

TOWN OF GROTON – MINUTES OF TOWN BOARD MEETING
2012 ORGANIZATIONAL MEETING
TUESDAY, JANUARY 10, 2012 AT 7:30 PM
THE TOWN HALL, 101 CONGER BOULEVARD

Those present: Glenn E. Morey, Supervisor
Ellard L. Sovocool, Councilman
Donald F. Scheffler, Councilman
Richard B. Gamel, Councilman
Sheldon C. Clark, Councilman
Fran Casullo, Attorney for the Town

Also present: Jennifer Schwade, Mike Goldstein, Claudia McGarrigle, Nick Niezgoda, Pattie Fairbanks, Paige Fairbanks, Betty Figgolari, Digrig Connors, Karen Larsen, Kelly Smith, Danny Klimaszewski, Dewey Dawson, Layle Raymond, Lisa Trust, Michael Morris, Rosemarie Tucker, Richard Dale, Dyan Lombardi, Lisa Maloney Hahn, Shuryl Menapace, Carole Daugherty, Nena Winand, Susan Pichette, Elizabeth Snyder, Howard Snyder, Patrician Vendryes, Marie McRae, Anthony Borrelli, Gregory Weiland, Gailene Mackenzie, David Neal, Joseph Osmrioski, Linda Mizer, Patrician Nyman, Beth Buckles, Nick Babel, Kurt Parker, Marla Coppolino, Thom Mayo, Chistine Hughes, Scott Hughes, Avery Horn, Anne Forman, Christine Griffin, Dan Carey, Robert Walpole, James Henry, Ted Schiele, Rose Banas, John Banas, Kathryn Sullivan, Jean Morey, Gary Coats, Charles Rankin, April Scheffler.

RESOLUTION #12-001 - 2012 ORGANIZATIONAL ITEMS/APPOINTMENTS

Item 1 – Depository. - MOVED by Supervisor Morey, seconded by Councilman Gamel.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the First National Bank of Groton be designated as the depository for all monies coming into the hands of the Supervisor and Town Clerk of the Town of Groton.

Item 2 – Official Newspaper – MOVED by Supervisor Morey, seconded by Councilman Scheffler.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Groton Independent be designated as the official newspaper of the Town of Groton.

Item 3 – Law Firm – MOVED by Supervisor Morey, seconded by Councilman Sovocool.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the law firm of Pomeroy, Armstrong, Casullo & Monty be retained as Attorneys for the Town of Groton.

Item 4 – Zoning Officer – MOVED by Supervisor Morey, seconded by Councilman Clark.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that Gary Coats be appointed Zoning Officer and Building and Fire Code Enforcement Officer for the Town of Groton.

Item 5 – Constable – Vacant

Item 6 – Deputy Supervisor - MOVED by Supervisor Morey, seconded by Councilman Gamel.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that Donald F. Scheffler be appointed Deputy Supervisor for the Town of Groton.

Item 7 – Deputy Highway Superintendent – MOVED by Supervisor Morey, seconded by Councilman Clark.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that Peter Carr be appointed Deputy Highway Superintendent for the Town of Groton.

Item 8 – Deputy Town Clerk – MOVED by Supervisor Morey, seconded by Councilman Gamel.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that Robin Cargian be appointed Deputy Town Clerk for the Town of Groton.

Item 9 – Bookkeeper – MOVED by Supervisor Morey, seconded by Councilman Scheffler.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that Charles Rankin be appointed as Bookkeeper for the Town of Groton.

Item 10 – Court Clerk – MOVED by Supervisor Morey, seconded by Councilman Sovocool.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that Cindy Vicedomini be appointed as Court Clerk for the Town of Groton.

Item 11 – Part Time McLean Crossing Guard – MOVED by Supervisor Morey, seconded by Councilman Gamel.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that Margaret Albern be appointed part-time McLean School Crossing Guard for the Town of Groton.

Item 12 – Town Historian – MOVED by Supervisor Morey, seconded by Councilman Sovocool.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that Rosemarie Tucker be appointed as Town Historian for the Town of Groton.

Item 13 – Town Health Insurance – MOVED by Supervisor Morey, seconded by Councilman Clark.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that full time employees to have 80% health insurance coverage paid for by Town through the Greater Tompkins County Municipal Health Insurance Consortium.

