

## **Caroline Town Board Meeting Minutes of April 3, 2012**

The Town Board Agenda meeting held on April 3, 2012 at the Caroline Town Hall was called to order at 7:00 p.m. by Supervisor Don Barber.

### **Attendance:**

Don Barber, Supervisor  
Dominic Frongillo, Councilmember  
Linda Adams, Councilmember  
Aaron Snow, Councilmember  
Irene Weiser, Councilmember

### **Recording**

**Secretary:** Christine Wilbur, Deputy Town Clerk

**Also present:** Approximately 10 members of the public.

Supervisor Barber led the Pledge Allegiance to the Flag.

Joan Jurkowich – County Planning Dept. – made a presentation on a Development Focus Area Strategy. The purpose of the presentation is to give municipalities a preview of what is going to be presented to the public in about 5 weeks. The Strategy has been in development since 2004 in order to provide municipalities with more influence when determinations are being made about issues surrounding transportation, land use, housing, etc... Joan encouraged the Board to give comments and ask questions during the presentation.

The presentation included elements of the following items: Principle, The Vision, Benefits of Development, and Focus Areas – Community & Economy. Board members provided comments and asked several questions regarding the study and how it relates to the Town of Caroline. The concern expressed related to lack of municipal services – water and sewer, and low density housing - how does this study promote beneficial outcomes for our rural community? The study includes development in Rural Centers – like Brooktondale and Slaterville Springs; Board members would like to see protection of farmlands, and sprawl control. The Draft Development Focus Area Strategy can be seen in its' entirety on the Tompkins County Planning Department website. Board members and residents alike can provide comments or ask questions through e-mail if they desire.

The study is being presented to all communities and there will be revisions made to the plan, which will be finalized in the first week in May. Supervisor Barber thanked Joan for her presentation.

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### **Privilege of the Floor:**

Liz Evett – Encouraged the Board to move swiftly with the Ban on hydrofracking. She also is concerned about propane that is being used in the fracking process in Tioga County. Truck traffic on our roads (to and from Tioga County) should currently be an issue for emergency responders due to propane transportation. Committees should consider this possible impact.

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### **Reports:**

#### **Don Barber, Supervisor:**

#### **Resolution 77 of 2012: FEMA projects**

After discussion of the 7 bids that were received and the process, Supervisor Barber made a motion to authorize awarding the bid for the Boice Creek and “600” project to DNG Industries as the low bidder for both projects. Mr. Frongillo seconded the motion. The amounts were: \$6,400 for “600”, and \$9,800 for Boice Creek. The original estimate for both projects was \$50,000, thereby reducing the total amount needed for the Town share for all projects (including Beaver Creek and Banks Rd. work). The work will be scheduled during the middle of June – which the DEC permits allow for that time period.

**Adopted:** Barber: Aye; Frongiollo: Aye; Adams: Aye; Snow: Aye; Weiser: Aye

- Supervisor Barber had sent out a notice to Board members regarding parliamentary procedure and his suggestion that Board members address each other as “Council Person” thereby providing a more formal atmosphere at meetings. Board members were appreciative of the intent of the suggestion but did not come to a conclusion regarding the matter.
  - Watershed Committee – discussed FEMA projects and 600 Road and National Conservation Service – funding for the other side of 600. The Committee will be meeting with affected property owners tomorrow afternoon to describe projects and obtain easements.
  - Ms. Weiser discussed the feedback she has received regarding committee structure and function, particularly with the Watershed Committee. The problems that were identified were agreeably not a good fit for that committee, or the Independent Caroline Committee. She reported the document will be dismissed and apologized to anyone who was offended. Board members acknowledged the good intent of the document, and it could be considered at a future time.
  - Road Preservation Committee – met March 27<sup>th</sup> at Cornell to view a presentation of how highways perform when subject to heavy industry use. The regular meetings are held on the 4<sup>th</sup> Wed. of the month at the Town Hall. The Committee is comprised of one person from Town of Ithaca, Town of Enfield and the Town of Ulysses. Due to the spread-out locations, there may be a need to change the location of the meetings. A couple of trucking firms have been asked to give reports on how their operations work, fees involved, permits, etc. A local resident, Zan Garrity expressed an interest to service on the committee. The Board will consider her appointment at the next meeting.
  - BAN Local Law: Supervisor Barber reported a pro bono attorney’s office – The Community Environmental Defense Council -has provided him with a draft local law, which has been sent to the Town Attorney for review. He has looked at the document and provided comments to the attorney – what is learned from other towns, how do existing statutes allow our town to adopt a ban (without zoning). Other questions that Board members may have should also be sent to the Town Attorney. Town Attorney Krogh will provide a document for Board review by the end of this week. Supervisor Barber feels it is inappropriate to discuss particulars until the document has been reviewed by all. A discussion can follow at the business meeting next week.
- A lengthy discussion followed regarding the process. Supervisor Barber is recommending a similar process as was followed for the moratorium – a question and answer meeting for residents regarding the language of the law, then a formal public hearing prior to the vote by the Town Board. The process will be discussed further at next week’s business meeting.
- Candidates for Sub-Division Review Board – Sue Pierce Kelling – one applicant, 2 positions. There is a Sub-Division being proposed – Lounsberry Rd. - not official, but it would be advisable to have a full committee in place to review the project. Rich Anderson is willing to stay on until a replacement is found, but it is his intent to go off the committee... Ms. Adams agreed we owe it to the developer to have a process in place. The Board will consider Ms. Pierce Kelling’s appointment at the next meeting.
  - Time Warner Cable Consortium – a resolution will be considered at the next meeting to join a consortium that is similar to the Health Care Consortium. Supervisor Barber discussed property tax owed by Time Warner that is waived in lieu of cooperating with our needs. That has not happened and the waiver will be lifted. He described where the property is. Other utilities, like NYSEG, pay property taxes
  - Lawn Mowing Contract – Lucente has had the contract in the past and has done a good job. This year another contractor came in with a lower bid – less by 20% - described the contract. Discussion of the particulars of the contract followed and the bid will be considered at the next meeting.
  - A TCCOG resolution regarding taxation of natural gas will be offered at the next meeting. Discussion of the

