1. **Roll Call** - Chairperson Seager called the meeting to order at 3:20 p.m.

   PRESENT: Legs. K. Seager, chair; B. Brown, T. Bullard, W. Lindsey, D. Rath, P. Santore
   GUESTS: Legs. Morris Sorbello and Carl Anson; Linda Middleton; L. Michael Treadwell; Ed Donogan; Sam Hershey; Mike Yerdon; Steve Delante
   STAFF: Carol Box, recording secretary; Phil Church, Brian Frazier, Christine Gray, Bruce Clark

2. **Approval of Minutes of October 28** – Motion by Leg. Santore to approve, seconded by Leg. Rath. Santore, aye; Brown, aye; Seager, aye; Bullard, aye; Rath, aye, Lindsey, aye. All in favor, motion passed.

3. **Public Comment** – Ed Donogan, Reliant Energy Land Use Coordinator, stated that he asked to be on the meeting agenda to discuss Reliant Energy’s land use policy on the Salmon River Reservoir, and then noticed that there was a resolution on the agenda about the matter. He asked Ted Jerrett to fax him a copy of the resolution this morning. There is some information in the resolution that is not factual. He urged the committee to refrain from passing the resolution until further discussion could be held.

   Mike Yerdon, Redfield Town Supervisor, stated that the town board was not contacted by anybody from the County about the resolution and that the town should have input. Chairperson Seager stated that there were two different versions of the resolution, and that a third version that merges the other two is under review by County Attorney Bruce Clark.

   Steve Delante of Land First Inc., a real estate agency, stated that he urges the legislature to pass this resolution. He stated that economic development in the county will be hindered by the changed land use plan. When the Niagara Mohawk deed restrictions were transferred to Reliant Energy, the intention was to keep the historic management of the reservoir the way it was. The FERC process for major change is a yearlong process. Only the Town of Redfield has been made a part of the process, which has been shortened. Recreational properties and the tax base will be affected. Land First’s clients bought the properties from Land First with an expectation of recreational usage. Docks have historically been allowed. Docks will not be allowed as of the new plan. Reliant is violating the FERC agreement. They are putting “no trespassing” signs only on Land First properties, not on any other properties. Even the federal government is upset about it. They have been asked to take down the signs, in writing, but have not taken them down. The changes affect the land value. Since properties have been turned over to clients, the tax base has tripled by conservative estimates. Land First has invested money, brought in buyers from other states, which then build lakefront homes. Many are nonresidents who don’t require services. Reliant said the process would be fair and open, and that they would hold a public meeting on the weekend when out of town residents could attend. Instead, they held the meeting on a Monday at 4:00 p.m. Mr. Delante said that Sen. Wright and Assemblyman Townsend are supportive of his group’s position. He said that he himself is a landowner and soon-to-be homeowner. This is Reliant Energy’s first change of a management plan. They own 60 reservoirs across the state, Mr. Delante said.

   Chairperson Seager thanked everyone for their comments and stated that there would be discussion about the resolution further down on the agenda.
4. RESOLUTIONS AND COMMITTEE ACTIONS

A. Resolution Authorizing Chairman to enter into an agreement in relation to the Snowmobile Trail and Maintenance Program – Brian Frazier, Planning Director, stated that the Department of Planning & Community Development has administered the NYS Snowmobile Trail and Maintenance grant since 1987. He has yet to learn the exact grant amount and hopes to know in two to three weeks. This resolution authorizes the Chairman of the Legislature to enter into an agreement for the pass through funding, which may range, according to the State, between $80,000 and $120,000. The Department will distribute the funds to seven snowmobile clubs and the Highway Dept. Discussion ensued about passing just the resolution with an amendment to remove the phrase in 3rd paragraph stating “and have been notified …(of allocation amount),” and waiving the rules at the Dec. 11 meeting to pass the budget modification once Mr. Frazier is notified of the grant amount. Motion by Leg. Lindsey to approve the resolution as amended, seconded by Leg. Rath. Santore, aye; Brown, aye; Seager, aye; Bullard, aye; Rath, aye, Lindsey, aye. All in favor, motion passed.

B. Resolution Appointing Members to the Oswego County Planning Board – Mr. Frazier stated that this resolution reappoints members Terry Smith, Town of Scriba, and Arthur Jones, City of Fulton, to the Oswego County Planning Board for a standard five year term. Motion by Leg. Bullard to approve, seconded by Leg. Santore. Santore, aye; Brown, aye; Seager, aye; Bullard, aye; Rath, aye, Lindsey, aye. All in favor, motion passed.

