

Planning, Development, and Environmental Quality Committee

Regular Meeting Minutes

Wednesday, May 5, 2010 3:30 PM

Scott Heyman Conference Room

Approved July 7, 2010

Present: P. Mackesey, Chair, C. Chock, W. Burbank, F. Proto, P. Pryor
Staff: E. Marx, J. Leccese, J. Jurkowich, Planning Department; J. Mareane, P. Younger, County Administration; M. Roth, E.J. Sequeira, Cornell Cooperative Extension; M. Lynch, Public Information Officer
Legislators: M. Robertson, Chair; D. Kiefer
Guests: C. Schutt, Soil and Water Conservation District; S. Penningroth, Community Science Institute; S. Shackford, The Ithaca Journal

Call to Order

Chair Mackesey called the meeting to order at 3:32 p.m.

Changes to Agenda

Chair Mackesey added the resolution entitled “Endorsing Spring 2010 Community Celebrations Grant to Community School of Music and Arts” to the agenda.

Cornell Cooperative Extension

Local Food Programs Update

Ms. Roth reviewed the numerous food-related programs offered by Cornell Cooperative Extension (CCE) and community initiatives. The programs are in three areas: 1) farm level activities, 2) buyer connections, and 3) consumer connections. Through collaboration and education CCE addresses food systems issues in a holistic way, drawing upon their staff and expertise to create individual programs as well as working externally with stakeholders to help create and strengthen a more equitable and sustainable local food system. The particular areas covered are food production for agricultural producers as well as for homes and communities, education at various levels, marketing, access to food through subsidized farmers markets, community gardening, distribution of farmers’ market and food stamp acceptance at the farmers market, preparation, food safety, recycling and reuse.

Community Project

Ms. Sequeira reported on the 2.5-year old Community Project, which focuses efforts on education of healthy eating habits to assist in reduction of obesity. Grants were received from Gardens for Humanity allowing CCE to go out to communities and start gardens. The Committee was informed of the numerous activities that involve youth and farmers to provide education on this industry as well as the benefits of healthy eating.

Resolution (DOC ID: 1972): Scheduling a Public Hearing for Addition to Agricultural District No. 2 (West Side of Cayuga Lake)

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

WHEREAS, Resolution No. 25 of 2004 designated an annual review period when landowner proposals for inclusion of viable agricultural lands within existing certified agricultural districts will be accepted for review and action by the Tompkins County Legislature, and

WHEREAS, Resolution No. 201 of 2007 revised the schedule of the annual review period so that it begins February 1, and

WHEREAS, one landowner has requested addition of a parcel totaling 10.76 acres to Tompkins County Agricultural District 2 and no landowners have requested addition of parcels to Tompkins County Agricultural District 1, and

WHEREAS, the County Legislature is required to hold a public hearing and act on such proposals within 120 days under New York State Agriculture District Law, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the public hearing on additions to the Agriculture Districts of Tompkins County be held at the County Legislature meeting scheduled for June 1, 2010,

RESOLVED, further, That the Clerk of the County Legislature is authorized to place proper notice, including tax parcel number and street address, of this public hearing in the official newspaper of the County.

SEQR ACTION: TYPE II-20

* * * * *

Resolution (DOC ID: 1973): Adding Parcel to Agricultural District No. 2 (West Side of Cayuga Lake)

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

WHEREAS, Resolution No. 25 of 2004 designated an annual review period when landowner proposals for inclusion of viable agricultural lands within existing certified agricultural districts will be accepted for review and action by the Tompkins County Legislature, and

WHEREAS, Resolution No. 201 of 2007 revised the schedule of the annual review period so that it begins February 1, and

WHEREAS, one landowner has requested addition of parcels totaling 10.76 acres to Tompkins County Agricultural District 2 and no landowners have requested addition of parcels to Tompkins County Agricultural District 1, and

WHEREAS, this request has been reviewed and recommended for approval by the Agricultural and Farmland Protection Board, and

WHEREAS, this request has been reviewed and recommended for approval by the Planning Advisory Board, and

WHEREAS, the County Legislature held the required public hearing on such proposal on June 1, 2010, and

WHEREAS, the County Legislature is required to act on such proposals within 120 days under New York State Agriculture District Law, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That approval is granted for the requested addition to Agricultural District 2 of Tompkins County, as specified in the Explanatory Note below.

SEQR ACTION: TYPE II-20

* * * * *

Explanatory Note: Addition of this parcel would result in new total acreage of District 2: 65,230 acres

Owner of this parcel has requested it be added to the Agricultural Districts:

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Town of Ulysses (Agricultural District #2)
SWSS: 503689 Parcel: 14.-3-14.61 10.76 acres 1588 Taughannock Blvd.
* * * * *

Planning Department

Resolution (DOC ID: 2000): Negative Declaration Regarding Authorizing the Disbursement of Housing Fund Funding

Ms. Chock disclosed that her husband is the Director of Ithaca Neighborhood Housing Services and she recused herself from the vote.

RESULT:	RECOMMENDED [4 TO 0] ABSTAIN 1
MOVER:	Frank Proto, Member
SECONDER:	Will Burbank, Member
AYES:	Pamela Mackesey, Will Burbank, Frank Proto, Pat Pryor
ABSTAIN:	Carol Chock

WHEREAS, the Tompkins County Legislature through Resolution No. 31 of 2009 authorized funding for the Community Housing Affordability Program and the Community Housing Trust Program, and

WHEREAS, the Community Housing Affordability Program and the Community Housing Trust Program are jointly known as the Housing Fund, and

WHEREAS, the Housing Fund assists with the pre-development costs associated with residential and mixed-use real estate development projects primarily benefiting low- and moderate-income households, and supports a housing trust designed to ensure that newly constructed or rehabilitated homes that are made available to low- to moderate-income households remain affordable to future generations of buyers, and

WHEREAS, Tompkins County has received and reviewed the City Environmental Quality Review (CEQR) documents for the projects listed as the Women’s Community Building and Magnolia House, and

WHEREAS, the City has determined the Women’s Community Building project to be a Type I Action with a Negative Declaration and determined the Magnolia House project to be a Type II Action, and

WHEREAS, the County has determined the Magnolia House project to be a State Environmental Quality Review (SEQR) Unlisted Action, now therefore it be

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the authorization of Housing Fund disbursement and the subsequent construction of the two projects listed above adequately protects and preserves the environment and will not have any potentially significant adverse effects on the environment,

RESOLVED, further, That Tompkins County concurs with the CEQR Negative Determination of the Women’s Community Building Project,

RESOLVED, further, That Tompkins County determines that the Magnolia House project will not result in a significant impact on the environment and makes a Negative Determination of Significance,

RESOLVED, further, That a SEQR Short Environmental Assessment Form (EAF) and Negative Determination (Notice of Determination of Non-Significance) has been completed and filed appropriately.

SEQR ACTION: Unlisted
(EAF on file with Clerk of the Legislature)

* * * * *

Resolution (DOC ID: 2001): Authorization to Disburse County Funds Pertaining to the Housing Fund and Designating the County to Serve as Fiscal Agent

Ms. Chock disclosed that her husband is the Director of Ithaca Neighborhood Housing Services and she recused herself from the vote.

Mr. Proto asked if there would be any liability attached to the County since they were acting as the fiscal agent of the Trust funds. Mr. Marx said the account would be a pass-through account; an agreement with the City of Ithaca and Cornell University. The Finance Director, Mr. Squires, has spoken to the County auditors who recommended a trust account be created that could continue between budget years to handle the funds. It was noted the trust fund would continue past these projects; payments of the loans would then be available to fund future projects. Ms. Robertson thanked everyone for the work done to create the Housing Fund. Ms. Chock also expressed gratitude to Cornell University and the City of Ithaca for participating in the partnership.

RESULT:	RECOMMENDED [4 TO 0]
	ABSTAIN 1
MOVER:	Will Burbank, Member
SECONDER:	Pat Pryor, Member
AYES:	Pamela Mackesey, Will Burbank, Frank Proto, Pat Pryor
ABSTAIN:	Carol Chock

WHEREAS, the Tompkins County Legislature through Resolution No. 31 of 2009 authorized funding for the Community Housing Affordability Program and the Community Housing Trust Program, and

WHEREAS, the Community Housing Affordability Program and the Community Housing Trust Program are jointly known as the Housing Fund, and

WHEREAS, the Housing Fund assists with the pre-development costs associated with residential and mixed-use real estate development projects primarily benefiting low- and moderate-income households, and supports a housing trust designed to ensure that newly constructed or rehabilitated homes that are made available to low- to moderate-income households remain affordable to future generations of buyers, and

WHEREAS, Tompkins County authorized the Memorandum of Understanding among the County of Tompkins, the City of Ithaca, and Cornell University with regard to the Housing Fund, by Resolution No. 31 of 2009, and

WHEREAS, Tompkins County accepted and approved the Notice of Funding Availability for the Community Housing Affordability Program and the Community Housing Trust Program subject to review and modification by the Program Oversight Committee provided that such revisions did not materially change the intent of the Programs, and

WHEREAS, the Notice of Funding Availability was accepted and approved by the Housing Fund Program Oversight Committee was made available to interested parties with a deadline of December 31, 2009, and

WHEREAS, six applications were received and reviewed by the Application Review Committee, which made formal funding recommendations to the Housing Fund Program Oversight Committee, and

WHEREAS, the Program Oversight Committee accepted and recommended the following three proposals receive funding as indicated in the table

Applicant	Project	Dollar Amount Recommended	Number of Units	Location
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<i>INHS</i>	Holly Creek Townhomes	\$200,000 (grant)	11 townhomes	Town of Ithaca
<i>INHS/PathStone</i>	Women's Community Building	\$75,000 (loan)	50 apartments	City of Ithaca
<i>Tompkins Community Action</i>	Magnolia House	\$70,000 (loan)	14 units of permanent housing	City of Ithaca

, and

WHEREAS, the Housing Fund Program Oversight Committee has recommended, and the City of Ithaca and Cornell University have agreed, that the County serve as fiscal agent for the Housing Fund, and

WHEREAS, the State Environmental Quality Review (SEQR) process has been completed for the Women's Community Building project and the Magnolia House project, and

WHEREAS, the Holly Creek Homes project is going through the SEQR review process with the Town of Ithaca as Lead Agency and a separate SEQR process will be conducted in order for the project to receive funding from the Housing Fund, now therefore it be

RESOLVED on recommendation of the Planning, Development, and Environmental Quality and the Budget, Capital, and Finance Committees, That the County serve as the fiscal agent for the Housing Fund and authorize the County to enter into an agreement with the City of Ithaca and with Cornell University to accept funding for the Women's Community Building project and the Magnolia House project,

RESOLVED, further, That Tompkins County authorizes the expenditure of its funds to support the Housing Fund recipients as recommended by the Housing Fund Program Oversight Committee,

RESOLVED, further, That the County's contribution of \$100,000 in HUD Program Income Funds be transferred to the appropriate Revenue and Appropriations account,

RESOLVED, further, That the County Administrator or his designee is authorized to execute agreements in order to effect this grant program consistent with this resolution,

RESOLVED, further, That the Finance Director or his designee is authorized to create a Trust account in order to manage the Housing Fund consistent with this resolution,

RESOLVED, further, That the Finance Director or his designee is authorized to make budget adjustments as necessary to implement the actions identified in this resolution.

