

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Tuesday, January 6, 2004

1:30 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Philip J. Roche, Chair Kenneth E. Isaman, Vice Chair Donald B. Creath
 Robert V. Nichols

STAFF: Mark R. Alger Gregory P. Heffner William J. Partridge
 Frederick H. Ahrens, Jr. Michele Smith James Gleason

ABSENT: Francis L. Gehl

I. CALL TO ORDER

Mr. Roche called the meeting to order at 1:30 p.m.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE DECEMBER 2, 2003 MEETING MADE BY MR. CREATH. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. OPPORTUNITY FOR PUBLIC COMMENT

Mr. Roche opened the floor for comment by members of the public. There being none, he declared the opportunity for public comment closed.

IV. DEPARTMENTAL REPORTS/REQUESTS

1. Planning

Agricultural Districts – Mr. Heffner requested authorization to modify and adopt Agricultural District No. 22 and Agricultural District No. 23 as a result of the eight-year review.

MOTION: MODIFYING AND ADOPTING AGRICULTURAL DISTRICT NO. 22 AND AGRICULTURAL DISTRICT NO. 23 AS A RESULT OF THE EIGHT-YEAR REVIEW MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Resolution Required)

Block Grant – Mr. Heffner stated that SCAP is putting in an application for a block grant for community development of septic systems/wells. He is requesting a resolution authorizing the Planning Department to submit their application and authorizing the Chairman of the Legislature to sign. Mr. Heffner stated that as part of this process, they will need to do a public notice, as well as a public hearing and that will cost approximately \$1,000.00 which they will take out of the Administrative Costs. You cannot use grant money to pay for the application costs.

MOTION: AUTHORIZING THE PLANNING DEPARTMENT TO SUBMIT A BLOCK GRANT APPLICATION ON BEHALF OF SCAP FOR COMMUNITY DEVELOPMENT OF SEPTIC SYSTEMS/WELLS AND AUTHORIZING THE CHAIRMAN OF THE LEGISLATURE TO SIGN APPLICATION MADE BY MR. ISAMAN. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2004 Contracts – Mr. Heffner stated that there are two contracts that are not paid for by room tax. He requested authorization to enter into a contract with the Southern Tier Library System in the amount of \$75,000.00. They are paid quarterly.

MOTION: AUTHORIZING THE PLANNING DEPARTMENT TO ENTER INTO A CONTRACT WITH THE SOUTHERN TIER LIBRARY SYSTEM IN THE AMOUNT OF \$75,000.00 MADE BY MR. CREATH. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Alger commented this should also go before the Health & Education Committee.

Mr. Heffner stated the second contract that is not paid for by room tax is the Finger Lakes Humane Society. He requested approval to enter into a contract with them in the amount of \$25,000.00. Mr. Roche asked is there a revenue anticipation amount for the licenses? Mr. Heffner replied yes. Mr. Roche asked how are they paid? Mr. Heffner replied we pay them the \$25,000.00 up front.

MOTION: AUTHORIZING THE PLANNING DEPARTMENT TO ENTER INTO A CONTRACT WITH THE FINGER LAKES HUMANE SOCIETY IN THE AMOUNT OF \$25,000.00 MADE BY MR. NICHOLS. SECONDED BY MR. CREATH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Heffner stated that Finger Lakes Tourism, the Dairy Festival, Arts of the Southern Finger Lakes, Finger Lakes Wine Country and the Steuben County Conference & Visitors' Bureau contracts are paid for out of room tax. He stated that typically they make two payments to the Conference & Visitors' Bureau and this year they will pay them \$270,000.00 upon signing of the contract and then pay the remaining \$145,000.00 in April. With Finger Lakes Wine Country we have a supplemental agreement with the Conference & Visitors' Bureau and they distribute their funding. Mr. Nichols asked do we have enough money this year? Mr. Heffner replied yes.

MOTION: AUTHORIZING THE PLANNING DEPARTMENT TO ENTER INTO THE FOLLOWING CONTRACTS WHICH WILL BE PAID FOR BY ROOM TAX: FINGER LAKES TOURISM, \$10,500.00; DAIRY FESTIVAL, \$425.00; ARTS OF THE SOUTHERN FINGER LAKES, \$28,000.00; FINGER LAKES WINE COUNTRY, \$75,000.00 AND THE STEUBEN COUNTY CONFERENCE & VISITORS' BUREAU, \$415,000.00 MADE BY MR. ISAMAN. SECONDED BY MR. NICHOLS. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. Buildings & Grounds

2004 Capital Projects – Mr. Partridge requested approval to proceed with the following 2004 capital projects: Wilson Avenue Parking Lot; Roof Replacement Human Services Building, 117 East Steuben Street; Roof Replacement 18 East Morris Street and Painting the County Barn. He stated there is a question as to whether they will get to the barn project, as there are a number of repairs that need to be done prior to painting. The Wilson Avenue Parking Lot will be done through Public Works bids. Mr. Partridge stated that they will need to prepare bid specifications for the roof replacements and painting of the County Barn.

MOTION: AUTHORIZING BUILDINGS & GROUNDS TO PROCEED WITH THEIR 2004 CAPITAL PROJECTS FOR THE WILSON AVENUE PARKING LOT, ROOF REPLACEMENT AT 117 EAST STEUBEN STREET, ROOF REPLACEMENT AT 18 EAST MORRIS STREET AND THE PAINTING OF THE COUNTY BARN MADE BY MR. CREATH. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Security System – Mr. Partridge informed the committee that they put out bids for the security system upgrade for the County Office Building and the front buildings. They received three bids back: \$41,800.00, \$50,000.00 and \$59,975.00. The low bidder installed the security system at the 9-1-1 Center. We will have the same card readers that are used at the 9-1-1 Center and the Public Safety Building and we will tie into their system. Mr. Alger commented that we will be using proximity cards. We will give out one card and that card can be authorized for any of the buildings. We would still use cards with a photo ID.

Mr. Partridge stated that they have \$39,600.00 budgeted. He would like to fund the remainder with money from the Office Building Renovations capital project. He anticipates using \$5,000.00 toward the security project and putting the remainder back into the Office Building Renovations capital project. Mr. Alger stated they are trying to assist the Sheriff in the sally port area. The deputies won't have to get out of the car to open and close the door. Mr. Gleason commented that they had passed a standardization resolution so that the equipment would be the same as what is at the 9-1-1 Center and the Public Safety Building.

MOTION: AWARDING THE BID FOR THE SECURITY SYSTEM UPGRADE FOR THE COUNTY OFFICE BUILDING AND FRONT BUILDINGS TO BER NATIONAL CONTROLS IN THE AMOUNT OF \$41,800.00 AND AUTHORIZING THE TRANSFER OF \$5,000.00 FROM THE OFFICE BUILDING RENOVATIONS CAPITAL PROJECT MADE BY MR. NICHOLS. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Partridge commented that the security system upgrade should be done by the end of March.

3. Administrator

Mr. Alger informed the committee that this morning he, along with Mr. Roche and Dr. Baker attended a STORM (Southern Tier Organization to Reform Medicaid) press conference. Over ten thousand letters have been collected and will be mailed to the Governor, as well as Senator Kuhl, Senate Majority Leader Bruno, Assemblyman Bacalles, Assembly Speaker Silver and Assemblyman Winner. The press conference went well and we will keep the pressure on. Mr. Roche commented that in five years Medicaid will exceed all sales and property taxes and will be \$50 million. Mr. Alger stated Medicaid is just a little less than the total State aid. Mr. Nichols asked do seasonal employees go on Medicaid? Mr. Alger replied no, generally they are on unemployment. They are insured through their unions or Family Health Plus. They have spent over \$246 million in two years for Family Health Plus.

Mr. Roche thanked the members of the committee for their hard work and they made a lot of progress this year. Hopefully 2004 will be a good year.

MOTION: TO ADJOURN MADE BY MR. CREATH. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted By:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Thursday, February 5, 2004

1:30 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Donald B. Creath, Chair Kenneth E. Isaman, Vice Chair DeWitt T. Baker, D.V.M.
John Walsh

STAFF: Mark R. Alger Gregory P. Heffner William J. Partridge
Twila O'Dell James Gleason Michele Smith
Frederick H. Ahrens, Jr.

LEGISLATORS: Philip J. Roche Francis L. Gehl Robert V. Nichols

ABSENT: Lldon E. Jamison

OTHERS: Jeff Parker, Soil & Water Conservation District
James Sherron, Steuben County Industrial Development Agency
Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Creath called the meeting to order at 1:30 p.m. He asked Mr. Isaman to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JANUARY 6, 2004 MEETING MADE BY DR. BAKER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. OPPORTUNITY FOR PUBLIC COMMENT

Mr. Creath opened the floor for public comment. There being none, he declared the opportunity for public comment closed.

IV. OUTSIDE AGENCY REPORTS

1. Soil & Water Conservation

Appointments – Mr. Parker informed the committee that the Marsh Ditch Watershed District held a meeting on January 13, 2004 and forwarded the names of Gary Mahany, Andy Spencer and John Auckland for reappointment to the Board.

MOTION: REAPPOINTING GARY MAHANY, ANDY SPENCER AND JOHN AUCKLAND TO THE MARSH DITCH WATERSHED DISTRICT MADE BY MR. ISAMAN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

Mr. Parker distributed order forms for their annual tree sale that will be held in April.

Mr. Parker distributed a summary sheet listing their accomplishments for 2003 and 2003 funding. The total amount received in grants was \$651,000.00. He anticipates that the amount for 2004 will be larger due to the flooding that we had in July and August. Mr. Parker stated the Federal government is cutting funds, however, Soil & Water

Conservation does not have a specific line, so we should not see a big impact in the funding we receive. These cuts will primarily affect programmatic funding. Last year we did get Federal funds to help with clerical and technical work in the amount of \$14,000.00.

Mr. Parker informed the committee there is a new program called the Federal Conservation Reserve Enhanced Program which deals with taking rental payments on land that is put into this program. This will mainly affect buffer strips and buffer areas along streams. There will be 10 – 15 year contracts and the annual rental payments will be well over \$100.00 per acre. Dr. Baker asked is there a tax on those properties? Mr. Parker replied there is a tax incentive. They are not exempt from taxes, but there is something in there regarding a break on school taxes. Mr. Isaman commented for those individuals not familiar with this, we have buffer zones to clean up the water system. Mr. Parker explained they benefit water quality. Filter strips give a buffer between streams and agricultural fields. This program doesn't apply to everyone in the County. This program will apply to the Canisteo River Basin, Cohocton River and the Keuka Lake Watershed.

Canoe Landing Sites - Mr. Parker stated they are working on canoe landing sites. They have received grant funding through Senator Kuhl's Office and Southern Tier Central. This is a combined effort through Senator Kuhl's initiative grant and the River Trails Program through Southern Tier Central. We are administering Senator Kuhl's grant which is coming through Parks and Recreation. He stated they will be working on two sites on the Cohocton River by the Wood Road Bridge in Campbell and County Route 11 on Babcock Hollow. There will be a site in Addison where Tuscarora Creek meets the Canisteo River. There will be a site in Canisteo by the rotary park off from State Route 36 and there will be a site in Rathbone by the County Route 21 bridge. They expect to have these sites built by August. He noted there was also funding for a site in Corning that came through Southern Tier Central.

Chesapeake Bay Program – Mr. Parker stated that in 2000, Governor Pataki signed a Memorandum of Understanding with other offices from the Chesapeake Bay Watershed and the Federal Government to enter into a partnership to take the Chesapeake Bay off from the EPA's list of impaired waters. Over 90 percent of the Bay tidal waters are impaired due to the low dissolved oxygen levels and other problems related to nutrient pollution. As a result of a lawsuit, the EPA will require a total maximum daily load for the Chesapeake Bay in 2011. To avoid this regulatory total maximum daily load, the Chesapeake Bay program voluntary partnership has formed a committee to correct the nutrient and sediment problems to remove it from the list of impaired waterbodies under the Clean Water Act by 2010. Mr. Parker stated at present this program will be voluntary. Our job is to make sure that the information they put into the new models for 2005 is correct. In New York State, Steuben County has 19 percent of the entire watershed in the Chemung Basin. He stated that they applied for grant money through the Chesapeake Bay to do a tributary strategy study. This will allow us to get paid for gathering this information. Discussion followed.

Mr. Creath asked Mr. Parker if he had any spring flood predictions? Mr. Parker replied it really is hard to say.

2. Steuben County Industrial Development Agency

Appointments – Mr. Sherron informed the committee that they have seven board members on the IDA that are appointed on a two-year basis and their terms run concurrently. We decided that we should stagger those. He noted that their Board approved this change. Mr. Sherron stated they have four types of members. Member A is a member of the Legislature that is subject to annual appointment by the Chairman of the Steuben County Legislature – Phil Roche. Member B is two members with initial term of one year and each term thereafter for three years – Ellsworth Beckman and George Connors. Member C is two members with initial terms of two years and each term thereafter for three years – Michael Doyle and Robert Hollands. Member D is two members with initial terms of three years and each term thereafter for three years – Jane Karlsten and Richard Weakland. He stated they feel staggering the terms will give them more continuity.

