



Inclusion Through Diversity

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TWO PAGES

FOR IMMEDIATE RELEASE

Highlights of the **December 18, 2012** meeting of the Tompkins County Legislature

Legislature Approves Mortgage Tax Initiative to Support TCAT

The Legislature will seek State authorization to dedicate revenue from a proposed quarter-percent increase in the county Mortgage Recording Tax to support mass transportation, as is done in 24 other New York counties, to address the ongoing structural deficit experienced by Tompkins Consolidated Area Transit (TCAT). Through the action, approved by a vote of 13-1 the Legislature requests the County's State legislative delegation sponsor and support legislation to authorize such use under the "Additional Tax" element of the mortgage tax that counties are permitted to enact under New York State Tax Law. (Legislator Dooley Kiefer voted no; Legislator Kathy Luz Herrera was excused.)

While counties are permitted to enact the "Additional Tax," without State legislation authorizing a specific purpose, County Administrator Joe Mareane told legislators the revenue from such an increase would flow to the State or municipalities within the county. The Legislature's action does not levy the tax; it asks for State authorization for the requested purpose.

The 0.25% increase would bring the total county Mortgage Tax (a one-time tax on the value of a mortgage levied at the time of closing) to 1%. Current mortgage tax revenue is split between the municipality in which the transaction occurs and the State. The projected \$850,000 in annual mortgage tax revenue would be allocated to TCAT to support operational and capital needs. Noting that Congressional "earmarks," the historical source of funding for bus purchases, are no longer available, County Administrator Joe Mareane cautioned that he sees the need to meet TCAT's needs as the greatest source of instability for the County budget and the property tax levy over the next five years. As well as sizable operating deficits, TCAT's upcoming capital needs are assessed at over \$13 million, with more than half of that amount needed for bus replacement. The administrator said this approach, if such an increase is approved, would provide "a source of sustained general purpose revenue for TCAT."

Legislator Kiefer sought to broaden the requested purpose to address purposes other than mass transit, as may be needed in the future—such as for education and other necessary purposes that serve residents' health, safety, and welfare—maintaining that near-term transit funding challenges may not continue for the long term. That proposed change failed 13-1, with only Kiefer voting in favor. Legislator Carol Chock proposed the requested purpose be changed to "transportation," which failed 12-2, Chock and Kiefer voting in favor. Among other concerns raised during an hour-and-a-half of discussion, how partner shares would remain equitable in light of any future tax and whether TCAT should be asked to specify how such funding would be used.

Contact: Will Burbank, Chair, Planning, Development, and Environmental Quality Committee, 272-7555; County Administrator Joe Mareane, 274-5551; Legislator Pamela Mackesey, Chair of the TCAT Board of Directors, 273-6203.

County Bans Use of Hydrofracking Byproduct Brine on County Roads and Property

The Legislature, by unanimous vote (Legislator Kathy Luz Herrera was excused), passed a resolution prohibiting the use on County roads and property of brine containing the byproducts from hydrofracking. The measure "bans the spraying, depositing, placing of all hydrofracking byproducts, including brine liquid, upon roads and properties for which Tompkins County is responsible" and indicates that the prohibition will be

reflected in relevant bidding documents and contracts. County officials have learned that there are certain areas adjacent to hydrofracking sites where roads are being sprayed with hydrofracking byproduct brine, for uses such as deicing and dust control. The measure notes that the Legislature recognizes the dangers of additional harmful contents contained within the fluid and, therefore, wishes to prohibit its use on County roads and properties. Legislator Mike Lane inquired as to whether the County could pass a local law banning use of such fluid anywhere in the county, and Legislator Frank Proto suggested local stormwater regulations could offer some regulatory authority. Further investigation is in process.

Contact: Carol Chock, Chair, Facilities and Infrastructure Committee, 273-9007.

Legislature Approves Update in 20-Year Capital Plan

Following up a detailed presentation at their last meeting, the Legislature adopted an update in the County's 20-Year Capital Plan. The vote was 13-1, with Legislator Carol Chock voting no, and Legislator Kathy Luz Herrera excused. The Plan, adopted in 2006, is "used as a guide in making decisions regarding the community infrastructure needed to support the operations and responsibilities of Tompkins County government with a consistent and manageable level of public investment." In part, the \$91.2 million Plan sets a revised investment goal of a 0.75% tax levy increase for capital purposes in 2014 and 2015 (providing approximately \$328,000 in additional support each year), followed by a goal of a 0.50% levy increase thereafter (generating approximately \$219,000 in additional annual support). The 1% annual levy increase specified in the original Plan could not be sustained during the economic crisis. Legislator Carol Chock expressed some concern about the plan, maintaining that the Plan should also address "deferred maintenance" for public health, mental health, and social health needs, suggesting that capital expenditures set down in the plan could overtake other needed social priorities. Others pointed out that, while those needs are important, they do not amount to capital expenditures, and County Administrator Joe Mareane stressed that the Capital Plan is "a blueprint" that can change as conditions change, with legislative approval needed to move specific projects forward.

Contact: Ed Marx, Commissioner of Planning and Community Sustainability, 274-5560; Michael Lane, Chair, Capital Plan Review Committee, 844-8313 or 844-8440.

Anton Volkmann and Thomas Murphy Recognized as Distinguished Youth

The Legislature recognized Eagle Scouts Thomas Murphy and Anton Volkmann as Tompkins County Distinguished Youth for December. Members of Boy Scout Troop 55, Volkmann and Murphy were recognized for their Eagle Scout projects—Anton for removing and replacing the flag pole near the Ellis Hollow Community Center, relocating it to a better location, and improving the site with flagstone and perennial plantings; Thomas for developing a program to donate books on Asperger's Syndrome to schools throughout the Ithaca City School District, promoting understanding by students and teachers of kids with Asperger's Syndrome. Thomas led efforts that raised about \$750 to purchase the books to donate them to all schools in the District. The Distinguished Youth Award is cosponsored by A&B Awards and Engraving, Bangs Ambulance Service, Purity Ice Cream, and Cayuga Radio Group.

Contact: Legislature Office, 274-5434.

Among other actions, Legislators

- Expressed deep concern about last week's school shooting in Newtown, CT and how society must take a comprehensive approach to address the issues involved.
- Authorized County application for a \$3.2 million project through the Federal rural transit funding to fund projects including the replacement of six buses, as well as application for more than \$133,000 in State Transportation Job Access and Reverse Commute grant funding and more than \$65,000 in Federal New Freedom grant funds to support mobility-related transportation projects.
- Passed a number of standard year-end resolutions, including implementation of departmental fees contained in the 2013 County budget and authorizing the issuance and sale of \$10 million in Revenue Anticipation Notes, should that be needed, in anticipation of the receipt of State aid during the next fiscal year.

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