SEQR ACTION: Unlisted

* * * * *

Resolution (DOC ID: 2003): Making a Negative Declaration of Environmental Significance in Relation to Resolution No. _____ of 2010

Mr. Marx noted the action has already been through the State Environmental Quality Review with the Town of Ithaca during the subdivision process. Mr. Proto spoke of Ms. Riha of the Ithaca Town Board noting the Town would like to be involved with any disposition of the 26-acre parcel. Mr. Marx said the Town of Ithaca Supervisor and Planning Board has been informed at every step of the negotiation process; if the 26-acre parcel were to be put on the market discussions with the Town of Ithaca would take place. The Committee was informed that the resolution declaring the Biggs B real property no long needed for public use would accompany the resolutions now being acted upon by the Committee.

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

WHEREAS, in Resolution No. _____ of 2010, the Tompkins County Legislature would authorize the

County Administrator to execute a deed with Cayuga Medical Center for the sale of the Biggs B Building and approximately 8.99 acres of land in the Town of Ithaca; and

WHEREAS, the Town of Ithaca Planning Board made a negative determination of environmental significance when it approved the subdivision of Town of Ithaca Tax Parcel Number 24.-3-2.22 on March 16, 2010; and

WHEREAS, the Tompkins County Legislature has reviewed and accepted as adequate an Environmental Assessment Form with respect to that action, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That Resolution No. ___ of 2010 is an unlisted action,

RESOLVED, further, That the County Legislature hereby makes a negative declaration of environmental significance in regard to Resolution No. ___ of 2010.

SEQR ACTION: Unlisted
(EAF on file with Clerk of the Legislature)

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Resolution (DOC ID: 1940): Authorizing the County Administrator to Sell Real Property on Dates Drive in the Town of Ithaca, Including the Biggs B Building and Approximately 8.99 Acres of Land, to Cayuga Medical Center

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

WHEREAS, the Tompkins County Health Department currently occupies a structure commonly referred to as the “Biggs B” building that is located on a 35.76 acre County-owned parcel in the Town of Ithaca, and

WHEREAS, in anticipation of vacating the Biggs B building as a part of the relocation of the Health Department to new quarters in a renovated building on Brown Road in the Cornell Business Park, the County has contemplated the sale of the surrounding property and has expected the proceeds of such sale would be used to support a portion of the cost of renovating the Brown Road building, and

WHEREAS, upon consultation with the Planning Advisory Board as well as the Legislature’s Government Operations; Facilities and Infrastructure; and the Planning, Development, and Environmental Quality Committees, the County subdivided the parcel into three separate parcels, one of which includes the Biggs B building and approximately 8.99 surrounding acres of land (the “Biggs B Parcel”); another consists of approximately 26.0 acres of wooded land; and the third consists of the so-called K-house and approximately 0.77 acres of surrounding land, and

WHEREAS, by Resolution No. __ of 2010, this Legislature resolved that the Biggs B Parcel was no longer needed for public use and is therefore eligible for disposition, and

WHEREAS, also upon consultation with the Planning Advisory Board and appropriate legislative standing committees, the County commenced negotiations with the adjacent owner, Cayuga Medical Center, on the sale of the Biggs B Parcel, and

WHEREAS, the County and Cayuga Medical Center have agreed to the terms of sale for the Biggs B Parcel, and

WHEREAS, those terms provide for the Biggs B Parcel to be sold at a price of \$1,059,000 and for the property to be transferred from the County to Cayuga Medical Center on or before August 1, 2010, and

WHEREAS, the process followed in the sale of the Biggs B parcel is compliant with Chapter 19-1 of the County Code governing the sale or lease of County Property, now therefore be it

RESOLVED, on recommendation of the Government Operations, the Facilities and Infrastructure, and the Planning, Development, and Environmental Quality Committees, That the County

Administrator is hereby authorized to execute any and all documents to complete the sale of the Biggs B Parcel to Cayuga Medical Center,

RESOLVED, further, That the sale of the Biggs B Parcel does not affect the status of the other two subdivided parcels on the site that shall remain owned and controlled by the County unless otherwise authorized by this Legislature.

SEQR ACTION: UNLISTED

* * * * *

Report from the Commissioner of Planning and Public Works

Request for Planning Services

Mr. Marx has been approached by the Town of Ulysses to discuss the possibility of assisting with planning relating to gas drilling as well as other items to implement within their comprehensive plan and other planning issues. He explained to their Town Supervisor, Ms. Marino, that several years ago the possibility of a “circuit rider” planner had been discussed for towns without a planner, which may be a possibility if there were enough towns wanting to cost-share for a position. Ms. Marino will contact other municipalities to see if there is an interest. He also suggested it might be possible to contract with Towns for a specific project, however, Ms. Marino was seeking a long-term association with the County. Mr. Proto suggested the topic be brought up at a Tompkins County Council of Governments meeting to determine interest.

American Planning Association Conference

Mr. Marx , Mr. de Aragon of Ithaca-Tompkins Transportation Council, and Mina Amundsen, the University Planner and Director of the Campus Planning Office at Cornell, led a three-day session on University-Community Planning Collaboration. He said information received at the conference was from high-level Federal representatives during plenary sessions, including: HUD Secretary Shawn Donovan, EPA Administrator Lisa Jackson, and the top advisor on Urban Affairs. All of the speakers addressed the administration’s efforts with regard to collaboration between housing, transportation, environmental, and economic policies, which has not taken place for 30-40 years. An aspect addressed by the Urban Affairs representative was the Federal government looking at changing the thinking from affordable housing to affordable living. A review of current policy shows that affordable housing does not always work due to the location of housing creating transportation to work and shopping. The Federal government is now looking to see how housing, employment, and transportation needs interrelate as it applies not only to housing but transportation and the environment as well. There was also a lot of discussion of changing comprehensive plans from 20 years to 50-100-year comprehensive plans. One driving reason for this change is climate change, noting that decisions made now will have implications 50-100 years from now. Some communities are already doing this, recognizing there is a great deal of uncertainty that would require reviews as the plan progress. Mr. Marx said there were discussions of climate change issues and how they are addressed in different states including California, Florida, Vermont, and Oregon.

Ms. Mackesey asked that other information regarding the conference be provided at a future date.

Soil & Water Conservation District

Resolution (DOC ID: 1977): Resolution: Requesting Determination of the Potential Role of the Upper Susquehanna Coalition and Its Member Soil and Water Conservation Districts in Providing Technical Assistance to Serve Local Agricultural and Public Interests During Potential

Development of Natural Gas Production in the Upper Susquehanna Region

It was MOVED by Mr. Proto, seconded by Ms. Pryor, to recommend the following resolution to the full Legislature for consideration.

Mr. Schutt said at the Upper Susquehanna Coalition (USC) level there is a gas drilling task force. Upon review by this task force it has been determined that Soil and Water Conservation Districts and the USC level have expertise and resources that could prove useful in the event of gas drilling operations, particularly with regard to wetlands. As a result, USC is attempting to develop a regional approach that would benefit local agricultural and public interests. Similar resolutions have been passed in Schuylers, Tioga, Chemung, and Steuben Counties; Broome County is working on a resolution at this time.

Ms. Chock said she has three concerns regarding involvement by the Soil and Water Conservation Districts, specifically, 1) protection of farmers and public interest, and not in the gas industries; 2) whether there are other watersheds that are being protected, and 3) other departments that may be involved. Allowing the Soil and Water Conservation Districts to receive funding from gas drilling companies could result in a dependency of that funding; there should be a mechanism in place to avoid direct payments. Mr. Schutt agreed and noted he is working for the residents of the represented counties. Although at the present there are not contracts with private firms, they do have the ability to do so if desired. He said that Pennsylvania is experiencing gas drilling companies approaching the Soil and Water Conservation Districts for assistance.

Mr. Proto noted the resolution references the ability to explore how member-districts could work with USC in the assistance of gas drilling efforts. At the Soil and Water Conservation Board the concern was outsiders coming in and providing incorrect information; the interest is to protect local water resources. Perhaps the resolution could be reworded to indicate it is a county-wide concern and not just restricted to the Upper Susquehanna River Basin. With regard to the revised resolution that may be suggested by Ms. Chock, he did not believe the language relating to initial language to have New York State pay for the service would be appropriate, noting many departments have not received the promised State reimbursements; if extensive services were provided it could be a great deal of money. He suggested a trust fund could be set up by the gas drilling companies for this type of technical service.

Ms. Mackesey said a concern is that individuals who have completed work are associated with the companies and therefore perceived as on the side of the drilling companies rather than looking out for public interest. The purpose of the resolution is to clarify that is not the case and to attempt to find a solution to the perception. She said Ms. Chock's amendments are intended to help protect residents. Mr. Schutt said the USC is also going to present the State Soil and Water Conservation Department with a similar resolution asking them to pass one as well.

At this time Ms. Chock reviewed the recommended amendments to the resolution. Following a lengthy discussion it was MOVED by Ms. Chock, seconded by Mr. Burbank, to offer the following resolution.

It was MOVED by Mr. Burbank, seconded by Ms. Pryor, and unanimously adopted by voice vote, to table the resolution until the June 2, 2010 Committee meeting.

