

Minutes of the Regular Town Board Meeting Held on July 10, 2006 at 7:02 PM at the Town Hall in Slaterville Springs, NY

Members Present: Supv. Don Barber
Cm. Tim Seely
Cm. Nelly Farnum
Cm. Dominic Frongillo

Members Absent: Cm. Ed Cope

Recording Secretary: Mary Clark Walls, Deputy Town Clerk

Visitors: 7

Highway Superintendents Report-Supt. Whittaker

Super. Whittaker was not in attendance, however she left a report to be read.

- Burns Road was resurfaced last week. They temporarily repaired approaches to mailboxes and will be repairing driveway approaches and replacing shoulders in the next several weeks.
- A three foot cross pipe was replaced on Yaple Road.
- Replaced a large cross pipe on Blackman Hill Road.
- Ridgeway Road is on the list for drainage work.
- A majority of work that was scheduled last year and was delayed because of flooding has been completed.
- The grader has been out and will continue to be. There are several gravel roads they haven't been able to work on, yet. They have been out mowing roadsides when time allows.
- Once Yaple Road is ready to pave, they will chip seal several miles of road.
- Supt. Whittaker sent a letter to Camp McCormick this week concerning drivers speeding in work zones. South Road, Buffalo Road and Thomas Road appear to have a lot of faster moving vehicles. If drivers do not slow down while driving through work zones, they will be forced to completely close the roads during all routine maintenance. She added they try to have at least one flagman on heavily traveled roads, but it's not always possible.

County Representatives Report-County Rep. Frank Proto

- County Board of Health Water Well Program. Still in consideration for 2008. There will be a public meeting, but no date scheduled.
- The Recreation Partnership Board comprised of the County and municipalities is being worked on and will have a proposed budget to all the partners. They are also working on a five-year contract with the County and all municipalities .
- Emergency Pooling Workers Compensation- asking providers to give all emergency personnel a reduced rate.
- Mr. Proto going to the State on July 11th. He will be giving our concern about the trash haulers using Rte. 79.
- He also will bring attention about access to universal fund to provide broadband services.
- Also, wanting an enhancement of the State Police to patrol rural areas.
- Supv. Barber asked Frank to find out the status of the Banks Road Bridge from Bill Sczeny, the County Highway Superintendent.

- Danby is asking for extra money in support for aquifer studies.

Supervisor's Report- Supv. Barber

Correspondence of Note:

- Letter form DOT regarding Buffalo Road Residents looking for information from the Town Board to help with 40 Mile per hour speed limit.
- Proposal from HSBC for Town bank- need to compare services with Tompkins Trust Company and will get back with recommendation.

Report:

- Records Storage – Town of Ithaca approved contract. We can move the records at any time.
- GOSC- \$283 K committed (15 projects) of \$336 K total, \$79K spent.
- TCCOG sent in three projects for Governor's offer for assistance on approved initiatives for making local government more efficient. All 3 were approved: healthcare, unified courts and planning for affordable housing.
- TCCOG heard from SPCA about a uniform contract for all municipalities. This will be presented at the July 26th meeting. In regards to the extra payment to the SPCA, we did owe them one payment. This will be taken out of the Contingency Fund.
- There will also be a public information meeting with the SPCA on July 18, 2007 at 7:00 PM at the Town Hall, to discuss the process to use for the local residents in terms of they're responsibility with regards to dogs in Caroline and the SPCA.
- The Town Board will need another authorized signature from the Board for checks and other requests for funds.
- There will be a public meeting to be held for bids for repair creek work at the Barille Project on July 18th at 6:45 PM, just before the SPCA meeting.
- The Caroline Town Court asked the Town Board to allow people with court fines to pay by credit card.
- Effective January 1, 2007, all Planning Board members must complete a minimum of four hours of training each year. The legislative body of the Town specifies which activities qualify as training, to satisfy the state requirements.
- The Town Board of Caroline is establishing a personnel handbook policy for all employees. Each of the TB Members are taking sections of the personnel book and changing areas, or the wording and will bring it back to the rest of the Board at the next Meeting.
- Approve Contract with the Town of Ithaca for Storm Water Engineering Support. They have been helping with the language in the Contract.

