

*Fifth Special Meeting*  
September 18, 2014

The Fifth Special Meeting of 2014 was called to order by the Chair at 10:00 A.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "Lord, let us pray that the people at the Federal level in the higher political spots can come up with a solution for the problems that we are facing in the Middle East."

Legislator Weston led all Legislators and those in attendance in the Pledge of Allegiance.

There were 13 persons in attendance.

Karen Kerr spoke. "I appreciate the opportunity to address this body. We were surprised that this meeting was scheduled and would be scheduled for 10:00 o'clock so people who were interested were not able to attend, but I did take the day off to attend. I do take the bus and I need to take the bus. I am wondering whether we have exhausted all possibilities to figure how to preserve the bus system in Tioga County. Have we spoken to the other counties who are also affected by the situation that we are affected by? Have we dealt with the State Legislators who have dished out this situation to us? Have we pushed and have we pursued everything we could? I know that there are many people who take the bus with me who would be willing to pitch in and help with these issues to assist this body, to assist this County to try to figure out the situation.

"Public transportation if it is not coordinated among the Counties it is not very effective, but there are many people who do take this bus to work. There are many people who if we do not have a bus system are going to either have to leave their jobs, retire, go on disability, or even go on public assistance, which I assume is going to cost the County more money, and I do not want that to happen. No one wants that to happen. We want people to work, we want people to stand on their own two feet and to take care of their own business, and this is a way that the County assists people just to get to work. It is essential.

"The other thing I wanted to say is you look around the room and none of us are getting any younger obviously. We want to continue to be independent. We want to continue to live where we live. We need to have some resources to help us do it. The bus system is something that helps people get to the store, get

around, and if we do not continue it there are people who are not going to be able to continue to live where they live and do what they do. On a personal note, I can tell you that about five years ago I was diagnosed with multiple sclerosis. It is degenerative. I know eventually things could get much worse and I have relied on this bus system for a long long time. Not having this bus to get to work, probably would require me to end up going on disability and it is not something that I want to do at all. I think we should all consider how it will affect individuals in our community and also once again have we exhausted all possibilities?

"There are many people who are involved in this bus system right now who would want to help contribute, but we have no access right now because we did not have access to this meeting. Thank you very much. I am a County taxpayer, I do pay property taxes. Personally I would be willing to pay a percentage or two on my property taxes, which are huge right now anyway, but these are services that we provide for our County residents and among many services that we provide like recycling. We provide all kinds of health aid, health and human services, and this is just one of the ones that we provide and I would hate to see it eliminated just because we say that we do not have the money. I would like to help. If anyone wants our help, we will do it. Thank you very much."

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 211-14 AUTHORIZATION TO ISSUE A TERMINATION LETTER TO FIRST TRANSIT, INC.

WHEREAS: Tioga County has a contractual agreement with First Transit, Inc. to provide Public Transportation and Non-Emergency Medicaid Transportation for Tioga County; and

WHEREAS: The State of New York has made substantial changes to the delivery of Non-Emergency Medicaid Transportation services thereby shifting those services from Transit Systems to other modes of transportation; and

WHEREAS: This shift in transports has made the delivery of coordinated transportation in rural Counties such as Tioga unsustainable; and

WHEREAS: Tioga County's contract with First Transit, Inc. allows that it may be terminated by either party by giving the other party at least sixty (60) days written notice of such termination; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Public Transportation Director to issue such written letter of termination to First Transit, Inc. on September 19, 2014 with an effective date of November 30, 2014.

Legislator Sullivan spoke. "Karen I think some of my comments might answer some of your questions. I think it is important to highlight that it was the State that put Tioga County into this situation as well as several other rural counties. Last October the State implemented a change in Medicaid transportation services and assured us that it would not affect the State funding for our bus system. In November we discovered that bus ridership as well as State revenue had both significantly decreased contrary to what the State had told us. The State had started using taxis for Medicaid transportation rather than County buses. Apparently taxis could offer lower Medicaid per trip rate.

"This change and its impacts came at a time when two things were going on. Number one, we were in the middle of the bidding process for our bus contract, which was due to expire at the end of the year last year. We could have stopped that process, let the contract expire, and eliminate the bus system at yearend last year, but this Legislature certainly chose not to do that because this was a situation that our residents as yet were not aware of and could not have planned for. Secondly, at that time we were in the middle of the budget process. We had put together a 2014 budget proposal that did not include any funding for the bus system. We were only 10 days away from the mandatory public hearing on the budget, which did not allow time to rework the budget and by law we could not make any increases to the budget after that public hearing. The impact of the State transportation change was not only alarming, but the timing could not have been worse. The County immediately put the word out to the public and began working with the State and other entities to try to find a way to maintain our bus system.

