

**Town of Caroline
Town Board Minutes
January 13, 2005**

The regular meeting of the Town Board of the Town of Caroline held on January 13, 2005 at the Town Hall was called to order by Councilman Ed Cope at 7:03 p.m.

Present:

Ed Cope, Councilman
Barry Goodrich, Councilman
Tim Seely, Councilman
Todd Schmit, Councilman

Recording

Secretary: Debra DeAugustine, Town Clerk

Visitors: Denise Laue, Haefele TV; Stacey Crawford, Better Housing of Tompkins County

Public Hearing—Haefele

Haefele offers cable and high-speed internet. They require 10 homes to run cable to a new area, but a home with both TV and internet service counts as 2. Councilman Goodrich questioned whether they provide Speedsville Fire Station with free cable; Ms. Laue will get answers to questions.

Councilman Cope closed the public hearing at 7:11 p.m.

Privilege of the Floor

Frank Proto has twice requested a permit from DEC to control water from Six Mile Creek running across his property. Marcello del Porto has many counties to cover, so it's difficult to contact him. Mr. Proto continues to lose land, and asked Board for direction. Councilman Schmit will follow up with the DEC to find the best course of action. The board will put it on the agenda to discuss at the next meeting, Feb 1.

Monthly Reports

Highway Superintendent's Report

The plow frame on one of the 10-wheeler was totally destroyed; the driver is OK. The truck is at Caskey's. Superintendent Whittaker has ordered a new plow frame at \$2500. They've been short one worker since Dec 9. The loader is having problems and is nearly at the end of its warrantee: the bucket leveler can't be adjusted correctly, plus they're experiencing problems with diesel smoke in the cab and white dust filling the cab when the air conditioning is on. They have the option to trade it in and get a brand new replacement for \$9652. The Board authorized the trade-in.

Slaterville ambulance wants to buy their fuel from the Highway Dept. on state contract, using the town as a holding facility. Atty. Perkins is writing up an agreement. This arrangement might also help the Highway Dept. get a generator on a grant from Homeland Security if the ambulance is dependent on the town for its fuel.

The big building is leaking badly around the chimney. Councilman Goodrich will check into it.

Better Housing of Tompkins County

Stacey Crawford reviewed the town's rehabilitation housing grants. Would the town be interested in applying for more grants, and which kind? Should renters be eligible as well as owners? The application deadline is April 1, which requires two public meetings. Better Housing now does grant writing in house; they cap their costs at \$5000 even if they go over.

County Representative’s Report

The County Comprehensive Plan was passed.

The Water Resources Council met to discuss Cornell’s request to reduce the number of sites monitored for lake source cooling. Roxy Johnson will look into it and present the options at the next WRC meeting in February. Stormwater Phase II group completed its work on the sample draft municipal law. Councilman Schmidt was reelected to chair the WRC.

TCAT: They are ready to make an offer to one of the candidates for general manager. They are not proposing an increase in fares for 2005.

New York State will now tax the Universal Fund charge of 1996 that everyone pays on their phone bill. Phone companies collect \$5 to \$6 billion per year; conservatively, Tompkins County contributes \$1million. Targeted organizations can apply for grants to receive distributions, but small groups, like rural libraries, don’t have the resources to apply. The largest distribution is to reimburse phone companies for bringing service to rural areas. Rep. Proto brought a resolution to accomplish three things: erase the sales tax, educate and alert all eligible organizations, and simplify the application process.

Tompkins RX is now available: it provides a 20% discount for people without prescription coverage.

Rep. Proto asked the county to do a complete review of the alternatives to incarceration program.

Department, Committee, & Liaison Reports

Councilman Schmit

The well drilling bill for the aquifer study was \$15,000 (USGS picked up the overage) for both the school (94 ft) and Harford Rd (140 ft).

Councilman Schmit sent out the quarterly report for the Barrille project.

Councilman Cope

The Planning Board will continue with working group reports. They’d like to come to the board meeting Feb.10 to discuss the comprehensive plan.

Donations to the windpower initiative are still coming in.

Action Topics

Approval of Abstracts

Approval of General Fund Abstract

A motion was made by Councilman Goodrich and seconded by Councilman Seely to approve payment for the General Fund voucher numbers 001 through 036 in the amount of \$96,452.95.

