

MINUTES

Approved 4/8/09

PLANNING, DEVELOPMENT, AND ENVIRONMENTAL QUALITY COMMITTEE

MARCH 11, 2009 3:15 P.M. SCOTT HEYMAN CONFERENCE ROOM

Present: P. Mackesey, Chair; M. Robertson; C. Chock; F. Proto, W. Burbank (arrived 3:45 p.m.)
Staff: P. Younger, J. Kippola, County Administration; J. Mareane, County Administrator; J. Mattick, Workforce Development; E. Marx, J. Jurkowich, J. Leccese, Planning Department; R. Johnston, Water Resources Council; P. Carey, D. Mengel, Department of Social Services; F. DeAragon, ITCTC, K. Fuller, Deputy Clerk
Legislator: M. Koplinka-Loehr
Guests: T. Ashmore, *The Ithaca Journal*; M. Armstrong, Tompkins County Area Development; D. Sparrow, S. Stein, Strategic Tourism Planning Board

Call to Order

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

Approval of Minutes from January 8, and February 18, 2009

It was MOVED by Ms. Chock, seconded by Mr. Proto, and unanimously adopted by voice vote by members present to approve the minutes of January 8, and February 18, 2009. MINUTES ADOPTED.

Water Resources Council

Ms. Johnston, Vice Chair of the Water Resources Council, reviewed highlights from the annual report. These included:

- Aquifer Committee – designing the framework of a table to compile sources of ground-water data currently being collected. A separate committee is being formed to look into the affects of gas drilling.
- Cayuga Lake Recreation – provided pamphlets on power boating and on paddling and rowing in Cayuga Lake; working on installation of speed limit signs within the inlet.
- Education Committee – the Chair of the Committee retired in February 2009. four proposals looked at specific data specific to the phosphorus in the lake and the results indicate the current state of the lake is good.
- Grants Committee – a grant proposal to begin a macrophyte study in the lake was submitted and it is hoped to have the response back soon.
- Environmental Protection Fund – it was reported that Governor Paterson has proposed to remove the Environmental Protection Fund, which amounts to \$5 million.
- Monitoring Plan Committee – this committee would be giving an annual report mid-year.
- Dredging Committee – the Committee is assisting in the decision of what to do with dredging material due to regulation changes. They have spoken to representatives of the Canal Corporation has funding for the area under their purview regarding the navigational channel. The City of Ithaca would contract with Canal Corporation or another entity for boat slips along Cascadilla Creek. She indicated any concerns should be directed to Mr. Marx in the Planning office or Dan Karig at the Water Resources Council or a representative from the City.
- Nominating Committee – All positions are filled.
- Water Quality Strategy Update – the work plan compliments the City Planning's Work Planning, Development, and Environmental Quality Committee
- Wetlands Committee – a model ordinance is in the process of development

Ithaca-Tompkins County Transportation Council

RESOLUTION NO. - APPROPRIATION OF 2009-2010 BUDGETS FOR THE ITHACA-TOMPKINS-COUNTY TRANSPORTATION COUNCIL

It was MOVED by Ms. Robertson, seconded by Ms. Chock, to recommend adoption of the following resolution to the full Legislature. Mr. DeAragon indicated the Federal grant increased by \$1,000. The budget is flat for the most part. There is no local cost, the County match is office space and ancillary services.

A voice vote on the resolution resulted as follows: Ayes – 4; Noes – 0; Excused – 1 (Legislator Burbank). RESOLUTION ADOPTED.

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

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

WHEREAS, the Ithaca-Tompkins County Transportation Council has grant authorizations for its 2009-2010 fiscal year, beginning April 1, 2009, and ending March 31, 2010, in the amounts of \$265,943 from the Federal Highway Administration, \$4,656 Statewide Planning Research funds, and \$41,983 from the Federal Transit Administration, and

WHEREAS, the Policy Committee of the Ithaca-Tompkins County Transportation Council has adopted resolution 09-2, *APPROVAL OF THE 2009-2010 ITHACA-TOMPKINS COUNTY TRANSPORTATION COUNCIL OPERATING BUDGET*, which requests that the Host Agency (Tompkins County) take the appropriate actions to fully implement said operating budget, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the budgets for the Ithaca-Tompkins County Transportation Council, as presented in "ATTACHMENT A" to this resolution, be amended in the 2009 Tompkins County budget and that the County Finance Director be authorized to expend such funds for the period from April 1, 2009, through March 31, 2010.

