

Caroline Town Board Meeting Minutes of June 3, 2014

The Town Board Business meeting held on June 3, 2014 at the Caroline Town Hall was called to order at 7:00 p.m. by Supervisor Don Barber.

Attendance:

Don Barber, Supervisor
John Fracchia, Councilmember
Irene Weiser, Councilmember
Mark Witmer, Councilmember
Tim Seely, Councilmember

Recording

Secretary: Marilou Harrington-Lawson, Town Clerk

At 6:30 p.m. the Community Service Awards were given to Art Straight and Jimmy Merrill for outstanding and caring support given throughout the community for many years. Both gentlemen were recognized in a ceremony which brought forth many members of the community in support of Art and Jimmy's committee and volunteer work within the community and to congratulate them on receiving the award.

Also present: 27 members of the public were in attendance.

Mr. Barber started the regular agenda meeting at 7:10 p.m. with the Pledge of Allegiance to the Flag

Privilege of the Floor

Reports

Cindy Whittaker, Highway Superintendent

Don Barber, Town Supervisor

Setting policy; work on the Town budget through the summer. Have the board have a broad discussion about fund balance; include everything on the budget and figure out what is needed (\$\$\$) in each area. Councilmember suggested doing 3-5 year projects and asking Chris Payne for budget help in long term planning. Supervisor Barber said right now we are making budget decisions based on what we have and not on what we want.

Tim Seely, Town Board

Will report next week

Mark Witmer, Town Board

Planning Board, 8 May, 6:30-8:30. Chad Novelli, Ed Wurtz, Bruce Murray, Lois Lounsbery, Chris Payne

Discussion of plan for updating the Comprehensive Plan. How has plan so far informed/helped the Town? (Ban on Gas Development, bike access in Town, Site Plan Review Law).

Watershed Committee

7 May: Irene, Barry, and I met at FEMA Discovery Meeting at Borg-Warner Room. Mainly noted on map problem areas (flooding) in town, particularly along 6-mile Creek.

12 May: Irene, Barry, Dave Herrick (T.G. Miller), and I visited Buffalo Creek Road, about 3/4 mile stretch in lower section (telephone poles 19 - 33), midpoint Cleveland residence. The creek is

threatening the roadway, with not much room to move away in this section (steep hillsides, eroding). Problem seems to be that the road is set right in the creek basin. There is a concrete-block retaining wall that is being undercut. Stream continues upstream straight along road. This needs to be addressed - grade control and sediment traps (pools). I noted four spots where creek is threatening to collapse side of road. At one of these the roadside is 48" from edge of eroding creek bank. One spot where creek is pinched from collapse of banks and debris. This will plug soon and then erode roadside and creek bank. Dave notes 8 locations along this stretch that need work.

Dave estimates \$80,000 for "band aid" - earth-moving to keep creek away from road and installation of retaining walls (armoring). Significant change since Fall 2013. Long-term solution will require \$400,000 - \$500,000. Stream improvements - raising bed and installing cross veins, as well as significant earth-moving. Barry suggests that piecemeal approach may be counterproductive to getting real solution - leveraging funding. Need 1:1 cost (past investment)/benefit ratio for FEMA funding.

Discussion of whether sediment control represent worthwhile investment in stream work by City of Ithaca. Barry says 50% of (water treatment?) cost of City is turbidity-related.

Liability issue with side of road threatened with steep drop off.

Watershed Committee will discuss Buffalo Road Creek strategy at 20 May meeting.

*Note: 16 May, 12 noon. Checked Buffalo Creek Road and Ekroos Road because of heavy rains earlier. Photos. No disasters!

20 May: Watershed Committee Meeting (Agenda: discuss Buffalo Road Creek plan). Irene chaired this meeting.

Energy Independent Caroline

22 May, 7-9 pm. (moved to Thursday because of conflict with Solar Tompkins Interviews). Jonathan Comstock, Julie Hansen, John Reed, Dave Ritchie, Steve Nicholson

- Discussion of progress of Solar Tompkins. Interviews completed and three Installer Partners selected
- How to promote Solar Tours. **Mark will email to Solarize Tompkins SE Enrollees*, encouraging them to do outreach. Second Caroline Solar Tour is 31 May at Bob Tuori's home. Check with Solar Tompkins Outreach about Shopper Ads and collaborating with neighboring towns on this to maximize efficiency.
- **Call to EIC members to respond to Draft Energy Plan by 30 May.* Mark will send information and notice to group.

John Fracchia, Town Board

Emergency Services

- No report.

Emergency Preparedness

- Met with Shelley Bierwiler, Community Executive for Southern Tier American Red Cross, re; resources for developing a comprehensive Emergency Preparedness Plan. Discussed potential resources of ARC and are going to set a follow-up meeting.

