

Adopted 9-9-09

**MINUTES**  
**PLANNING, DEVELOPMENT, AND ENVIRONMENTAL QUALITY COMMITTEE**  
**AUGUST 12, 2009 3:15 P.M. SCOTT HEYMAN CONFERENCE ROOM**

Present: P. Mackesey, Chair; M. Robertson (arrived 3:20); C. Chock; W. Burbank; F. Proto  
Staff: E. Marx, J. Jurkowich, K. Borgella, Planning; P. Younger, J. Kippola, Administration; K. Fuller, Deputy Clerk  
Guests: C. Schutt, Soil and Water Conservation; F. Bonn, Convention and Visitor's Bureau; Stacey Shackford, *The Ithaca Journal*, Paul Clausson, *Ithaca Times*, Charles Trautmann, Sciencenter; David Sparrow, Strategic Tourism Planning Board, Jean McPheeters, Tompkins County Chamber of Commerce; Monika Roth, Rodger Beck, Rachel Crispell, Debbie Teeter, Agricultural and Farmland Protection Board.

**Call to Order**

Chair Mackesey called the meeting was called to order at 3:15 p.m.

**Approval of Minutes of June 16 and July 8, 2009**

It was MOVED by Ms. Chock, seconded by Mr. Burbank, and unanimously adopted by voice vote by members present, to approve the minutes of June 16, and July 8, 2009, as amended. MINUTES APPROVED.

**Person(s) Wishing to Address the Committee**

Charles Trautmann, Executive Director of the Sciencenter, expressed appreciation for funding provided by the Legislature for the Sciencenter Planet Walk, which has enabled the addition of an audio cell phone information feature and an upgraded Passport to the Solar System. The latest addition is the asteroid located on Seneca Street; an opening ceremony will take place at noon on August 17<sup>th</sup>.

Ms. Robertson arrived at this time.

Mr. Proto noted the Sciencenter Passport still recognized Pluto as a planet.

**Strategic Tourism Planning Board**

**RESOLUTION NO. - DESIGNATION OF TOURISM PROMOTION AGENCY FOR STATE FISCAL YEAR 2009-2010**

It was MOVED by Mr. Proto, seconded by Ms. Robertson, to approve and submit the following resolution to the full Legislature. Ms. Chock requested amendments be made to the resolution for clarification purposes and provided written suggestions. Following a brief discussion, Mr. Proto suggested the Committee act upon the resolution being presented and have Ms. Chock submit her recommendation in resolution form prior to the Legislature meeting for consideration.

A voice vote on the resolution resulted as follows: Ayes – 5; Noes – 0. RESOLUTION CARRIED.

WHEREAS, the Strategic Tourism Planning Board has traditionally recommended the appropriate agency for designation of the New York State Tourism Promotion Agency (TPA) designation as part of its review function for tourism matters, and

WHEREAS, the Strategic Tourism Planning Board has reviewed the matter with appropriate agency representatives, and

WHEREAS, to leverage certain New York State funding, counties must designate a TPA, and

WHEREAS, the Strategic Tourism Planning Board feels qualified to make a recommendation of the best agency to have the TPA designation, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the designation of the TPA for State Fiscal Year 2009-2010 be awarded to the Ithaca/Tompkins County Convention and Visitor's Bureau (I/TCCVB),

RESOLVED, further, That the Director of the I/TCCVB report to the Planning, Development and Environmental Quality Committee if change occurs.

**SEQR ACTION:** TYPE II-20

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**RESOLUTION NO. - AMENDING RESOLUTION NO. 104 OF 2009 - AWARD OF TOURISM CAPITAL GRANTS**

It was MOVED by Mr. Proto, seconded by Ms. Robertson, and unanimously adopted by voice vote, to approve and submit the following resolution to the full Legislature for approval. RESOLUTION CARRIED.

WHEREAS, on June 15, 2009, the Legislature passed Resolution No. 104 to approve an award of a Tourism Capital Grant to the Ithaca Motion Picture in the amount of \$5,000 for the purpose of conducting a feasibility/business plan, and

WHEREAS, the recommended amount should have read \$5,500, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That Resolution No. 104 of 2009 be amended as follows and the County Administrator or his designee is authorized to sign all documents related to this project:

Entity	Project	2009	2010	2011	2012	2013
Ithaca Motion Picture	Feasibility/Business Plan	\$5,500 \$5,000				

**SEQR ACTION:** TYPE II-20

NOTE: Each annual award shall be subject to the approval of the Legislature. Full application materials are available for review upon request at the office of Tompkins County Area Development.