Item 14 – Town Board Regular Meetings – MOVED by Supervisor Morey, seconded by Councilman Sovocool.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Town Board will hold their regular Town Board Meetings on the second Tuesday of each month at 7:00 – 7:30 P.M. to review invoices and 7:30 P.M. for the Board Meeting, at the Town Hall on Conger Boulevard, Groton, NY.

Item 15 – Fix Salaries of Town Officers – MOVED by Supervisor Morey, seconded by Councilman Sovocool.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Town Board does hereby fix the annual salaries of the following Town Officers and employees at the amounts respectfully stated and that such salaries shall be paid at the time respectfully specified:

- | | |
|------------------------------------|-----------------------|
| 1. Glenn E. Morey, Supervisor | \$ 10,000.00 Biweekly |
| 2. Ellard L. Sovocool, Councilman | \$ 2,250.00 Quarterly |
| 3. Donald F. Scheffler, Councilman | \$ 2,250.00 Quarterly |
| 4. Richard B. Gamel, Councilman | \$ 2,250.00 Quarterly |
| 5. Sheldon C. Clark, Councilman | \$ 2,250.00 Quarterly |

MOVED by Supervisor Morey, seconded by Councilman Gamel.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Town Board does hereby fix the annual salaries of the following Town Officers and employees at the amounts respectfully stated and that such salaries shall be paid at the time respectfully specified:

- | | |
|---|-----------------------|
| 1. April L. Scheffler, Town Clerk | \$ 43,946.00 Biweekly |
| 2. Richard C. Case, Jr., Highway Superintendent | \$ 62,999.00 Biweekly |
| 3. John J. Norman, 1 st Town Justice | \$ 13,864.00 Biweekly |
| 4. A. D. Dawson, 2 nd Town Justice | \$ 13,864.00 Biweekly |
| 5. Gary L. Coats, Code/Fire Enforcement | \$ 29,198.00 Biweekly |
| 6. Charles Rankin, Bookkeeper | \$ 25,000.00 Biweekly |
| 7. Rosemarie Tucker, Historian | \$ 1,000.00 Quarterly |

Item 16– Set Hourly Rates – MOVED by Supervisor Morey, seconded by Councilman Clark.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Town Board does hereby set the hourly rates as follows:

- | | |
|----------------------|------------------|
| a) Deputy Town Clerk | \$14.52 per hour |
| b) Court Clerk | \$14.78 per hour |
| c) Custodian | \$12.78 per hour |
| d) Crossing Guard | \$12.14 per hour |

Item 17 - Appointment of Representatives to Town and County Programs – MOVED by Supervisor Morey, seconded by Councilman Scheffler.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, to appoint the following as representatives to Town and County Programs:
Environmental Management Council – Vacant
Tompkins County Transportation Council – Sheldon Clark
Tompkins County Human Services Coalition – Teresa Robinson
Groton Youth Commission – Glenn Morey, Teresa Robinson, Peggy Ficken
Tompkins County Youth Advisory Board – Christina Ripley
Tompkins County Recreation Partnership – Glenn Morey
Tompkins County Fire, Disaster and EMS Advisory Board – John Miller

Item 18 – Supervisor’s Appointment to Committee Members – MOVED by Supervisor Morey, seconded by Councilman Scheffler
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Supervisor’s appointment of committee members be approved as follows:

- Finance – Glenn Morey & Donald Scheffler
- Machinery – Sheldon Clark
- Building – Richard Gamel & Donald Scheffler
- Fire Department - Ellard Sovocool
- Personnel – Glenn Morey & Donald Scheffler
- Zoning, Bldg. and Fire Code – Richard Gamel
- HUD Loans - Ellard Sovocool & Glenn Morey
- Light Districts – Richard Gamel
- Fixed Assets - Ellard Sovocool
- Senior Citizens – Sheldon Clark
- Recreation Committee – Donald Scheffler
- Highway – Sheldon Clark
- Greater Tompkins County Municipal Health Insurance Consortium - Glenn Morey & Jeffrey Brockway
- Planning Board – Rotating Attendance by Town Board Members
- Appeals Board – Rotating Attendance by Town Board Members

Item 19 - Set fees for Town Services – MOVED by Supervisor Morey, seconded by Councilman Gamel.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that fees for the Town services be set as follows:

- | | |
|---------------------------------|---------|
| 1. Photocopies - 8 1/2 x 11 | \$.25 |
| 2. Photocopies - 8 1/2 x 14 | \$.50 |
| 3. Photocopies - 11 x 17 | \$.50 |
| 4. Transcript of Marriage | \$10.00 |
| 5. Marriage License/Certificate | \$40.00 |
| 6. Town, Village, County Maps | \$.50 |
| 7. Mileage - Town Officials | \$.50 |

- 8. Dog License - Unaltered Dog \$20.00 + \$3.00 NYS Animal Population Control Fee
- Dog License - Altered Dog \$10.00 + \$1.00 NYS Animal Population Control Fee
- 9. Returned Check Fee \$20.00
- 10. Fax Copies - Transmit \$ 1.00 per page
- Receive \$.25 per page
- 11. Duplicate Tax Receipt \$ 0.00
- 12. Town Directory \$ 5.00
- 13. Land Use & Dev. Code \$25.00, CD \$15.00
- 14. Certified Copies \$ 5.00
- 15. Paper Copy of Comprehensive Plan \$25.00, CD \$15.00
- 16. Town of Groton Zoning Fee Schedule:

Town of Groton Zoning Fee Schedule	
Building Permit: \$0 - \$4,000	\$25
Building Permit: More than \$4,000	\$25 + \$3 per \$1,000 over \$4,000
Building Permit Renewal	½ Original Fee & approval of CEO
Agricultural Buildings	\$25
Non-Structural Roof Replacement	No Charge
Swimming Pool, Above Ground	\$25 (includes original fence if needed)
Swimming Pool, In Ground	\$50 (includes original fence)
Solid Fuel Burning Appliance	\$25
Shed	\$25
Deck	\$25
Fence 6ft or higher/Replace pool fence	\$25
Residential Green Energy	\$25
Disability Ramp	No Charge
Cellular Tower	\$2.50 per \$1,000 of Construction Cost
Demolition Permit	\$25
Sign Permit	\$10
Operating Permit	\$25
Operating Permit - Public Assembly >100 People	No Charge
Outdoor Fireworks/Indoor Pyrotechnics Permit	\$25
Manufacturers' Pyrotechnics Testing Permit	\$25 Annually
Junk Yard Annual Inspection	\$25 Annually
Subdivision - Minor	\$30 + \$20 per lot

Subdivision - Major Level One	\$50 + \$20 per lot
Subdivision - Major Level Two	Preliminary Review - \$100 + \$20 per lot
	Final Review - \$100 + \$20 per lot
Boundary Line Change	\$25
Cluster Development	Preliminary Review - \$100 + \$20 per lot
	Final Review - \$100 + \$20 per lot
Planned Unit Development	Town Board Review - \$200
	Site Plan Review by Planning Board - \$200
Site Plan Review (Land Use Permit)	< 2000 sq. ft. \$100
	> 2000 sq. ft. \$200
Site Plan Review for Echo Housing	No Charge
Special Permit - Cemetery	\$200
Special Permit - Junk Yard	\$500
Special Permit - High Density Housing	\$500
Special Permit - Mining	\$500
Special Permit - Manufactured Home Park	\$500
Special Permit - Sexually Oriented Businesses	\$750
Mass Gathering Permit	\$750
Application for Variance or Interpretation	\$50

Additional Fees:

1. Fees listed do not include postage, which may be an additional charge at current postal rates.
2. If a public hearing is required, the applicant shall pay the cost of advertising fees.
3. Costs incurred by the Town of Groton for engineering, planning, legal and other necessary expenses for the purpose of reviewing any application with regard to an item covered by this fee schedule shall be paid by the applicant.
4. The applicant shall be responsible for costs incurred by the Town of Groton for the review and/or preparation of an Environmental Impact Statement if said statement is necessary.
5. When Fees Are To Be Paid: All fees required by this fee schedule shall be paid to the Town of Groton at the time the application is presented. No permit/certificate will be issued until all fees, costs, and/or expenses are paid in full.

Item # 20 - Miscellaneous Appointments, Fees, Etc - MOVED by Supervisor Morey, seconded by Councilman Clark.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Town Board does hereby approve the following miscellaneous appointments, fees, etc:

- 1) **Annual Retainer Fee for Legal Services** rendered by Pomeroy, Armstrong, Casullo & Monty.
- 2) **Authorize Highway Superintendent** to give pay raises effective January 1, 2012

- 3) **Authorize Annual Association of Towns Training School** – February 19-22, 2012, in NYC;
- 4) **Appoint Glenn Morey as Delegate for Annual Association of Towns Meeting**
- 5) **Appoint contact people for Drug and Alcohol Testing Program** – Richard Case and Glenn Morey.
- 6) **Appointment of Town Planning Board Member** – Reappoint John Morey for a term to begin January 1, 2012 and end December 31, 2018.
- 7) **Appoint member to Zoning Board Member** – Reappoint Steven Thane for a term to begin January 1, 2012 and end December 31, 2016.
- 8) **Appoint members of Agriculture Advisory Committee** – Daniel Carey (Chairperson), Noreen Atkins, Marlin Houston, Robert Fouts.

