

# Town of Caroline Town Board Minutes

October 9, 2007

The regular meeting of the Town Board of the Town of Caroline held on October 9, 2007 at the Town Hall was called to order by Supervisor Don Barber at 7:00 p.m.

**Present:** Don Barber, Supervisor  
Ed Cope, Councilman  
Dominic Frongillo, Councilman  
Tim Seely, Councilman

**Recording Secretary:** Debra DeAugustine, Town Clerk

## Privilege of the floor

*Steve Nicholson, 220 Yapple Rd:* informed the town board formally that he's running for town council.

## Monthly Reports

### Department, Committee, & Liaison Reports

#### Cindy Whittaker, Highway Superintendent

- Yapple Rd is paved; working on the screen right now
- Started on Ridgeway, which is the capital improvement for next year
- Repaired a pipe on Elm St
- Still mowing
- Blackman Hill: repaired shoulders

#### Supervisor's Report

Correspondence of Note:

1. Email from CCETC, Deb Teeter, changing start date for Ag Districts review process from 11/1 to 1/1, giving more time for debate and discussion
2. Letter of Resignation from Nelly Farnum
3. Copy of letter from DOT to Caroline School, lowering speed limit at school to 35 MPH
4. Foreclosure notice from county; posted on board inside
5. Letter from Food Pantry giving statistics on population served
6. Letter from DOT, they have reconsidered Buffalo Road speed limit now to be 40 MPH
7. Letter from Assemblywoman Lifton in response to Article X reauthorization resolution
8. BAN Commitment letter from Tompkins Trust Co.

Report:

1. GOSC- \$323K committed (19 projects) of \$336K total, \$247K spent;
2. Attended I Live NY Conference – Executive branch of NYS is putting energy and money behind Upstate Economic Development initiatives
3. Completed Tentative Budget - decrease in spending of 2% over 2007, Tax rate is \$7.423/\$1000 of assessed valuation
4. Met with CDRC about the process for resolving neighbor disputes, they are making contacts with a couple of disputes that I'm aware of. They are also interested in discussing further a satellite office if a need arises.
5. Council of Gov'ts – Health Care Consortium, Dog Control

**Dominic Frongillo, TB member**

1. Will be meeting with some experts on creating a development guidance system
2. Called Snug Planet asking for an energy audit for the town. Would be willing to do an audit for \$600. Can recover the costs of the audit from NYSERDA if you do the work recommended. Need to know what that audit will include; could it be done more cheaply

**Ed Cope, TB member**

1. Planning board feels they're done with Laberge; they were not able to be of any help in a development guidance system, even though our contract stated that's what we needed advice on. Don says planning board might want to join NY Planning Federation because they give legal advice
2. Decided to go with biomass fuels, which comes from methane, which is half the cost of wind, subsidy from MEGA is \$250. So have to raise \$500 in donations. Reason wind has gone up is because the program is popular.

**Action Topics****Transfers**

A motion was made by Supervisor Barber and seconded by Councilman Cope to authorize the following transfers:

\$ 9.42 from General Fund Account A 1990.4 Contingency to  
General Fund Account A 1010.4 Town Board CE

\$ 2000.00 from General Fund Account A 1990.4 Contingency to  
General Fund Account A 1460.4 Records Management CE

\$ 500.00 from General Fund Account A 1990.4 Contingency to  
General Fund Account A 3620.4 Safety Inspection CE

\$ 25,000.00 from Highway Fund Account DA 5130.2 Equipment EQ to  
Highway Fund Account DA5110.4 Repairs CE

\$ 17825.00 from Highway Fund Account DA 5130.2 Equipment EQ to  
Highway Fund Account DA5112.2 Capital Improvement

\$ 4,000.00 from Highway Fund Account DA 5130.2 Equipment EQ to  
Highway Fund Account DA5130.4 Equipment CE

And make the following budget adjustment:

Increase revenue line DA 3501 CHIPS by \$53,656. and

increase appropriation line DA 5112.2 by \$53,656.

**Adopted** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Approval of Abstracts****Approval of General Fund Abstract**

A motion was made by Councilman Cope and seconded by Councilman Seely to approve payment for the General Fund voucher numbers 312 through 343 in the amount of \$21,267.56.

**Adopted** Barber: Aye; Cope: Aye; Seely: Aye; 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 177 through 197 in the amount of \$105,955.35.

**Adopted** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Approval of Streetlight Fund Abstract**

A motion was made by Councilman Seely and seconded by Councilman Frongillo to approve payment for the Streetlight Fund voucher numbers 18 and 19 in the amount of \$341.74.

**Adopted** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Approval of Community Development Fund Abstract**

A motion was made by Councilman Seely and seconded by Councilman Frongillo to approve payment for the Community Development Fund voucher numbers 33 through 35 in the amount of \$8,845.16.

