

AD HOC COMMITTEE ON MINERAL RIGHTS
MEETING MINUTES
THURSDAY, MARCH 12, 2009

The Ad Hoc Committee on Mineral Rights of the Broome County Legislature met on Thursday, March 12, 2009 in the Legislative Conference Room, Sixth Floor, Edwin L. Crawford County Office Building, Binghamton, New York.

Members Present: S. Herz (Chair), M. Diffendorf, R. Keibel, M. Nirchi, S. Messina for T. Cleary, Legislature; K. Keough, RPTS; R. Behnke, County Attorney's Office

Members Absent: D. Reynolds

Others Present: R. Blythe, County Clerk; C. Riley, RPTS; M. Marinaccio, Town of Dickinson; M. Kalka, Budget; G. LaBare, J. Marinich, C. Marion, E. Denk, C. Hall, Legislature

The Committee meeting was called to order by the Chairman at 3:04 pm.

Mr. Keibel made a motion, seconded by Mr. Diffendorf to approve the February 20, 2009 meeting minutes. Motion carried.

Mr. Keough provided a memorandum (on file with the minutes) which outlined the decisions made by the committee and provided options for further discussion and how the different options could affect the Office of Real Property Tax Service.

Mr. Keibel stated that in all instance, mineral rights and surface rights should stay together. Mr. Marion reported that some lenders are denying mortgages where mineral rights and surface rights have been split, and real estate agents have seen deals fall through on the recommendation of the closing lawyers. This does not seem to be an issue for appraisers. Mr. Behnke noted that the whole idea is new to the area and those involved are being cautious.

There was discussion on foreclosed properties in the City of Binghamton. Mr. Keough wanted to know how to proceed with these properties. It was the recommendation of the committee to allow Mr. Keough to sell all properties with structures in the City of Binghamton with the mineral rights at the May auction. Ms. Messina and Mr. Nirchi had reservations about selling the properties with the mineral rights and voted against the recommendation.

Mr. Keough stated that there are two properties that have more than five acres that he would like to sell at the May auction. One is in the Town of Nanticoke and the other is in the Town of Colesville. There was discussion on the different options available. The committee's recommendation is to sell at the May auction the Nanticoke property with the mineral rights and sell the Colesville property without the mineral rights. Mr. Keibel was not in favor of the recommendation and voted against it.

Mr. Keough reminded the committee that the Legislature can always reject a bid for a property sold at auction.

The next meeting is scheduled for April 23, 2009 at 3:00 pm.

Mr. Herz informed everyone that members of a steering committee of multiple gas coalitions will do a presentation at the April meeting of the Transportation and Rural Development Committee

There being no further business to come before the Committee the meeting Mr. Diffendorf made a motion to adjourn, seconded by Mr. Keibel. The meeting adjourned at 4:15 pm.