RESOLUTION #12-002 - CONTRACT FOR AUDIT OF 2011 FINANCIAL STATEMENTS

MOVED by Supervisor Morey, seconded by Councilman Sovocool.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Town Board does hereby retain the services of Ciaschi, Dietershagen, Little, Mickelson & Company, LLP, to audit Financial Statements, including Justice Court, for the year ended December 31, 2011.

RESOLUTION #12-003 - APPROVE 2012 DOG CONTRACT

MOVED by Supervisor Morey, seconded by Councilman Scheffler.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Town Board does hereby approve the 2012 contract with the Country Acres Pet Services for the purpose of dog control in the Town of Groton at a fee of \$17,700.00 (\$1475.00 per month).

RESOLUTION #12-004 - AUTHORIZATION TO PARTICIPATE IN COOPERATIVE PURCHASING OF HIGHWAY SERVICES WITH TOMPKINS COUNTY

MOVED by Supervisor Morey, seconded by Councilman Clark.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Town of Groton be hereby authorized to participate with Tompkins County in the cooperative purchasing of various highway services.

**RESOLUTION #12-005 - AUTHORIZE HIGHWAY SUPERINTENDENT TO
PURCHASE ON STATE BID**

MOVED by Supervisor Morey, seconded by Councilman Sovocool.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Groton Town Board does hereby authorize the Highway Superintendent to purchase oil and related products from State Contract Bids as appropriate.

RESOLUTION #12-006 - APPROVE FIRE AND AMBULANCE PROTECTION CONTRACTS

MOVED by Supervisor Morey, seconded by Councilman Gamel
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Town Board does hereby approve the Fire and Ambulance contracts with the Village of Groton Fire Department and Fire Protection with the McLean Fire Department.

**RESOLUTION #12-007 – APPROVE 2012 MUNICIPAL DRUG AND
ALCOHOL TESTING**

MOVED by Supervisor Morey, seconded by Councilman Gamel
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

RESOLVED, that the Town Board does hereby approve Energetix as Third Party Administrator for the 2012 Municipal Agreement Renewal for the Drug and Alcohol Testing.

This concluded the 2012 Organizational Items.

MOVED by Councilman Sovocool, seconded by Councilman Scheffler, to approve the minutes of the December 13, 2011 meeting as presented.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

Claim Numbers 383-408 of the **General Fund for the Year 2011** in the amount of \$13,848.10 were presented for audit.

MOVED by Councilman Gamel, seconded by Councilman Sovocool, to approve the 2011 General Bills for payment.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

Claim Numbers 1-20 of the **General Fund for the Year 2012** in the amount of \$255,189.15 were presented for audit.

MOVED by Councilman Sovocool, seconded by Councilman Scheffler, to approve the 2012 General Bills for payment.
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

Claim Numbers 212-224 of the **Highway Fund for the Year 2011** in the amount of \$42,185.61 were presented for audit.

MOVED by Councilman Clark, seconded by Councilman Gamel, to approve the 2011 Highway Bills for payment.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

Claim Number 1 of the **Highway Fund for the Year 2012** in the amount of \$51,000.00 was presented for audit.

MOVED by Councilman Scheffler, seconded by Councilman Sovocool, to approve the 2012 Highway Bill for payment.

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey.

Monthly Reports:

Charles Rankin, Bookkeeper - Submitted monthly reports for the Board's review.

Gary Coats, Code Enforcement Officer - Submitted monthly report and 2011 year-end report, which showed that we had a good year and are up in every category. One reason for the increase in building permits had to do with the no-fee roof replacement building permits. Certificates of Occupancy and Completion is way up because Robin has been aggressively going after building permits that had expired and writing letters to get people to comply.

