

AGRICULTURE, PLANNING, TOURISM & COMMUNITY DEVELOPMENT
COMMITTEE MEETING MINUTES –MARCH 21, 2016

AGRICULTURE, PLANNING, TOURISM & COMMUNITY DEVELOPMENT COMMITTEE MEMBERS

PRESENT: Fedler, Idleman, Shay, Haff, Armstrong, Moore, Skellie

AGRICULTURE, PLANNING, TOURISM & COMMUNITY DEVELOPMENT COMMITTEE MEMBERS

ABSENT: None

SUPERVISORS: Henke, Hicks, Gang, Shaw, O'Brien, Campbell, Hogan, LaPointe

Debra Prehoda, Clerk of the Board

Al Nolette, Treasurer

Roger Wickes, County Attorney

Chris DeBolt, County Administrator

Laura Oswald, Economic Dev. Director

Jared Woodcock, SUNY Adirondack

Public & Media

AGENDA AS PRESENTED IN COMMITTEE NOTICE:

- 1) Call to Order
- 2) Accept Minutes – February 22, 2016
- 3) Champlain Canal Trail Update – Dave Perkins
- 4) AGRICULTURE
- 5) PLANNING
- 6) TOURISM
- 7) Other Business
- 8) Adjournment

Chairwoman Fedler called the meeting to order at 1:00 P.M.

A motion to accept the minutes of the February 22, 2016 meeting was moved by Mr. Shay, seconded by Mr. Moore and adopted.

CHAMPLAIN CANALWAY TRAIL UPDATE – Dave Perkins updated the committee on the Champlain Canalway Trail, overview of topics discussed attached. The Champlain Canalway Trail is a year round multiuse trail primarily for biking and pedestrian use but there are segments that are vital to snowmobiling in Washington County. He has been working with the County Highway Superintendent to get the proper designation of County Routes 70 and 113 as part of the Champlain Canalway Trail. That would bring the trail from the Dix Bridge to River Road. The Town of Greenwich has already designated River Road as part the Champlain Canalway Trail but there is bridge issue on that road preventing an official designation and in the interim suggesting following the shoulder of Rt. 4 to the Village of Fort Edward. The plan in the Village of Fort Edward is for the trail to go from NY 197 to the new farmers' market building. From there the path goes to the train station, over to Mullen Park and connecting with the Feeder Canal Trail. Going forward from where the Feeder Canal trail meets up with the tracks is more problematic. A tremendous development to come along for the Canalway Trail is a feasibility study being planned through the Greater Glens Falls Transportation Council to get the Champlain Canal hookup into the Dunham Basin area, across Bond Creek, tracks, and Rt. 196. He presented highlights from the bike path study recently released and also mentioned the impacts on snowmobiling, information listed on the attached handout. The next Champlain Canalway Working Group meeting is scheduled for April 5th in the second floor classroom of the Washington County Municipal Center. He is hopeful of getting some designations in place. He appreciates the open communication with the Supervisors.

Roger Wickes, County Attorney, discussed the procedure for the designation of county highways which would first come from the County Highway Superintendent and would require SEQRA/local law

followed by appropriate signage. Discussion ensued on snowmobiles operating on roads. The County Attorney has provided the attached laws relating to operation of snowmobiles on highways.

Consensus of the committee was to have the County Attorney and Mr. Perkins get together to figure out what needs to be done to get these roads designated for the Champlain Canalway Trail.

Laura Oswald, Economic Development Director, addressed the following items with the committee:

AGRICULTURE:

- Agriculture and Farmland Protection Plan – distributed a handout summarizing the strengths, weaknesses and opportunities from the farmers workshops held regarding updating the Agriculture and Farmland Protection Plan, handout attached. This information will be used as part of the data collection. She announced that the MWBE (Minority, Woman, and Business Enterprise) goals are no longer required on Ag Plans. Chairwoman Fedler stated Brian Gilchrist, Executive Director of Cornell Cooperative Extension, will be contacting all Supervisors regarding the continued work on updating the Farmland Protection Plan. She noted the Ag and Farmland Plan will be an agenda item each month to keep the committee updated on the process.
- Agricultural Stewardship Association is holding informational workshops on the NYS Farmland Protection Program because there is a new round of conservation easements.

