

**Minutes**  
**Tompkins County Council of Governments**  
**Thursday, June 24, 2010 – 3 p.m.**

*Approved*

Members Present: (11 municipalities)

T/Caroline – D. Barber

T/Danby – R. Dietrich

T/Enfield – R. Barriere

T/Ulysses – E. Thomas

T/Newfield – R. Driscoll

T/Ithaca – H. Engman

V/Cayuga Heights – K. Supron

V/Groton – E. Conger

C/Ithaca – C. Peterson

Co./Tompkins – M. Robertson (arrived at 3:20 p.m.)

T/Dryden – M. Sumner (arrived at 4:28 p.m.)

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

Guests: M. Lynch, County Administration; J. Jurkowich, Tompkins County Planning Department; E. Banford, Environmental Management Council; M. Wells, Enfield Energy; S. Shackford, Ithaca Journal; L. Shawley, Town of Danby; P. Stein, TC Legislature; J. Carey, WHCU

Staff: M. Pottorff, Legislature Office

**Call to Order**

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

**Approval of Minutes of May 27, 2010**

It was MOVED by Mr. Engman, seconded by Mr. Barriere, and unanimously adopted by voice vote by members present, to approve the minutes of May 27, 2010 as amended. MINUTES APPROVED.

**Changes to the Agenda**

There were no changes to the agenda.

**Presentation – Enfield Energy Project**

Mr. Frongillo said for many years the Town of Caroline has been interested in doing a large scale energy project, particularly because of its moderate wind energy. He said they have learned in the Town of Caroline that it takes a lot of work and expense for small towns with volunteers to develop a project on its own and they have begun thinking of potential ways to tie into existing efforts, such as the Enfield Energy Project.

Mr. Frongillo introduced Eric Banford, resident of the Town of Danby and a member of the Environmental Management Council, who has been working with the Enfield Energy Project.

Mr. Banford said he has spoken to many different groups about the Enfield Energy Project, including the County Legislature, and is trying to get communities to sign a non-binding Letter of Intent for a long-term Power Purchase Agreement with Enfield Energy.

Margaurite Wells, Project Manager for Enfield Energy, said at this point Enfield Energy is trying to find financing to move the project ahead through the rest of the permitting processes. She said the standard contract people buy power with is called a “Power Purchase Agreement (PPA)”. At this time they do not think people are interested in entering into a contract but may be willing to indicate their interest in purchasing wind power in the future. She distributed copies of a non-binding a “letter of intent for a long-term Power Purchase Agreement with Enfield Energy, LLC”. Although it is not binding she said it is important to potential financiers to see that there is interest in purchasing the power once it is available.

At this time they are seeking interest from municipalities or school districts; she believes there would be a mechanism at some point in the future to also provide service to residential customers.

Mr. Banford spoke about community-owned wind farms and quoted from an article entitled “The coming of Age of Community Wind” by Jacob Susman, CEO of OwnEnergy.

“Community wind projects have been shown to have greater economic benefits and drive more job creation than large-scale “absentee” wind farms. At a time when the nation must create jobs and stimulate economic growth, Community Wind does both. Since ownership is retained in the community and profits are recycled, incremental jobs are created, along with more wages, business, income, and tax revenue. In fact, according to a University of Minnesota study, the economic impact of Community Wind on the local region can be as much as five times that of an absentee project.”

Mr. Banford said more conservative numbers taken from the Institute for Local Self-Reliance (ILSR) show an absentee farm generating \$50,000 per MW, and a locally-owned farm generating \$130,000 per MW, or a 2.6 times increase. For a 50 MW wind farm, that translates to an additional \$4 million annually than an absentee farm. He said based on Ms. Wells’s numbers, annual income estimates for the farm are \$9.3 million in the first year of operation and up to a \$14.7 million in the fifth year.

Mr. Banford said the projection at this time is for a 50MW farm which would generate enough energy for all of the residents in Tompkins County. A community-owned project would also keep control of electric costs in our hands rather than having it follow market costs which are bound to go up as fossil fuels become scarce and harder to extract.

Mr. Dietrich said he would like additional information on a community wind farm, such as who would buy, how it would be transported and dispersed, and what obstacles stand in the way of getting power to a grid.

Ms. Thomas asked if there are examples of other community-owned wind farms. Ms. Wells and Mr. Banford said they have not located any wind farms that are on this scale but there is a single-turbine in Massachusetts and mid-sized farms in Minnesota. Mr. Banford said there are communities that are looking into doing studies; Ms. Wells said there are many wind farms that have been constructed in Europe. Ms. Conger spoke of the Groton’s municipal power generation plant that has existed for many years and said they also have been buying through a PPA through Niagara Falls.