RESULT:	TABLED	Next: 6/2/2010 3:30 PM
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WHEREAS, gas drilling in the Marcellus Shale and other low permeable natural gas bearing formations, and the construction of gathering lines, will involve critical questions regarding soil and water

resources, and

WHEREAS, potential locations of drilling sites and the activities associated with all the phases of the extraction, and the placement of gathering lines, depends upon a technical understanding of local soil types, land use, hydrology including drainage characteristics of prospective sites, topography and other relevant landscape features, and

WHEREAS, it is unlikely well drillers will have local knowledge and experience to best accommodate all the soil and water factors that should be taken into consideration; and

WHEREAS, much of the land at issue is active farmland, and

WHEREAS, gas well drilling activities and pipeline construction can significantly affect agricultural resources, and

WHEREAS, relevant local technical expertise is available in respective County Soil and Water Conservation Districts, and

WHEREAS, Districts have authority to provide technical support as provided in New York State Soil and Water Conservation District Law (“SWCDL”) Section 9, and

WHEREAS, the gas drilling will take place largely within the Upper Susquehanna River Basin, but may also take place in the Great Lakes Basin, and

WHEREAS, geographically this basin falls within the scope of the various County Soil and Water Conservation Districts that comprise the Upper Susquehanna Coalition and other relevant watersheds, and

WHEREAS, engagement of Soil and Water Conservation Districts acting in concert through the Upper Susquehanna Coalition is provided for in SWCDL Section 9, “Powers of Districts and Directors” and Section 10, “Cooperation Between Districts”, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature requests that the Upper Susquehanna Coalition explore how the member Soil and Water Conservation Districts of the Upper Susquehanna Coalition might be engaged to assist landowners, especially farmers, New York State Department of Environmental Conservation, and others concerned with the public interest associated with drilling activities and gathering lines, with the purpose of providing sound technical assistance within the power of Districts as described in SWCDL Sections 9 and 10, and as may be granted in other sections of the SWCDL, for the planning and possible implementation of drilling and associated activities, including pipeline construction, using proven local soil and water technical capability to ensure the best use and protection of natural resources, as they answer questions and provide technical information to gas drilling companies,

RESOLVED, further, That this exploration should include a mechanism that would allow compensation but protect the County Soil and Water Conservations Districts in a manner that maintains their autonomy as they provide technical assistance, rather than by direct contributions or payments from these industries to the local County Soil and Water Conservation Districts,

RESOLVED, further, That the Clerk of the Legislature shall forward certified copies of this Resolution to the above-mentioned organizations.

SEQR ACTION: TYPE II-20

Original Presented Resolution

Requesting Determination of the Potential Role of the Upper Susquehanna Coalition and Its Member Soil and Water Conservation Districts in Providing Technical Assistance for All Parties Concerned in the Development of Natural Gas Production in the Upper Susquehanna Region

WHEREAS, Gas drilling in the Marcellus Shale and other low permeable natural gas bearing formations, and the construction of gathering lines, will involve critical questions regarding soil and water resources, and

WHEREAS, Potential locations of drilling sites and the activities associated with all the phases of the extraction, and the placement of gathering lines, depends upon a technical understanding of local soil

types, land use, hydrology including drainage characteristics of prospective sites, topography and other relevant landscape features, and

WHEREAS, It is unlikely well drillers will have local knowledge and experience to best accommodate all the soil and water factors that should be taken into consideration; and

WHEREAS, Much of the land at issue is active farmland, and

WHEREAS, Gas well drilling activities and pipeline construction can significantly affect agricultural resources, and

WHEREAS, Relevant local technical expertise is available in respective County Soil and Water Conservation Districts, and

WHEREAS, Districts have authority to provide technical support as provided in New York State Soil and Water Conservation Districts Law ("SWCDL") Section 9, and

WHEREAS, The gas drilling will take place largely within the Upper Susquehanna River Basin, or in immediately adjacent Counties; and

WHEREAS, Geographically this basin falls within the scope of the various Soil and Water Conservation Districts that comprise the Upper Susquehanna Coalition, and

WHEREAS, Engagement of Soil and Water Conservation Districts acting in concert through the Upper Susquehanna Coalition is provided for in SWCDL Section 9. Powers of districts and directors and Section 10. Cooperation between districts, now therefore be it

RESOLVED, That the Tompkins County Legislature requests that the Upper Susquehanna Coalition explore how the member Soil and Water Conservation Districts of the Upper Susquehanna Coalition might be engaged to assist landowners, especially farmers, and the gas drilling companies and others concerned with drilling activities and gathering lines, with the purpose of providing sound technical assistance within the power of Districts as described in SWCDL sections 9 and 10, and as may be granted in other sections of the SWCDL, for the planning and implementation drilling and associated activities, including pipeline construction, using proven local soil and water technical capability to ensure the best use and protection of natural resources, and be it further

RESOLVED, That the Clerk of the Legislature shall forward certified copies of this Resolution to the above-mentioned organizations.

SEQR ACTION: TYPE II-20

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Strategic Tourism Planning Board

Appointment to Strategic Tourism Planning Board (DOC ID: 1947)

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

Anthony Hopson, Ithaca College Representative, term to expire December 31, 2012

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Resolution (DOC ID: 2004): Endorsing Spring 2010 Community Celebrations Grant to Community School of Music and Arts

Ms. Mackesey said the resolution is being added at the request of Ms. Kiefer, who had done research regarding the event. She also has spoken to the Strategic Tourism Planning Board Chair, David Sparrow, who did not object with bringing the matter forward for consideration.

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Ms. Kiefer explained the event had not been considered as the guidelines indicate banners need to be reused. After discussions and research, a local vendor was found to produce the banner at a lower cost, including putting it up and removing it at the appropriate time. In addition, the banner will be on the building for eight months, providing more exposure than a banner reused for events.

Ms. Pryor spoke of having sat on the Celebrations Grant Selection Committee and is concerned that this application is being brought forward when others had been denied or reduced due to perceived deficiencies; they are not being given the same opportunity. Ms. Mackesey said generally she would agree, however, this is a local group's fiftieth anniversary, which is a significant and unique event.

Ms. Kiefer noted that on occasion the Legislature has amended recommended Strategic Tourism grants.

Ms. Pryor supports the grant award, however, she expressed her concern regarding an inequity since other groups are not provided the same opportunity.

RESULT:	RECOMMENDED [4 to 1]
MOVER:	Will Burbank, Member
SECONDER:	Frank Proto, Member
AYES:	Mackesey, Burbank, Proto, Pryor
NAYES:	Chock

WHEREAS, the Community School of Music and Arts (CSMA) will be celebrating its 50th anniversary this year, and

WHEREAS, CSMA is eligible for a Community Celebrations grant under guidelines established by the Strategic Tourism Planning Board, and

WHEREAS, CSMA has refined its earlier application for funds to purchase a banner that will be displayed on the exterior of its building on West State/Martin Luther King, Jr. Street from summer 2010 through spring 2011 to help advertise and commemorate this important anniversary of its contribution to the arts and cultural life of Tompkins County, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That a grant in the amount of \$1,590 be awarded to CSMA,

RESOLVED, further, That the County Administrator or his designee is authorized to sign any documents related to the aforementioned project.

SEQR ACTION: TYPE II-20

Note: CSMA submitted an application for the spring round of grants, requesting \$2,000 for a \$2,500 banner, but due to an interpretation of the guideline that a banner must be "reusable", was left out of consideration. In fact, a banner that will be displayed for many consecutive days (e.g. 8 months) will likely have more total "reuse" than a banner that is used for e.g., 3 days a year.

In 2010 a total of \$33,590 was available for Community Celebration grants, of which \$19,730 was used for the initial round of Spring 2010 grants, leaving \$13,860 for a fall round. Since CSMA plans to display its banner this summer, it is appropriate to act on this grant now.

Minutes Approval

It MOVED by Ms. Mackesey, seconded by Ms. Pryor, and unanimously adopted by voice vote, to table the minutes of April 7, 2010, until the June 2, 2010, Committee meeting.

Minutes
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Adjournment

On motion, the meeting adjourned at 5:40 p.m.



Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

SCHEDULED

REPORT OR DISCUSSION ITEM

Meeting: 05/05/10 03:30 PM

Department: Planning Development & Env. Quality Committee

Category: Reports by Committees, Task Forces, Etc.

Functional Category:

DOC ID: 1971

Local Food Programs Update



Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

Meeting: 05/05/10 03:30 PM
Department: Planning Development & Env. Quality Committee
Category: Public Hearing
Functional Category

SCHEDULED

DOC ID: 1972

RESOLUTION NO.

Scheduling a Public Hearing for Addition to Agricultural District No. 2 (West Side of Cayuga Lake)

WHEREAS, Resolution No. 25 of 2004 designated an annual review period when landowner proposals for inclusion of viable agricultural lands within existing certified agricultural districts will be accepted for review and action by the Tompkins County Legislature, and

WHEREAS, Resolution No. 201 of 2007 revised the schedule of the annual review period so that it begins February 1, and

WHEREAS, one landowner has requested addition of a parcel totaling 10.76 acres to Tompkins County Agricultural District 2 and no landowners have requested addition of parcels to Tompkins County Agricultural District 1, and

WHEREAS, the County Legislature is required to hold a public hearing and act on such proposals within 120 days under New York State Agriculture District Law, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the public hearing on additions to the Agriculture Districts of Tompkins County be held at the County Legislature meeting scheduled for June 1, 2010,

RESOLVED, further, That the Clerk of the County Legislature is authorized to place proper notice, including tax parcel number and street address, of this public hearing in the official newspaper of the County.

SEQR ACTION: TYPE II-20



Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

Meeting: 05/05/10 03:30 PM
Department: Planning Development & Env. Quality Committee
Category: Administrative
Functional Category

ADOPTED

DOC ID: 1973

RESOLUTION NO.

Adding Parcel to Agricultural District No. 2 (West Side of Cayuga Lake)

WHEREAS, Resolution No. 25 of 2004 designated an annual review period when landowner proposals for inclusion of viable agricultural lands within existing certified agricultural districts will be accepted for review and action by the Tompkins County Legislature, and

WHEREAS, Resolution No. 201 of 2007 revised the schedule of the annual review period so that it begins February 1, and

WHEREAS, one landowner has requested addition of parcels totaling 10.76 acres to Tompkins County Agricultural District 2 and no landowners have requested addition of parcels to Tompkins County Agricultural District 1, and

WHEREAS, this request has been reviewed and recommended for approval by the Agricultural and Farmland Protection Board, and

WHEREAS, this request has been reviewed and recommended for approval by the Planning Advisory Board, and

WHEREAS, the County Legislature held the required public hearing on such proposal on June 1, 2010, and

WHEREAS, the County Legislature is required to act on such proposals within 120 days under New York State Agriculture District Law, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That approval is granted for the requested addition to Agricultural District 2 of Tompkins County, as specified in the Explanatory Note below.