C. Resolution Authorizing Award of US EPA Brownfield Assessment Project Professional Services Contract – Mr. Frazier stated that RFQs were sent out to 33 consultants in NYS. 15 firms responded. A work plan meeting was held Nov. 10, and 12 firms attended. The selection committee narrowed the field to 3 qualifiers, and interviewed the firms. The recommended firm to award the contract, is ENSR International, of East Syracuse. No Oswego County firms responded to the RFQ. The review committee members were: County Administrator Steve Lyman, Leg. Paul Santore, County Attorney Bruce Clark, Purchasing Director Pat Finn, County Planning Board member Carl Richardson, and Mr. Frazier. Leg. Santore stated that there were excellent proposals submitted, and it was a difficult process to narrow it down. The search committee did so by letting the paperwork defend itself in the first review, and then letting the presentations of the final three firms be a witness. Motion by Leg. Lindsey to approve the resolution authorizing the contract with ENSR, seconded by Leg. Brown. Santore, aye; Brown, aye; Seager, aye; Bullard, aye; Rath, aye, Lindsey, aye. All in favor, motion passed.

D. Resolution Designating an Annual 30-Day Period Within Which an Oswego County Land Owner May Submit to the County Legislature for Inclusion of Viable Agricultural Land Within An Existing Agricultural District – Mr. Frazier stated that we spoke of this last month in committee. New York State amended the NYS Agriculture and Markets Law to allow eligible farms to come into an existing agricultural district anytime instead of on an 8-year cycle. This would create an undue burden on Planning Boards and Cooperative Extension agencies, so the bill was amended to a once-per-year inclusion period of 30 days. County legislatures need to designate a 30-day request for inclusion period. This resolution will make the 30-day period in Oswego County be from January 15, 2004 to February 14, 2004, and thereafter commencing in 2005 shall be from January 2 to January 31. The resolution following this on the agenda will set a public hearing relative to this resolution, at the organization
meeting in January 2004. Motion to approve by Leg. Brown, seconded by Leg. Lindsey. Leg. Brown stated that if the state had let farmers apply at any time, we would have had a resolution every month. The time frame of the proposed 30-day period will give farmers who come into an agricultural district time by file for tax exemptions by March 1. Santore, aye; Brown, aye; Seager, aye; Bullard, aye; Rath, aye, Lindsey, aye. All in favor, motion passed.

E. Resolution Fixing Time and Place for Public Hearing Relative to Proposed Designation of an Annual 30-Day Period Within Which a Land Owner May Submit a Request for Inclusion of Viable Agricultural Land Within an Existing Agricultural District – Motion by Leg. Brown to hold the public hearing at the Jan. 2004 organization meeting, time and date to be determined at the Dec. 11 Legislature meeting, seconded by Leg. Lindsey. Santore, aye; Brown, aye; Seager, aye; Bullard, aye; Rath, aye, Lindsey, aye. All in favor, motion passed.

F. Hotel/Motel Bed Tax 3rd Quarter Allocations – Christine Gray, Director of Promotion and Tourism, submitted requests for committee approval of the County Bed Tax Review Committee recommendations for bed tax application funding. Recommendations include: in the City of Oswego, $6,000 for Greater Oswego Chamber of Commerce for a new tourism publication; City of Oswego, $542.80 for Harborfest; Pulaski/Richland, $4,000 for the Tug Hill Challenge Sled Dog Race; Town of Mexico, $1,515.16 for the Lake Ontario Bird Festival. Motion to approve all the funding recommendations by Leg. Rath, seconded by Leg. Bullard. Santore, aye; Brown, aye; Seager, aye; Bullard, aye; Rath, aye, Lindsey, aye. All in favor, motion passed.

G. Website Hyperlink Requests – Ms. Gray stated that Janet Clerkin has received and reviewed one request for a website hyperlink, for Wheel-a-way Motorsports. The site meets the guidelines of the County’s hyperlink policy. Motion to approve by Leg. Rath, seconded by Leg. Brown. Santore, aye; Brown, aye; Seager, aye; Bullard, aye; Rath, aye, Lindsey, aye. All in favor, motion passed.

