

December 6, 2019

Chairman Bogdanowicz Reappointed to Commission

The Tug Hill Commission's board chairman Jan Bogdanowicz was recently reappointed by Governor Cuomo to another term, to expire August 1, 2023. Jan has served on the board since 2009, and was first elected chairman in 2012. Jan is a resident of the town of Montague, Lewis County, where he served as town supervisor for many years.



The Tug Hill Commission will meet on Monday, December 9 at 4:00 p.m. at the commission office located on the 6th floor of Dulles State Office Building, 317 Washington St., Watertown. The public is welcome to attend.

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Phil Street Gives Last Presentation as Director of Planning for the Tug Hill Commission

An auditorium full of people came to Jefferson Community College November 21, 2019 to hear the Tug Hill Commission's Director of Planning, Phil Street, give some parting words of wisdom to the communities that the Commission serves. There was an air of comradery as participants and friends of the commission came early to share donuts and cider from the Burrville Cider Mill. The air buzzed with conversation until the crowd filtered into the auditorium. Phil handed out packets with guidance on zoning topics ranging from issues that lack statutory guidance, general confusing concepts, and best management and administrative practices. The following is a list of what Phil covered in his two-hour presentation:

<u>Lack of Statutory Guidance</u>	<u>Confusing Concepts</u>	<u>Best Practices</u>
<ul style="list-style-type: none">• Straddled parcels• Area Variance for site plan/special permit/subdivision• Governmental immunity• Abbreviated subdivision review process	<ul style="list-style-type: none">• Site plan vs. special use permit• Nonconformities vs. illegal use• Mobile home definitions• Permit goes with land, not individual landowner	<ul style="list-style-type: none">• Measuring road setbacks• Change in use definition• TL 280-a open development districts• Underutilized appeals for interpretations• Regulating operations of businesses

Some participants took notes in their packets and notepads and others just listened, all absorbing over 40 years' worth of Mr. Street's planning knowledge. There were a handful of thoughtful questions asked to Phil, which lead to even more insightful discussion into the topics listed above.

To see Phil's presentation, visit this YouTube link: <https://youtu.be/kMjkSIkkAOk>

To download a copy of his "how-to" guide, visit the commission's website at: <https://www.tughill.org/services/training/presentations/>

Association of Towns Delivers Newly Elected Workshops

The Association of Towns of the State of New York attorneys Lori Mithen and Sarah Brancatella provided critical information to approximately 30 newly elected officials this week in Boonville and Lorraine. The presentations provided an overview of town government, typical town services (both town wide, town outside village, and district specific), town revenue sources, and the relative roles of several town offices: the town board, tax collector, assessor, board of assessment review, highway superintendent, and planning and zoning boards. The presenters emphasized the importance of the oath of office, the first item on the to-do list for newly officials (see related article below).



The workshop in Lorraine drew a capacity audience.

A significant amount of each evening was dedicated to the importance of municipal ethics and a six-question test for town officials to use when faced with a potential conflict of interest was provided. It was a lively, interactive session with many attendees staying after the workshop to ask individual questions of the presenters.



Association of Towns attorneys Lori Mithen and Sarah Brancatella shared their expertise with Tug Hill newly elected officials.

These two-hour workshops delivered just the tip of the iceberg on what local officials are required to know. For more in-depth training, Association of Towns is hosting two newly elected training schools in January, one in Rochester (January 8-10) and another in Albany (January 15-17). For more information and to register, see their website at <https://www.nytowns.org/>.

The Association of Towns is a membership organization that serves town governments by providing training programs, research and information services, technical assistance, legal services, insurance programs and a variety of publications to member towns. It represents town governments by providing advocacy in Albany, monitoring legislation and regulatory action, lobbying and presenting initiatives solely on behalf of towns. The Association gains all of its revenue from dues and receives no State or federal assistance.

Did You Know...Oaths of Office

Public Officers Law section 10 and Town Law section 25 require that every public officer "...take and subscribe" an oath of office "before an officer authorized by law to administer oaths..." and to file that oath of office before he or she performs any official duties. The oath of office for an elective office must be taken and filed before duties are performed and within thirty days after the commencement of the term of office. The oath of office for an appointive office must be taken and filed within thirty days after notice of appointment or within thirty days after the commencement of the term of office. All "town officers" are subject to this requirement – any position where the functions and duties directly affect the citizens of the town and involve the exercise of the powers of the town, would be considered a town officer (including deputies, planning and zoning board members, assessment review board members, etc.)

The above cited section of the Public Officers Law also outlines who may administer an oath of office. These include notary publics, town councilmen or town justices in the town they serve, town supervisors or town clerks if they have taken their oath of office, justices of the State Supreme Court or Court of Appeals and several others (see Public Officers Law section 10). Once the oath has been completed, the oath of office needs to be filed with the town clerk's office, and town justices and court clerks must additionally file an oath of office with the county clerk and the Office of Court Administration. The oath of office is good for the term of the office for which it is taken.

