

STEBEN COUNTY AGRICULTURE, INDUSTRY & PLANNING COMMITTEE

Monday, February 5, 2007

11:00 a.m.

Legislative Committee Conference Room

Steuben County Office Building

Bath, New York

****MINUTES****

COMMITTEE: Donald B. Creath, Chair DeWitt T. Baker, D.V.M., Vice Chair Dan C. Farrand
Kenneth E. Isaman Thomas J. Ryan

STAFF: Mark R. Alger Amy Dlugos Twila O'Dell
William J. Partridge Chris Kane David English
Frederick H. Ahrens, Jr.

LEGISLATORS: Philip J. Roche

OTHER: James P. Sherron, Executive Director, Steuben County Industrial Development Agency
Mary Perham, *The Leader*
Dave Shoen, *WENY*

I. CALL TO ORDER

Mr. Creath called the meeting to order at 11:00 a.m.

II. PUBLIC COMMENT

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

III. CORRESPONDENCE

Mr. Creath distributed a copy of a letter written by Graham and Dee Wightman to both Assemblyman Bacalles and Senator Winner voicing their opposition to the legalization of rifles for big game hunting in Steuben County. He also distributed a copy of a letter written by Kenneth L. Baer to the Editor who also was voicing his concerns regarding the legalization of rifles for big game hunting.

IV. OUTSIDE AGENCY REPORTS

A. Steuben County Industrial Development Agency

1. **Windmills** – Mr. Sherron distributed a handout depicting the status of various windmill projects throughout Steuben County. Ecogen is looking at placing a wind farm in both Prattsburgh and Italy. The Town of Italy has as this point not written a letter of support. The Ecogen project in Prattsburgh is moving right along and they anticipate breaking ground in 2007.

Clipper Winds is looking at projects in both the Town of Hornby in Steuben County and the Town of Orange in Schuyler County. Clipper Winds has a number of projects going throughout the country, which has slowed down their progress in Hornby, but they are ready to start up again and will be proceeding at a much more rapid pace. Airtricity has proposed doing projects in both the town of Hartsville and Hornellsville, however, they have only received a letter of approval from the Town of Hartsville.

Mr. Isaman commented the Town of Hornellsville has sent out a survey/study to their residents, which they will review at their Board meeting on February 13, 2007. They are also looking at the laws and have hired a legal firm from Albany to help them develop laws for windmills and to tweak their zoning laws. Mr. Sherron commented we will not go forward with the Town of Hornellsville until we receive a letter of support.

Mr. Sherron stated Global/UPC have a partnership for two projects in the towns of Prattsburgh and Italy. The project for Prattsburgh is a go and we expect to have the final EIS within two weeks. They will break ground during 2007. The Town of Cohocton is acting as lead agency for the Canandaigua Power Partners project in the Town of Cohocton.

Everpower is looking to do a project in the Town of Howard and we are expecting to receive the draft EIS this month. We are insisting that we receive it before our Board meeting so that the board members and our consultants can review it. Mr. Sherron commented that it is very difficult to give an estimate on the total number of towers and wattage as those numbers are constantly changing. We are working under the premise that they will enjoy the same benefits as if they were in the Empire Zone. They will be assessed full value and pay taxes according to that.

Mr. Isaman asked has the Town of Italy not been challenged? Mr. Sherron replied they have been. They are saying at this point that they are not putting a project there. They may change their mind. Mr. Isaman asked is an Empire Development Zone a possibility for these projects? Mr. Sherron replied yes. They are not taking our acreage, but they will be targeted as if they were. The applications won't go to the local Empire Zone, but instead will go to Empire State Development.

2. **Industrial Park** – Mr. Sherron informed the committee that ten years ago when he became Director, we had talked about the Steuben County Industrial Development Agency taking ownership of the park and having something to offer to potential businesses coming to the area. We put together a shovel ready program and contributed \$50,000 and the Empire State Development contributed \$50,000 and we cleaned it up. We have been keeping up the rail to that point at least in operational condition as was utilized when they brought in the components for the Jail Expansion Project. That area is so important because of the rail services. Businesses are looking for access to the interstate and it's still a good site.