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2009-2010 Tourism Program Budget

The Committee was presented with the proposed 2009-2010 Tourism Program Budget for review. Ms. Robertson said there is a disproportionate cut to the product line versus the marketing line and would like to have a 40/60 split and recommended adding \$13,546 back to the product line.

Ms. Robertson noted the Market Convention and Visitors Bureau (CVB) Administration line had no reduction, with other lines having significant reductions or being eliminated. She would support a reduction in the CVB Administration budget line. Ms. Kippola said the tourism board initially decided to cut new initiatives, and are trying to retain staff, with the most of them being at the Convention and Visitors Bureau. Ms. Chock asked whether rent was included within the CVB Administration Line and if so, whether that was standard in other budgets.

Ms. McPheeters shared information on how the various budget lines relate to salaries and rent. Following discussion, the Committee requested the Strategic Tourism Planning Board (STPB) provide an amended budget that would have a separate line for rent. Mr. Bonn clarified the remaining administration expenses, noting the 2009 budget had a more robust marketing plan. Mr. Sparrow explained the \$100,000 for the potential staff member is from a reserve; Ms. Kippola said the reserves are split 40/60 between Product and Marketing.

Ms. Robertson would like to amend the budget to reduce \$20,000 from the CVB Administration line and move it to Festivals.

Following further discussion, it was decided to send the budget back to STPB for further consideration.

#### Report on Emerson Power Transmission

Ms. McPheeters reported that Emerson Power Transmission announced they are phasing out the Ithaca plant over the next twelve to fourteen months.

#### **Agricultural and Farmland Protection Board**

Ms. Crispell, Chair of the Agricultural and Farmland Protection Board, reviewed the written material provided and explained the budget line for the Board that has existed in the Planning Department budget, however, for 2010 it has not been included. The Board carries out duties required by New York State Agriculture District Law and therefore Cornell Cooperative Extension will submit an over-target request in the amount of \$16,875 (2009 funding level \$18,000, with the 6.25% reduction).

Ms. Robertson appreciates the work done by the Board and would support the request. Mr. Proto said this is a State prescribed Board. He also noted the funds received from the County are leveraged to obtain additional grant funding.

Ms. Chock suggested the information be amended to indicate the benefit of having locally produced food. She is not in agreement with the portion of the material that states farmers do not benefit fully from tax dollars. Ms. Roth said the information came from a study indicating that overall farmers do not have the same benefit as other property owners.

Mr. Burbank asked why the Planning Department did not include funding for the Board. Mr. Marx explained the Department would provide the same level of support to the Agricultural and Farmland Protection Board as other boards. This funding that has previously been in the budget is for activities undertaken by the Board. The Environmental Management Council, Water Resources Council, Agricultural and Farmland Protection Board, and Planning Advisory Board will all receive the same level of support from the Planning Department.

Mr. Proto said it will be necessary to define what any department or committee can provide if they decide to provide services in-house. He expressed the importance of understanding the Agricultural and Farmland Protection Board is required by State law.

#### Resolutions

#### **RESOLUTION NO. - URGING THE FEDERAL GOVERNMENT TO IMPLEMENT IMMEDIATE ACTIONS TO HELP RELIEVE THE CURRENT DAIRY FISCAL CRISIS**

It was MOVED by Mr. Proto, seconded by Ms. Robertson, to approve and submit the following resolution to the full Legislature.

Mr. Beck, Farm Management Educator, explained that “move dairy commodities off the domestic market” refers to the removal of surplus products to reduce supplies that would then increase the amount of money farmers receive for their milk. It has occurred recently, but has only provided an additional \$1 per hundred-weight of milk. The projection for August 2009 is approximately \$12.52 per hundred-weight of milk, and the direct cost to produce is \$15.50 per hundred-weight. When added to overhead the cost to the farmer is approximately \$20 per hundred weight to produce milk. He believes that unless there is change dairy farmers

will decrease rapidly. The product removed could be used as an export incentive, or in school nutrition programs, etc.

Ms. Chock spoke of her research on the topic and noted dairy prices are the lowest they have been in four decades. Mr. Beck explained that two years ago pricing was almost \$23 per hundred-weight; then overproduction occurred and created a surplus and then the export business dropped as well. Ms. Chock said the resolution speaks to the short-term solution but not the long-range solution. She offered a friendly amendment to add an additional paragraph referencing the importance of farming for all and the need for long-term policies.

A voice vote on the resolution resulted as follows: Ayes – 5; Noes – 0. RESOLUTION CARRIED.

