

HEADWATERS

NEW YORK STATE TUG HILL COMMISSION

2014 NEWSLETTER - 2013-14 ANNUAL REPORT - Issue 51

THE EVOLUTION CONTINUES

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The Commission begins another chapter in its story as three Tug Hill sages are recognized and the organization's third executive director retires. At the Commission's annual meeting in May, the Commissioners honored Robert McNamara, George Getman, and George Capron as the 2015 Tug Hill Sage inductees. Attendees were also able to enjoy a retrospective from Milain Smith, one of the



Standing from left: George Capron, Ben Coe, Robert Sauer, Robert McNamara. Seated from left: George Bibbins Sr., Milain Smith, Bonnie Colton, Warren Mathis. Absent: George Getman.

founding Tug Hill Commissioners in the 1970's. Milain was proud of the foundation laid in 1972 of local, grassroots assistance to Tug Hill's communities, and was clearly pleased to see how the Tug Hill region has evolved and the continued success of the Commission in the 21st century.

Robert McNamara of Cleveland is an artist, photographer, and writer who shares a piece of the Tug Hill second generation wilderness with many of the species that inspire his work. Bob has been on Tug Hill Tomorrow Land Trust's board for many years and leads hiking adventures on Tug Hill on a regular basis. He was the editor, contributing artist and writer of *Tug Hill, A Four Season Guide to the Natural Side*.

George Getman grew up in Turin and has been a man of the woods his whole life.

He began George Getman Logging with his wife Lucille in the 1950's and hauled pulp for Gould Paper Company, which later became Georgia Pacific and Lyons Falls Pulp & Paper. He also spent many years working for the Northern Lumber Company, International Paper Company and Adirondack League Club. In 1985 NYS DEC named George New York's Timber Harvester of the year.

George Capron from Boonville has been the voice of the Black River Valley for over 50 years. He started working at WBRV in Boonville at the age of 19 and is still serving the area with his daily radio program. George is also an avid snowmobiler and is a long standing member of the Lost Trails Club.

With only three executive directors serving the Commission over its 42-year history, it goes without saying that Tug Hill inspires dedicated Commission staff. John Bartow served as the Commission's third executive director for over 11 years, and effectively led the organization through many changes at the state level. Most notably, John worked tirelessly to restore the Commission to the NYS budget during 2010-11 budget negotiations. At that time, Tug Hill communities rallied together to make it clear that the Commission serves an important role both in their day-to-day operations and on



Left to right: John Bartow, Jr., Ben Coe, and Bob Quinn.

a regional and state-wide level. John leaves behind big shoes to fill, and the Commissioners are working hard to identify the right candidate for the job.

Meet the Tug Hill Commission Staff

Commission staff provide support to Tug Hill councils of governments in community and economic development, land use planning, natural resource management, geographic information systems (GIS) and related fields.

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“Helping local governments and citizens shape the future of the Tug Hill region”

SPECIAL AREAS

The Cooperative Tug Hill Council towns have been working hard over the past few months updating their Special Areas maps. Ten of the sixteen CTHC towns have adopted updated special areas maps and another four towns have been presented with updated maps to review. In case you're unfamiliar with what "Special Areas" are, here's a brief history and discussion.

After a series of public forums held in early 1989, it became abundantly clear that residents of Tug Hill were concerned about "keeping Tug Hill the way it is." There was widespread concern that without local controls in place, the break-up of large forest land parcels, the pollution of waters, the importation of waste and the siting of other locally unwanted land uses would change the face of Tug Hill.

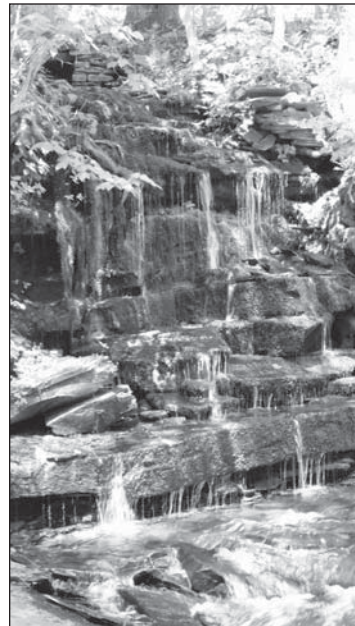
It was recognized that many of the activities that could change the nature of Tug

Hill were being proposed and carried out by governmental agencies unaware of the special nature of Tug Hill or the desires and aspirations of its residents. Local land use controls (zoning, subdivision laws, etc.) apply to actions on private property. These local land use controls, however, do not provide the necessary protections in the face of "governmental immunity." If a governmental authority wanted to site a landfill, for example, in a particular town, zoning laws do not provide the town any protection since the action being proposed is by a governmental agency.