PLANNING:

- Planner – Received a number of additional resumes subsequent to the second postings. She has done some initial phone conversations and plans to bring a few people in for in person interviews.
- CFA – Time table will probably be the second week of May to mid-July for the window of opportunity to get applications in. Anticipates that most of the opportunities that were in it last year will probably be there this year; maybe a few variations and new programs. She encouraged Supervisors to start thinking about what they may be applying or reapplying for. Chris DeBolt, County Administrator, stated that he was given permission to apply for Municipal Restructuring funds to explore the possibility of a feasibility study to look at reducing the number of highway barns. He reported the Department of State advised him that project did not fit that fund and encouraged him to apply through the CFA process and he will be working with Laura on a CFA application.
- SUNY Study – partnering with SUNY to do a feasibility study to evaluate the potential for more direct delivery of programs. Reported the study is proceeding well and data collection should be finalized soon.
- Broadband – The RFP for broadband soliciting providers to bid on the designated unserved and underserved areas is out and due back to the Broadband office by April 15th. She does not anticipate anyone bidding on any site inside the county. Laura and Jason Guzzo, Hudson Valley Wireless, have had conversations with the Broadband Office, and the Director of Outreach for the Broadband Office has agreed to come up and tour Washington County. The County Administrator mentioned in the western part of the State, a town did an audit on Time Warner under their franchise agreement and found out they were owed money and compelled them to serve unserved areas of the town. Mr. Hicks stated the two franchises, cable tv and broadband, are independent of each other. The County Attorney provided the attached information.
- NYSEDA Workshop – Planning & Zoning for Solar PV workshop on April 19th from 5:00 – 8:00 PM at Hudson Falls High School, handout attached.

- County Planning Board – list of projects addressed, attached. Continuing questioning on the fate and roll of the County Planning Board and the Planning Board encouraged the Supervisors to attend a meeting.

TOURISM:

- I Love NY - To take I Love NY money, the County has to participate in the regional promotion agency. The County has paid our membership for the year and they are working to help keep things going; provided some flyers from the regional TPA, on file, and they did attend the maple tapping ceremony recently held in Granville.
- Boat Launch on Hudson River – Last year, Mr. Shaw was approved to research for a grant to see about the feasibility of a boat launch on the Hudson River specific to areas that the EPA and GE have on Rt. 4. He is looking for confirmation that he can continue to research funding sources. No objections.
- Copy of 2016 Local Events Printing – Mr. Shay provided Mr. Haff with a copy of 2016 Local Events which is full of tourism advertising and available at convenient stores in the southern end of the County. Mr. Haff stated it is very well done.
- RFP Tourism Consultant – Contacted the firm that did the economic impact analysis for the fair and provided some recommendations and draft/potential language for the RFP to send out. Chairwoman Fedler, Economic Development Director and County Administrator have met and have several questions to address. The consultant suggested doing a second homeowner study, essentially a survey, and discussed if it could be done in house and is there enough value to pay someone to do that. The way the RFP is currently structured is the County is looking for someone to do an asset map to tell us what our tourism assets are, second home survey, economic impact, and come up with some strategic recommendations as to how the County should move forward and if the County should move forward how to increase the effectiveness of our tourism promotion dollars. The deliverables are the asset map, data collection and survey, economic impact study and recommendations. Discussion ensued on maintaining, keeping the asset data updated. The County Administrator stated how do you determine what is a tourism business. Consensus was to let Chairwoman Fedler, Economic Development Director and County Administrator proceed with addressing questions relating to RFP to move the process forward.

OTHER BUSINESS:

Award at SUNY Adirondack Graduation – Ms. Idleman, Chair of the Community College Committee, plans to send out an email to Supervisors asking for suggested criteria for an annual award given to a student from Washington County. The faculty makes the decision. She feels it is worthwhile to give money along with the award and she would like to discuss that further.

Agriculture, Planning, Tourism and Community Development Committee meeting Monday, April 4th at 1 PM for a roundtable discussion on tourism with Chamber representatives and business owners.

The meeting adjourned at 2:15P.M.

Respectfully submitted,

Debra Prehoda, Clerk, Washington County Board of Supervisors

Ag/Planning/Tourism Comm Meeting

3-21-16

CCT Update

Working Group continues to meet monthly – next meeting April 5th in the Classroom

Movements toward designating trail for the CCT:

Working with County Highway Superintendent to designate parts of CR 70 and CR 113 as part of the CCT

- River Rd already designated in the Town of Greenwich however a bridge issue is preventing signage. In the interim, WG would probably push toward having the CCT designation follow the shoulder of Rt 4 to the village of Fort Edward.
- Rt 4 route already designated as part of NY bike route 9.
- This route passes pocket parks near Fort Miller and the Denton Wildlife Reserve
- Future: work toward moving trail off-road along Rt 4

Village of FE planned trail from NY 197 to the Farmers Market building, then to the Amtrak station, and then to Mullen Park. From this point picks up the Feeder Canal Trail.

Follow Feeder Canal up to the T. From this point route uncertain to get to Towpath Rd.

- Planned feasibility study to get to either Towpath Rd or to canal bank at 197 bridge

Towpath Rd to Smiths Basin:

Pick up bike path to village of Fort Ann.

Post Star mention of designating Clay Hill Rd in FA as part of CCT.

