Director of the Tompkins County Veterans Service Agency by the Tompkins County Administrator is 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-26

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**Resolution No. 2019-32: Authorizing Transfer from the Contingent Fund for Feasibility Study for Purchase of Real Estate (ID #8391)**

This resolution was adopted by a short roll call vote.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Lane, Member
<b>SECONDER:</b>	Anna Kelles, Member
<b>AYES:</b>	Shawna Black, Deborah Dawson, Henry Granison, Rich John, Anna Kelles, Daniel Klein, Anne Koreman, Michael Lane, David McKenna, Glenn Morey, Martha Robertson, Michael Sigler
<b>EXCUSED:</b>	Amanda Champion, Leslyn McBean-Clairborne

WHEREAS, the Tompkins County Legislature, in Resolution No. 2018-258 of November 8, 2018, authorized an Option Agreement for Purchase of Real Property for 412-414 N. Tioga St., 408 N. Tioga St., 117 Sears St., and 119 Sears St., located in the City of Ithaca, in order to provide the County with the necessary time to review the feasibility of the site to determine if a purchase of a property would be in the County’s best interest, and

WHEREAS, Resolution No. 2018-258, directed that County Administration take all the necessary steps to ensure that this property shall be suitable for the County’s space needs by performing the necessary space, environmental, and geotechnical studies with the 4-month exclusive option period, and

WHEREAS, the County entered into a contract with HOLT Architects, PC, on December 18, 2018, in the amount of \$38,200 for performance of the necessary feasibility studies, and

WHEREAS, the funds appropriated by the Legislature in Resolution No. 2018-258 for feasibility studies were not fully expended in 2018, and the remainder is expected to be paid in 2019, now therefore be it

RESOLVED, on recommendation of the Government Operations and Budget, Capital, and Personnel Committees, That the Director of Finance is hereby authorized and directed to make the following 2019 budget transfer from the Contingent Fund:

FROM:	Contingent Fund	
	A1990.54400 Program Expense	\$29,123
TO:	County Administration	
	A1230.54442 Professional Services	\$29,123

**SEQR ACTION: TYPE II-18**

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**Resolution No. 2019-33: Implementation of a Public Administration Management Fellowship Program (ID #8392)**

Legislator Kelles offered the following amendment that was accepted as friendly: sixth Whereas added “therefore, the Fellowship Program work outline will include these responsibilities” and the word “also” to the seventh Whereas.

This resolution was adopted by a short roll call vote.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Lane, Member
<b>SECONDER:</b>	Rich John, Member
<b>AYES:</b>	Shawna Black, Deborah Dawson, Henry Granison, Rich John, Anna Kelles, Daniel Klein, Anne Koreman, Michael Lane, David McKenna, Glenn Morey, Martha Robertson, Michael Sigler
<b>EXCUSED:</b>	Amanda Champion, Leslyn McBean-Clairborne

WHEREAS, Resolution 2017-23, adopted by the Tompkins County Legislature on November 21, 2017, established the foundation for a county-sponsored fellowship program to enhance the organization's ability to attract diverse talent with the fresh perspectives and skill sets necessary to keep Tompkins County on the cutting edge of local government in New York State, and

WHEREAS, the Tompkins County Legislature supported the pilot concept and approved funding for the first year of a three-year, multi-year over-target request to support the 2018 operating costs of the program, and

WHEREAS, the pilot program proposed a start up with two 40-hour per week Management Fellows positions, assigned to the Department of County Administration staffing roster, that were to be filled with staggered appointments to continue for no longer than eighteen months per appointment, and

WHEREAS, due to staffing changes within County Administration the capacity to coordinate and implement such a program was not realized in 2018, and

WHEREAS, the current staffing pattern in County Administration has increased departmental capacity to develop and implement the Public Administrator Fellowship program on a pilot basis during 2019 with a proposal of one 40-hour per week Management Fellow position, assigned to the Department of County Administration staffing roster beginning in Spring of 2019, and

WHEREAS, County Administration has a need for additional support to research and implement organizational changes as a result of the 2018 Climate Survey in addition to activities aligned with County Administration core operations, therefore, the Fellowship Program work outline will include these responsibilities, and

WHEREAS, a Public Administration Fellow would also have the opportunity to assume diverse management-level responsibilities, work on upper-level research and development projects, and perform several duties in his or her chosen field, and

WHEREAS, the aforementioned Resolution 2017-234, created the position of Public Administration Management Fellow, Grade 78/Job Code 4221 at 40-hours per week in the Department of County Administration, and