WHEREAS, Tompkins County is very concerned about the current dairy fiscal crisis, and

WHEREAS, Tompkins County recognizes that the following measures are needed to help to provide some relief from the economic challenges facing New York State’s dairy farmers and to preserve local dairy production – ensuring the availability of fresh, safe, high-quality, nutritious, and affordable milk and dairy products, and

WHEREAS, Tompkins County knows that dairy producers are struggling to meet their financial commitments because of historically low milk prices coupled with erratically high energy, feed, and fertilizer costs, and

WHEREAS, Tompkins County knows that the bleak economic climate has softened demand for dairy products in both domestic and foreign markets, creating a surplus of dairy products in the marketplace, thereby driving down dairy commodity prices even further, and

WHEREAS, Tompkins County realizes that many well-run dairy farms will not be able to continue in business in this fiscal climate unless immediate, decisive, meaningful government action is taken, and

WHEREAS, Tompkins County recognizes that the following measures are needed to help maintain the economic backbone of New York’s rural communities and agricultural infrastructure, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the following measures be implemented as soon as possible:

- Provide immediate, additional funding for increased payments to dairy farmers from the Milk Income Loss Contract (MILC) program;
- Urge the United States Department of Agriculture (USDA) to move dairy commodities off the domestic market as quickly as possible by fully utilizing the Dairy Export Incentive Program (DEIP) and the Food for Peace Program;
- Urge the USDA to take immediate administrative action to increase temporarily the product price levels in the Dairy Product Price Support Program (DPPSP);
- Urge the USDA to make immediate dairy product purchases for the Special Supplemental Nutrition Program for Women, Infants & Children (WIC) and other nutrition programs which received large increases in funding from the Federal stimulus package,

RESOLVED, further, That we recognize that this is only short-term assistance and urge the USDA to implement long-range policies to preserve the ability of all Americans to purchase healthful local food and will address the changes in agricultural purchasing patterns,

RESOLVED, further, That the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to President Barack Obama, United States Senators Charles Schumer and Kirsten Gillibrand, United States Congressmen Maurice Hinchey and Michael Arcuri, all the counties of New York State, New York State Association of Counties, Inter-County Association of Western New York, and all others deemed appropriate and necessary.

**SEQR ACTION – TYPE II-20**

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Guide to Local Food Produced in the Southern Tier and Finger Lakes

The Committee was provided with a guide outlining fresh food markets throughout the area.

**Planning Department**

**RESOLUTION NO. - SUPPORT FOR STATE LEGISLATION AUTHORIZING MUNICIPALITIES TO ESTABLISH GREEN LOAN PROGRAMS TO PROVIDE FINANCING TO RESIDENTIAL AND COMMERCIAL PROPERTY OWNERS FOR ENERGY EFFICIENCY AND RENEWABLE ENERGY IMPROVEMENTS**

It was MOVED by Ms. Robertson, seconded by Ms. Chock, to approve and submit the following resolution to the full Legislature for approval. Ms. Borgella explained a barrier to individuals and businesses purchasing energy efficient or renewable energy improvements is the high up-front expense. The resolution supports State legislation that would authorize counties, towns, cities and villages, to establish green loan programs to provide financing to residential and commercial property owners for energy efficiency and renewable energy improvements. This would be achieved through a financing mechanism tied into property tax and spread out over a period of years; the savings provided through the energy efficiency would offset the cost of the equipment. In the event the property is sold, the debt would stay with the property. She said the Town of Babylon, New York, declared carbon a solid waste in order to implement a similar program in their municipality; it is not certain if their designation would stand if legally challenged.

Ms. Robertson asked if the noted State bills were the most appropriate legislation to support. Ms. Borgella believes while these bills only address residential properties, it is appropriate to support them as a first step.

Mr. Proto asked what impact the legislation may have on the Planning Department. Ms. Borgella said it would not have an impact; local municipalities would have to craft their own ordinance and then create a program specific for the municipality.

Ms. Borgella said the Federal Stimulus funding is not available to New York residents without authorizing legislation; it is hoped the passage of these bills could bring a portion of the funds into the State.

A voice vote on the resolution resulted as follows: Ayes – 5; Noes – 0. RESOLUTION CARRIED.