SEQR ACTION: TYPE II-20

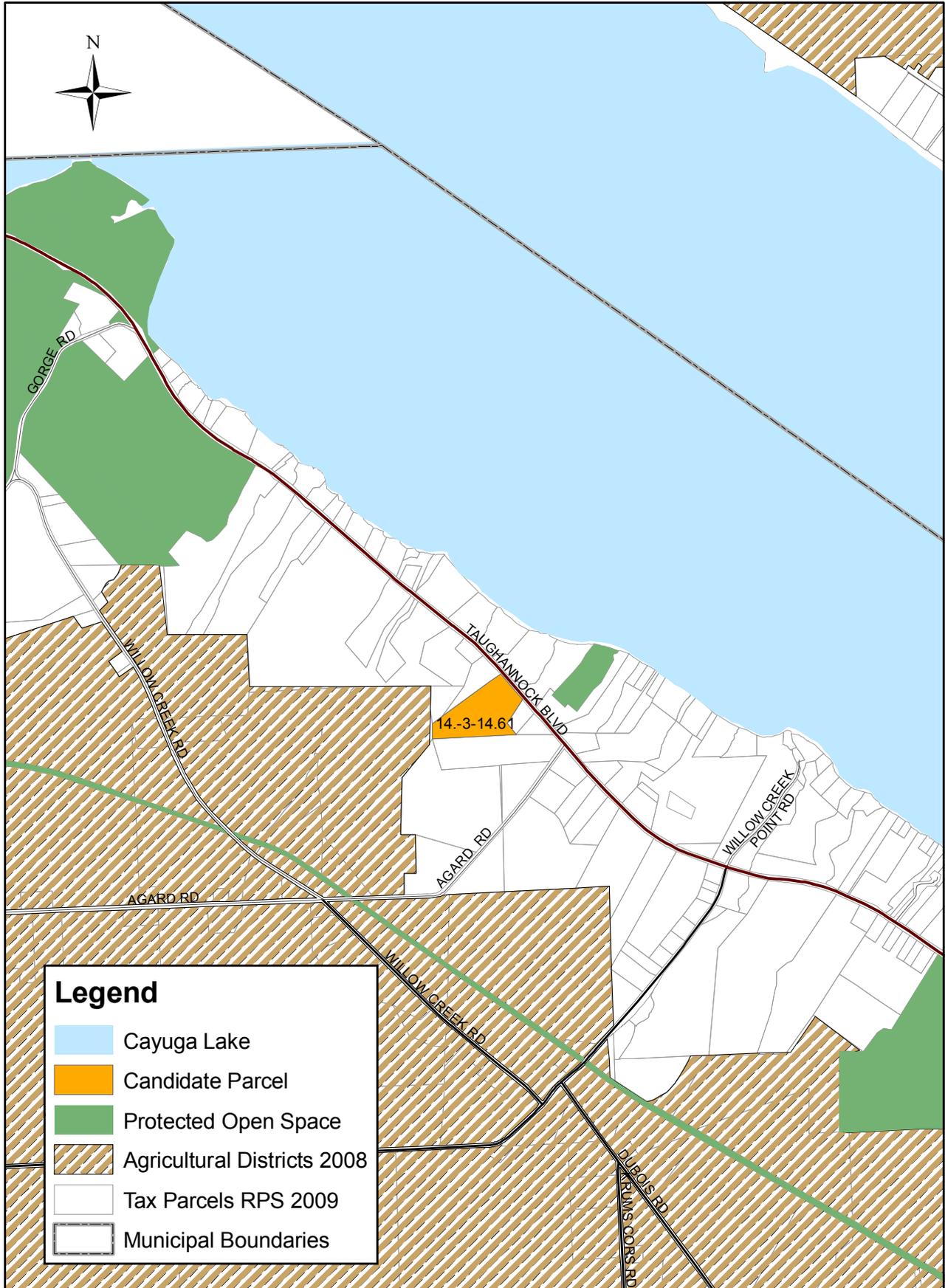
Explanatory Note: Addition of this parcel would result in new total acreage of District 2: 65,230 acres

Owner of this parcel has requested it be added to the Agricultural Districts:

Town of Ulysses (Agricultural District #2)

SWSS: 503689 Parcel: 14.-3-14.61 10.76 acres 1588 Taughannock Blvd.

Proposed Addition to Agricultural District 2





Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

Meeting: 05/05/10 03:30 PM
Department: Tompkins County Legislature
Category: Housing
Functional Category: Environmental

SCHEDULED

DOC ID: 2000

RESOLUTION NO.

**Negative Declaration Regarding Authorizing the Disbursement of
Housing Fund Funding**

WHEREAS, the Tompkins County Legislature through Resolution No. 31 of 2009 authorized funding for the Community Housing Affordability Program and the Community Housing Trust Program, and

WHEREAS, the Community Housing Affordability Program and the Community Housing Trust Program are jointly known as the Housing Fund, and

WHEREAS, the Housing Fund assists with the pre-development costs associated with residential and mixed-use real estate development projects primarily benefiting low- and moderate-income households, and supports a housing trust designed to ensure that newly constructed or rehabilitated homes that are made available to low- to moderate-income households remain affordable to future generations of buyers, and

WHEREAS, Tompkins County has received and reviewed the City Environmental Quality Review (CEQR) documents for the projects listed as the Women's Community Building and Magnolia House, and

WHEREAS, the City has determined the Women's Community Building project to be a Type I Action with a Negative Declaration and determined the Magnolia House project to be a Type II Action, and

WHEREAS, the County has determined the Magnolia House project to be a State Environmental Quality Review (SEQR) Unlisted Action, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the authorization of Housing Fund disbursement and the subsequent construction of the two projects listed above adequately protects and preserves the environment and will not have any potentially significant adverse effects on the environment,

RESOLVED, further, That Tompkins County concurs with the CEQR Negative Determination of the Women's Community Building Project,

RESOLVED, further, That Tompkins County determines that the Magnolia House project will not result in a significant impact on the environment and makes a Negative Determination of Significance,

RESOLVED, further, That a SEQR Short Environmental Assessment Form (EAF) and Negative Determination (Notice of Determination of Non-Significance) has been completed and filed appropriately.

SEQR ACTION: UNLISTED
(EAF on file with Clerk of the Legislature)



Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

Meeting: 05/05/10 03:30 PM
Department: Legislature Office
Category: Housing
Functional Category: Environmenta

ADOPTED

DOC ID: 2001 A

RESOLUTION NO.

Authorization to Disburse County Funds Pertaining to the Housing Fund and Designating the County to Serve as Fiscal Agent

WHEREAS, the Tompkins County Legislature through Resolution No. 31 of 2009 authorized funding for the Community Housing Affordability Program and the Community Housing Trust Program, and

WHEREAS, the Community Housing Affordability Program and the Community Housing Trust Program are jointly known as the Housing Fund, and

WHEREAS, the Housing Fund assists with the pre-development costs associated with residential and mixed-use real estate development projects primarily benefiting low- and moderate-income households, and supports a housing trust designed to ensure that newly constructed or rehabilitated homes that are made available to low- to moderate-income households remain affordable to future generations of buyers, and

WHEREAS, Tompkins County authorized the Memorandum of Understanding among the County of Tompkins, the City of Ithaca, and Cornell University with regard to the Housing Fund, by Resolution No. 31 of 2009, and

WHEREAS, Tompkins County accepted and approved the Notice of Funding Availability for the Community Housing Affordability Program and the Community Housing Trust Program subject to review and modification by the Program Oversight Committee provided that such revisions did not materially change the intent of the Programs, and

WHEREAS, the Notice of Funding Availability was accepted and approved by the Housing Fund Program Oversight Committee and was made available to interested parties with a deadline of December 31, 2009, and

WHEREAS, six applications were received and reviewed by the Application Review Committee, which made formal funding recommendations to the Housing Fund Program Oversight Committee, and

WHEREAS, the Program Oversight Committee accepted and recommended the following three proposals receive funding as indicated in the table:

Applicant	Project	Dollar Amount Recommended	Number of Units	Location
<i>INHS</i>	Holly Creek Townhomes	\$200,000 (grant)	11 townhomes	Town of Ithaca
<i>INHS/PathStone</i>	Women's Community Building	\$75,000 (loan)	50 apartments	City of Ithaca
<i>Tompkins Community Action</i>	Magnolia House	\$70,000 (loan)	14 units of permanent housing	City of Ithaca

, and

WHEREAS, the Housing Fund Program Oversight Committee has recommended, and the City of Ithaca and Cornell University have agreed, that the County serve as fiscal agent for the Housing Fund, and

WHEREAS, the State Environmental Quality Review (SEQR) process has been completed for the Women's Community Building project and the Magnolia House project, and

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WHEREAS, the Holly Creek Homes project is going through the SEQR review process with the Town of Ithaca as Lead Agency and a separate SEQR process will be conducted in order for the project to receive funding from the Housing Fund, now therefore be it

RESOLVED on recommendation of the Planning, Development, and Environmental Quality Committee, That the County serve as the fiscal agent for the Housing Fund and authorize the County to enter into an agreement with the City of Ithaca and with Cornell University to accept funding for the Women's Community Building project and the Magnolia House project,

RESOLVED, further, That Tompkins County authorizes the expenditure of its funds to support the Housing Fund recipients as recommended by the Housing Fund Program Oversight Committee,

RESOLVED, further, That the County's contribution of \$100,000 in HUD Program Income Funds be transferred to the appropriate Revenue and Appropriations account,

RESOLVED, further, That the County Administrator or his designee is authorized to execute agreements in order to effect this grant program consistent with this resolution,

RESOLVED, further, That the Finance Director or his designee is authorized to create a Trust account in order to manage the Housing Fund consistent with this resolution,

RESOLVED, further, That the Finance Director or his designee is authorized to make budget adjustments as necessary to implement the actions identified in this resolution.

SEQR ACTION: UNLISTED

(EAF on file with the Clerk of the Legislature)



Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

Meeting: 05/05/10 03:30 PM
Department: Planning Departmen
Category: Buildings and Facilitie
Functional Category

ADOPTED

DOC ID: 2003

RESOLUTION NO.

1 **Making a Negative Declaration of Environmental Significance in**
2 **Relation to Resolution No. 77 of 2010**

3 WHEREAS, in Resolution No. 77 of 2010, the Tompkins County Legislature would authorize the County
4 Administrator to execute a deed with Cayuga Medical Center for the sale of the Biggs B Building and approximately
5 8.99 acres of land in the Town of Ithaca, and
6

7 WHEREAS, the Town of Ithaca Planning Board made a negative determination of environmental significance
8 when it approved the subdivision of Town of Ithaca Tax Parcel Number 24.-3-2.22 on March 16, 2010, and
9

10 WHEREAS, the Tompkins County Legislature has reviewed and accepted as adequate an Environmental
11 Assessment Form with respect to that action, now therefore be it
12

13 RESOLVED, on recommendation of the Planning, Development and Environmental Quality and the Facilities
14 and Infrastructure Committees, That Resolution No. 77 of 2010 is an unlisted action,
15

16 RESOLVED, further, That the County Legislature hereby makes a negative declaration of environmental
17 significance in regard to Resolution No. 77 of 2010.

