

LEGISLATIVE & RULES COMMITTEE

AGENDA

MARCH 28, 2016

Committee Members: Supervisors Strough, Seeber, Girard, Sokol, Wood, McDevitt, Montesi, Braymer, Leggett

- I. Committee meeting called to order by Chairman
- II. Motion to approve the minutes of the prior meeting - 01.26.16

- III. Action Agenda/New Business Items:
 1. Request from the New York Civil Liberties Union (NYCLU) seeking support of New York State Assembly Bill A06202A which would substantially relieve counties of the unfunded indigent defense mandate under which they now labor.

- IV. Referrals/Pending Items:
 1. Committee tabled legislation forwarded by Rockland County regulating the use of drones pending future receipt and review of updated FAA regulations (11.05.15)
 2. Representatives of Warren County Soil & Water Conservation District to be invited to next Committee meeting to discuss the idea of Agricultural Districts; County Attorney to provide an opinion on whether the authority of the Agricultural District would supercede that of the Adirondack Park Agency; Supervisor Wood to bring up topic for discussion at next Soil & Water meeting and return to Committee with her findings. (01.26.16)
 3. Referral from December 18, 2015 Board Meeting asking Legislative & Rules Committee to review and consider the "Petition for Redress of Grievances" submitted concerning the form of government practiced by Warren County. (12.18.15) Update: There was an additional referral from March 18, 2016 Board Meeting asking the Legislative & Rules Committee to review and discuss the County's legislative options, as well as to consider the possibility of adding a seat on the Board for the Mayor of the City of Glens Falls. (03.18.16)

- V. Discussion Items: None.

- VI. Privilege of the Floor to discuss any additional items to come before the Committee

- VII. Motion to adjourn

Attachments:

1. Letter from the NYCLU and copy of Assembly Bill 6202A (*Action Agenda Item 1*)
2. Agricultural District information previously provided by Cornell Cooperative Extension (*Referral/Pending Item 2*)
3. Petition for Redress of Grievances dated December 18, 2015 and the Assessed Valuation information that former Supervisor Frederick Monroe requested by taken into account when considering this matter (*Referral/Pending Item 3*)



NYCLU

NEW YORK CIVIL LIBERTIES UNION

Capital Region Chapter
90 State Street, Suite 518
Albany, New York 12207
(518)436-8594 (518)426-9341(f)
mtrimble@nyclu.org
www.nyclu.org/capitalregion

December 22, 2015

Hon. Kevin Geraghty, Chairman
Warren County Board of Supervisors
Warren County Municipal Center
1340 State Route 9
Lake George, New York 12845

Dear Chairman Geraghty,

As you are no doubt aware, the New York Civil Liberties Union pursued a class action lawsuit, *Hurrell-Harring, et.al. v. State of New York, et. al.*, Index No. 8866-07, in New York Supreme Court to compel the State and the Governor of New York to provide adequate criminal defense counsel to people who cannot afford to hire a private attorney in five counties: Onondaga, Ontario, Schuyler, Suffolk and Washington. On October 21, 2014, the State settled the action. The Supreme Court ruled that the State of New York must provide these five counties with declaratory and prospective injunctive relief in providing criminal legal defense services.

Subsequently, NYS Assembly Member Pat Fahy and NYS Senator Neil Breslin proposed a bill, A06202A, that would provide all New York counties with the same relief afforded in the settlement to the five counties.

The NYCLU is asking for your support to pass this bill, which, if enacted, will substantially relieve counties of the unfunded indigent defense mandate under which they now labor.

The bill proposes to direct the state to assist counties in providing the following services:

- 1) Counsel at arraignment
- 2) Caseload relief
- 3) Initiatives to improve the quality of indigent defense services
- 4) Development of eligibility standards for representation

In 2013, Warren County spent \$1,245,795 to provide indigent defense services. The proposed bill would require the state to assume this financial burden by 2018. We

applaud Warren County for making recent additions to staff resources to its public defender's office and are more than willing to answer any questions you may have on this subject. We seek to assist counties in any way that will enable them to provide adequate legal defense services to the poor. Surely, requiring New York State to assume the cost of this constitutionally mandated service would help both the County and its citizens.

We include both the settlement agreement and a copy of the bill, A06202A. We hope after reviewing these documents, the County will contact its state legislators to ask for their support in passing the bill. We will contact your office in the near future in hopes of discussing this matter in more detail.

Sincerely,



Melanie Trimble
Chapter Director

Encls.