Bike path developments:

- Engineering firm hired by CC has recently released a revised design plan for the bike path
- Highlights:
 - Clearing of 6.28 miles and construction of 4.77 miles of new multi-use trail linking the Town of Kingsbury to the Village of Fort Ann as a segment of the proposed 71 mile long Champlain Canalway Trail, which would extend from Waterford to Whitehall.
 - Projecting a 32 foot cleared path for the trail.
 - This portion of the trail is proposed to be constructed in two phases.
 - The first phase would be the construction of 4.77 miles of trail from Lock C-9 to Clay Hill Road,
 - second phase would be the clearing of 1.50 miles of trail from New Swamp Road to Lock C-9.

- The proposed trail alignment would generally proceed off-road along the western bank of the canal, and therefore provide scenic views of the canal along the length of the trail.
- The project will start at New Swamp Road Bridge, and the trail (southern segment) will continue for 1.51 miles to Lock C-9. The proposed trail alignment will require the Authority to purchase two parcels of land for the construction of the trail.
- The second segment of the Champlain Canalway Trail will extend 2.88 miles from Lock C-9 to the Baldwin Corner's Road Bridge (northern segment), and the third segment will proceed 0.20 miles down Baldwin Corner's to the former tow path.
- final segment of the trail will then proceed down the tow path 1.68 miles to Clay Hill Road in the Town of Fort Ann (northern segment).
- a campground facility will be constructed at Lock C-9, and one kiosk will be constructed on the grounds of the lock.
- The trail segments will proceed through mainly undeveloped heavily wooded land, and will require bridge structures and several drainage pipes to cross various types of creeks, streams, and drainage ditches. A total of two structures are estimated to be required for this project.
- This alternative would carry a 10 foot wide multi-use trail, with 5.0 foot wide shoulders. The trail wearing surface will be constructed of asphalt.
- Construction in 2017.

All of these developments can result in 18 miles of immediate designation of the CCT in Washington County.

Bike path adds an additional 6+ miles

Designations from Fort Ann north: (these items are being worked on now)

- Obstacles in getting from S Quarry Rd to N Quarry Rd
- Ryder Rd to Gray Lane in Town of Whitehall
- Town and County designations of road shoulders from Gray Lane to Village of Whitehall
- Terminate CCT at Canal Park in Whitehall.
- Tie-in with bike trails coming in from Vermont

Impacts on snowmobiling:

- Connection of two major corridor trails in Kingsbury and Fort Ann
- Connection to major corridor trail in Smiths Basin leading to Hartford, Granville, and New England
- Connection to major corridor trail leading to Greenwich, Argyle, Easton, and Salem
- Old towpath trail used by hundreds of snowmobiles each winter weekend when covered with sufficient snow
- Needs and concerns: asphalt covering of trail, plywood needed to cover bridges if wooden decked, cleared width

McKinney's Consolidated Laws of New York Annotated
Parks, Recreation and Historic Preservation Law (Refs & Annos)
Chapter 36-B. Of the Consolidated Laws (Refs & Annos)
Title D. **Snowmobiles**
Article 25. Control Provisions

McKinney's PRHPL § 25.05

§ 25.05 Operation on highways

Effective: August 1, 2012

[Currentness](#)

It shall be unlawful for any person to drive or operate any **snowmobile** on a highway other than as follows:

1. Operation on thruway, interstate highways and controlled access state highways prohibited. Except in a snow emergency as so declared under the provisions of subdivision two of this section, **snowmobiles** shall not be operated on the state thruway or interstate and controlled access state highways.

1-a. Notwithstanding the provisions of subdivision one of this section, the commissioner, with the concurrence of the commissioner of transportation, may **designate** for temporary **snowmobile** use a trail or portion of a trail listed in this subdivision within the right of way of a state route. The commissioner's **designation** shall include conditions, developed in consultation with the commissioner of transportation, on the use of such trail by **snowmobiles** to provide for the safe use of such route and the safe operation of **snowmobiles** on the trail. **Designations** made under this subdivision shall be effective for no longer than a period of one year and may be renewed with the concurrence of the commissioner of transportation. The following trails or portions thereof may be temporarily **designated** for **snowmobile** use pursuant to this subdivision:

(a) state route one hundred four between the western **county** line of Wayne **county** and the northern town line of the town of Hannibal in Oswego **county**; and

(b) state route three hundred seventy-four from the vicinity of route marker 374-7102-1331 at the intersection of state route three hundred seventy-four and state route twenty-two to the vicinity of route marker 374-7102-1250 in Cadyville near the intersection of state route three hundred seventy-four and state route three.

1-b. Notwithstanding the provisions of subdivision one of this section, the commissioner, with the concurrence of the commissioner of transportation, may **designate** for **snowmobile** use a trail within the right-of-way of state route three between state route one hundred four in the town of Hannibal and **county** route three in the town of Granby in Oswego **county**. The commissioner's **designation** shall include conditions, developed in consultation with the commissioner of transportation, on the use of such trail by **snowmobiles** to provide for the safe use of state route three and the safe operation of **snowmobiles** on the trail. **Designations** made under this subdivision shall be effective for no longer than a period of one year and may be renewed with the concurrence of the commissioner of transportation.

