

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

The regular meeting of the Town Board of the Town of Caroline held on October 13, 2005 at the Town Hall was called to order by Supervisor Don Barber at 7:02 p.m.

Present: Don Barber, Supervisor
Ed Cope, Councilman
Barry Goodrich, Councilman
Tim Seely, Councilman
Todd Schmit, Councilman

Recording Secretary: Debra DeAugustine, Town Clerk

Visitors: Lucy Gagliardo for the Youth Commission

Privilege of the Floor

Jeffrey Phoenix addressed the board about buying the Midnight Sun and there being only one option for residents about where the Town Hall is. He thinks the idea of locating all town offices in the town barns might be a better solution in consideration of disaster preparedness.

Monthly Reports

Youth Commission Report

Lucy Gagliardo presented annual request for budget funding. They are requesting \$8,113 from the town for 2006. She handed out a letter to the board and program information. The program serves middle and high school aged kids.

Highway Superintendent's Report

Paved South Rd. from Camp McCormick to the county line with hot mix. The edge of the road was breaking off, and it was dangerous, especially with the speeds people travel up there. The patch should last two winters. Both Groton and Danby helped out with a truck. Sealed Middaugh, Banks, and Snyder Hill. Had a junk clean up; technically you're only supposed to have one every three years, but because other towns didn't take advantage of it, Caroline was able to have one two years in a row. When the town holds a clean up every year, items trickle in, which is better than having to deal with large amounts. Only three other towns will be shouldering this year, and they're starting with us. Doing Middaugh, part of South Rd, and spots on Buffalo Rd. Superintendent provided the list of seasonal use roads.

Supervisor's Report

Correspondence of Note

1. DEIS for Emergency Services Comm. System will be available to public on 10/19, meeting at 5 p.m., public hearing in 30 days (post and notify)
2. Quality Communities Grant Application due 12/5. Checking on Comprehensive Plan
3. DOT changed the speed limit to 45 mph from City to Besemer
4. TCMOA 10/18

Report

- Boiceville Road – need to see about fixing the bridge before spring flooding

- Documents for land swap with CU are at CU; no response in the past month
- HAVA and charge back – new law; county will be responsible for all voting. All towns do things differently, so they need to work with the towns to figure out a protocol. County has passed resolution for the towns to pay in 2006 what we paid in 2004, then to reduce each year until the fifth year, when we pay nothing. This is for all but charge back. The issue of charge backs is unresolved since it doesn't show up in anybody's budget. It's raised by taxes and shows up on individual tax bills. (What we pay for inspectors, renting election facilities).
- WRC appointment, ITCTC Planning Committee appointment need to be made
- Road Patrol: Need people to speak at county budget public hearing 11/9. Legislature has agreed to one new deputy. Looking for people who feel strongly to go to hearing to share experiences about the detrimental effects of not having enough coverage.
- After last meeting with Kim Whetzel regarding erecting a tower, supervisor is looking into selecting an engineer in anticipation of needing one.
- Mega natural gas; need to make a decision soon.

Department, Committee, & Liaison Reports

Councilman Goodrich

All the topsoil is graded back on to the staging areas. Seeding will be done by soil and water as soon as it's dry enough. The equipment has gone back. There were no personal injuries or equipment breakdowns during the entire project.

Councilman Schmit

Passed around the updated budget summary for Barrille. All grant money except \$639 is spent. We can expect one more round of hired labor expenses, plus some pumping and engineering expenditures in the amount of \$18,000 to \$20,000. Working on getting more funding through soil and water and the city. Under budget on large stone, but medium called for \$10,000 more than what was in our design. More hauling than expected also. Next week the scouts will start their plantings. Construction manager reported that the fuel pumps belonging to Griffith Energy were stolen; Sheriff was supposed to file a report. Supervisor asked Schmit to contact Jeannie at the Bailey Agency to file a claim. Sent last of documentation to get \$115,000 from IO. \$70,000 reimbursement from CCAP forthcoming by end of year.

Two workshops held at Town Hall sponsored by Cayuga Lake Watershed Network end of September were very well attended.

