

**Tompkins County Council of Governments**  
Regular Meeting Minutes – APPROVED 8-23-2012  
**Thursday, July 26, 2012 3:00 PM**  
Scott Heyman Conference Room

**Attendance**

Members Present: (11 municipalities)

T/Caroline - I Weiser	C/Ithaca - J.R. Clairborne
T/Danby - R. Dietrich, L. Shawley	Co./Tompkins – M. Robertson, P. Stein
T/Ulysses - E. Thomas	T/Ithaca - H. Engman, B. Goodman
V/Lansing – D. Hartill (excused at 3:25 p.m. )	V/Cayuga Heights - K. Supron
T/Enfield – A. Rider	T/Dryden – M. Sumner (arrived at 3:25 p.m.)
	T/Newfield – R. Driscoll

Municipalities Not in Attendance: (6 municipalities) V/Dryden, V/Freeville, T/Groton, V/Groton,  
V/Groton, T/Lansing

County Staff: M. Lynch, P. Younger, County Administration, M. Pottorff, Legislature Office; L. Schill,  
Tompkins County Planning Department

Guests: P. Pryor, L. Berger, T. Mitrano, E. Swayze, Broadband Committee; L. DiPetro, Fingerlakes  
Community News

**Call to Order**

Mr. Driscoll called the meeting to order at 3:02 p.m.

**Greeting/Sign In/Review Agenda**

There were no changes to the agenda.

**Request for Funding - Road Forum**

Ms. Weiser said in May a forum was held on road use agreements that involved the Association of Towns, Cornell Local Roads Program, and Whiteman, Osterman and Hanna. The purpose of the forum was to educate townships and counties about how to protect roads in situations of gas drilling. Chris McConkey, a local resident who has been filming events related to gas drilling throughout the community, was asked and agreed to videotape the forum. Subsequent to being there he was asked to make dvd's of the video and make them available. Subsequently, he requested payment from TCCOG in the amount of \$300 to cover some of the costs of his service. Mr. McConkey provided a detailed report of all of his fees for service and she noted it was much higher than the request of \$300. Ms. Weiser said it is true that there was no prior notice to TCCOG of the expense. TCCOG discussed this at the last meeting and a request was made for additional information and the item was deferred to this meeting. Information has been received and the item is now ready for consideration.

**MOTION NO. 001-2010 APPROVAL OF PAYMENT FOR VIDEO PRODUCTION AT ROAD  
PRESERVATION FORUM**

It was MOVED by Ms. Robertson, seconded by Mr. Dietrich, and unanimously adopted by voice vote by members present, to approve payment in the amount of \$300 to Cris McConkey for the production of a video of the May 8, 2012, forum held in Cortland, New York, on “Developing Road Preservation Laws and Road Use Agreements”.

Ms. Robertson reported the unrestricted amount available in the TCCOG Reserve is \$5,263.

There was consensus that fees for should be requested to TCCOG prior to an event; however, members believe the services rendered are significant because it will provide towns with vital information on a topic that is important. Mr. Dietrich said the video goes a long way in being able to help municipalities that don't have road use agreements currently in place. Ms. Thomas said this is not only a service to Tompkins County but to communities beyond.

Gas Drilling: Report on Trip to Albany (DOC ID: 3542)

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**Minutes Approval – May 24, 2012 and June 28, 2012**

It was MOVED by Ms. Supron, seconded by Ms. Rider, and unanimously adopted by voice vote by members present, to approve the minutes of June 28, 2012, as submitted. MINUTES APPROVED.

It was MOVED by Ms. Robertson, seconded by Ms. Weiser, and unanimously adopted by voice vote by members present, to approve the minutes of May 24, 2012, as submitted. MINUTES APPROVED.