**Adopted** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Minutes****Approval of Minutes from September 4, 2007**

A motion was made by Supervisor Barber and seconded by Councilman Seely to accept the minutes of September 4, as submitted by the deputy town clerk.

**Adopted** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Approval of Minutes from September 11, 2007**

A motion was made by Supervisor Barber and seconded by Councilman Cope to accept the minutes of September 11, as submitted by the town clerk.

**Adopted** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Town Business****Gas Lease Agreement**

Guy would need to see the lease and has dealt with several. Any lease would be offset by the cost of having the lawyer look it over. Would have to negotiate the cost with the gas company based on what Guy would charge. What they offered is about \$130 per acre.

**Personnel Policy**

Will review on November 15th at 5:30 at Town Hall.

**Town Board member seat**

Person to serve until December 31, 2008. Will put a notice out that we're accepting applications. Would want to have applications in by the agenda meeting on the 8th so they can come in and speak. Don will write a press release, put it in the Journal and the newsletter, and pass along to board members.

**Resolutions****Resolution 10-1  
Lighting Extension**

By Supervisor Barber; Seconded by Councilman Frongillo

**RESOLUTION APPROVING ORDER AND  
ESTABLISHING LIGHTING DISTRICT EXTENSION**

WHEREAS, the Caroline Town Board previously established a town-wide lighting district, and had previously authorized the preparation of a map, plan and report ("MPR") by Resolution 8-5 (August 14, 2007), and the Town Board having reviewed and accepted the MPR as final; and

WHEREAS, the extension of the Town-wide Lighting District was (and is here again) deemed to be in the public interest, and the Town Board had (i) previously declared and described the boundaries of the district as including all properties defined, drawn and described in the MPR, (ii) determined that the extension includes no construction or financing costs, and only includes operation and maintenance costs for the maintenance of the extension, with such first year annual costs to be \$93.10, (iii) ordered a copy of the MPR to be filed at the

Town Clerk's Office in accordance with law, and (iv) determined that all properties included were benefited and that the district extension was in the public interest; and

WHEREAS, the Town desires to proceed towards extension of Town-wide Lighting District pursuant to the provisions of Town Law Article 12-A; and finds that all proceedings to date have been in compliance therewith; and

WHEREAS, the Town Board of the Town of Caroline duly adopted a Resolution and Order upon September 11, 2007 that resolved, directed, determined, and/or declared (i) that the final MPR complied with the requirements of Town Law; (ii) that the MPR was approved and adopted; (iii) that it was in the public interest and a benefit to all parcels in the Town-wide Lighting District to proceed with the proposed district extension; (iv) that the extension consisted of the installation of one street light at the Speedsville Store electric pole; (v) that the capital and construction costs of the proposed improvements for the extension were \$0.00, which was the maximum amount proposed to be expended; (vi) that there was no financing needed for the project; (vii) that the MPR was on file for public review and inspection at the Office of the Town Clerk; (viii) that the MPR described in detail the costs and expenses, including the first year's estimated average maintenance cost of \$93.10; (ix) that such costs were proposed to be paid through property tax assessments to be collected with the annual Town and County tax bill in the district; and (x) that a Public Hearing be set and held at 7:00 p.m. upon October 2, 2007 at the Caroline Town Hall, 2670 Slaterville Road, Slaterville Springs, New York upon the Town Resolution and Order to extend the Lighting District; (xi) that the Town Clerk publish and post notice of such public hearing in accordance with law; and (xii) that the Town Clerk file a certified copy of the Resolution and Order with the NYS Comptroller at or about the time of the publication thereof; and

WHEREAS, a Public Hearing was duly held at 7:00 p.m. on October 2, 2007 at the Caroline Town Hall, and all persons interested in the subject hereof were duly heard, and all relevant evidence was taken and recorded; and

WHEREAS, the Town Board has determined that the matter was not subject to SEQRA review pursuant to 6 NYCRR §§ 617.5(11), 617.5(16), 617.5(20) in that the project will have no environmental impacts and falls within exempted classifications as a minimal extension of utilities within an existing and approved district, and/or as it constitutes the installation of a traffic and safety control device, and/or as such action constitutes a routine agency maintenance and management issue per Town Law §64; and

WHEREAS, neither the costs per EDU nor this extension, as an extension of a Lighting district, are subject to NYS Comptroller review such that an application to, and permission from, the NYS Comptroller is required; and

WHEREAS, upon due deliberation upon the foregoing and the public interests to be served and the properties to be benefited thereby, the Town Board of the Town of Caroline has hereby

RESOLVED AND DETERMINED, that: (i) the Notice of Hearing was published and posted as required by law and was otherwise sufficient; (ii) all property and property owners within the District Extension are benefited thereby; (iii) all benefited properties and property owners are included within the District Extension; and (iv) that the establishment of the District Extension is in the public interest; and it is further

RESOLVED AND DETERMINED, that the boundaries of said District Extension are (i) wholly outside the boundaries of any incorporated city or village, and (ii) are defined as inclusive of the whole of the Town of Caroline; and it is further