Department, Committee & Liaison Reports

Seely

- Right to Peace Law-Supv. Barber spoke with Guy today and he has accepted all revisions. About firearms, the Town is deferring to DEC. This was a long discussion. The process will be to make this draft available to the public by the end of the week. i.e. website, post offices, Old Mill, and at the Town Hall. The time- table will be the Town Board to introduce it as law, then have a public hearing. This will be introduced at the August Meeting.

- Annex Funding-A long discussion on Permissive Referendum and Public Referendum. Also it seems the cost per square foot comes out to be \$135.00. Councilman Seely will crunch down the cost. Councilman Seely will ask Molly Adams if there are possible grant funding sources. There will be more discussions on this topic at the August meeting.

Frongillo

- Councilman Frongillo stated Barry Goodrich hasn't received all the bids yet for the creek repair work at the Barille Project. There will be a 15-minute meeting for added bids prior to the SPCA meeting on the 18th of July.
- Councilman Frongillo, Supervisor Barber and Barry Goodrich will meet with S&W tomorrow. The Town Board has made a resolution in 2007 for Stormwater and Erosion Control Permit Fee. This will be proposed tonight.
- Councilman Frongillo reported on the Rec. Partnership budget. There are new major provisions in the new agreement, i.e. clarifying roles of County staff, Ithaca Youth Bureau and RP Board, move towards a contract for services with IYB, allow revenues earned in previous years to support budget in upcoming years, (see attached) The Board accepted wording changes. This was a long discussion.
- Website Advisory Committee- Councilman Frongillo has including himself, eight members on the Website Advisory Committee, with members to be appointed annually. The next meeting will be July 9th at 7:30 PM.
- Council Frongillo has found someone, which is very capable to be the Web developer. This will be discussed and voted on.

Farnum

- Natural Areas and Trails Meeting will be next week on July 19th at the Old Fire Hall.
- Land Donation Acceptance Policy to be deferred until the Town Board meeting in August
- Councilwoman Farnum has established a selection committee for the Community Service Award, 2007.
- Councilwoman Farnum passed out Guidelines for the Community Service Award forms and the Application Process. The call for nominations will last from August 1-september 15, 2007. A digital copy of this form can be downloaded from the town of Caroline website. The award will be presented at a reception for the winners at 6:30 PM October 2, 2007 at the Town Hall, before the Agenda Meeting of the Town Board.
- She has created a Parkland Stewardship Reserve Fund to be voted on tonight.

Action Topics

Fund Transfers

A motion was made by supervisor Barber, seconded by Councilwoman Farnum authorizing the Supervisor to transfer funds as follows:

\$2,000.00 from Highway Fund Account DA5130.4 Machinery CE to
Highway fund Account dA5140.4 Misc CE

\$4,000.00 from Highway Fund Account DA5140.111 Sick, Hol., Vac PS to
Highway Fund Account DA5140.1 Misc PS

\$589.25 from General Fund Account A 1990.4 Contingency to
General Fund Account A 3510.4 Dog Control CE

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

Approval of General Fund Abstract

A motion was made by Councilman Seely and seconded by Councilwoman Farnum to approve payment for the General Fund voucher numbers 219 through 250 in the amount of \$18,386.20.

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

Approval of Highway Fund Abstract

A motion was made by Councilman Seely and seconded by Councilwoman Farnum to approve payment for the Highway Fund voucher numbers 117 through 136 in the amount of \$14,017.04.

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

Approval of Street Light Fund Abstract

A motion was made by Councilman Seely and seconded by Councilwoman Farnum to approve payment for the Street Lighting voucher numbers 12 through 13 in the amount of \$486.51.

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

Approval of Community Development Abstract

A motion was made by Councilman Seely and seconded by Councilwoman Farnum to approve payment for the Community Development voucher numbers 21 through 23 in the amount of \$29,183.49.

