

Tompkins County Council of Governments
Regular Meeting Minutes – APPROVED
Thursday, June 27, 2013 3:00 PM
Scott Heyman Conference Room

Attendance

Attendee Name	Title	Status
Fredric Dietrich	Member, Town of Danby representative	Present
Herb Engman	Member - Town of Ithaca	Present
Elizabeth Thomas	Member - Town of Ulysses representative	Present
Kate Supron	Co-Chair, Village of Cayuga Heights representative	Present
Betty Conger	Member, Village of Groton representative	Present
Bill Goodman	Member - Alternate, Town of Ithaca representative	Present
Dominic Frongillo	Member, Town of Caroline representative	Present
James Dennis	Alternate - Tompkins County	Present
Sharon Bowman	Alternate - Town of Lansing	Present
Irene Weiser	Member - Alternate, Town of Caroline representative	Present

Municipalities Not in Attendance: C/Ithaca, T/Dryden, T/Groton, T/Newfield, V/Lansing, V/Freeville, V/Groton, V/Dryden, T/Trumansburg

Guests: K. Borgella, Tompkins County Planning Department; P. Pryor, Tompkins County Legislature; C. Bartosch, Clarity Connect; M. Lynch, County Administration

Call to Order

Ms. Supron called the meeting to order at 3:08 p.m.

Greeting/Sign In/Review Agenda

Reports on Broadband and the Health Insurance Consortium were added to the agenda. The update on Effectively Facilitating Meetings: A training for Elected Officials was deferred to the July meeting.

Minutes Approval - May 23, 2013

Due to lack of quorum the minutes of May 23, 2013 were deferred.

Report from the Health Insurance Consortium

Mr. Barber, Board of Directors Chair, distributed brochures on how employers are impacted by the Affordable Care Act. He said there are new reporting requirements that will begin in January 2014 for employers with more than 250 employees, a Patient Centered Outcome Research Tax of \$1 per covered life that begins on July 1st, and Health Exchanges that begin in October 2013. In 2014 there are more requirements that will begin. He distributed copies of information from the Consultant and stressed that this is something municipalities should be paying close attention to. He extended an invitation for any interested municipality to speak with Consortium's Consultant, Steve Locey.

Mr. Barber reported the Health Consortium is doing well and is building reserves. He reported the Consortium has established a committee that is looking into creating an Executive Director position.

Report on Broadband Project

Ms. Supron said municipalities signed on and gave support, financially and otherwise, to the broadband grant application and the grant has been awarded. In terms of the delivery of who will be served first under the grant she said Mr. Driscoll was under the impression that individuals within each

municipality had been told to call Clarity Connect and it would then be based on perceived demand to determine who to serve first. Mr. Bartosch said that is an accurate statement. He said they have approximately 900 people who are pre-registered and who want service. They currently have the capacity to do 70 installs a month. They are putting up a coordinating tower in Enfield that will be the coordinating tower for all of the telephone poles. He said the telephone poles only take two weeks to put up but it can take up to three days to put equipment on those poles. He said with 50 poles to put up it will take approximately 150 days to get all of the infrastructure in place. They will be doing this first in the area that has the greatest demand and the highest number of sign-ups in Tompkins County has been in the Towns of Lansing and Danby.

Mr. Bartosch said the project is currently a \$3.2 million project and was originally a \$4 million project. The State, for various reasons cut a little over \$500,000 out of the project. The primary reason funding was cut was that the program was to fund last mile buildouts in areas that would not otherwise get service. Tompkins County's grant award was one of the largest that actually does last mile.

Mr. Bartosch said two-thirds of the funding shortfall has been made up. They are currently short by 14 telephone poles that have a total cost of approximately \$180,000 but could put in the poles now with no equipment. They are hoping they can find \$42,000 to put the poles in the Town of Caroline and will try to apply for grants to put equipment on those poles later.

In Southern Cayuga County three towns were cut out of the grant and the remaining towns are contributing to help fund the towns that were cut. The contributions of the towns pitching in towards the grant were primarily for three things: waive any and all zoning application fees, pay for running electric to the towers, and promote the project so people will sign up. The cost of each pole will be \$2,000.

Ms. Thomas said it would be in the County's best interest to see that the Town of Caroline is covered. Ms. Pryor said the Broadband Committee met on Monday and discussed how to raise funds to cover the shortfall. They are asking for commitments to the money at this time and will have a donation form that people can sign to pledge to donate funds if they are not able to raise funds in the next year. Mr. Bartosch said he will cover the cost of the poles for up to a year but needs to know by July 15th if funding can be secured and guaranteed by a single entity. She clarified that if a guarantee is not provided by July 15th Clarity Connect will only put in the number of poles that money has been raised for.

