

Planning, Development, and Environmental Quality Committee

Regular Meeting Minutes

Wednesday, March 3, 2010 3:30 PM

Scott Heyman Conference Room

Approved 4/7/10

Call to Order

Attendee Name	Title	Status	Arrived
Pamela Mackesey	Chair	Present	
Will Burbank	Member	Present	
Carol Chock	Member	Present	
Frank Proto	Member	Present	
Pat Pryor	Member	Present	

Staff: J. Mareane, J. Kippola, P. Younger, County Administration; J. Leccese, E. Marx, Planning Department; F. DeAragon, ITCTC; D. Mengel, Department of Social Services; H. Filiberto, Tompkins County Area Development

Guests: S. Shackford, The Ithaca Journal; J. McPheeters, Chamber of Commerce; R. Gaenzle, Bonding Attorney; F. Bonn, Convention and Visitor's Bureau; D. Sparrow, Strategic Tourism Planning Board

Legislator(s): M. Robertson, Chair

Changes to Agenda

Permission was granted to add the following resolutions to the agendas.

Resolution (DOC ID: 1872): Resolution Urging the New York State Legislature To Support the State's Farmland Protection Program And Environmental Protection Fund

Ms. Pryor said the resolution addresses proposed cuts in the State's Environmental Protection Fund that would affect agricultural programs. Mr. Proto said the Governor's proposed budget cuts to the Environmental Protection Fund includes program funds used for the purchase of development rights, and shifts payment of taxes on State lands to the Environmental Protection Fund.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Will Burbank, Member
SECONDER:	Pat Pryor, Member
AYES:	Mackesey, Burbank, Chock, Proto, Pryor

WHEREAS, agriculture is a significant contributor to New York's economy, and
WHEREAS, farms provide jobs, support local businesses and are part of industry sectors that have a \$23 billion economic impact annually in New York, and

WHEREAS, Tompkins County farms generate 60 million dollars in product sales, and
WHEREAS, farms comprise 7 million acres of land in New York, roughly twenty-five percent of the state's land base, and

WHEREAS, Tompkins County farmers own and/or work thirty-two percent of the County's acreage, and

WHEREAS, farmers have a strong track record of pro-active environmental stewardship in New York, and

WHEREAS, rapidly changing economic conditions threaten the future viability of New York's agricultural industry, and

WHEREAS, 26,000 acres of farmland are developed each year in New York, and
WHEREAS, the State of New York established a Farmland Protection Program in 1992 to assist towns and counties in developing and implementing local agricultural and farmland protection plans, and

WHEREAS, over \$3 million has been awarded by the Farmland Protection Program to 50 counties and 52 towns to assist in the development of local agricultural and farmland protection plans, and

WHEREAS, the Farmland Protection Program has awarded more than \$173 million to help farmers, local governments and land trusts permanently protect 74,000 acres on 303 farms, and

WHEREAS, demand for Farmland Protection Program funding has been strong due to the program's popularity, with a record 181 farms seeking \$156 million in state funding to protect 49,500 acres in 2008, and

WHEREAS, six Tompkins County farms have been awarded funding to protect over 1,900 acres, and

WHEREAS, funding for the Farmland Protection Program is allocated from the State's Environmental Protection Fund (EPF), a dedicated fund whose principle funding source is a State Real Estate Transfer Tax (RETT), and

WHEREAS, the Governor and State Legislature must take steps this year to protect New York's valuable farmland and strengthen the future for farms across New York, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature does hereby urge state lawmakers to support New York's farmers, the state's agricultural economy and protection of valuable farmland by supporting funding for the Farmland Protection Program and Environmental Protection Fund,

RESOLVED, further, That the Tompkins County Legislature does hereby oppose drastic cuts to the Farmland Protection Program and Environmental Protection Fund, as outlined in the Governor's Fiscal Year 2010-11 Budget Proposal,

RESOLVED, further, That the Clerk of the Tompkins County Legislature is hereby directed to forward copies of this resolution to Governor David Paterson, Senate Majority Temporary President Malcolm Smith, Senate Majority Leader Pedro Espada, Jr., Senate Minority Leader Dean Skelos, Assembly Speaker Sheldon Silver, Senator James Seward (51st District), Senator George Winner (53rd District), Senator Michael Nozzolio 54th District), Assemblywoman Barbara Lifton (125th District), and the American Farmland Trust.