SEQR ACTION: TYPE II-20

**Resolution No.
 ATTACHMENT A**

2009-2010 ITCTC OPERATING BUDGET

		Current Year Funds			
CODE	DESCRIPTION	09/10 FHWA	09/10 FTA	09/10 SPR	09/10 TOTAL
.4959	REVENUES: FEDERAL AID	\$265,943	\$41,983	\$4,656	\$312,582
	EXPENSES: COMBINED SALARIES	180,731	24,645		205,376
.8800	FRINGE	65,063	8,872		73,935
.2206	COMPUTER EQUIPMENT	0	0		0
.2210	OTHER EQUIPMENT	0	0		0
.2214	FURNITURE & FIXTURES	500	0		500
.2230	COMPUTER SOFTWARE	0	0		0
.4302	OFFICE SUPPLIES	750	750		1,500
.4330	PRINTING	500	500		1,000
.4332	BOOKS/PUBLICATIONS	800	0		800

Minutes
 Planning, Development, and Environmental Quality Committee
 March 11, 2009

.4400	PROGRAM EXPENSE	0	0		0
.4486	SCI	2,500	0		2,500
.4601	RESCISSION RELIEF			4,656	4,656
.4402	LEGAL ADVERTISING	2,000	0		2,000
.4412	TRAVEL/TRAINING	1,000	1,500		2,500
.4414	LOCAL MILEAGE	750	750		1,500
.4416	PROFESSIONAL DUES	200	500		700
.4424	EQUIPMENT RENTAL	3,500	0		3,500
.4425	SERVICE CONTRACTS	1,000	0		1,000
.4432	RENT	1,000	0		1,000
.4442	PROFESSIONAL SERVICE FEES	1,000	1,000		2,000
.4452	POSTAGE SERVICES	534	1,466		2,000
.4472	TELEPHONE	615	1,500		2,115
.4618	INTERDEPARTMENTAL CHARGE	500	500		1,000
.4905	CENTRALLY DISTRIBUTED ITEMS	3,000	0		3,000
	TOTAL EXPENSES	\$265,943	\$41,983	\$4,656	\$312,582

Transportation

RESOLUTION NO. - AUTHORIZING AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 - FEDERAL TRANSIT ADMINISTRATION SECTION 5307 GRANT FOR TOMPKINS CONSOLIDATED AREA TRANSIT AND GADABOUT

It was MOVED by Mr. Proto, seconded by Ms. Robertson, to recommend adoption of the following resolution to the full Legislature. Mr. Mengel reported the amount of the grant received exceeded the requested amount. Mr. Mengel indicated the purpose of the amount in preventive maintenance is due to the higher costs they have already expended. The indicated designation of funds for 120 days is to clearly show it fits into the requirements. There is no administrative fee associated with the grant. Mr. Proto reported that the Tompkins Consolidated Area Transit Executive Committee indicated they are fully aware with the grant. Ms. Carey said all resolutions brought forward have been shared with TCAT for their review.

A voice vote on the motion resulted as follows: Ayes – 4; Noes – 0; Excused – 1 (Legislator Burbank). RESOLUTION ADOPTED.

WHEREAS, pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA), the Secretary of the United States Department of Transportation is authorized to fund capital projects under Federal Transit Administration Section 5307 of Chapter 53, Title 49, of the United States Code, and

WHEREAS, the County of Tompkins is the Designated Recipient by the Governor of New York State for the Federal Transit Administration (FTA) Section 5307 urban program and is responsible for proposing how said federal funds are used, and

WHEREAS, the County, Tompkins Consolidated Area Transit, Inc. (TCAT) and GADABOUT Transportation Services, Inc. (GADABOUT), agreed to sub-allocate the Federal ARRA funds, (based on their respective bus replacement needs), with 5/6 for TCAT and 1/6 for GADABOUT, and

WHEREAS, the County desires to submit a request for a grant of funds to the FTA, in the amount of \$1,417,685 to be used for capital projects in 2009 as approved by the Ithaca-Tompkins County Transportation Council and included in the 2007-2012 Transportation Improvement Program as amended on February 26, 2009, and

WHEREAS, the source of funds are \$1,192,685 in Federal stimulus funds (ARRA) and \$225,000 in New York State Department of Transportation State Dedicated Funds, and