Mr. Isaman asked does this have to go before the Full Board? Mr. Ahrens replied the appointments themselves go to the Full Legislature. The appointments still serve at your pleasure until you appoint someone to succeed them. The Legislature makes the appointments, as opposed to the Chairman of the Legislature making them. Mr. Alger asked why is the legislative appointment for one year? There is no reason that it could not be for a two-year term. Mr. Sherron replied they are trying to stagger the terms. Mr. Alger commented you didn't provide an extended term for the legislative representative. You could make it coincide with the Chairman's appointment for two years.

MOTION: RECOMMENDING THE APPOINTMENT OF PHILIP J. ROCHE AS MEMBER A FOR A TWO-YEAR TERM, RECOMMENDING THE APPOINTMENT OF ELLSWORTH BECKMAN AND GEORGE CONNORS AS MEMBER B FOR AN INITIAL TERM OF ONE YEAR AND EACH TERM THEREAFTER FOR THREE YEARS, RECOMMENDING THE APPOINTMENT OF MICHAEL DOYLE AND ROBERT HOLLANDS AS MEMBER C FOR AN INITIAL TERM OF TWO YEARS AND EACH TERM THEREAFTER FOR THREE YEARS AND RECOMMENDING THE APPOINTMENT OF JANE KARLSTEN AND RICHARD WEAKLAND AS MEMBER D WITH INITIAL TERMS OF THREE YEARS AND EACH TERM THEREAFTER FOR THREE YEARS MADE BY DR. BAKER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

VI. DEPARTMENTAL REPORTS/REQUESTS

1. Planning

2004 Work Program – Mr. Heffner distributed a copy of the 2004 Planning Department Work Program for the committee's review.

2. Buildings & Grounds

Elevator Maintenance Bid – Mr. Partridge informed the committee that the New York State contract has a list of eligible bidders for our region. Three bids were submitted for the annual maintenance for five elevators. The bids received were \$6,600.00, \$7,116.00 and \$8,256.00. The low bidder was Schindler Elevator and they are currently doing the maintenance on the elevators at the Health Care Facility. Our current contractor, Thysenkrupp submitted the second lowest bid at \$7,116.00. Mr. Partridge recommended awarding the bid to Schindler Elevator.

MOTION: AWARDING THE BID FOR ANNUAL ELEVATOR MAINTENANCE TO SCHINDLER ELEVATOR, OF ROCHESTER, NY IN THE AMOUNT OF \$6,600.00 MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. Administrator

U.S. – Australia Free Trade Agreement – Mr. Alger stated that Mr. Nichols is present today to talk about the free trade proposal with Australia and the concern for the dairy industry in that Australia has an opportunity to significantly boost their dairy exports to the United States. They can convert fluid milk to powder and use that for processed goods. He distributed a handout to the committee for their review.

Mr. Nichols stated that the first page shows the different classes for milk products. The proposed free trade agreement will not affect Class I milk, which is fluid milk that we produce in the United States. Class II milk products would be affected by this as they can bring in powder to make products such as packaged cream, cottage cheese, ricotta cheese, yogurt, ice cream, etc. Mr. Nichols explained Australia has acres of grassland and they can turn the cows out and put up a little hay and there is virtually no cost. They produce 8,000 – 10,000 pounds of milk per year, but they have no capital expenses. The United States produced 20,000 pounds of milk per year, but we have capital expenses. They will make milk run through the plants and bring over the powder. Class III milk products include American cheeses, Italian cheeses, cream cheese, condensed products, etc. Class IV milk products include butter and dried milk products. They would do this in Australia and change it to a product that has a longer shelf life.

Mr. Nichols commented the cost for the Australians to change the milk to a powdered state is extremely low for them. This will lower the price of milk and hold it to \$10.00 per hundred. Currently the price is at \$12.00 per hundred but has been as high as \$15.00. The big farms need the price to be \$14.00 per hundred in order to operate and the smaller farms need the price to be \$15.00. For the past year or so, the price has stayed at around \$10.00 - \$11.00 per hundred and it has stayed low. The price for Class II, III, and IV is around \$10.00 per hundred. Mr. Nichols stated if this trade agreement is approved, Class II, III, and IV milk products would not be manufactured in the United States. He stated that \$2.6 billion will be lost if this trade agreement goes through and Australia will increase its dairy exports by 354 percent.

MOTION: MEMORIALIZING PRESIDENT GEORGE W. BUSH, CONGRESSMAN HOUGHTON, SENATOR SCHUMER, AND SENATOR CLINTON TO EXCLUDE DAIRY FROM THE PROPOSED U.S. – AUSTRALIAN FREE TRADE AGREEMENT MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required. (Copy of resolution to go to Senator Craig, Senator Feingold, Congressman Vitter and the Commissioner of Agriculture and Markets)

VII. OTHER BUSINESS

Appointments to Conference & Visitors' Bureau Board of Directors – Mr. Heffner stated they need to approve the appointments to the Conference & Visitors' Bureau Board of Directors and forward to the Legislature for approval.

MOTION: RECOMMENDING THE FOLLOWING INDIVIDUALS FOR APPOINTMENT TO THE STEUBEN COUNTY CONFERENCE & VISITORS' BUREAU BOARD OF DIRECTORS FOR A TERM BEGINNING JANUARY 1, 2004 AND ENDING DECEMBER 31, 2006: CINDY WEAKLAND, ROBERT PFUNTNER, RANDY LEHMAN, KENNETH E. ISAMAN AND GREG HEFFNER AND APPOINTING DeWITT T. BAKER TO FILL THE UNEXPIRED TERM OF DAVID STACHNIK MADE BY MR. WALSH. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

Meeting Date – The committee agreed to hold their monthly meetings on the first Monday of the month at 1:00 p.m.

VIII. OLD BUSINESS

Scanners – Mr. Gehl stated two years ago he asked about having scanners checked in stores. At that time, Mr. Ahrens stated that he was looking at it and he would rather wait until the State passed something. Mr. Gehl stated last year he again made this request of the committee. He is asking for a Home Rule Local Law that all scanners be checked. They should be checked along with what Weights & Measures already does. Mr. Creath commented that he was inclined to agree. He stated that he would like to schedule this for discussion at next month's meeting. However, in the meantime, Mr. Alger and Mr. Abbey could meet and then present us with information next month. Dr. Baker stated that he understands Mr. Gehl's concerns. How many more staff would we need to provide for inspection of the scanners? Mr. Alger replied we need to talk to Weights & Measures.

Mr. Ahrens stated if we adopt a Local Law here that says you have to be accurate within "x", what if it is "x+2" in another county? Every county having their own standards will make it very difficult to have one standard set of rules to operate. This will have a negative impact on communities without uniform standards. While subject to certain abuses, and the potential for mayhem in a commercial environment, he doesn't know that we would be better off. He stated that this is a sophisticated issue and if we are looking at a Local Law, he would urge the committee to hold some public information meetings and give those involved in the community an opportunity to be heard with regard to the difficulties associated with this type of requirement. Another element of this is what is the penalty for inaccuracy?

Mr. Gehl stated that is all well and good and he agrees with Mr. Ahrens. If we have to be the first county that starts this, then we should take it and run with it. He stated the bottom line is he doesn't care what the other counties are doing, but the people in this county are being ripped off and he wants it stopped. Mr. Creath stated they will ask Weights & Measures to give a proposal regarding this.

Mr. Alger stated that his recollection is that it isn't the accuracy of the scanner, but the accuracy of the program that is operating through the scanner. He believes that you would find that the establishments that are ringing up wrong aren't the grocery stores, but are the other large chain department stores. He stated that he thinks they can pull out the old information and he will contact Mr. Abbey and have him talk to the Department of Agriculture and Markets and bring the information back to this committee.

MOTION: AUTHORIZING THE COUNTY ADMINISTRATOR AND THE DIRECTOR OF WEIGHTS AND MEASURES TO BEGIN THE PROCESS OF STUDYING THE SCANNER ACCURACY ISSUE MADE BY MR. ISAMAN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Item to be placed on the March AIP agenda.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. ISAMAN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. WALSH. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted By:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Thursday, March 4, 2004

2:00 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Donald B. Creath, Chair DeWitt. T. Baker, D.V.M. John Walsh

STAFF: Mark R. Alger Amy Dlugos Dennis Abbey
William J. Partridge Frederick H. Ahrens, Jr.

LEGISLATORS: Philip J. Roche, Esq. Harley R. Mayo Thomas J. McIntyre

ABSENT: Kenneth E. Isaman, Vice Chair Lldon E. Jamison

OTHERS: Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Creath called the meeting to order at 2:00 p.m. He asked Dr. Baker to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE FEBRUARY 5, 2004 MEETING MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0.

Mr. Creath informed the committee that he received two letters from the New York State Office of Parks, Recreation and Historic Preservation indicating that the Downtown Hornell Historic District – 82 – 117 Main Street and 8 – 50 Seneca Street, Hornell, NY and the Canisteo Living Sign, Greenwood Street, Canisteo, NY will be considered by the State Review Board for nomination to the National and State Registers of Historic Places.

III. OPPORTUNITY FOR PUBLIC COMMENT

Mr. Creath opened the floor for public comment. There being none, he declared the opportunity for public comment closed.

IV. DEPARTMENTAL REPORTS/REQUESTS

1. Planning Department

Agricultural Districts – Mrs. Dlugos informed the committee that there was an error with Agricultural District No. 23 as they had some parcels listed that were already included in Agricultural District No. 1. She requested a resolution amending Agricultural District No. 23.

MOTION: AMENDING THE DESCRIPTION OF AGRICULTURAL DISTRICT NO. 23 MADE BY MR. WALSH. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.

Mrs. Dlugos requested approval to set the public hearing for Agricultural Districts No. 12 and No. 14 in order to add parcels. She noted that there are 850 parcels in Agricultural District No. 12 and 105 parcels in Agricultural District No. 14.

MOTION: SETTING THE PUBLIC HEARING FOR AGRICULTURAL DISTRICTS NO. 12 AND NO. 14 FOR THE PURPOSES OF ADDING PARCELS MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.

2. Buildings & Grounds

Capital Projects – Mr. Partridge requested authorization to close seven capital projects and return the unexpended balances plus interest to the Repair and Renovations Reserve.

MOTION: AUTHORIZING THE CLOSING OF SEVEN CAPITAL PROJECTS AND RETURNING THE UNEXPENDED BALANCES, PLUS INTEREST BACK TO THE REPAIR AND RENOVATIONS RESERVE MADE BY MR. WALSH. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.

3. Weights & Measures

Scanners – Mr. Abbey distributed a copy of the bill that currently is on hold in the Assembly, entitled Retail Pricing Accuracy. Mr. Gehl commented this bill has been in the Assembly for three years and has not gone anywhere. Mr. Abbey distributed a second handout which is one of their own surveys they conducted to find out the status of action by retailers to correct problems, which is part of the problem as they see it. Mr. Abbey explained, when the scanners first came out they were incredibly accurate. The manufacturers of the products are making sure that the correct bar codes are scanned with the correct price. The coordination of that has greatly improved. When doing inspections, when we hear that something needs our attention, we do an inspection. No stores have been reluctant to have that done.

Mr. Alger stated his understanding of this scanner issue is the scanners are 99.9 percent accurate. The actual scanning of the bar codes is what the issue is; whether the price in the computer is accurately reflected when scanned into the computer to list the price that is on the shelf. This is an issue of the accuracy of the database and the scanner pulling the information from that database and having it match the price on the shelf. They are supposed to match. He believes that is the crux of the issue. The pricing is what the accuracy is all about. What Mr. Abbey gave us is a listing of the ways that various establishments are going about making system corrections. Some of the corrections are done locally and some are done at headquarters. Mr. Alger explained, our concern is that there shouldn't be a discrepancy, but if there is, what happens to correct it and what is the period of time that the correction is made. We want to see how much time it takes the establishments to correct an error.

Mr. Alger stated there is another component to that. Out of 40 sites that were tested, only 2 out of 40 did not comply with 98 percent accuracy or better. Oneida County has 98 percent or better accuracy. This becomes a question of devoting the resources. This is a small consumer issue in comparison to short-weight and other things. This will require more manpower. He would rather look at this from the Agricultural and Markets standpoint as having good volume, weight, etc. Mr. Ahrens stated the other thing is that this bill has been previously introduced, but Mr. Abbey tells me that there are six states that don't have scanner price assessment. Ultimately, the pressure will build in Albany and going through the County Association may very well prove successful. Mr. Ahrens stated that he does worry about having 60 different standards of accuracy for the State.

Mr. McIntyre commented, if the State gets involved, that will add to Mr. Abbey's department and our expense. Mr. Ahrens replied it can.