CC: Warren County Attorney
Warren County Bd. Of Supervisors Criminal Justice Comm.
Warren County Bd. Of Supervisors Legislative & Rules Comm.
Warren County Public Defender

A06202 Summary:

BILL NO A06202A
SAME AS No same as
SPONSOR Fahy (MS)
COSPNSR Lentol, Aubry, McDonald, Steck, Gottfried, Magnarelli, Crespo, Sepulveda, Arroyo, Simotas, Magee, Colton, Duprey, Crouch, Montesano, Raia, Rosenthal, Woerner, Russell
MLTSPNSR Cook, Glick, Hevesi, Hikind, Simon, Weinstein
Amd S722-e, County L; amd S832, Exec L

Requires state reimbursement to counties and cities in which a county is located of the full amount of expenditures for indigent legal services.
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A06202 Text:

S T A T E O F N E W Y O R K

6202--A

2015-2016 Regular Sessions

I N A S S E M B L Y

March 17, 2015

Introduced by M. of A. FAHY, LENTOL, AUBRY, McDONALD, STECK, GOTTFRIED, MAGNARELLI, CRESPO, SEPULVEDA, ARROYO, SIMOTAS, MAGEE, COLTON, DUPREY, CROUCH, MONTESANO, RAIA, ROSENTHAL, WOERNER, ROBERTS -- Multi-Sponsored by -- M. of A. COOK, GLICK, HEVESI, HIKIND, SIMON, WEINSTEIN -- read once and referred to the Committee on Codes -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the county law and the executive law, in relation to

indigent defense services

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND
ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative findings and declaration. It is a
fundamental
2 right of all persons in the United States to be represented by
counsel
3 in all criminal prosecutions. In the case of GIDEON V. WAINWRIGHT,
372
4 U.S. 335, the United States Supreme Court ruled that indigent
persons
5 accused in state felony cases who were unable to afford counsel had
a
6 constitutional right to be defended by an appointed attorney paid by
the
7 state. Subsequently, the Supreme Court determined that indigent
persons
8 accused of any criminal charge that could result in imprisonment,
wheth-
9 er a felony or misdemeanor, are entitled to counsel at the expense
of
10 the state.
11 New York state has chosen to fulfill its obligation to provide
repre-
12 sentation to indigent persons accused of a crime by requiring each
coun-
13 ty outside New York city and New York city to implement and fund a
plan
14 to provide such representation. In 2006 the Commission on the Future
of
15 Indigent Legal Services concluded that a system of county operated
and
16 funded indigent defense services failed to satisfy the
constitutional
17 obligation to protect the rights of indigent persons accused of a
crime.
18 Such Commission recommended that funding for indigent legal
services
19 come from the State's general fund rather than from the counties.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in
brackets

[] is old law to be omitted.

03-5

LBD06929-

A. 6202--A

2

1 New York state has entered into an agreement to settle a class
action
2 lawsuit that alleged deprivation of the right to counsel in five
coun-
3 ties. The agreement acknowledges that the Office of Indigent
Legal

4 Services and the Indigent Legal Services Board are authorized "to
moni-
5 tor and study indigent legal services in the state, to recommend
meas-
6 ures to improve those services, to award grant monies to counties
to
7 support their indigent representation capability, and to
establish
8 criteria for the distribution of such funds." While the
settlement
9 agreement pertains to only five counties, its criteria establish a
stan-
10 dard for providing indigent legal services that should apply
statewide.
11 The legislature finds and declares that in all criminal
proceedings
12 against people unable to afford counsel, New York state is
constitu-
13 tionally required to provide public defense services. The
legislature
14 further finds that the state is obligated to undertake initiatives
to
15 improve the quality of indigent defense, ensure representation
at
16 arraignment, implement caseload standards for providers of
indigent
17 legal services, and implement statewide standards for determining
eligi-
18 bility for mandated representation. Mandating counties to finance
the
19 state's obligation to provide indigent legal services imposes a
signif-
20 icant uncontrollable financial burden on counties dependent on
real
21 property taxes to fund needed services, and subject to a state
imposed
22 tax cap.
23 The legislature finds and declares that in order to fulfill
its
24 constitutional obligation to provide indigent legal services, the
state
25 shall pay counties the full amount necessary to ensure the delivery
of
26 quality legal services for indigent criminal defendants in a
consistent
27 manner throughout the State.
28 S 2. Section 722-e of the county law, as added by chapter 878 of
the
29 laws of 1965, is amended to read as follows:
30 S 722-e. Expenses. All expenses for providing counsel and
services
31 other than counsel hereunder shall be a county charge or in the case
of
32 a county wholly located within a city a city charge to be paid out of
an
33 appropriation for such purposes AND SHALL BE REIMBURSED BY THE STATE
TO