WHEREAS, the incumbent will be paid an hourly rate of \$21.64, which equates to \$45,011 per year for a 40-hour per week position, and will have access to such fringe benefits as are available to management staff, including health insurance and New York State Retirement, now therefore be it

RESOLVED, on recommendation of the Government Operations and the Budget, Capital, and

Minutes  
Tompkins County Legislature  
Tuesday, February 19, 2019

Personnel Committee, That this Legislature hereby authorizes the Finance Director to apply Contingency Funds in to the following accounts:

FROM: Contingent Fund  
1990.54400 Program Expense \$66,981

TO: County Administration  
1230.51000221 Management Fellow \$45,011  
1230.58800 Fringes \$21,970

**SEQR ACTION:** TYPE II-26

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**Resolution No. 2019-34: Approval of 2019 Succession of Members of the County Legislature to Serve in the Absence of the Chair and Vice Chair (ID #8395)**

The following amendments were accepted as friendly:

- Replaced Dan Klein with Dave McKenna;
- Delete the second Whereas; and
- Add to Resolved "...That based on Legislature tenure the following..."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Lane, Member
<b>SECONDER:</b>	Rich John, Member
<b>AYES:</b>	Shawna Black, Deborah Dawson, Henry Granison, Rich John, Anna Kelles, Daniel Klein, Anne Koreman, Michael Lane, David McKenna, Glenn Morey, Martha Robertson, Michael Sigler
<b>EXCUSED:</b>	Amanda Champion, Leslyn McBean-Clairborne

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, now therefore be it

RESOLVED, on recommendation of the Government Operations Committee, That based on Legislator tenure the following order of succession of County Legislators for the year 2019 or until successors are appointed be approved to serve in the absence of the Chair and Vice Chair:

Michael E. Lane  
Leslyn McBean-Clairborne  
Dave McKenna

**SEQR ACTION:** TYPE II-26

\* \* \* \* \*

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

Ms. Dawson, Chair, reported the Committee will meet on February 25<sup>th</sup> and will hear reports on the Planning and Sustainability Department’s work plan and hydrilla ratification efforts. She commented that Circular EnerG is still trying to build an incinerator at the Seneca Army Depot and a resolution will be considered opposing this. Federal Senators and Assemblypersons have reintroduced the Bill that would preclude that from happening.

**Budget, Capital, and Personnel Committee**

Mr. Lane, Chair, said the Committee met on February 15<sup>th</sup> and talked about goals for this year. The County Administrator has put forward a draft budget schedule and asked the Legislature to schedule April 30<sup>th</sup> for the budget retreat. The Committee also talked about the audit process and said it will be done the same way as it was last year and the Committee will serve as the Audit Committee and meet with the auditors in June. The Human Resources Department issued a report and reviewed it in detail. Ms. Lynch, Public Information Officer, said the Public Information Advisory Board is discussing efforts to increase the County’s presence on social media.

**Resolution No. 2019-35: A Resolution Opposing the Proposed and Amended 2020 Executive State Budget Impacting Aid and Incentives to Municipalities and County Sales Tax Revenues (ID #8437)**

Mr. Lane thanked County Administrator Jason Molino for drafting the resolution. He spoke of the unfairness of the State’s proposal and said New York State Association of Counties is pushing these same points outlined in the resolution to the State.

Mr. Sigler pointed out that while the County always condemns State mandates, the Legislature should be aware of what it does as well and gave an example of studying a road it does not have any control over. Mr. Lane responded the study is a one-time expense whereas the State’s proposal would be a recurring expense.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Lane, Member
<b>SECONDER:</b>	Anne Koreman, Member
<b>AYES:</b>	Shawna Black, Deborah Dawson, Henry Granison, Rich John, Anna Kelles, Daniel Klein, Anne Koreman, Michael Lane, David McKenna, Glenn Morey, Martha Robertson, Michael Sigler
<b>EXCUSED:</b>	Amanda Champion, Leslyn McBean-Clairborne

WHEREAS, Governor Andrew Cuomo proposed a \$176 billion State budget that included a reduction to a funding source utilized by 90 percent of towns and villages across the State, and

WHEREAS, the State Revenue Sharing Program known as Aid and Incentives for Municipalities (AIM) is State aid provided to all of New York’s cities (other than New York City), towns and villages, and

WHEREAS, AIM funding is a revenue source to help cover the cost of unfunded State mandates, which has been unchanged or reduced every year since 2008, and