Mr. Dennis asked whether there has been any conversation about whether the Town of Caroline or other individual municipalities would be willing to make up the difference and said every time a project is delayed the cost goes up. Ms. Pryor said there has not been discussion with individual municipalities. The cost shared among the other towns would be \$6,000. There was a discussion about how other towns could contribute to the shortfall in funding and it was suggested that Ms. Weiser provide members with a draft resolution for towns to consider donating and distribute to members.

Mr. Barber said this is a big project and very important for the Town of Caroline and although funding would be directed towards the Town of Caroline this is an important Countywide Broadband project and there is a record of other municipalities contributing to Countywide initiatives.

Reports

Local Planning Funding Opportunity (ID # 4254)

Ms. Borgella provided members with draft information showing opportunities the State is offering through initiatives to advance solar in the State and said this year New York State will be number five in the nation in solar installation. They are trying to get municipalities to adopt solar permitting for residential, small scale streamline processes. There are also funds available for comprehensive planning

or updating zoning ordinances addressing client resiliency or looking at energy issues in planning initiatives. All of these projects are expected to be shovel ready for 2014; however, she noted the funding is expected to be in place for at least two more years. All information is available on the website: www.regionalcouncils.ny.gov.

The three categories are:

1. Streamlined Permitting for Photovoltaic Systems and Electric Vehicle Charging Stations, \$1 million Statewide; The deadline for applications is August 1st;
2. Comprehensive Planning; \$4 million Statewide; The deadline for applications is August 12th;
3. Capital Projects; \$25 Million is Statewide; Deadline for application is August 12th.

Ms. Thomas suggested interested municipalities get together to meet about this before August 1st. The information will be sent to all TCCOG members.

Ms. Conger was excused at 4:00 p.m.

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Gas Drilling - Discussion of need for renewed amicus briefs

Ms. Thomas said originally there was a coalition of 53 municipalities plus the Association of Towns, Planning Federation, and Council of Mayors that supported the friend of the court brief that went into the Appeals level. Unfortunately, however, the language that was in the original resolutions that were passed stated "the Appeals Court" and this was not clear enough for when it went to the "Court of Appeals". She said the attorneys working on this recommended adopting the same resolution with the term "Court of Appeals" included. She said it is unknown at this time whether the Court will take this but it could happen as early as August. She provided members with a copy of the resolution and asked that certified copies be provided to her upon adoption.

Mr. Dennis asked if the County should pass this resolution. Ms. Thomas and other members said although the County doesn't have land use authority it may be helpful if the County could support it as well.

Discussion of Cayuga Power Plant

Ms. Thomas provided copies of a resolution in a template form for municipalities to use about the Cayuga Power Plant and a request to convert it to natural gas. Mr. Dennis said there has been a move to close the plant completely and it has a significant financial impact on the Town of Lansing, the Lansing School District, and the County. He expressed concern over the last Resolved and said it would have shown the County as being in opposition to repowering the plant, even with natural gas and said he believes it would have put Tompkins County in a very negative position. He recommended that the resolution be examined closely before asking other towns to pass it.

Ms. Bowman said a letter was received today from the Public Service Commission acknowledging the letter it received from the Town of Lansing informing them of what the implications would be of closing of the plant and urging them to keep the plant in place and allowing it to be retrofitted. It will have an impact on the Town of Lansing but the impact on the Lansing School District will be significant. Ms. Bowman said although they would like them to find greener ways to facilitate energy there is concern for the school district. She said she is the Deputy Clerk of the Town Board and could not speak on its behalf but believes the resolution as presently written would be hard for the Town to support.

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Ms. Weiser said the Public Service Commission has only been open to hearing proposals about gas and not other renewables and she would like the State to be open to using this area as a model to the State in ways to power and use renewables. Mr. Frongillo said he thinks it would behoove the County to look at alternative options as he thinks it is inevitable the federal government is going to place a cost on fossil fuel and burning in the future.

The Committee will talk about this again at the next meeting. All members will be provided with a Word version of the resolution.

Report from Cable Committee

Mr. Engman reported the Cable Committee met prior to this meeting and is within days of having a template completed. Once they have those updates they will send it on to the consultant who will review and send comments back. They will then determine whether there needs to be any technical input into it. Once that determination is made they will be ready to send a final version out to participating municipalities and will schedule a meeting with Time Warner Cable in the Fall to begin negotiations for new franchises for municipalities.

Next Meeting Agenda Items

The following items will be discussed at the next meeting:

Cayuga Power Plant
Other Counties Banning Radioactive Waste
Supreme Court Ruling on Land Use Law - how to proceed
Follow-up on Broadband
Effectively Facilitating Meetings: A Training for Elected Officials

Adjournment

On motion the meeting adjourned at 4:29 p.m.