Action Topics

Transfers

Motion to Authorize Transfer of Funds

A motion was made by Supervisor Barber and seconded by Councilman Schmit to authorize the following transfer:

	From	To
\$300.00	General Fund Account A 1110.2 Court EQ	General Fund A 1110.4 Court CE
\$30.00	General Fund Account A 1110.103 Typist PS	General Fund A1110.4 Court CE
\$985.04	General Fund Account A 1410.2 Clerk EQ	General Fund A 1410.4 Clerk CE

\$1689.50	General Fund Account A 1420.415 Midnight Sun Atty CE	General Fund A 1440.4 Engineering CE
\$20.00	General Fund Account A 1010.4 Legislature CE	General Fund A 1920.4 Municipal Dues
\$427.69	General Fund Account A 7410.4 History Room CE	General Fund A 7510.4 Historian CE
\$7,500.00	General Fund Account A 1420.4 Attorney CE	General Fund A 8710.4 Creek Maintenance CE
\$4,000.00	General Fund Account A 1440.405 Creed Engineering CE	General Fund A 8710.4 Creek Maintenance CE
\$150.00	Highway Fund Account DA5110.1 Repair PS	Highway Fund DA 5110.4 Repair CE
\$6,565.44	Highway Fund Account DA 5112.1 Cap Improve PS	Highway Fund DA 5130.4 Machinery CE
\$574.00	Highway Fund Account DA 9010.8 Retirement	Highway Fund DA 5130.4 Machinery CE
\$8,260.00	Highway Fund Account DA 5110.1 Repair PS	Highway Fund DA 9060.8 Health & Hosp Insurance
\$10,000.00	Highway Fund Account DA 5110.1 Repair PS	Highway Fund DA 5142.4 Snow & Ice CE
\$4,025.74	Fund Balance (Revenue Account DA 230.190)	Highway Fund DA 9060.8 Health & Hosp Insurance

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

Approval of Abstracts

Approval of General Fund Abstract

A motion was made by Councilman Cope and seconded by Councilman Schmit to approve payment for the General Fund voucher numbers 346 through 395 in the amount of \$70,612.84.

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

Approval of Highway Fund Abstract

A motion was made by Councilman Cope and seconded by Councilman Goodrich to approve payment for the Highway Fund voucher numbers 196 through 219 in the amount of \$56,408.42.

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

Approval of Streetlight Fund Abstract

A motion was made by Supervisor Barber and seconded by Councilman Seely to approve payment for the Streetlight Fund voucher numbers 019 through 020 in the amount of \$658.54.

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

Approval of Minutes

Approval of Minutes from September 6, 2005

A motion was made by Supervisor Barber and seconded by Councilman Schmit to accept the minutes of September 6, as submitted by the deputy clerk.

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

Resolutions

Resolution 10-2 of 2005

2005/2006 Cayuga Lake Watershed I-O Agreement and Membership Fee

By Councilman Schmit; Seconded by Councilman Cope

WHEREAS, the Cayuga Lake Watershed Intermunicipal Organization (IO) was organized to develop and implement a watershed management plan to help governments within the Cayuga Lake watershed collaborate on water-related activities for the purposes of increasing access to funding for, saving and sharing costs associated with, and increasing efficiency in water resources management efforts in the Cayuga Lake watershed, and

WHEREAS, the IO has completed the Cayuga Lake Watershed Restoration and Protection Plan (RPP) with specific actions to assist in the maintenance and improvement of water resources within the Cayuga Lake watershed, including upstream reach efforts such as in Six Mile Creek, and

WHEREAS, the RPP will be used by local, state, and federal government agencies, such as the New York State Department of Environmental Conservation, to help determine funding priorities for proposed water resources management projects throughout the Cayuga Lake watershed, and

WHEREAS, the Town of Caroline has benefited from funding and technical assistance received by the IO towards the Six Mile Creek Restoration Project at the Barrille Site, and

WHEREAS, the Town of Caroline has received letters of support from the IO in the past to help secure funding for watershed management projects within the Town, and

WHEREAS, the Town of Caroline supports the efforts of the IO to improve water quality and management of the Cayuga Lake Watershed and sends a representative to IO meetings, and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Caroline authorizes the Town Supervisor to sign the Intermunicipal Agreement Regarding the Cayuga Lake Watershed Restoration and Protection Plan for the year September 2005 through August 2006 and pay the annual IO membership fee of \$900, and

BE IT FURTHER RESOLVED, the Town of Caroline appoints Jackie Cassaniti as the Town's municipal representative to the Cayuga Lake Watershed Intermunicipal Organization.

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

Resolution 10-3 of 2005
Payments in Lieu of Tax

By Supervisor Barber; Seconded by Councilman Goodrich

RESOLVED, the town board authorizes the supervisor to request \$1800 from the Caroline Seniors in lieu of taxes.

