

**NEW LISBON TOWN BOARD—SPECIAL MEETING ON
HYDROFRACKING/GAS DRILLING—JULY 11, 2011—7:00 PM---
TOWNHALL, GARRATTSVILLE**

Present: Supervisor Robert Taylor, Councilmen Edward Lentz, Glen Noto, Connie Chase and Robert Eklund, Clerk Charlene Wells

Also Present: Edward Dawyot, Tony Cannizzo, Sean Dill, William Mason, Sue Smith, Cynthia Kelleher, Dennis Kelleher, Susan Kennedy, Donald Smith, Ed George, Anne & Alfred Murdock, Flo Loomis, Andrea & James Denekamp, Alan & Patty Armstrong, Eugene Chilion, Chuck & Linda Sweet, Ed & Gilda Vincent, Ann McGough, Cecilia Schleder, John & Carol Lernihan, Nataile Fisher, Helen Stayman, Mike Newell, Dara & Edward Tracy, Jon & Mindy Tracy, Joan Carman, Ed Lentz Jr., Marietta Giles, Amy McKinnon, Bob & Nancy Biederman, Pete Chase, Will Lasher, Heidi Lernihan, Petey Brown, Arthur Levine, Richard Gary, Maribeth Rubenstein, Tom & Kathy Riso, Susan Mathieson, Ilyssa Berg, Guenther Dammer, Paddy Lane, Sandy & Barry Braunius, Charles Durfee, Bill & Sandra Kaster, Nancy Moen, Nancy Goehner, Suzanne Eschler, Mildred Douglas, Richard & Jane Eldridge, Paul & Linda Cassano, David McKenzie

Supervisor Robert Taylor opened the meeting at 7:00 PM. He noted that the purpose of this meeting was for the Town Board to hear the community's thoughts on the hydrofracking/gas drilling issue that has been atop the news lately. Anyone who wishes to speak will be given 3 minutes and he further requested that everyone be polite and respect that everyone is entitled to their own opinion. Written comments will also be accepted.

Edward Dawyot (Co. Hwy. 16/Welcome) stated that he felt responsible gas drilling can be handled with oversight from the State and Town without taking away individual property owners rights. All construction jobs cause traffic & other concerns, but they are only temporary. Instead of negativity & fear, we should be able to come up with level headed solutions to problems and benefit from gas drilling without ruining our quality of life.

Mike Newell (letter also signed by wife Phyllis Newell) (Goddards Road) would like to see local laws to protect the Town from heavy industry & gas drilling/hydrofracking. While he respects the rights of others, the need for more jobs and the need to be less dependent on foreign oil, the concerns about possible well, pond, & river contamination, health hazards, costs to Town infrastructure, reduction in property values, etc., outweigh any positive sides of gas drilling. He noted that gas companies should have to set up a superfund before drilling to cover the costs of any future problems it may cause.

John Lernihan (Co. Hwy. 14) noted that he helped worked on the Town's Comprehensive Plan which was adopted in 2008. He suggested that the Board only need to look to the goals in this document to know what is important to the majority of the Town. The goals include, protect groundwater resources, protect scenic views & atmosphere, enhance resource protection, ensure the long term sustainability of our forests & sugar bush, maintain & protect our roadways, ensure roads will support agri-business and other businesses, provide recreational resources, protect historical resources, maintain farmland & farming, support small scale industry that compliments our rural character, manage growth, preserve open space & scenic vistas, protect homeowners from non-residential development, provide affordable housing options and encourage energy saving techniques. Mr. Lernihan urged the Town Board to follow their own document they adopted.

Gene Chilion (Rt. 51, Garrattsville) noted that he moved here for the rural, scenic atmosphere. There have been exaggerations on both sides of the drilling issue. The Marcy-South power line ruined our landscape and we saw no benefits from it as the power went elsewhere. Gas drilling could pollute our water and we have to live on bottled water. The new GEIS protects the Syracuse & NYC watersheds but only gives us the protection of 500 feet from our wells. Everyone needs to tell our leaders that we want our Town to stay the way it is and that we don't want gas drilling/hydrofracking. Residents can vote leaders out of office that don't support what the public wants.