18 **SEQR ACTION: UNLISTED**

19 (EAF on file with Clerk of the Legislature)
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Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

Meeting: 05/05/10 03:30 PM
Department: County Administration
Category: Buildings and Facilities
Functional Category

ADOPTED

DOC ID: 1940

RESOLUTION NO.

**1 Authorizing the County Administrator to Sell Real Property on Dates
2 Drive in the Town of Ithaca, Including the Biggs B Building and
3 Approximately 8.99 Acres of Land, to Cayuga Medical Center**

4 WHEREAS, the Tompkins County Health Department currently occupies a structure commonly referred to as
5 the "Biggs B" building that is located on a 35.76-acre County-owned parcel in the Town of Ithaca, and
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7 WHEREAS, in anticipation of vacating the Biggs B building as a part of the relocation of the Health
8 Department to new quarters in a renovated building on Brown Road in the Cornell Business Park, the County has
9 contemplated the sale of the surrounding property and has expected the proceeds of such sale would be used to support
10 a portion of the cost of renovating the Brown Road building, and
11

12 WHEREAS, upon consultation with the Planning Advisory Board as well as the Legislature's Government
13 Operations; Facilities and Infrastructure; and the Planning, Development, and Environmental Quality Committees, the
14 County subdivided the parcel into three separate parcels, one of which includes the Biggs B building and
15 approximately 8.99 surrounding acres of land (the "Biggs B Parcel"); another consists of approximately 26.0 acres of
16 wooded land; and the third consists of the so-called K-house and approximately 0.77 acres of surrounding land, and
17

18 WHEREAS, by Resolution No. 75 of 2010, this Legislature resolved that the Biggs B Parcel was no longer
19 needed for public use and is therefore eligible for disposition, and
20

21 WHEREAS, also upon consultation with the Planning Advisory Board and appropriate legislative standing
22 committees, the County commenced negotiations with the adjacent owner, Cayuga Medical Center, on the sale of the
23 Biggs B Parcel, and
24

25 WHEREAS, the County and Cayuga Medical Center have agreed to the terms of sale for the Biggs B Parcel,
26 and
27

28 WHEREAS, those terms provide for the Biggs B Parcel to be sold at a price of \$1,059,000 and for the property
29 to be transferred from the County to Cayuga Medical Center on or before August 1, 2010, and
30

31 WHEREAS, the process followed in the sale of the Biggs B parcel is compliant with Chapter 19-1 of the
32 County Code governing the sale or lease of County Property, now therefore be it
33

34 RESOLVED, on recommendation of the Government Operations, the Facilities and Infrastructure, and the
35 Planning, Development, and Environmental Quality Committees, That the County Administrator is hereby authorized
36 to execute any and all documents to complete the sale of the Biggs B Parcel to Cayuga Medical Center,
37

38 RESOLVED, further, That the sale of the Biggs B Parcel does not affect the status of the other two subdivided
39 parcels on the site that shall remain owned and controlled by the County unless otherwise authorized by this
40 Legislature.

41 **SEQR ACTION: UNLISTED**
42 (EAF on file with the Clerk of the Legislature)
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Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

SCHEDULED

REPORT OR DISCUSSION ITEM

Meeting: 05/05/10 03:30 PM
Department: Planning Department
Category: Routine Department/Program Activities
Functional Category:

DOC ID: 1976

Commissioner's Report



Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

Meeting: 05/05/10 03:30 PM
Department: Planning Development & Env. Quality Committee
Category: Administrative
Functional Category

ADOPTED

DOC ID: 1977 A

RESOLUTION NO.

**Requesting Determination of the Potential Role of the Upper
Susquehanna Coalition and Its Member Soil and Water Conservation
Districts in Providing Technical Assistance to Serve Local
Agricultural and Public Interests During Potential Development of
Natural Gas Production**

WHEREAS, gas drilling in the Marcellus Shale and other low permeable natural gas bearing formations, and the construction of gathering lines, will involve critical questions regarding soil and water resources, and

WHEREAS, siting potential locations of drilling sites and the activities associated with all the phases of the extraction, and the placement of gathering lines, depends upon a technical understanding of local soil types, land use, hydrology including drainage characteristics of prospective sites, topography, and other relevant landscape features, and

WHEREAS, it is unlikely well drillers will have local knowledge and experience to best accommodate all the soil and water factors that should be taken into consideration, and

WHEREAS, much of the land at issue is active farmland, and gas well drilling activities and pipeline construction can significantly affect agricultural resources, and

WHEREAS, relevant local technical expertise is available in respective County Soil and Water Conservation Districts, and

WHEREAS, Districts have authority to provide technical support as provided in New York State Soil and Water Conservation District Law ("SWCDL") Section 9, and

WHEREAS, we recognize providing technical information and advice can potentially take much SWCD staff time and therefore be costly, and we are concerned that SWCDs be compensated for that staff time without compromising SWCD's autonomy, since there is a potential were they to receive payments or contributions from the gas industry that could constitute the appearance of a conflict of interest, and

WHEREAS, the gas drilling will take place largely within the Upper Susquehanna River Basin, but may also take place in the Great Lakes Basin, and

WHEREAS, geographically these basins fall within the scope of the various County Soil and Water Conservation Districts that comprise the Upper Susquehanna Coalition and other relevant watersheds, and

WHEREAS, engagement of Soil and Water Conservation Districts acting in concert through the Upper Susquehanna Coalition is provided for in SWCDL Section 9, "Powers of Districts and Directors" and Section 10, "Cooperation Between Districts", now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature requests that the Upper Susquehanna Coalition explore how the member Soil and Water Conservation Districts of the Upper Susquehanna Coalition might be engaged to assist landowners, especially farmers, New York State Department of Environmental Conservation, and others concerned with the public interest associated with drilling activities and gathering lines, with the purpose of providing sound technical assistance within

Resolution 2010-99

Meeting of May 5, 2010

46 the power of Districts as described in SWCDL Sections 9 and 10, and as may be granted in other sections of the
47 SWCDL, for the planning and possible implementation of drilling and associated activities, including pipeline
48 construction, using proven local soil and water technical capability to ensure the best use and protection of natural
49 resources, as they answer questions and provide technical information to gas drilling companies,

50

51 RESOLVED, further, That this exploration should include a mechanism that would allow SWCD's to be
52 compensated for time spent providing technical assistance to industries, not by direct payments or contributions, but in
53 a manner that maintains the SWCD's autonomy and independence,

54

55 RESOLVED, further, That the Clerk of the Legislature shall forward certified copies of this resolution to the
56 above-mentioned organizations.

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SEQR ACTION: TYPE II-20

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Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

Meeting: 05/05/10 03:30 PM
Department: Planning Development & Env. Quality Committee
Category: Routine Department/Program Activities
Functional Category:



TABLED

DOC ID: 1978

REPORT OR DISCUSSION ITEM

Cayuga Inlet Monitoring Program -- Steve Penningroth, Community Science Institute



Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

Meeting: 05/05/10 03:30 PM
Department: County Administration
Category: Advisory Boards/Committees
Functional Category:

REVIEWED

DOC ID: 1947

APPOINTMENT

Appointment to Strategic Tourism Planning Board



Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

Meeting: 05/05/10 03:30 PM
Department: Planning Development & Env. Quality Committee
Category: Agreements, Bids, Contracts, Grant
Functional Category

ADOPTED

DOC ID: 2004

RESOLUTION NO.

**Endorsing Spring 2010 Community Celebrations Grant to
Community School of Music and Arts**

WHEREAS, the Community School of Music and Arts (CSMA) will be celebrating its 50th anniversary this year, and

WHEREAS, CSMA is eligible for a Community Celebrations grant under guidelines established by the Strategic Tourism Planning Board, and

WHEREAS, CSMA has refined its earlier application for funds to purchase a banner that will be displayed on the exterior of its building on West State/Martin Luther King, Jr. Street from Summer 2010 through Spring 2011 to help advertise and commemorate this important anniversary of its contribution to the arts and cultural life of Tompkins County, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That a grant in the amount of \$1,590 be awarded to CSMA,

RESOLVED, further, That the County Administrator or his designee is authorized to sign any documents related to the aforementioned project.

SEQR ACTION: TYPE II-20

Note: CSMA submitted an application for the spring round of grants, requesting \$2,000 for a \$2,500 banner, but due to an interpretation of the guideline that a banner must be “reusable”, was left out of consideration. In fact, a banner that will be displayed for many consecutive days (e.g. 8 months) will likely have more total “reuse” than a banner that is used for e.g., 3 days a year.

In 2010 a total of \$33,590 was available for Community Celebration grants, of which \$19,730 was used for the initial round of Spring 2010 grants, leaving \$13,860 for a Fall round. Since CSMA plans to display its banner this summer, it is appropriate to act on this grant now.

Planning, Development, and Environmental Quality Committee

Regular Meeting Minutes

Wednesday, April 7, 2010 3:30 PM

Scott Heyman Conference Room

Approved 6-2-10

Present: P. Mackesey, Chair, C. Chock, W. Burbank, P. Pryor, F. Proto

Staff: J. Kippola, J. Mareane, P. Younger, County Administration; M. Armstrong, Tompkins County Area Development, M. Lynch, Public Information Officer; C. Schutt, Tompkins County Soil and Water Conservation District; C. Schulte, Water Resources Council; E. Marx, J. Jurkowich, J. Leccese, Planning Department

Legislature: M. Robertson, Chair; P. Stein

Guests: D. Sparrow, Strategic Tourism Planning Board; S. Shackford, Ithaca Journal

Call to Order

Chair Mackesey called the meeting to order at 3:30 p.m.

Changes to Agenda

Ms. Mackesey said the resolution regarding the Susquehanna Coalition under the Soil and Water Conservation District portion of the meeting was for information only.

