

**Tompkins County Council of Governments
Gas Drilling Task Force
MINUTES
January 19, 2011**

ATTENDING:

Liz Thomas, Carol Chock, Art Pearce, Krys Cail, Craig Schutt, Sue Beeners, Ted Crane, Roxanne Marino, Sue Kinchy, Joe Wilson, Darby Kiley, Jason Leifer, Josh Bogden. Sara Hess, Irene Weiser, Phyllisa DeSarno.

MEMBERSHIP:

Some new faces joined TANG: Sue Beeners from Danby Planning, Ted Crane from the Danby Gas Drilling Task Force, Sue Kinchy a new resident of Caroline, Irene Weiser a new Town Board member in Caroline and Phyllisa DeSarno from the City of Ithaca Planning Department. Welcome! We hope to continue to bring in new members and Planners from other municipalities.

TARGETED TANG PROJECTS

TANG's goal for the first half of 2012 is to organize a set of workshops on specific topics. Workshops will range from several hours to a half day. The target audience is municipal officials although topics are likely to be of broad interest. These workshops can be offered once or as a series. Videotaping would allow flexibility for others to hear these presentations. Distributing the info via PowerPoint would allow others to make similar presentations in their own area.

Action items

WORKSHOP 1: Mortgages, Real Estate and Taxation

WHO: Leaders and organizers: Carol Chock, Sara Hess, Liz Thomas, Joe Wilson, Irene Weiser, others are welcome!

- Provide content / create a power point – Carol
- Publicity – Liz?
- Site selection and organization (Borg Warner room or Women's Community Building) – Joe Wilson, Irene Weiser

WHEN: Targeting March – potentially after the TCCOG meeting.

- This will not be a half day presentation, more likely an hour or two.

TARGET AUDIENCE

- Municipal officials and staff, bankers, realtors, TCAD.

WHAT:

- Implications of gas drilling on the real estate and mortgage markets
- Help municipalities understand the Ad valorem weakness i.e. the delay of receipt of funding and how that affects municipalities.
- Discuss basics of how drilling has and may affect the economy of an area.

WORKSHOP 2: Pipelines

WHAT:

- Help municipalities and others understand who regulates pipelines and what can be done at the municipal level addressing gathering lines. The Public Service Commission (PSC), Ag and Markets, and local municipalities all have differing jurisdiction depending on the type of line.
- Help municipalities understand how to implement pipeline regulations.

WHO: Craig Schutt, Darby Kiley, Krys Cail, Sue Beeners, Planning staff from other municipalities?

- Craig Schutt has a contact at Ag and Markets who can help.
- Darby has a contact in Chenango County with draft legislation for gathering lines.
- Darby has a contact from the PSC who has previously spoken on the subject of what it regulates and what municipalities can regulate.
- Potentially this workshop can also address stormwater runoff issues.

WHEN: April? – potentially after the TCCOG meeting.

TARGET AUDIENCE

- Municipal officials

POTENTIAL FUTURE WORKSHOP TOPICS

- Aquifer protection – building on what's been done in Danby and Dryden. Enlist USGS.
- Emergency management – invite speaker from Association of Towns presentation in 2011. Irene Weiser may be able to help with this.

AWARENESS OF STATE LEGISLATION

Members of the NYS Senate and Assembly have introduced a number of different pieces of potential legislation that would influence the gas drilling industry in NY. Keeping aware of what bills have been introduced and their fate is difficult but TANG and TCCOG may want to weigh in on some of this legislation. Providing draft resolutions to municipalities would be helpful. Krys Cail tracks legislation on her blog at <http://solidshale.wordpress.com/>. The Danby Gas Drilling Task Force also tracks legislation on their site at <http://town.danby.ny.us/GasDrill>.

Action item: Krys Cail offered to help keep TANG aware of legislation and Jason Leifer offered to write draft resolutions. Others welcome!

AMICUS BRIEF BRIEFING

The Town of Ulysses submitted an amicus curiae/brief (literally friend of the court) to the Dryden and Middlefield home rule lawsuits using the Albany law firm of Whiteman, Osterman and Hanna (WOH). Part of the detail was included in the Dryden case and the brief was accepted for the Middlefield case; a version thereof may be used in an appeal of either case. The firm and their key attorneys, David Everett and John Henry, have been working on drilling issues since 2002 and are well versed in the legalities and vagaries of the subject. When either of these cases will be decided is yet unknown.

Roxanne Marino from the Town of Ulysses is spearheading a drive to create a coalition of municipal support for the amicus brief (a non-monetary request) in the likely appeal and has 24 municipalities signed on to date with 8 to 10 more considering, the majority of which are outside of Tompkins County. Roxanne has a draft resolution for any municipalities interested in signing on

(roxanne.m.marino@gmail.com). The Town of Ulysses attorney, Mariette Geldenhuys is also available to answer questions municipalities may have about signing on.

Towns **directly involved** in the lawsuit and amicus brief filing: Dryden, Ulysses.

Towns within Tompkins County that have **signed on**: Enfield, Danby, Lansing.

Those **considering signing on**: Newfield, Caroline, City of Ithaca.

Uncertain or no action: Town of Ithaca, Groton, Freeville, Trumansburg, Village of Dryden, Village of Groton, Village of Cayuga Heights, Village of Lansing, Tompkins County.

FUNDING FOR HOME RULE LEGAL EXPENSES

To date, the Towns of Dryden and Ulysses have footed the majority of the costs for legal defense on the home rule issue that will help determine where or whether drilling will be allowed in NY municipalities. Bills for this legal work have escalated to the point where the citizen's action group, Concerned Citizens of Ulysses are leading an effort to raise outside funds to help offset these expenses. For the immediate future, anyone wanting to support this effort is making checks out to *The Town of Ulysses with legal aid* in the memo line, but an official non-profit organization would be better for the long-term. Irene Weiser indicated the Sustainable Markets Foundation could fill this need. They would take care of administrative details required for the IRS and manage fundraising for groups such as 350.org. The charge for this management is 5%.

Action item: put on next agenda as a topic.

GENERAL ANNOUNCEMENTS

The Cornell Environmental Law Clinic is interested in assisting TANG and municipalities.

Cooperative Extension

A group from Cornell Cooperative Extension, CaRDI and several planners are organizing 4 to 5 workshops around NY. Darby will fill us in on the details as they become more certain.

NEXT MEETING:

The next meeting is on February 16.

The first part will be general topics. The group will then split to both sides of the conference room to work on the two workshops.