34 THE COUNTY OR CITY PROVIDING SUCH SERVICES, PROVIDED, HOWEVER, THAT
IN

35 THE STATE FISCAL YEAR BEGINNING:

36 (A) APRIL FIRST, TWO THOUSAND FIFTEEN, THE STATE SHALL
PROVIDE

37 REIMBURSEMENT FOR NOT LESS THAN TWENTY-FIVE PERCENT OF SUCH
EXPENSES;

38 AND

39 (B) APRIL FIRST, TWO THOUSAND SIXTEEN, THE STATE SHALL
PROVIDE

40 REIMBURSEMENT FOR NOT LESS THAN FIFTY PERCENT OF SUCH EXPENSES; AND

41 (C) APRIL FIRST, TWO THOUSAND SEVENTEEN, THE STATE SHALL
PROVIDE

42 REIMBURSEMENT FOR NOT LESS THAN SEVENTY-FIVE PERCENT OF SUCH
EXPENSES;

43 AND

44 (D) EVERY YEAR THEREAFTER, THE STATE SHALL PROVIDE REIMBURSEMENT
FOR

45 THE FULL AMOUNT OF SUCH EXPENSES.

46 S 3. Subdivision 3 of section 832 of the executive law is amended
by

47 adding a new paragraph (o) to read as follows:

48 (O) TO ADOPT, PROMULGATE, AMEND OR RESCIND RULES AND REGULATIONS
TO

49 CARRY OUT THE PROVISIONS OF THIS SECTION, INCLUDING TO (I) ENSURE
THE

50 PRESENCE OF COUNSEL AT THE FIRST APPEARANCE OF ANY ELIGIBLE
DEFENDANT

51 CHARGED WITH A CRIME, (II) ESTABLISH CASELOAD/WORKLOAD REGULATIONS
FOR

52 ATTORNEYS PROVIDING MANDATED REPRESENTATION THAT ALLOW FOR
MEANINGFUL

53 AND EFFECTIVE ASSISTANCE OF COUNSEL, AND (III) IMPROVE THE QUALITY
OF

54 MANDATED REPRESENTATION.

55 S 4. Paragraphs (l) and (m) of subdivision 3 of section 832 of
the

56 executive law, as added by section 1 of part E of chapter 56 of the
laws

A. 6202--A

3

1 of 2010, are amended and a new paragraph (n) is added to read
as

2 follows:

3 (l) to present findings and make recommendations for consideration
by

4 the indigent legal services board established pursuant to section
eight

5 hundred thirty-three of this article; [and]

6 (m) to execute decisions of the indigent legal services board
estab-

7 lished pursuant to section eight hundred thirty-three of this
article,

8 including the distribution of funds[.];

9 (N) TO REVIEW THE PUBLIC DEFENSE OPERATIONS OF ANY COUNTY FOR
COMPLI-

10 ANCE WITH APPLICABLE PROFESSIONAL STANDARDS PROMULGATED BY THE
OFFICE
11 AND TO ENSURE THAT RECIPIENTS OF SERVICES PROVIDED PURSUANT TO
ARTICLE
12 EIGHTEEN-B OF THE COUNTY LAW ARE PROVIDED WITH MEANINGFUL AND
EFFECTIVE
13 REPRESENTATION BEFORE MAKING REIMBURSEMENT PURSUANT TO SECTION
SEVEN
14 HUNDRED TWENTY-TWO-E OF THE COUNTY LAW; AND
15 S 5. This act shall take effect immediately.

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What is an agricultural district?

A geographic area which consists predominantly of viable agricultural land. Agricultural operations within the district are the priority land use and afforded benefits and protections to promote the continuation of farming and the preservation of agricultural land. In practice, districts may include land that is actively farmed, idle, forested, as well as residential and commercial.

How are agricultural districts reviewed?

Districts are usually renewed every 8 years. The county legislative body (CLB), after receiving the report and recommendation of the county Agricultural & Farmland Protection Board (AFPB) and after a public hearing, determines whether the district shall be continued, terminated or modified. During the review process, land may be added or deleted from the district.

Counties are also required to designate an annual 30-day period when landowners may petition the county for inclusion of viable agricultural lands in an existing agricultural district.

Who benefits from an agricultural district?