WHEREAS, the County, as FTA grant recipient, will apply on behalf of Tompkins Consolidated Area Transit (TCAT) and GADABOUT Transportation Services, Inc. (GADABOUT), subrecipients, to receive and use said funds as follows:

Project Descriptions	Federal ARRA	NYS DOT SDF	TOTAL
Purchase Two (2) Hybrid Transit Buses for TCAT	\$855,000	\$ 225,000	\$1,080,000
Purchase Three (3) Paratransit Buses for GADABOUT	\$180,000	\$0	\$180,000
Preventive Maintenance – TCAT	\$138,904	\$0	\$138,904
Preventive Maintenance - GADABOUT	\$18,781	\$0	\$18,781
Total	\$1,192,685	\$ 225,000	\$1,417,685

, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature authorizes the County Contracts Coordinator to execute and file applications on behalf of the County of Tompkins with the United States Department of Transportation for the American Recovery and Reinvestment Act of 2009, FTA Section 5307 Grant, in the amount of \$1,417,685.

RESOLVED, further, That the County Contracts Coordinator is authorized to sign:

1. Any and all agreements between Tompkins County and the Federal Transit Administration for the Project.
2. Any and all agreements between Tompkins County and the State of New York for the Project.
3. Any and all agreements between Tompkins County and TCAT and GADABOUT, and any third-party subcontractors necessary to complete the project, if applicable.

SEQR ACTION: TYPE 11-20

Explanation: This resolution authorizes the County to apply for a Federal Transit Administration capital grant for TCAT and GADABOUT bus replacement and preventive maintenance projects using the American Recovery and Reinvestment Act of 2009 (Stimulus) and state dedicated transit funds.

RESOLUTION NO. - AUTHORIZING NEW YORK STATE DEPARTMENT OF TRANSPORTATION AGREEMENT – JOB ACCESS AND REVERSE COMMUTE AND NEW FREEDOM OPERATING ASSISTANCE GRANTS - 2009

Minutes
Planning, Development, and Environmental Quality Committee
March 11, 2009

It was MOVED by Mr. Proto, seconded by Ms. Robertson, to recommend adoption of the following resolution to the full Legislature. Mr. Mengel reported the local share is in-kind and utilizes other eligible Federal funding to match dollar for dollar. There are no local tax funds used; other program funds are used and for New Freedom a wheelchair accessible taxi would be purchased.

Mr. Burbank arrived at this time.

Mr. Proto inquired whether the funds would be used for the vanpool program. Mr. Mengel said Cornell is a partner in that program for three years and their funds have been matched one-hundred percent. It is not anticipated that the program would be funded by JARC funds beyond that point as it is primarily for new programs. It is thought there would be another Federal funding stream that would cover the program. Mr. Mengel noted the entire Federal Transportation Program is being rewritten this year and it is not known what the full impact may be.

Ms. Robertson asked about the rural feeder program in Newfield to bring individuals to a bus stop. Mr. Mengel said the two programs for Enfield and Newfield would be available for anyone's use to connect to a TCAT bus. If it were a taxi by Medicaid they would be billed.

Ms. Robertson spoke of the vanpool program having difficulties with startup and inquired what has occurred. She was informed there was difficulty finding a company to underwrite the insurance. Mr. Proto, as Vice Chair, of TCAT reported that problem has been resolved and the insurance contract was signed earlier today.

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

WHEREAS, the United States provided Federal funds to New York State to be competitively distributed to municipalities for the purpose of carrying out transit projects pursuant to Sections 5316 and 5317 of Title 49, United States Code, entitled Job Access and Reverse Commute (JARC) and New Freedom programs, respectively, and

WHEREAS, New York State Department of Transportation awarded \$150,000 in JARC and \$50,000 in New Freedom funds to Tompkins County to expand mobility options targeted for low-income and individuals with disabilities in rural towns of Tompkins County, and

WHEREAS, \$100,000 is to support Tompkins Consolidated Area Transit's vanpool and \$50,000 is for the County's rural feeder projects, which are designed to increase access for welfare recipients and low income persons to employment, as identified through a coordinated planning process, and consistent with the eligible activities described in Federal Transit Authority (FTA) Circular 9050.1 for a term of twenty-two months, and