Taking and filing an oath of office is very important because if an individual refuses or fails to file in the time limit established by law, the office automatically becomes vacant per Public Officers Law section 30 (1)(h). Taking and filing the oath late **does not** cure the vacancy. If the appointing body so desires it may fill the vacancy that occurs in this instance. The only exemption to this time frame deals with members of the Armed Forces who are absent from the county they reside in at the time of appointment and this case has its own time requirements. The actions of officers who continue to serve in their positions after a failure to file their oath are still considered valid under Public Officers Law section 15, but the officer can be notified of the vacancy by the town and then replaced at any time.

Just Elected - What Do You Do Now?

Thursday, December 12, 2019, Webinar Time: 6:30 - 8:30 p.m.

Hosted By: The Office of the State Comptroller

Please join us for this informative session as representatives from the Office of the State Comptroller and the Association of Towns of the State of New York provide an overview of topics essential to serving in town government. Presenters will discuss the roles and responsibilities of town officers, ethics, organizational meetings and procedures, laws and ordinances, reporting requirements, and available resources to assist you in your position.

To register, see <https://www.osc.state.ny.us/localgov/academy/webinarstraining.htm>.

Fourth Remsen-Lake Placid Rail Corridor Meeting Added, Utica December 19

A new state plan for the rail travel corridor between Remsen and Lake Placid was recently released by the NYS Departments of Environmental Conservation and Transportation. The [Draft Remsen-Lake Placid Travel Corridor Unit Management Plan \(UMP\) Amendment/Supplemental Environmental Impact Statement \(SEIS\)](#) calls for rehabilitating track to extend rail service between Big Moose near Old Forge to Tupper Lake. The Draft UMP also calls for the removal of 34 miles of rail from Tupper Lake to Lake Placid for improved multi-use recreational opportunities that will better connect the Tri-Lakes Region.

An additional public meeting has been scheduled for Thursday, December 19 at 6 pm in the first floor conference room of the Utica State Office Building, 207 Genesee Street.

The deadline for comments has been extended from December 20, 2019 to January 8, 2020. More information can be found here: www.dec.ny.gov/lands/62816.html.

Counties to Receive Census Funding from State

The Governor's office announced this week that \$20 million is being made available from the FY 2020 to support Census efforts. \$15 million is being distributed to all 62 counties as well as the cities of Buffalo, Rochester, Syracuse, and Yonkers. Each locality must respond to a Request for Expressions of Interest, and then submit a plan outlining how they will use the funds. The remaining \$5 million will be deployed over the coming year to target specific communities where further outreach will be necessary as 2020 Census questionnaire filing results become available.



The \$15 million is distributed to local governments based on a formula that builds on the Rockefeller Institute of Government's At-Risk Community Index, a data-based measure of undercount risk, while accounting for differences in population density and its impact on outreach logistics. The four Tug Hill counties are scheduled to receive the following amounts:

- Jefferson \$214,768
- Lewis \$70,580
- Oneida \$339,852
- Oswego \$167,888

The funding allocations to all counties and cities is available [here](#).

How to Write a Superior LGRMIF Grant Narrative Webinar

New York State Archives webinar to be held on Wednesday, December 11, 2019, 10:00 - 11:00 a.m.

The project narrative is an important part of the Local Government Records Management Improvement Fund (LGRMIF) Grant application. Applicants should pay careful attention to the information requested within it.

This webinar will help applicants improve their chances of writing a successful grant application by discussing the grant narrative and each section of the narrative in detail.

To register: <http://www.archives.nysed.gov/workshops/schedule/how-to-write-a-superior-lgrmif-grant-narrative-webinar-2019-12-11>

Contact Us

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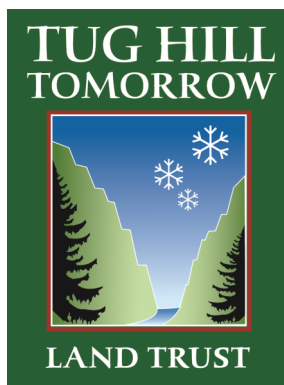
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To request our newsletter electronically please email gwen@tughill.org or call 1-888-785-2380.

For upcoming trainings, grant deadlines, and meetings, view our [calendar](#).



Tug Hill Tomorrow Land Trust Upcoming Outings

Saturday December 2, 2019, 10 am to 2 pm: Winter Hike on Murray Trail

Saturday, January 18, 2020, 10 am to 2 pm: Black River Forest Hike, Ski or Snowshoe

Saturday, February 9, 2020, 10 am to 2 pm: Jackson Hill Trails Hike, Ski or Snowshoe

All events are free and open to the public. For more information and to register, see <https://tughilltomorrowlandtrust.org/events/>.