1-c. Notwithstanding the provisions of subdivision one of this section, the commissioner, with the concurrence of the commissioner of transportation, may **designate** for **snowmobile** use a trail within the right-of-way of state route eight in the town

of Deerfield in Oneida **county** between mile marker/area locations route marker 8-2607-3237 and route marker 8-2607-3260. The commissioner's **designation** shall include conditions, developed in consultation with the commissioner of transportation, on the use of such trail by **snowmobiles** to provide for the safe use of state route eight and the safe operation of **snowmobiles** on the trail. **Designations** made under this subdivision shall be effective for no longer than a period of one year and may be renewed with the concurrence of the commissioner of transportation.

2. Emergencies. (a) In an emergency, for the purpose of emergency travel only, during the period of time when and at locations where snow upon the highways renders travel by motor vehicles impractical, as so declared and permitted in the case of the state thruway by the thruway authority, in the case of other state highways by the state agency or authority having jurisdiction to regulate traffic thereon, and in the case of other highways by the chief executive officer of the municipality having jurisdiction over such highways.

(b) A **snowmobile** may also be operated on a highway otherwise closed to **snowmobile** travel in emergency situations when the specific travel for a specific purpose is authorized or directed by a peace or police officer, or a highway superintendent or executive officer of a **county**, town, city or village.

3. Highway crossings. On highways other than the thruway, interstate highways and controlled access highways, **snowmobiles** may take a direct crossing at any time of the day provided:

(a) The crossing is made at an angle of approximately ninety degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing; and

(b) The **snowmobile** is brought to a complete stop before crossing the shoulder or main traveled way of the highway; and

(c) The driver yields the right of way to all oncoming traffic which constitutes an immediate hazard; and

4. Culverts and bridges. **Snowmobiles** may be operated on highways other than the thruway, interstate and controlled access highways, when necessary to cross a bridge or culvert.

5. Unplowed highways. **Snowmobiles** may be operated on **county**, town, city or village highways, or portions thereof, during the periods when and at locations where the highway is customarily unplowed and unused during the winter months for vehicle travel. The governing body of a **county**, town, city or village shall **designate** those highways or portions thereof which are so customarily unplowed.

6. Outside banks. On highways other than the thruway, interstate and controlled access highways, **snowmobiles** may be operated on the outside banks.

7. Highways **designated** by governmental agencies. **Snowmobiles** may be operated on the following portions of highways, other than the thruway, interstate highways or controlled access state highways, which have been **designated** and posted as provided in [section 25.09](#).

- (a) Shoulders and inside banks. On the shoulders and inside banks of such highways or portions thereof so **designated**;
- (b) Roadways. On roadways of such highways or portions thereof in case the outside banks or shoulders are determined by the governmental agency to be impassable or non-existent by reason of prevailing snow conditions or conditions of terrain;
- (c) Access areas. On such highways, for a distance of not to exceed five hundred yards when in the determination of the governmental agency concerned it is otherwise impossible for **snowmobiles** to gain access to areas or trails adjacent to the highway, for the purpose only of gaining access to and from the areas of operation.

8. Limitation on highways operation. (a) No person shall so operate a **snowmobile** on any highway, when otherwise permitted, between sunset and sunrise except on the right side of such right of way and in the same direction as the highway traffic or the nearest lane of the roadway adjacent thereto.

(b) When operation on a roadway is permitted by any provision of this article, **snowmobiles** shall travel in single file, shall not ride tandem or abreast each other except in overtaking another **snowmobile**, and shall travel on the right side of the road in the same direction as the flow of vehicular traffic.

(c) No person shall operate a **snowmobile** on or across a highway while pulling a person on skis or drawing or towing a sleigh, sled or toboggan which carries or transports any person. No person on skis shall be pulled by, and no person shall ride on or in a sleigh, sled or toboggan which is being towed or traileed by a **snowmobile** on a highway.

(d) No person shall operate a **snowmobile** on the frozen surface of public waters within one hundred feet of a person, including but not limited to a skater, not in or upon a **snowmobile** or within one hundred feet of a fishing shanty or shelter except at the minimum speed required to maintain forward movement of the **snowmobile** or on an area which has been cleared of snow for skating purposes unless the area is necessary for access to the public water.

(e) No person shall operate a **snowmobile** within one hundred feet of a dwelling between twelve o'clock midnight and six o'clock a.m., at a speed greater than minimum required to maintain forward movement of the **snowmobile**.

