

Town of Caroline Town Board Minutes

December 14, 2006

The regular meeting of the Town Board of the Town of Caroline held on December 14, 2006 at the Town Hall was called to order by Supervisor Don Barber at 7:01 p.m.

Present:

Don Barber, Supervisor
Ed Cope, Councilman
Tim Seely, Councilman
Dominic Frongillo, Councilman
Nelly Farnum, Councilwoman

Recording

Secretary: Debra DeAugustine, Town Clerk

Public Hearing

Local Law Providing for the Administration and Enforcement of the NYS Uniform Fire Prevention and Building Code

No public comments

Don: code enforcer definition needs to be changed to reflect what the civil service title actually is, then references within the document can stay as code enforcement officer

Ed: asked Guy Krogh why he left out the intermunicipal agreements from section 17. He said that it's because they're already covered by general municipal law.

Monthly Reports

County Representative

- Couldn't attend review of comp plan because of conflict. Will there be an opportunity to comment? Lou Albright noted that implementation is in works, and very interested in input.
- Health and human services committee: Working to try to get the state to turn down Lakeside closing or amending its implementation. Impact on our local hc system would be severe.
- Shortfall in the early intervention programs at racker center and ICSD. Cost is 25K to 30K per year per child. county had special meeting.
- Rec partnership shortfall of 4K. Concerned about low attendance among some funding partners
- TCAT board of directors will appoint 27 county residents to form TCAT advisory board.
- Ag assessments: must file paperwork by March 1

Supervisor's Report

Correspondence

1. Speedsville Store would like a street light for traffic safety
2. Email from Guy Krogh regarding dog control enforcement. Resident jogger filing complaints because of being harassed by dogs she passes. Cases are going through our court and we will see what happens before we spend taxpayer money on pursuing any further action.

Report

- FEMA: all checks are in for approved projects except on Central Chapel Road project.
- Workers Comp: No new actions. Rec'd B-dale agreement, need to send one to ambulance. Slaterville gave verbal commitment of sign, Speedsville doesn't need to sign, but we must charge that WC premium against the FP District budget

- Closed on Bald Hill School Road property

Department, Committee, & Liaison Reports

Cope

- Planning board finished RFP for planning board consultant position. Will file with clerk.

Farnum

- Emergency planning: trying to get samples from other towns
- Senior meeting: most already have their emergency folders
- Thinking of having a course on NIMS and ICS in Jan for the group.
- Working on memo of understanding between highway dept and fire companies

Frongillo

- Web site committee: he and Katy discussing whether her hosting service can support content mgt system and on a draft of responsibility for web master
- Watershed committee met to talk about status of ms4 prog: most things on to-do list in progress

Seely

- RFP for architectural engineering services appeared in the paper. Has received requests for information

Action Topics

Transfers

Motion to Authorize Transfer of Funds

A motion was made by Supervisor Barber and seconded by Councilwoman Farnum to authorize the following transfer:

\$ 88.18	from General Fund Account A3620.4 Safety Inspection CE to General Fund Account A3310.4 Traffic Safety CE
\$ 624.42	from General Fund Account A9030.8 Social Security to General Fund Account A9060.8 Health and Hospital Insurance
\$ 3123.40	from General Fund Account A8710.4 Conservation CE to General Fund Account A1440.405 Energy Creek
\$ 1.00	from General Fund Account A9030.8 Social Security to General Fund Account A9010.8 Retirement
\$ 400.00	from General Fund Account A1410.1 Deputy Clerk PS to General Fund Account A1220.4 Supervisor CE
\$ 15,000.00	from Highway Fund Account DA 5110.401 Repairs -Stream to Highway Reserve Fund Account DA 232 Stream Reserves
\$ 5,000.00	from Highway Fund Account DA 5112.1 Capital Improvement PS to Highway Fund Account DA 5110.1 Repairs PS
\$ 4,920.87	from Highway Fund Account DA 5112.1 Capital Imp PS to Highway Fund Account DA 5130.4 Machinery CE
\$ 417.21	from Highway Fund Account DA 5112.11 Capital Imp PS (OT) to Highway Fund Account DA 5130.4 Machinery CE
\$ 4,300.00	from Highway Fund Account DA 5140.1 Misc Brush & Weeds PS to Highway Fund Account DA 5130.4 Machinery CE
\$ 337.30	from Highway Fund Account DA 9030.8 Social Security to Highway Fund Account DA 9060.8 Health Insurance
\$ 35,432.51	from Highway Fund Account DA 5112.2 Capital Improvement to Highway Fund Account DA 5110.4 Repairs CE