RESOLUTION #12-008 - CODE ENFORCEMENT OFFICER TO ATTEND CONFERENCE

MOVED by Supervisor Morey, seconded by Councilman Gamel

Ayes - Sovocool, Scheffler, Gamel, Clark, Morey

RESOLVED, that the Town Board hereby approves the payment of expenses for the Code Enforcement Officer, Gary Coats, to attend the 2012 New York State Building Officials Central Chapter Educational Conference April 3-6, 2012.

Richard C. Case, Jr., Highway Superintendent - Was absent.

April L. Scheffler, RMC, Town Clerk/Tax Collector - Submitted monthly and annual Town Clerk's report, monthly Tax Collector report and County Acres report, which included a letter informing the Board about new office hours and emergency phone number. The office is busy with taxes. A \$600 grant had been received from the County for the Verne Morton Memorial Photography Show.

Francis Casullo, Attorney for the Town - Had nothing to report.

A. D. Dawson, Town Justice - Submitted monthly and annual reports for the Court Office.

Councilman Donald Scheffler, as Recreation Coordinator - The Joint Recreation Committee met on January 2, 2012. Viola Fitzgerald resigned her position of Recreation Coordinator as of January 9th to perused another career. She owns and operates the

Locke Market and Italian Carry-Out and we wish her all the best in this new venture. Winterfest will be held on January 28th at the Elementary School from 10:00 am on. We're planning on musical entertainment, bounce houses, hands-on craft making, and plenty of food. The recycled toboggan contest has been scrapped for this year, but there are plans for other outdoor activities. Roy Smith will again be doing dogsled rides and cross country skis will be available for use. There was a suggestion that I bring back my world famous miniature chicken barbeque, but that's not written in stone yet. Youth sports are going well and basketball travel games started last week.

Brian Robison, County Legislator - I have nothing formal from the Legislature. One thing I would like to report on is something that just happened. I happened to stop over to the basketball game and I'd like to report on a random act of kindness. We played Lansing today and as we know, the Buckley family lost their house on Pasadena, and there was a bunch of fundraising activities going on over there, and the Lansing parents took it upon themselves to pass the hat and made a donation of over \$200, which I think was very nice.

Privilege of the Floor:

Jennifer Schwade - Resident of McLean. I just wanted to thank the Board for letting us come and do this presentation to you today about the hydrofracking. I know a lot of people are hear to hear that so I don't want to hold this up, but I am hoping this will open a dialog with the Board and we can talk about some ways to prepare and things we can do about that.

Nick Niezgoda - Resident of Summerhill. I think that some of these people are here to try to get this Board to get on board with a ban or moratorium on any kind of drilling, fracking, whatever, and I would suggest to this Board that two weeks ago, Tompkins County passed that same resolution, so this is actually redundant and I would assume that you people don't want to get drawn into a lawsuit that's pretty much certain to come. Three months ago I thought that the average town would probably have to call in the big guns and spend a hundred and fifty grand to defend itself. I've talked to several attorneys and that figure could jump up to a million. I'm not telling you to pass a band or not pass a band. I'm telling you or asking you to wait until these lawsuits in Middlefield and Dryden are settled because if they lose, everyone on board is going to lose. I know that I've talked to some people in Dryden and the supervisor down there is more than willing to lead the charge and no matter what cost. That's fine because all the tree-huggers out of Ithaca use Dryden as a bedroom and they can afford it. The next question is, can the Town of Groton and its residents afford it? So, that's all I have to say. The decision is yours.

Dyan Lombardi - Resident of Groton. I don't think we're here tonight to ask you to ban or not ban. We are here looking to educate ourselves and our fellow neighbors so that any decisions that are made can be informed and educated decisions.

Supervisor Morey - Dyan, that's what we are taking this for. We want to be educated on everything.

Dan Carey - Resident of Groton. I'm just here to encourage the Board to not enact a ban at this time, but wait and see what develops with Dryden and the other communities that are involved with banning fracking. I think that if you jump the gun it's

going to cost the Town a lot of money to resolve it if your ban doesn't hold. I just had a recent conversation with Craig Scutt, who is the County Director of Soil and Water. He traveled to Pennsylvania to Bradford County and Dimmock Township, I think a week or 10 days ago. He traveled with another individual that I mentioned before that works for Cornell. Craig said, I've been down there before and if I didn't have this other individual with me, I wouldn't be able to find the well pads. I wouldn't be able to find these sites, they are so well integrated into the environment and surroundings down there that it was difficult to pick them out. I said, what about the pipelines? Have they been installed? He said, the pipelines have been put in, a good share of them have, and the only way you know that is just by the new vegetation growing on top of the line where they put it in. So, I think it's a lot of fear over science at this point. I think DEC is on the right track and you've got to give them time to make their decisions. They are the toughest DEC in the Country as far as I'm concerned and I think they're going to do the right thing for New York State.