H. Resolution Supporting Fair and Balanced Policies for the Utilization of the Salmon River Reservoir in Order to Foster Economic Development in Oswego County – Bruce Clark, Oswego County Attorney, presented a resolution he prepared at the behest of Leg. Carl Anson, who provided one version to him, and Leg. Kim Seager, who provided another resolution. The two were combined and language was removed concerning matters the county has no direct knowledge about. Chairperson Seager stated that she apologized if anyone felt left out of the process of bringing this resolution to the committee, and it is the protocol of this committee to be informed before making a decision. Leg. Rath asked if he was correct in understanding that the Reliant Energy representatives had requested the committee to table this resolution. Mr. Donogan said yes, and that the resolution which was faxed to him this morning was not factual, and the new version still contains some information that is not factual. He said we would like to present our land use policy to this board and discuss it before a resolution is passed. Docks are not prohibited by the policy, but to build a new one, homeowners must apply for approval. At the Waterbury area on the east end of the reservoir, the area dries up sometimes, and then boats are beached, and there are complaints and liability issues. Mr. Donogan stated that Reliant Energy went to the Towns of Orwell and Redfield, to the Tug Hill Commission, and to the DEC concerning the land use policy.

Chairperson Seager asked Mr. Donogan to share the policy with the committee. Leg. Rath stated that Reliant Energy is at a disadvantage. We have had this resolution for a week, and Mr. Donogan just
got it. Leg. Rath stated that he is in favor of tabling the resolution. Chairperson Seager stated that it is not this body’s job to accept Reliant’s land use policy, but it is our job to say “protect economic development.” Leg. Brown asked Mr. Clark if one owns property and has had a dock on it 40 years, is it grandfathered in our could they lose the dock? Mr. Clark stated that it depends on the deed and abstract of title, and the chains of title of the utilities. Riparian rights issues are involved, and mill rights. Mr. Clark asked if this is a draft policy. Sam Hershey, another Reliant representative present at the meeting, said yes, and that while the comment period is concluded, they are still entertaining comments. He stated that Reliant Energy initiated the voluntary submission to FERC.

Mr. Hershey mentioned the Niagara Mohawk settlement with stakeholders in the 1990s, which led to the Salmon River Greenway Corridor Plan. As part of the settlement, there was a shoreline buffer zone. Mr. Hershey worked for Niagara Mohawk at the time this was negotiated. The terms of the shoreline buffer zone includes that adjoining lands covenant to do no cutting except what was already done. Community docks could exist. Private docks have historically existed, but are not addressed in the settlement. Recently there have been a lot of encroachments, with some new land owners clear cutting right to the reservoir, which is in violation of our FERC agreement. Chairperson Seager stated that she sees this resolution as asking Reliant to do what you are now doing: to seek the legislature’s input through this committee, to consider economic development issues, and to consider the taxing jurisdictions, in the development or change of reservoir management policies. That said, does Reliant Energy still have problems with the resolution, she asked. Mr. Hershey said that at some point, Reliant needs to put some property issues to bed, and there are statute of limitations considerations.

Mr. Delante said that Mr. Donogan said Reliant is still entertaining comments, however, the official comment period ended Nov. 14. All new land owners received surveys showing FERC boundary lines. Mr. Delante said that Mr. Donogan repainted the lines without instruments. The deed restrictions for all Land First properties sold apply to property within 100 feet of FERC lines. Mr. Delante said that their model is very much in keeping with preservation of natural resources. The impact is very low. The Greenway plan recommendations are for a 350-acre property under contract with Niagara Mohawk’s Land Management Division. Land First is creating new customers for Reliant Energy. Properties are an average of 11 acres, all with a minimum 200 feet of shoreline. The Greenway plan recommended a convention center and hotel. Our model has much less impact. Mr. Delante said that Land First urges Reliant Energy to enforce regulations. He said that Niagara Mohawk’s Land Management Division clients have done more removal of timber than the deed restrictions allow.

Leg. Rath said that Reliant Energy owns the shoreline, and asked Mr. Delante if Land First is telling property buyers that they own the shoreline. Mr. Donogan said yes, they are. He said that Land First has also told clients they can build docks. A discussion followed about docks. Chairperson Seager stated that we need to refocus the discussion. Leg. Anson stated that we are getting off what the resolution addressed. Leg. Anson said that on Oct. 21, he was called by a constituent that had received a letter inviting them to a meeting on Oct. 22. The meeting was for invitees only, so Leg. Anson did not attend. Mr. Yerdon stated that if Leg. Anson would come to town board meetings he would have known about the meeting sooner. Leg. Anson stated that he received more calls from constituents, then calls from Land First. This resolution doesn’t get into the legalities of deed restrictions, etc. It simply says to follow the recommendations of the Greenway study and ten years of meetings, to designate some properties for development, and others for recreation. This resolution says please be good neighbors to Oswego County; we need development and tourism, etc. Mr. Yerdon said that this is a fairly complex issue. Most of the reservoir is in Redfield. He is not opposed to the Economic Development and
Planning Committee passing a resolution, but hopes the committee has all the facts of both sides. He was not aware of a resolution being considered until 11:00 a.m. today.