Adopted	Don Barber	Aye
	Tim Seely	Aye
	Nelly Farnum	Aye

Dominic Frongillo	Aye
Ed Cope	Absent

Minutes

Approval of Minutes from June 5, 2007

A motion was made by Supervisor Barber and seconded by Councilwoman Farnum to accept the minutes of June 5, 2007, as written.

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

Approval of Minutes from June 12, 2007

A motion was made by Supervisor Barber and seconded by Councilman Frongillo to accept the minutes of June 12, 2007, as written.

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

Resolution # 7-1 of 2007 Stormwater and Erosion Control Permit Fee

A motion was made by Supervisor Barber, seconded by Councilman Frongillo.

Resolved, as per Articles 6 and 7 of Local Law No. 2 of 2007 of the Town of Caroline, concerning Stormwater Management and Erosion and Sediment Control, upon filling a Storm Water and Erosion Control permit, the following fees shall be payable to and collected by the Town Clerk:

If the proposed disturbance activity is

A) Between ½ acre and Above, and/or within 50’ or any perennial stream or intermittent watercourse or wetland \$75

B) Between 1 acre and 5 acres: The applicant is required to deposit \$200.00 per lot (5 hours of staff time to review) with the Town for evaluating the Basic SWPPP application. If the review will take longer than 5 hours, the Town Code Enforcement Officer will notify the applicant of the steps he (she) can take to reduce the amount of time for further review and the amount of time that further review will take (i.e. addition fee). The review process will not continue until the additional fee has been received by the Town. Any unused funds from the deposit will be returned to the applicant.

C) Greater than 5 acres: The applicant is required to deposit \$400.00 per lot (10 hours of staff time to review) with the Town for evaluating the Full SWPPP application. If the review will

take longer than 10 hours, the Town Code Enforcement Officer will notify the applicant of the steps he (she) can take to reduce the amount of time for further review and the amount of time that further review will take (i.e. addition fee). The review process will not continue until the additional fee has been received by the Town. Any unused funds from the deposit will be returned to the applicant.

D) Wetland Survey \$75

E.) Wetland Delineation Any wetland delineations needed for Basic and Full SWPPP will be done by a certified wetlands expert. The fee for the delineation will be determined by the wetlands expert and that fee must be paid to the Town before the delineation will commence.

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

Resolution# 7-2 of 2007 Credit Card Agreement for Court Fines

A motion was made by Supervisor Barber, seconded by Councilwoman Farnum.

ADDENDUM TO THE AGREEMENT BETWEEN THE NEW YORK STATE UNIFIED COURT SYSTEM & KEY BANK (KEY MERCHANT SERVICES) OF NEW YORK PARTICIPATION OF TOWN AND VILLAGE COURTS & LAW ENFORCEMENT BODY

- I. Pursuant to Section 212 (2) (j) of the New York State Judiciary Law and the terms of the Agreement between the New York State Unified Court System (*UCS*) and Key Bank (Key Merchant Services) of New York (*KEY*) executed on behalf of KEY by Mr. Jeffrey Bauer, Vice President, September 30, 1997, and as amended by letters dated April 14, 1999, February 02, 2000, April 04, 2002, Program booklet, “New York State Unified Court System Vehicle & Traffic Law Credit Card Program for Participating Town & Village Courts”), the town, village or municipality entity noted below wishes to participate in said Agreement for the purpose of processing the payment of Vehicle& Traffic fines, bail and pre-arraignment bail, and criminal fines, mandatory surcharges and crime victim assistance fee via credit card device.
- II. The Town of Caroline hereby acknowledges it has received a full and complete copy of the documents comprising the Agreement, as listed in Paragraph I above and agrees to the terms and conditions thereof.
- III. It is further understood and agreed that the Town of Caroline will be solely responsible for the payment(s) of all fees and charges noted in the Agreement, and in any subsequent amendments thereto. Invoicing by KEY shall be direct billing to the participating entity and payments thereof directly by the participating entity KEY. Under no circumstances shall the State of New York, Unified Court System or Office of the state Comptroller be liable for Any fees or charges incurred by the participating entity.
- IV. The Unified Court System assumes no liability, financial or otherwise, with respect to the participation of TOWN OF CAROLINE COURT in the Agreement.
- V. REQUIRED PARTICIPATING ENTITY INFORMATION

Number of Tranz (electronic) devices: 1

Dial-out (if required) N/A

Adopted

Don Barber	Ayes
Tim Seely	Ayes
Nelly Farnum	Ayes
Dominic Frongillo	Ayes
Ed Cope	Absent

Resolution # 7-3 of 2007 Stewardship Reserve Fund

A motion was made by Councilwoman Farnum, seconded by Councilman Seely.