Everyone benefits. Besides its value for the production of food, agricultural land provides many environmental benefits including groundwater recharge, open space, and scenic viewsheds. Agriculture benefits local economies too, by providing on-farm jobs and supporting agribusinesses. Agricultural land requires less public services than developed land and results in cost savings for local communities.

Do agricultural districts consist entirely of farmland?

Districts must consist predominantly of viable agricultural land. Predominance has been interpreted as more than 50 percent of land in farms. On average, districts statewide contain approximately 70 percent farmland. The benefits and protections under the Agricultural Districts Law (ADL), however, apply only to farm operations and land used in agricultural production.

Does an agricultural district guarantee a farmer's "right to farm"?

The ADL protects farm operations within an agricultural district from the enactment and administration of unreasonably restrictive local regulations unless it can be shown that public health or safety is threatened. The Department evaluates the reasonableness of a specific requirement or process imposed on a farm operation on a case-by-case basis. The Commissioner may institute an action or compel a municipality to comply with this provision of the ADL.

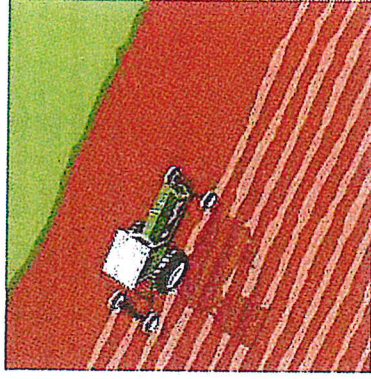
Do agricultural districts prohibit selling land?

The ADL does not restrict the transfer of real property. The ADL does provide for a real estate transfer disclosure by the seller to the prospective purchaser. The disclosure states that the property is located within an agricultural district and that farming activities including noise, dust and odors occur within the district. Prospective residents are also informed that the location of the property within an agricultural district may impact the ability to access water and/or sewer services.

Sound Agricultural Practices

The Commissioner may, in consultation with the Advisory Council on Agriculture (ACA), issue opinions upon request as to whether a particular agricultural practice is sound (ADL §308). A sound agricultural practice (SAP) refers to the practices necessary for the on-farm production, preparation, and marketing of agricultural commodities. An agricultural practice conducted in an agricultural district or on land receiving an agricultural assessment shall not constitute a private nuisance provided that the practice is determined to be an SAP pursuant to an opinion of the Commissioner. The Commissioner is also authorized, in consultation with the ACA, to issue advisory opinions on a case-by-case basis as to whether particular land uses are agricultural in nature.

New York's Agricultural Districts



Enacted in 1971, New York's Agricultural Districts Law (ADL) is a very effective tool for maintaining lands in agriculture, and ensuring New York's position as an outstanding agricultural state.

The ADL recognizes that agricultural lands are important and irreplaceable resources, which are in jeopardy of being lost as a result of increasing costs of agricultural businesses, development pressures and regulatory constraints.

The Law seeks to create economic and regulatory incentives which encourage farmers to continue farming. Relying primarily on the initiative of landowners and local governments, with state oversight, the law provides agricultural landowners with a number of benefits and protections described in this brochure.

New York State Department of Agriculture & Markets
Agricultural Protection & Development Services 10B
Airlie Drive, Albany, NY 12235
www.agmkt.state.ny.us 518-457-7076

Modified by the Livingston County Planning Department, May 2013

Limitation on Local Regulation

An increase in the number of non-farm residents in agricultural areas may result in new zoning and regulatory actions by localities which inhibit farming operations. To safeguard against this, §305-a of the Agricultural Districts Law (ADL) prohibits the enactment and administration of comprehensive plans, laws, ordinances, rules or regulations by local governments which would unreasonably restrict or regulate farm operations within an agricultural district, unless it can be shown that the public health or safety is threatened.

The Commissioner may independently or upon a complaint initiate a review of the enactment or administration of a local law. The Commissioner is authorized to bring an action or issue an order to enforce ADL §305-a.

The Department has developed guidelines on the effect of ADL §305-a on enactment and administration of local laws and regulations. These documents are updated periodically and may be obtained from the Department's website at www.agmkt.state.ny.us by clicking on Divisions and then Agricultural Protection and Development Services, or by contacting the Department at 10B Airline Drive, Albany, New York 12235 or (518) 457-7076.