Greg Weiland - Groton resident. So along these lines, I've noticed it's already on your agenda and I see some flyers here, but I came actually just to encourage some of the Board Members, if you can, in line with trying to collect information from people who are knowledgeable, to maybe attend the Moravia information forum.

Mike Morris - Groton Village resident. Just wanted to sort of ask if you all had a chance to mull over any of the questions we presented at the December meeting? I just wanted to say something about the situation in Pennsylvania, that the reason that it might have seemed very calm down there right now is because in Dimmock, there's actually a moratorium on fracking right now, ordered by the State of Pennsylvania, so they wouldn't see any activity there. Then in Bradford County, we've heard that they've drilled something like 14 or 1500 wells that they've left unfracked for now because they don't have the gas pipelines hooked up yet to get the gas out. So, they can't frack. So, they've moved on to somewhere else. So, I just wanted to correct the misimpression that everything is just sort of calm.

Supervisor Morey - Mike, have you been to Bradford?

Mr. Morris - No, I have not.

Supervisor Morey - Have you been to Dimmock?

Mr. Morris - No. I'd love to take a fieldtrip.

Councilman Gamel - I'm just trying to get all the facts, straight as I can, and there's so much out there. When you guys present, both sides, if you could, just tell me where you got your information from, only because he could be making up, you could be making up, I just would like to know. It's difficult to get correct information because there's a lot of stuff out there. So, the moratorium in Dimmock is...State ordered you said?

Mr. Morris - There was State order. I guess it's Cabot, because of the well water. They had a moratorium on it so there's actually nothing going on in Dimmock. And in Bradford, the lady that lives down there, who did a presentation in Danby, she's the one who said that they've drilled 1400 or 1500 that are waiting to be fracked....

Councilman Gamel - My only thing is, if we can just keep things to facts that we know. Just the fact that you got it from a lady who's pretty sure there's 14 or 1500 and it could have been 4 or 5, you know what I mean?

Mr. Morris - I'm just relating what we've got. Who knows, maybe that's incorrect, but that's what someone who lives down there reported publicly.

Councilman Scheffler - I was going to tell you, I've been to Bradford and I took a lot of pictures.

Mr. Morris - Oh, did you?

Councilman Scheffler - Yes, I did. It's a fun trip, go.

Mr. Morris - So, regarding the questions that we submitted, is there any kind of discussion at least happening?

Supervisor Morey - Oh yes, we've discussed everything. We don't really have some of the answers that you requested. I think there are some valid questions, but in the next couple of months we will be having people coming to speak on both sides of the table to make an informed decision and get back to you with all the answers. I think you deserve it, I really do.

Elizabeth Snyder - Resident of McLean. I feel like we don't know all the facts either on both sides. But I do know one fact is that if we don't have a ban or a moratorium, there's no way to turn back some of the things that will occur for sure - the traffic, the possible pollution, the value of homes, people trying to get loans for new homes. There are a lot of things that will definitely be changed and a moratorium or a ban could hold off a little bit longer to gather more facts or information. I just feel the DEC and especially our own Town is definitely not ready for any of this. The questions that were submitted on December 13th, I thought were really good questions. They're questions we gathered from people that we petitioned and within the meeting. Those questions are really important things just for our own daily living and future of Groton. I know you worry about the fact of possibly being sued, but I think you'll have more of a problem financially if this occurs and there will be more people suing the Town for water problems, other kind of problems. I think it could really escalate. There are some litigation cases where third party liability has been a factor and if you drilled on your land and I'm next door and three other guys are next door and our water is ruined, it comes back on that person. So, there are a lot of things to look at and I really feel a ban or a moratorium is really the way to go and it would give us time to really research and follow through on the questions we had.