Leg. Rath said that it seems that Reliant Energy is not even being given an opportunity to be a good neighbor. Motion by Leg. Rath to table the resolution until the Economic Development and Planning Committee can hear both sides, seconded by Leg. Brown. Chairperson Seager stated that she does not support tabling this resolution, because all it does is ask Reliant Energy to have a balanced approach to the recreational use of the reservoir. Leg. Rath stated that Reliant Energy was never asked to discuss this before the resolution was drafted. Mr. Donogan stated that this is a draft policy that has not been adopted. Leg. Lindsey said he would have a concern over whether a person bought a property from Land First with certain conditions in the agreement, if the management policy makes changes to those conditions. Mr. Hershey said that there was never anything in the comprehensive agreement that there would be new individual docks allowed. Any docks existing before 1999 were grandfathered in. Leg. Anson said that if you read the draft policy, homes and cottages that have existed on Noble Shores for 50 years now have to apply for permits for existing docks and access roads by May 2004 or they will be torn down. This is just a resolution that says we like tourism in Oswego County and we like recreation. Vote on the motion to table the resolution: Rath, aye; Seager, nay; Brown, aye; Bullard, nay; Santore, nay; Lindsey, aye. The motion failed with a 3-3 vote. Motion by Leg. Bullard to pass the resolution drafted by Mr. Clark, seconded by Leg. Santore. Rath, nay; Seager, aye; Brown, nay; Bullard, aye; Santore, aye; Lindsey, nay. The motion failed with a 3-3 vote. Chairperson Seager stated that the issue will need to come before next year’s legislative committee, to be appointed in January. She instructed both parties to keep in contact with Brian Frazier, Director of Planning, regarding the committee schedule, and to provide Mr. Frazier with six copies of the draft policy and other relevant documents.

I. Resolution Appointing Members to the Oswego County District Forest Practice Board – Chairperson Seager stated that this resolution appoints Leg. Barbara Brown to be the legislative representative on the District Forest Practice Board for a term to expire Dec. 9, 2005. Motion to approve by Leg. Bullard, seconded by Leg. Rath. Rath, aye; Seager, aye; Brown, abstain; Bullard, aye; Santore, aye; Lindsey, aye. The motion passed with 5 in favor and 1 abstention.

J. Request to Public Works Committee to allow Highway Crews to Plow Oswego County Fairgrounds for the 4th Annual Great Eastern Whiteout Vintage and Antique Snowmobile Show and Race Feb. 6-8, 2004 – Chairperson Seager stated that the organizers of the Great Eastern Whiteout have asked this committee to support a request for the Public Works Committee to approve Highway Dept. crews to plow at the Oswego County fairgrounds for the Feb. 2004 event. Motion by Leg. Lindsey in support of the request, seconded by Leg. Brown. Leg. Lindsey said that this was approved last year, but due to assistance from local people, county assistance was not needed. Ms. Gray stated that the event has received coverage in a big magazine, Snooer. She said that the I Love New York Winter Festival designation is in the Tug Hill Region this winter, giving additional publicity to the event. Chairperson Seager stated that she will take the request from this committee to Public Works. Leg. Brown stated that the event brings in a lot of people. Rath, aye; Seager, aye; Brown, aye; Bullard, aye; Santore, aye; Lindsey, aye. All in favor, motion passed.

K. Resolution Pursuant to Section 122 of the Agriculture and Markets Law Authorizing the Chairman to Impose a Dog Quarantine in the County of Oswego – Motion to approve by Leg. Brown, seconded by Leg. Rath. Rath, aye; Seager, aye; Brown, aye; Bullard, aye; Santore, aye; Lindsey, aye. All in favor, motion passed.
L. Resolution Allocating Hotel or Motel Occupancy Tax Revenues and Providing Distribution of Occupancy Tax Revenues for 2004 – Chairperson Seager stated that she is amending the agenda to add this resolution. The resolution was passed by the committee at the Nov. 20 budget meeting, however there were minor language and date corrections. Motion to approve by Leg. Santore, seconded by Leg. Brown. Rath, aye; Seager, aye; Brown, aye; Bullard, aye; Santore, aye; Lindsey, nay. The motion passed with 5 in favor and 1 opposed.

M. Operation Oswego County IDA Loan Requests – Chairperson Seager stated that she is amending the agenda to add IDA loan requests. Mr. Treadwell is at a meeting, and this item will be addressed when he arrives.

5. OLD BUSINESS

A. Planning/Zoning Training Update – Mr. Frazier stated that last Thursday, 45 people attended training provided by NYS Department of State. Two state representatives, including a land use planner and an attorney, provided the training. They will return for two training sessions in 2004. The training was quite well-received. On Dec. 3 at 4 p.m., there will be audio training at Cornell Cooperative Extension on Green Infrastructure.