WHEREAS, in 2008, the Tompkins County Legislature adopted the Energy and Greenhouse Gas Emissions element as an amendment to the Tompkins County Comprehensive Plan, and

WHEREAS, the Energy and Greenhouse Gas Emissions element set in motion a multi-faceted plan for the Tompkins County community to reduce energy demand, improve energy efficiency, make the transition to renewable sources of energy and reduce greenhouse gas emissions in the County by at least two percent of the 2008 level for each of the next forty years, achieving at least an eighty percent reduction in greenhouse gas emissions by the year 2050, and

WHEREAS, the element contains action items to help achieve energy and greenhouse gas emissions goals, including an action to investigate the feasibility of developing low-interest financing mechanisms to improve the payback for energy efficiency investments made by homeowners, landlords, and businesses, and

WHEREAS, upon investigating financing mechanisms to reduce the payback periods on energy efficiency and renewable energy improvements for homeowners, businesses and landlords, the Planning Department found that State legislation would be required to allow municipalities to establish green loan financing programs that could be paid in conjunction with other municipal real property taxes and would be imposed at an annual rate equal to the annual energy savings to the owner of the real property as a result of the energy efficiency improvements performed with the proceeds of the financing, and

WHEREAS, similar programs have been very successful in places such as Berkley, California and Babylon, New York, but are not easily replicable for municipalities in New York State without creating complex authorities or requesting special authorization from the New York State Legislature, and

WHEREAS, the New York State Legislature is considering bills in the Assembly and Senate (currently A7611-B Englebright, Same as S4954-B Thompson) to amend New York State General Municipal Law to allow counties, as well as cities, towns and villages, to provide financing for green loan programs for improvements to buildings to implement energy efficiency measures and reduce greenhouse gas emissions, and

WHEREAS, Tompkins County and its community members will need many different strategies to achieve their emissions reductions targets while at the same time reducing energy costs and improving comfort for homeowners, renters and businesses, and low-cost financing options are key to making progress in these sectors, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the Tompkins County Legislature hereby requests the State of New York to adopt legislation amending General Municipal Law to authorize counties, as well as towns, cities and villages, to establish green loan programs to provide financing to residential and commercial property owners for energy efficiency and renewable energy improvements,

RESOLVED, further, That the Clerk of the Legislature is authorized to forward this resolution in support of amending General Municipal Law to Governor David A. Paterson; Senate Temporary President, Malcolm Smith; Senate Majority Leader Pedro Espada, Jr.; Senate Minority Leader Dean Skelos; Senator George Winner; Senator James Seward; Senator Michael Nozzolio; Assembly Speaker Sheldon Silver; Assembly Minority Leader James Tedisco; Assemblywoman Barbara Lifton; and the New York State Association of Counties.

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**RESOLUTION NO. - AUTHORIZING SUBMISSION OF A COORDINATED GRANT APPLICATION TO THE NEW YORK STATE ENVIRONMENTAL PROTECTION FUND 2009-2010 LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) FOR A CAYUGA LAKE BLUEWAY TRAIL PLAN, IN PARTNERSHIP AND COORDINATION WITH CAYUGA COUNTY AND SENECA COUNTY**

It was MOVED by Ms. Chock, seconded by Ms. Robertson, to approve and submit the following resolution to the full Legislature for approval.

The grant is sought by Tompkins, Seneca, and Cayuga Counties and would provide funding to undertake a policy in the Comprehensive Plan relating to the Lake. Mr. Marx does not anticipate Tompkins County would be the lead agency for this initiative. The manner that in-kind contributions would be determined is not certain; it could be developed according to the amount of Lake access each county has.

Ms. Chock said the long-range tourism plan highlights the need to have increased lake access and usage and this should meet some of that goal. It was clarified the maximum amount would be up to \$20,000 from each county.

Mr. Proto expressed concern that this would be a new initiative, requiring some form of support, either staff or financially. In addition, because of the recreation portion of the proposal, the Water Resources Council Recreation Committee should be provided the information. Mr. Marx said the Water Resources Council, and municipalities could be involved, and that volunteer work could be part of the in-kind match.

Ms. Robertson noted this type of initiative has been discussed for the past two years. Initiatives such as this are the core work for the Department and included within the Comprehensive Plan. If the work is something the County desires and has outside funds available it is appropriate to proceed. Mr. Marx said if the project required a cash outlay he would not have proceeded.

Mr. Proto said it could be argued that there are more important components within the Comprehensive Plan, and asked if the County would be making a commitment to do the work. Mr. Marx said if awarded the grant the County could choose not to accept the funding. He stressed it is not the intent for Tompkins County to undertake being the lead agency.

Ms. Robertson said when the County has the opportunity to receive financial support to do an action step within the Comprehensive Plan it should be done; particularly when there is a partnership with two other counties. Mr. Marx said for a limited period of time some staff would shift to work on this project, however, that is not unusual. He believes it to be a worthwhile initiative and said if the other counties do not pass their resolution the project would not move forward.

A voice vote on the motion resulted as follows: Ayes – 3 (Legislators Chock Mackesey, and Robertson); Noes – 2 (Legislators Burbank and Proto). RESOLUTION CARRIED.