Sound Agricultural Practices

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Public Actions Notice Requirements

Government actions may impact farms and agricultural resources through the acquisition of property interests or funding of infrastructure development. The ADL (§305, subd. 4) requires that State agencies, local governments and public benefit corporations which intend to acquire more than one acre of land from any active farm within an agricultural district or more than 10 acres in total from a district, must file a notice of intent with the Commissioner at least 65 days prior to taking the action. Similarly, a notice must be filed for all actions where the government sponsor intends to advance a grant, loan, interest subsidy or other form of public funding for the construction of dwellings, commercial or industrial facilities, or water or sewer facilities to serve non-farm structures within an agricultural district. The notice requirement does not apply in the case of an emergency project which is immediately necessary for the protection of life or property.

The notice requirement provides for a full evaluation of the potential impacts of a government-sponsored acquisition or construction project on farms and farm resources. The ADL and implementing regulations require a project sponsor to provide information essential to analyzing agricultural impacts along with a report justifying the proposed project.

Upon receipt of a notice of intent that has been determined by the Department to be complete, the Commissioner has 45 days to determine the effect the action would have on agricultural operations within the district.

If it is determined that the proposed action would have an unreasonably adverse effect, the Commissioner may issue an order delaying the action for an additional period of 60 days. During this time, the Commissioner may conduct a public hearing, upon providing public notice, within or accessible to the area affected. On or before the expiration of the 60 days, the Commissioner must report his or her findings to the project sponsor, the public at large and any public entity having the power of review or approval of the action.

The Commissioner may propose that an alternative which minimizes or avoids adverse impacts be accepted. The project sponsor must provide a detailed evaluation and reasons if the proposed mitigation is rejected. At least 10 days prior to commencing the action, the project sponsor must certify to the Commissioner that adverse impacts will be minimized or avoided. The Commissioner may bring an action to enforce mitigation measures. He or she may also request that the Attorney General institute an action to compel compliance with these requirements.

FOR FURTHER INFORMATION on the benefits and protections agricultural districts provide, contact the Livingston County Planning Department Office at 585-243-7550 or the NYS Department of Agriculture and Markets at 1-800-554-4501, or visit the NYS Department of Agriculture and Markets website at www.agriculture.ny.gov/AP/agsservices/agdistricts.html

AGRICULTURAL DISTRICT FACTS:

- Agricultural districts have been created in 53 of New York's 62 counties.
- As of 2009, 251 districts captured over 8.5 million acres, including 6.2 million farm acres on 22,000 farms.
- The average district size in New York is approximately 20,000 acres.

DEPARTMENT OF AGRICULTURE AND MARKETS

OVERVIEW DOCUMENT AGRICULTURAL DISTRICTS PROFILE

Since 1971, the Agricultural Districts Law, Article 25AA of the Agriculture and Markets Law (AML), has been the centerpiece of State and county level efforts to preserve, protect and encourage the development and improvement of agricultural land for the production of food and other agricultural products.

Every January the Department updates the Agricultural Districts Profile and posts it on the Department's web site- for example, as of January 1, 2015, there were 217 State certified agricultural districts in 53 counties. These districts capture over 8.80 million acres, including over 6.1 million farm acres on 24,132 farms. By any measure the Agricultural Districts Program is a significant farm land protection tool.

The New York State Constitution directs the Legislature to provide for the protection of agricultural lands. The Agricultural Districts Law meets, in part, that constitutional mandate by providing a locally initiated mechanism for the protection and enhancement of farm lands as a viable segment of the local and State economies and as an economic and environmental resource of major importance.

Several benefits accrue to farm operations conducted within certified agricultural districts. Chief among these are:

- the mandate that State agencies, as a matter of policy, encourage the maintenance of viable farming in agricultural districts,
- the limitation on the exercise of eminent domain and other public acquisitions and the advance of public funds for certain construction activities,
- the limitation on the siting of a solid waste management facility on land in agricultural production,
- the limitation on the power to impose benefit assessments, special ad valorem levies or other rates or fees in certain improvement districts or benefit areas,
- the requirement that local governments, when exercising their powers to enact and administer comprehensive plans and local laws, ordinances, rules or regulations do so in a manner that realizes the intent of the Agricultural Districts Law and does not unreasonably restrict or regulate farm operations, and
- the requirement that applications for certain planning and zoning actions impacting on a farm operation within an agricultural district or on lands within five hundred feet of a farm operation within an agricultural district, include an agricultural data statement designed to allow the review agency to evaluate the possible impacts of the proposed action on the functioning of the farm operation.

Additionally, the Agricultural Districts Law establishes a land classification system used to assign agricultural assessment values to qualified properties both in and outside of a district, creates a process for the review of agricultural practices, discourages private nuisance lawsuits due to an agricultural practice which is determined to be sound, provides for advisory opinions as to whether particular land uses are agricultural in nature and requires disclosure to prospective grantees of real property that the property is in an agricultural district. The Agricultural Districts Law also defines the procedure for district creation and review.