SEQR ACTION: TYPE II-20

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Resolution (DOC ID: 1871): Acceptance of a New York State Energy Research and Development Authority Grant to Establish a Countywide Rideshare Program - Ithaca-Tompkins County Transportation Council

In response to Ms. Pryor's question, Mr. deAragon said there is no cost to the County for the program, which is the result of a grant application developed by the Tompkins County Rideshare Coalition. It was noted the Ithaca-Tompkins County Transportation Council would manage the grant.

Mr. Burbank asked what the timeframe would be for the program to become operational. Mr. deAragon said it would start upon completion of the agreement from New York State Energy Research and Development Authority (NYSERDA) in May or early June. This Rideshare Program is designed as a software program with many portals: Cornell University, Ithaca College, Tompkins Cortland Community College, and a general County portal. It will allow individuals to review postings and seek transportation from others in the designated areas.

Mr. Stein asked if there would be a cost to the County upon completion of the grant period. Mr. deAragon said there would be a review of the program at the end of the three-year period to determine if it should continue and how it would be funded.

With regard to liability aspects, it was noted there would be the same protocols as a standard social network in assuring links made are as secure as possible. The user would only see individuals in a particular group and would only provide more information by choice. Mr. deAragon will inquire further what other liability aspects may be involved. Mr. Mengel said there are waivers that individuals are

required to execute in order to join. The main benefit of the program is the ability to add selected friends within a members personal network to be able to carpool.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Frank Proto, Member
SECONDER:	Carol Chock, Member
AYES:	Mackesey, Burbank, Chock, Proto, Pryor

WHEREAS, in 2009 the New York State Energy Research and Development Authority (NYSERDA) solicited competitive proposals for Energy Efficient Transportation Systems under Program Opportunity Notice (PON) 1554, and

WHEREAS, the Ithaca-Tompkins County Transportation Council (ITCTC) working together with representatives from Cornell University, Ithaca College, Tompkins-Cortland Community College, Cornell Cooperative Extension and the Tompkins County Department of Social Services as the *Tompkins County Rideshare Coalition* prepared a proposal for the PON 1554 grant to implement an automated countywide rideshare program available to anyone seeking to travel to, from and/or within Tompkins County; and

WHEREAS, the total project cost is \$179,000, of which the Tompkins County Rideshare Coalition is contributing \$65,000 of in-kind marketing and outreach, the software vendor is providing \$60,000 of cost-sharing, and NYSERDA has awarded an Energy Efficient Transportation Systems grant of \$54,000 to the ITCTC, serving as lead agency, towards the implementation of a three-year pilot automated rideshare program in Tompkins County, and

WHEREAS, the ITCTC was included as the lead agency in the NYSERDA grant application, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature accepts the NYSERDA Energy Efficient Transportation Systems grant of \$54,000,

RESOLVED, further, That the project budget is as follows:

8679.43089	Other State Aid	\$54,000
8679.54400	Program Expense	\$54,000

RESOLVED, further, That the County Contracts Coordinator is authorized to execute the NYSERDA grant award on behalf of Tompkins County and TCAT,

RESOLVED, further, That the County Contracts Coordinator is authorized to sign any contracts or agreements between the County of Tompkins and any third party necessary to complete the project.

SEQR ACTION: TYPE II-20

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Approval of Minutes of February 2 and 3, 2010

It was MOVED by Ms. Chock, seconded by Mr. Burbank, and unanimously adopted by voice vote, to approve the minutes of February 3, 2010, as amended.