WHEREAS, \$50,000 is to support rural public transportation services beyond those required by the Americans with Disabilities Act of 1990 (ADA), that assist individuals with disabilities with transportation, including to and from jobs and employment support services, as identified through a coordinated planning process, and consistent with the eligible activities described in FTA Circular 9045.1 for a term of twenty-two months, and

WHEREAS, Tompkins County and the New York State Department of Transportation, as Designated Recipient of the FTA – JARC and New Freedom programs, are entering into an agreement which authorizes the undertaking of the project and payment for the Federal Transit Administration Share for the project, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature authorizes executing Contract No. C003814, Job Access and Reverse Commute and New Freedom Program grant for a total of \$200,000, with the New York State Department of Transportation,

RESOLVED, further, That the County Contracts Coordinator is authorized to sign:

1. Any and all agreements between Tompkins County and the State of New York for the Project.
2. Any and all agreements between Tompkins County and Tompkins Consolidated Area Transit and GADABOUT, and any third-party subcontractors necessary to complete the project, if applicable.

SEQR ACTION: TYPE 11-20

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Explanation: Tompkins County applied for these grants in June 2008. NYSDOT sent an award letter in September, 2008 and this contract in February, 2009. The Contract term starts on March 1, 2009 and is for 22 months.

The County DSS administers JARC and New Freedom Grants through the 5631 Transportation Planning account.

The JARC Grant is to enable rural residents to use TCAT's vanpool and the County's rural feeder programs with a \$150,000 grant. The rural feeder pilot in Newfield and Enfield is operating on an interim basis for DSS clients. The County issued an RFP for an operator to fully implement the program.

The TCAT vanpool program is still working through pre-implementation issues.

The New Freedom grant for \$50,000 is targeted to rural residents and expands transportation options for individuals with disabilities who are certified to use ADA Paratransit service, operated by GADABOUT.

RESOLUTION NO. - AUTHORIZING APPLICATION FOR NEW YORK STATE DEDICATED TRANSIT FUNDING FOR TOMPKINS CONSOLIDATED AREA TRANSIT, INC., YEAR 11, 2006/2007

It was MOVED by Mr. Proto, seconded by Ms. Chock, to recommend adoption of the following resolution to the full Legislature. Members were informed the Smartcard Fare Collection equipment was an upgrade to resolve some billing issues presently occurring with the present system.

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

WHEREAS, the Governor of the State of New York awarded a grant of State Dedicated Transportation Funds in the amount of \$325,000 for State Fiscal Year 2006/2007 to purchase buses and improve transit facilities in Tompkins County, and

WHEREAS, Tompkins County, wishes to apply for \$325,000 in State Dedicated funds (SDF) on behalf of Tompkins Consolidated Area Transit, Inc., to plan and make public improvements to the public transportation system, and

WHEREAS, the \$325,000 State Dedicated Transportation Fund grant will reimburse 100% of the cost of proposed projects as follows:

Project Description	SDF Funds
Purchase (1) 40 ft. low-floor hybrid electric diesel replacement bus	\$225,000
Purchase Smartcard Fare Collection Equipment	\$100,000
Total	\$325,000

, now therefore be it

RESOLVED, on recommendation of the Planning, Development, and Environmental Quality Committee, That the Tompkins County Legislature authorizes the application for \$325,000 in State Fiscal Year 2006/2007 State Dedicated Transportation Funds SDF to the New York State Department of Transportation for the above listed project,

RESOLVED, further, That Tompkins County will accept State SDF funds through a supplemental contract agreement with the New York State Department of Transportation (NYSDOT) after the State's approval of the grant application,

RESOLVED, further, That Tompkins County will reimburse Tompkins Consolidated Area Transit one-hundred percent of the project cost after the County receives SDF funds from New York State Department of Transportation.

SEQRA ACTION: TYPE II-20

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Explanation: In February 2008, the Governor of New York State announced an appropriation of \$325,000 in State Dedicated Transportation Funds for replacement buses, equipment, and improved transit facilities in Tompkins County. The SDF (State Dedicated Funds) grants reimburse one-hundred percent of capital costs of transit projects. The Smartcard Fare Collection Equipment is a swipe card that automatically charges the fares; the purchase of the equipment will upgrade the present system.

Planning Department

Update on the Housing Affordability Program and the Housing Trust Program

Ms. Leccese reported there has been many calls received, including one from Westchester County, to seek information on the Housing Affordability and Housing Trust Programs. She has developed a one-page summary of the programs much like the information presented in March of 2008 to send to interested parties.