timing of the resolution followed, but will be considered at next week's meeting.

- Supervisor Barber reported that a proposed resolution for establishing an Aquifer Committee will be presented at next week's meeting. A lengthy discussion followed between Ms. Adams and Supervisor Barber regarding the need for an additional committee. Ms. Adams was very firm that the issues to consider are well within the scope of the Watershed Committee and feels the Board should approach the committee first and let them decide if they can take on the work involved. After further discussion, Supervisor Barber will ask the Water Sheds Committee at their next meeting.

#### **Aaron Snow, Town Board:**

- The Caroline Youth Commission met on Tuesday. - Amy Hendricks from the County came and discussed coordination with Enfield & Danby. County is going to work with Hawthorne Consult. Group – and will look at rural youth programs - how there can be shared resources; people from Danby & Enfield came – Northern Lights Learning Center – home schooling program – kids can go to different houses to learn; next meeting – April 17 in Enfield.

- Rec. Partnership Annual Meeting – 2013 – municipalities to sign 5-year agreement – wording is the same as the last agreement – encourage signing on for another 5 years. County is on Board for 2013 – April budget to Youth Bureau; by May for feedback; by July budget finalized; by Sept. a resolution by Town Board. Ms. Adams asked about the 5-year term of the contract – if circumstances were to change over the years, could we opt out if necessary at some future date? Yes, we can. This has been an issue in the past, because the County funds the program from year-to-year. We have the same mechanism for opting out – we would not have to cover the County piece. Supervisor Barber would like to see the staff and agency have a goal of establishing a 501(3)c in order to accept donations.

- Highway Committee – Mr. Snow has talked with Superintendent Whittaker and she will be at next week's meeting. He talked with her about the South & Downey Road intersection – asphalt issue – this item was given to the Building Inspector to look at. In addition, some residents have been filling in their ditches, which is a problem for the highway department for many reasons. Supt. Whittaker will report on this as well at next's week meeting. Supervisor Barber also noted that the Board and Highway Department need to sign a 281 agreement (defines scope of work and amount of money) – cannot spend money without Board prior approval. He would like Mr. Snow to accompany Supt. Whittaker and look at the work she wants to do – there may be four roads.

#### **Dominic Frongillo, Town Board:**

- Paul Vidovich – resigned from Planning Board – need members – Board needs to decide to interview – there are three applicants for two vacancies. The Planning Board recommends signing a contract with Jon Kanter for consulting services. A resolution authorizing the Supervisor to sign a contract with Mr. Kanter will be on the agenda for next week's meeting. There is money in the budget for this purpose. In addition, a note taker has been hired – Jacob McNally – a Planning student at Cornell. Supervisor Barber advises the committee to monitor the budget and ask the Board to consider an increase if necessary. Also, trail report – Info. & Website Committee – a report will be on website – 100+ pages – passed a resolution that no trails will be approved until basic questions are answered.