B. Snowmobile Update – Mr. Frazier said that this was basically covered in the discussion about the trail maintenance grant. Through a verbal agreement with the Fulton Area Snow Travelers Club, the private club will groom the County Recreation Trail from County Route 6 to US Route 11, which will save the County money. If another club will take it from there to the County line, it will be even better. Highway only has one groomer and two employees to drive it. Ms. Middleton said she has heard that there are signs up in Happy Valley saying that ATVs are permitted.

C. Development Projects/239 Reports – Mr. Frazier listed a number of projects submitted for approval, including a chicken bbq place in New Haven, a day care center in Palermo, a dry goods store in Pulaski, and an automotive repair garage in Richland. He said that the Fulton Comprehensive Plan is proposing significant zoning amendments. There will be a hearing Dec. 2 about it.

6. NEW BUSINESS

A. Preliminary Report on the Economic Impact of Tourism on Northern New York – Ms. Gray stated that this preliminary report by the Northern New York Tourism Research Center is the culmination of a year of work interviewing visitors to the 1000 Islands-Seaway Region and the Adirondack Region. Average tourism spending is $75 per person per day in the 1000 Islands-Seaway Region. This is the beginning of the report. It is the first data that we have had on the economic impact of tourism for Northern New York, which can be provided to small businesses for use in developing business plans. Leg. Santore said this is wonderful information and we need to get it out in newspapers and provide the information to new legislators. Ms. Gray stated that Laurie Marr, director of the Tourism Research Center, has issued a news release, and we will also send one out. An orientation will be planned for new legislators, to include this data.
4.  RESOLUTIONS AND COMMITTEE ACTIONS – Continued

M.  Operation Oswego County IDA Loan Requests – Mike Treadwell, Executive Director of Operation Oswego County, presented requests for committee ratification of two IDA loans. One is an IDA PILOT RLF loan for Winter Harbor, LLC, in the amount of $70,000, for the first phase of an expansion project that consists of the expansion of docks at the heated boat storage complex in the Town of Hastings. The second phase will be a 39,000sf expansion on a 1.8 acre site. The docks will increase customer service and efficiency. The loan term is 10 years at 4%. Five years ago when this business opened, it was the first heated boat storage facility in the Northeast.

The second request is for an IDA MEP RLF loan for Sunset RV Park, Inc., for $15,000 with a term of 5 years at 4%. The project involves the acquisition of Sunset Cabins located in the Town of Oswego and to make significant improvements to the property and 6-acre site. The RV Park has 16 cabins and 25 campers/RV sites. Improvements will include a service building with laundry, rest rooms, showers, a swimming pool, a playground, miniature golf, picnic area and a nature trail. Motion by Leg. Rath to approve both loans, seconded by Leg. Bullard. Rath, aye; Seager, aye; Brown, aye; Bullard, aye; Santore, aye; Lindsey, aye. All in favor, motion passed.

6.  NEW BUSINESS - Continued

B.  Wild Women Weekend Event Update – Ms. Gray updated the committee on the Oct. 17-19 “Wild Women Weekend” event. Organized by Yvonne Kopy, the event gave women an opportunity to learn about and experience a variety of outdoor recreational activities. The event received a TDIF grant, and the Department of Promotion & Tourism assisted with publicity. Ms. Gray was a judge at a competition the last day of the event. She noted that there were 128 participants from 9 different states, and they were all very enthusiastic. Many have already committed to attend next year. The weekend received great coverage in Rochester and Albany newspapers. Mark Emery, a National Geographic photographer, was one of several guest speakers.

C.  Budget Reports (JD 905/906 dated 11/13/03) – Sent in packets.

Chairperson Seager noted that there will be a public meeting Dec. 3 in Syracuse, hosted by the Erie Canalway National Heritage Corridor Commission, to give input to the consultants working on the corridor’s Preservation and Management Plan and Environmental Documents. This is extremely important, and will give more recognition to destinations along the canal corridor.

Ms. Gray informed the committee that the December issue of Life in the Finger Lakes magazine has a 6-page article on Safe Haven.

7.  Adjournment – Motion to adjourn by Leg. Lindsey, seconded by Leg. Rath. All in favor. The meeting adjourned at 4:55 p.m.

Approval February 4, 2004

Motion to approve the minutes as submitted, by Leg. Bullard and seconded by Leg. Santore. Seager, aye; Bullard, aye; Santore, aye; Beckwith, aye; Brown, aye; Hoefer, aye. All in favor, motion passed.