"Knowing that this process would take several months during which the County would incur \$40,000 per month of unfunded unbudgeted costs, we teamed up with other Counties and we were successful in getting the State's commitment to provide some, if not full reimbursement for our costs for this year, but it is for this year only. That bought us time. Had it not been for that, we would have been voting on today's resolution many months ago. We have spent 10 months trying to come up with a solution. Some of the ideas we explored include the following, but it is not a full list. Eliminate routes, change routes, reduce the number of runs per route, increase fares, work with our service provider to reduce the cost, reach out to Cornell and Ithaca College for funding assistance, reach out to Tompkins County. Tompkins used to run a couple of routes into Tioga. A few years ago they dropped those routes and Tioga picked them up.

“Some of these things were successful, again it is not a full list of what we looked into. Some were successful in offsetting some of the costs, but still fell far short of an affordable bus system. There was one solution that held promise. If we could offer the State a Medicaid per trip rate that was less than what taxis charged, would the State shift Medicaid riders back to the County buses. The State agreed. We achieved that rate reduction by making changes to our bus routes and the number of runs. We presented our adjusted rate to the State and they said they would start shifting Medicaid riders back to our buses. Well after a month the County did not see a shift in ridership and we had further discussions with the State, but they have not been successful in shifting riders or revenue back to the County.

“Now here we are at budget time again. We estimate the cost for the bus system next year to be \$500,000. That alone is the equivalent of an over 2% tax levy increase. It was the State’s decision that shifted this cost to the County. It is also the State that has imposed a 2% limit on property tax increases. I would find that ironic, but it is not much different than imposing a tax cap and doing very little to control all the other unfunded mandates that the State imposes on Counties. The overwhelming majority position of the residents in my District is to not impose a tax increase to pay for the bus system. Therefore, I will be voting in favor of this resolution. Thank you.”

Legislator Standinger spoke. “I represent District 7, which is Newark Valley, Berkshire, Richford, and Candor, and a lot of my constituents use that bus service to get to work. I understand this is a very difficult situation we are in. Unfortunately as Mrs. Sullivan said, the State has put us in a very difficult position. I can attest to the fact that the staff at Tioga County up at DSS have worked tirelessly to pursue all the options to maintain this system at a reasonable and economic cost, and unfortunately that really has not borne any fruit and that is not as a result of inaction. They have come every month to our meetings and given us updates of what has been done and I am confident that we have looked at every option that is viable. Now we are at a point where it is half a million dollars for us to maintain this service and I do not think that is a viable option at this point. I mean if it was economical to maintain this service, I would like to hope that First Transit or some other company would look at the routes that are economically viable and maintain those. There is nothing to prevent that from happening. That is what I hope will happen. Thank you.”

Legislator Huttleston spoke. “We are all under pressure, I know what the biggest problem is taxes. I mean I see it all the time in my business and people are being driven out of this area because of the taxes, and a lot of the young people do not want to come to this area because of the high taxes. My son is a perfect example. He has a house that probably here that probably taxes would

be \$15,000. He is down in South Carolina where he pays \$2,500. You are not going to bring those people back in this County and it is a shame, and I think it is a shame that the State took the stance they did. From the very beginning, the whole solution to the problem was a very easy solution, that was to have the State still reimburse us what they have done in the past years. I will give you an example. Years ago we had quite a debate on the bus system, somebody from Tompkins County come down, one of the Legislators there and told at that time, I do not know what they are doing now, but at that time Cornell was subsidizing them one million dollars a year for their bus system.

“The other problem you have in this County is we do not have any hospitals, we do not have any colleges, no airports. The bus system in Broome County is probably more important because they do have the hospitals and the colleges, and the airport, but we do not have any of those such facilities here that would subsidize us and help us, so it puts us in a bind. It is a catch 22 situation. I do not want to vote for the elimination of this and I also do not want to vote for higher taxes, so what do you do? I think if you people were in our position, you would take the same stance and unfortunately what I would like to do and I have said all along, if we could extend a little longer, but the problem is the State has dictated to us the 2% cap and if we do not do that cap we have some other problems. I want to apologize to my constituents, but I have to vote for this resolution.”

#### ROLL CALL VOTE

Yes – Legislators Weston, Case, Hollenbeck, Huttleston, Monell, Sauerbrey, Roberts, Standinger, and Sullivan.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:16 A.M.