RESOLVED AND SO ORDERED, that the establishment of the Town of Caroline Lighting District Extension be and hereby is approved; and it is further

RESOLVED AND SO ORDERED, that the said District Extension hereinabove referred to shall be constructed as set forth in the Order calling a public hearing, with annual operating costs as set forth in the Order, which costs shall be paid by the district through the assessment, levy and collection of special assessments upon the several lots and parcels of land within the said District Extension, which the Town Board has determined, and hereby again determines, are especially benefited thereby; so much and from each as shall be in just proportion to the benefit thereof; and it is further

RESOLVED AND ORDERED, that the Town Clerk shall file two certified copies of this Resolution with the New York State Department of Audit and Control (at the NYS Comptroller's Office) within 10 days hereof; and it is further

RESOLVED, that this Resolution is subject permissive referendum pursuant to Town Law §209-e and Town Law Article 7.

**Passed** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Resolution 10-2  
Contract with Town of Richford for Code Enforcement**

By Supervisor Barber; Seconded by Councilman Seely

RESOLVED, the town board authorizes the supervisor to sign the contract with Richford for code enforcement for 2008.

**Passed** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Resolution 10-3  
Establish Public Information Advisory Committee**

By Councilman Frongillo; Seconded by Supervisor Barber

WHEREAS, during the recent debate about noise, many residents expressed to the Town Board that Town informational postings through the Ithaca Journal, Brooktondale community newsletter, fliers, Town website, and Town email listserv were insufficient and unreliable as methods of communication with a large number of citizens, and

WHEREAS, democracy is strengthened when citizens are informed about and engaged in local government, and

WHEREAS, the Caroline Town Board desires to encourage participation of citizens and recognizes the importance of making available accurate, timely, and widely-accessible information on the activities of local government to all citizens, now therefore be it

RESOLVED, the Town Board seeks to establish a citizen advisory committee to recommend and help manage an expanded system for distribution of local government minutes and announcements; and also be it

RESOLVED, that this advisory committee will:

1. Research methods of information distribution to citizens, and the extent to which those methods are currently used in the Town. These methods may include (but are not limited to) local newspapers, Brooktondale community newsletter, local radio stations, bulletin boards, posted fliers, e-mail listservs, billboards or signs, and so on.
2. Consider if it is town government's responsibility to ensure everyone receives information or everyone has access to information.
3. Based on the answers to the questions above, explore strategies employed by other municipalities, identify key gaps in distribution of information on local government in Caroline, and recommend specific options to fill those gaps. Recommended options should meet the following criteria:
  - a. Accurate, timely, and widely-accessible
  - b. Low cost to taxpayers
  - c. Reliability over time
4. With consent of the Town Board, implement and volunteer help needed to maintain these methods..

**Passed** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Resolution 10-4  
Website Development Contract**

By Councilman Frongillo; Seconded by Councilman Cope

RESOLVED, the town board authorizes the supervisor to sign a contract with Katy Nicholson for Website development services.

**Passed** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Resolution 10-5  
Set Public Hearing for 2008 Budget**

By Supervisor Barber; Seconded by Councilman Seely

RESOLVED, the town board will hold a public hearing for the 2008 budget on November 8, 2007, at 7 pm at the Caroline Town Hall.

**Passed** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Resolution 10-6  
Use Town Housing Rehab Lien Closure Funds**

By Supervisor Barber; Seconded by Councilman Cope

WHEREAS, the Town of Caroline has roughly \$30,000 in funds it has either held over from the previous grant for lien closure (~\$3,000), funds received from premature liens closures, and funds being generated from the agreement with a rental property owner who has agreed to pay back one half of the funds use to rehabilitate the rental property, now therefore be it

RESOLVED that the Caroline Town Board hereby authorizes up to \$27,000 from fund CD201 to be used to extend the current Housing Rehabilitation program, and be it further

RESOLVED that the Caroline Town Board desires to extend the contract with Better Housing for Tompkins County for the administration of this program.

**Passed** Barber: Aye; Cope: Aye; Seely: Aye; Frongillo: Aye

**Budget discussions**

Add line item DA9060.801 for reserve fund for retiree health in the amount of \$5000

**Passed** Barber/Cope/Seely/Frongillo: Aye

Increase line A3001 from \$18,324 to \$22,642

**Passed** Barber/Cope/Seely/Frongillo: Aye

Decrease A1010.1 from \$12,000 to \$8000

**Passed** Barber/Cope/Seely/Frongillo: Aye

Increase A1410.1 from \$18,035 to \$18,576

**Passed** Barber/Cope/Seely/Frongillo: Ay

**Adjourn**

On a motion, the town board adjourned to an adjourned budget meeting set for October 17 at 7pm.

Respectfully Submitted,

Debra DeAugustine, Town Clerk