Tug Hill Reserve Act

The Tug Hill Reserve Act (Chapter 486 of the unconsolidated laws of 1992) recognizes that the Tug Hill region has statewide and national significance because of water, wildlife, forest, farm and recreational resources. The Act provides for protection of those resources through the preparation of a

local reserve plan by a council of governments in the Tug Hill



Example of a headwater stream, a type of Special Area.

region. This legislation was the result of a grassroots effort by Tug Hill residents to retain the character of Tug Hill through local action.

While councils of governments play a crucial role in the Tug Hill Reserve Act, all key decisions and powers stay with the participating

towns and villages. Towns and villages decide to be part of the local reserve area or not; they designate special areas; they provide the real teeth of the reserve act through their local land use controls and environmental review.

Special Areas

Once a local reserve plan has been completed, public agencies proposing development or reviewing development that could 1) directly affect a special area designated in a local reserve plan, and 2) change the nature of the town or village in which the development takes place, must consult with the affected towns or villages regarding the development's consistency with the local reserve plan.

When Special Areas maps were first adopted in the 1990's, technology was limited and many special areas did not continue or line up across towns. With updates in GIS technology and

COURT ISSUES AND SOLUTIONS

In rural areas such as Tug Hill, towns and villages are having an increasingly difficult time finding qualified individuals to hold many elected offices. This problem is exacerbated in positions that require extensive introductory and then continuing yearly education, such as in the justice courts. Due to the small number of attorneys living in our towns and villages, many justices on Tug Hill are “lay” or non-attorney justices; who prior to election to the justice position generally have little training in the law, and many times work in another field entirely for their full-time job. As a result, several Tug Hill towns have been unable to fill justice court vacancies, leaving the towns looking for solutions.

In 2011 the Tug Hill Region broke ground by creating the first consolidated court in the State with the Harrisburg-Montague-Pinckney (H-M-P) court merger. Utilizing the process outlined in the Uniform Justice Court Act (UJCA) Section 106b, the three towns consolidated their justice courts and currently operate the consolidated court with one justice serving all three towns out of Harrisburg’s facility.

Currently, Worth has a vacancy in their justice position, and the Lorraine justice has been covering their court. As the Judge’s appointment from the court system to cover Worth’s court was temporary, and no one has come forward in Worth to run for the vacancy, the two towns have met to discuss a possible court consolidation.

Presently, the towns have a traditional consolidation passed a joint resolution to unappealing. Draft state legislation was drawn up by the Commission, with input from the court system and submitted to the state legislative representatives. After assistance from these State Senate and



Harrisburg-Montague-Pinckney courtroom

for each town would be kept, as with the H-M-P merger. Details regarding each town’s contribution to salary, building expenses, training expenses etc. would all be handled through an inter-municipal agreement.

The Town of Lewis also currently has a vacancy in their justice position. They, with the help of the court system and the Commission, have taken a different approach. At present, the court in Lewis is being covered by the town justice from Osceola, through temporary appointment by the court system. The Lewis Board looked into changing the residency requirement for the justice position, allowing a resident of Osceola or Lewis to run for the position. The concern of the two towns was that with the significantly larger voting population of Lewis, anyone running from Osceola could be easily out-voted causing Osceola to lose a justice that they were happy with, making

Assembly representatives and negotiation with the appropriate Senate and Assembly committees, the proposed law was widened to allow anyone from Lewis, Osceola, West Turin or Leyden to run for the justice position in the Town of Lewis. This legislation has passed both houses of the state legislature and was signed by the Governor on September 25th.

If you are having difficulty filling a justice court vacancy, looking to create or abolish a village justice position, looking to merge courts and lower the number of justices between the two entities or merely looking at consolidation of courts with one of your neighboring towns for workload or financial reasons, there are solutions available. The Commission stands ready to assist the towns in our region in any aspect of this difficult process.

ABOUT HEADWATERS

Headwaters is the annual newsletter report of the New York State Tug Hill Commission.