Mr. Alger stated Mr. Abbey has indicated that in terms of inspections, his staff routinely inspects weights and measures in any given store. There is a likelihood that from time to time they will identify something that is short-weight. That happens and it happens frequently. The scanners are accurate and it is more an issue of the pricing. What this boils down to is our ability to effectively add this responsibility to the staff and that becomes a matter of priority. If we adopt a local law to have Mr. Abbey's department conduct some sort of scanner test, that does require time. He does that already with the weights and measures portion of his responsibilities. This would be in addition to that. Mr. Alger stated that Mr. Abbey has indicated they can do that, however, there is only so much they can do in any given inspection. They would be doing the best they can with the time they have available. They would also respond to complaints. To some extent, you may find yourself responding to complaints rather than doing routine inspections. It really is a matter of your own call. If you want to add this to their repertoire, then we have to go into it with the expectation that there is no revenue streams for

doing this enforcement. There is not enough revenue to support staffing. Given the fiscal climate, he doesn't suggest that they have the ability to add another inspector and that means the current team would have to do this along with their other responsibilities. It becomes another duty as part of everyday activity.

Dr. Baker commented if you stop and think and take one store chain, everyday there are items that go up for sale. If Mr. Abbey is obligated to check items that are changed against the scanners, that will be impossible to do. We would have to triple his workforce. Mr. Alger replied we are not going to be able to go everyday to make sure the prices and scanners are accurate. We would do that as part of a routine inspection or as a response to a complaint. Dr. Baker asked are we obligated to respond to complaints now? Mr. Alger replied yes, but there is no local law in place to do the scanner inspections.

Mr. Gehl stated he doesn't care about other standards in the State. He only cares about Steuben County. On the handout Mr. Abbey distributed, there are stores on the last page that take 24 – 48 hours to make changes. Do those items stay on the shelf before it is corrected? Mr. Abbey replied if we find a particular item that isn't priced correctly, the stores have the authority to change the shelf price to match the scanner. For them to change on the computer in that store, they have to deal with the corporate people and that is a concern. Most stores have their own person that does price checks.

Mr. Creath stated Oneida County has 98 percent accuracy. Does that include undercharges? Mr. Abbey replied yes. Mr. Ahrens commented a casual exam would lead you to conclude that just as many stores undercharge as they overcharge. When dealing with this sort of accuracy, are you going to **write** someone up for undercharging? Mr. Creath asked when measuring volume and weight what does the accuracy have to be? Mr. Abbey replied they want the accuracy to be 96 percent or better.

Mr. McIntyre commented that he wouldn't be in a hurry to push this bill through and have that add to our responsibilities. Mr. Walsh commented the scanners are a lot more accurate today than when they first came out.

Mr. Creath suggested that the committee consider memorializing the State to endorse the bill that currently is in the Assembly regarding retail pricing accuracy. He would also instruct that Weights and Measures respond to any complaints about scanners. Dr. Baker stated they already do respond to complaints.

MOTION: MEMORIALIZING THE NEW YORK STATE SENATE, THE NEW YORK STATE ASSEMBLY AND GOVERNOR GEORGE PATAKI IN SUPPORT OF ASSEMBLY BILL 6880-B RETAIL PRICING ACCURACY MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. Resolution Required.

4. Administrator

Court Space – Mr. Alger informed the committee that they have received a request from the Court to provide them with additional space. They are trying to jockey space in the Old Courthouse and they want us to find space for three court reporters. He stated that he, along with Mr. Heffner and Mr. Partridge, will look to see what kind of space we can locate for them which they find acceptable for the time being. Their initial presentation indicates that we are only meeting 40 percent of the space required by the guidelines of the Office of Court Administration. At some point in the future we will have to deal with that issue. There is an immediate need for the court reporters. Mr. Alger stated that he will meet with Mr. Deninger to figure out where to locate the court reporters. Mr. Alger noted the State pays us some maintenance in lieu for overhead expenses for maintaining the facilities. The County is responsible for the provision of space. We do get reimbursement for some activities. There isn't any capital reimbursement. If we had to build a new building, there is no direct reimbursement for that. That is part of our obligation, to provide them with space.

Dr. Baker asked every time the courts decide they need more space, they can dictate that to the County? Mr. Alger replied yes, right down to the actual floor plans. Right now we will meet with Mr. Deninger and identify an acceptable solution to the immediate situation.

Mr. Gehl stated we have the courthouses in Corning and Hornell. Why can't they use that space? Mr. Alger replied you would end up spending more on those renovations than you would if you built a new building.

Mr. Ahrens commented it is a great convenience to have everything located in Bath. Mr. Alger stated that's a good point and that did come into consideration. Mr. Walsh asked is there a threat of any penalty if we don't do it? Mr. Alger replied we will be most accommodating. The penalty is they have the ability to do it and then send us the bill. We will work with them.

MOTION: TO ADJOURN MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING I FAVOR. MOTION CARRIES 3-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR

Monday, April 5, 2004.

@ 1:00 p.m.

Please send agenda items to the Clerk of the Legislature's Office

NO LATER THAN NOON

Monday, March 29, 2004.

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Monday, April 5, 2004

1:00 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Donald B. Creath, Chair Kenneth E. Isaman, Vice Chair DeWitt T. Baker, D.V.M.
Lldon E. Jamison John Walsh

STAFF: Mark R. Alger Gregory P. Heffner William J. Partridge
Twila O'Dell James Gleason Michele Smith
Frederick H. Ahrens, Jr.

LEGISLATORS: Philip J. Roche, Esq. Thomas J. McIntyre Robert V. Nichols

OTHERS: Rob Price, *The Evening Tribune*
Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Creath called the meeting to order at 1:00 p.m. He asked Mr. Isaman to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MARCH 4, 2004 MEETING MADE BY DR. BAKER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

III. OPPORTUNITY FOR PUBLIC COMMENT

Mr. Creath opened the floor for comment by members of the public. There being none, he declared the opportunity for public comment closed.

IV. DEPARTMENTAL REPORTS/REQUESTS

1. Planning

Agricultural Districts – Mr. Heffner stated this year we enacted a local law, which allows landowners to join an agricultural district during a 30-day window that we established from January 15th – February 15th. We have three landowners that have requested to be included in agricultural districts. This will be an addition of approximately 1,500 acres in the Town of Bath, Town of Wayne and the Town of Bradford.

Dr. Baker asked are there any qualifications? Mr. Heffner replied it has to be viable agricultural land. There are no specific acreage requirements. The tax exemption program is separate from the agricultural program as the landowner has to show \$10,000.00 in gross sales of agricultural products annually or a landowner can rent their land to someone that receives that amount of income. Dr. Baker asked will the same 30-day window be maintained? Mr. Heffner replied every year that same period will be open.

Mr. Creath asked are the agricultural districts geographically defined? Mr. Heffner replied agricultural districts are made up of individual parcels, there are no boundaries around a particular agricultural district. They are all within a general area. Mr. Alger commented originally, the Agricultural Districts Law envisioned homogeneous, contiguous parcels, but it didn't work that way. Mr. Creath asked are they well organized. Are the agricultural districts categorized by the type of farming they do? Mr. Heffner replied their program is very well organized. The agricultural districts are

not categorized by the type of farming that is done. Mr. Alger stated the landowners provide income and crop information which gives us an indication of the type of agriculture they are involved in. Mr. Heffner explained every district has a profile that shows the percentage of dairy, field crops, etc.

MOTION: ADDING AGRICULTURAL LANDS TO CERTIFIED AGRICULTURAL DISTRICTS PURSUANT TO ARTICLE 25AA SECTION 303-b OF AG. AND MARKETS LAW MADE BY DR. BAKER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Residential Septic System Regulations – Mr. Heffner stated that they received a copy of a resolution from Schoharie County in opposition to regulations on residential septic systems. The issue is there has been a bill introduced in the Assembly and Senate to amend Public Health Law with respect to private, residential septic systems. They are trying to take commercial regulations and adapt it to residential systems. Mr. Heffner explained this bill was introduced last year and it didn't get any support. This year it was introduced again in the same form.. Schoharie County is opposed to this, as it would stifle development in rural areas. He stated that he spoke with Paul Bauter, Watershed Manager of KWIC (Keuka Watershed Improvement Cooperative) and they are also opposed to this. Mr. Heffner stated that we should also be opposed to this law.

MOTION: OPPOSING THE PROPOSAL TO CHANGE THE REGULATIONS THAT GOVERN RESIDENTIAL SEPTIC SYSTEMS MADE BY DR. BAKER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Heffner stated that there are several issues about septic systems. The Health Department came out with a fact sheet that reiterates what has been the law all along, that you need a PE stamp on every septic system that is installed. That will add considerable costs to septic systems. He is not sure where this will go. There was a discussion about how this fits in with the code enforcement officers. In the past, the code enforcement officers have been allowed to sign off on septic systems. This is an issue that we will hear more about. Mr. Alger stated that with regard to the PE stamp, Mr. Bauter of KWIC is proposing an amendment to the Education Law which would allow qualified, certified inspectors to approve residential systems. That is something that we should support. We could do a resolution urging that amendment to the law. Mr. Heffner stated we could do that, or they could wait and he could get more information from Mr. Bauter first. Mr. Alger stated if we could come up with an alternative, we could distribute that to the other counties as well as municipalities. Mr. Creath asked will this grandfather in existing septic systems? Mr. Heffner replied it will if it is already in the ground. If you replace a system, you would have to get it engineered, unless you were following the exact existing footprint.

Court Space – Mr. Alger stated last month they discussed the need for the court reporters to have space. He has been working with Bill Deninger and at this point, he would recommend allowing the court reporters to use the space previously occupied by Telephonic Communications. That space will meet the court reporters current needs. They have indicated that will work and alleviate the necessity for additional space right now.

MOTION: ALLOCATING THE OFFICE SPACE PREVIOUSLY OCCUPIED BY TELEPHONIC COMMUNICATIONS TO THE COURTS FOR USE BY THEIR COURT REPORTERS MADE BY MR. ISAMAN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Alger informed the committee that they are going to face some issues with the Public Defender's Office as we will have to find a place for them.

2. Buildings & Grounds

Landscaping Contract – Mr. Partridge requested authorization to enter into a contract with SD Lang for the annual maintenance of the landscaping around the county complex. Last year the contract amount was \$6,693 and they are requesting an increase of \$335.00. The new contract amount is \$7,028.50. Mr. Partridge explained they sent out proposals every year except for this year, as SD Lang has been the only respondent. They do the trimming, weeding, mulching, weed/feed applications and all of the plantings for the county office building complex.

MOTION: AUTHORIZING BUILDINGS & GROUNDS TO ENTER INTO A CONTRACT WITH SD LANG FOR THE ANNUAL MAINTENANCE OF THE LANDSCAPING OF THE COUNTY OFFICE BUILDING COMPLEX FOR \$7,028.50 MADE BY DR. BAKER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Roof Replacement Bids – Mr. Partridge informed the committee that they put out bids for the roof replacement at 18 East Morris Street and received five responses. They put the bid out with the option for asbestos removal and without asbestos removal. There is no asbestos, so we will be doing a regular roof replacement. It will be a complete tear off as the current roof has four layers of asphalt and one layer of wood shingles. He recommends awarding the bid to the low bidder, Universal Builders of Canisteo, NY in the amount of \$11,900.00.

MOTION: AWARDING THE BID FOR THE ROOF REPLACEMENT AT 18 EAST MORRIS STREET TO UNIVERSAL BUILDERS OF CANISTEO, NY IN THE AMOUNT OF \$11,900.00 MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Mr. Partridge stated they put out bids for the roof replacement at 117 East Steuben Street for the East Wing. They received five responses. He recommends awarding the bid to the low bidder, J&B Installations of Skaneateles Falls, NY in the amount of \$37,387.00. This will be rubber roofing with a 20-year warranty.

MOTION: AWARDING THE BID FOR THE ROOF REPLACEMENT OF THE EAST WING OF 117 EAST STEUBEN STREET TO J&B INSTALLATIONS OF SKANEATELES FALLS, NY IN THE AMOUNT OF \$37,387.00 MADE BY DR. BAKER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

3. Historian

Appointments – Ms. O'Dell informed the committee that they have had members of the Hall of Fame Committee who no longer wish to participate and currently they are down to five members. They sent letters out to four individuals asking if they would be willing to serve as members of the committee. They received responses from Sondra Brown, John Young and Lola Tears indicating that they would be willing to serve. She stated that when the Hall of Fame Committee was originally created, they tried to have one representative from each Legislative district.

Mr. Creath stated that if the committee did not have any objections, he would like to continue as the AIP Committee Representative. He stated that Ms. O'Dell should be appointed Chair, and they would need to reappoint Joseph Paddock, D.V.M., Phyllis Peek, Jerry and Virginia Wright and John Roy. Mr. Creath stated that Mary Perham had an interest in being a member, however, the committee discussed that at the last meeting and they were concerned about a conflict of interest.