Additional Projects

HOME Rehabilitation Grants

- Notification from Christine Carrerio that a new application has been received for accessibility and energy improvements to a structure built in 2002. As code issues are often an issue with older structures, this one may stand a better chance of being able to move forward. Inspection is pending.

Beautification Grant

- Have received a draft plan from Chrys Gardener for front and sides of Town Hall to be shared at board meeting. Have inquired about next steps in application process.

CIT Committee

- Attended meeting with Chuck Bartosh, Don Barber and Irene Weiser to discuss and address questions about Clarity's Special Use Permit application for the Broadband project.

Irene Weiser, Town Board

Aquifer Protection Committee – met with Steve Winkley; identified areas where potential contamination exists. Steve will meet w/us again later in summer.

CIT Committee

- Clarity Connect: Don, John and I (Councilmember Weiser) met with Chuck Bartosh to get on same page about issuing special use permit. Chuck will provide some requested revisions to his permit request and Kevin will determine if ok to issue permit. Next steps = develop construction contract with Clarity for installation of poles. Early draft contract sent to Chuck – awaiting his response...
- Bluewing Engineering : several emails concerning billing situation. Tom has generously suggested that we pay him to the agreed upon \$11,020 and then if/when we need his services again, that we make up the balance as part of the new contract.
- Email – will meet with committee this month to review Brightworks proposal vs Liftoff in Virginia (they can install remotely)

Watershed Committee – Mark was unable to attend, so I (Councilmember Weiser) stepped in.

County Hwy will be redoing several culverts along Brooktondale Rd this summer – one in Town of Caroline, others in Dryden. Also will be redoing several culverts along Seventy Six Rd. This will be coordinated with our Town Hwy Dept and emergency services so that there is access at all times. Construction will begin after school ends.

I submitted MS4 report to Angle Hinckle/SWCD/ Stormwater Coalition. County held public hearing on joint MS4 at May meeting of the County Water Resources Council.

Discussed Buffalo Rd Creek project – agreed that tree removal by Hwy Dept would be nice, although doesn't fix the real problem... Cindy would need easements and location to place wood away from floodplain. All agree that natural creek restoration is the desired repair, not more wall armoring band-aids. Barry will work with Jon Negely to look for funding. (While also awaiting word on the FEMA/Homeland Security funding)

County has \$25,000 for floodwater mitigation projects in the County. The committee has identified several candidate projects in Caroline and submitted to Scott Doyle at County Planning.

** Need to revise the Town's Stormwater Management Plan – good project for the committee to get working on. This will guide activities over the next several years.

Home Energy Rating and Disclosure Committee – RFQ has been finalized and widely distributed. Applications due June 13. Interviews week of June 23

Town Business

Keep CAFOS in the Site Plan Review proposed local? Or remove the section....? NYS Ag and Markets can raise concerns about placement of CAFOS and can offer support but do not have regulatory authority in Agriculture cases. Councilmember Seely said he thought Chad Novelli from the Planning Board would like to keep regulations about CAFO's in the Site Plan Review proposed Local Law (to keep the Town aware of what is happening in the area). Which Supervisor Barber said are legitimate reasons, but even if we know can we do anything? Councilmember Fracchia asked does State law supersede what would be in the local law and Supervisor Barber answered that this Town proposal and the State law may be in conflict but no one has gone to court over this issue so there is no case law. The Town Attorney said this is a gray area. Councilmember Fracchia asked could someone at the DEC look at the proposed law and see if the Site Plan Review about CAFOS is in conflict with their jurisdiction and laws? He also asked about Ag and Markets. Supervisor Barber answered it is possible to check with the DEC but that NYS Ag and Markets does not have regulatory powers. Councilmember Fracchia would like to hear what the DEC would have to say. Councilmember Witmer agrees with Councilmember Fracchia. Bob Summers from NYS Ag and Markets said the Town has over stepped with the proposed regulations on CAFOS. Supervisor Barber and the board discussed removing the CAFO part of the Site Plan Review proposed LL. Councilmember Weiser said she didn't see the purpose of adding in something (piece about CAFO's) that is very unlikely of happening in the Town of Caroline verses the ill will it could cause with the area farmers. Councilmember Fracchia and the other board members agreed the discussion should continue about the size of the operations that CAFOS would/could possibly create.

Approval of Minutes**Resolution 115 of 2014****Minutes of the Agenda Meeting held May 6, 2014:**

A motion was made by Mr. Barber and seconded Mr. Wimer to accept the minutes of the May 6, 2014 meeting as submitted by the Town Clerk.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Aye

---Adjourn---

Adjourned on a motion by Mr. Barber and seconded by Mr. Fracchia the meeting adjourned at 8:42 p.m.

Respectfully Submitted,

Marilou Harrington-Lawson, Town Clerk

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