The Tug Hill Commission is a state funded, regional agency overseen by a board of nine unpaid commissioners - two each from Jefferson, Lewis, Oneida, and Oswego counties, and one at-large.

Commissioners are appointed for five year terms: three each by the Governor, State Senate and State Assembly. The Commission has an administrative link to New York State’s Department of State.

Chairman

Jan J. Bogdanowicz
Lewis County

Vice Chairman

Michael G. Yerdon, Sr.
Oswego County

Secretary

Thomas E. Boxberger
Jefferson County

Members

Leona M. Cheresnoski
Jefferson County

Roger W. Maciejko
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RACOG PROGRESS

The Town of Wilna was notified in August 2014 by the Environmental Protection Agency (EPA) that cleanup efforts at the Crown Cleaners of Watertown, Inc., Superfund Site would begin in the fall and be completed in 2015. In preparing for cleanup efforts of the 9.2 acre site, the town is working with the attorney to evict private property owners from the publicly owned site.

Funded through the Recreational Trail Program in 2009, the Village of West Carthage is working with the engineer and fund raising committee to construct the 2.1 acre South Main Street Trailhead Project. Serving as a destination for visitors and local residents along the Black River Blueway Trail Corridor, the project builds upon the South Main Street Boat Launch and Picnic area and will feature a new pre-cast cement boat launch & dock with handicapped accessibility as well as vehicular parking, open air gazebo and walking trails.

The Joint Carthage & West Carthage Wastewater Facility will undergo needed repairs and upgrades to the aging facility with funding secured through the 2014 CFA, based on recommendations in a report provided by GHD Engineering Firm. Assisted by the Development Authority of the North Country (DANC) and GHD, the \$9.2 million joint project is expected to begin in 2015.

Residents in the Champion Fire Protection District presented the Town of Champion board with a request to dissolve the existing district at the December board meeting.

In an effort to provide fire protection to residents within the district and in response to the petition, the town is working with the attorney to explore alternative options/opportunities.

Administered by the Village of Carthage through a contract with the Carthage Area Chamber of Commerce, Champion, Wilna, and West Carthage participated in the shared efforts to implement an affordable housing program with Community Development Block Grant funding. In conjunction, Habitat for Humanity is working with USDA Rural Development to screen potential home owners interested in owning and residing in one of six single family housing units that will be constructed on 3.75 acres in the Brennon Block in Carthage.

CTHC UPDATE

The Cooperative Tug Hill Council (CTHC) towns have continued to work on their special area protection program under the Tug Hill Reserve Act, with two more town maps being accepted at the 2014 spring meeting and one at the fall meeting. This brings the total of maps approved by CTHC to seven as of the end of 2014. Several other towns are working on updating their maps at present and the Council looks forward to approving more maps in 2015. The Council's towns also continue to work to finish the highway mapping project they are involved in. As of the end of 2014 all but four of the Towns had approved their official road maps. Some of the towns who have completed their maps

are moving forward in the process to classifying their roads, and contemplating minimum maintenance road designations.

The joint zoning board of appeals continues to operate in the towns of Florence, Montague, Osceola, Pinckney and Turin, hearing three cases in 2014. They have a full board of representatives who cooperatively handle the zoning appeals cases in these five towns. Zoning law updates and comprehensive plans were undertaken again in several towns.

Court issues have been a hot topic for the CTHC in 2014/15 with the Towns of Lewis, Osceola, Lorraine, Worth and Boylston looking at options for court coverage (See page 3). It is difficult to find qualified, interested people to fill these positions, and the Council stands ready to assist any of their towns in finding a solution if this situation occurs in your town.

SALMON RIVERS COUNCIL OF GOVERNMENTS CHANGES

The transition of the three former Altmar-Parish-Williamstown school district elementary schools continues, with the successful conversion of the former Altmar Elementary school into a hotel, restaurant and fishing lodge, Tailwater Lodge (www.tailwaterlodge.com). The former Parish Elementary School, purchased by Biospherix, a Lacona, New York-based biotechnology firm, has been renovated by Biospherix for its expansion needs and Biospherix is now operating out of Parish. The

Williamstown Elementary School has been sold and has been converted as a multi-use facility.