MOTION: RECOMMENDING THAT THE CHAIRMAN OF THE LEGISLATURE APPOINT SONDR BROWN, JOHN YOUNG AND LOLA TEARS AS NEW MEMBERS OF THE HALL OF FAME COMMITTEE AND RECOMMENDING THE REAPPOINTMENT OF TWILA O'DELL, AS CHAIRPERSON, DONALD CREATH AS AIP COMMITTEE REPRESENTATIVE, JOSEPH PADDOCK, D.V.M., PHYLLIS PEEK, JERRY AND VIRGINIA WRIGHT AND JOHN ROY MADE BY DR. BAKER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Microfilming – Ms. O'Dell informed the committee that they have a microfilming project that has been ongoing. They have newspapers dating from 1880 – 1889 that need to be put on microfilm. She has talked to several companies as well as Mr. Sherer at the Records Center. She received a quote from Biel's Information Technology Systems and they have estimated that there will be 3,000 pages. If they do one page at a time the cost will be \$6,000.00. If they do two pages at a time the cost will be \$3,000.00. Ms. O'Dell stated she has talked with the Steuben County Historical Society and they are willing to go in half to do this. The County cost would then be approximately \$1,500.00. She stated that their printer reader was purchased in 1999 and is out of date. We would have to have a new lens to go into our reader so that we can print the newspapers off of the microfilm if people request them. She explained if we do two pages at a time, our part is still cheaper than if we used the old lens and did one page at a time.

Mr. McIntyre asked what about using ARC? We have had them do a lot of microfilming in the past. Ms. O'Dell replied they no longer do that. Mr. Nichols asked will the quality be the same? Ms. O'Dell replied yes, it will be if we put the new lens in. Dr. Baker asked is there any money left in the Bicentennial Account? Ms. O'Dell replied she didn't know the exact amount. Mr. Alger stated there is plenty of money in there to do this.

Mrs. O'Dell stated they are only microfilming newspapers from 1880 – 1889. These are the Bath newspaper, *The Steuben Farmer's Advocate*.

MOTION: AUTHORIZING THE COUNTY HISTORIAN TO CONTRACT WITH BIEL'S INFORMATION TECHNOLOGY SYSTEMS TO MICROFILM NEWSPAPERS DATED 1880 – 1889 AND TO FUND SAID PROJECT WITH FUNDS FROM THE BICENTENNIAL ACCOUNT MADE BY DR. BAKER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

4. Administrator

Commemorative Coins – Mr. Alger informed the committee that Mr. McIntyre had suggested looking into getting a commemorative coin made for the Curtis Museum. Mr. Alger stated that he sent a letter to Congressman Houghton with regard to this. He also will be sending letters to Senators Clinton and Schumer. It takes an act of Congress to create one of these coins. We will pursue this and see where it will go.

Mr. McIntyre explained the commemorative coins are done annually for different events in history. Coin collectors pay a fee to purchase coins and a portion of those monies goes to the organization related to the coin. Glenn Curtis was prior to the Wright Brothers. If we can get a coin made, it will bring in money to the museum. He stated that he presented this last month to the Finance Committee.

VI. OTHER BUSINESS

Steuben County Conference & Visitors' Bureau – Mr. Isaman informed the committee that they received a resignation from the E-Tourism coordinator.

May Meeting – Mr. Isaman informed the committee that the May AIP meeting will be held in Hornell. They will tour the Alstom facility and then have lunch with the meeting scheduled for 1:30 p.m. He will let the members of the committee know what the final arrangements will be.

Mr. Isaman commented that 2007 will be the Hornell Courthouse Centennial. We should try to put the Courthouse to use prior to 2007.

Milk Import Tariff Equity Act – Mr. Nichols stated that he is here to request that the committee memorialize the United States Congress and the President of the United States to adopt and sign into law S.560/H.R. 1160, the "Milk Import Tariff Equity Act." In the last trade agreement, Paraguay eliminated from tariffs and quotas the milk solid protein concentrates. The foreign competitors are using the low-fat dried milk to bring this product in. They remanufacture the protein in the form of casein and that is not called low-fat dried milk. This is no longer considered a food category. Casein is now considered a chemical as it can be used for cheese, glue and is used for bowling balls and pool balls. The American Dairymen have no problem with the Casein being used as glue, but they displace our milk when it is used for cheese. Mr. Nichols stated the imports of milk solids have cost \$2.5 billion since 2001, creating a loss during that period of \$30,000.00 per United States dairy farmer. This proposed law is in Congress and he is asking that Steuben County send a memorializing resolution to the President of the United States and the United States Congress. He commented that he spoke with Senator Schumer who indicated that he would back the Senate version. Mr. Nichols explained by allowing the Casein to come into the country as a chemical, it is adding to the increase of non-fat dried milk that the government is buying to maintain the price at \$.80 per pound. We are losing \$.20 for every pound of dried milk.

Mr. Isaman asked could this Casein be contaminated? Mr. Nichols replied he doesn't want people to think that Casein is evil. It is in the milk you drink and there is nothing wrong with the Casein. The problem is how they are bringing it into the Country. Mr. Isaman asked could the Casein bring in disease? Mr. Nichols replied there are no reported cases of that happening. In this Country we are regulated, but food coming in from overseas isn't, but their food should be under the same regulations that we are under. Mr. Alger commented there are all sorts of issues with imported

foods. There are also sanitary issues. The Casein should be coming in as a food product, but they slide it in as a chemical and then use it as a food additive. We would be better off to treat it as a food product. Mr. Isaman asked how much Casein does 100 pounds of milk make? Mr. Nichols replied he couldn't tell him that, but most of the Casein is coming from Australia, New Zealand and Europe.

MOTION: MEMORIALIZING THE UNITED STATES CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO ADOPT AND SIGN INTO LAW S.560/H.R. 1160, THE "MILK IMPORT TARIFF EQUITY ACT" MADE BY MR. ISAMAN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

Hall of Fame Appointments – Mr. Creath stated that he would like to revisit the issue of the appointment of Hall of Fame Committee members. He stated that Mary Perham had been serving on the committee and at the last Hall of Fame Committee meeting the members felt that her being a representative was a conflict of interest with regard to keeping the information confidential. However, he doesn't feel that is the right position to take. Mr. Creath asked Mary Perham if she would still be willing to serve? Ms. Perham replied yes. Mr. Creath asked the committee if they would be opposed to adding the appointment of Mary Perham to the Hall of Fame Committee.

MOTION: REQUESTING THE CHAIRMAN OF THE LEGISLATURE APPOINT MARY PERHAM AS A MEMBER OF THE STEUBEN COUNTY HALL OF FAME COMMITTEE MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY DR. BAKER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR
Monday, May 3, 2004
@ 1:00 p.m.

Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, April 26, 2004.

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Monday, May 3, 2004

12:00 p.m.

Erie Depot – Loder Street

Hornell, NY

****MINUTES****

COMMITTEE: Donald B. Creath, Chair Kenneth E. Isaman, Vice Chair DeWitt T. Baker, D.V.M.
Lldon E. Jamison

STAFF: Mark R. Alger Gregory P. Heffner Frederick H. Ahrens, Jr.

LEGISLATORS: Harley R. Mayo Thomas J. McIntyre Robert V. Nichols

ABSENT: John Walsh

OTHERS: Jim Griffin, Hornell Industrial Development Agency
Jim Sherron, Steuben County Industrial Development Agency
Greg Muscato, Alstom
Rich Buchanan, Alstom
Shawn Hogan, Hornell City Mayor
Steve Dennis, Hornell Industrial Development Agency

I. WELCOME

Mayor Hogan welcomed the committee to the Erie Depot, the new home of Alstom. One of the main reasons for renovating the Depot was that they wanted to preserve the building's history. They received \$50,000 from UDC to do a feasibility study for what the Depot could be used for. The Hornell IDA took title to the building and the building was rehabilitated at a cost of \$2.1 million. The State and Federal Governments as well as the Industrial Development Agency, the City of Hornell and Alstom all contributed funds. Steuben County contributed \$200,000 which we used for the public common areas such as the parking lot, sidewalks, etc. The Depot contains Alstom's finance office and upper management. There are approximately 65 – 70 employees in this building. Mayor Hogan thanked Steuben County for their interest and commitment to this project. He noted that the Erie Depot has not been listed as a historical site, but it is eligible for that listing.

Mr. Griffin introduced Greg Muscato, who is the Vice President of Human Resources for Alstom for the U.S./Mexico/South American region. Mr. Muscato stated that he would like to give the committee an overview of where they stand. His focus is keeping a steady workforce in the Hornell area. Their biggest project is the R160 which is for the New York City Transit Authority which runs 7,000 – 8,000 trains on a regular basis. They are the largest transit system in the United States. Our contract with them is the largest contract in Alstom's history and in the history of the world. We are redoing their trains. Our organization as a whole is focused on New York City. We also have a contract to build 660 new subway cars. That contract will go until 2010. We have the option to take 1,700 cars and if we get that option, we intend to keep a strong workforce until 2012 – 2014. There will be service, warranty and commissioning that will follow that. That will bring in more revenue.

Mr. Muscato stated in Washington, D.C. they are doing 6,000 new subway car manufactures for them. They also have a contract with New Jersey for locomotives that are 80 – 90 feet long. We have 32 of those to deliver by December 31, 2004. He stated that Hornell was known for their refurbishment market. We still have a good portion of that market, but we also have diversified to new markets. Mr. Muscato noted they also have a contract with Chicago Transit Authority for their 2K and 3K lines. That is an overhaul project. We also have a continuing contract with Maryland and have approximately 1-½ years left.

Mr. Muscato informed the committee that they are winding down a contract with New Jersey Transit for the Comet II and Comet V. They expect to have that contract completed by this summer. Looking toward the future, Alstom is looking for new bids. They are trying to focus on specific margins. They are opening up to smaller bids in order to

keep things going. They are very committed to the Hornell area. They are talking with various vendors and are trying to get them to come into this area.

Mr. Muscato stated that Alstom has approximately 1,200 workers employed in the Hornell area. They also have contractors which are typically employed for 10 – 11 months at a time. Their turnover rate is relatively low. On the craft side, they are seeing a turnover rate of 4 – 4.5 percent and on the administrative side they are seeing a turnover rate of 4 – 5 percent.

Mr. Isaman asked is there a warranty on the cars? Mr. Muscato replied that he couldn't speak to the warranty, as he is not involved with that portion of the business. Mr. Buchanan stated that they typically have a two-year warranty for a new vehicle. Mr. Nichols asked do you build any cars for Amtrak? Mr. Buchanan replied they have built 50 sleeper cars. During 1996 – 1997 they built high-speed trains.

Mr. McIntyre stated that he knows that the home office is in France and that they were having some difficult times. Have things stabilized there? Mr. Muscato replied the company has gone through some new changes and they are looking at a new management philosophy. We did hit a low point six to nine months ago, and now we are coming back up. The stability is coming back. Mr. Hogan asked how much money has Alstom put into capital projects since 1996? Mr. Buchanan replied they have put \$40 million into capital investments.

II. CALL TO ORDER

Mr. Creath called the meeting to order at 1:10 p.m.

III. OUTSIDE AGENCY REPORTS

1. Hornell Industrial Development Agency

Empire Development Zone – Mr. Griffin stated the Empire Development Zone originally was conceived as being City of Hornell zoned, but there is acreage available throughout the County that meets the criteria. Mr. Dennis explained the zone program is a State program that provides New York State tax credit for new or expanding businesses. This is an economic development program that is locally administered and is tied to job creation. Businesses only obtain benefits at tax filing when and if they create new jobs and make new investments. Mr. Dennis distributed a handout depicting Hornell-Corning-Steuben County Empire Zone Profile of Projects. There are 42 total businesses certified in the empire zone. The City of Hornell has 25, the City of Corning has 7 and there are 10 other businesses throughout the remainder of the County. There are 15 manufacturing businesses, 18 service businesses and 9 retail businesses. Mr. Dennis informed the committee that the Corning Inc. Diesel Plant located in the Town of Erwin has a \$200 million investment and created 200 new jobs. The Home Depot project is also located in the Town of Erwin and has a \$7 million investment and created 150 new jobs. Transportation and Transit Associates (TTA) is located in the Town of Avoca and has a \$4 million investment and created 100 new jobs. STOREFLEX is located in the Village of Riverside, has a \$500,000 investment and created 20 jobs. The Babcock Company, Inc. is located in the Village of Bath, has a \$650,000 investment and created 65 new jobs. Mr. Dennis noted that Babcock Company actually exceeded their job creation and currently now have over 100 employees. Testori Interiors is located in the Town of Hornellsville, has a \$240,000 investment and created 15 new jobs.

Mr. McIntyre asked how do you track these projects? Mr. Dennis replied if the business leaves, they do not receive any benefits. If they drop below the employment levels, they lose their certification. Mr. Griffin commented businesses are certified for 10 years. Mr. Creath asked if the business goes out of business, can we recapture the acreage? Mr. Dennis replied yes.

Mr. Griffin informed the committee that with regard to the South Yards, they are putting together a program to expand that. This project has been in the paper and we are working with the Town of Hornellsville very closely. We have been talking about annexing that park into the City. We would like to enter into an agreement with the town and county that the taxes generated would be taken and the county would get the same amount of taxes as if the property were in the town. We can use 27 acres of the empire zone as long as it is in the city, without affecting the reserve for the rest of the County.