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

Resolution 10-4 of 2005
Contract Addendum for Well Drilling

By Councilman Schmit; Seconded by Councilman Seely

RESOLVED, the Town Board authorizes the Supervisor to sign the contract amendment with Tompkins County for well drilling funding for the Willseyville Aquifer Study extending the term of the agreement through December 31, 2006.

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

Resolution 10-5 of 2005
Three-Year Joint Funding Agreement with USGS for Gauging Station

By Councilman Schmit; Seconded by Councilman Goodrich

RESOLVED, the Town Board hereby authorizes the Supervisor to sign the three-year Joint Funding Agreement with the U.S. Geological Survey for the period of October 1, 2005 through September 30, 2008 for operation of the Brooktondale Gauging Station, in the amount of \$56,869 total, \$11,374 U.S. Geological Survey share, and \$45,495 Town/Agency share.

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

Resolution 10-6 of 2005
Contract with TRIAD

By Councilman Schmit; Seconded by Councilman Goodrich

RESOLVED, the Town Board authorizes the Supervisor to sign the TRIAD Foundation, Inc. grant application for a \$5,000 grant to support the 2005/06 Brooktondale station operation costs.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Barry Goodrich	Aye

Tim Seely	Aye
Todd Schmit	Aye

**Resolution 10-7 of 2005
Letters of Appreciation to the City of Ithaca for Contributions to the Six Mile Creek Stream Restoration Project**

By Councilman Schmit; Seconded by Supervisor Barber

WHEREAS, the Town of Caroline has worked cooperatively with the Tompkins County Soil and Water Conservation District, the City of Ithaca, the Cayuga Lake Watershed Intermunicipal Organization, the New York State Department of Environmental Conservation, and other environmental agencies and organizations to complete a significant natural stream restoration project on Six Mile Creek in the Town of Caroline intended to reduce lateral migration and erosion by stabilizing and restoring approximately 3,000 feet of Six Mile Creek near Slaterville Springs, NY, and

WHEREAS, the restoration project aimed to return the stream channel to a stable state in both form and function, and with its completion will provide for the protection of properties along the reach, while at the same time dissipating the impacts of future flood events, reducing erosion, balancing sediment transport, and facilitating improvements to fish, aquatic, and wildlife habitat, and

WHEREAS, these cooperative partners have provided considerable and valuable assistance with and contributions toward the planning, design, data collection, construction, monitoring, and planting efforts throughout this project that began back in 2001, and

WHEREAS, the City of Ithaca and its staff have played vital roles in the planning, design, data collection, surveying, construction, and numerous other areas in the completion of this project, including labor support, equipment use, and technical expertise, that without which completion of this project would not have been possible, and

WHEREAS, particular expressions of thanks and gratitude are duly extended to the following individuals for their contributions to this valuable project:

- William Gray, Superintendent of the Dept. of Public Works
- Larry Fabbroni, Asst. Superintendent of the Dept. of Public Works, Water and Sewer
- Erik Whitney, Senior Project Engineer
- Scott Gibson, Environmental Engineer
- Tony Ocello, Engineering Technician
- Musaddak Ghaffur, Junior Engineer
- David Hunt, Equipment Operator
- Charles House, Laborer
- Robert Payne, Laborer
- George Seeley, Working Supervisor
- Donald Corwin, Working Supervisor
- Roxanna Johnston, Watershed Coordinator

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Caroline hereby recognizes, commends, and sincerely thanks the City of Ithaca and its staff for its continued strong relationship with the Town of Caroline to enhance, restore, and protect our local watersheds and to their valuable contributions to the successful completion of the Six Mile Creek Stream Restoration Project, and

BE IT FURTHER RESOLVED, the Town Clerk will submit certified copies of this resolution to Carolyn Peterson, Mayor City of Ithaca, 108 East Green Street, and Scott Gibson, Environmental Engineer, 510 First Street, Ithaca, NY 14850.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Barry Goodrich	Aye

Tim Seely Aye
 Todd Schmit Aye

Resolution 10-8 of 2005

Letters of Appreciation to the Tompkins County Soil and Water Conservation District for Contributions to the Six Mile Creek Stream Restoration Project

By Councilman Schmit; Seconded by Councilman Seely

WHEREAS, the Town of Caroline has worked cooperatively with the Tompkins County Soil and Water Conservation District, the City of Ithaca, the Cayuga Lake Watershed Intermunicipal Organization, the New York State Department of Environmental Conservation, and other environmental agencies and organizations to complete a significant natural stream restoration project on Six Mile Creek in the Town of Caroline intended to reduce lateral migration and erosion by stabilizing and restoring approximately 3,000 feet of Six Mile Creek near Slaterville Springs, NY, and