9. Emergency vehicle. The provisions of this section shall not apply to operation as emergency vehicle.

Credits

(L.1972, c. 660, § 1. Amended L.1973, c. 400, §§ 85, 86; L.2000, c. 120, § 4, eff. July 11, 2000; L.2002, c. 630, § 1, eff. Oct. 9, 2002; L.2005, c. 201, § 1, eff. July 12, 2005; L.2005, c. 226, § 1, eff. July 19, 2005; L.2006, c. 77, § 1, eff. June 7, 2006, deemed eff. July 12, 2005; L.2012, c. 324, § 1, eff. Aug. 1, 2012.)

McKinney's P. R. H. P. L. § 25.05, NY PK REC § 25.05
Current through L.2015, chapters 1 to 589.

McKinney's Consolidated Laws of New York Annotated
Parks, Recreation and Historic Preservation Law (Refs & Annos)
Chapter 36-B. Of the Consolidated Laws (Refs & Annos)
Title D. Snowmobiles
Article 25. Control Provisions

McKinney's PRHPL § 25.09

§ 25.09 Operation on highways and public lands; authorization by governmental agencies

Effective: July 11, 2000

[Currentness](#)

1. Highways. (a) Highways or portions thereof upon which snowmobile travel is permitted, when designated by a governmental agency as provided in [section 25.05](#), shall be so designated, in the case of state highways by the state agency or authority having jurisdiction to regulate traffic thereon, in the case of county highways within a town outside of a city or village by the town governing body, in the case of county highways within a city or village by the city or village governing body, and in the case of city, town or village highways, by the city, town or village governing body, respectively. No county highway shall be designated without the prior written approval of the county superintendent of highways or commissioner of public works, as the case may be. Such designations shall be by regulation or order, if by a state agency or authority and by local law or ordinance, if by a governing body.

(b) Such designated highways or portions thereof shall be identified by markers in such manner as may be provided by rules and regulations of the commissioner.

(c) All signs or markers shall be in conformity with the manual of uniform traffic control devices, and shall be erected at the expense of the state or municipality, provided however, that the municipality may accept funds or contributions therefor from private persons, clubs or associations interested in the promotion of snowmobiling.

(d) Any regulation, order, local law or ordinance which designates a highway or portion thereof which may be used for snowmobile operation may include rules and impose restrictions and conditions, not inconsistent with the provisions of this article, for the regulation and safe operation of snowmobiles on the highways so designated. Such regulation or order of the commissioner of transportation or local law or ordinance of a municipality may establish the minimum age of the operator and other reasonable requirements for operation on such highways, but may not require the operator of the snowmobile to possess a motor vehicle license and may not impose a fee for the use of such highways.

2. Property other than highways. In designating public lands, waters and properties other than highways which may be used for snowmobile operations, a governmental agency, other than a municipality, by regulation or order, and a municipality, by ordinance or local law, may impose restrictions and conditions, not inconsistent with the provisions of this article, for the regulation and safe operation of snowmobiles on such public property, such as travel on designated trails, proof of liability insurance coverage for the snowmobile, minimum age of the operator, hours of operation, and other reasonable requirements, but may not require the operator of the snowmobile to possess a motor vehicle operator's license or impose a fee for the use of such public lands or waters or access thereto, except the usual charge, if any, for the admission to such property, parking privileges or services provided.

3. Copies of all regulations, orders, local laws or ordinances adopted by such governmental agencies shall be filed with the office.

4. The provisions of this section shall not apply to operation as emergency vehicle.

Credits

(L.1972, c. 660, § 1. Amended L.2000, c. 120, § 6, eff. July 11, 2000.)

McKinney's P. R. H. P. L. § 25.09, NY PK REC § 25.09

Current through L.2015, chapters 1 to 589.

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Strengths, Weaknesses and Opportunities v1

From Farmers Workshops (February 2016)

Key

Green= Highest ranked strengths (3 or more priority stickers)

Yellow=Moderate ranked strengths (2 priority stickers)

Gray=Lower ranked strengths (1 priority sticker)

No Color= Identified by farmers, but not prioritized

Strengths (in order prioritized by farmers):

- Diversity of agriculture – of crops, of markets, of sizes of farms, of types of farms
- Strong community that is built upon and supportive of agriculture, strong history of ag in County
- Strong support among community at all levels – neighbor, town, county
- Ag infrastructure and ag businesses that support farms still intact and strong
- Soil, water, climate, natural resources support agriculture
- ASA
- Small, family farms
- Washington County Fair
- Agriculture's role in the County's look, aesthetic appeal, beauty
- Positive attitudes about farming here
- Cornell Cooperative Extension
- Hunting, fishing and recreational lands provided by agriculture
- Location of County in relation to markets
- Ag's role in quality of life
- Location in the Capital District
- Cost of land
- Family history of farming
- FFA/4-H programs
- Farmers work together and have good communication
- Access to capital resources
- Farm has significant role in the economy of the area
- Skilled and hardworking farmers
- Lack of development compared to other areas nearby
- Farm and ag-tours