Mr. Dennis explained that a pending boundary amendment re-configures the City of Corning acreage to place Market and Bridge Streets in the Zone. Re-configuration of the Corning acreage is consistent with the City's recently completed Master Plan to support retention and expansion of the retail, service, and commercial businesses on Market and Bridge Streets. Businesses creating new jobs and making new investments within the newly designated area may be eligible for certification.

Mr. Dennis informed the committee that the sunset date on the zone legislation is July 31, 2004. The Governor has introduced legislation to have it renewed. He stated that he is optimistic that the State Legislature will come to some kind of negotiated settlement prior to June 31, 2004. There will be changes to the zone program. The changes will be in the benefit package. If there is no legislation by July 31, 2004, then the zone program will expire. Mr. Griffin stated that his major concern is that we are a census tracked zone as opposed to a county zone. With a census tracked zone you cannot go outside your census track and this legislation would restrict us from doing anything else in the County. The rural counties need the flexibility to put the acreage where it is needed. Mr. Dennis commented that they have been very proactive with this.

MOTION: MEMORIALIZING THE GOVERNOR AND THE STATE LEGISLATURE REGARDING NEW LEGISLATION FOR ECONOMIC ZONE DEVELOPMENT ASKING THAT THEY RENEW THE EMPIRE ZONE LEGISLATION WITH THE PROVISION THAT CENSUS TRACKED ZONES IN RURAL COUNTIES BE ALLOWED TO PLACE ACREAGE THROUGHOUT THE COUNTY MADE BY MR. ISAMAN. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

Mr. Creath stated that he would like to extend a grateful thank you to the Hornell IDA, Alstom and Mayor Hogan for hosting our meeting.

2. Steuben County Industrial Development Agency

Mr. Sherron informed the committee that the windmill project in Prattsburgh is going to be a difficult and long process. As the lead agent, we will insist that all regulations be followed in the SEQR process. We will be very sensitive to the issues of setback to property lines and residents. We will also monitor the noise level. This won't satisfy all, but it will satisfy those that are fearful. Mr. Griffin commented that the county stands to benefit from the taxes on that project. Mr. Sherron stated our fee is \$275,000 which will be utilized for site development, infrastructure, brown field cleanup, etc. Mr. Griffin stated the sensitivity is important, but it can't override the fact that this is an important project. Mr. Sherron stated that they will go through the process. We have hired a manager that will review the SEQR process.

IV. DEPARTMENTAL REPORTS/REQUESTS

1. Historian

Mr. Creath informed the committee that the Hall of Fame Banquet will be held on Saturday, May 15, 2004.

2. Administrator

Mr. Alger stated that there has been discussion about celebrating the 100-year anniversary of the Hornell Courthouse. He suggested that the committee could take a tour at the conclusion of the meeting and their tour of the Erie Depot.

**MOTION: TO ADJOURN MADE BY DR. BAKER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR.
MOTION CARRIES 4-0.**

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR

Monday, June 7, 2004

@ 1:00 p.m.

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, June 1, 2004.**

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Monday, June 7, 2004

1:00 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Donald B. Creath, Chair DeWitt T. Baker, D.V.M. Lldon E. Jamison
John Walsh

STAFF: Mark R. Alger Gregory P. Heffner William J. Partridge
Frederick H. Ahrens, Jr. Michele Smith

LEGISLATORS: Harley R. Mayo Thomas J. McIntyre

ABSENT: Kenneth E. Isaman, Vice Chair

OTHERS: Richard Stewart, Farm Bureau

I. CALL TO ORDER

Mr. Creath called the meeting to order at 1:00 p.m. He asked Mr. McIntyre to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE MAY 3, 2004 MEETING MADE BY DR. BAKER, SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. DEPARTMENTAL REPORTS/REQUESTS

1. Planning

Agricultural Districts – Mr. Heffner requested authorization to commence the eight-year review on Agricultural District No. 1, which encompasses Canisteo, Cameron and Jasper.

MOTION: AUTHORIZING THE EIGHT-YEAR REVIEW ON AGRICULTURAL DISTRICT No. 1 MADE BY DR. BAKER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Farm-City Day – Mr. Heffner informed the committee that the annual Farm-City Day will be held on Saturday, September 25, 2004 from 10:00 a.m. – 2:00 p.m. at the Scanlon Farm located in Addison. He noted that the Agricultural and Farmland Protection Board sponsor this.

2. Buildings & Grounds

Personnel – Mr. Partridge requested authorization to reclassify a Maintenance Mechanic to a Head Maintenance Mechanic. He explained that in his absence, there currently is no one in the department who is in a supervisory position. Mr. Alger commented that Personnel will have to review the position and recommend to the Administration Committee a grade for that position. This gives the department a frontline supervisor in more of a working status. The job description will stay the same, with the addition of the supervisory component.

MOTION: RECOMMENDING THE RECLASSIFICATION OF A MAINTENANCE MECHANIC POSITION IN THE BUILDINGS AND GROUNDS DEPARTMENT TO A HEAD MAINTENANCE MECHANIC MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

3. Administrator

Office Space – Mr. Alger informed the committee that they have been in communication with the Courts and discussed the need for space for the court reporters. The court reporters were moved to the office space previously occupied by Telephonic Communications. The next issue relates to the Public Defender. We expect to put him downstairs where the original office for 9-1-1 was. This is only an interim step. Currently they have two offices upstairs. Over the next year or so we would like to co-locate them in one location. We will continue to work on that.

4. Law Department

Mr. Ahrens stated that he would be meeting with Mr. Alger regarding the Hornell Airport. He is not prepared to give a report at this time, but expects to report next month. Mr. Alger clarified that they will be discussing their original agreement with the Hornell Industrial Development Agency with regard to what we are doing with increased assessed value resulting from IDA projects. We are trying to nail down the process for dealing with properties in that area.

IV. OTHER BUSINESS

July Meeting Date – Mr. Alger explained that the 4th of July is on Sunday and the County will observe the holiday on Monday, July 5th. He would encourage the committee to move their meeting to the following Monday, July 12th at 1:00 p.m.

MOTION: CHANGING THE DATE OF THE JULY MEETING TO MONDAY, JULY 12, 2004 AT 1:00 P.M. MADE BY DR. BAKER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Agendas – Dr. Baker asked if there was anything that could be done with regard to getting people to put items on the agenda. We should cancel meetings if there is only one item. Mr. Alger stated that he would have Mr. Heffner contact the outside agencies regarding this.

MOTION: TO ADJOURN MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR

****PLEASE NOTE CHANGE**Monday, July 12, 2004**PLEASE NOTE CHANGE**
@ 1:00 p.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, June 28, 2004.**

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Monday, July 12, 2004

1:00 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Donald B. Creath, Chair Kenneth E. Isaman, Vice Chair DeWitt T. Baker, D.V.M.
Lldon E. Jamison John Walsh

STAFF: Mark R. Alger Gregory P. Heffner Frederick H. Ahrens, Jr.
William J. Partridge

LEGISLATORS: Harley R. Mayo Thomas J. McIntyre

OTHERS: Mary Perham, *The Leader*
Rob Price, *The Advocate*

I. CALL TO ORDER

Mr. Creath called the meeting to order at 1:00 p.m. He asked Mr. Isaman to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JUNE 7, 2004 MEETING MADE BY DR. BAKER, SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Mr. Jamison absent for vote)

III. OUTSIDE AGENCY REPORTS

1. Soil & Water Conservation

Mr. Parker distributed a copy of his monthly report for June. He noted that during the course of April, May and June they have been trying to get the FEMA projects from last summer done. They had approximately 72 projects scheduled.

Mr. Parker informed the committee that during the month of May the northern part of the County, Wheeler, Pulteney, Prattsburgh, Town of Wayne, Naples and Yates County had severe storms. FEMA called to see if we had enough damage to tag onto the other counties request for aid. We had approximately \$700,000.00 in damage in Steuben County. The request for federal disaster assistance was sent to the Governor's office and was approved. Steuben County has been declared a disaster area two summers in a row now. FEMA will come and write up projects that will be done next summer. Damage was mainly done to dirt/gravel roads.

Mr. Parker distributed a copy of the list of grants that they were able to bring in last year. These grants amounted to a total of \$2,460,710.32. He reviewed the following grants:

Upper Susquehanna Coalition CEM – This is a community program where we work with municipalities and watersheds to educate them on environmental problems. The amount of the grant is \$8,000.00.

Upper Susquehanna Coalition Employee – Received a grant in the amount of \$25,080.00 for their full-time individual that they currently have. This individual has been working on the CEM education program.

FL-LOWPA – This is the weed harvesting program. This grant money also helps with the hydroseeding program that we use. The amount of the grant was \$48,148.00.

NRCS Contracts – The Natural Resource Conservation Services. This is a grant for technical and secretarial services. The amount of the grant was \$8,000.00.

Wetland Reserve Program – This is for the development of wetland and wildlife watering areas. The amount of the grant was \$47,555.00.

FEMA Hazard Mitigation – Through this program they have been doing work on the Cohocton River across from the Wheeler Homestead. They have been putting together a plan to stabilize that area. The amount of the grant was \$32,800.00.

Environmental Quality Incentive – This is an agricultural program which helps agricultural producers deal with nutrient management, manure management, etc. The amount of the grant was \$150,798.00.

Wildlife Habitat Incentive – This is a federal program that puts land into wildlife habitat areas where they can dig watering areas, etc. The amount of the grant was \$18,642.00.

Conservation Reserve Program – This is a program where they assist with the planting of grasslands for wildlife. The amount of the grant was \$185,620.00.

SARE – This is a program through the RC&D Council where they are obtaining money for additional pasture rotation work. The amount of the grant was \$128,910.00.

NYSERDA – This deals with an energy reduction issue. They have been installing solar powered water pumps to pipe water to the cattle, rather than having them drink out of the streams. The amount of the grant was \$81,894.00.

Fluvial Geomorphology Grant – This is a training program with other counties to train on the concept of building fish habitats through streambank stabilization. The amount of the grant was \$20,415.00.

EPA – Wetland Development – This was used for the Town of Caton to do wetland development to reduce flooding issues. The amount of the grant was \$10,000.00.

Bond Act – Wetland Development – This was used for the Meads Creek Watershed. The amount of the grant was \$118,000.00.

Mr. Parker distributed a copy of their projected 2005 budget. He stated that this was approved by his board this morning. He noted that typically County funds are used to offset the cost of the general operations. There is an increase over last year due to the fact that we hired an individual full-time and last year that individual was part-time. The amount of the increase is approximately \$30,000.00. The County appropriation is \$127,426.00 and has been that amount since 2002. The District Streambanks appropriation also stayed the same at \$60,000.00.

MOTION: ACCEPTING SOIL & WATER'S PROPOSED 2005 BUDGET MADE BY DR. BAKER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Dr. Baker asked do you know anything about how the chemical treatments went at Waneta Lake? Mr. Parker stated that he has heard that it worked very well on the millfoil, which is what they were attempting to reduce. The native species are supposed to come back.

IV. CORRESPONDENCE

Mr. Creath stated that they received correspondence from the New York State Department of Environmental Conservation regarding the Painted Post Foundry site being a brownfield and putting an application in for cleanup.

Mr. Creath informed the committee that they also received notices of intent for a gas gathering and transmission pipeline in the Town of Corning and also the Towns of Caton and Lindley.

V. DEPARTMENTAL REPORTS/REQUESTS

1. Buildings & Grounds

Wilson Avenue Parking Lot – Mr. Alger asked Mr. Partridge for an update on the parking lot. Mr. Partridge stated that they have put together a bid project to go out Wednesday and he hopes to bring it to the committee for approval next month. The piping is all complete.

Hornell Courthouse – Mr. Isaman stated a couple of months ago, the committee had an opportunity to go through the Hornell Courthouse. He would like Mr. Partridge to look at that and give a report to the committee next month about the possibility of putting in an elevator and whether the seating in the courthouse could be changed. He asked is the electrical system up-to-date? Mr. Partridge replied we have had some electrical updates, mainly with the installation of new breaker boxes to bring us up to code. The DMV was all updated when we did the remodel.

VI. OTHER BUSINESS

September Meeting – Mr. Creath stated that if the committee was in agreement he would like to hold their September meeting at the Ceramic Corridor in Erwin and he would also like to arrange to have a tour of the R&D facilities in Sullivan Park. The committee was in agreement with this.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 7§ 105.1.F. THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. ISAMAN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR

Monday, August 2, 2004

@ 1:00 p.m.

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, July 26, 2004.**

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Special Meeting

Monday, July 26, 2004

9:50 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Donald B. Creath, Chair Kenneth E. Isaman, Vice Chair Lldon E. Jamison
John Walsh

STAFF: Mark R. Alger Gregory P. Heffner

LEGISLATORS: Philip J. Roche, Esq. Francis L. Gehl Harley R. Mayo
Thomas J. McIntyre

ABSENT: DeWitt T. Baker, D.V.M.

I. CALL TO ORDER

Mr. Creath called the meeting to order at 9:50 a.m.