Mr. Sherron commented we had Industrial Gasket that were going to build a plant and decided to move their operations out-of-state. Then Bath National Bank was going to build a data processing center. The plans for that project were completed, but then they were sold. We had a diesel manufacturing facility that did plans and they needed rail services. They found that on the Addison Road. As they were going to have a lot of truck traffic, they didn't want to have it go through the Village of Bath. Then we had the Pastof Facility that was interested in our park over a year ago. They had a 24-hour operation that was going to employ 120 people. The principals came twice and looked at our property and we were looking at how to accommodate them. However, they were very sensitive to electric rates and it didn't make sense for them to come to this area.

Mr. Sherron stated then we focused on looking for someone what wasn't as sensitive to the electric rates and we came up with Smart Systems. They have since decided to stay in the building where they are currently located. We are hopeful they will still go forward. We are not doing anything different than we have in the past. We still have something that we can throw out there. We have other small projects located in the county.

Dr. Baker asked are the electric rates a big factor? Mr. Sherron replied they were for the industry that was thinking of coming here and needed multiple ovens, etc. When that industry ran the numbers, they determined it would cost them \$20 million more to operate here, then to go somewhere else. With other companies, such as Smart Systems, it's not such a factor, but if the business requires a lot of electricity, then it is tough.

Dr. Baker asked is there anything that can be done? Mr. Sherron replied we did set up a meeting with NYSEG and municipal electric. We did have an agreement years ago with NYSEG that they would allow the municipal electric to bid against it. However, he has had a problem resurrecting that agreement.

Mr. Creath asked what about alternative fuels? Mr. Sherron replied there is Bell Independent Power that is interested in having an ethanol operation, however, that is difficult as you have the question of how to get the product up the hill. We have the railroad and perhaps someone could build a conveyor system. There is also the question of how much acreage is required to support the plant. These types of plants require a lot of acres. That is the issue we have.

Mr. Farrand passed around articles he found regarding ethanol and bio diesel plants. He stated that Ithaca has a \$10 million grant to set up a lab to look into further plant development.

Mr. Sherron stated there has been talk of creating ethanol through cellulose, which makes more sense. To bring one million acres of corn into production is tough. We want to support whatever might be out there. With the Avoca Gas Project, we have 1,000 acres. We have allotted 40 of those acres to Bell Independent Power.

Mr. Farand complimented Mr. Sherron on the work he has done in bringing various factories and companies to our area to consider our industrial park.

V. DEPARTMENTAL REPORTS/REQUESTS

A. Planning

1. **Agricultural Districts** – Ms. Dlugos reported that they are doing their annual 303B adoption of amendments to Agricultural Districts, which ends February 15, 2007. They have received two applications. She requested the adoption of a resolution authorizing a public hearing on land submitted for inclusion in certified agricultural districts.

MOTION: AUTHORIZING A PUBLIC HEARING ON LAND SUBMITTED FOR INCLUSION IN CERTIFIED AGRICULTURAL DISTRICTS DURING THE 2007 ANNUAL THIRTY-DAY PERIOD MADE BY DR. BAKER. SECONDED BY MR. FARRAND. ALL BEING IN FAVOR. MOTION CARRIES 5-0. Resolution Required.

B. Administrator

1. **Health Care Facility** – Mr. Alger stated last month the Legislature passed a resolution regarding the Health Care Facility. We are in pursuit of the replacement of the roof at the Health Care Facility and he has had a discussion with the Public Safety & Corrections Committee about combining the two roof replacements. We are proceeding in that fashion and continuing that project. He expects that they will see a resolution this month or next month. Mr. Alger requested that this committee allow the Public Safety & Corrections Committee to assume the responsibility of the replacement of the Health Care Facility roof as they will be overseeing the replacement of the Jail roof.