THE ROLE OF COUNTIES

In the final analysis, primary responsibility for the creation, review and management of the State's agricultural districts lies with the counties and their legislative bodies. Agricultural districts are established by local initiative consistent with the purpose of the Agricultural Districts Law to provide a locally initiated mechanism for the protection and enhancement of the State's agricultural land. Farmers interested in adding land to a locally approved, state certified agricultural district should start with contacting their county planning representative to obtain an application form. A list of county representatives responsible for working on agricultural districts can be found at the NYS Department of Agriculture and Markets web site www.agriculture.ny.gov or at the following link: <http://www.agriculture.ny.gov/AP/agsservices/agdistricts.html> and accessed under the heading "Local Agricultural District Contact Information and County Agricultural District Map Data". This link lists the name, address, telephone number and e-mail address of each county agricultural district coordinator. Also, this link includes a map of each county's agricultural districts and also includes a listing of county designated, 30-day, annual inclusion period for adding land to an agricultural district.

Agricultural Districts Law details the important role counties play in the administration of the program.

AML Sections 303 (district creation), 303-a (district review) and 303-b (annual inclusion process) detail the role agricultural and farmland protection boards and legislative bodies play in district creation, eight year reviews and the annual inclusion process and prescribe the public notice and public hearing requirements.

In the case of a district creation (Section 303), the plan adopted must establish an appropriate district review period of eight, twelve or twenty years. All districts currently have eight year review cycles. (Most counties that are overdue are waiting for their districts to be due or overdue so they can consolidate districts. Districts cannot be consolidated prior to their anniversary date.)

Action by the county legislative body must take place no later than 180 days following submission of the original petition to establish the district.

In the case of an eight-year district review (Section 303-a), the statute requires the county legislative body, after receipt of the report and recommendation of the county agricultural and farmland protection board, and after the public hearing, to make a finding whether the district should be continued, terminated or modified. (It is only during the eight-year review process that land can be removed from a district.)

In the case of including land annually into a district (Section 303-b), the statute requires that the county legislative body, after the receipt of the report and recommendation of the county agricultural and farmland protection board, and after the public hearing, make a finding to add land to a(n) agricultural district(s) in the county.

Following completion of the district creation, eight-year review process, or annual inclusion process, the county legislative body submits the plan to the Commissioner for certification. A complete submission must include the following elements:

- 30-day review notice, signifying the start of the review process,
- the report of the county agricultural and farmland protection board;
- a completed Environmental Assessment Form (EAF);
- a district profile (RA-114) (modified reflecting acreage) data collection at the option of the county;
- notice of the public hearing,
- a copy of the public hearing record (either the transcript or the minutes of the hearing);
- the enabling resolution of the county legislative body
- a list of the tax map identification numbers for all of the parcels in the district, and
- a description of the district, including a final map of the district filed with the Cornell Institute for Resource Information Systems (IRIS).

DATA COLLECTION METHODOLOGY

The primary responsibility for the collection of data associated with agricultural districts lies with the counties and their legislative bodies.

Upon receipt of the Department's 300 day notice, a county initiates a district review by notifying municipalities in which the district is located. Legal notices are

also published in the local paper stating the time frame of the review, dates of public hearings and contact information. County agricultural district coordinators, working with the legislative clerk and the office of real property notify each land owner within the district that they may propose a modification of the district by responding to a survey within thirty days after the publication of the legal notice. After surveys are collected and tabulated, the County Agricultural and Farmland Protection Board prepares a written report to the County Legislative Body detailing potential effects of the district and any proposed modifications to the district pursuant to Section 303-a. The County Legislative Body conducts a public hearing and provides a determination to the Commissioner to continue unchanged, modify or terminate a district. This submission includes a district description along with all tax map parcel identification numbers of all properties to be included into or removed from a district. The Commissioner must determine that the area within the district is predominately viable agricultural land and is consistent with state plans and environmental policies. This determination is done in consultation with DEC and the members of the Advisory Council on Agriculture. The last step in the process is a review of all required documents and the issuing of a district certification letter by the Commissioner to the county.