\$ 12,000.00 from Highway Fund Account DA 5130.2 Machinery EQ to
Highway Fund Account DA 5110.4 Repairs CE

And make the following budget adjustment:

Increase revenue line A 2770 Unclassified Revenues by \$ 27,110.58 and

Increase Appropriation line A 8710.4 Creek Maintenance CE by \$27,110.58

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Approval of Abstracts

Approval of General Fund Abstract

A motion was made by Councilman Cope and seconded by Councilwoman Farnum to approve payment for the General Fund voucher numbers 329 through 358 in the amount of \$9362.63.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Approval of Highway Fund Abstract

A motion was made by Councilman Cope and seconded by Councilman Seely to approve payment for the Highway Fund voucher numbers 231 through 251 in the amount of \$72,827.58.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Approval of Streetlight Fund Abstract

A motion was made by Councilman Cope and seconded by Councilman Frongillo to approve payment for the Streetlight Fund voucher numbers 022 and 023 in the amount of \$648.38.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Minutes

Approval of Minutes from October 16, 2006

A motion was made by Supervisor Barber and seconded by Councilwoman Farnum to accept the minutes of October 16, 2006 as submitted by the town clerk.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Approval of Minutes from November 16, 2006

A motion was made by Supervisor Barber and seconded by Councilman Seely to accept the minutes of November 16, 2006 with the following amendment.

Amendment

page 6, heading for Resolution 11-8 should be with the Brooktondale Fire District

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Town Business**Wetland donation**

- Nelly distributed notes and map. Before going further in discussions with Mr. Larkin, she wants to know if board has any interest being given this property. Board voiced concerns about deed restrictions and about taking more land off the tax rolls. Suggestions: encourage a fund to pay loss of taxes. Town board weighing long-term financial impact; needs articulation on deed restrictions, and also would like suggestions on what measures can be done to offset loss of tax.

Resolutions**Resolution 12-1 of 2006****Commendation to Members of Highway Staff for Emergency Service**

By Councilman Cope; Seconded by Councilman Frongillo

WHEREAS, highway department employees Don Mix, Jeff Johnson, Scott Whittaker, and Cindy Whittaker recently helped to save a citizen's life on their off-duty time by responding quickly, removing a tree that had fallen on him, and carrying him a long distance to safety, and

WHEREAS, the highway department continues to take excellent care of our roads and works at many other tasks, many of which go unnoticed, and

WHEREAS, the highway department employees continue to make themselves available when crises or safety issues occur, now therefore be it

RESOLVED, that the Caroline Town Board commends highway department employees Don Mix, Jeff Johnson, Scott Whittaker, and Cindy Whittaker for going above and beyond the call of duty to help save the life of a citizen, and be it further

RESOLVED, that the Caroline Town Board is appreciative of and commends the highway department and the highway superintendent for providing not only high quality care of our roads, but many other services in the community, helping to provide the Town of Caroline citizens with a safe and high quality of life, and be it further

RESOLVED, that a framed, certified copy of this resolution be sent to the highway department.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Resolution 12-2 of 2006**SEQRA Determination of Town Comprehensive Plan**

By Councilman Cope; Seconded by Councilwoman Farnum

WHEREAS the Caroline Town Board acknowledges that it is identified as the lead agency under the State Environmental Quality Review regulations, and, therefore, is the agency responsible for making the determination of environmental significance on the Adoption of the Town of Caroline Comprehensive Plan, and