WHEREAS, since 2011, AIM funding has accounted for \$715 million statewide, divided among

cities, towns and villages, with the State's 61 cities (not including New York City) receiving about \$647 million, with all towns and villages receiving \$68 million, and

WHEREAS, the proposed Fiscal Year 2020 Executive Budget recommends the State's towns and villages receive just \$8 million, with 91 percent of these municipalities receiving no AIM funding, and

WHEREAS, the Fiscal Year 2020 Executive Budget recommends a 100% reduction in AIM funding for all towns in Tompkins County, cutting a total of \$311,562, and

WHEREAS, the Fiscal Year 2020 Executive Budget recommends a 100% reduction in AIM funding for all villages in Tompkins County, cutting a total of \$75,716, and

WHEREAS, the Fiscal Year 2020 Executive Budget recommends the same AIM funding for the City of Ithaca compared to FY 2019 funding levels, and

WHEREAS, local governments throughout New York State, especially upstate, face a declining property tax base, high local and State taxes, an aging infrastructure, high health and human services and health insurance-related costs, and a population with a high percentage in poverty that requires additional government services, where the costs of these factors and now a lack of AIM funding is especially problematic for local municipal governments, and

WHEREAS, the Tompkins County Council of Governments at a meeting held January 24, 2019, unanimously approved a resolution in strong opposition to the elimination of AIM funding because the loss of funding would result in reduction of services, program cuts, layoffs, and/or higher property taxes, and

WHEREAS, on February 15, 2019, Governor Cuomo announced an amendment to the 2020 Executive Budget making impacted towns and villages whole from changes to AIM funding by utilizing revenue from county online sales tax, should online sales tax be adopted in the State budget, and

WHEREAS, instead of restoring AIM funding and signifying a desire by the State to act as partners with local governments, this budget amendment would require counties to make up for lost AIM funding with sales tax revenue, imposing a new mandate on counties, and

WHEREAS, requiring counties to make up for the State's cut in AIM funding to villages and towns sets a horrible precedent and unnecessarily shifts the State's burden to local taxpayers who already pay some of the highest property taxes in the nation, and

WHEREAS, already-existing unfunded State mandates are the cause of high property taxes in New York State, which the property tax cap is supposed to mitigate, and

WHEREAS, cutting AIM funding in the first place is a tax-shift from broad-based income taxes to local property taxes, and replacing AIM funds in the second place from county revenues is simply a different form of the same tax-shift, and will result in higher property taxes, and

WHEREAS, the New York State Legislature is on record as opposing any new unfunded mandates imposed on local government, now therefore be it

RESOLVED, That the Tompkins County Legislature expresses its opposition to the proposed and amended Fiscal Year 2020 Executive Budget funding reduction for AIM funding and mandating counties

to restore AIM funding to towns and villages by utilizing county online sales tax revenues,

RESOLVED, further, That the Tompkins County Legislature urges that New York State restore full funding for AIM from traditional State revenues,

RESOLVED, further, That certified copies of this resolution be sent to Governor Cuomo, representatives Senator James Seward, Senator Thomas O'Mara, Senator Pamela Helming, Assemblyperson Barbara Lifton, Senate Majority Leader Andrea Stewart-Cousins and Assembly Speaker Carl Heastie, New York Association of Counties, New York Conference of Mayors, New York Association of Towns, all Tompkins County town supervisors and village mayors, and any other party deemed necessary and proper.

**SEQR ACTION:** TYPE II-26

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**Workforce Diversity and Inclusion Committee**

Ms. Kelles, Vice Chair, said the Committee met on January 23<sup>rd</sup> and reviewed accomplishments that have taken place in the County with respect to diversity and inclusion. The Committee also discussed its goals for the coming year and a report on employee metrics provided by County Administrator Jason Molino.

**Housing and Economic Development Committee**

Ms. Kelles, Chair, said the Committee will meet next Thursday and will have a report on the Department of Planning and Sustainability's work plan as it relates to housing and economic development. There will also be a discussion on the 2015 Strategic Plan as it relates to housing and transportation. The Committee will also be discussing a report by UPS on focused development areas.

**Minutes of Previous Meeting**

February 5, 2019

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Deborah Dawson, Member
<b>SECONDER:</b>	Shawna Black, Member
<b>AYES:</b>	Black, Dawson, Granison, John, Kelles, Klein, Koreman, Lane, McKenna, Morey, Robertson, Sigler
<b>EXCUSED:</b>	Amanda Champion, Leslyn McBean-Clairborne

**Adjournment**

The meeting adjourned at 7:48 p.m.