**Presentation from the County's Special Broadband Committee**

Ms. Pryor introduced members of the Committee and staff in attendance. She said in January 2012, the Committee made a presentation to the County Legislature along with a recommendation that the Committee believes is the best way to reach the unserved areas of Tompkins County with broadband service by implementing a fixed wireless system. She noted that "unserved" areas also includes underserved areas which are areas that people have some type of service but it doesn't rise to the level to meet current FCC standards. She also said "households" include businesses in the rural parts of the County.

Ms. Pryor said the Committee was formed in August 2010 and began work in October 2010. As they began to discuss this big topic they identified the three "A's" that they would focus on and formed subcommittees around these areas: Access, Affordability, Marketing, Awareness and Education. She said during their work they found another area that needed to be explored - "Option" and whether people would choose to sign up for a service if they were aware of the service. Part of their education program was to design a series of community engagement forums.

A group of members visited seven rural areas of the County and held town hall community engagement forums and encouraged the public to attend and talk about what they saw as the needs. Ms. Pryor said a lot of information from those meetings has been compiled in addition to a survey that was completed by 93 individuals. In addition, Ms. Younger put together a funding application to the Park Foundation to conduct a more scientific survey. She was successful in being awarded \$9,000 and the Committee entered into a contract with the Survey Research Institute which conducted a phone survey of households in the unserved areas. They are still in the process of analyzing that information and a final report will be posted on the Broadband website and distributed to TCCOG members.

Ms. Sumner arrived at this time.

Ms. Pryor spoke of items that have emerged from the survey. Concerns expressed included: the educational impact for children if they lack access to the internet, being able to work from home, and the need for access by small businesses.

Ms. Pryor said after this extensive study and several meetings held since January 2012, an idea arose to take all of the information that has been gathered and put it out to potential providers through an RFI (Request for Information). Through this they would ask what they would do to provide the service to residents of Tompkins County. There was a lot of discussion as to whether it would be best to proceed with an RFI or move directly to an RFP (Request for Proposals). At the Committee's meeting this week the Committee felt strongly about moving ahead with the RFI.

Ms. Weiser asked if the RFI would be specific to a wireless system. Ms. Pryor said it would be broad enough to include any type of system.

Ms. Pryor said when the Committee originally made a report to the Legislature in January 2012 there were 4,700 households in the County that were unserved. Since then a major project in Dryden has taken place and will reduce the number of unserved households to 2,000. She said the magnitude of this reduction will have some impacts on how this is moving forward and there is another town that may do a similar project and reduce the number by another 200 households.

*Ms. Rider asked that Haeefe Television and the Trumansburg Phone Company be on the Committee's mailing list for the RFI.* Ms. Younger said the RFI will be posted on the Committee's website; however, they can contact any provider to make them aware that the RFI is posted. Ms. Rider said Mr. Haeefe has stated that he contacted the Committee but has not been responded to. Ms. Pryor said an invitation was extended to Mr. Haeefe to attend meetings and noted that all information is posted on the County's website.

Ms. Sumner suggested the Committee work with the New York State Wireless Association and said they have been very helpful in providing resource information.

Mr. Dietrich said he will be holding a forum in Danby in September and would find it useful to know where the Towns of Caroline and Newfield are with this because there are some issues of co-location that would serve everyone. Ms. Pryor said the Committee would be happy to attend any town board meetings.

Ms. Pryor said the report to the Legislature can be found on the County's website: [www.tompkins-co.org/legislature](http://www.tompkins-co.org/legislature) and a map of the unserved areas is contained within the report. She reported on the timeline for the RFI and said the Committee will have to discuss next steps once information is received. She said she would like to speak more with each community about what the needs are and what projects are taking place in rural areas.

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### **Report on Trip to Albany**

Ms. Robertson reported on July 11 she and Legislator Chock traveled to a meeting organized by NYSAC (New York State Association of Counties) in Albany. Ms. Chock had briefed NYSAC on the White Paper produced by the Assessment and Land Values Subcommittee of the Gas Drilling Task Force. A meeting was arranged with Bob Megna who is the Budget Director for the Cuomo Administration where they were able to lay out the fiscal risks to New York State and what many problems exist with the current tax system.