Mr. Marx indicated he has heard Cornell University approved the agreement and the City of Ithaca is still pending.

Ms. Robertson asked for copies of the pamphlet and would also like to see who called for information. She also suggested other counties might be able to utilize Community Development Block Grants for funding a similar program.

Mr. Proto suggested Ms. Leccese work with Ms. Lynch to develop a quick informational piece about the program.

Update on Application for Community Development Block Grant

Ms. Leccese spoke of reviewing potential opportunities that might make an application for a Community Development Block Grant (CDBG) worthwhile. She has had a discussion with John Spence, Executive Director of Better Housing in Tompkins County, who stated they are filing for three CDBG rehabilitation grants for the towns of Newfield, Enfield, and Groton. In addition Better Housing is looking into the development side of housing and is in the preliminary stages at this time. It was felt due to the three applications being submitted by Better Housing it may be better not to compete for funding.

Discussions were also held with Nancy Burston and Ed Sweazey of Human Services Coalition who indicated their main push is to seek funding for administrative support for the 211 referral service as well as attempt to expand their services and collaborate with other businesses. One such collaboration was with Alternatives Federal Credit Union (AFCU) and the 211 service; individuals speak to the 211 referral service and provides basic information regarding tax preparation, sets up an appointment, which is forwarded to AFCU. Further discussions with Human Services Coalition indicated agencies needs are more economic development based versus housing and information.

Mr. Marx spoke of having contacted Cornell University Real Estate to see if they could benefit from grant funds and was informed any projects they are working on would not fit the timeframe required

for application. In addition the Ithaca housing Renewal is not supportive of projects that would come under this particular CDBG application.

Ms. Robertson asked if trailer parks might be eligible for grant funding and was informed there is nothing that would be ready at this time; it would take approximately six months to develop a project. Mr. Marx also said the County is not in a position to take on an overall rehabilitation project at this time and believes it is better to have this type of project covered by a municipality.

Ms. Robertson suggested that trailer park rehabilitation be reviewed for possible inclusion in the next round of CDBG applications.

Mr. Marx said if future application notices would provide funding for projects ready to go he would be happy to assist. Ms. Chock spoke of possibly looking into projects dealing with weatherization for the future.

RESOLUTION NO. - IN SUPPORT OF THE NEW YORK STATE ENVIRONMENTAL PROTECTION FUND

It was MOVED by Mr. Proto, seconded by Ms. Robertson. Mr. Marx spoke of the resolution being brought forward as a result of the budget proposals to change funding sources. As the proposed source is not in existence it is unknown what it would be. The proposal to shift funds would result in loss of funding for many programs.

Ms. Robertson would like to craft language to add language indicating the extent of funding reductions. Ms. Mackesey suggested Ms. Robertson do so prior to the Legislature meeting and it could be considered at that time.

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

WHEREAS, the New York State Environmental Protection Fund (EPF) of 1993 established the state's first-ever environmentally dedicated funding mechanism to provide critical funding for the New York State Department of Environmental Conservation, the Office of Parks, Recreation and Historic Preservation, and grants to local governments and non-profit organizations, and

WHEREAS, EPF funding has helped to implement a variety of environmental programs in New York State to reduce waste, protect public health, and ensure that communities have clean water, land and air; to preserve open space and working farms; and to create and maintain public parks, and

WHEREAS, the Environmental Protection Fund has provided dedicated funding for programs that benefit Tompkins County including municipal recycling, smart growth planning, open space protection, farmland protection, non-point source pollution prevention, waterfront revitalization, municipal parks, zoos, botanical gardens and aquaria, biodiversity research, estuary programs, pollution prevention, landfill closure, and water quality protection, and

WHEREAS, the Environmental Protection Fund has benefited Tompkins County by providing 50% funding for recycling capital projects such as the improvements to the Recycling and Solid Waste Center and educational programs for waste reduction and recycling, and

WHEREAS, the Environmental Protection Fund is primarily financed through the New York State Real Estate Transfer Tax (RETT) but also receives revenue from income derived from the sale of surplus state lands, the leasing of underwater state-owned lands, and New York's "open space" license plate, and

WHEREAS, it was the intent of the New York State Legislature to protect the integrity of the Environmental Protection Fund through times of economic prosperity as well as during economic crisis by providing a stable dedicated source of funding for these critical programs, and