It was MOVED by Ms. Pryor, seconded by Mr. Proto, and unanimously adopted by voice vote, to approve the minutes of February 2, 2010, as presented.

Appointment: Soil & Water Conservation District Appointment (DOC ID: 1848)

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Frank Proto, Member
SECONDER:	Pat Pryor, Member
AYES:	Mackesey, Burbank, Chock, Proto, Pryor

Alan Teeter – Grange representative; term expires December 31, 2012

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Planning Department

Resolution (DOC ID: 1846): Authorizing Submittal of 2010 New York State Division of Housing and Community Renewal Community Development Block Grant Program Application to Continue the Tompkins County Homeownership Program (IX)

Ms. Leccese said this grant application for the first-time homeowners program is administered by Better Housing for Tompkins County. The program has been ongoing for 15 years, primarily funded through the Community Development Block Grant (CDBG) funds. This is the ninth application for the funding and to date over 300 house closings have been secured through this very successful program. There are some changes in the program, including the State increasing the grant amount from \$600,000 to \$750,000 for both last year and the current application period. The increased funding will allow five more closings to take place.

Ms. Leccese explained that previously full grants had been made to homeowners; this round of grants would be broken down by income. Lower income applicants will receive a full grant, and those with higher incomes would have a ten-year diminishing lien.

At present \$350 is provided to homeowners for an energy audit through Tompkins Community Action (TCA). She said the department would like to bolster the program and work with TCA’s Assisted Home Performance Program for energy-efficiency funds through a NYSERDA grant. The grant provides up to \$5,000 in home efficiency improvements with the homeowner matching the \$5,000. The CDBG grant application is suggesting the Tompkins County Homeowners Program provide the \$5,000 match rather than the homeowner.

Another partnership would be with the Ithaca Neighborhood Housing Services (INHS) housing trust model, with any new homes put in the trust program could be available for the Homeownership program clients. If a client were to purchase a home in the land trust program they would receive grant funding if their income falls within 65-80 percent of median income. A subsequent sale of that home would have provide continued affordability and would be part of the housing trust for low-income. Ms. Leccese clarified that the full \$30,000 homeownership grant would have a ten-year diminishing return.

Mr. Proto asked about the appreciated value that a homeowner under the trust program would receive, in particular, if they would receive the \$30,000 grant amount. Ms. Leccese said if remaining in the home a full ten years they would receive the benefit of the grant. There is a formula that INHS has developed to determine what portion of the full-appreciated value would go to the homeowner. *Mr. Proto requested a representative from INHS attend a meeting to fully explain their process and formulas.*

In response to Mr. Burbank, Ms. Leccese explained the County applies for the grant and upon receipt of funding, Better Housing of Tompkins County administers the program, including the screening process. Better Housing of Tompkins County does receive an administration fee for their work (18%),

and the Planning Department receives a fee based on the actual time spent for reporting and financial management.

Ms. Leccese said the Homeowner Oversight Committee is made up of Ms. Mackesey, a real estate agent, a banker, David Squires, and herself.

Ms. Chock disclosed that her husband is the Director of Ithaca Neighborhood Housing Services; because no operating funds relating to the grant will be going to that agency for his salary, per the County Attorney it is not necessary for her to recuse herself from the vote.

In response to Ms. Mackesey's question, Ms. Leccese said there is \$350 for the energy audit currently paid to the program participants. The proposed Energy Efficiency Fund piece would be \$5,000 per client and would come out of the program income fund. Ms. Mackesey said she is aware of the County Comprehensive Plan encouraging construction in particular areas. The Ithaca Neighborhood Housing Services property is located on Route 96B and not in what is a proposed nodal area. Mr. Marx explained there is not any official or adopted node at this time. The property is located in an area that the County Planning Advisory Board has identified as a potential node; the Town of Ithaca will consider this recommendation when reviewing its comprehensive plan. Ms. Mackesey said when funding with public money it is important to be aware of the impact the location of construction may have.