WHEREAS, at the December 2006 meeting of the Caroline Town Board the *Comprehensive Plan for the Town of Caroline* was adopted unanimously; and

WHEREAS, stated conservation goals of this plan are preservation of existing protected open space, pursuit of additional opportunities for public open space and permanent protection of important natural features and open spaces, particularly of identified Unique Natural Areas; and

WHEREAS, to provide stewardship for land donated to the Town of Caroline for use as a natural area or parkland by the citizens of the Town requires that the Town will ensure that the property will be protected and managed in manner consistent with the donor’s wishes; and

WHEREAS, funds to ensure proper stewardship will be made through donations by land donors, private citizens and organizations explicitly for the management of such lands; now therefore let it be

RESOLVED, that an independent, restricted Stewardship Reserve Fund be established for the purpose of management of land donated to the Town of Caroline for use as natural areas or parklands, and

Be It Further Resolved, that the Town Board directs the Supervisor to establish Trust and Agency Account number TA-86 as the Stewardship Reserve Fund account and that all interest accruing to this fund shall be posted to this account, and

Be It Further Resolved, that the Planning Board of the Town of Caroline is responsible for making recommendations for expenditure of monies in the Stewardship Reserve Fund. All expenditures of the Stewardship Reserve Fund will be subject to approval by the Town Board, and that the following are examples of expenses to be paid through the Stewardship Fund when they fulfill the Town’s obligations for management of donated lands:

1. Documenting conditions of lands in written reports with current maps, aerial and ground photos, survey records, and other accompanying materials that specifically document the owner’s expectations for care of the land. This includes long-term maintenance of records;
2. Creating and implementing plans that would be consistent with any Deed Restrictions and provide appropriate monitoring schedules;
3. Surveying and monumenting boundaries of the land;
4. Compensating technical experts, such as agricultural, biological or land planning consultants, when necessary to gain advice on land use management;
5. Legal enforcement necessary to be sure that use of the property is consistent with any deed restrictions;

- 6. Matching funds for grant proposals to be used for projects involved with the management of the land; and
- 7. Administrative expenses associated with stewardship of natural areas and parklands (such as publicizing meetings, printing of educational brochures, mailings to potential donors, costs associated with grant preparation)

Adopted

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

**Resolution #7-4 of 2007 Establishment of a Selection Committee
Town of Caroline Community Service Award, 2007**

A motion was made by Councilwoman Farnum, seconded by Councilman Frongillo, that the following three individuals comprise the selection committee for the Town of Caroline Community Service Award, 2007.

Nelly Farnum, Chair
Ruth Van Pelt
Lezlie Kennedy

Adopted

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

Resolution # 7-5 of 2007 Appoint Web Developer

A motion was made by Councilman Frongillo, seconded by Councilwoman Farnum.

Whereas, the Town of Caroline is committed using its website as a tool to inform, empower, and encourage participation of citizens,

Whereas, the Town has established a Website Advisory Committee to recommend design guidelines and specifications for an enhanced Town website,

Whereas, the Town publicized a request for proposals for website development services and the Town Board has reviewed all submitted proposals,

Therefore, be It Resolved, the Town of Caroline appoints Katy Nicholson to the position Web developer, a contracted position for which specific responsibilities shall be detailed in an employment contract,

Also, Be It resolved, the Town will prepare a contract with the Web developer based upon design guidelines and specifications recommended by the Website Advisory Committee.

Adopted

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

Resolution #7-6 of 2007 Appoint Website Advisory Committee

A motion was made by Councilman Frongillo, seconded by Councilwoman Farnum.

