

**Caroline Town Board Agenda Meeting  
May 1, 2012  
Minutes**

**THE 2012 COMMUNITY SERVICE AWARD PRESENTATION (6:30 PM).**

Mr. Frongillo presented the awards to: Lezlie Kennedy, who was nominated by Beth and Greg Harrington in recognition for her work on the Slaterville Ambulance; and Tammy Longabaugh who was nominated in recognition for her work on behalf of the fire department auxiliary and the food pantry. He read the letters that described their contributions to the community. Both recipients received plaques in honor of their award and were congratulated by the rest of the Caroline Town Board and members of the community who were present.

**2012 CORNELL UNIVERSITY PARTNERS IN SUSTAINABILITY AWARD**

The award was presented to Supervisor Don Barber (on behalf of the Town of Caroline) by Mr. Bert Bland of Cornell University's Natural Resources Department, in recognition that the Town of Caroline has been the most environmentally responsible municipality in Tompkins County through its development of green initiatives. This prestigious award has previously been presented to New York State Energy Research and Development Authority in 2010 and the Tompkins County Climate Protection Initiative in 2011.

The Town Board Agenda meeting held 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 - Absent  
Aaron Snow, Councilmember  
Irene Weiser, Councilmember

**Recording**

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

**Also present:** Approximately 5 members of the public

At 7:30 PM Supervisor Barber led the Pledge Allegiance to the Flag

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**Privilege of the Floor:**

No one.

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**Reports:**

**Don Barber, Supervisor:**

- Thanked Cal Snow for work on Community Service Award.
- Correspondence - The Town's Code Enforcement Officer, Kevin McMahon, would like to purchase a PDF download of the New York State Codes. He is asking to share the cost with the three towns that he works for. The Town of Caroline share would be \$300 (of the \$564 total cost). Supervisor Barber supports his request; however, Board members would like more information regarding the purchase – to discuss alternatives. Ms. Weiser will consult with Mr.

McMahon and report back at the next meeting.

- Supervisor Barber spoke of an e-mail he sent regarding the Moratorium Law – a piece of the process, a Tompkins County 239 review (which is a technical necessity), was overlooked. Therefore, the Board must consider a resolution to rescind the local law and then consider a new resolution to adopt local #2 – which will be the same thing.
- Time Warner cable consortium – in packet for next meeting.
- A resolution to consider a Water Aquifer Protection Committee will be presented at the next meeting. Ms. Adams asked that the Watershed Committee be asked if they wanted to take on the responsibilities as described in the charge of the Committee. Mr. Barber contacted Barry Goodrich of the Watershed Committee and he feels there is reason enough to establish the committee and enact a local law to protect our watersheds – more work than the current committee can handle. Mr. Goodrich asked that the committee structure include liaisons from the Watershed and Planning Committees as well as a representative from Tompkins County Soil & Water. The Board discussed the makeup of the rest of the committee that will have 8 or 9 members.
- Q&A meeting in Speedsville feedback: questions and items that require further consideration are:
  - o Why is the view shed 2 miles?
  - o Has gas been extracted from the town previously? There has been gravel extraction and straight line drilling for gas;
  - o Discussion of a ban on subsurface drilling; Mr. Snow would like to look at the process as a whole;
  - o Splitting out part of the town that would not be covered by the ban; discussion of Mr. Krogh's e-mail response regarding how the town could be split. Ms. Weiser said it is not clear that there is much of a way to do it; Mr. Frongillo is not sure that all residents in that area want drilling – election results indicate otherwise; Mr. Barber reminded the Board that Mr. Krogh's comments indicated that a split could not be just how a person feels. We need to be provided with some kind of guidance to make a determination.
  - o A long discussion followed regarding the water testing that Cornell is doing currently. If the ban were enacted, there would be no need, but good to get a baseline now. In addition, it was noted that his is well water testing – not in the creeks. It's free for now – but what about down the road.
  - o Should there be a public input meeting for separating the town? Ms. Weiser feels we need to provide the public with follow-up information and, beyond that, letting the public know what kind of information the Board would need to make a decision. Need to talk with County Planning – to put together language. Jonathan Kanter and Joan Jurkowich could assist. We do not have a clear vision of guidelines that are legally permissible or how the process works. Is there a defensible way to do this?
  - o Is there any more information on adverse affects of sub-surface drilling? Most of the impacts are dealing with surface drilling; but our ban talks about sub-surface – adverse affects are harder to prove; aquifer protection deals with sub-surface;
  - o Mr. Barber read an e-mail from Mr. Taam asking what conditions would require the Town Code Enforcement Officer to enforce the law; and under what conditions could the law be disbanded (if the State says OK to drill). Mr. Barber will respond to Mr. Taam.
  - o Ms. Adams' question regarding if a ban is in the best economic interest of the Town – and other questions she posed in her e-mail. (Ms. Weiser read the e-mail from Ms. Adams).

**Aaron Snow, Town Board:**

- Recreation Partnership – The Board needs to vote to extend the 5-year agreement at the next meeting. He reported that the organization has a 501(3)(c) designation; however, individuals cannot make “directed” donations.
- Caroline Youth Commission – no report.
- Town Barns – Clean-up week is being held April 30<sup>th</sup>-May 5<sup>th</sup>. Do they take tires? Not now – depends on demand.