Ms. Pryor asked if the program requires the housing align with recommendations within the County Comprehensive Plan. Mr. Marx said there is not a requirement, however, there has been an infrequently used option that when a request is for a newly-constructed home, the oversight committee reviews the home and its location for compliance with the Comprehensive Plan.

Mr. Proto requested an update be provided with the revolving fund portion of the program.

Ms. Chock asked if program participants receive other financial assistance and was informed that some work with Tompkins Community Action and other programs offer funding assistance. Ms. Mackesey said that Better Housing of Tompkins County works with individuals interesting in applying, counseling them on how to handle the finances so that they would be able to qualify. There are some who have participated and followed the advice, coming back several years later to make an actual purchase. Ms. Chock noted that participants require additional financial lending from local banks.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Frank Proto, Member
SECONDER:	Will Burbank, Member
AYES:	Mackesey, Burbank, Chock, Proto, Pryor

WHEREAS, Tompkins County has completed a process of investigation in its community to determine community development needs for the current year, and

WHEREAS, the Division of Housing and Community Renewal Community Development Block Grant program is an important source of funding to address community development objectives in the County, and

WHEREAS, the Tompkins County Homeownership Program has been funded through eight separate CDBG grants since 1993, and has proven to be very successful in meeting an important community development need in the County, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That Tompkins County is hereby authorized to apply for \$750,000 in funding in the 2010 round of the Division of Housing and Community Renewal CDBG funding for the Tompkins County

Minutes
Planning, Development, and Environmental Quality Committee
Wednesday, March 3, 2010

Homeownership Program (IX),

RESOLVED, further, That the program be modified to include a partnership with Tompkins Community Action through an Energy Efficiency Fund and a partnership with Ithaca Neighborhood Housing Services or another similar program in conjunction with the Housing Trust Program, which will support increased energy efficiency in homes and long term housing affordability throughout the County,

RESOLVED, further, That the County Administrator or his designee be authorized to sign all documents related to the submission of the Division of Housing and Community Renewal CDBG application and any materials required by the Office of Community Renewal.

SEQR ACTION: TYPE II-20

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Report from the Commissioner of Planning and Public Works

Gas Drilling

Mr. Marx reported he spoke on the topic of gas drilling at the recent New York State Association of Counties (NYSAC) conference in Albany. As a result of the presentation, an aide to Assemblyman Latimer asked what the New York State Legislature could do to assist municipalities. Mr. Marx suggested the State clarify what authority local municipalities have under their land-use regulation authority with respect to gas drilling. In the past the New York State Department of Environmental Conservation (NYSDEC) asserted there is no local authority with respect to things such as gravel mining. The State courts determined that was not true and that local authority did apply to certain aspects in it. Having this clarified by the Legislature would be the most effective manner to resolve the question. The second item was the NYSDEC recommendation to have road use agreements. Local municipalities are looking at the legal structure of such a document.

Advisory Committee for City of Ithaca Dredging Plans

Mr. Marx said it appears the City of Ithaca is moving toward using a site in the Southwest area as a de-watering site. It is estimated the process would require in excess of twenty acres and this area is thought to be the only feasible site in the timeframe required. The City hopes to have a decision made by this spring; although some discussions have included the possibility of short- and long-term sites.

Ms. Chock noted that discussions on this topic brought up the fact that there would be a premium price if it were necessary to haul the dredged material in excess of ½ mile and asked if this was discussed. Mr. Marx said it was discussed; it is the City's responsibility although many people are involved. He said this project was one of the actions identified in the County's Comprehensive Plan and that the City was the lead party.

T.G. Miller Water and Sewer Study

There will be a public presentation of the T.G. Miller Water and Sewer Study in the Borg Warner Room at the Tompkins County Public Library.

Tompkins Cortland Community College Training Program

Mr. Marx reported on meetings with Tompkins Cortland Community College to have a training program for local planning and zoning officers in Cortland, Tompkins, and other surrounding counties. This program would provide the training requirements outlined in State law. It is hoped to have the program in place within the next six months.