Weaknesses/Challenges

- Lack of education of public about farming
- Lack of internet and broadband
- Bureaucracy and over-regulation/restrictions
- Development
- Taxes and unfunded mandates
- Lack of access to low cost capital
- Competition of land among farmers and with non-farmers
- Labor costs are high
- Animal rights activists
- Difficulties for first time and new farmers for land access and capital
- Difficulties finding labor
- Lack of ways to market effectively downstate
- Public perception that food is expensive
- Shrinking profits and high costs of farming
- Aging farmers
- Need to get all farmland protected in County
- Lack of food hub and aggregation
- Lack of school budget for ag education
- Lack of transition and succession planning
- Farmer and non-farmer conflicts
- Lack of funding for CCE
- Lack of control over dairy prices
- Lack of USDA slaughterhouse
- Lack of understanding by non-farmers and by farmland owners who rent land to farmers
- Need more markets to grow
- Poor attitudes by non-farmers leads to conflicts
- Limited value-added

- A variety of other challenges were identified – many of which were related to the above and include
 - Lack of education of youth about agriculture as a positive career
 - Land issues (land grab, land assessments, lacking land to expand, marginal lands not fully utilized)
 - Lack of understanding of agriculture and farming practices
 - Lack of political clout of Washington County hurts advocacy
 - Problems are beyond farmer, town or County to control

Opportunities

68 ideas were generated by farmers. There is some overlap between ideas, but the Committee will need to look fully at the list for details. However, the ideas can be organized around several central needs and themes. Marketing, aggregation/food hub, education, telecommunication improvements, and funding were the general top programs identified. Generally, farmers supported the following efforts (in order of their priority):

- Marketing and promotion including enhanced marketing/PR for County products, a coordinated system for marketing, develop a regional brand, cooperative marketing, and centralized marketing.
- Additional food processing including USDA facilities, value-added, and efforts into funding additional processing facilities needed in the County. Related to this is the desire to see more aggregation, distribution and transportation programs to help efficiently bring together, package and distribute county produce (food hubs, for example).
- Education with a variety of audiences. There is need to enhance ag education in the schools, with non-farmers, general and institutional consumers, and with the general public. This includes collaboration, internships, mentoring, and coordinated efforts.
- Cooperative buying and other methods to help reduce input costs for production.
- Infrastructure improvements mainly centered on improving broadband and internet.
- Programs to increase access to and training of labor. This is related to the broader educational needs in the county but ideas also included ideas such as a labor pool clearinghouse. Related to this was prioritization of first time farmer programs such as internships, mentoring, and capital programs.
- Promote new commodities and emerging markets with training and technical help.
- Advocate for policy and regulatory changes, especially related to labor and environmental regulations.
- Protect additional farmland and develop mechanisms to fund more programs that protect farmland.
- Help farmers use and adopt new technologies. This is related to decreasing costs, enhancing farming as a career, and helping farmers be more efficient.
- Help farmers address climate change and protection of water.



NY-Sun

NY-Sun PV Trainers Network

Planning & Zoning for Solar PV

April 19, 2016

5:00-8:00 PM

Hudson Falls High School

Hudson Falls, NY

The New York State Energy Research and Development Authority's (NYSERDA) [NY-Sun PV Trainers Network](#) and the Washington County Department of Planning and Environmental Management invite all local public officials involved in the planning, permitting, inspection, or approval processes for solar photovoltaic (PV) systems to attend the Planning & Zoning for Solar Workshop that will be held at the ~~Kingsbury Volunteer Hose Company~~ on April 19, 2016 from 5:00-8:00 PM. Refreshments will be provided. *HF High School*

Planning & Zoning for Solar PV

This workshop will discuss basic strategies to develop a policy and planning framework that supports a growing solar market. Participants will learn about public engagement techniques to support solar policies, the legal process in plan making, and nationally accepted best practices and common features found in comprehensive and other local plans.

This workshop will also review strategies and best practices for developing a clear, comprehensive, and enforceable solar permitting and regulatory framework. The workshop will present sample provisions for permitted uses, dimensional standards, development standards and definitions. In addition, the NY State Unified Solar Permit will be reviewed. Policymakers who complete this course are eligible to receive complementary one-on-one technical support in designing and implementing smart solar policy in their local jurisdiction.

Presenter: Jessica Bacher, Pace Land Use Law Center

Where: Hudson Falls High School, Large Cafeteria, 80 E Labarge St, Hudson Falls, NY 12839

When: April 19, 2016, 5:00-8:00 PM

To Register: <https://www.eventbrite.com/e/solar-pv-planning-and-zoning-hudson-falls-tickets-22799149871> *Note- There is a \$10 charge for this event.

For Questions Contact: Layne Darfler, Planning Clerk, Washington County Planning Department, 518-746-2290, ldarfler@co.washington.ny.us

Course Credits: This course may qualify for credit hours toward meeting the NY State mandatory training requirement for local planning and zoning board officials. Check with your municipality for further information. Attendance certificates will be available.