WHEREAS, Blueways are small boat and paddling routes that combine recreation and environmental awareness and allow users to travel to and between designated stops that link New York’s heritage trails and sites, greenways, historic resources, scenic by-ways, and revitalized community centers, and

WHEREAS, a Blueway Trail that can be a catalyst for local economic development, and intermunicipal Blueway Corridors can contribute to regional economies, and

WHEREAS, the Tompkins County Comprehensive Plan includes a policy to “Promote appropriate development of waterfront lands for water-dependent or water-enhanced uses including enhancing public access to Cayuga Lake,” and

WHEREAS, the Long-Range Tompkins County Strategic Tourism Plan (2005) identified the need for enhanced access to, promotion, and use of Cayuga Lake’s resource, and

WHEREAS, Tompkins County has cooperated with Seneca County and Cayuga County to create the Cayuga Lake Scenic By-way which provides a tourism route that encircles the lake by land, and

WHEREAS, Cayuga Lake is part of the Federally-designated Erie Canalway National Heritage Corridor which promotes water trails as part of the tourism, recreation, and historic attraction of the corridor, and

WHEREAS, a Cayuga Lake Blueway Trail will enhance the lake’s tourism potential by providing a water trail to complement to the Cayuga Lake Scenic Byway and by strengthening Cayuga Lake’s place within the Erie Canalway National Heritage Corridor, and

WHEREAS, the New York State Environmental Protection Fund (EPF) 2009-2010 Local Waterfront Revitalization Program (LWRP) is soliciting grant applications specifically for intermunicipal plans for creation of Blueway Trails which requires a fifty percent matching contribution by participating localities, and

WHEREAS, the Tompkins County Planning Department has established a partnership with the Cayuga County and Seneca County Planning Departments to coordinate the development and submittal of a joint funding application to the 2009-2010 LWRP Grant Program for creating a Cayuga Lake Blueway Trail Plan, and

WHEREAS, the due date for submission of grant applications is September 14, 2009, and requires commitment resolutions from each municipality with each providing up to \$20,000.00 of in-kind staff services as the required match over the two-year planning period, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the Tompkins County Legislature hereby authorizes the Planning Department to participate in the preparation and submittal of a coordinated Grant Application to the New York State Environmental Protection Fund 2009-2010 Local Waterfront Revitalization Program for the Cayuga Lake Blueway Trail, including a commitment of up to \$20,000.00 in staff in-kind services over two years, in partnership with Cayuga and Seneca Counties,

RESOLVED, further, That the County Administrator or his designee is hereby authorized and directed to execute any required application materials or documents necessary for the submission of the grant application and/or execution of contracts upon a grant award for the Cayuga Lake Blueway Trail project.

**SEQR ACTION:** TYPE II-20

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Commissioner's Report

Mr. Marx said a great deal of time has been spent on his budget and it does not contain over target requests. He believes the economy will worsen and it is important not to include items that cannot be sustained over the long term.

In July, he worked on an application for an Environmental Protection Agency Climate Showcase Communities grant in the amount of \$500,000. This grant would be awarded to 20 to 30 communities nationwide and is a two-part application. The first and largest portion would be for a rural biomass demonstration project, mainly administered by Cooperative Extension, providing technical assistance to develop rural landowner cooperatives to provide land mass for growing biomass and to start a pelletizing operation for local use. It will also demonstrate in rural homes within Tompkins County the use of some of the heating equipment: central heating, furnaces using pellets or wood gasification (raw wood) to demonstrate effectiveness, gain experience, energy savings, etc. The greenhouse gas emissions would be measured and documented, and the study would show the advantage or disadvantage to using biomass. The second piece is working with Solid Waste to expand the Re-business program for business recycling to include energy efficiency.

There is local match of funds through the individuals benefiting from the project. Homeowners would be responsible for a portion of the cost. They would also agree to keep track and allow data to be collected.

Ms. Chock asked about air quality with the biomass equipment; Mr. Marx said the Environmental Protection Agency has new standards and the equipment would be required to meet their standards.

Mr. Proto spoke of the project started in Danby cooperative regarding biomass; Mr. Marx said the project would be working with this group as a model. By doing so it would help them to move forward as well as making the application stronger.

Ms. Robertson noted this project could utilize marginal lands that have not been productive. Mr. Marx said with regard to the wood portion it could improve management.

Information on Article

Ms. Mackesey spoke of having read an article that lightening up pavement reduces a great deal of heat. Mr. Marx said there would be a white roof installed on 55 Brown Road and as other buildings require replacement it would be white roofs. With regard to paving it is a large cost.

Adjournment

On motion the meeting adjourned at 4:55 p.m.

*Respectfully submitted – Karen Fuller, Deputy Clerk*