- Energy Independent Caroline – delegation went to investor meeting for Black Oak Wind Farm – several years of data and moving forward with 20-30 megawatt wind farm – community owned as much as possible – people can invest; a series of meetings – we are looking at that as a model – 23 families from Caroline attended a meeting - \$5,000 minimum investment – benefit to the Town – described a program for the Town of Caroline. Mr. Frongillo described the funding (investment) process.

- A Rep. from Town of Enfield – unrelated to wind farm – Tighten up Caroline event – steps to upgrade efficiency of their homes – interested in program;

- May 1<sup>st</sup> Agenda- special presentation prior to meeting – very exciting – 7 PM.

- Community Service Award – Committee – nominations are open – two people or groups of people who either had short-term heroic acts or longer term commitment to the Town - nominations close April 20<sup>th</sup> – committee will make a selection – announcement will be on list serve, on newsletter, etc. The Award will be made at the May 1<sup>st</sup> meeting at 6:30 PM

#### **Irene Weiser, Town Board:**

- Ms. Weiser went to TCCOG – they discussed a government efficiency grant regarding highway departments, concluding there was not enough time to circulate a draft. They will continue talking with highway superintendents and submit a proposal regarding consolidation.
- Discussion about road preservation – County continues to move forward – already has an agreement in effect; this Board has looked at it and may use as a model – recognizing a need for a variety of items – calculations of # of trips, etc.; administer permit programs – consistent methodology across County - contracted with Labella – inviting towns to participate for low cost. Supervisor Barber clarified our participation - Committee will make a recommendation to get up to speed with County – has not talked about how much money. One wrinkle is that several towns have already linked up with Delta Engineering – independent from County process; road use agreement is not industry specific – hopefully our group will be ready when County administers; it is not clear if administration is local or regional.
- Time Warner Cable – possibly negotiating new contract jointly with all participating towns for franchise agreement (the Consortium discussed earlier).
- Cell towers consideration discussion;
- Communications Information Technology Committee (CIT) meets the 2<sup>nd</sup> Thurs. at 7 PM at old fire hall.
- A Town of Caroline public information sheet was distributed in the Old Mill Newsletter – came up with 1600 households – substantially more than previously; colored paper – two sided – described info. included.
- Bob Freeman from the NYS Office of Open Govt. will be on hand to provide information and answer questions at the Borg Warner Room at the Tompkins County Library on April 11 from 5-6:30 PM. Ms. Weiser encouraged anyone who is available to attend.
- County Broadband - presentation by the County last week – 16 people attended; discussed ways to expand broadband access – critical infrastructure issue – lots of reasons to do this; taking presentation to towns who do not have good service; DSL is not considered broadband – does not meet federal standards. County identified – fixed wire – small transmitter – low tower (100-130 feet tall) – well known, and well-received technology. A viable possibility – 2-4 million dollars to do Countywide – need to figure out business plan. Discussed health issues – low voltage transmitters – looked at studies – not high dosage of exposure. Supervisor Barber said that if they run to rural sections of the Town there would need to be public subsidizing. The Town of Dryden has applied for a grant for this item; however, there is not a clear way to funding.
- Emergency Preparedness Committee – FEMA required training – scheduled in 2 parts – Sat. April 21<sup>st</sup> 9-12; Sat. May 12 9-12 – location TBD – can take on-line – encouraged all to participate – info. sent to all County & Town officers.

Supervisor Barber reminded Board Members that the Brooktondale Community Center is not a town facility and will charge a fee for use for meetings.

**Linda Adams, Town Board: No report**

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**Town Business-** Discussed earlier in Supervisor's Report.

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### **Approval of Minutes**

#### **Resolution 78 of 2012 Minutes of Agenda Meeting held March 6, 2012**

A motion was made by Supervisor Barber and seconded by Mr. Snow to accept the minutes as submitted by the Deputy Clerk.

**Adopted:** Barber: Aye; Frongillo: Aye; Adams: Aye; Snow: Aye; Weiser: Aye

#### **Resolution 79 of 2012 Minutes of Business Meeting held March 13, 2012**

A motion was made by Supervisor Barber and seconded by Ms. Weiser to accept the minutes as submitted March

by the Town Clerk.

**Adopted:** Barber: Aye; Frongillo: Aye; Adams: Aye; Snow: Aye; Weiser: Aye

Hearing no other business, Mr. Frongillo made a motion to adjourn the meeting. Seconded by Ms. Weiser. Carried unanimously. Meeting adjourned at 10:10 P.M.

Respectfully Submitted,

Christine Wilbur, Deputy Town Clerk