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye
	Tim Seely	Aye
	Todd Schmit	Aye

Approval of Highway Fund Abstract

A motion was made by Councilman Seely and seconded by Councilman Goodrich to approve payment for the Highway Fund voucher numbers 001 through 018 in the amount of \$87,333.10.

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye

Tim Seely	Aye
Todd Schmit	Aye

Approval of Streetlight Fund Abstract

A motion was made by Councilman Cope and seconded by Councilman Goodrich to approve payment for the Streetlight Fund voucher numbers 001 through 002 in the amount of \$846.93.

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye
	Tim Seely	Aye
	Todd Schmit	Aye

Approval of Minutes

Approval of Minutes from March 11, 2004

A motion was made by Councilman Schmit and seconded by Councilman Seely to accept the minutes of March 11 as amended by the Deputy Town Clerk.

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye
	Tim Seely	Aye
	Todd Schmit	Aye

Approval of Minutes from April 15, 2004

A motion was made by Councilman Schmit and seconded by Councilman Seely to accept the minutes of April 15 as amended below.

Amendments (Schmidt):

Page 1, Visitors, change troop 455 to troop 55

page 3, second paragraph, remove "and Stormwater library."

page 8, Executive session: should read "executive session to discuss possible land acquisition." Also add that at 9:30, Barber moved to exit the executive session, seconded by Seely.

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye
	Tim Seely	Aye
	Todd Schmit	Aye

Approval of Minutes from May 13, 2004

A motion was made by Councilman Schmit and seconded by Councilman Cope to accept the minutes of May 13 as amended below.

Amendments:

Page 1: Supervisor's Report, change the mortgage tax budgeted from blank to \$20,000.

Page 2: Councilman Schmit, third paragraph, CLWN IO should be replaced with Cayuga Lake Intermunicipal Organization.

Page 3: Councilman Cope's Report should read, "Jennifer Clark is moving from the area."

Page 8: remove question about the resolution, and delete the last paragraph.

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye

Tim Seely	Aye
Todd Schmit	Aye

Approval of Minutes from November 04, 2004

A motion was made by Councilman Cope and seconded by Councilman Schmit to accept the minutes of November 04 as submitted by the Deputy Town Clerk.

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye
	Tim Seely	Aye
	Todd Schmit	Aye

Approval of Minutes from December 07, 2004

A motion was made by Councilman Seely and seconded by Councilman Schmit to accept the minutes of December 07 as amended below.

Amendments:

Page 1: change the account number for Traffic Safety to A3310.4.

Page 3: third paragraph, Barrille Project Update, strike the words “to hire a contractor.”

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye
	Tim Seely	Aye
	Todd Schmit	Aye

Traffic Safety Street Lights

Councilman Seely reported that NYSEG-supplied poles would cost \$136.00 each annually. If the town were to put up their own poles at \$1500 each, it would take 17 years to break even, not including maintenance costs. Every pole that gets placed has to have an easement and right of way. There are existing poles at some of the locations, but the existing poles are not necessarily optimally located for those intersections.

Resolutions

**Resolution No. 1-1 of 2005
Seasonal Roads**

By Councilman Cope; Seconded by Councilman Schmit

RESOLVED, that the Town Board hereby accepts the following list of seasonal limited use highways upon the recommendation of the Highway Superintendent. These roads will not be plowed or maintained from November 2005 through May 2006. The roads will be posted with the appropriate signs and the Town Clerk shall post such notice at the Town Hall, and

BE IT FURTHER RESOLVED, that seasonal limited use highways must be posted by November 1st , as provided in Highway Law Section 205-a.

Bald Hill School Road, starting at Brearly Hill Road 1.743 miles

Beaver Creek Road

Downey Road, starting at Chestnut Road 1.520 miles

Ekroos Road, starting 0.306 miles from Seventy Six Road and continuing approximately 0.230 miles

Gulf Creek Road, starting 0.222 miles from South Road and continuing to end of road

Hammond Hill Road, starting 0.493 miles from Harford Road and continuing to end of road

Hurd Road, entire length, 0.57 miles

Lackawana Road, starting at Beaver Creek Road and continuing approximately 0.140 miles

Leonard Road, entire length, 1.19 miles

Level Green Road, starting 0.041 miles from Seventy Six Road and continuing approximately 1.087 miles