II. GENERAL BUSINESS

NYS Advisory Panel on Transportation – Mr. Alger informed the committee there is a proposal to support the State’s transportation planning process through 2025. Our concern is to make sure that our representatives to that panel are fully aware of implications and the desire of the County to have I86 and I99 completed. We are making sure those projects stay in the system for State and Federal funding. Mr. Alger stated he is asking the Board to adopt a resolution to include these corridors in their planning process.

MOTION: SUPPORTING THE NEW YORK STATE ADVISORY PANEL ON TRANSPORTATION POLICY FOR 2025 AS IT PREPARES THE STATEWIDE TRANSPORTATION MASTER PLAN MADE BY MR. ISAMAN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. WALSH. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Monday, August 2, 2004

1:00 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Kenneth E. Isaman, Vice Chair DeWitt T. Baker, D.V.M. Lldon E. Jamison
John Walsh

STAFF: Mark R. Alger Gregory P. Heffner William J. Partridge
Frederick H. Ahrens, Jr. James Gleason

LEGISLATORS: Philip J. Roche, Esq. Harley R. Mayo

ABSENT: Donald B. Creath, Chair

OTHERS: James Sherron, Executive Director, Steuben County Industrial Development Agency
Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Isaman called the meeting to order at 1:05 p.m. and lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE JULY 12, 2004 AND JULY 26, 2004 MEETINGS MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. JAMISON ABSENT FOR VOTE)

III. OPPORTUNITY FOR PUBLIC COMMENT

Mr. Isaman opened the floor for comments by members of the public. There being none, he declared the opportunity for public comment closed.

IV. OUTSIDE AGENCY REPORTS

1. Steuben County Industrial Development Agency

Proposed 2004 – 2005 Budget – Mr. Sherron distributed copies of his 2004 – 2005 proposed budget for the committee’s review. He noted that the consulting fees are for their participation with Three Rivers and the Hornell Industrial Development Agency. We have partnered with both of these agencies on many projects and fund a portion of those costs. He noted that previously Steuben County gave funding to Three Rivers, but now the IDA has assumed that role. He noted that this budget is very similar to last year. The only difference is we didn’t have a lot of projects last year and the administrative income was much lower than anticipated. Mr. Sherron stated that they will be getting funding for the CDBG grant and they expect that money to come in September and then they will be doing revolving loan funds for small businesses. Dr. Baker asked with regard to the consulting fees with Three Rivers, what portion was the County paying? Mr. Sherron replied \$24,000. Mr. Alger commented we no longer do that. Mr. Isaman asked for an explanation of the legal payroll line item. Mr. Sherron explained that they have now put John Leyden on their payroll.

Update – Mr. Sherron informed the committee that they continue to move forward with the windmill project. They are currently working on the environmental portion. He expects that within the next two months they should have the scope of document prepared. Currently a radar facility is being set up to measure the effect of migrating birds and bats.

Mr. Sherron stated that with regard to the Bath Industrial Park, the County had turned that over to the IDA and we have had a number of inquires. These include Industrial Gasket, Bath National Bank and Corning, Inc. However, nothing has materialized from those. He stated that he is working with an interested party now. Mr. Isaman asked our agreement has a time element? Mr. Sherron replied the agreement is for ten years and after that period it will be reviewed again.

Mr. Sherron commented that they are also continuing to work on the Ingersoll-Rand project. They do have a firm that is committed to coming here.

V. DEPARTMENTAL REPORTS/REQUESTS

1. Buildings & Grounds

Structural Engineering and Construction Administration Proposal for the Balcom House – Mr. Partridge stated that we have space that needs work in the old Legislative Chambers and the offices above. Hunt Engineers gave us a proposal to design the structural repairs to support the facility. The total amount of their proposal is \$9,850.00 to put the bid specifications out.

Mr. Alger commented that he had asked Mr. Partridge to ask Hunt to go in and look at that portion of the building to put structural supports back in so that the upstairs could be used safely. Mr. Alger stated that he is not comfortable putting anyone over there with two engineering firms saying that load bearing capacity was zero. We need enough support to put light offices there. We are trying to get Hunt to tell us what we need to do at a minimum to beef it back up to what it's supposed to be.

Mr. Partridge commented we haven't put a lot of money into the building. We did a lot of the foundation work ourselves and that cost approximately \$5,000. We also had the exterior painted a couple of years ago at a cost of \$10,000 - \$11,000. The pillar bases were also \$8,000 - \$10,000. We do have a capital project for the renovation of the Balcom House.

MOTION: APPROVING THE STRUCTURAL ENGINEERING AND CONSTRUCTION ADMINISTRATION PROPOSAL SUBMITTED BY HUNT ENGINEERS IN THE AMOUNT OF \$9,850.00 MADE BY DR. BAKER. SECONDED BY MR. JAMISON.

Mr. Ahrens asked after this work was done, the second floor would then be usable? Mr. Alger replied yes. We have tried not to use that portion of the building because of this issue. Mr. Jamison asked if this building is listed on the historical register, can't we get help from the Federal Government? Mr. Heffner replied the kind of help you are talking about are tax credits. Mr. Alger stated that they used to have grants available, however, they want you to restore the building to it's original state and in this case, you could spend a lot of money doing restoration. We have tried to maintain the era that it was built in. Mr. Jamison asked why were the load bearing beams taken out? Mr. Alger replied that he couldn't really answer that. He half expects that we did it, however, he doesn't know when it was done. Mr. Ahrens asked what about the second floor over Judge Scudder's area? Mr. Partridge replied part of that is new and part is unusable. Mr. Alger commented the building is heated off the main heating plant. It is plumbed to be cooled off the main chiller, but we never spent the money to put the air conditioning in.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Wilson Avenue Parking Lot Reconstruction Bid – Mr. Partridge informed the committee that they sent out 13 bids, but they only received one back in the amount of \$230,300. We had only budgeted \$145,000. He stated that he spoke with Mr. Alger and their feeling is that the committee should reject the bid and put the project back out to bid at the beginning of the year. We had it specified for Saturday/Sunday work, but next time we will bid for that as well as regular work week. The Saturday/Sunday bid restricts who can bid based on who can get pavement.

Mr. Alger commented the lot is highly used. However, we are not prepared to pay that kind of premium. We do have the piping replaced in the lot. We can patch the areas that we excavated and next year, early in the season, put out a bid with two options. Those options being a regular job or doing it on Saturday/Sunday. If we open it up and do it during the week, we will get better prices.

Mr. Walsh asked are you going to strip it out? Mr. Partridge replied yes. Mr. Alger stated that their original thought was to mill, relay and top. Because of the extent of excavation, we decided that it would be just as easy to put demolition of the lot in the bid.

MOTION: REJECTING THE BID FOR THE WILSON AVENUE PARKING LOT RECONSTRUCTION MADE BY MR. JAMISON. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

County Office Building Electrical Project – Mr. Partridge stated they have been working with Public Health Nursing on the electrical project in this building. They had received a grant to do this work. They will be **connecting existing** emergency generator to Information Technology’s UPS power box to power computer systems and provide emergency lighting for their office and the South Conference Room. There will also be a circuit for Public Health Nursing’s vaccination refrigerator. We have put this project out to bid and expect the bids back on August 19th. The grant that Public Health Nursing has is through Homeland Security and they need to have a contract in place before the end of the month. Mr. Partridge requested that a special AIP meeting be held prior to the Legislative Meeting on August 23rd to award the bid. *The committee was in agreement with this.*

Hornell Courthouse Report – Mr. Partridge distributed a report regarding the existing space at the Hornell Courthouse. He reviewed the existing space and recommendations with the committee. A copy of this report is filed with the Official Minutes in the Clerk of the Legislature’s Office.

2. Planning

Designation of County’s Official Tourism Agency – Mr. Heffner stated that we need to do our annual designation of the Steuben County Conference & Visitors’ Bureau as our official tourism promotion agency.

MOTION: DESIGNATING THE STEUBEN COUNTY CONFERENCE & VISITORS’ BUREAU AS THE OFFICIAL TOURISM PROMOTION AGENCY FOR STEUBEN COUNTY MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. Resolution Required.

Filing of Deeds/Local Subdivision Approvals – Mr. Heffner stated from time to time our office is contacted by various municipalities asking if there is any way that we can help them in enforcing some of their regulations. They have asked for our help with regard to the filing of deeds and local subdivision approvals.

When a property is subdivided, the documentation goes to the County Clerk’s Office. Quite a few years ago we had asked if the County Clerk’s Office could check deeds against a list of approved subdivisions, and if the deed was for an unapproved subdivision, to tell the individual to get the subdivision approval first. They have been doing a good job of that. The problem is when the individuals come in with a deed for one lot. For new properties you have to go to the Real Property Tax Office to get a tax map number. There has been the problem of people getting tax numbers and that’s harder to recognize as a subdivision. What they have now is a tax map certificate which in essence states that it is not a legal document, etc. The towns are saying that this certificate doesn’t work. Mr. Heffner stated that he has talked with Mrs. Hatch and all we are saying, with this committee’s blessing, is that we will look into this issue.

The best way to handle this is that when an individual comes in with the deed, they also need to have something that says that it has been approved. This is not something we want to jump into. We want to look at it and see if we can help out. Mrs. Hatch will also be discussing this with the Administration Committee.

MOTION: AUTHORIZING THE PLANNING DEPARTMENT IN CONJUNCTION WITH THE REAL PROPERTY TAX OFFICE, TO LOOK INTO HELPING THE VARIOUS MUNICIPALITIES WITH REGARD TO THE ISSUE OF FILING DEEDS AND LOCAL SUBDIVISION APPROVALS MADE BY DR. BAKER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Mr. Ahrens stated that he has one word of caution. You are talking about something legal here. His concern is that the Real Property Law says a deed will be filed if it is in a certain form. Mr. Heffner stated the filing of the deed is ministerial. The action of filing doesn’t make it legal if it’s not already legal. Mr. Ahrens commented he doesn’t think we can refuse to file a deed. Mr. Heffner stated the issue we are dealing with here is people coming in for tax map numbers on property that doesn’t exist. Considerable discussion followed.

Venison Donation Program – Mr. Heffner informed the committee that the Governor has signed a bill that will have a check off when you buy your hunting license for a \$1 donation to the Venison Donation Coalition. The Farm Bureau has been promoting this. This is something that you will be able to do next year.

VI. OTHER BUSINESS

Dr. Baker stated that earlier we had the presentation from the Industrial Development Agency with regard to development of the Bath Industrial Park. Mr. Sherron mentioned that one of the issues was traffic going through the village? Mr. Alger replied one of the companies didn't want to put traffic through the village. The village never indicated that couldn't occur. This is different than the Morris Street issue that the Village has been dealing with.

MOTION: TO ADJOURN REGULAR SESSION AND RECONVENE IN EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICERS' LAW, ARTICLE 105.1.D. DISCUSSIONS REGARDING PROPOSED, PENDING OR CURRENT LITIGATION MADE BY MR. JAMISON. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN EXECUTIVE SESSION AND RECONVENE IN REGULAR SESSION MADE BY MR. WALSH. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY DR. BAKER. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR

***PLEASE NOTE CHANGE* Monday, September 13, 2004 *PLEASE NOTE CHANGE*
@ 1:00 p.m.**

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, August 30, 2004.**

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Special Meeting

Monday, August 23, 2004

9:30 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Kenneth E. Isaman, Vice Chair DeWitt T. Baker, D.V.M. Lldon E. Jamison
John Walsh

STAFF: Mark Alger William Partridge James Gleason
Michele Smith

LEGISLATORS: Patrick F. Donnelly Francis L. Gehl Harley R. Mayo
Thomas J. McIntyre Thomas C. Schwartz David R. Stachnik

ABSENT: Donald B. Creath, Chair

I. CALL TO ORDER

Mr. Isaman called the meeting to order at 9:30 a.m.

II. GENERAL BUSINESS

1. Buildings & Grounds

Bid – Mr. Partridge informed the committee that they have received bids back for the electrical project being done for Public Health Nursing. This project includes connecting the UPS data processing to the generator and also connecting power to the South Conference Room and Public Health Nursing’s vaccine refrigerator. They sent out 15 sets of specifications and only received 1 bid back. Micnich of Horseheads submitted a bid in the amount of **\$10,490**. Mr. Partridge recommended awarding the bid. He commented that the work needs to be completed before August 31, 2004 or Public Health Nursing will lose their grant funding.

MOTION: AWARDING THE BID FOR THE ELECTRICAL PROJECT FOR PUBLIC HEALTH NURSING SERVICES TO MICNICH OF HORSEHEADS, NY IN THE AMOUNT OF \$10,490 MADE BY MR. JAMISON. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Monday, September 13, 2004

1:00 p.m.

Ceramics Corridor Innovations Center

Corning, NY

****MINUTES****

COMMITTEE: Donald B. Creath, Chair Kenneth E. Isaman, Vice Chair Ldon E. Jamison
John Walsh

STAFF: Mark R. Alger Gregory P. Heffner Frederick H. Ahrens
Tom Tomsa

LEGISLATORS: Robert V. Nichols

ABSENT: DeWitt T. Baker, D.V.M.