WHEREAS, despite current and projected decreases in real estate sales in New York State, the State Real Estate Transfer Tax generates revenue at a level that is nearly triple what is statutorily required to fully fund the Environmental Protection Fund, and

WHEREAS, it is necessary to ensure environmental funding levels in New York State adequately meet current needs, the Environmental Protection Fund should be fully funded according to the current statutory funding schedule as established by the Environmental Protection Fund Enhancement Act (Chapter 256 of the Laws of 2007), and

WHEREAS, the Environmental Protection Fund Act should be implemented and receive \$300 million in the FY2009-10 State Budget and that its primary funding mechanism should continue to be from the State Real Estate Transfer Tax, as it has for the past 15 years, now therefore be it

RESOLVED, on recommendation of the Facilities and Infrastructure and THE Planning, Development and Environmental Quality committees, That the Tompkins County Legislature strongly supports the Environmental Protection Fund and urges New York State to include a \$300 million Environmental Protection Fund in the FY 2009-10 State Budget,

RESOLVED, further, That Tompkins County opposes changing the revenue source of the Environmental Protection Fund and urges New York State to ensure at least \$287 million in revenue from the State Real Estate Transfer Tax is dedicated to the Environmental Protection Fund in the FY 2009-10 State Budget,

RESOLVED, further, That this resolution shall be transmitted to the Governor and members of the New York State Legislature County Representatives upon passage.

SEQR ACTION: TYPE II-20

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Commissioner's Report

Mr. Marx asked for direction on how to proceed with how to identify and appoint members to the Housing Fund Program Oversight Committee. He would like to keep the selection a brief process and would encourage Cornell University and the City of Ithaca to look ahead regarding their appointments so that the appointments could be made immediately.

Ms. Robertson felt at least one representative should be an elected official but thought Mr. Marx should work with Ms. Lynch, Public Information Officer, to issue a press release regarding the positions. Mr. Marx expressed concern that it would lengthen the process and the selection should be as general as possible. Ms. Chock would like to be certain the committee is balanced.

A discussion took place that stressed the importance of outlining what the duties of the position would be and how to best determine who would be the representatives and how it is important to have a good balance between all entities.

Mr. Marx suggested a discussion with Cornell University and the City of Ithaca occur to address the process of selection of the committee. He also said it is important to select the members as quickly as possible to enable the program to go forward this month.

Ms. Robertson suggested Mr. Marx and Ms. Lecesse write a brief description to go in the newspaper with an April 1 deadline.

Mr. Marx will come back to the Committee in April with a list of names of interested individuals.

Stream Buffer

Mr. Marx reported the County has developed its own model of the stream buffer, which is not the same as the Town of Ithaca's. The rationale for the way streams were divided up into buffer zones by the Town does not follow the scientific research used by the County when developing the buffers. Mr. Marx

expects the draft would be brought to the County within the next month. Mr. Proto asked that countywide stream buffer draft be forwarded to the Water Resources Council and perhaps also bring it to the towns through the Council of Governments.

It was noted there is no requirement for stream buffers. Ms. Chock would like to see comments presented regarding this topic.

**RESOLUTION NO. – AUTHORIZATION TO CONTRACT WITH TOMPKINS COUNTY
AREA DEVELOPMENT FOR TOURISM CAPITAL GRANTS
PROGRAM**

It was MOVED by Mr. Burbank, seconded by Mr. Proto, to recommend adoption of the following resolution to the full Legislature. It was explained the resolution is renewing the contract with Tompkins County Area Development (TCAD). At the end of the month they would be looking at revenues from the program and it may require a contingency budget due to reduction of room taxes. The amount reflected in the resolution is a twenty percent reduction from the original budget passed last fall as a result of the economic downturn. If the economy improves the amount could be increased.

Mr. Proto estimated that it costs approximately \$4,000 for each grant that TCAD assists with. He asked how the projects would be affected if funding is pulled from various sources (the member-item for the wine center was given as an example). Ms. Armstrong indicated TCAD has not expended all the \$81,000 administrative funds they have received; to date they have expended \$51,000. Ms. Armstrong said the State Theater grants have been put on hold for two years in order to have a certified public accountant review the financial situation to determine how best to proceed and be successful. She said there are times that a project or organization required additional assistance; she keeps logs of hours spent for administration of the grants and provides annual reports on her work. She indicated that total is perhaps seventy percent of allowable administrative expenses.