WHEREAS, the restoration project aimed to return the stream channel to a stable state in both form and function, and with its completion will provide for the protection of properties along the reach, while at the same time dissipating the impacts of future flood events, reducing erosion, balancing sediment transport, and facilitating improvements to fish, aquatic, and wildlife habitat, and

WHEREAS, these cooperative partners have provided considerable and valuable assistance with and contributions toward the planning, design, data collection, construction, monitoring, and planting efforts throughout this project that began back in 2001, and

WHEREAS, the Tompkins County Soil and Water Conservation District and its staff have played vital roles in the planning, design, data collection, surveying, construction, and numerous other areas in the completion of this project, including labor support, equipment use, and technical expertise, that without which completion of this project would not have been possible, and

WHEREAS, particular expressions of thanks and gratitude are duly extended to the following individuals for their contributions to this valuable project:

- Craig Schutt, Conservation District Manager
- Gordie Morgan, Conservation Technician, and
- Jon Negley, AmeriCorp Technician,

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Caroline hereby recognizes, commends, and sincerely thanks the Tompkins County Soil and Water Conservation District and its staff for its continued strong relationship with the Town of Caroline to enhance, restore, and protect our local watersheds and to their valuable contributions to the successful completion of the Six Mile Creek Stream Restoration Project, and

BE IT FURTHER RESOLVED, the Town Clerk will submit certified copies of this resolution to George Totman, Chairperson, Tompkins County Soil and Water Conservation District Board of Directors, and Craig Schutt, Conservation District Manger, 903 Hanshaw Road, Ithaca, NY 14850.

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

Resolution 10-9 of 2005

Letters of Appreciation to the Cayuga Lake Watershed Intermunicipal Organization for Contributions to the Six Mile Creek Stream Restoration Project

By Councilman Schmit; Seconded by Councilman Goodrich

WHEREAS, the Town of Caroline has worked cooperatively with the Tompkins County Soil and Water Conservation District, the City of Ithaca, the Cayuga Lake Watershed Intermunicipal Organization, the New York State Department of Environmental Conservation, and other environmental agencies and

organizations to complete a significant natural stream restoration project on Six Mile Creek in the Town of Caroline intended to reduce lateral migration and erosion by stabilizing and restoring approximately 3,000 feet of Six Mile Creek near Slaterville Springs, NY, and

WHEREAS, the restoration project aimed to return the stream channel to a stable state in both form and function, and with its completion will provide for the protection of properties along the reach, while at the same time dissipating the impacts of future flood events, reducing erosion, balancing sediment transport, and facilitating improvements to fish, aquatic, and wildlife habitat, and

WHEREAS, these cooperative partners have provided considerable and valuable assistance with and contributions toward the planning, design, data collection, construction, monitoring, and planting efforts throughout this project that began back in 2001, and

WHEREAS, the Cayuga Lake Watershed Intermunicipal Organization and its staff have played vital roles in the planning, design, surveying, construction, and numerous other areas in the completion of this project, including labor support, equipment use, and technical expertise, that without which completion of this project would not have been possible, and

WHEREAS, a particular expression of thanks and gratitude is duly extended to Darby Kiley, Project Manager, the Cayuga Lake Watershed Intermunicipal Organization, for her contributions to this valuable project,

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Caroline hereby recognizes, commends, and sincerely thanks the Cayuga Lake Watershed Intermunicipal Organization and its staff for its continued strong relationship with the Town of Caroline to enhance, restore, and protect our local watersheds and to their valuable contributions to the successful completion of the Six Mile Creek Stream Restoration Project, and

BE IT FURTHER RESOLVED, the Town Clerk will submit certified copies of this resolution to Doug McEver, Chairperson, and Darby Kiley, Project Manager, Cayuga Lake Watershed Intermunicipal Organization, 29 Auburn Road, Lansing, NY, 14882.