Approval of Minutes of March 3, 2010 (DOC ID: 1923)

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

* * * * *

Strategic Tourism Planning Board

Resolution: Award of Spring 2010 Tourism Capital Grants (DOC ID: 1902)

In response to Mr. Proto’s comments concerning a former study done for Stewart Park, Ms. Armstrong said this study is to determine how to improve the buildings to draw visitors to Stewart Park. It will include information on whether to build a new public works facility, update and utilize the second floor of the boathouse, etc. She also indicated a volunteer group has been doing maintenance on the buildings to restore the exterior. The previous study was to determine different uses, priority of projects, and the overall responsibility for maintenance associated with the areas. The Tompkins County Chamber of Commerce is leading the work, and include identifying who would be responsible for maintenance. Ms. Kippola reassured Mr. Proto the grant program excludes funding for maintenance.

Ms. Pryor said discussions at the City of Ithaca regarding improvements and upgrades to the park facilities has taken place for more than ten years. The City is responsible for maintaining the park, and has kept it open to any member of the public, including visitors, without cost.

Ms. Mackesey said because the grants are from room tax it is appropriate to fund the study to determine how the work could benefit tourist attraction. The buildings have fallen into disrepair due to the City not having funding and the project would ensure the buildings survive and some of the County history is maintained.

Minutes Acceptance: Minutes of Apr 7, 2010 3:30 PM (Minutes Approval)

Minutes
 Planning, Development, and Environmental Quality Committee
 Wednesday, April 7, 2010

Ms. Chock believes each grant addresses the guidelines for use to attract visitors as well as cover specific items in the Comprehensive Plan, including the Tourism Strategic Plan. If looking beyond the feasibility study she would make a distinction regarding the maintenance for City or municipal uses and the adaptive reuse of a building. She noted the budget for PRI/Museum of the Earth was to be split over the course of two years. Ms. Chock's recommendation of clarifying the round of grants and separation of the grants to PRI/Museum of the Earth were found to be friendly.

Mr. Proto asked about the rental fees for use of the various buildings and whether the study would provide the information. Ms. Armstrong said the information was provided with the application. The rental is not a large amount and is not linked to the maintenance of the buildings.

Mr. Burbank supports the resolution and said he believes Stewart Park should be part of a County park system.

Mr. Stein agrees with Mr. Burbank's comments. With so much history, including the early years of movie-making, it would be a shame to see the buildings in disrepair. Mr. Proto agreed with the idea of a County park system, which could also include an area in Danby.

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

WHEREAS, the Tompkins County Tourism Program includes Tourism Capital grants and Tompkins County Area Development (TCAD) administers the Tourism Capital Grants process, which includes designing the application process, reviewing and analyzing the feasibility and economic impact of tourism projects, and providing oversight for tourism projects, and

WHEREAS, funding exists within the 2010 Room Tax Occupancy budget for Tourism Capital Grants, and

WHEREAS, TCAD reviewed the following projects with the Strategic Tourism Planning Board (STPB), and the STPB anticipates that the following project will encourage the development of tourism products and attractions in order to improve community assets, to increase the tourism business in the County, and to increase the income from the Room Occupancy tax, and the following grant awards have been reviewed and recommended by the STPB, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the County Administrator or his designee is authorized to sign all documents related to these projects:

Entity	Project	2010
Center for Transformative Action	Dorothy Cotton Institute Feasibility Study	\$7,500
Tompkins County Chamber Foundation	Stewart Park Building Rehab. Feasibility Study	\$15,000
PRI/ Museum of the Earth	Glacier/Climate Exhibit Project	\$20,000

RESOLVED, further, That upon completion of the requirements outlined in the grant agreements, including the availability of Room Tax Occupancy funding and PRI/Museum of the Earth obtaining the required outside funding, the County Administrator or his designee is authorized to sign all documents relating to this 2011 project:

Entity	Project	2011
PRI/ Museum of the Earth	Glacier/Climate Exhibit Project	\$30,000

SEQR ACTION: TYPE II-20

Minutes
Planning, Development, and Environmental Quality Committee
Wednesday, April 7, 2010

Explanatory note:

- Full application materials are available for review at <http://www.tcad.org/private/tourismCapital.php>

Resolution: Authorization to Contract with Tompkins County Area Development for 2010 Tourism Capital Grants Program (DOC ID: 1903)

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

WHEREAS, the County has provided funding for tourism entirely from the Room Occupancy Tax account, and the County Legislature appoints members to the Strategic Tourism Planning Board (STPB) to make recommendations concerning expenditures from that account, and

WHEREAS, the Tompkins County Legislature approved an increase in the Room Tax in 2001 to support the development of tourism products and attractions, among other objectives, including the funding of feasibility studies, seed money or funding for tourism capital projects, and

WHEREAS, the STPB also recognizes the need to encourage the development of tourism products and attractions through the Tourism Capital Projects Grant Program, in order to increase the tourism business in the County, and to increase the income from the Room Occupancy tax, and

WHEREAS, the STPB has recommended that Tompkins County Area Development (TCAD) continue to administer the Tourism Capital Projects Grants process that has a 2010 total budget of \$133,263, divided into a grants budget of \$119,937 and an administration budget of \$13,326, and

WHEREAS, STPB will be responsible for recommending grants from this program to the appropriate Legislative committee, and TCAD will administer the application process, will review and analyze the feasibility and economic impact of a project, will provide oversight for each project, and provide such analysis with recommendations to the appropriate Legislative committee, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the County Administrator or his designee is authorized to sign an agreement with TCAD pertaining to this program,

RESOLVED, further, that, of the total program amount of \$133,263, up to \$13,326 (10 percent of total program expenditures) shall be paid to TCAD for 2010 administrative evaluation and oversight services,

RESOLVED, further, That the Planning, Development and Environmental Quality Committee or its successor is authorized to recommend expenditures be made from this Program Account, with the understanding that such expenditures shall be subject to the approval by the Tompkins County Legislature.

SEQR ACTION: TYPE II-20

Resolution: Funding of Spring 2010 Community Celebrations Grants (DOC ID: 1904)

Minutes Acceptance: Minutes of Apr 7, 2010 3:30 PM (Minutes Approval)

Minutes
 Planning, Development, and Environmental Quality Committee
 Wednesday, April 7, 2010

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

WHEREAS, Tompkins County has a grant program for community celebrations using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, Tompkins County has requested and reviewed grant applications for recommendation to the Tompkins County Legislature through the Planning, Development, and Environmental Quality Committee with the advice of the Strategic Tourism Planning Board, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the following Spring 2010 grants are approved:

Town of Enfield	2010 Enfield Harvest Festival	\$1,770
City of Ithaca	2010 Congo Square Market	800
Town of Caroline	2010 Caroline Open House	2,000
City of Ithaca	2010 Cayuga Lake Community-Build	1,000
City of Ithaca	2010 Juneteenth African American Heritage Celebration	2,000
Village of Groton	2010 Sesquicentennial Celebration of Village	800
Town of Danby	2010 Danby Fun Day	910
Town of Enfield	2010 Enfield Elementary School Celebrating 51 Years	500
Town of Lansing	2010 Myers Park Concerts	1,050
City of Ithaca	2010 West End Waterfront Rhiner Festival	2,000
City of Ithaca	2010 Celebrating Youth in the Arts	550
Town of Dryden	2010 Dryden Lake Festival	2,000
Town of Groton	2010 Annual Halloween Celebration	350
City of Ithaca	2010 Latino Heritage Month Celebration	2,000
Town of Newfield	2010 Newfield Old Home Days	<u>2,000</u>
		\$19,730

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

SEQR ACTION: TYPE II-20

Resolution: Funding of Spring 2010 Tourism Project Grants (DOC ID: 1907)

It was MOVED by Ms. Chock, seconded by Mr. Burbank, to amend the resolution and increase the grant award for 2010 Light in Winter Festival to \$10,000. Ms. Chock said the increase is warranted to provide additional funding to offset the economic decline. Although the funding was reduced due to a decline in participation, the festival designed their parameters around the request that it take place during winter, a non-traditional tourist period. Ms. Kippola explained the grant award to Light in Winter from the review committee was less than the \$7,000; the amount had been increased by the Strategic Tourism Planning Board (STPB). In response to questions, Ms. Kippola explained the reduction had been due to a decrease in actual hotel room nights for the event. In addition, the total available for grants was \$69,000, with \$46,000 recommended for grants; leaving \$23,000 for a round of grants in the fall.

Ms. Mackesey opposes the amendment; she believes the STPB has carefully determined what the grant awards should be based on information provided.

Minutes
Planning, Development, and Environmental Quality Committee
Wednesday, April 7, 2010

Ms. Chock said Light in Winter does not have the available resources other proposals have.

Mr. Proto said the purpose of the grants are to increase room nights; while he would like to support the event it appears there are not as many room nights. Ms. Pryor agreed with Mr. Proto's comments.

Mr. Sparrow, Chair of the STPB, said the members were skeptical about the diminishing impact on the hotel industry during the festival. They had reported 37 room nights as the yield for the nights of the Light in Winter Festival.

A voice vote on the amendment resulted as follows: Ayes – 2 (Legislators Burbank and Chock); Noes – 3 (Legislators Mackesey, Proto, and Pryor). MOTION FAILED.

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

WHEREAS, Tompkins County has a grant program for Tourism Projects using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, Tompkins County has requested and reviewed grant applications for recommendation to the Tompkins County Legislature through the Planning, Development, and Environmental Quality Committee with the advice of the Strategic Tourism Planning Board, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the following Spring 2010 grants are approved:

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

Tompkins Co. Chamber Foundation	Interpretive Panels- Waterfront Trail Phase 3	\$ 8,000
Cayuga Lake Wine Trail	2010 Greyhound Wine Tour & Friends	\$ 2,000
Downtown Ithaca Alliance	2010 Downtown Ithaca Festival of Ice	\$ 9,000
Light in Winter Festival, Inc.	2010 Light in Winter Festival	\$ 7,000
bioDevelopments	2010 Ithaca Scottish Games & Celtic Festival	\$10,000
PRI & Museum of the Earth	2001 One Fish, Two Fish, Old Fish, New Fish	<u>\$10,000</u>
		\$46,000

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Resolution: Funding of Spring 2010 Tourism Marketing and Advertising Grants (DOC ID: 1913)

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

WHEREAS, Tompkins County has a grant program for Tourism Marketing and Advertising using funds drawn entirely from Room Occupancy Tax, and

WHEREAS, Tompkins County has requested and reviewed grant applications for

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recommendation to the Tompkins County Legislature through the Planning, Development, and Environmental Quality Committee with the advice of the Strategic Tourism Planning Board, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the following Spring 2010 grants are approved:

PRI & Museum of the Earth	2010 One Fish, Two Fish, Old Fish, New Fish Exhibit \$5,000	
State Theatre of Ithaca, Inc.	2010 Dan Zanes & Friends Performance	\$3,000
Cayuga Wine Trail	2010 Holiday Shopping Spree	\$4,000
Cayuga Wine Trail	2010 Greyhound Wine Tour & Friends	\$2,500
Historic Ithaca	2010 Central NY Window Preservation Conference	\$750
Downtown Ithaca Alliance	2010 Downtown Ithaca Festival of Ice	\$2,000
Cayuga Lake Watershed	Cayuga Eco-Cruise Pilot	\$2,500
Ithaca Triathlon Club	2011 Cayuga Lake Triathlon	\$3,400
Light in Winter Festival, Inc.	2011 Light in Winter	\$5,000
bioDevelopments-International Institute	2010 Ithaca Scottish Games & Celtic Festival	\$1,250
		\$29,400

RESOLVED, further, That the County Administrator or designee shall be authorized to sign any documents related to the aforementioned projects.