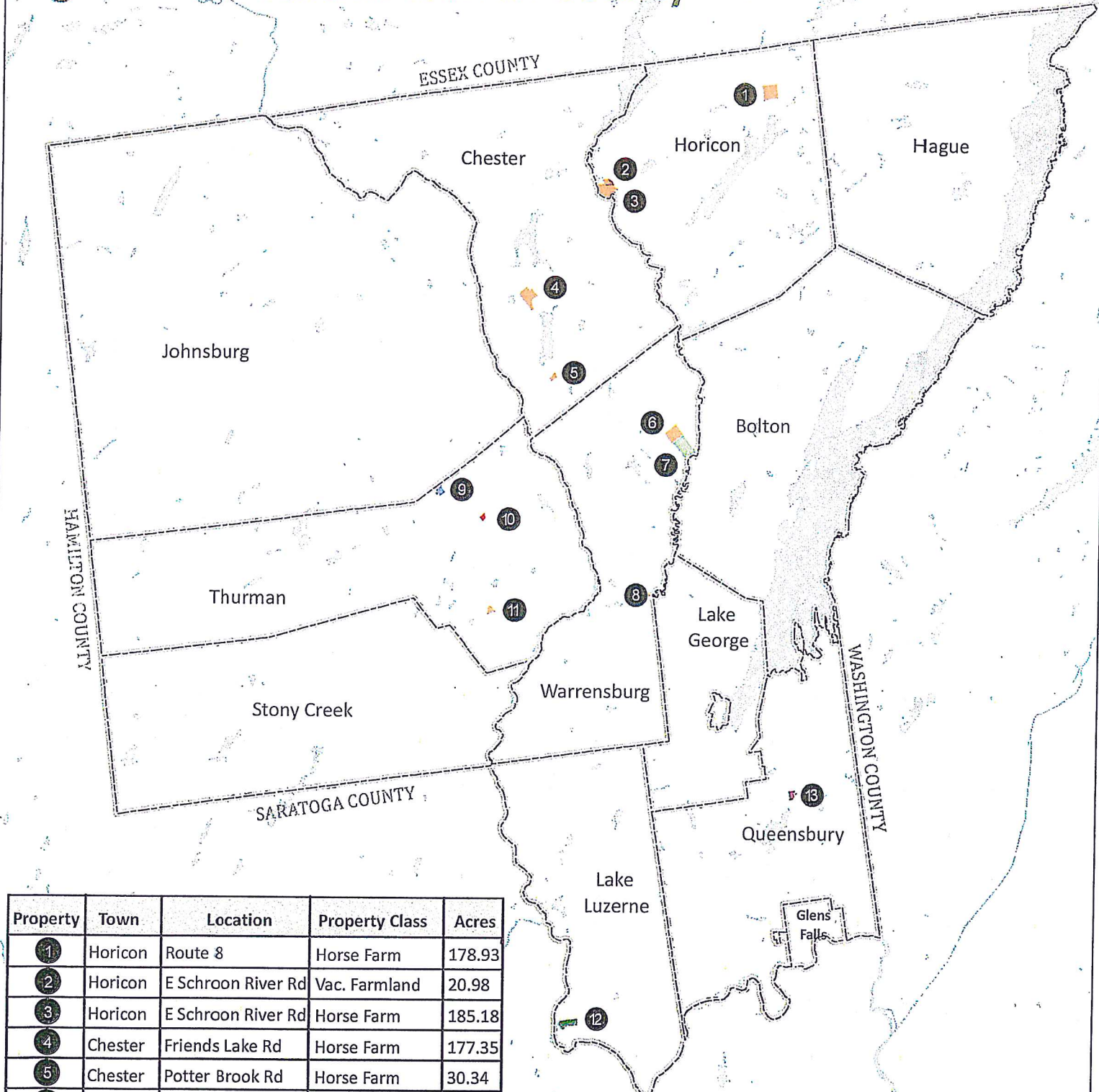
STATISTICAL AND ANALYTIC ISSUES

Information on Agricultural Districts is gathered from counties during the year and statistical tabulations and district maps are updated once a year during the months of January and February and represents a data summary snap shot for the year. It is possible, at any given time, that the county agricultural district coordinator has data that is more up to date.

LIMITATIONS OF THE DATA USE

The Department relies on the data sets and agricultural district maps submitted by the County for district reviews.