Mr. Frongillo said the energy group in the Town of Caroline has been in conversations with several developers and all have said there are a multitude of ways to set up a community-owned project, including residents owning shares or a municipally-owned system. He said the purpose of the discussion today was to inform TCCOG members that these conversations are taking place and to see if there is interest in participation. Ms. Wells said the language in the Letter of Intent is not “set in stone”; the purpose of the letter is to show financiers that there is interest and that the market for power exists.

Mr. Barber asked what the premium would be. Ms. Wells said there likely would be no premium at all and said the power and the “windness” of it are two different commodities and sold at different prices. She spoke to the price of the power and said right now NYSEG’s actual power cost is between \$.03-\$.04 per kWh and the wind power would have to be sold at \$.06 per kWh to make a profit. While it is more expensive than power is selling for now, they believe NYSEG’s cost will increase to close to \$.09 while the wind farm price would remain the same.

Ms. Wells said there does not appear to be interest by Cornell at this time; however, Ithaca College has submitted a Letter of Intent. She stressed that wind is like water, once the infrastructure is in place the fuel is free. She also noted regardless of who pays for the wind farm, it will be built,

maintained, and operated by a professional company and employees, and not the County or Enfield Energy. The life of a turbine is 20-30 years.

Anyone wanting additional information can contact Mr. Banford by e-mail at [efb13@cornell.edu](mailto:efb13@cornell.edu).

### **Report on Emergency Management Services**

Mr. Dietrich said he spoke with Tom Parsons about gas drilling. Mr. Parson is the Deputy Fire Chief for the City of Ithaca; he is also the Hazmat Coordinator for the County and the individual who deals with any situation that involves hazardous materials. Mr. Parsons sent some of his lieutenants to other counties that are already experiencing impacts related to gas drilling and produced a report based on the information. Mr. Dietrich said they came back with a template of what some of the counties to the south of Tompkins are doing and it is pretty much along the same lines as the Task Force is already working on.

Mr. Dietrich said Mr. Parsons spoke of a presentation given by Dr. Theodore Them, Chief of Occupational and Environmental Health at Guthrie Clinic. In his presentation Dr. Them spoke of how communities will be overwhelmed because of the staggering effects of gas drilling activities. The Public Safety Committee received a presentation on June 7<sup>th</sup> and the Health and Human Services Committee will have a presentation from Dr. Them on July 14<sup>th</sup>. Dr. Them strongly encouraged Tompkins County to move forward with the Task Force and said the filling of a position that would manage the Task Force will be a critical. Mr. Dietrich said Dr. Them also encouraged members of TCCOG and the Task Force to travel to speak with leaders from municipalities to the South.

Ms. Robertson said at the Public Safety Committee meeting Lee Shurtleff, Director of Emergency Response, said he thinks emergency responders in Tompkins County are prepared to deal with incidents involving hazardous materials. She also spoke of the need for all municipal officials to become educated about this issue and to work together.

All members will be invited to attend the Health and Human Services Committee meeting when Dr. Them will be speaking.

### **Report on Fireworks**

Mr. Engman spoke of a new State law relating to the issuing of firework permits and said the State will no longer be issuing permits. They will issue licenses to individuals who set off the fireworks but have transferred the responsibility for issuing permits to municipalities. Mr. Engman said in the past municipalities have not been allowed to issue permits for private fireworks displays. He said whether the fireworks display is public or private the municipality has to have a mechanism for issuing the permit, including the standards, criteria, and fee structure.

Mr. Engman said in the past the Town of Ithaca has only issued a few permits for public fireworks and has never charged a fee. He spoke of the Ithaca College fireworks that have taken place in the past and explained the costs associated with conducting a required inspection prior to the fireworks being set. Mr. Engman the Town will be moving forward to establishing a fee structure for permits but has rescinded its permission of the Code Enforcement Officer to issue permits until a permitting system can be put into place.

### **Planning Board Consortium**

Mr. Barber said last week Joan Jurkowich of the Tompkins County Planning Department gave a presentation about water and sewer development and how it might take place around the County. He said

it was suggested that a planning commission be put together and said the County is interested in hosting a list serve so that members of different planning boards can talk to each other. The Planning Department is also interested in holding semi-annual or quarterly meetings throughout the year that all planning board members throughout the County would be invited to attend. Suggested ideas for these meetings would include training, discussion of common ideas, and sharing information. Members believe there is value in providing opportunities for planning board members from across the County to get together and share information. There was a brief discussion of the types of list serve packages that are available and costs associated with them. A suggestion was made to look into Google list serves because they don't have a cost. Mr. Barber said he would survey TCCOG members to see if there is interest in joining a list serve; Ms. Jurkovich asked that he wait until after the Planning Department's budget is adopted.