SEQR ACTION: TYPE II-20

* * * * *

Strategic Tourism Planning Board Presentation – Baseline Survey

Ms. Kippola announced the Strategic Tourism Planning Board will have a baseline survey presentation on May 4th at 8:30 a.m. at the Holiday Inn. The Chumura consulting firm will provide information on a survey of visitors to Tompkins County and what attracted them to our area.

Transportation

Resolution: Appropriation of 2010-2011 Budgets for the Ithaca-Tompkins-County Transportation Council (DOC ID: 1919)

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

WHEREAS, Tompkins County serves as the Host Agency for the Ithaca-Tompkins County Transportation Council, the Metropolitan Planning Organization for the Ithaca-Tompkins County area, and

WHEREAS, the County has a contract with the New York State Department of Transportation to provide funding for the Ithaca-Tompkins County Transportation Council through grants provided by the Federal Highway Administration and Federal Transit Administration, and

WHEREAS, the Ithaca-Tompkins County Transportation Council has grant authorizations for its 2010-2011 fiscal year, beginning April 1, 2010 and ending March 31, 2011, in the amounts of \$280,350 from the Federal Highway Administration, and \$42,034 from the Federal Transit Administration, and

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WHEREAS, the Policy Committee of the Ithaca-Tompkins County Transportation Council has adopted resolution 10-1, *APPROVAL OF THE 2010-2011 ITHACA-TOMPKINS COUNTY TRANSPORTATION COUNCIL OPERATING BUDGET*, which requests that the Host Agency (Tompkins County) take the appropriate actions to fully implement said operating budget, now therefore be it

RESOLVED, on recommendation of the Planning, Development and Environmental Quality Committee, That the budgets for the Ithaca-Tompkins County Transportation Council, as presented in "ATTACHMENT A" to this resolution, be amended in the 2010 Tompkins County budget and that the County Finance Director be authorized to expend such funds for the period from April 1, 2010 through March 31, 2011.

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**Resolution No.
 ATTACHMENT A**

2010-2011 ITCTC OPERATING BUDGET

CODE	DESCRIPTION	Current Year Funds		
		10/11 FHWA	10/11 FTA	10/11 TOTAL
.4959	REVENUES: FEDERAL AID	\$280,350	\$42,034	\$322,384
	EXPENSES: COMBINED SALARIES	186,661	23,359	210,020
.8800	FRINGE	75,598	9,460	85,058
.2206	COMPUTER EQUIPMENT	0	500	500
.2210	OTHER EQUIPMENT	0	0	0
.2214	FURNITURE & FIXTURES	0	400	400
.2230	COMPUTER SOFTWARE	0	300	300
.4303	OFFICE SUPPLIES	0	0	0
.4330	PRINTING	0	750	750
.4332	BOOKS/PUBLICATIONS	0	200	200
.4400	PROGRAM EXPENSE	8,000	0	8,000
.4402	LEGAL ADVERTISING	0	750	750
.4412	TRAVEL/TRAINING	500	1,000	1,500
.4414	LOCAL MILEAGE	256	1,000	1,256
.4416	PROFESSIONAL DUES	300	300	600
.4424	EQUIPMENT RENTAL	3,500	0	3,500
.4425	SERVICE CONTRACTS	250	750	1,000
.4432	RENT	250	250	500
.4442	PROFESSIONAL SERVICE FEES	1,135	865	2,000
.4452	POSTAGE SERVICES	500	500	1,000
.4472	TELEPHONE	400	1,150	1,550
.4618	INTERDEPARTMENTAL CHARGE	0	500	500
.4905	CENTRALLY DISTRIBUTED ITEMS	3,000	0	3,000

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	TOTAL EXPENSES	\$280,350	\$42,034	\$322,384

Water Resources Council Annual Report (Doc Id: 1918)

Mr. Proto said a requirement of the Water Resources Council is to present the annual report in April. The subcommittees of the Water Resources Council put forth a great deal of effort to complete this task. Ms. Schulte, Tompkins County Council of Governments representative on the Water Resources Council, provided a brief overview of the Water Resources Council 2009 Annual Report. With regard to the work done by the Gas Drilling Committee, Ms. Mackesey noted County representatives met with several individuals in Albany who were amazed by the work done by staff and volunteers in the County and the Water Resources Council.

Ms. Schulte said all of the aspects of work done by the Water Resources Council would be affected in some way by gas drilling and will require a great deal of effort. She also noted the assistance of the Planning staff is critical for the Water Resources Council to be able to complete their work.

Ms. Chock asked what the Water Resources Council’s plans are regarding gas drilling’s affect on water quality, referencing a Federal document on scoping for the relationship of drilling and water quality. Ms. Schulte said she read the 118 page document and although a comment could be prepared, she does not know if it is necessary. Although she would provide a brief comment from herself.

Ms. Schulte said the Water Resources Council will continue to review information regarding gas drilling and are waiting for the State to respond to the comments before continuing work.

Mr. Proto stated that the Water Resources Council is the officially designated advisory board for water bodies in Tompkins County and that the request for comments should have come to that body. Ms. Mackesey asked that any additional comments on the annual report be directed to the Water Resources Council or to Mr. Proto.

Update on Strategic Tourism Planning Position

Ms. Mackesey asked Mr. Mareane to address the issue of hiring an individual for the work that former Legislator Stuart Stein has been doing for the Strategic Tourism Planning Board.

Mr. Mareane said the Strategic Tourism Planning Board had set aside funds for a position, however, due to budget constraints last year action to move forward has been delayed. There continues to be a need for staff support; a great deal of work has been done by volunteers but now exceeds the level a volunteer board should be expected to undertake. The position should call for a single point of accountability for the spending of room tax dollars, how the funds are spent, assist in helping the committee to shape its expectations, and have the responsibility of spending the funds. Mr. Mareane has had discussions with a number of individuals and stakeholders to develop a report outlining what the responsibilities should be and a recommended organizational model.

In response to Ms. Pryor’s question, Mr. Mareane anticipates the position would fit into the current departmental structure. He also noted the position would be funded through the Room Tax revenue.

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Soil and Water Conservation District Report (DOC ID: 1920)

Mr. Schutt provided a written overview of the Soil and Water Conservation District operations, including grants received, contracts, sales, education, and hydroseeding.

Following review of the report, Mr. Schutt also informed the Committee he has six employees with a \$1 million budget, the majority coming from the State. The County provides space as well as approximately \$110,000 for financial support. Mr. Proto spoke of the value of the Soil and Water Conservation District, bringing approximately \$1 million into the County.

Mr. Schutt reported working with Cornell University to obtain an agricultural-plastic baler to recycle agricultural plastic rather than dispose of it through burning and other means. This initiative came about as a result of the State Public Health regulations regarding open burning. This equipment would be used in surrounding counties as well.

Ms. Chock asked what Mr. Schutt sees as potential work and problems due to hydrofracking in the State. He said that Pennsylvania was hit very fast and did not have time to prepare; New York State will have a period of time to determine a course of action. At the present time it appears the largest concern is the road conditions due to increased heavy-truck traffic. Although the gas companies have signed maintenance agreements to repair any damage, they are overwhelmed at the road repair work that is required. The recommendation is that the Soil and Water Conservation Districts could assist in providing technical assistance with erosion/sediment control, stormwater issues around paths, and pipelines, etc.

Ms. Robertson said it is critical to support the agency’s assistance with the gas drilling issue and that perhaps there should be industry support. Ms. Mackesey said concern has been expressed that if the Districts receive industry funding it may reduce objectivity. Mr. Schutt said the District is not and does not choose to be regulatory; a review would be completed to determine the extent of work to be done.

Ms. Chock asked that a future agenda item be the differences of the various water districts. Mr. Schutt said a meeting held in Newfield had a Susquehanna Basin member give a presentation and it was interesting to hear their information.

Planning Department

Resolution: Support for State Legislation to Amend Current Enabling Laws Authorizing Sustainable Energy Financing Programs (DOC ID: 1916)

Mr. Marx said there is movement in the State Legislature to make amendments that will allow local municipal programs as outlined within the resolution. In response to Mr. Proto’s question regarding the funding and bonding associated with the resolution, Mr. Marx said the legislation would give the County the option to get bonding; the current legislation only allows the use of current Federal grant funds for these programs. Mr. Proto asked if it is different than the Industrial Development Agency and if there would be any exposure. Mr. Marx said there are ongoing discussions with bond counsel to determine how to structure bond financing to determine what would be the County’s legal responsibility. It would be financed by an assessment on the property tax of participating parcels. The resolution is simply to ask for the authority to do so. Mr. Proto said there is a timing issue as the State Legislature is in session and there is a push to act upon this. It was noted that discussions over the past six months regarding this issue have included the County Administrator and Finance Director. Once authority is given the next step would be to look further to determine how to proceed and answer various questions. It was also noted that any further action would have to come back to the Legislature for approval.