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

**Resolution 10-10 of 2005
Recreation Partnership By-Laws**

By Councilman Schmit; Seconded by Supervisor Barber

WHEREAS, the Town of Caroline is a member of the intermunicipal Recreation Partnership in Tompkins County, and

WHEREAS, proposed by-law changes for the Recreation Partnership were approved by the Recreation Partnership Board on September 27, 2005, and

WHEREAS, these proposed by-law changes include a change to the Membership Section (Section IV) allowing each municipality to appoint one voting alternate *per seat* rather than *per municipality*, a change to the Quorum Section (Section IX) allowing a quorum to consist of a simple majority of *the persons appointed and acting as members of the governing board* rather than *the full membership*, and a change to the Voting Section (Section X) allowing a passage of a motion by a majority vote of *the persons appointed and acting as members of the governing board* rather than *the full membership*, and

WHEREAS, all amendments to the Recreation Partnership By-Laws approved by the Recreation Partnership Board must be ratified by all governing bodies of the participating municipalities of the Recreation Partnership prior to the amendments being adopted,

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Caroline hereby accepts the proposed changes of the Recreation Partnership By-Laws, and

BE IT FURTHER RESOLVED, the Town Clerk will send a certified copy of this resolution to Janice Johnson, Tompkins County Youth Bureau, 320 West State Street, Ithaca, NY, 14850.

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

**Resolution 10-11 of 2005
Resolution Authorizing Sale of Town Property**

By Supervisor Barber; Seconded by Councilman Cope

WHEREAS, the Town of Caroline acquired property on Slaterville Road from Slaterville-Caroline Community Association, Inc. by deed dated March 16, 1993, and

WHEREAS, the transfer of the property to the Town was without consideration and the deed conveying the property contained no restrictions on the use of said property, and

WHEREAS, the Town has not formally, by resolution or local law, dedicated said property for park purposes, and

WHEREAS, the tennis court and playground existed on the property at the time of acquisition by the Town, and

WHEREAS, the Town does not have any present or future contemplated use for said property, and

WHEREAS, the Town has obtained an appraisal of value of the property by a New York State licensed appraiser, and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The sale and conveyance of said property by the Town of Caroline is hereby authorized and approved on such terms as the Town Board may be able to negotiate with a prospective purchaser or purchasers, provided the total purchase price is not less than the appraised value of said parcel.
2. The Town Supervisor or Deputy Supervisor is authorized to execute and deliver a deed to said purchaser or purchasers, and execute such other documents as are customarily necessary to convey the Town's interest in said property.
3. This resolution is subject to a Permissive Referendum as provided in Article 7 of the Town Law.
4. Within ten (10) days of passage of this resolution, the Town Clerk is authorized and directed to publish and post the notice of adoption of this resolution, as required by Article 7 of the Town Law.

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

**Resolution 10-12 of 2005
Set Public Hearing Date for Budgets**

By Supervisor Barber; Seconded by Councilman Seely

RESOLVED, the town board set the date for the public hearing for Tuesday November 1, 2005 at 7 p.m. at the Town Hall.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Barry Goodrich	Aye

Tim Seely Aye
 Todd Schmit Aye

Resolution 10-13 of 2005
Agreements for Code Enforcement

By Supervisor Barber; Seconded by Councilman Seely

RESOLVED, the Caroline town board authorizes the supervisor to sign agreements with the towns of Richford and Harford for code enforcement services.

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

Resolution 10-14 of 2005
Appointment of Representative to Environmental Management Council

By Supervisor Barber; Seconded by Councilman Cope

RESOLVED, the Caroline town board appoints Steve Nicholson, residing at Yapple Road, Berkshire, to be the Town of Caroline representative to the Tompkins County Environmental Council, and

BE IT FURTHER RESOLVED, that the Caroline town board expects its representative to report either in person or by written report quarterly of the activities of the Tompkins County Environmental Management Council, and

BE IT FURTHER RESOLVED, that the Caroline town board's opinion about issues before the Tompkins County Environmental Management Council will be solicited by our representative, who will provide necessary background information about those issues to the town board in order for their careful deliberation.

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

Resolution 10-15 of 2005
Fuel Depot Agreement with Slaterville Fire District

By Supervisor Barber; Seconded by Councilman Goodrich

RESOLVED, the town board authorizes the supervisor to sign an agreement with the Slaterville Fire District for use of the town fuel depot.

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

Resolution 10-16 of 2005
Amendment to the Snow and Ice Contract

By Supervisor Barber; Seconded by Councilman Cope

RESOLVED, the town board authorizes the supervisor to sign the updated agreement with the county for snow and ice removal for the period May 1, 2004 through December 31, 2006.

Adopted Don Barber Aye
 Ed Cope Aye

Barry Goodrich	Aye
Tim Seely	Aye
Todd Schmit	Aye

Adjourn

On a motion, the meeting adjourned at 10:05 p.m.

Respectfully Submitted,

Debra DeAugustine, Town Clerk