OTHERS: Paul Wolcott, Cornell Cooperative Extension Board of Directors
Jane Kaszczynek, Cornell Cooperative Extension Board of Directors
Cheri Crozier, Corning Incorporated
Jeannette Smith, Ceramic Corridor Innovations Center

I. CALL TO ORDER

Mr. Creath called the meeting to order at 1:00 p.m.

Ms. Smith, on behalf of Mr. Wilder, thanked everyone for coming.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE AUGUST 2, 2004 AND AUGUST 23, 2004 MEETINGS MADE BY MR. ISAMAN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. OPPORTUNITY FOR PUBLIC COMMENT

Mr. Creath opened the meeting for comments by members of the public. There being none, he declared the opportunity for public comment closed.

IV. OUTSIDE AGENCY REPORTS

1. Cornell Cooperative Extension

2005 Proposed Budget – Mr. Tomsa distributed an overview of their projected 2005 budget for the committee's review. This year they are requesting \$340,000 which is \$3,343 less than last year and a \$51,457 reduction from 2003. For this \$340,000 they will have a \$1.5 million program delivered by a staff of 17 who will be coordinating the efforts of over 300 volunteers, serving over 15,000 Steuben County residents. Mr. Tomsa stated that for every dollar the county contributes, they will raise \$3.50 from outside sources to provide programming in Agriculture and Natural Resources, 4-H Youth Development, Nutrition and Food Safety, Family Resource Management and Parenting and Child Care.

Mr. Tomsa noted that with regard to Agriculture and Natural Resources, they have received a new NYSDAM grant to market potatoes by variety. They will be marketing Keuka Gold potatoes. Also, Steuben County is the second largest of six county partners in the Finger Lakes Grape Program. He noted that with their 4-H Youth Development Program, Steuben County is the third or fourth largest program in the State. The USDA Nutrition and Food Safety Programs served 900 county residents by providing programs in collaboration with other agencies. They also provided

nutrition and food safety education in 12 of the 14 school districts. Mr. Tomsa explained that their Family Resource Management educator has a staff of volunteers who provide financial/debt management counseling. This year they have had 450 participants. They also are providing court-ordered counseling services as mandated by drug court.

Mr. Tomsa informed the committee that everything they ask for goes entirely into salaries and administration costs. Mr. Creath asked where are you in your study in integration with the other districts? Mr. Tomsa replied we do pay other counties. We share a part-time educator from Chemung County. We also have a web designer/public officer who does our news releases, advertisements and educational displays. We pay for that individual part-time from Chemung County. Schuyler County shares the financial manager and Chemung and Schuyler counties share the agricultural staff. After the legislatures asked us to look into merging and consolidation of services, an agreement was made between Steuben, Chemung and Schuyler counties with regard to coming up with a process to regionalize certain programs. One area that we identified was the Reality Check Program. That grant had been awarded to the Steuben County Youth Bureau. We applied because we agreed to do it as a region. This regionalization process is an ongoing one.

Mr. Wolcott commented that Mr. Tomsa has done an excellent job outlining what the County gets for their contribution. We have a multiplier effect. For the last four to five years, we have had improvement and we are reaching more people and that is difficult to measure. Ms. Kaszczynek stated we have attended a lot of regional meetings to network and pool resources. Mr. Creath stated that the Budget Officer will take their proposal to the Finance Committee.

V. DEPARTMENTAL REPORTS/REQUESTS

1. Planning

Mr. Heffner stated that Ms. O'Dell would like to appoint a Deputy County Historian. This would be a volunteer position with no pay and no benefits. The individual's name is Marge Hadley.

MOTION: APPOINTING MARGE HADLEY AS DEPUTY COUNTY HISTORIAN WITH NO PAY AND NO BENEFITS MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON.

Mr. Creath asked is Ms. Hadley currently the historian of any town? Mr. Heffner replied that he didn't think so. This is a volunteer who works with Ms. O'Dell. Mr. Ahrens stated that she will need to have the authority to open and close the building and to act on behalf of the County. Mr. Heffner replied she has any of the authority that Mr. Ormsby had when he was Deputy County Historian. In the absence of the Historian, she can close the building.

VOTE ON PREVIOUS MOTION: ALL BEING IN FAVOR. MOTION CARRIES 4-0.

2. Administrator

Mr. Alger distributed copies of the 2005 proposed budgets for the departments under this committee. He noted that overall this section is down.

Mr. Creath commented that next month there will be budget presentations by Steuben County Conference & Visitors' Bureau, Finger Lakes Wine Country and the ARTS of the Southern Finger Lakes.

MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by: Amanda L. Chapman, Senior Stenographer, Steuben County Legislature

NEXT MEETING SCHEDULED FOR

Monday, October 4, 2004

@ 1:00 p.m.

Please send agenda items to the Clerk of the Legislature's Office

NO LATER THAN NOON

Monday, September 27, 2004.

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Monday, October 4, 2004

1:00 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Kenneth E. Isaman, Vice Chair DeWitt T. Baker, D.V.M. Lldon E. Jamison
John Walsh

STAFF: Mark R. Alger Gregory H. Heffner William J. Partridge

LEGISLATORS: Philip J. Roche, Esq.

ABSENT: Donald B. Creath, Chair

OTHERS: Peggy Coleman, Steuben County Conference & Visitors' Bureau
Alan Fusco, Steuben County Conference & Visitors' Bureau
Margaret Cook, Finger Lakes Wine Country
Alexa Gifford, Finger Lakes Tourism
Lynn Rhoda, ARTS of the Southern Finger Lakes

I. CALL TO ORDER

Mr. Isaman called the meeting to order at 1:00 p.m. and led the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE SEPTEMBER 13, 2004 MEETING MADE BY DR. BAKER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

III. PRESENTATIONS

1. Finger Lakes Tourism

Ms. Gifford distributed information packets to the committee for their review. She stated that right now the Finger Lakes are hot. Last year they were very successful with their regional advertising. Publications have pretty much stayed the same. Last year we won Best Regional Travel Guide. The new travel guide will be out January 2005. They will also be doing a mini guide as well as a group tour planner. Ms. Gifford stated the top destinations were the Corning Museum of Glass, Hammondsport and Downtown Corning. The Finger Lakes Tourism logo has been trademarked and approved.

Ms. Gifford requested funding in the amount of \$10,500 for 2005. She stated that their total budget for the fourteen counties they serve is \$500,000. The number one destination throughout the fourteen county area was between the Corning Museum of Glass and Watkins Glen State Park. Mr. Isaman asked how did you arrive at all these figures for tourists, etc.? Ms. Gifford replied that they hired Randall Travel Marketing to come in and do a reconnaissance. They developed a survey instrument that tells what people do, spend, like, dislike, etc. Every year we send that survey to visitors that responded to our advertising campaigns. The committee thanked her for her presentation.

2. Steuben County Conference & Visitors' Bureau

Ms. Coleman introduced herself to the committee. She is the new Executive Director of the Conference and Visitors' Bureau. She stated that their mission is to promote the tourism industry and to stimulate economic growth. Leisure travel is still growing. Tourists have become very bargain brained, which has increased competition. She noted that there has been an increase in last minute travel planning. Last minute travel planners are those individuals who plan

to take a trip within two weeks. There also has been an increased demand for online information. She stated they have also seen an increase in high-end travel markets and that's whom we are going after. They have seen a decrease in the marketing from the I Love New York Tourism. Ms. Coleman informed the committee that international pass through and overnight business was strong prior to 2001 and is now starting to come back. During 2004 they had their highest number of international buyers – 24. She stated that May 2005 New York City will be holding the International POWWOW. This will be a huge event for us.

Ms. Coleman stated that with regard to the room tax collections for the first quarter, after factoring out the 1-percent increase, it was still 10 percent over the previous year. The second quarter showed a 10 percent increase, factoring the 1- percent increase and the third quarter showed a 6 percent increase over 2003, factoring out the 1- percent increase. The fourth quarter projections are that September was an excellent month and October is always strong. We are predicting a 5 percent increase over 2003 without the 1 percent. That would equate to approximately \$171,781 in tax revenue. Knowing the original projections, we are considerably higher, and we anticipate the year-end room tax collections to be \$625,000. This would be an overall 6.7 percent increase over the previous year, factoring in the additional 1 percent. We are planning for 2005 to see a 5 percent increase over this year. The anticipated room tax revenue for 2005 is \$655,000.

Dr. Baker asked what determines a high-end tourist? Ms. Coleman replied the high-end tourist is looking for more plush accommodations, typically 3 – 5 star properties. They tend to be more immersed in their type of activities such as visiting wineries, seeing performing arts, etc.

Ms. Coleman stated that looking at Steuben County Tourism impact, direct travel spending was \$156,640,000. The approximate number of tourism employees is 2,560 which represents 5.2 percent of the County workforce and 2.7 percent of the total payroll. She noted that tourism related sales tax collections resulted in tax relief of \$174.93 per household. Ms. Coleman stated that the Steuben County Conference and Visitors' Bureau Board is represented by 15 voting members and there are 9 members on the advisory board. Our staff has gone through changes this year. We have continued implementing the experience marketing initiative. We want to continue building on the unique packages. There is also an increased awareness with the international buyers. There will be five POWWOW tours and we are included in one of those.

Ms. Coleman informed the committee that with regard to their budget, the Governor vetoed part of the matching funds program, decreasing our allocation by \$17,000. There was an increase in fringe benefits for insurance premiums. Ms. Coleman noted our 2005 request does not bring us back to what we received in 2002. She doesn't believe the budget covers all of their needs, but she feels that it is a responsible budget. The room tax collection estimate for 2004 was \$575,000 and the actual collection is \$625,000 which will result in a \$50,000 increase to the reserve account.

Mr. Isaman asked is there any more information about Destiny USA? Ms. Coleman replied that is still in the works. This will be the country's largest shopping and entertainment complex. They have had challenges getting State funding. They will be starting phase I and once they get things up and running, then perhaps the State will provide some finances.

Dr. Baker asked have the out-of-state wine sales had an effect on the economy here? Ms. Gifford replied not having direct shipment will affect our region. It will put us at an unfair advantage because we won't be able to direct ship our products. Washington, Oregon and California have opened up. We were always second, but now we are third in out-of-state sales. Washington is now second, behind California. The Governor was supportive of allowing direct shipment, but the Legislature was opposed. The committee thanked Ms. Coleman for her presentation.

3. Finger Lakes Wine Country

Ms. Cook distributed presentation materials to the committee. Finger Lakes Wine Country covers the four-county region of Chemung, Steuben, Schuyler and Yates. They did a visitor intercept survey last year and that was very successful as we knew the demographics. We have put together a more aggressive publication campaign. She stated that they have ads on cable television in all of New Jersey, Cleveland and Pittsburgh. They had formerly been in Albany, but that was not responding as well. We also are running a radio campaign in Wilkes-Barre Pennsylvania. We also did this in Buffalo and Pittsburgh. The radio campaign has been very successful.

Ms. Cook informed the committee that they added a public relations strategy and hired Development Counselors International who developed a most wanted list of publications and media. This was an affordable way to reach markets that we couldn't previously afford to reach. We were listed in the June 28, 2004 issue of Time Magazine. We have had a lot of press trips that generated a lot of interest in our area. Ms. Cook stated that when they first started out, they measured themselves against ten competitors. At first we were ranked 9th. Today we are ranked 3rd under Pennsylvania, which is ranked 2nd, and Niagara Falls is ranked 1st. In four years, Finger Lakes Wine Country has generated \$80 million in revenue to the four counties. We had \$2.6 million in investments. Last year, every dollar we spent resulted in a \$39.00 return to the area. She commented that next week they would be holding their strategic planning session. She stated that we have a great Conference and Visitors' Bureau that knows how to market. Ms. Cook stated that one of her goals for 2005 is to work on search engine optimization. She requested \$110,000 for 2005. The committee thanked her for her presentation.

4. Southern Tier Central

Ms. Weber distributed presentation handouts to the committee for their review. She stated that Southern Tier Central Regional Planning and Development Board is very valuable to Steuben, Chemung and Schuyler counties as it brings federal and state funding into the region, moves readily among the three counties to coordinate services and projects, provides cost-effective services through the efficient use of government funding and trains local government leaders at minimal cost. She stated that as the Local Development District for the Appalachian Regional Commission and the Economic Development District for the Economic Development Administration, we are in a unique position to influence funding for the region. Both federal agencies rely on STC to assist sponsors with the development of applications. We also influence funding by making recommendations to the State and Federal levels of the funding agencies. Without us, someone in Albany or Washington would be making the decisions about what is needed in our region. Ms. Weber stated that over the last four years they have been able to bring over \$5 million to benefit Steuben County.

Ms. Weber stated that she is requesting for 2005, \$75,000 which is the same funding they have received for each of the past six years. That \$75,000 has brought in more than \$5 million over the last four years, which shows that STC is a good investment. She stated that STC operates under a funding formula whereby Steuben and Chemung counties contribute \$75,000 each and Schuyler County contributes \$31,500. We have been told that Chemung and Schuyler intend to provide us with the funding amount they gave us last year, however, this will only happen if Steuben does the same, because of the above mentioned funding formula. Between the funding from the other counties and the funding we leverage from the federal government with the county funds, we would lose at least \$5 for every \$1 cut from our county funds. The committee thanked Ms. Weber for her presentation.