NOCCOG TRANSITIONS

2014 was a year of transition for NOCCOG, with the retirement of full time Circuit Rider Gerry Ritter, who served the region in that capacity since 2006. The

about municipal roads is recorded to create official roadmaps identifying which roads are abandoned, low maintenance, or seasonal. Each NOCCOG community has completed that process and adopted their respective maps. Many are now considering GIS mapping, to create maps of infrastructure to aid in maintenance and management of water, sewer, and lighting resources. While efforts are ongoing to update

throughout the region to evaluate the risks and benefits associated with utilizing the self-insurance plan for workers compensation coverage versus private carriers.

In Floyd, a \$100,000 Capital Improvement Project grant acquired with the support of Assemblyman Anthony Brindisi allowed for the installation of a solar system on the town hall. The project is expected to provide more than 90% percent of the electricity for the town's municipal building and 107% percent of the electricity for highway and sanitation departments. Supervisor Willard Streiff says the system will save taxpayers more than \$8,000 annually in energy costs.

NORTH SHORE COUNCIL OF GOVERNMENTS UPDATE

After studying district demographic trends and existing infrastructure, the Central Square Central School District decided to close Cleveland Elementary School in the Village of Cleveland on the north shore of Oneida Lake, effective with the 2014 – 15 academic year. Students from the Cleveland Elementary School were slated to attend A.A. Cole Elementary School in Constantia as a result of the school closure. The school district has placed Cleveland Elementary up for sale. Further school consolidation, closures and expansion of other facilities are possible in the future as the school district continues to examine service delivery options.

As a result of the severe winter of 2013 – 14, Oswego

County towns and villages received winter storm damage aid in the State's 2014 – 15 budget, to assist with a response to the toll the winter took on area roads.

As part of its evaluation of service delivery and costs, Oswego County continued study of its solid waste system, including possible closure of the solid waste transfer station. When the county's cities, towns, and villages unanimously expressed concerns about the impact of such an action, the county formed a joint task force with the cities, towns and villages to examine the system and options for cost savings further. As a result of the study, the county adopted changes in policies and procedures that allowed the continued operation of the solid waste transfer station system.

In the wake of adoption of a new county radio system serving the emergency services community and county government functions such as public health and public works, the emergency services providers on the north shore of Oneida Lake identified areas where communications were less reliable. The county met with the north shore fire departments and ambulance corps to move forward on mapping the areas where improvements were needed and to take measures to improve radio communications. The new radio system was a result of national and statewide efforts to implement a system with greater interoperability between public agencies and emergency service entities.



Prospect Municipal Center

Forestport native, who spent the previous twelve years as a part time Circuit Rider for NOCCOG, retired in July 2014. Despite the depletion of staffing, NOCCOG's two part time circuit riders, Harlan Moonen and Susan Martin, along with assistance from Tug Hill Commission staff, were able to maintain services for municipalities in the region until Ritter's replacement was hired. On January 2, 2015, Taberg native Jennifer Armstrong assumed the position.

After several years of work, all nineteen municipalities in NOCCOG adopted their official roadmaps in 2014. Using GPS data, information

and adopt comprehensive plans and amend zoning laws throughout the region, some communities are undertaking large scale projects.

In the small Village of Prospect, dissolution planning became a priority in anticipation of a referendum following financial distress associated with a sizable workers compensation claims. The village opted to leave the Oneida County Self-Insurance plan and began evaluating the possibility of dissolving to ease the financial burden on taxpayers associated with more than \$500,000 in workers compensation costs. Circumstances in Prospect also prompted local officials

THC HOSTS DEC WATERSHED COORDINATOR

Since February of 2013, THC has been pleased to host the Department of Environmental Conservation (DEC) Great Lakes Program's Eastern Great Lakes Watershed Coordinator, Emily Sheridan. Emily studied Natural Resources Management at the SUNY College of Environmental



Science and Forestry and her past experience has included ecological restoration and environmental education.

Emily's location within the Commission's office was a natural outgrowth of the Commission's early work on Ecosystem Based Management with the Department of State, and the good working relationship the Commission has had with DEC for many years. The Great Lakes program promotes ecosystem based management and seeks to integrate ecological, social, economic, and institutional perspectives and encourage science informed, stakeholder engaged, decision making throughout the basin.

For more information on the Great Lakes program and how you can get involved, visit <http://www.dec.ny.gov/lands/91881.html> or email Emily at emily.sheridan@dec.ny.gov.

