

Steering Committee Meeting- 10/24/12

Committee members present- Steell Fuller, Larry Smith, Heather Grant, Jack Ellis, Lynn Parnell, Frank Rose Jr.

Others: Jerry Deming, Mike Froome from Avon Steering Committee, Norm Gardner and Rick Henry of Clark Patterson Engineering, Clara Mulligan, Fred Mingrino, Dave Nagel, Phillip Mulligan, Lee Gratwick, Pat Gardner, Rene Lyness, Carl Peter

Jack called meeting to order 7:05 pm. Mike Froome and Clara Mulligan from Avon attending to share ideas and issues they have been dealing with on their committee in Avon. Clark Patterson group present to explain how they can help us with writing of zoning.

Review of Avon's experience:

Mr. Froome spoke about what Avon has been working on in regards to fracking zoning issues- they have a moratorium. Midway through the research right now. Lenape's attorney/ consultant is Mr. Love attends all of Avon's committee meetings.

Mr. Smith asked if they looked at a total ban as starting point- no, moratorium was passed on a split vote. Ban was not really an option but could be a possible outcome after moratorium. Mr. Smith wondered if they found a checklist to help with this type of zoning- Mr. Froome stated no they have not found that but he said two lawyers out of Ithaca named Slottje have written zoning, bans and moratorium which have been held up in court. Mr. Froome says most horrible thing would be is to do nothing and expect DEC to regulate and protect us- Mr. Holko argues to their committee you cannot regulate how gas drilling takes place- can only regulate **if** it takes place...

Mr. Rose asked Mr. Froome what have been the top issues discussed- no single issue dominates- just really asking is large industry something the town wants to support? Avon will be conducting a community poll- they don't want to just go on heresay.

Tax issues:

Mr. Smith wondered if there are any tax benefits- how can Towns benefit- Avon is in discussion on this...had speaker in to tell them how town will benefit taxwise but not until gas actually flows. Mr. Gardner says wind companies are paying big dollars to Wyoming County- we could do same type of thing here with fracking. Get the money up front before the fracking happens. Not necessarily a "tax".

Creating zoning:

Mr. Deming asked Mr. Gardner and Mr. Henry to attend this evening to see if they could help us with development of fracking code.

Mr. Smith said we might be able to follow the wind energy code when creating fracking zoning. Will need to look at permits for road use- if we were to control road usage- how do we regulate this? Mr. Froome said need to be careful with zoning of this when writing- gas company will look at every part to see where they can crack it- Mr. Rose said we should review the windmill code as starting point and go through each section making notes.

Mr. Smith asked if any leases in Avon- yes- doesn't cover vertical or horizontal- doesn't matter- if they have a lease they have access to your rights- Mr. Smith wondered about regulating horizontal wells- compulsory integration exists- Mr. Froome says you can go online and search the SGIS by DEC- DEC only watching ONE part of trucking- need to coordinate with many other agencies- they are incredibly understaffed- ¾ existing wells are inspected- how will they inspect new ones? There is an entire chapter on zoning and regulation of fracking....impacts to local governments

Road Usage:

Mr. Gardner said look at how much you could charge to run a road- also place mandatory issues in place such as upgrade of road. Mr. Deming wondered if we could restrict them to using only State roads. Mr. Ellis asked about Storm Water Plans- Mr. Gardner said they are upgrading these in regards to gas drilling. Mr. Ellis has a lot of literature on this topic.

Mr. Fuller is worried about road usage- Mr. Deming asked how do you control or enforce any road regulations...

Comprehensive Plan:

Need to focus on what we want to determine is right for our community. Mr. Ellis said he heard fracking will not happen here. Mr. Holko has made a big point of protecting his interests- hints that fracking is coming. Ms. Grant suggested that if you read over the comprehensive plan for Town of York- fracking just does not fit in with this plan.

SGIS has list of areas that cannot be fracked- need to review this and find out where in Town of York high volume fracking can occur and see what we can do to protect ourselves from this...

Floodplains and mine:

Floodplain questions- NYS GIS has digitized maps we can obtain- a lot of things that are environmentally prohibitive of fracking... we should look this over to see what we really need to focus on.

Mr. Gardner says this is the first step we need to take- find out what is already protected in the town and develop this further. Questions on salt mine issues- how can we keep fracking away from this?

Liability issues:

Question if something does go wrong with fracking procedures- near salt mine- Lenape doesn't have resources— Mr. Gardner says there are opportunities to get bonding and funds up front to cover these things....

Fracking tour:

Mr. Deming asked Chesapeake Energy about tour- said they are open- it is in Towanda PA- also Vera Scroggins from Brackney, PA- shows other side of tour- have over 1000 wells in her county- gives 3-5 hour tours- 5 different gas companies working there- mostly subcontracted- now just picked up and left for Ohio- can still see a lot of what is going on

Committee would like to schedule tour to Brackney, PA- looking at Saturdays- Avon committee may join us on tour- scheduling for Nov. 1st.

Tasks:

Mr. Ellis- need ideas and wording to create actual mission for this committee- Need to come up with mission statement to keep us on track!!

Clark Patterson will come to Nov. 7 meeting; Avon's committee meetings are first and third Thurs. of month...

Tour date set for Nov. 1st; come up with ideas for wording of mission; would like to hear about ag district info- Mr. Smith will look into this- Mike Saviola will be coming from Ag and Markets to explain ag district info and trucking; look at overlaying maps to help us develop code; research insurance and liabilities...

Closed meeting at 9:20 pm

Respectfully submitted,

Heather Grant, Secretary