5. ARTS of the Southern Finger Lakes

Ms. Rhoda distributed presentation materials for the committee's review. She informed the committee that she is the Community Arts Development Director. Her job is to meet with community groups and help artists and artist groups. They have been undergoing changes as they lost a member and have not yet made the decision as to whether to replace that position. There are two full-time employees, one part-time web director and one part-time accountant. She noted that with their e-commerce program they received funding from the Appalachian Regional Commission and that program is growing. They also received \$150,000 from the Appalachian Regional Commission for the Mark Twain Festival of American Humor, however, they have asked them to put that funding on hold until next year. This contemporary theatre festival will take place in all three counties that we serve. Other programs include the decentralization program and the arts and education regrant program. Ms. Rhoda requested \$35,000 from Steuben County for 2005. Last year they received \$28,000 in County funding. The committee thanked Ms. Rhoda for her presentation.

IV. DEPARTMENTAL REPORTS/REQUESTS

1. Planning

Agricultural Districts – Mr. Heffner requested that they set the public hearing for the review of Agricultural District No. 1. This district encompasses Jasper, Canisteo, Rathbone and Woodhull.

**MOTION: SETTING THE PUBLIC HEARING FOR THE REVIEW OF AGRICULTURAL DISTRICT NO. 1
MADE BY MR. JAMISON. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 4-0.**

**MOTION: TO ADJOURN MADE BY DR. BAKER. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR.
MOTION CARRIES 4-0.**

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR

Monday, November 1, 2004

@ 1:00 p.m.

Please send agenda items to the Clerk of the Legislature's Office

NO LATER THAN NOON

Monday, October 25, 2004.

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Monday, November 1, 2004

1:00 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Donald B. Creath, Chair Kenneth E. Isaman, Vice Chair Lldon E. Jamison
John Walsh

STAFF: Mark R. Alger Frederick H. Ahrens, Jr. Amy Dlugos
Lawrence Crossett William J. Partridge

LEGISLATORS: Thomas J. McIntyre

ABSENT: DeWitt T. Baker, D.V.M.

OTHERS: Jeff Parker, Soil & Water Conservation District
Richard Stewart, Steuben County Farm Bureau
Mary Perham, *The Leader*

I. CALL TO ORDER

Mr. Creath called the meeting to order at 1:00 p.m. He asked Mr. Isaman to lead the Pledge of Allegiance.

II. APPROVAL OF MINUTES

MOTION: APPROVING THE MINUTES OF THE OCTOBER 4, 2004 MEETING MADE BY MR. WALSH. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 3-0. (MR. JAMISON ABSENT FOR VOTE).

III. OPPORTUNITY FOR PUBLIC COMMENT

Mr. Creath opened the meeting for public comment. There being none, he declared the opportunity for public comment closed.

IV. OUTSIDE AGENCY REPORTS

1. Soil & Water Conservation

Update – Mr. Parker informed the committee that this past summer has been one of the most hectic for them. They still have a few sites to look at and they have two people that do all of the fieldwork. They did receive a disaster declaration for the May/June storms and we did get all of those projects written up. We have been working directly with FEMA representatives. Mr. Parker stated they worked on 190 projects in May and June and they wrote a little over \$2.2 million of damage payments back to the towns. The Soil and Water District approved 30 projects worth \$562,000. There is no individual assistance available to the County. Mr. Jamison asked is it possible for individuals to get assistance? Mr. Parker replied it depends on the amount and type of damage. For all of those storms, only one had individual assistance approved and none of the rest received it. Anyone who has any questions has to contact the Emergency Management Office and they will take care of that.

Mr. Parker informed the committee that the 2003 storms were also declared disasters. There were 72 projects this summer that were under last summer's disaster. We have completed 51 and have 8 in progress. We will have 12 projects left to do before February. We may have to ask for an extension for permitting reasons. Some of the May/June projects have been completed. Mr. Parker stated the storms of August 29th – September 16th were declared a disaster. FEMA is in

town now working on that disaster. The majority of damage is located in the Town of Campbell, County Route 4, and Meads Creek. That disaster period caused most of the damage in the County.

Mr. Parker stated the last storm of September 16th was not declared, but the State appealed that decision and it now has been declared. The damage of storms after September 16th occurred in the Towns of Wayne and Urbana. He stated that they will continue to work with FEMA to get all of these projects written up. Mr. Creath asked do those grants pass through the County? Mr. Parker replied no. We write up the projects and send them to FEMA headquarters and with SEMO they work to approve the projects. The money then goes directly to the municipalities or to Soil & Water.

Mr. Parker informed the committee that they completed the project on State Route 415 through the hazard mitigation grant on the Cohocton River. We received that through SEMO. The New York State Department of Transportation as well as the New York State Department of Environmental Conservation were also involved in this project. We put 2,000 tons of riprap into that site. This project cost \$65,000.

Mr. Parker stated that because of the disaster money, the Federal government gave SEMO money to work with for hazard mitigation. We sent a notice of intent to work on the streambank project. That notice says that we are willing to participate. If it comes through, it will be a \$95,000 project. He stated they have been approved for two nonpoint source abatement programs. This affects the Cohocton River in the hamlet of Kanona. We put together a project for this area and it was approved. There is also a streambank project in the Town of Pulteney. He stated that with all of the disaster work, the Department of Environmental Conservation gave us authority to sign off on emergency stream permits. We have done over 45 sites. That permit deadline was October 31, 2004.

Mr. Parker informed the committee that one of the big projects under last summer was the East Avenue box culvert in the Village of Arkport. That has now been completed. It cost \$100,000 to replace the existing concrete structure that was there. We installed a 6 x 18 box culvert that was 45 feet long. We also did stabilization upstream and downstream. The Department of Public Works helped us considerably and they really know what they are doing. During this project the Town of Fremont loaned trucks as well as the Towns of Dansville and Hornellsville. The labor was through the shared services program and in-kind services.

Mr. Parker stated at the Steuben County Highway Superintendents meeting the Soil & Water District handed out six awards at their association meeting last month. We handed out awards to two Public Works equipment operators, Larry Meehan and Lenny Caprinella and one award to a private contractor.

Mr. Parker informed the committee that they have renewed their agreement with Natural Resource Conservation Service for \$14,000 for the provision of clerical services. This money goes toward the intern who works for NCRS.

Mr. Parker stated they have submitted one agricultural grant which is the prescribed grazing grant for 21 producers. This covers Schuyler, Chemung and Steuben counties. There are 15 applicants from Steuben County. Hopefully this grant will get approved.

Mr. Parker informed the committee that the State has decided to make the agricultural investment management program a non-competitive program. Approximately \$22,000 has been delivered to Soil & Water District to do management on agricultural operations. They have taken the competitiveness out of the planning part and this will make it easier to apply for implementation grants in the future.

2. Steuben County Farm Bureau

Mr. Stewart informed the committee that the Farm Bureau is very interested in oil and gas leases. This is something that is affecting Chemung County as they were reserving mineral rights on tax sale properties. He thinks that there will be a lawsuit in Chemung County regarding this. The reason is that it is considered enterprising and municipalities are not in a position of going into business. This is something that this County may be considering and is something for you to think about. Mr. Stewart stated there is a new leasing company from Texas that is coming to this area and they are willing to lease for more than the conventional one-eighth leasing. The Farm Bureau is writing a handbook for farmers on how to be guided regarding oil and gas leasing.

Mr. Creath commented that he thinks mineral rights should follow the land, that is his personal opinion. The value of the property is diminished without the mineral rights. Mr. Crossett stated the County makes it known to prospective buyers prior to the auction that we have the right to retain rights and we announce that at the time of the auction. Mr. Ahrens commented over the years, the delinquent tax auction has brought in hundreds of thousands of dollars. He is disenchanted to mess with the quality of the property that we are offering.

V. DEPARTMENTAL REPORTS/REQUESTS

1. Planning

Agricultural District No. 1 – Ms. Dlugos requested the committee pass a resolution modifying and adopting Agricultural District No. 1 as a result of the Eight Year Review of said District.

MOTION: MODIFYING AND ADOPTING AGRICULTURAL DISTRICT NO. 1 AS A RESULT OF THE EIGHT YEAR REVIEW OF SAID DISTRICT MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Resolution Required).

Mr. Isaman commented Airtricity is another company looking at windmills. Is this something that we ask them to come in? Ms. Dlugos replied there are no permits required at the County level. There are no local permits unless there is local zoning. There are also very few State permits. She stated the reason the windfarmers in Prattsburgh are getting an environmental review is because the Industrial Development Agency is involved. If someone had enough money to do it privately, there would be no review whatsoever. Mr. Stewart stated that in Madison County the windfarms have 50 – 70 towers each. The property owners receive \$2,000 per tower. There is a 1.8 cents per kilowatt hour direct tax credit for the wind company.

2. Buildings & Grounds

Capital Projects – Mr. Partridge requested authorization to close four capital projects and return the money to the Repairs and Renovations Reserve. He is closing the capital projects for the Roof Replacement at 117 East Steuben (\$12,613), HVAC Controls (\$895), 2nd Floor Ventilation (\$9,995) and 18 East Morris Street Roof (\$860).

MOTION: CLOSING THE FOLLOWING CAPITAL PROJECTS AND RETURNING THE FUNDING TO THE REPAIRS AND RENOVATIONS RESERVE: ROOF REPLACEMENT AT 117 EAST STEUBEN (\$12,613), HVAC CONTROLS (\$895), 2ND FLOOR VENTILATION (\$9,995) AND 18 EAST MORRIS STREET ROOF (\$860) FOR A TOTAL OF \$24,363.00 MADE BY MR. ISAMAN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0. (Resolution Required).

3. County Historian

Hall of Fame – Ms. O’Dell informed the committee that the Hall of Fame is starting up again and they are going to need money to fund it. Last year’s expenses were \$664. She requested \$800 to be transferred out of the Bicentennial Account for this year’s Hall of Fame expenses.

MOTION: AUTHORIZING THE TRANSFER OF \$800 FROM THE BICENTENNIAL ACCOUNT INTO THE HISTORIAN’S BUDGET FOR HALL OF FAME EXPENSES MADE BY MR. ISAMAN. SECONDED BY MR. JAMISON. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

4. Administrator

Mr. Alger stated last month the committee heard presentations from the Conference & Visitors’ Bureau, Finger Lakes Tourism, Finger Lakes Wine Country, and Arts of the Southern Finger Lakes. The Conference & Visitors’ Bureau is suggesting that collections for next year would be \$655,000. We think they are a little optimistic. They had collections of \$625,000 this year and we feel they are in the ballpark with that. Of the \$625,000, five percent less than that would be available, which would be \$590,000 for distribution. Normally we fully fund both the Finger Lakes Association and the Dairy Festival. He would suggest funding Finger Lakes Association \$10,500 and the Dairy Festival \$500. Mr. Alger stated this year the Conference & Visitors’ Bureau is requesting \$463,193; Arts have requested \$35,000 and Finger Lakes

Wine Country has requested \$110,000. Mr. Isaman stated that he would be more for totally funding the Conference & Visitors' Bureau. Mr. Creath stated that he would like to push for the Arts getting more than they did last year. Last year they received \$28,000 and this year he would like to see them get \$31,500. Mr. Creath asked what is the balance in the reserve? Mr. Alger replied there should be \$60,000 - \$70,000 total by the end of the year in the reserve. He commented when we funded Wine Country, we did not have money to support them. That's what happened to the reserve.

Mr. Alger reviewed with the committee the budget requests for last year and this year:

	2004	2005
Finger Lakes Association	\$ 10,500	\$ 10,500
Dairy Festival	500	500
Conference & Visitors' Bureau	415,000	463,193
Arts of the Southern Finger Lakes	28,000	35,000
Finger Lakes Wine Country	75,000	110,000
Total	\$529,000	\$619,193

Proposed 2005 Funding:

Finger Lakes Association	\$ 10,500
Dairy Festival	500
Conference & Visitors' Bureau	455,000
Arts of the Southern Finger Lakes	31,500
Finger Lakes Wine Country	95,000
Total	\$592,500

MOTION: RECOMMENDING THE FINANCE COMMITTEE ALLOCATE THE ROOM TAX FUNDS TO THE FOLLOWING AGENCIES: FINGER LAKES ASSOCIATION \$10,500; DAIRY FESTIVAL \$500; STEUBEN COUNTY CONFERENCE & VISITORS' BUREAU \$455,000; ARTS OF THE SOUTHERN FINGER LAKES \$31,500; AND FINGER LAKES WINE COUNTRY \$95,000 MADE BY MR. ISAMAN. SECONDED BY MR. WALSH. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

MOTION: TO ADJOURN MADE BY MR. JAMISON. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 4-0.

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR

Monday, December 6, 2004

@ 1:00 p.m.

**Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, November 29, 2004.**

STEBEN COUNTY AGRICULTURE, INDUSTRY AND PLANNING COMMITTEE

Monday, December 6, 2004

1:00 p.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

Meeting Cancelled.