Tony Cannizzo (Sohne Road) feels that the DEC regulations will cover all of the environmental concerns of gas drilling. Anything can go wrong with anything at any time. We can't dwell on possible problems that may never happen.

Flo Loomis (Blue Jay Hollow Road) wants the Board to enact regulations to protect residents from known and unknown effects of gas drilling/hydrofracking. She feels that it is not suitable for here. People have chosen to live here based on our current land use activities. The industry is still in a learning curve as to the affects of horizontal hydrofracking. If the risks are too great to allow drilling in certain watershed areas, why should we be subject to it when our water supply is just as valuable? Gas drilling will affect our land and property values. She urged the Town Board to "take a clear position now or we will be in a diminished position in the future".

Dennis Kelleher (Co. Hwy. 14) noted that gas drilling, both vertical and horizontal, has been going on for years and there is no substantial proof of problems. He feels that it would bring needed income into the area. He stated that the dangers are non-existent, that they have been created by environmentalists and conservationists.

Bill Mason (Miller Road) noted that he was proud to be a Conservationist and Environmentalist. His children are the third generation to enjoy their New Lisbon property. He stated that "there is no amount of money that could replace or compensate us for the loss of the beauty and peace and quiet that we love so much". There is no way to restore our environment if there is a problem created by gas drilling.

Cecilia Schleder (Gilbert Lake Road), co-owner of Meadowvale Campsites, noted that they will be celebrating the 40th anniversary of the campground. Their customers want good roads to travel on, clean water, and peacefulness. She feels that the Comprehensive Plan "shows that the residents don't want heavy industry like gas drilling with its noise, lights, heavy trucks 24 hours and day and jobs for non-residents".

Tom Riso (Bell Hill Road) feels that we should leave it up to the State and Federal Governments to handle gas drilling. Any local ordinance that singles out one industry could be cause for litigation, which the Town can't afford. We don't have anyone to enforce local laws. He also stated that he felt that any Board member who has signed a lease should abstain from voting on the issue. Supervisor Robert Taylor noted that he has always told everyone that he had signed a lease and that he doesn't feel that it will sway his thoughts on the issue. Councilman Edward Lentz added that anyone can be biased on this issue.

Edward Vincent (letter also signed by wife Gilda Renzi-Vincent) (Co. Hwy. 16) noted his concerns about his well being polluted, costly road maintenance, noise pollution, health side effects, damage to wildlife, questions of being able to keep homeowners insurance on affected property, etc. He questioned what good is it to do the Revaluation we just started when gas drilling/hydrofracking will decrease property values.

Bob Biederman (Bardin Road) feels that there are no individual rights when gas drilling/hydrofracking affects all of us. Even if we don't sign a lease they can take gas from underneath us and contaminate our water. There's something wrong when the DEC proposed regulations say that fracking is okay for us, but it is too risky for certain watershed areas.

Nancy Moen (Gardnertown Road) noted that the survey she conducted showed that the majority of town residents were against gas drilling/hydrofracking. She noted that the biggest concerns she's heard were about contaminating our water supply, environmental concerns, insurance coverage and decreased property values. We also have to be concerned about where the gas pipe lines would go. Some people may loose their property by eminent domain for these lines. Other towns, including Oneonta, Otsego, Middlefield, Springfield and Cherry Valley, have taken the lead against hydrofracking and she urged the Board to consider joining them.

Ed Tracy (Bardin Road) noted that his family has lived in the Butternut Valley for 150 years because they wanted to be here. He doesn't want to lease his land and doesn't like it that with horizontal hydrofracking they can take the gas from underneath him without his permission.

Natalie Fisher (Goddards Road) noted that her home was seasonal, but now she lives here full time. She does not want to see our "paradise" damaged by gas drilling/hydrofracking. In addition to damage to our water and environment our good highway department won't be able to keep up with road repairs caused by the heavy truck traffic. She urged the Town Board to protect our way of life for future generations.

Sue Smith (Sohne Road) is in favor of sensible gas drilling. She cautioned that laws we may now pass are liable to affect our lives in the future. Things have already changed over the years. The Board should think carefully about this decision and be responsible to all taxpayers.

