

March 15, 2007

Minutes of a special meeting of the Town Board held at the Caroline Town Hall in Slaterville Springs, NY on Thursday, March 15, at 7 pm. This meeting was called to discuss the proposed noise ordinance with members of the public who would choose to attend. Minutes begin at 7:30 pm, but no action was taken before that time.

Board members present:

Supv. Barber  
Clm. Cope  
Clm. Seely  
Clm. Farnum  
Clm. Frongillo

Many people in the audience came to the meeting in an angry mood because an article in the Ithaca Journal was somewhat inflammatory. Cindy Whittaker made reference to the article.

Pam Arsenault thought that if farmers were exempt from noise restrictions, her trucker husband should be as well.

Why do we need noise laws? Supv. Barber pointed out that at present anyone bothered by noise has to go to court, and pay court costs and lawyers fees, with little result. People do have the right to live in Peace and Quiet. These proposed regulations are meant to protect that right for residents of the Town. Let's build on the good work that the Noise Committee has done and not pick apart individual situations.

Clm. Seely, as chairman of the Noise Committee, pointed out that while it might seem simple to list offenses in a general way, specifics help in enforcement and prevent an occasional tendency to be malicious. The Committee felt that it needed something solid for the Sheriff.

Ken Miller asked how loud a tractor is when it goes by. Molly Adams thought it was not as loud as a gravel truck. Supv. Barber can hear Ken's tractor, but is not bothered by it.

On the other hand, the Reggae Band that plays into the morning hours is definitely a bother to John Norman and it keeps his infant awake. The band has been asked to be quiet or to play restricted hours and has been unwilling to cooperate at all. The regulation about time of day and distance noise can be heard would help this situation.

Please note that these regulations would be COMPLAINT DRIVEN -- if noise is not heard, there is no problem. Those who complain must be residents of the Town.

Some types of noise commented on at the first meeting were: target shooting in the daytime, noise from drilling for natural gas lasting 24 hours/per day, generators, lawn mowers, chain saws. There was discussion of the dog control ordinance. The Town will be following up with the SPCA to see just what it is enforcing and whether the noise ordinance needs to fill a gap here. Clm. Farnum volunteered to help Supv. Barber with that investigation.

Steve Gibian, who lives on Coddington Road about 1 mile from the gravel pit, spoke about the noise from ATV's using the County gravel pit on Perkins Road. This is a case of a few people making noise that bothers homeowners for miles in every direction.

Question about duration (noise bothers more if it lasts a long time): A: The Sheriff tries to establish that detail. Certainly it should still be happening when a deputy arrives.

Connie Bulger spoke about young people doing ATV as a competitive sport. They have to practise. Where can they practise? A companion noted that dirt bikes are good; they keep kids out of trouble.

Supv. Barber mentioned the variance process, which was set up to give permission for a specific event. Possibly it could be applied to establish practise times. The Town can explore variances used in other Towns and/or other situations.

Laws are for unusual situations. If people acted as good neighbors, no laws would be needed. There is too much focus on "getting at neighbors." We should think about the neighbor who is being affected. "Disturbing the Peace" is a concept from Guy Krogh as well as from John Norman, who is a law enforcement officer. Under state law, "disturbing the peace" is a misdemeanor, i.e., it carries a police record. A local law enforcing the same idea can mitigate the legal effect of that misdemeanor.

Clm. Frongillo pointed out that chain saws (5e) do have mufflers. A: that muffler is mostly to control sparks, not noise. Truck exhaust (5h) can be posted by the Town for specific areas if needed ("No Jake Brakes").

Renters and Landlords: Owners of property can have some responsibility. Perhaps a regulation could carry a limited time period, to acknowledge that renters come and go.

11C: Additional remedies would include the right to bring a civil suit.

The proposed ordinance could be posted on the website, but needs work on the wording beforehand. It also needs to be accompanied by an explanation telling why it has been found necessary to even think about an ordinance. There certainly is a story to tell, and a story helps people to understand whether they would be affected or not. Maybe sketch the consequences of not doing a law now.

It was decided to have another working meeting before having a public hearing. Attorney Krogh should be revisited.

Tasks assigned: Supv. Barber will work on making the language more mellow. He and Clm. Farnum will contact the SPCA and will specifically ask whether the contract covers dog kennels. Clm. Seely will investigate the penal law and "disturbing the peace." Also statutes on vehicle exhaust, and variances. Clm. Frongillo will prepare the explanation discussed above -- he will find material in Town Board minutes, or can contact Brenda Daniels

Res. #3-6 of 2007: To establish another working meeting to discuss the Noise Ordinance, moved by Supv. Barber and seconded by Clm. Frongillo. The date was established as April 5, to be held at 7:00 pm at the Town Hall.

Adopted	Don Barber
	Ed Cope
	Tim Seely
	Nelly Farnum
	Dominic Frongillo

Discussion of website process: Clm. Frongillo has been thinking about this issue for a long time. He would like to create a website that is usable by the Town Board and the public. It could achieve a whole host of things. There are a couple of engines that could be used.

Supv. Barber pointed out that if the Town Clerk, as well as Town Board members, the Planning Board, the Watershed Committee, does not use the website, it is a waste of time.

The plan is to appoint a webmaster, who will train potential users but will also post items to the site. Town committees should be required to appoint a person to maintain the committee content, either posting themselves or giving the material to the webmaster. The webmaster has the responsibility; he or she can prod the content manager.

Clm. Farnum commented that it is necessary to maintain control over quality and validity. Changes must be approved by a responsible person. Local organizations who wish to join will need to be approved by the webmaster and assign one specific person to monitor information.

Clm. Seely commented that the center core of this website -- the part that involves Town government -- needs to be set up and working before expanding to anything else. After minutes and Town officials, maybe committees would come next. We need to acknowledge that this webmaster will be very busy.

Clm. Frongillo thought that with a "content management system," everything would be very easy to do.

Molly Adams pointed out that the Town needs to consider communication with ordinary people who do not have computers and/or internet access.

There should be a website advisory committee which would set rules, oversee the website, recommend changes, and set fees for business postings. Clm. Frongillo anticipates revenue from business postings. He suggests listing businesses at \$10 per year. Supv. Barber will investigate the legality of that.

Clm. Seely noted that the webmaster will be the glue to hold this communication together. How many hours will it take? This person needs to be fairly compensated.

Clm. Frongillo thinks that the core work can be done, with a webmaster in place, by the end of the year. For preliminary work in creating the site, a website developer can be paid from the Stormwater grant. This site would come on line about August.

Katy Nicholson and volunteers will continue with the old site until then. They will maintain a home page, a place to post notices, now.

Workplace Violence Protection Program: Supv. Barber has learned that Caroline does not need a law because it has too few employees. We can go to the website and print out the evaluation form for the Town to fill out. Then the Town can establish a policy. Clm. Cope will follow through.

Res. #3-7 of 2007: Authorizing the Supervisor to sign a contract with Public Sector Human Resources to revise the Town's personnel manual at a cost of \$3000. Moved by Clm. Farnum, seconded by Supv. Barber. Discussion: every employee will get a copy and updates will be provided to the basic copy for 1 year. It would be helpful to have this manual at union negotiations, even though union rules are more stringent and supercede Town rules. This manual pertains to all Town employees, not just union employees. It serves to protect employees against actions by other employees or by supervisors. It also spells out Town benefits.

Adopted	Don Barber
	Ed Cope
	Tim Seely
	Nelly Farnum
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The adjourned meeting was closed at 10:10 pm on a motion by Supv. Barber, seconded by Clm. Cope.

Respectfully submitted,

Molly Adams  
Deputy Town Clerk