Shindagin Hollow Road, starting 0.564 miles from Central Chapel Road and continuing to end of road

Smith Road, starting 0.788 miles from Seventy Six Road and continuing to end of road

Speed Hill Road, starting at Minimum Maintenance sign and continuing to Bailor Road intersection, approximately 0.473 miles

VanDermark Road, starting at Brooktondale Road and continuing approximately 730 feet

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye
	Tim Seely	Aye
	Todd Schmit	Aye

**Resolution No. 1-2 of 2005
Court Clerk, Typist, and Stenographer**

By Councilman Cope; Seconded by Councilman Schmit

RESOLVED, that the town justices are authorized to employ the services of a court clerk to assist in administration and bookkeeping, and a typist at a pay rate of \$9.27/hour; and

BE IT FURTHER RESOLVED, that the town justices are authorized to employ the services of a court stenographer for trial purposes whenever deemed necessary.

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye
	Tim Seely	Aye
	Todd Schmit	Aye

**Resolution No. 1-3 of 2005
Recreation Partnership Appointment**

By Councilman Schmit; Seconded by Councilman Seely

WHEREAS, the Town of Caroline is a member of the intermunicipal Recreation Partnership supporting recreational and educational opportunities for Town youth, and

WHEREAS, the Town is required to appoint a voting representative for the Town on the Recreation Partnership Board, and can also appoint one voting alternate representative,

NOW THEREFORE BE IT RESOLVED, the Town Board hereby appoints Councilman Todd Schmit as the voting representative to the Recreation Partnership Board and Councilman Tim Seely as the voting alternative representative for 2005, and

BE IT FURTHER RESOLVED, that the Caroline Town Clerk sends a certified copy of this resolution to Janice Johnson, Tompkins County Youth Services Department (320 West State St, Ithaca, NY 14850).

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye
	Tim Seely	Aye
	Todd Schmit	Aye

**Resolution No. 1-4 of 2005
Authorization of Town Supervisor’s Signatures to Easements for the Barrille Project**

By Councilman Schmit; Seconded by Councilman Goodrich

WHEREAS, the Town of Caroline has developed a flood hazard mitigation and stream restoration project referred to as the “Stream Restoration at the Barrille Site,” which has received funding from various agencies, including the New York State Department of Environmental Conservation through Clean Water Bond Act Funds, and

WHEREAS, the project requires permanent, and in some cases, temporary, easements from owners of real property whose property is located in the project site and which property is benefited by the project, and

WHEREAS, the Town cannot proceed with the project unless and until all affected owners have executed and delivered to the Town the necessary permanent and temporary easements, and

WHEREAS, the permanent and temporary easements for and in consideration of the sum of one dollar and other good and valuable consideration grant, release, transfer, and convey to the Town necessary easement and right-of-way in, under, and along the premises described for the project, including the undisturbed use and possession of the premises for the purpose of implementation, construction, completion, operation, and monitoring of the stream restoration project, and

WHEREAS, the Town has prepared all necessary temporary and permanent easements, New York State tax form TP-584 for the conveyance of the easement, and Subordination Agreements for those properties containing mortgages,

NOW THEREFORE BE IT RESOLVED, the Town Board hereby approves the permanent and temporary easements and all associated documents prepared and authorizes the Supervisor to sign all necessary easements from property owners along the project site.

Adopted	Don Barber	absent
	Ed Cope	Aye
	Barry Goodrich	Aye
	Tim Seely	Aye
	Todd Schmit	Aye

Attorney for the Town: Discuss Contract Provisions

The board discussed asking the supervisor to draw up a legal services contract, putting a cap on the hourly rate charged to the town and a clause that allows the town to terminate the contract at any time, to circulate to area attorneys to see if the town can get equivalent legal services at a lower cost. Councilman Goodrich pointed out that when the town switched from a yearly retainer to an hourly rate, they saved \$15,000. He also noted that some firms employ paralegals who do research and other services at a lower rate than charged by attorneys.

Executive Session

At 10:10 p.m., on a motion by Councilman Cope and seconded by Councilman Seely, the board went into executive session to discuss labor negotiations. On a motion, the executive session adjourned at 10:29.

Adjourn

On a motion, the regular board meeting adjourned at 10:30 p.m.

Respectfully Submitted,

Debra DeAugustine, Town Clerk