About the program: *The PV Trainers Network is part of NY-Sun, Governor Cuomo's initiative to greatly increase the amount of installed solar capacity throughout New York State. Through education, training, and technical assistance, the Network helps local governments and stakeholders identify opportunities, mitigate barriers, and create programs that drive the development of solar electric (photovoltaic or PV) markets in communities across the state. Please visit <https://training.ny-sun.ny.gov/> for more information.*



WASHINGTON COUNTY
PLANNING DEPARTMENT
 Washington County Municipal Center
 383 Broadway
 Fort Edward, New York 12828
 Tel: (518) 746-2290 Fax: (518) 746-2293

Agriculture/Planning/Tourism/Community Development Committee Update

Meeting Date:
 March 8th, 2016

County Planning Board:

<i>Applicant</i>	<i>Municipality</i>	<i>Project Type</i>	<i>Description</i>	<i>Recommendation</i>
T/O Salem	T/O Salem	Adopting Zoning Ordinance	The Town is adopting a local zoning ordinance because of dissolution of Village	<ul style="list-style-type: none"> To approve with comments

Comments:

- The County Planning Board wants to commend the Town of Salem for their planning and proactive thinking in regards to this matter.

<i>Applicant</i>	<i>Municipality</i>	<i>Project Type</i>	<i>Description</i>	<i>Recommendation</i>
Andre' Hagadorn	T/O Whitehall	Site Plan	Mining operation	<ul style="list-style-type: none"> To find matter of local concern

Other Business:

Solar Training: New Location Announcement

L.D.

◆ TROY & BANKS ◆
CONSULTANTS LLC

MAR 18 2016

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March 10, 2016

**RE: New York State Municipal Cable
Franchise Agreements**

Dear NY State Cable Franchise Customer:

Through our recent audits for municipalities in western New York, we became aware of a revised form of franchise agreement being offered by Time Warner Cable. While it is always a good idea to carefully review all provisions in any new contract offered by any utility or cable company, there is one provision in this new form which we believe needs your careful analysis.

As you will see in the enclosed copy of a page from a more recently executed cable franchise agreement, Section 9 ("Franchise Fees") has a new provision. Subpart D states: **"No auditor engaged by Grantor shall be compensated on a success based formula, e.g., payment based on a percentage of an underpayment, if any."**

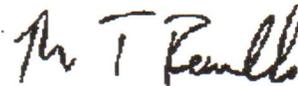
This provision is obviously intended to preclude your municipality from hiring Troy & Banks on a contingency fee basis and to discourage audits. Our apparent success has caused the cable company to try and prevent our municipal customers from using our services "risk free".

We think that this provision interferes with the ability and obligation of municipal leaders to discharge their obligations to taxpayers. We know that the resources of our municipal clients are limited. We also know that auditing compliance with the franchise agreement is time consuming and complicated. We offer our services on a success based formula in recognition of these facts.

While we are willing to be engaged on a flat fee or hourly fee arrangement, we believe that your municipality should have a choice. This provision of the cable franchise agreement makes that choice for you and we think that is an inappropriate interference with your discretion. (See Channel 7-WKBW News Report - <http://www.wkbw.com/news/audit-time-warner-owes-wny-communities-big-money>)

We urge you to review any new form of cable franchise agreement with your municipal attorney. If you have any questions or wish to discuss this with me, please let me know.

Sincerely,
TROY & BANKS LLC



BY: _____
Thomas T. Ranallo, Manager

RECEIVED

MAR 21 2016

WASHINGTON COUNTY
ATTORNEY'S OFFICE

TTR/mbp
Encl.

SEE BELOW

- 7.3 Confidentiality. Grantor shall maintain as confidential any information provided to it by Grantee under the terms of this Franchise which Grantee has designated as confidential. In the event that Grantor believes at any time that it is required by law to disclose such information to a third party, Grantor will so notify Grantee at a time prior to any such disclosure that affords Grantee a reasonable opportunity to take such action as it deems necessary to prevent such disclosure, including seeking relief in court.
- 7.4 Reporting. Any report required by this Franchise may be satisfied with system-wide statistics, except for reporting requirements related to franchise fees and customer complaints.

SECTION 8. CONSUMER PROTECTION PROVISIONS.

- 8.1 Rate Regulation. Grantee's rate and charges for cable service shall be subject to regulation in accordance with Federal law.
- 8.2 Customer Service.
- A. Grantee shall comply with the cable customer service and consumer protection standards of the FCC and NYSPSC.
- B. Any bill, notice or other communication provided or issued by Grantee to any Subscriber may be provided or issued, if such Subscriber so consents, solely by electronic means.