Andrea Denekamp (Quinlog Road) agrees that there are good and bad points to gas drilling. Research has been done that proves there are health issues and water pollution issues. She would like to see a ban on heavy industry and a substantial bonding procedure for wells drilled/fracked to cover potential damages in the event a local law would be overridden by the State. In her letter she cites many reasons to support a ban including; jobs will be filled by company employees, not local people, prices of natural gas will not decrease in the area, emergency services will be strained, as will local hospitals, real estate values will drop, water well contamination, hydraulic fracturing is dangerous due to seismic fault lines which could cause earthquakes, burden of the cost of testing water before drilling, road damage, air pollution, current businesses in Town like farming, campgrounds, the brewery, could be negatively impacted and loss of our rural atmosphere. The gas companies will come and go, but we will be left to deal with what happens. She also questioned the DEC's exemption of the NYC & Syracuse watersheds from drilling. "If fracking endangers their water, it also endangers our".

Ilyssa Berg (Mittlesdorf Road) (letter also signed by husband Javier Flores) noted that they came here a few years ago and turned vacant land into a successful business, Painted Goat Farm. They are concerned about the unacceptable risks to our health, property values, animals and our clean water, which is necessary for their farming operation. Our local emergency services will be stressed and placed at risk as will our roads. She feels that gas drilling/hydrofracking is inconsistent with our Comprehensive Plan. She hopes the Board will do whatever is possible to protect our Town.

Sue Eschler questioned who decides what we can & can't do. Supervisor Taylor responded that we did pass a road preservation law. Councilman Lentz noted that our site plan law would address drilling sites, including noise issues. Some attorneys feel that a local law banning gas drilling won't hold up in court while others say we have home rule authority and they would hold up in court. Councilman Robert Eklund noted that the DEC regulations appear to say if you let in drilling then the DEC will regulate. Therefore it would seem to say if you let in gas drilling you lose local control.

James Denekamp (Quinlog Road) feels that there is not enough known about horizontal hydrofracking. It seems kind of fishy, maybe political, that the DEC says its okay, but not in certain watershed areas.

Sandy Kaster (Gardnertown Road) commented that unfortunately one mistake is all it will take to ruin everything.

Sean Dill (St. Hwy. 51, Garrattsville) noted that no one wants to be told what to do with their own property, but this issue has the potential to affect neighbors and the entire town.

Bill Kaster (Gardnertown Road) questioned why it was left up to the Town Board to vote on this issue instead of having the voters decide it. Supervisor Taylor responded that it was NYS Town Law which gives the authority to the Town Board. A non-binding straw vote or survey would be options to get the public involved, but the Town Board has the final say.

Richard Gary (St. Hwy. 51, Garrattsville) questioned the statement if we don't attempt to stop gas drilling now we can't stop it in the future. Councilman Eklund noted that that's what it appears the DEC is saying. The new proposed regulations are still being interpreted.

David McKenzie (from Morris) commented that he moved here after 9/11 and if gas drilling comes here it will affect the land and cause visual damage.

Supervisor Taylor thanked everyone for coming to the meeting and sharing their opinions with the Board. The Board will take everyone's comments, both verbal and the written ones submitted under consideration. If they decide to pass a local law banning heavy industry, a law would have to be drafted to suit our Town and a public hearing would be held on it before it could be adopted.

With no further comments, the meeting was adjourned at 8:30 PM.

Charlene R. Wells, New Lisbon Town Clerk

(Summary of written comments handed in at meeting and received in the mail follow).

Alfred & Anne Murdock (Co. Hwy. 14) are concerned about the dangers of hydrofracking including use of millions of gallons of water and dangerous chemicals, contamination of wells & streams, noise & air pollution, disposal of used water mixed with chemicals, damages to roads & bridges, lower real estate prices and lack of proper oversight. They noted that they tried to cancel their lease but were too late.

Charles & Sara Endress (Braun Road) noted their opposition to heavy industry/hydrofracking in the Town of New Lisbon.

Joyce Enders (Stahl Road) and her daughter Lucia Davison & son Mark Enders sent notice that they are totally against hydrofracking that could contaminate our water. They would be in favor of a Town ordinance to stop it.