Tompkins County Area Development

Resolution (DOC ID: 1778): Approval of Bylaws and Certificate of Incorporation of the Tompkins County Development Corporation

Following a lengthy discussion, the Committee agreed to the changes to the bylaws as recommended for clarity with the understanding they would be distributed to the Committee prior to Legislature approval.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Frank Proto, Member
SECONDER:	Pat Pryor, Member
AYES:	Mackesey, Burbank, Chock, Proto, Pryor

WHEREAS, the Tompkins County Development Corporation was created in accordance with County Resolution No. 203 of November 17, 2009, and pursuant to Section 1411 of the Not-For-Profit Corporation Law, and

WHEREAS, Resolution No. 203 of 2009 designated the County as the sole Member of the Corporation, and

WHEREAS, the Member shall approve the by-laws and certificate of incorporation, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Bylaws and Certificate of the Tompkins County Development Corporation be approved.

SEQR ACTION: TYPE II-20

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Strategic Tourism Planning Board

Ms. Kippola provided a written overview of the various grants offered through the Strategic Tourism Planning Board. She explained that funding for the grants are from room tax revenue that is earmarked for use in the development of tourist-generating events and/or location. The grant programs include: Marketing and Advertising Grant, Tourism Project Support Grant, Beautification Grant, Capital Grant, Community Celebrations Grant, Arts and Cultural Organization Development Grant, and the New Tourism Initiative Grant. Ms. Kippola explained the criteria for each grant and noted previous recipients.

Yesterday was the deadline for the Celebrations program and 25 applications received. Next month Ms. Kippola will bring forward appropriate resolutions to award the grants. Ms. Kippola noted there is a subcommittee who would review the Celebrations grants, headed by the County Historian. Ms. Kippola asked if a Committee member had been designated to serve on this selection committee. Ms. Mackesey said the Committee would be discussing appointments at the end of the meeting.

With regard to the Arts and Cultural grants that are available to larger organizations, Ms. Kippola said the program is broken down into graduated grant awards over a period of time. Some of the businesses have received funding for up to a six-year period.

Ms. Kippola said the assistance provided to many of the events has caused them to grow and “graduate” to other available grant programs.

Ms. Kippola said although a very good program the New Tourism Initiative Grant has not been available for 2009 and 2010. Previous grants included Light in Winter and the Ithaca Dragonboat Festival.

Minutes

Planning, Development, and Environmental Quality Committee

Wednesday, March 3, 2010

In response to Mr. Proto's question regarding funding a position to assist in the development of a template for grant applications, Ms. Kippola said the position was for a festival coordinator who would develop a manual on how to plan a festival. A report on this initiative will occur at the March Strategic Tourism and Planning meeting.

Convention and Visitors Bureau

Mr. Bonn said he was in Albany for lobby day and distributed information on the 2008 tourism revenue for Tompkins County. The 2009 figures should be available within 30 days. He spoke of the household benefit for the community, which showed it is just shy of \$600 per household. Mr. Bonn said the community as a whole had very good results given the economic downturn. Ms. Chock noted that Tompkins County has developed a program to set aside dedicated funds for tourism with more than fifty percent going to marketing.

Advisory Boards/Liaison Assignments

By Consensus, the following appointments were approved:

Agricultural and Farmland Protection Board – Pat Pryor – Liaison

Environmental Management Council – Peter Stein - Liaison

Planning Advisory Board – Pamela Mackesey – term to expire December 31, 2012

Regional Forest Practice Board – Pat Pryor-term to expire December 31, 2011/Carol Chock-Liaison

Soil and Water Conservation District – Frank Proto – term to expire December 31, 2010

Water Resources Council – Carol Chock - Liaison

Celebrations – Will Burbank-Delegate/Pat Pryor-Alternate

Ithaca Downtown Partnership – Frank Proto-Alternate

Capital Tourism Grants – Pamela Mackesey

Adjournment

On motion the meeting adjourned at 5:35 p.m.