Ann Furman - Resident of Trumansburg. May concerned over Home Rule. So, in the Town of Ulysses, we've had zoning laws for about 50 years. I know I'm not using the correct words here, but the zoning board and the planning board and comprehensive plan and all of those things that you are very familiar with. In the Town of Ulysses we are zoned for residential and we're zoned for agricultural and we're zoned for light industry and those have been our zoning regulations for decades. Hydrofacking is one of, and there could be many others, what is heavy industry. So, the Town of Ulysses perceives that we have the right to Home Rule. We have a right to say what goes on in our town and our water and our neighbors and we have the right to exercise our zoning laws that

we've been living with and we've approved of and the residents of the Town of Ulysses like and we feel very strongly in being able to retain that right for Home Rule.

Marie McCray - Dryden resident. I'm a participant in an intervention suit as part of the?.... suit in Dryden and I just wanted to say for the record that defending itself, Dryden has several offers of pro bono work for the entire appeals lawsuit. So, the actual cost to the Town of Dryden will be very small. I just wanted to put that out there for the record.

Beth Buckles - Groton resident. I just wanted to say that first of all I've worked with DEC on a number of issues and I agree they try to do their best, but they have to do their best for the entire state, not Groton. So, it really is our responsibility to make sure that what happens is the best for us and our citizens. The only thing is that the threat of being sued is the major way that corporations try to intimidate people like us and so they have a lot of money, they have a fancy lawyers, but they also have an agenda and we need to make sure that our voice is heard. Even though we may be smaller than them and not have as much money, we still need to voice our opinion because that's what democracy is about and I disagree with the Supreme Court in that corporations are not people and so people have to remain people and speak up for themselves.

Dick Dale - Groton resident. I'm a farm consultant and my work has taken me to Bradford in the last couple of years. I can see both sides. I don't see what the rush is. I know that we definitely need to take our time to decide what it is we are going to do. I have been grateful for the time that the DEC has taken to collect public comments. But this is something that affects us locally and we really need to keep our wits about us and keep the emotions down as we try to work this through.

RESOLUTION #12-009 - APPROVE 2012 HIGHWAY CONTRACT

MOVED by Supervisor Morey, seconded by Councilman Sovocool
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey

RESOLVED, that the Town Board hereby approves the 2012 Contract with the Town of Groton Highway Department.

Rosemarie Tucker, Town Historian - I provided a copy of my annual report to each of you. It was also sent to Tompkins County Historian and she will present it along with the others from historians in Tompkins County to the County Legislators. I have also mailed a copy to the NY State Historian as required.

I have itemized and given descriptions of my projects on my written report. I am very grateful to have had the opportunity to work with April Scheffler, our Groton Town Clerk, on the presentation that she and I did on Verne Morton in Fabius, NY, in July.

If you have questions at any time, please do not hesitate to ask me. I look forward to another year as the Town Historian and am grateful to all of you for your continued support.

Supervisor Morey - By the way, Rose is an author on the history of Groton and it is a published book, and you can buy it in Brittany Station.

Ms. Tucker - Yes, and I think they have it at Walpole's and the Hobby Store. I just heard that it's going out of print but they are going to reprint it because it has sold so well.

Supervisor Morey - Michael Goldstein is here tonight to speak on behalf of the Groton Resource Awareness Coalition.

Michael Goldstein made an approximately 45 minute Power Point presentation on the basics of high volume hydrofracturing for natural gas which included how wells are drilled and fracked, some of the chemicals used in the fracking fluid, truck traffic and noise pollution. The audio portion of this presentation is available on CD from the Town Clerk. Following the presentation there were some questions.

Lyle Raymond - I didn't hear anything about what I understand is a new process of using methane and propane rather than water, that doesn't require the trips and so forth nor does it cause the problems with the fracking and I didn't hear you say anything about that.

Mr. Goldstein - No, and because it's so new? (not using microphone)...so what's likely to get to Groton is what's being used in Pennsylvania, which is not going to be propane. Like I said before, this is an industry that has techniques that are in flux and do we want to be the guinea pigs for that or not? These are issues. Again, I'm happy to give you references and sources for all the data I showed you today.

Nick Niezgoda - Suppose I took you to a water well. Nowhere around there has there been any hydrofracking or any kind of gas drilling, but you can walk up to that water well and right under the cap of the well casing and touch a fire.

Mr. Goldstein - That's why you need baseline data.

Mr. Niezgoda - You're supposed to be an expert, tell my why.

Mr. Goldstein - You've got a methane leak.

Mr. Niezgoda - Why? There hasn't been any drilling round there other than a water well.