* SECTION 9. FRANCHISE FEES. *

- A. Grantee shall pay to the Grantor a franchise fee in an amount equal to five percent (5%) of Grantee's Gross Revenues.
- B. Payments due the Grantor under this provision shall be computed at the end of each calendar year. Payments shall be due and payable for each year not later than February 15 of the following year. Each payment shall be accompanied by a brief report of Grantee's Gross Revenues for the preceding year.
- C. No acceptance of any payment shall be construed as an accord that the amount paid is in fact the correct amount, nor shall such acceptance of payment be construed as a release of any claim the Grantor may have for further or additional sums payable under the provisions of this Agreement. All amounts paid shall be subject to audit and recomputation by the Grantor.
- * D. No auditor engaged by the Grantor shall be compensated on a success based formula, e.g., payment based on a percentage of an underpayment, if any. *

CITY & REGION

Wednesday, March 2, 2016 THE BUFFALO NEWS

Time Warner audit nets windfall for Cheektowaga

BY HAROLD McNEIL

NEWS STAFF REPORTER

Cheektowaga recently came into a tidy windfall from Time Warner Cable – about \$420,000.

Town officials might not have even known about the money the town was owed if – like many other Erie County municipalities – Cheektowaga had been forced to hire an auditor on a flat-fee basis, instead of on commission.

Why would that matter?

If there's a flat fee, it's a gamble for the town. The cost can be as much as \$15,000, according to an outside auditor, and they might not find anything. That often discourages towns from pursuing an audit.

But Cheektowaga's contract with the cable company allowed the town to pay an auditor a percentage of what the town is owed.

Last fall, the Cheektowaga Town Board hired Troy & Banks to go over Time Warner's books from the period covering Dec. 31, 2009, to Dec. 31, 2014, and found the cable company had shorted the town by about \$420,000 in franchise fees that were mistakenly diverted to neighboring municipalities.

At its first meeting of 2016, the Town Board unanimously agreed to accept a \$420,956 settlement from Time Warner.

Not every town or village for which Time Warner collects franchise fees is

contractually in a position to do what Cheektowaga did, said Troy & Banks president Thomas Ranallo.

"If you're not an astute municipality, they sneak in their franchise agreement a clause that precludes municipalities from hiring a performance-based auditor," Ranallo said.

Amherst has a dispute with the cable company over franchise fees that Time Warner says it overpaid to the town. As a result of the terms of its agreement with Time Warner, Supervisor Barry A. Weinstein said the town is limited in its recourse.

"We have a contract with Time Warner which does not allow us to do an audit on a contingency basis, and that is what held us back from investigating," Weinstein said.

According to Ranallo, there are many local municipalities that either are or have been in a similar predicament because their cable franchise agreements explicitly disallow third-party audits of Time Warner's books that are done on a contingency basis.

Such towns, if they want to challenge Time Warner, are forced, by contract, to hire an auditor at a flat fee of between \$10,000 to \$15,000, Ranallo said.

"Most municipalities won't come up

with the fee to do the audit because they don't know where to find the money (in their budgets)," he added.

Some also may be discouraged from expending the funds if there is no guarantee that an audit will yield a settlement. Weinstein said Time Warner, in a recent letter to the town, requested a refund for an alleged overpayment of between \$1,000 and \$2,000 in franchise fees the cable company said it paid to Amherst that should have gone to West Seneca.

"The West Seneca letter is what jolted us on this," Weinstein said. "We can't just give money away back to Time Warner Cable without making sure that we're being treated fairly."

He said the town may end up hiring an auditor on a flat-fee basis, though it has previously had audits of its various other utilities done on a contingency basis.

Cheektowaga Councilman James P. Rogowski, who also is chairman of the Town Board's cable utilities committee, said Cheektowaga has scrupulously avoided having terms in its contracts with various utilities that restrict the town to flat-fee audits.

"We have the right to audit their books with third-party (auditors) at no cost to the taxpayer ... Troy & Banks does it for free, but if they find money they get a percentage of what they find," Rogowski said.

"That was something that was negotiated before I even got on the Town Board,"

added Rogowski, who has been on the Cheektowaga Town Board for 10 years.

Troy & Banks, which specializes in auditing utilities, has performed cable franchise audits for North Tonawanda, Amherst, Lancaster, Niagara Falls, Grand Island, the Town of Tonawanda, West Seneca, Orchard Park, the Town of Niagara and Buffalo.

Ranallo said some municipalities are unaware of the restrictions against performance-based audits that are contained within their agreements with Time Warner.

"These agreements are voluminous," he said. "Any municipality should carefully review their franchise agreement. Personally, they should not be told that they cannot use a performance-based auditor. They're just taking away the ability for the municipality to use a guy like me on a performance basis, because we really go after everything."

"Performance-based auditors are much more aggressive, because if we don't find anything – we could work for days and weeks and come up with zero – to take away that option for a municipality, I don't think is fair," Ranallo added.

Repeated attempts to reach Time Warner on Monday and Tuesday were unsuccessful.

email:

hmcneil@buffnews.com

Amherst also has dispute with cable company