Following a brief discussion, during which it was determined to have an overall review of the program, a vote on the resolution resulted as follows: Ayes – 5; Noes – 0. RESOLUTION ADOPTED.

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

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

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

WHEREAS, the STPB has recommended that Tompkins County Area Development (TCAD) continue to administer the Tourism Capital Projects Grants process that has a program budget of \$140,276 for 2009, and

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

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

RESOLVED, further, That, of the total program amount of \$140,276, up to \$14,027 (10 percent

of program expenditures) shall be paid to TCAD for administrative evaluation and oversight services,

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

SEQR ACTION: TYPE II-20

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RESOLUTION NO. - AWARD OF TOURISM CAPITAL GRANTS

It was MOVED by Mr. Proto, seconded by Ms. Chock, to recommend adoption of the following resolution to the full Legislature. Ms. Armstrong spoke of having modified funding for feasibility plans to not include the cost of architectural plans. This determination was made after several years of experience in processing requests, noting some are large plans, and it is being determined to fall into a one-third funding as the bricks and mortar is now. Ms. Armstrong briefly reviewed how funding on other projects had been determined.

Mr. Proto shared information reported at the Health and Human Services Committee that member-item funding for the County Office for the Aging was being restored due to the contractual obligation. It is not certain if this would apply to all contracted member-item funded projects that had received notice the funding was pulled.

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

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

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

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

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

Entity	Project	
Kitchen Theatre	Pre-construction project for Facility	\$21,000

SEQR ACTION: TYPE II-20

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Subcommittee Report Regarding Definition of Need

Ms. Chock, Subcommittee Chair, reviewed the written report submitted, noting the Strategic Tourism Planning Board had included funding for a position of Program Director. She spoke of the many hours of volunteer work provided by individuals, in particular Mr. Stein. As a result of the subcommittee’s review, they have stated the need for a position and have prepared a course of action as follows:

Preliminary Conclusions and proposed course of action:

A) This form of economic development has now grown to be a \$2 million part of the County budget, which should be overseen, planned, and developed with the assistance of a professional staff person who is equipped to support the volunteers and oversee the relationships with the external organizations. Funds are already allocated in the 2009 budget for these purposes.

B) Provision is made in the existing law pertaining to the duties of the County Administrator. The Subcommittee recommends that PDEQ request the County Administrator, in communication with the County Personnel Director, to work to develop for its approval a job description, appropriate job classification, and organizational placement for this position.

C) The PDEQ and the subcommittee should continue to solicit input from the STPB and stakeholders regarding these conclusions.

Following the discussion, the Committee unanimously agreed that the initiative should move forward and be taken to the County Administrator for further review and recommendation.

Workforce Investment Board

Budget Adjustment

It was MOVED by Mr. Proto, seconded by Ms. Robertson, to recommend adoption of the following budget adjustment to the full Legislature. Ms. Mattick explained the funds are to provide personal gas cards to clients. She believes the funding may continue beyond July 2009 and it cannot be flexible to use it for other transportation such as busses or taxicabs.

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

Workforce Investment Board

<u>Revenue Acct</u>	<u>Title</u>	<u>Amt</u>	<u>Approp Acct</u>	<u>Title(s)</u>
6290.43790	Federal Job Training	\$ 6,250	6290.54400	Program Expense

Explanation: New York State is making these funds available to implement a gas card initiative in Tompkins County through June 30, 2009.

Request for Distribution

Mr. Proto requested the memorandum from Mr. Doyle regarding the Final Scope for Draft SGEIS for horizontal drilling and high-volume hydraulic fracturing be forwarded to the Board of Health, Water Resources Council, and Environmental Management Council. Ms. Robertson asked that it be distributed to the full Legislature, since the full body had approved the resolution on the draft SGEIS.

Advisory Board Appointments

Following discussion the following appointments were made by consensus:

Planning Advisory Board

Pamela Mackesey, Planning Committee Chair; term expires December 31, 2009

Water Resources Council

Will Burbank – County Legislator; term expires December 31, 2011

Minutes
Planning, Development, and Environmental Quality Committee
March 11, 2009

Adjournment

On motion, the meeting adjourned at 5:20 p.m.

Respectfully submitted by Karen Fuller, Deputy Clerk