Agricultural Land in Warren County



Property	Town	Location	Property Class	Acres
1	Horicon	Route 8	Horse Farm	178.93
2	Horicon	E Schroon River Rd	Vac. Farmland	20.98
3	Horicon	E Schroon River Rd	Horse Farm	185.18
4	Chester	Friends Lake Rd	Horse Farm	177.35
5	Chester	Potter Brook Rd	Horse Farm	30.34
6	W'sburg	Pucker St	Horse Farm	154
7	W'sburg	Schroon River Rd	Field Crops	209.67
8	W'sburg	River St	Horse Farm	6.89
9	Thurman	S. Johnsburg Rd	Other stock(goat)	50
10	Thurman	Valley Rd	Fruit(maple)	21.27
11	Thurman	High St	Horse Farm	35
12	Luzerne	Tree Farm Rd	Nursery(tree)	93.53
13	Q'bury	State Rt 149	Truck crops	40.53
TOTAL				1203.7

Legend

Ag Property Class	Nursery (tree farm)
Field crops	Other stock (goats)
Fruit crop (sugar house)	Truck crops
Horse farm	Vacant farmland

prepared by Warren County NY GIS January 2016
 data source: Warren County 2015 tax roll
 properties displayed are those classified with an Agricultural Property Class code in the 2015 tax roll

December 18, 2015

Petition for Redress of Grievances

We the people of Warren County, NY exercise our First Amendment right "to petition the Government for a redress of grievances." WHEREAS the present form of Government, a body consisting of the elected Supervisors of the Towns within Warren County, along with several additional elected representatives of Queensbury and Glens Falls leads to disparate ratios of representation, and

WHEREAS the County has attempted to correct these disparities by weighting the votes of said representatives at the Monthly Board of Supervisor meetings, but

WHEREAS the votes are not weighted for the purpose of Subcommittee meetings, and

WHEREAS the Federal Government has ruled in JACKSON v. NASSAU CTY. BD. OF SUPERVISORS In the UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK on April 14, 1993 that "Within a given constituency, there can be room for but a single constitutional rule -- one voter, one vote" , and

WHEREAS Federal Law supersedes both State and Local Laws

WE HEREBY PETITION for the reorganization of Warren County Government to meet our Federal protections.

Respectfully submitted,

Supervisor Doug Beaty
Supervisor Peter McDevitt
Supervisor Rachel Seeber
Supervisor Mark Westcott
Councilman Doug Irish
Councilman Brian Clements
Lara Currie
Jack Currie
James Mackey
Royann Mackey
Gladys Mainwaring
Jon Mandwelle
Fred Solomon
Travis Whitehead
On Behalf of the Upstate New York Taxpayers Advocates (UNYTA)

SWIS Code	(1) City or Town	(2) Assessed Value Used for Apportionment	(3) Taxable Assessed Value Upon Which the Tax is Actually Levied	(4) Certified County Equalization Rate	(5) Full Valuation of Taxable Real Property Used for Apportionment	(6) County General Tax Levy	(7) Net Amounts of Credits & Adjustment (+ or -)	(8) Net County Tax Levy (after credits & adjustments)	(9) Explanation of Adjustments
520500	Glens Falls	764,919,384	764,917,254	77.00	993,401,797.40	3,918,056.40		3,918,056.40	
522000	Bolton	1,542,183,250	1,542,183,250	100.00	1,542,183,250.00	6,082,494.75	-650,000.00	5,432,494.75	Sales Tax Credit
522201	Lake George, Vlg	216,862,084	216,862,084	99.00	219,052,610.10	863,961.02		863,961.02	
522289	Lake George, TOV	874,248,107	874,248,107	99.00	883,078,895.96	3,482,933.93	-100,000.00	3,382,933.93	Sales Tax Credit
522400	Chester	735,137,462	735,135,412	100.00	735,137,462.00	2,899,441.34		2,899,441.34	
522600	Hague	446,098,870	446,091,370	76.60	582,374,503.92	2,296,931.93	-300,000.00	1,996,931.93	Sales Tax Credit
522800	Horicon	641,463,966	641,446,766	100.00	641,463,966.00	2,529,985.52		2,529,985.52	
523000	Johnsburg	8,848,664	8,848,604	2.00	442,433,200.00	1,744,992.27		1,744,992.27	
523200	Lake Luzerne	350,824,287	350,813,787	93.50	375,213,141.18	1,479,870.58		1,479,870.58	
523400	Queensbury	3,556,298,573	3,556,265,123	100.00	3,556,298,573.00	14,026,327.24		14,026,327.24	
523600	Stony Creek	1,400,401	1,396,471	1.07	130,878,598.13	516,195.62		516,195.62	
523800	Thurman	160,006,029	160,004,529	100.00	160,006,029.00	631,076.65		631,076.65	
524000	Warrensburg	331,936,498	331,934,998	100.00	331,936,498.00	1,309,184.16		1,309,184.16	
		9,630,227,575	9,630,147,755		10,593,458,524.69	41,781,451.41	-1,050,000.00	40,731,451.41	

