



Inclusion Through Diversity

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TWO PAGES

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Highlights of the **May 7, 2013** meeting of the Tompkins County Legislature

Legislature Renews Call for Ban or Moratorium on Fracking and Urges New Environmental Review Process Due to Conflicts of Interest

The Legislature once again urged a ban or moratorium on high volume horizontal hydraulic fracturing in New York State—supporting bills pending in the State legislature that would, if enacted, support either a statewide ban on fracking or impose a two-year moratorium on it—and calls for the regulatory review process to begin again in light of apparent conflicts of interest. The vote was 13-1, with Legislator Brian Robison voting no and Legislator Jim Dennis excused.

The measure cites apparent conflicts of interest on the part of several consultants employed by the State Department of Environmental Conservation in the development of the regulatory document, the Supplemental Generic Environmental Impact Statement (SGEIS), including its socioeconomic analysis, since they have been identified as members of the Independent Oil and Gas Alliance of New York, the leading advocacy group in favor of permitting gas extraction through fracking. The Legislature calls upon the Governor and State Legislature to enact the legislation that would ban fracking for natural gas in New York State and, in the absence of a ban, that legislation be enacted to place a two-year moratorium on the drilling practice in the state. Due to the recently revealed apparent conflicts of interest, the Legislature's action maintains that the current SGEIS process is "fatally flawed" and should be terminated and restarted from the beginning, and urges that the DEC conduct an independent, comprehensive study, as part of a new SGEIS process, that examines the costs, as well as the benefits, of fracking to local governments and communities, as required by the State's environmental quality review law.

Legislator Robison questioned whether action by the Legislature now is needed, since the body has voted in the past to support a ban and a moratorium and whether the current action endorsing specific legislation is redundant.

Through an amendment advanced by Legislator Will Burbank, the action also expresses concern about a potential new unfunded mandate for counties that fracking may impose. The New York State Association of Counties this week called upon the State to analyze costs local governments may face before any drilling starts, following a recent statement by Environmental Commissioner Joe Martens indicating that such costs cannot yet be analyzed because hydrofracking is not yet occurring in New York.

Contact: Carol Chock, Chair, Planning, Energy, and Environmental Quality Committee, 273-9007

Bonding Authorized for \$6.5 Million in Capital Projects

In three separate votes, the Legislature approved the issuance of serial bonds and notes to support nearly \$6.5 million in County capital projects—up to \$4.3 million to help support road and highway reconstruction improvements; up to \$1.65 million to pay a portion of the cost of repairing or replacing county bridges; and up to \$470,000 to help support the cost of a voice-over-internet protocol telephone system, which will extend such service to all County departments. All three bonding resolutions were approved without dissent. (Legislator Jim Dennis was excused.)

Contact: Nathan Shinagawa, Vice Chair, Budget, Capital, and Personnel Committee, 280-7557.

Legislature Supports Legislation to Amend Mortgage Recording Tax

The Legislature, by a vote of 13-1 (Legislator Dooley Kiefer voted no; Legislator Jim Dennis was excused), “endorses, supports, and encourages” the State Legislature to adopt pending bills in the Senate and Assembly that would amend the tax law regarding the Mortgage Recording Tax in Tompkins County, to dedicate the quarter-percent “Additional Tax” element of the tax to support mass transportation, an action it indicates that would provide Tompkins Consolidated Area Transit (TCAT) a source of revenue available to other major transit operations in the state, and that will contribute to the long-term viability of public transit in Tompkins County. The County is authorized to impose the quarter-percent “Additional Tax,” but has not yet voted to do so. It requested the State legislation regarding dedication of the proceeds. Legislator Kiefer said she voted no because the purpose would be restricted to transportation.

In a separate action, the Legislature also rescinded two resolutions that had been passed in 2011, which had asked the State Legislature to authorize the County to enact a .25% Mortgage Recording Tax, with proceeds of the tax provided to the County for general purposes. The Legislature affirms that its support of current bills that would dedicate the additional .25 tax to mass transportation under the “Additional Tax” provision represents “its sole and exclusive request regarding changes in the Mortgage Recording Tax.”

Contact: Nathan Shinagawa, Vice Chair, Budget, Capital, and Personnel Committee, 280-7557.

Legislature Supports Uniting American Families Act

The Legislature, by unanimous vote (Legislator Jim Dennis was excused), voiced its official support of proposed Federal legislation, the Uniting American Families Act, that would permit a U.S. citizen or legal permanent resident to sponsor his or her same-gender partner for permanent resident status under U.S. immigration law. Immigration law permits a U.S. citizen or permanent resident to sponsor a spouse, child, or parent for permanent resident status, such authorization not provided for same-gender partners. The measure, recommended by the County’s Workforce Diversity and Inclusion and Budget, Capital, and Personnel Committees, notes that lack of such authorization forces the disruption of same-gender families. Through its action, the Legislature calls upon President Obama and elected officials in Congress to press for passage, thanks Senators Schumer and Gillibrand and Congressman Hanna for cosponsoring the legislation, and calls for elected officials to ensure in any legislation that principles summarizing in the Act that end long-standing discrimination against gay, lesbian, bisexual, and transgender immigrant families are included in any comprehensive immigration reform legislation.

Contact: Leslyn McBean-Clairborne, Chair, Workforce Diversity and Inclusion Committee, 277-5104.

Among other actions, the Legislature

- Adopted a Green Building Policy which specifies that new construction and major renovations of County-owned building or property shall meet at least the equivalent of LEED Silver standard, with a decision on whether to seek the actual certification made on a case by case basis. Legislator Mike Lane proposed increasing the threshold for covered projects from \$500,000 to \$1 million, which failed by a 5-9 margin. Adoption of the policy was approved 13-1, with Legislator Dooley Kiefer voting no. Kiefer had urged that the policy acknowledge that other standards exist beyond the LEED standard.
- Heard a presentation from Cornell professors Robert Howarth and Tony Ingraffea entitled “A Renewable Energy Future for New York,” based on a Stanford/Cornell study that uses New York State as a model to demonstrate how the state can be powered with wind, water, and the sun to address global warming, air pollution, and energy security. They maintained that global warming is real and a critically important issue to New York State, that the federal Environmental Protection Agency has vastly underestimated the effect of methane emissions on climate change, that renewables, not shale gas, is the answer, and that meeting the state’s energy needs through renewable energy sources is achievable with rapidly advancing technology. The presentation may be viewed online at the County Legislature website at www.tompkins-co.org/legislature. (Click on the Tompkins County Meeting Portal, the May 7 Legislature meeting, video, then the item on the agenda.)

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