WHEREAS the Caroline Town Board has conducted an environmental review of the Town of Caroline Comprehensive Plan through the use of a complete Full Environmental Assessment Form, input from interested agencies, and a Public Hearing on the environmental impact of the adoption of the Town of Caroline Comprehensive Plan, and

WHEREAS the Caroline Town Board has considered Part 617.6(2) of Article 8 of the State Environmental Quality Review Act in making the required determination of significance on this action, and

WHEREAS the Caroline Town Board has not found any significant impacts that cannot be mitigated in the Town of Caroline Comprehensive Plan, now therefore be it

RESOLVED, that the adoption and maintenance of the Town of Caroline Comprehensive Plan contains goals and strategies to adequately protect and preserve the environment in the Town of Caroline, New York and will not have any potentially significant adverse effects on the environment, and be it further

RESOLVED that the Caroline Town Board directs the Caroline Town Supervisor to sign and date the SEQR Negative Declaration (Notice of Determination of Non-Significance) form and send copies of this resolution and the SEQR Negative Declaration statement to all Interested Agencies and the Caroline Town Planning Board and file a copy in the Caroline Town Clerk's Office.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Resolution 12-3 of 2006

Adopt Local Law No. 1 for Town of Caroline 2006 Comprehensive Plan

By Councilman Cope; Seconded by Councilman Frongillo

WHEREAS the Caroline Town Board has completed environmental review of the adoption and maintenance of the Town of Caroline 2006 Comprehensive Plan, as required under the New York State Environmental Quality Review Act, and

WHEREAS the Caroline Town Board has prepared a Negative Declaration (Notice of Determination of Non-Significance) since it has determined by Resolution No. 12-2 that the Town of Caroline 2006 Comprehensive Plan will not have any significant impact on the environment, and

WHEREAS this carefully constructed Town of Caroline 2006 Comprehensive Plan, a result of four years of gathering information and public input, has been reviewed by the Caroline Town Board and determined that it will serve as a basis for an ongoing planning program of guiding growth and development, protecting the environment and promoting a quality of life that current residents of Caroline desire, and

WHEREAS the Town of Caroline 2006 Comprehensive Plan contains goals that reflect the vision of the current residents of Caroline and outlines realistic strategies for achieving its goals, now therefore be it

RESOLVED that the Caroline Town Board adopts the Town of Caroline 2006 Comprehensive Plan as Local Law No. 1, in accordance with Section 272-a of the New York State Town Law, and be it further

RESOLVED that copies of the Town of Caroline 2006 Comprehensive Plan be on file in the offices of the Town Clerk and Highway Superintendent and be available on the town's Web site, and be it further

RESOLVED that the Caroline Town Board thanks and congratulates the Caroline Town Planning Board and all others who participated in the development of the Town of Caroline 2006 Comprehensive Plan for a job well done, and be it further

RESOLVED that the Town of Caroline 2006 Comprehensive Plan shall be reviewed periodically by the Caroline Town Planning Board with revisions as necessary being made following public review and input, as stated in the Town of Caroline 2006 Comprehensive Plan.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Resolution 12-4 of 2006

Adopt Local Law No. 2 for Administration of NYS Uniform Building Code

By Supervisor Barber; Seconded by Councilwoman Farnum

RESOLVED, the Caroline Town Board adopts Local Law No. 2 for the Administration and Enforcement of the New York State Uniform Building Code.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Resolution 12-5 of 2006

Establish Building Permit Fee Schedule

By Supervisor Barber; Seconded by Councilwoman Farnum

RESOLVED, the Town of Caroline adopts the following building permit fee schedule:

- | | |
|--|-----------|
| A) Certificate of Occupancy where a building permit has been issued and the finished project was approved by the Building Inspector. | NO CHARGE |
| B) Certificate of Compliance for any structure not involving a building permit. | \$35 |
| C) Construction of all new residential buildings including modular homes and all new buildings of non-residential occupancy subject to provisions of the New York State Uniform Fire Prevention and Building Code (all work) | |
| a. Up to 1,000 square feet of floor area | \$100 |
| b. For each additional 500 square feet or fraction thereof | \$50 |
| <i>NOTE: Floor area shall not include: cellar, non-habitable basement, non-habitable attic or carport, but shall include an attached garage. Floor area shall be based upon outside dimensions of the building.</i> | |
| D) Structural repairs, alterations and additions (all work): | |
| a. Up to a value of \$5,000 | \$50 |
| b. For each additional \$1,000 of value or fraction thereof | \$10 |
| <i>NOTE: The total cost for structural repairs, alterations, and additions may not exceed the maximum cost for new construction.</i> | |
| E) Manufactured homes | |
| a. Up to 1,000 square feet of floor area | \$100 |
| b. For each additional 100 square feet or fraction thereof | \$10 |
| F) Renewal of expired building permits | \$50 |
| G) Swimming pools (either in-ground or above-ground) | \$50 |
| H) Demolition work | \$25 |
| I) Inspection of wood-burning devices | \$25 |
| J) Inspection of areas of public assembly having a Group A-3 Classification
(Yearly inspection required) | NO CHARGE |

- | | |
|---|------|
| K) Inspection of places of business
<i>(Inspection once every 3 years)</i> | \$35 |
| L) Flood plan designation/determination | \$25 |
| M) Application for a variance
<i>Plus \$25 per hour for time spent by Code Enforcement Officer at Variance Hearings (limited to 4 hours)</i> | \$50 |

And be it further resolved, that in the event an Application for a Building Permit is not approved, the applicant shall be entitled to a refund of fifty percent (50%) of the fee paid.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Resolution 12-6 of 2006
Waive Building Permit Fees for Housing Rehab Projects

By Supervisor Barber; Seconded by Councilman Cope

WHEREAS the town has received from the GOSC a \$400,000 grant for Housing Rehabilitation, and

WHEREAS, the implementation of this grant requires the issuance of building permits, and

WHEREAS, the cost for these building permits is a legitimate reimbursable expense to the grant, and

WHEREAS, the Town of Caroline could get more construction work done if it didn't require a fee for building permits for these housing rehabilitation projects, now therefore be it

RESOLVED, that the Caroline Town Board directs the Building Code Enforcement Officer to require building permits for all housing rehabilitation projects originating in this GOSC grant, but to waive the building permit fee.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Resolution 12-7 of 2006
Public Hearing Date for Local Law for Storm Water Management and Erosion and Sediment Control

By Councilman Frongillo; Seconded by Supervisor Barber

WHEREAS, New York State requires passage of a Storm Water Management and Erosion and Sediment Control law by January 8, 2006, and

WHEREAS, public input is required prior to adoption of the Storm Water Management and Erosion and Sediment Control local law, now therefore be it

RESOLVED, that the Town Board of the Town of Caroline shall set a public hearing on the Storm Water Management and Erosion and Sediment Control law on Tuesday, February 13, 2007 at 7 p.m. at the Caroline Town Hall, and be it further

RESOLVED, the town board directs the clerk to notify the public as required.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Resolution 12-8 of 2006**Enter into Contracts with Towns of Richford and Harford 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 for \$8350 each.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Resolution 12-8 of 2006**Agreement with Brooktondale Fire District for Cooperative Procurement and Reimbursement of Insurance Premiums**

By Supervisor Barber; Seconded by Councilwoman Farnum

RESOLVED, the Caroline town board authorizes the supervisor to sign the agreement with the Slaterville Fire District for cooperative procurement and reimbursement of insurance premiums.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Resolution 12-9 of 2006**Establish Year-End of Abstract Payment Meeting**

By Supervisor Barber; Seconded by Councilwoman Farnum

RESOLVED, the town board will hold the 2006 year-end abstract meeting on December 30 at 9 a.m.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Resolution 12-9 of 2006**Establish Organizational Meeting for 2007**

By Supervisor Barber; Seconded by Councilwoman Farnum

RESOLVED, the town board will hold the 2007 organizational meeting on January 2 at 7 p.m..

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

Adjourn

On a motion, the meeting adjourned at 9:42 p.m.

Respectfully Submitted,

December 14, 2006

9

Debra DeAugustine, Town Clerk