James & Nadine Scrivener (Garrattsville) are in favor of regulations prohibiting hydraulic fracturing in the Town.

Petey Brown & Arthur Levine (Garrattsville) are in favor of regulations prohibiting hydraulic fracturing in the Town.

Tina & Tom Olivera (Co. Hwy. 12) are in favor of regulations prohibiting hydraulic fracturing in the Town.

Wayne Schleder (Meadowvale Campsites) noted that the campground depends on well water. Gas drilling could damage this resource. He supports ordinances to make it difficult for gas drillers and to help protect our properties.

Gretchen Lernihan (Co. Hwy. 14) noted that if gas drilling comes we need to deal with the transient work force that will come. Who will govern these "Man Camps" and all of the issues they will bring??

Carol Lernihan (Co. Hwy. 14) suggested that we will need to make changes as soon as possible to increase revenue to cover the increases that will be needed for road maintenance, emergency services, etc. if gas drilling comes. She suggested that anyone who signed a lease should be taxed as a commercial property. They should not have any exemptions (such as STAR, veterans, or agricultural) since they don't apply to commercial property. Insurance companies should be notified of the change from residential to commercial. All commercial property owners should file as a business with NYS and the federal government. They should have to post a bond before drilling permits are sought.

Susan Kennedy (Gardnertown Road) is against fracking and the potential to damage our wells, wildlife, landscape and extra costs that could be put on tax payers.

Ann Clifford-McGough (Pegg Road) commented that if there are concerns by the DEC for the water in the NYC/Syracuse watersheds we should believe that there are health and environmental concerns. The Town Board should initiate local ordinances to protect us "as there will be no turning back".

Peter Jacobs (Blue Jay Hollow Road) is in favor of banning hydrofracking. "Once our water is contaminated, it is gone forever".

Elizabeth & Vic Bronner (Co. Hwy. 12) are in favor of regulations prohibiting hydraulic fracturing in the Town.

Richard Thompson (Card Road) sent in notice that he is in favor of regulations prohibiting hydraulic fracturing in the Town.

John Braunius (Blue Jay Hollow Road) submitted his comments against heavy industry which puts our health and way of life at risk. Residents can't afford to keep testing their wells and paying high deductible insurance because of the potential threats from fracking. Since 75% of residents are against hydrofracking, the Town Board should do everything in its power to protect us. Damages done cannot be undone.

George & Joan Bardin (Bardin Road) support new business because it would be good for our town to have other reasons to move here except for retiring here. "Garrattsville used to be a booming town". They don't support hydrofracking because you don't know what damage it will do. Only the gas companies and a few people might make money "at what price"?

Heidi Lernihan (Co. Hwy. 14) suggested that we need to address noise, lighting, air pollution, implement tolls on roads used by commercial vehicles, sighting of industry in the town and on property, distances from powerlines, bridge inspections, ambulance reimbursements, guarantee that owners/operators have workers compensation and health insurance for employees, etc. She further suggested that there should be "metering and taxing at the wellhead along with a royalty check disbursed for as long as drilling occurs to every resident of the Town as compensation for the disruption of the rural, pastoral, quiet beauty of the Town". Our infrastructure should be inspected before drilling by

professionals. People do not live in New Lisbon because of the jobs available here, but because they love it here as it is now.

Linda & Charles Sweet (Co. Hwy. 16) submitted their comments against hydrofracking. They worry about the water supply, the chemicals used, wildlife and the landscape and roads torn up. Most people who work for the gas companies won't be residents of the local area. They both "like our country living and don't feel it should be destroyed just to fatten someone's pocket".

Abigail & James McEnroe (Garrattsville) suggested that drilling should be done first in the NYC watershed and public lands. We get to be first because we have no power to stop it. NYS will evade any responsibility with any problems that occur. They feel bad for farm land owners as they farmed for 40 years. They suggested having an injunction signed to shut down any drillers if they violate the rules. Everyone should test their wells and we should know what chemicals they will be using so we'll know what chemicals to test for. The local animals will hopefully drown out the noise that will occur from the drilling. Let them handle their own spills, fires, etc and not put it onto our local volunteers.