

Tompkins County Council of Governments
October 22, 2009
Scott Heyman Conference Room
3 p.m.

Approved 11-19-09

Members Present:

T/Caroline – D. Frongillo	V/Cayuga Heights – J Gilmore
T/Danby – R. Dietrich	V/Groton – E. Conger
T/Dryden – M. Sumner	V/Lansing – D. Hartill
T/Enfield – R. Barriere	V/Trumansburg – D. Nottke
T/Ithaca – H. Engman	C/Ithaca – C. Peterson
T/Newfield – R. Dolge	Co./Tompkins – M. Robertson

Municipalities Not in Attendance: T/Lansing, T/Ulysses, V/Freeville, V/Dryden, T/Groton

Guests: J. Mareane, M. Lynch, County Administration; M. Koplinka-Loehr, Chair of the Legislature
Staff: C. Covert, Legislature Office

Call to Order

Ms. Sumner, Vice Chair, called the meeting to order at 3:04 p.m.

Review of Agenda

It was agreed by consensus to add an update on dog control to the agenda.

Review of Meeting Minutes: September 24, 2009

It was MOVED by Ms. Robertson (Co./Tompkins), seconded by Mr. Dolge (T/Newfield), and unanimously adopted by voice vote by members present, to approve the minutes of the September 24, 2009, meeting as amended. MINUTES APPROVED.

Update on Cell Towers

Ms. Robertson spoke about the draft Request for Proposal (RFP) for legal services regarding regulation of Cellular Communications facilities and service included with the agenda packet. She said the subcommittee is interested in sending this out to see how much it would cost to set up a collaborative among interested municipalities in regulating locations and other characteristics of cell towers. The purpose is to encourage companies to place the towers where the municipality is recommending. A brief review of the project scope was provided including a request for legal services to be provided to individual municipalities in modifying their ordinances pursuant to separate contracts.

The municipalities tentatively interested in supporting the RFP include: Tompkins County, City of Ithaca, the Towns of Danby, Dryden, Enfield, and Ithaca, and the Villages of Cayuga Heights and Lansing. Ms. Robertson said by sending this RFP out, it does not commit a municipality at this time, it only provides the respondents a sense of how municipalities may be interested. Ms. Sumner said she would follow-up with the Town of Lansing to see if they were interested in being listed in the RFP.

Ms. Nottke said the Village of Trumansburg was not interested in having any other towers following a discussion at their last Village meeting. Ms. Sumner asked what control the Village would have over a company' request for a permit. She said the point of getting this legal advice is to make sure municipal ordinances allow that control. Ms. Nottke said their ordinances were updated about four months ago, but she believes another review would be appropriate. Ms. Robertson noted that according to the telecommunications law of 1996, companies basically have the authority to not be prohibited.

Copies of a spreadsheet listing all tall structures around the County was distributed and reviewed. Ms. Robertson asked that any changes to the list be given to her or Lee Shurtleff of Emergency Response. Mr. Shurtleff has agreed to update this list regularly.

Update on Emergency Planning

Mr. Dietrich updated the group on emergency planning and said the workshop scheduled for this fall has been postponed. Municipalities are required by FEMA and under State mandates to have certain compliance issues in place. The County believes it is important to have communication between municipalities specifically with emergency planning. Mr. Dietrich said there is a possibility that an emergency situation could impact multiple municipalities but there may not be enough expenditures in a single municipality to qualify for aid. He said a town is allowed to put up in-kind contributions and is allowed, if there are shared service agreements to combine expense numbers. He said the County is trying to get all municipalities to work together on this and expects this to come back to TCCOG after the first of the year.

Update on Dog Control

Mr. Engman spoke of a recent conversation he had with the Executive Director of the SPCA concerning the Tompkins Control subsidiary. There have been some delays with completing contracts, but those municipalities that are part of that should plan a meeting to go over the contract. The SPCA continues to work on the numeration proposal and is awaiting data from two municipalities (City of Ithaca and Town of Enfield) concerning the number of households and miles of road. Mr. Engman said the memorandum of understanding with the Cornell University Animal Hospital continues to move forward and work on the emergency disaster plan for animals will be taken back up in January.

Report - 2010 Census

Mr. Koplinka-Loehr provided information on the 2010 Census process and the proposed charge to a special Committee of the Legislature that he intends to appoint in the near future. Mr. Engman strongly encouraged agencies such as the Workers Center to be involved with the census count.

Natural Gas Drilling Update

Mr. Engman said the subgroup has been meeting and discussing natural gas drilling at length. He reported the group reviewed the draft road legislation as prepared by the County. However, when it was applied to towns, it did not match with Town Law.

Two meetings are being proposed concerning natural gas drilling: the first will be to go over the content of the Draft Generic Environmental Impact Statement (DGEIS) prepared by the State and the second meeting will be to hear from the public with written responses being submitted to send to the State. The two meetings are scheduled for November 5th at the Unitarian Church and on the 19th at the State Theater. Ms. Robertson commented that the Ithaca Journal is interested in being involved as well.

Mr. Engman said the Environmental Management Council is also doing a review of the DGEIS, which may help to provide more information at the November 5th meeting. In addition, Ms. Robertson said the Planning Department staff will be looking at it, but does not believe they will have enough information for that meeting. Mr. Engman reminded members that the Planning Department has offered their service to any municipality with mapping out any unique natural areas, parks, etc. if they wish to include this information with their responses to the State.

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A brief discussion followed concerning loads per axle on vehicles and Mr. Dietrich said this is the area the Sheriff is having his deputies trained in.

Members discussed taking action to request the State to extend comment period for a period of time. Ms. Robertson commented that copies of the DGEIS are available in various town halls and the City Clerk's office.

Ms. Sumner spoke of possible people to reach out to such as engineering firms, a representative from the Waste Water Treatment Plant, etc., either as participants or speakers at the upcoming meetings who may be able to help in the process and understand some of the information in the DGEIS.

Motion: To Authorize the Chair to request an Extension of Comment Period for dSGEIS on the Oil, Gas and Solution Mining Regulatory Program

It was MOVED by Mr. Engman (T/Ithaca), seconded by Mr. Koplinka-Loehr (Tompkins County), and unanimously adopted by voice vote by members present, to authorize the Chair, on behalf of the Tompkins County Council of Governments, to write a letter to the New York State Department of Environmental Conservation requesting an extension to January 30th for the comment period for the dSGEIS (draft Supplemental Generic Environmental Impact Statement).

Mr. Gilmore spoke about drill water and said the Village of Cayuga Heights' engineering firm is Stearns and Wheler and believes a contact could be made to the Village's representative who has studied the issue of natural gas drilling. He briefly updated the Council on action he expects the Village Board to take in the near future concerning drill water. He believes there will be a motion to table any action on the acceptance of drill water and revisit the issue in three years.

Mr. Dietrich asked if there has been any discussion from participating municipalities concerning shared services in areas such as lighting, noise, culverts, etc. as the Town of Danby is interested in putting some in Town Law. The only area he is familiar with is roadways. He believes that having templates for towns to use for certain areas would be very helpful. Mr. Engman said there have been discussions with the Towns of Caroline, Danby, and Ithaca about paying for one attorney that would come up with a model that could be used for others.

Next Meeting

The next Council meeting is scheduled for November 19th at 3:00 p.m.

Adjournment

The meeting adjourned at 4:11 p.m.