Mr. Barber said anyone with ideas on this should contact Ms. Jurkovich.

### **Report on Cell Towers**

Mr. Engman reported he and Dan Hoffman conducted a telephone interview of potential consultants and concluded there were two firms that were very capable, one was from Albany (Murphy, Burns, Barber, and Murphy), and the other from Tarrytown (Silverberg and Zalantis). The difference between the two was the cost of a presentation with Silverberg and Zalantis charging a flat fee of \$750 and the other providing an estimate of \$4,000. Mr. Engman questioned why there was a difference; with Silverberg and Zalantis stating they felt their staff was up to speed and would not have to do a lot of research to prepare for the presentation. Mr. Engman said a decision now has to be made on which firm to select.

A second question that needs to be answered is how many municipalities want to contribute to the cost of the contract with the selected firm. The total cost (not including an ordinance review) would be in the range of \$5,000 to \$10,000. For this cost the firm would: make a presentation, study the feasibility of municipalities collaborating on siting of cell towers, create an ordinance template that could be adjusted by each municipality to meet individual needs. Silverberg and Zalantis has quoted an estimate of \$300-\$500 to do a quick ordinance review; the other firm would charge approximately \$2,500.

Mr. Engman said there were a number of municipalities that had previously expressed interest in contributing and said the more municipalities that contribute the lower the shared cost would be. At the present time the estimate is approximately \$1,500 per municipality. Mr. Barber suggested a contract be drafted for each municipality to sign off on and it be distributed as soon as possible.

Ms. Robertson said Mr. Hoffman was concerned that because this has taken so long whether the estimates are still the same. She said she would discuss this with Jonathan Wood, County Attorney and ask that he put a draft contract together.

Mr. Driscoll said he would like to be able to show his town board a comparison of costs between what it would cost municipalities each to do this on their own versus being part of a larger group with shared costs.

Mr. Engman said he thinks this would be a collaborative that would not only assist municipalities to get a better cost but would also result in better cooperation from companies. He also said once they figure out there may need to be a technical study done to see where cell towers should be sited in the County. He said one of the legal questions that needs to get answered is if a company can be told where to construct a tower.

### **Update on Gas Drilling**

Ms. Thomas reported the Park Foundation approved a grant request for the hiring of a full-time planner position and will also assist with funding for legal work. She provided a brief update on the following various subgroups:

- Assessment (Carol Chock). Will look at the impact of gas drilling on land values and how gas production is measured and monitored
- Land Use (Richard Driscoll). Looking at CEA's and trying to come up with a resource document for municipalities to use to go through the steps of designating a critical environmental area.
- Ordinances – Looking at noise and light ordinances and regulations for municipalities with and without zoning. Jason Liefer is working on home rule issues.
- Water (Sharon Anderson). Many areas have been outlined and they will be creating a website addressing water issues)
- Lobbying (Martha Robertson). Keeping everyone aware of what is happening at both the State and federal levels.
- Roads (Don Barber). This group is looking at preferred hauling routes and dealing with conflicts that exist in New York State law with regard to how roads are regulated.
- Public Safety (Ric Dietrich). Report given earlier in the meeting.
- Air quality, Pipelines, and Community Impacts. These groups have not yet met.

Ms. Thomas said she spoke with a Professor at Cornell's Department of City and Regional Planning who with her class, has created a resource binder for the TING (Tioga Investigates Natural Gas) in Tioga County. Mr. Dietrich said TING has a lot of valuable information and would be helpful. She also reported Mr. Mareane offered to let up a list serve. The Task Force meets the 3<sup>rd</sup> Thursday of each month at 3 p.m.

### **Update on Health Insurance Consortium**

Mr. Barber said the union issue is close to being resolved and Consortium has been working on resolving the Reserve issue. Most municipalities have said they are willing to pay their full share up front. The only two that cannot are the City and the County, the groups with the largest share. Mr. Barber said they are \$750,000 short of what they need to get started and he has been working with Assemblywoman Lifton who he commended for her for tireless work on this effort. The Consortium Board of Directors will meet this evening.

### **Adjournment**

The meeting adjourned at 4:35 p.m.

Respectfully submitted by Michelle Pottorff, TC Legislature Office