

Caroline Town Board Meeting Minutes of June 7, 2011

The Town Board Agenda meeting held on June 7, 2011 at the Caroline Town Hall was called to order at 7:06 p.m. Supervisor, Donald Barber.

Attendance:

Don Barber, Supervisor
Dominic Frongillo, Councilman
Linda Adams, Councilwoman
Toby McDonald, Councilman
Pete Hoyt, Councilman

Recording

Secretary: Jo Ann Reinhardt, Deputy Town Clerk

Also present: Irene Wisner, Bill Podulka, and Bob Anderson

Privilege of the Floor

Irene Wisner addressed the Board members regarding opposition of the resolution that was presented by Linda Adams to the Town Board for discussion: "Clarifying the Town of Caroline's Role Regarding Gas Development Based on Current Environmental Conservation Law".

Bill Podulka addressed the Board members regarding opposition of the resolution that was presented by Linda Adams to the Board for discussion: "Clarifying the Town of Caroline's Role Regarding Gas Development Based on Current Environmental Conservation Law".

Bob Anderson addressed the Board members regarding his favorable support of the resolution. The two points he made in support of adding the resolution being proposed by Ms. Adams and Mr. Hoyt to the June 14 agenda, were as follow:

1. In my personal opinion, the current NY law does not allow a Town Board to regulate the subject matter of gas drilling. That power is clearly vested in the State Department of Environmental Conservation, which is proceeding to develop rules governing it.
2. The proposed resolution should not be viewed as a prohibition on the expression of opinions by town citizens, who are free to voice those opinions at any time, including the privilege of the floor, at Board meetings. Instead, it is a way to avoid having the board spend time on issues which are not within its authority to handle, and to prevent some of the controversy and divisiveness which is associated with the subject of gas drilling, from spilling over into Board meetings, which should be devoted to business which is within the legal authority of the Board.

Guy Krogh, Town's Attorney statement regarding draft of resolution Town's gas development role. (see attachment).

Reports

Don Barber, Town's Superintendent

Cindy Whittaker, Highway Superintendent (Toby McDonald presented a report)

The Highway department was closed Memorial Day week

Highway Superintendent, Cindy Whittaker is attending the NYS Highway Superintendent conference this week.

Toby McDonald, Town Board

The contract was signed by the Mr. Barber, Supervisor and returned to the Teamster Union regarding the medical insurance coverage for the Highway employees effective June 1, 2011.

Linda Adams, Town Board

MS4 Township Storm Water System Report (draft) will be complete next week. The Town Board will need to approve the MS4 Report and adopt it in the future. The MS4 Report is due to be submitted by the end of June.

Peter Hoyt, Town Board

No report

Dominic Frongillo, Town Board

The Planning Board continues to look into Industrial Site Plan Review. At the last meeting they had, they discussed as an action item, that they would talk to other rural towns about their experience with the site plan review.

The Energy Independent Caroline committee had a discussion at the last week's meeting. The Cornell Faculty Team is doing a research project on "How a Rural Community navigates through energy transitions" and gave a draft summary for the public. It was a couple of pages describing on what the committee is looking at and other technical details would be forthcoming. Steve Nicholson is representing Caroline on a new ad hoc group of energy and other municipalities interested in energy and other environmental issues. There are six towns that have brought on a facility coordinator, and Town of Lansing, the Tompkins County, and the Town of Ithaca have staff working on this, while Steve is volunteering his time with this group.

Town Business**Subject:**

- The Town Board discussed the proposed Resolution "Clarifying the Town of Caroline's Role Regarding Gas Development Based on Current Environmental Conservation Law" presented by Linda Adams. Ms. Adams presented the reasons for her support for this resolution. Ms. Linda Adams explained the purpose of why she thinks this is important for the resolution to be adopted by the Town Board. Mr. Hoyt, agreed with Ms. Adams and with the way the resolution was presented to the Town Board. Mr. Hoyt, also supports the resolution and the rights of citizen coming in and making their comments regarding the

resolution.

- The Town Board discussed the proposed resolution brought forth by Ms. Linda Adams.
- Ms. Linda Adams requested the proposed resolution is be scheduled on the Agenda for next Board Meeting in order to continue the discussion at the Town Board Business Meeting on June 14.
- Discussion regarding the Storm Water Law and how it interact with the Oil & Gas Industry regarding the size of the property before the Town gets involved in the process and when the DEC gets involved when it's one acre and if the size of the property is 5 acres or more the New York State is involved in regulations and not the Town.
- Discussion regarding the Resolved the Caroline Town Board supports Home Rule legislation Assembly Bill A03245 and Senate Bill S03472, and Be It Further Resolved, the Caroline Town Board expresses its gratitude to Assemblywoman Lifton and Senator Seward for their sponsoring of this legislation and encourages them to use the power of their offices to move this legislation to an affirmative vote this session, and and BE IT Further Resolved, that the Caroline Town Board urges Governor Cuomo to sigh this legislation when it comes to his desk will be presented at the June 14, 2011.
- Request for Town Attorney to attend the next business Town Board meeting.

Resolution 84 of 2011

A motion was made by Mr. Barber and seconded by Mr. Frongillo to accept the Town Board Agenda Minutes of May 3, 2011 as submitted by the Deputy Town Clerk.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Resolution 85 of 2011

A motion was made by Mr. Barber and seconded by Ms. Adams to accept the Town Board Business Minutes of May 10, 2011.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Agenda Items

- Transfers
- Approve Abstracts: Highway, General, Lighting
- April 12 Town Board Business Minutes
- Youth Commission presentation regarding their plans for the remaining of the year
- Authorize Superintendent to sigh Contract with Tompkins County for Youth Services
- Adopt Storm Water Management Plan
- ** Public input on Resolution to Claify the Town's Role Re: Gas Development**
- Resolution "Clarifying the Town of Caroline's Role Regarding Gas Development Based on Current Environment Conservation Law"
- Resolution – 90 Day comment period on SGEIS for Shale Gas Extraction
- Request for the Town Attorney to address the Town Business Meeting
- Resolution – Endorse Senate and Assembly Bills S3456 and A03245

Adjourned on a motion by Mr. Donald Barber and seconded by Mr. Dominic Frongillo for the agenda meeting to be adjourned at 8:34 p.m.

Respectfully Submitted,

Jo Ann Reinhardt, Deputy Town Clerk