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

WHEREAS, in August 2009, the Tompkins County Legislature adopted Resolution #146 “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” and

WHEREAS, in November 2009, by Chapter 497 of the Laws of 2009, the State of New York authorized an amendment of the General Municipal Law by creating Article 5-L to allow municipalities to create Property Assessed Clean Energy Programs (known in New York State as “Sustainable Energy Financing Programs”) to promote the deployment of renewable energy systems and energy efficiency improvement measures at residential and commercial properties; and

WHEREAS, Tompkins County wishes to increase energy efficiency of existing buildings, reduce energy costs for residents, reduce carbon emissions to help mitigate climate disruption, reduce the negative health effects of fossil fuel emissions, and create and retain local jobs in the energy audit and energy contracting sector; and

WHEREAS, Tompkins County wishes to explore mutually beneficial ways of:

- Leveraging private sources of capital with other public and private resources to accomplish these objectives; and
- Coordinating efforts with Federal, State, and other agencies and authorities to assure that activities are compatible with the plans and programs of the cooperating municipalities; and

WHEREAS, the Sustainable Energy Financing Program enabled by Article 5-L should be amended to allow broader sources of funding while securing and facilitating such programs. Such legislation is now pending in the New York State Senate and Assembly, 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 to amend, strengthen and correct technical deficiencies within the current enabling laws authorizing Sustainable Energy Financing Programs, including allowing the use of bonds and other sources of public and private financing to establish and implement such programs,

RESOLVED, further, That the Clerk of the Legislature is authorized to forward this resolution in support of amending current enabling laws authorizing Sustainable Energy Financing Programs to Governor David A. Paterson, Senate Majority Leader Malcolm Smith, Senate Minority Leader Dean Skelos, Senator George Winner, Senator James Seward, Senator Michael Nozzolio, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canestrari, Assembly Minority Leader Brian Kolb, Assemblywoman Barbara Lifton, and the New York State Association of Counties.

SEQR ACTION: TYPE II-20

Commissioner’s Report (DOC ID: 1917)

Mr. Marx reported on the following items:

- Energy Report – there has been a lot of work regarding the energy strategy component of the Comprehensive Plan. The issue of quantifying and determining how to systematically reduce the energy and greenhouse gas emissions is understandably complicated and even more complex as moving forward. Many of the ways to determine measurement are changing and the carbon

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intensity measures of fuels sources requires recalculation. Although time consuming it is interesting to learn the changes as we go forward.

- Phase 2 – County Conservation Plan – the public meeting was held several weeks ago regarding the Agriculture Resource Focus Plan portion. He recommended members review the document online to have a full understanding of agriculture in the various areas of the County.
- Planning Advisory Board – last month there was a great deal of discussion regarding development and area focus planning with municipalities. This would look at the information in County and local Comprehensive Plans as well as the sewer and water infrastructure plans, and assist in planning future developments. There will be a meeting this spring with local municipal planners and officials to discuss how the broadened view of development would be beneficial.
- Comprehensive Plan Implementation Update – a review of the five-year progress of the Comprehensive Plan will take place.

* * * * *

Environmental Management Council

Appointment (DOC ID: 1922):

Ms. Jurkowich said the Environmental Management Council does solicit applications several times a year. She does not believe there was a specific request for applicants since a request for interested parties had taken place earlier this year.

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

Brian B. Eden – At-large representative, term to expire December 31, 2010.

* * * * *

Housing Fund Proposal Recommendations (DOC ID: 1921)

Ms. Mackesey reported on the progress of the Housing Fund Program, noting the Notice of Funding Availability period is complete. Six proposals were received and reviewed by the Applications Review Committee with three recommendations being made. The next step is the three entities, Cornell University, City of Ithaca, and Tompkins County meeting this Friday to discuss which entity will fund each project, with a goal of working toward having the funding in one budget line, meeting the needs of all the three groups.

Mr. Proto asked if there is a timeframe for applicants not approved to resubmit a request. Ms. Mackesey said another round of applications would take place at the end of April. Applicants not approved were given information on how to improve their application forms for future consideration. Ms. Mackesey said the application submitted by Shelter Valley Home was not considered due to Health Department concerns and that the application was not complete.

Mr. Burbank asked what the County decision-making process with this program is and was informed that it would require Committee and Legislature approval. Mr. Marx said if the Committee has any concerns or reservations they should be given prior to the meeting with the City and Cornell University.

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In response to Ms. Chock’s question regarding whether the applications would be expected to move forward to permanent affordability, Mr. Marx said the review committee was very pleased with the quality of applications received. Ms. Mackesey said the oversight committee had a broad view of the applications; she believed it was a great combination of not-for-profit, for profit, and both inside and outside the City of Ithaca. She said it is a work in progress and there is a great deal of cooperation among the three parties. Mr. Marx said the housing trust provides funding to underwrite the cost of the housing unit in return for keeping it permanently affordable.

A brief discussion took place regarding the process and potential concerns with projects. Ms. Pryor spoke of a constituent concern regarding the Ithaca Neighborhood Housing project design, believing vehicles would have to back into a main roadway. Mr. Marx said the design does not have a parking area in a position to cause that to happen; the Town of Ithaca has approved the project design.

Ms. Mackesey stressed the importance of this initiative, recognizing it has already gone through a detailed process.

The Committee requested copies of the NOFA and how the funds would be used. Ms. Fuller will forward this information.

It was noted the funds for the program are from the CDBG grant, not local tax dollars.

Blue Ribbon Commission on the Future of Farming

Ms. Mackesey said there was a request for representation on the New York State Association of Counties Blue Ribbon Commission on the Future of Farming; the County could have up to two representatives. It was suggested that perhaps a Legislator and representative from Cooperative Extension could join. This Commission will have three meetings and prepare a report. Mr. Proto asked if he could join this Commission and was approved by Ms. Robertson, however, Ms. Kiefer stated he may not be the most appropriate individual to serve. The purpose of this group is to make certain that New York State recognizes the importance of agriculture in the State through information presented by New York State Association of Counties. Following discussion it was thought that Mr. Proto could sit on the Commission with Ms. Pryor as an alternate in the event of conflicts.

Adjournment

On motion the meeting adjourned at 5:40 p.m.

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Planning, Development, and Environmental Quality Committee

121 E. Court Street
Ithaca, NY 14850

Meeting: 05/05/10 03:30 PM
Department: Planning Development & Env. Quality Committee
Category: Information Only
Functional Category:

SCHEDULED

DOC ID: 1979

INFORMATION ITEM

Attachment: TCAD Report on Activities



**Report on Activities to the
Tompkins County
Planning, Development & Environmental Quality Committee
For May 5, 2010**

Projects

Hotel Ithaca – The project is stalled as the developer continues to seek private sector funding.

Tompkins County Development Corporation – The new County local development corporation has been created and has held its initial meeting. TCAD is promoting the availability of TCDC as a means to access tax exempt debt to local not for profits. We already have one project that is almost certain to apply for assistance in 2010.

IDA Tax – Our IDA joined forces with others across the New York to sue the State over the “IDA tax.” Ours is \$36,000. The State has agreed to attempt to reach a negotiated settlement with the IDAs.

NYS Economic Development Programs – We spent a day with our colleagues in Albany meeting with key legislators and staff regarding economic development programs. We focused on the reinstatement of Civic Facility powers for IDAs, extension of the Empire Zone program, and the IDA tax.

ItalThai, LLC - The IDA approved incentives for the ItalThai project, a \$2.9 million mixed use historic rehabilitation project on The Commons that will include two affordable rental apartments, six market rate apartments, office space, banquet space, and a restaurant. The project will generate new sales taxes and property taxes and projects creating 22 new jobs over the next three years. The project was approved under the joint City/IDA Density Policy.

ED Strategy Activities

Skills: Workforce Strategy press conference will be held April 28th. A large mailing with joint TCAD/WIB letterhead to go out in April. Information was presented to Ithaca Rotary on April 7 and will be presented to other local and regional groups as well.

Water and Sewer Study: TG Miller delivered the final report to TCAD and the Council of Governments at their March 25 meeting. TCAD has completed the application for funds from New York State.

Direct Services to Businesses

- We have begun annual business retention visits to companies for 2010.
- The TCAD Revolving Loan Fund Committee met on 2/11 and approved two loans from the Countywide Revolving Loan Fund. Regional Access, an organic and local food distributor, was approved for a \$108,000 loan for equipment and working capital at its facility in the Town of Ulysses. Adenios, a biotech company based on Cornell technology, was approved for a \$125,000 loan for lab equipment.

- The TCAD Revolving Loan Fund Committee met on 3/23 and again on 4/5, approving three loans. Mia Restaurant and Noodle Bar, part of a \$2.3 million redevelopment project of the Plantations Building on the Commons was recommended for a \$50,000 loan from the women/minority loan fund for fixed assets. e2e Materials, a green materials company located in the City of Ithaca that produces biocomposites made from renewable materials, was approved for a \$125,000 loan from the Countywide Loan Fund to purchase fixed assets for a prototype facility. Sunbeam Candles, a sustainable and all natural candle maker relocating from Van Etten to Enfield, was approved for a \$54,000 working capital loan from the countywide loan fund.
- TCAD was awarded primary sponsorship of the Finger Lakes Entrepreneurs Forum (FLEF). We will be coordinating meetings for this local networking organization that was originally administered by TCAD when it was founded in the early 1990s. The first meeting was held on March 18th at Kionix. Greg Galvin, CEO of Kionix, was the featured speaker. The meeting was very well attended. FLEF will be sponsoring the Cornell Entrepreneurship Speaker Series on April 23rd. The next meeting will be held on May 20th at South Hill Business Campus, featuring Novomer. The June 17th meeting will be a joint luncheon at Stewart Park with the Chamber of Commerce.
- TCAD will sponsor, on behalf of RPM Ecosystems, two requests for federal appropriations for a woody biomass demonstration project at the company's Dryden facility.

Empire Zone

- Received an Empire Zone Certification for Hygear Motorsports, a custom suspension manufacturer for the snowmobile industry located in Lansing. There are no other applications pending.
- The next Zone Administrative Board meeting is scheduled for May 3rd where they will be considering two applications for certification in the Empire Zones Program.
- An Empire Zone tax workshop is scheduled for April 27th. Suzanne Reusch from NYS Department of Tax and Finance will present on 2009 changes to the program, particularly the changes to the sales tax exemption.
- The Empire Zones Program is still set to sunset on June 30, 2010. There hasn't been any action in the State Legislature regarding the Governor's proposed replacement program, the Excelsior Jobs Program, or any other legislative-led program replacement.
- Sunset Implications: The Zone Administrative Board can make recommendations for program certification through June 28, 2010. Donations/Investments eligible for capital credits must be made by June 30, 2010. All paperwork can be processed after the sunset date. Existing certified businesses will still receive their ten tax years of incentives. Existing businesses will not be able to move from location in the zone to another.
- Donations made in 2009 to community development projects requesting capital tax credits were processed and tax certificates distributed. New York State income tax credits totaling \$182,830 were distributed to 143 donors that contributed a total of \$731,231 to five active not-for-profit projects in the Zone.
- The 2008 Business Annual Report Process has been completed. Forty-one businesses reporting created 151 jobs during 2008, made capital investments totaling \$27.7 million and received \$636,314 in Empire Zone tax credits.