At the end of the meeting Mr. Megna asked for suggestions and was provided with a production tax (a minimum tax so that even if no value is received from a well that a municipality would get a tax payment). She said because 80% of the wells don't actually produce; only 20% of the wells actually

produce enough value to produce royalties. Other suggestions given were fees up front to cover costs before anything actually happens, fix the Ad Valorem tax, and a severance tax that would be shared with the State and property tax collecting jurisdiction.

Mr. Megna said there are other places where staff has identified at least eight State agencies that are going to have significant costs once drilling gets started. He also said the State does not want to embark on something where the costs to the State and local government won't be covered by the industry. Ms. Robertson said this is the first time she felt someone was really engaged in the conversation and sincere about the State's wishes to work with local governments. He made clear, however, that his job was not to decide whether fracking should happen but to have a structure in place to cover costs if it does.

Ms. Robertson said she reported on this to the County Legislature; the minutes from that section of the meeting will be forwarded to members. She will be traveling to Washington, D.C. tomorrow to meet with staff from the Energy Committee. She also announced an event will take place on August 25, 26, and 27<sup>th</sup> in Albany and will report more on this at the next meeting.

Mr. Driscoll said follow-up to the meeting with Mr. Megna is important and suggested a letter be sent acknowledging this report to TCCOG and supporting these efforts. Ms. Thomas asked whether it would also be effective to send municipal resolutions. Ms. Sumner suggested a letter from the town supervisor or mayor with the municipal board's support. Ms. Robertson said these letters or resolutions should not just go to Mr. Megna in the State Budget Office. She and Ms. Chock wrote a summary of the items that were said during the meeting; *it was suggested this letter be circulated to members.*

### **Discussion of Sharing Information on Various Topics**

Ms. Thomas said she thinks it would be useful to have information discussions about topics that municipal representatives have found effective and gave examples of energy efficiency and asked if it would be helpful to have informal discussions about various topics to help members learn from one another.

Topics suggested included: Information technology policies, Ethics, communication strategies, running meetings, budgets, the Property Tax Gap and override.

Mr. Engman suggested structuring meetings in a way that would allow those who are interested in a topic to meet prior to the meeting or at the meeting and then begin the meeting at the regular time. Mr. Driscoll agreed to meet with Ms. Thomas and come up with a topic to begin with.

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### **Report from Cable Committee**

Mr. Engman said the Committee will be contacting Time Warner Cable to inform them they are ready to meet and start a discussion. The Town of Ithaca consultant who had offered to do auditing of the Town's Time Warner contract said Time Warner owes the Town approximately \$15,000 and has sent in a claim on behalf of the Town. He is still getting clarification on one item and said there may be more. Mr. Engman said things are going well and they are recommending that communities that have received renewal requests from Time Warner hold off and make them part of the later discussions.

Mr. Clairborne spoke of the monies found through audits and said Time Warner passes this along to customers. He asked if many municipalities find these overages whether it would be possible to contact the Public Service Commission as a body to ask that Time Warner not be allowed to continue that practice. Mr. Engman said one thing they cannot pass on to the customer is penalties.

Minutes  
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The next meeting will be August 6<sup>th</sup> at 1:30 p.m.

**Announcement of Presentation on Dispatch Center Consultant Report**

Mr. Stein invited members to attend a presentation by the consultant on the 911 Center operations that will be given to the Public Safety Committee on August 1<sup>st</sup> at 11 a.m.

Ms. Thomas spoke of EMS issues that exist between Trumansburg and the Town of Ulysses and suggested a meeting be held with fire services, EMS providers, and government officials. Mr. Stein asked that Ms. Thomas e-mail him with questions or concerns she has.

**Next Meeting Agenda Items**

Members were asked to submit agenda items for the next meeting.

**Adjournment**

The meeting adjourned at 4:17 p.m.

Respectfully submitted by Michelle Pottorff, Legislature Office