Mr. Goldstein - Remember the case a year or two ago where they were drilling a shallow water well and hit a methane pocket and pretty much lost their rig? Yes there can be naturally occurring methane leaks, no two ways about it. Baseline testing can protect the company as well as the landowner, but it's rarely done, that's the problem.

Mr. Niezgoda - So, are we in danger in drilling water wells?

Mr. Goldstein - What do you mean?

Mr. Niezgoda - Can we blow ourselves up?

Mr. Goldstein - It happened in Freeville.

Mr. Niezgoda - Just from drilling a water well.

Mr. Goldstein - If you hit a shallow pocket of methane, yes, you're going to have a big problem.

Mr. Niezgoda - So if you want running water, you have to chase I down the creek a couple miles or what?

Mr. Goldstein - Not at all. You've got to do your homework. You've got to have a good idea of what the geologic features are that could predict methane pockets at shallow depth and work around them. This is well know stuff.

Mr. Niezgoda - It's always been my experience that you learn a lot from doing things yourself. How much experience has those guys like Cook and the other guys had at drilling wells? Have they ever had a hardhat on? Whoever those two guys were that you were citing as experts and so on.

Mr. Goldstein - Those guys are cited as industry experts by the Journal of Petroleum Engineering. They are considered the leaders of their field in engineering processes of hydraulic fracturing. I would argue that, yeah, they've had hardhats on as well as PhDs.

Supervisor Morey - Thank you, Michael, for your report.

Robert Walpole and James Henry - We're at the meeting to talk to the Board about a property located within the Village of Groton abutting the property owned by the Town of Groton on Conger Boulevard where the Town Hall and Highway Buildings are located. The subject property has a swimming pool, concrete pad, and chain link fence located partially on Town property and a shed entirely on Town property. Mr. Walpole and Mr. Henry were asking the Town to agree to an encroachment license. The encroachment license would give the Town the ability to terminate the agreement if it was ever in the best interest of the public to do so. It would not give the landowner the right to increase the encroachment but only maintain what is already there. The Board and Attorney Casullo were concerned about the extent of the encroachment and whether there would be any liability for the Town. After some discussion, the following resolution was made:

RESOLUTION #12-010 - ENCROACHMENT LICENSE AGREEMENT WITH JULIE A. MARTIN

MOVED by Supervisor Morey, seconded by Councilman Sovocool
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey

WHEREAS, a survey dated December 16, 2011, by Klumpp Land Surveying, of property owned by Julie A. Martin, 115 South Parkway, Tax Map #6.-1-13, in the Village of Groton shows a shed, a portion of a fence and a portion of an in-ground swimming pool belonging to Julie A. Martin encroaching over onto land owned by the Town of Groton, and

WHEREAS, an Encroachment License Agreement has been requested between the Town of Groton and Julie A. Martin, and

WHEREAS, the Town Board has asked the Town Attorney, Francis Casullo, to research the issue and review the Agreement, therefore, be it

RESOLVED, that the Town Board hereby approves the granting of said Encroachment License Agreement and grants the Town Supervisor the authority to sign it, pending the Town Attorney's review and opinion that it is legal to do so and is in the best interest of the Town of Groton.

RESOLUTION #12-011 - MEMBERS OF BOARD TO ATTEND CONFERENCE

MOVED by Supervisor Morey, seconded by Councilman Scheffler
Ayes - Sovocool, Scheffler, Gamel, Clark, Morey

RESOLVED, that the Town Board hereby approves the payment of expenses for Supervisor Morey and Councilman Sovocool to attend the New York State Association of Towns Annual Conference in New York City, February 19-20, 2012.

Supervisor Morey set dates for **WORK SESSIONS**, to review the Employee Handbook, specifically, the code of ethics, drug free workplace plan, the alcohol and controlled substance policy, which were former policies that need review and inclusion in the handbook. Work Session dates: Tuesday, January 17 and Tuesday, January 24 at 6:30 pm.

Announcements:

- Planning Board Meeting, January 19 at 7:30 pm
- Zoning Board of Appeals, January 25 at 7:00 pm
- Impacts of Hydrofracking, Wednesday, January 11 at 7:00 pm at the Moravia Fire Department
- Groton Winterfest, January 28 at the Elementary School
- Groton Business Association, January 18 at 6:00 pm at the American Legion with Barbara Lifton.

There being no further business, Councilman Sovocool moved to adjourn, seconded by Councilman Scheffler, at 9:19 pm. Unanimous.

April L. Scheffler, RMC
Town Clerk