FORT DRUM RECEIVES STRONG STATE SUPPORT

In the past two years, New York State has provided significant funding to augment the Army Compatible Use Buffer Program (ACUB) that keeps lands around Fort Drum undeveloped to limit conflicts with training. Since 2007, Tug Hill Tomorrow Land Trust (THTLT) has secured conservation easements on nearly 6,000 acres of farm and forest land around the base. These easements limit development on these farm and forest lands to minimize training conflicts, while also protecting wildlife habitat, important and productive farm soils and managed forest land.

The lands protected by the ACUB program are based on the priorities of Fort Drum, and also supported by the NYS Open Space Plan and the Jefferson County Ag & Farmland Protection Plan. They include farms along Route 11 corridor from Evans Mills to St. Lawrence County, properties in the vicinity of Wheeler Sack air base and its approaches, and lands along Route 3 and 12 on the eastern side of Fort Drum.

In 2014, endorsed by the North Country Regional Economic Development Council, THTLT and the Tug Hill Commission spoke with Governor Cuomo's staff and the State Legislature about providing ongoing State contributions to the ACUB program. Since then, the ACUB program has received \$2 million in Environmental Protection Funds, and an additional \$500,000 each from Senator Ritchie and the

Governor's office. Indications are that NYS will continue to provide \$1 million per year to match the federal funding spent toward ACUB on Fort Drum.

PLANNING AND ZONING OFFICIALS TRAINING

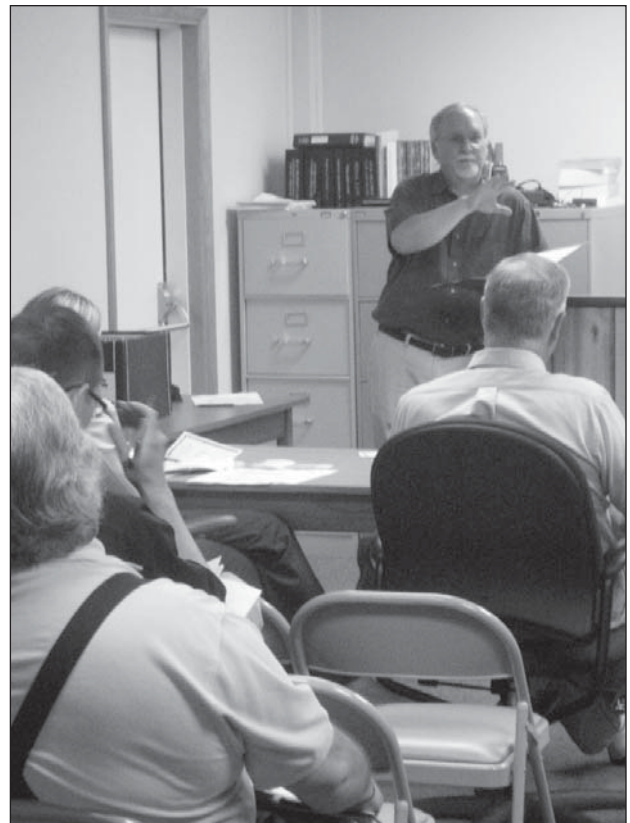
The Commission is dedicated to providing training opportunities to our locally appointed planning and zoning officials. Recognizing that the all-day Local Government Conference held annually in March in Watertown is not possible for many of our local officials to attend, the Commission will bring selected training opportunities to our municipalities upon request in an evening week-day, two-hour meeting format.

This format will help many of our appointed officials to meet their annual four-hour NYS training requirements necessary for reappointment.

The Commission can provide training sessions to multi-town/village groups of officials, or will work with individual boards, depending on local needs and desires.

Topics the Commission can bring to local communities upon request include:

- comprehensive planning
- State Environmental Quality Review (SEQR)
- the roles and responsibilities of planning and zoning officials
- subdivision, site plan and special use permit review processes
- the zoning board of appeals (ZBA)
- other topics depending on available expertise on the subject



Phil Street, Tug Hill Commission Director of Planning provides training to planning and zoning board members.

COMMUNITY SURVEY ASSISTANCE

Community leaders often wish to conduct opinion surveys of residents for the purpose of defining goals and objectives that will shape and guide the future direction of their community. The community survey is part of the planning process that involves community input and helps move the community forward. The Commission has assisted Tug Hill communities with conducting these surveys, particularly in conjunction with other projects. Commission staff is assisting with, such as comprehensive planning programs or grant applications. The Commission assists an average of two to three community surveys a year.