MOTION: ALLOWING THE PUBLIC SAFETY & CORRECTIONS COMMITTEE TO ASSUME OVERSIGHT OF THE ROOF REPLACEMENT AT THE HEALTH CARE FACILITY IN CONJUNCTION WITH THE ROOF REPLACEMENT AT THE JAIL MADE BY MR. FARRAND. SECONDED BY DR. BAKER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

VI. OTHER BUSINESS

A. Rifle Hunting – Mr. Creath commented the State law that is being proposed is for Yates, Steuben and Schuyler counties. The old rule is slug shot rifles for deer hunting. Every other county is allowing rifles and semi-automatics. Bills are currently being prepared to upgrade the laws for Yates, Steuben and Schuyler counties. Mr. Creath stated that he has talked with Assemblyman Bacalles and these bills are at the point of being presented to the Legislature. Do we want to consider this question and made any statement of position?

Mr. Farrand commented prior to these individuals writing to Senator Winner, his office had contacted several sportsmen's federations the first time that these bills had been offered up about four years ago. All of the sportsman's federations came back and said they didn't have an opinion. At that time, the Senator did not introduce those bills for our area. After it was passed, it came about that several of the federations in the County were upset that we were not included. We reminded them at the time we contacted them they didn't have any opinions either way. They felt we needed to have equal footing and a resolution was sent to the Senator and Assemblyman and that's how the second bill came about.

Mr. Ryan commented the federations are unanimous in their support of this legislation. Mr. Farrand stated he can understand those individuals writing and being against this, but the majority of the sportsmen are for it and he doesn't want to turn his back on them. We could put feelers out to the federations ourselves. He commented that Mr. Creath, as Chairman of the committee could send out a letter to the sportsman federations asking for their input.

Mr. Ryan stated he is the secretary for the Sportsman's Federation, so Mr. Creath could send the letter directly to him. We could have members of the federation come in next month.

Mr. Farrand stated last year, Allegany County did not have one incident happen as a result of the new law. With the shortage of hunters today, you will have experienced hunters who will be using the rifles.

Mr. Ryan commented the safe hunter education programs are very well done. It is a two-day course and all participants must pass a written test. Statistics show that hunting accidents have gone down since we have had the hunter education course.

Mr. Creath commented there is a separate legislative initiative to lower the hunting age to 12. Dr. Baker commented 12 is too low. Mr. Ryan stated a lot of it is a cultural thing. Rural folks have hunting traditions that go back years. Mr. Creath stated the age legislation carries a requirement of parental permission and that they have to hunt in the company of an individual 18 years or older. Mr. Farrand stated that is for big game hunting. They have to have the hunter safety course and be accompanied by a parent or guardian.

The consensus of the committee was to have Mr. Creath, in his capacity as Chairman of the AIP Committee, write a letter to all of the sportsman federations in the County asking for their opinion about these legislative initiatives and to invite anyone interested to speak, to the March meeting. The committee determined that a letter should also be sent to the Steuben County Farm Bureau.

Mr. Alger commented it is important to note that with the use of handguns for sporting now, some inline handguns are essentially a rifle. It's a mix right now. Opening it up to general rifle is not much different.

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

MOTION: APPROVING THE HALL OF FAME NOMINATIONS AS SUBMITTED BY THE HALL OF FAME COMMITTEE AND FORWARDING TO THE FULL LEGISLATURE FOR THEIR REVIEW AND APPROVAL MADE BY DR. BAKER. SECONDED BY MR. ISAMAN. ALL BEING IN FAVOR. MOTION CARRIES 5-0.

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

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

Respectfully Submitted by:

Amanda L. Chapman
Senior Stenographer
Steuben County Legislature

NEXT MEETING SCHEDULED FOR
****PLEASE NOTE CHANGE** Tuesday, March 6, 2007 **PLEASE NOTE CHANGE****
@ 11:00 a.m.

Please send agenda items to the Clerk of the Legislature's Office
NO LATER THAN NOON
Monday, January 29, 2007.