

Monthly Report
Tompkins County Council of Governments
for April 12, 2023

by Councilperson Robert Lynch
Enfield TCCOG Representative

The Tompkins County Council of Governments (TCCOG) met on March 23, 2023. The only resolution adopted that day was one that parallels a resolution listed on our own Town Board's agenda for action tonight. At the request of Trumansburg Mayor Rordan Hart, TCCOG's membership unanimously adopted a measure to support pending legislation in the New York State Senate and Assembly (Assembly Bill A01091 and Senate Bill S01852) to provide state financial support for municipalities that operate public, not-for-profit Emergency Medical Services. The bills would establish subsidies under a "CHIPS-style" formula currently utilized to provide state funding for town road maintenance, including that in Enfield. On April 4th, the Tompkins County Legislature endorsed the TCCOG-adopted Resolution almost word-for-word.

Medicaid Supplemental Reimbursements:

Tompkins County Administrator Lisa Holmes briefed TCCOG on a potential financial blow to the County that first surfaced in mid-February when local legislators learned that an administrative interpretation by Governor Hochul's office would deny county governments their fair share of supplemental Medicaid reimbursements that Congress has provided the states post-pandemic.

New York stands among those few states where county governments share in Medicaid costs. And the Governor's office has interpreted the Affordable Care Act, Holmes said, so that State Government gets to keep all the reimbursement money and not share it. Should the supplemental funds not be shared, she warned, Tompkins County could lose \$600,000 for the rest of this fiscal year, and \$1.5 Million in 2024. The loss could lead to as much as a three per cent increase in next year's county tax levy.

Because it's a legal interpretation by the executive, Holmes reported, New York legislators hold no authority to remedy the situation through the budgeting process. And the Administrator indicated that the Governor's Office is playing hardball.

"There has not been movement to date by the Governor's office on this issue," despite lobbying by the counties' statewide organization, Holmes said. "So we're very concerned about this," she added.

Caroline Supervisor Mark Witmer asked who holds ultimate authority on the fund's distribution. "They are asserting their authority as the interpreter of that," Holmes replied, referring to the Governor's office. "What's left to interpretation," Holmes added, "is whether or not there's sufficient grounds for counties to sue the state to reclaim these funds."

Dryden Village Mayor Michael Murphy asked Holmes how the Governor's office justifies its action. Holmes responded in terms bound to anger many: "What we've heard," Holmes said, "is that the State is at the limit of its federal Medicaid cap. So they have a cap on spending, and they're out of money, and so they need funding, and this is the way for them to receive the funding." Meanwhile, the Administrator added, "the counties are mandated to pay these costs, but we have no control over how the money is spent or whether costs are contained." And the State has expanded Medicaid services while allowing the counties no authority to control costs. She termed Albany's action a "money grab."

Code Enforcement Study:

Darby Kiley, Associate Planner for the County, updated TCCOG on the progress in a year-long consultant-aided study into Tompkins County Building Code Administration and Operations. A survey and a series of roundtables with municipal leaders and their code enforcement officers took place in March, with the consultant set to identify potential opportunities for shared services and possible consolidations by June first. The Labarge Group plans to issue its final report by November 1.

Perhaps the most important question to ask is to inquire where this study is going. “People like that there’s a local service provided,” Kiley told TCCOG. With consolidation, said Kiley, “Your constituents don’t know who they’re working with. They don’t feel like that local knowledge would be available.”

I asked whether participants in the initial roundtables had expressed interest in the once-considered option of county-wide code enforcement. “That’s been pretty much taken off the table,” Kiley acknowledged. I shared from Enfield’s standpoint my view that consolidated code enforcement was probably a bad idea anyway, given community criticism of late to county-run property assessment.

Caroline Supervisor Mark Witmer, for one, would welcome consolidation, his town having a long-term code enforcement staffing problem. But Kiley cautioned, “A municipality of one isn’t going to make that happen.” She said it would take a true majority or near-majority of municipalizes in agreement to make countywide code enforcement take place.

Nevertheless, Kiley said the study may identify some limited areas for shared services in areas such as training and specialty inspections. But as for the prosecution of violations, “I think that one’s a little tricky to hand off to someone else to do,” Kiley conceded.

“My own thought is that we’re not throwing anything off the table,” Witmer observed. “How do we do things efficiently? How do we support each other?”

Nonetheless, when it comes to building code enforcement, there’s an intermunicipal realization that all things that should be equal often are not. “It’s called the State Uniform Code,” Danby Supervisor Joel Gagnon told TCCOG. “The code is uniform, but its enforcement is not.”

Finally: TCCOG representatives spent the closing minutes of their March meeting discussing the revision of organization Bylaws, a task the organization has not undertaken since 2016. Proposed revisions would accommodate remote online meeting attendance, a format that the original Bylaws never envisioned; and also the inclusion of a representative of Tompkins County Government as a voting TCCOG member. County Government already sends a representative, currently the Legislature’s Chair, to meetings. Final adoption of the revised Bylaws may take place in May or July.

TCCOG next meets May 25.

Respectfully submitted,

Robert Lynch
Councilperson
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