Whereas, the Town of Caroline established a Website Advisory Committee on June 12, 2007, with members to be appointed annually,

Be It resolved, that the Town Board appoints the following members to the Website Advisory Committee:

- Dominic Frongillo, Chair
- Katy Nicholson
- Rob Elshire
- Pat Brhel
- Michael Cook
- Kathy Mix
- Doug Keefe
- Tyler Moon

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

Resolution # 7-7 of 2007 Acceptable Training for Planning Board Members

A motion was made by Supervisor Barber, seconded by Councilman Frongillo.

WHEREAS Town Law Sections 267 and 271 provide that effective January 1, 2007, all planning board and zoning board of appeals members in New York State, as well as alternate members of those boards, must complete a minimum of four hours of training each year; and

WHEREAS the above sections of state law provide that a planning board or zoning board of appeals member shall not be eligible for reappointment to such board if they have not completed the training required by law; and

WHEREAS the above sections of state law provide that the legislative body of the town specifies which activities qualify as training to satisfy the state requirements; and

NOW, THEREFORE, be it

RESOLVED, that the following list of agencies, commissions, associations, universities, and other organizations are approved to provide training to meet the state requirements when the training they provide pertains to municipal planning, zoning, community design, environmental issues, economic development, and local government functions and practices:

- 1) the NYS Department of State; Department of Agriculture and Markets; Office of the State Comptroller; Department of Health; Department of Transportation; Department of Environmental Conservation; Office of Parks, Recreation, and Historic Preservation; and
- 2) the New York State Association of Towns, the New York Planning Federation, the American Planning Association, the Upstate New York Chapter of the American Planning Association and its sections; and
- 3) the Capital District Regional Planning Commission, Central New York Regional Planning and Development Board, Herkimer-Oneida Counties Comprehensive Planning Program, Lake Champlain-Lake George Regional Planning Board, Long Island Regional Planning Board, Southern Tier Central Regional Planning and Development Board, Southern Tier East Regional Planning Development Board, Southern Tier West Regional Planning and Development Board, Genesee-Finger Lakes Regional Planning Council, Hudson Valley Regional Council, Tug Hill Commission, and Adirondack Park Agency; and
- 4) the Tompkins County Planning department; and Tompkins County Soil and Water Conservation districts; and Better Housing for Tompkins County
- 5) the Albany Law School Governmental Law Center and Institute for Legal Studies, Pace Law School, Cornell University and its cooperative extension; and
- 6) on-line planning and zoning training programs offered by the New York Municipal Insurance Reciprocal, Pace University and Land Use Law Center, and the Lincoln Institute of Land Use Policy;

AND LET IT FURTHER be

RESOLVED, that other training activities may be approved on a case-by-case basis by the Town Board upon the request of a planning board or zoning board of appeals member; and be it further

RESOLVED, that any new member appointed to fill the last 18 months of a term shall not be required to have attended training to be reappointed to a first full term, but must thereafter comply with the municipal training policy as provided elsewhere herein; and be it further

RESOLVED, that training received by a planning board member or zoning board of appeals member in excess of four hours in any one year may be carried over by the member into succeeding years; and be it further

RESOLVED, that the Town Clerk shall create and maintain a system of tracking the training individual members complete annually; and such information shall be presented to the appointing authority prior to considering a member for reappointment.

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

Resolution # 7-8 of 2007 Reviewing Bids

A motion was made by Supervisor Barber, seconded by Councilman Frongillo for the purpose of reviewing bids for the Barille Restoration Contract to meet at 6:45 PM on July 18, 2007.

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

Resolution #7-9 of 2007 **Authorized Signature**

A motion was made by Councilman Seely, seconded by Councilwoman Farnum for the purpose of having another authorized signature form signed for the request for funds. Councilman Seely will be the person to sign for additional funds in case Supervisor Barber is absent.

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

Adjourn

On a motion from Councilwoman Farnum, seconded by Councilman Frongillo, the meeting adjourned at 10:00 PM.

Respectfully Submitted,

Mary Clark Walls
Deputy Town Clerk