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

- Planning Board – new members took positions – need to take oath of office – maybe before next board meeting – Bruce Murray and Ed Wurtz;
- Energy Independent Caroline – presentation on energy transitions calculator; Danby land bank
- Community Service Award – presented to Lezlie Kennedy and Tammy Longabaugh;
- TCCOG – asked to have boards pass resolutions supporting certain State senate bills re: hydrofracking, a resolution that says all bills and resolutions should be brought forward (and not blocked by Senate Majority Leader), Cable Franchise, and a resolution regarding hazardous waste loopholes.

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

- Ms. Weiser attended a meeting at the Armory. One program she thought was interesting – Design Connect –, which is a team of CU Planning students that will do focus groups, or a variety of research projects – application deadline is May 14<sup>th</sup>. She thought it would be interesting to consider putting in a project to explore building a downtown “node”. After discussion, the Board agreed that if Ms. Weiser wanted to pursue the grant application, to go ahead and see if it is approved.
- Communications, information and Technology Committee – met for first time. They will meet on the 1<sup>st</sup> Thurs. of the month at Town Hall. The group is getting to know each other, talked of issues and concerns. Some members went to the Bob Freeman presentation. One item the group will consider is what happens with e-mail communications. Mr. Freeman says e-mail communications between Board members are treated the same as paper communications and need to be preserved – possibly by cc’ing the Town Clerk. The Committee will check with County IT and see how they handle it. Any committee of the board – those communications also need to be archived. The represented from Danby is looking into this issue and a system that would be useful; will be sent to TCCOG for consideration of monetary expense.
- Privilege of the Floor (another item that came out of the Bob Freeman presentation) - names are not required, but speakers should at least give their residency. The Board can limit speakers to issues that are pertinent to work of the town board. Mr. Barber feels we should also limit speakers to those who are residents of the Town – particularly at a public hearing. The Board is not required to give “privilege” to speak to those who cannot or will not say where they are from. Mr. Frongillo likes to know the road name where residents live. If residents are registered voters, their addresses are already public.
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- Emergency Preparedness Committee e– hazardous mitigation meetings – with Barry Goodrich, Greg Harrington and other town fire chiefs, to review what hazards there are and what has been mitigated.
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- May 10<sup>th</sup> – Introductory Training for public information officers – Marilou (as Town Clerk) is designated as the Town’s Public Information Officer. 8 AM – 4 PM at the Department of Emergency Response. Ms. Weiser will also be attending;

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- Discussion items: e-mail from Joe Wiiki – suggested the Board (and others) make a road trip to Dimmock, PA – go there before a vote on the ban. A long discussion followed about the pros and cons of such a trip. No decision was made.
- After Q & A session, someone asked Ms. Weiser if she was a member of ROUSE and suggested she should recuse herself from drilling deliberations. She explained her campaign platform was basically non-fracking, was published in newspaper and widely publicized, and she has no financial interest or leased property. She checked with the Town attorney who indicated there was no conflict of interest. Ms. Weiser will make a statement at the next meeting, for the record, regarding this issue.
- Town e-mail announcement list – a lengthy discussion of the process for posting notices on the Town e-mail announcement list followed. There is confusion about who to send the information to, duplicate requests, and how many can be posted. The following criteria was discussed:
  - o Keep to what's important;
  - o Needs to be timely;
  - o Keep short and have headings to catch people's attention;
  - o Process will be: e-mail to Irene and Keith Slayden – ask Keith to post to list-serve and Irene to post on website;
  - o Need to pick a day for announcements – so people can expect to see them at a particular time.

**Linda Adams, Town Board:** Absent

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### **Agenda Items for Town Business Meeting**

- Rescind Local Law #1, and adopt Local #2 – a Prohibition with the Town of Caroline of Natural Gas and Petroleum Exploration and Extraction Activities, etc.
- Time Warner Cable Consortium – resolution to join;
- Recreation Partnership – vote to extend 5-year agreement;
- Statement for the record regarding hydrofracking position (Ms. Weiser)
- Design Connect Project Application (Ms. Weiser);
- Hazardous Waste Loophole resolution;
- Establish Aquifer Committee

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### **Approval of Minutes**

#### **Resolution 95 of 2012: Minutes of Agenda Meeting held April 3, 2012**

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

Corrections – name of Watershed Committee (one word)

Energy Independent Caroline – p. 3

P. 3 – Paul Vidovich

p. 2 – Community Environmental Defense Council

Mr. Barber moved approval of the minutes with corrections noted. Seconded by Mr. Frongillo.

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

#### **Resolution 96 of 2012: Minutes of Business Meeting held April 10, 2012**

A motion was made by Mr. Barber and seconded by Mr. Frongillo to accept the minutes as submitted by the Town Clerk.

Ms. Weiser wanted the minutes to reflect the question to Sue Pierce Kelling (a candidate for the Sub-Division Review Board) if she had any known conflicts of interest with people who are sub-dividing their property, and she said no.– Sue Pierce Kelling for sub-division review board.

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

Hearing no other business, Mr. Barber made a motion to adjourn. Seconded by Mr. Snow. Carried unanimously. The meeting adjourned at 10:40 PM.

Respectfully Submitted,

Christine Wilbur  
Deputy Town Clerk