The process begins by

working with the community to put together a set of questions to be asked. This is done with the help of examples from other surveys completed. The Commission's website has a list of over 25 surveys completed in the Tug Hill region. Many of the questions on these surveys form the basis for a new survey with some changes based on the needs of the community. Once the survey instrument is completed and cover letter drafted, the community sends the survey out to its residents, usually using addresses from their tax assessment rolls. Residents are given three to four weeks to complete and return the survey and then all returned surveys are delivered to the Commission offices for analysis.

In 2007, the Commission purchased a computer program called Snap Survey

that facilitates survey tabulation by scanning completed surveys into the computer and analyzing results electronically. Because of the labor intensive nature of survey tabulation, the Snap Survey program is a huge help in analyzing each of the surveys electronically and producing a report of the results. Any open-ended questions are tallied by the community and added to the results. These survey results can then be used to form the goals and objectives outlined in the comprehensive plan.

For examples of surveys the Commission has assisted in, and more information about assistance the Commission gives to communities interested in doing a community survey, go to www.tughill.org/services/planning/community-surveys/. On the bottom

of the second column is the Commission's policy on survey assistance.

SAVE THE DATE

2016
LOCAL
GOVERNMENT
CONFERENCE

MARCH 31ST

AT
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COMMUNITY
COLLEGE

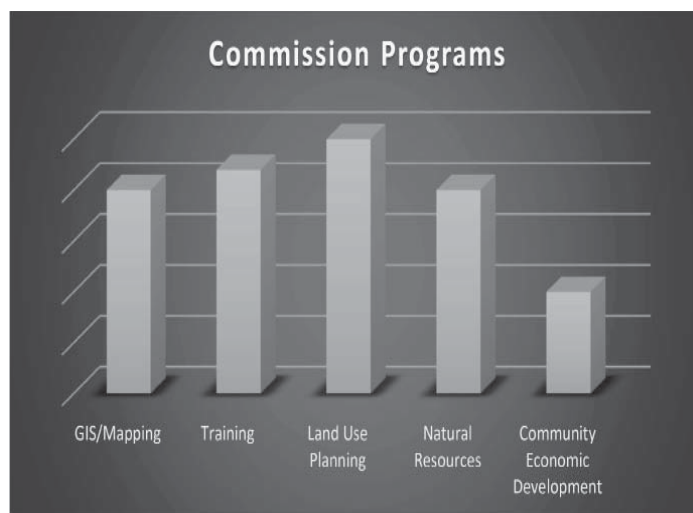
COMMISSION PROGRAMS AND FUNDING

The Tug Hill Commission's budget for the fiscal year ending March 31, 2014, was about \$1.0 million. Most of this funding came from the Commission's annual state appropriation. A small amount came from grants and revenues, such as registration for our Local Government Conference.

Commission expenses equal its funding, with around 90% of Commission expenditures going to staff salaries. The balance covers operational costs such as postage, office equipment, car expenses, etc. The Commission employed 14 staff, including

four full-time circuit riders for Tug Hill councils of governments (COGs) during this period.

to look at what it brings back to the region. Historically, the Commission helps secure



The COGs use revenues from member communities to help fund part-time circuit riders and other costs.

One way to gauge the value of the Commission's budget is

more money for Tug Hill local governments every year than the Commission's annual appropriation. Another way to gauge value is by what gets done in Tug Hill communities.

Annually, the Commission works with approximately 20 local communities on revisions to land use codes and comprehensive plans and various other projects from watershed protection to Main Street revitalization and business development.

As we continue to deal with these challenging fiscal times, staff will look for ways to deliver fiscal savings while sustaining vital services. The Commission will also work with communities in savings of their own through efficiencies and sharing of services when interested.



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Special Areas Continued

the availability of statewide datasets, this latest update has designated special areas, because of the importance of certain Tug Hill resources include datasets that span the Tug Hill region, providing uniformity and ease of review. For more information, see www.tughillcouncil.com/THReserveAct.htm

What's it all mean?

The existence of a local reserve plan or special area does not in itself mean a particular project will be denied or approved. They do not stop eminent domain proceedings or other governmental actions. Their existence does mean that a Tug Hill local government has determined a resource is important, and that state law requires consultation with the local government that