

Minutes of the Caroline Public Hearing and Town Board Agenda Meeting Held on November 8, 2007 at 7:04 pm at the Town Hall in Slaterville Springs, NY

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

Members Absent: None

Visitors: 12

Privilege of the Floor

- Toby McDonald, just elected to the Town Board, addressed the Board concerning the filling of Nelly Farnum's seat on the Board for the rest of her Term of Office by either Peter Hoyt or Stephen Nicholson, who are locked in a race by a 1 vote spread with 11 absentee ballots still to be counted. He spoke to each of the gentlemen to see if they would be willing to go along with whichever one comes in second election, would they be willing to fill Nelly's position. Peter Hoyt and Stephen Nicholson agreed. He believes the two candidates voted on by the Caroline residents should fill the position, hence helping to mend divisions in the Town.
- Clm. Seely asked how is this to be perceived fair to the other applicants?
- Toby stated that both have applied and both have been backed by close to 600 voters each, and there is no better test than that, and especially are in a dead heat. There is no higher qualification than that.
- Clm. Cope asked if he would be concerned this would be mixing two different elections since Nelly Farnum was voted in under a different scenario, this would be a replacement for her. Should they as a Board consider how she was voted in?
- Toby stated this is up to the Board. He would encourage the Board to put this thing to rest tonight. They both have been endorsed by voters and he doesn't see how the Board can go wrong.
- Clm. Cope stated that both of the candidates have been endorsed by half the voters.
- Toby said one of these guys will walk on either by one vote or two, and this gives the Board a chance to listen to what the townspeople have to say and he would highly encourage the Board to take this chance.
- Addressing the Board Steve Nicholson said currently he is in the lead by 1 vote. No one anticipated that Nelly would leave at this time. Since they are at virtually a tie, the Board has a chance to correct the mistakes of winner takes all. He totally agrees with Toby that this is an opportunity with the next year's seating Board that the 1,100 voters of Caroline would have someone on the Board they voted for.
- Laura McDonald she would rather have someone she chose to be on the Board than the Board choosing. Also, she is coordinating people to help with pick up trash on Shindagin Hollow Road. John Clancey would like to have a public meeting to speak about Shindagin Hollow. DEC has land unit management program DVDs given to her and she would like the Board to check them out. She believes there are too many committees in the Town. About communication in the Town, a newsletter was mailed out to most residences. But now, there is email.
- Linda Adams believes the best thing to do is choose either Peter Hoyt or Stephen Nicholson for Nelly's position. She is one of the applicants. She's willing to be on a committee.
- Peter Hoyt spoke to his supporters and Toby about this. He believes everyone is attempting **bi-partisanship, which he thinks is good. He believes like Laura, there are too many committees. At Town Board meetings, people can sit around and discuss issues. The Tompkins Weekly is a good way to get information to the public.

Public Hearing

This Public Hearing is to approve all budgets in the 2008 year; General Fund and Highway Fund.

The tax rate for 2008 is 7.372 per 1,000.

General Budget Public Hearing

The Public Hearing was to approve the **Town General Budget**. Supervisor Barber read the General Budget lines. Supervisor Barber asked that the General Budget Public Hearing be closed at 7:37 pm.

2008 Salaries:	Town Board (4)	\$12,000
	Justices (2)	\$19,000
	Supervisor	\$10,400
	Town Clerk	\$18,035
	Hwy Superintendent	\$ 48,500

Supervisor went over numbers and budget lines.

The **Town Highway Budget** was read. Supervisor Barber asked that the Highway Budget Public Hearing be closed at 7:42 pm.

The **Caroline Fire Protection District Budget** was read. Supervisor Barber added there are three parts to this Budget of the Caroline Fire Protection Districts in the Town of Caroline: Brooktondale, Slaterville and Caroline Fire Protection Districts. Supv. Barber asked that the Caroline Fire Protection Budget Public Hearing be closed at 7:52 pm.

The **Caroline Lighting District Budget** was read. Supervisor Barber explained the need for an extra light in Speedsville by the Speedsville grocery store. The discussion was closed at 7:54 pm.

Applicants to Fill Seat

The Supervisor asked each applicant if they want to still be considered and all but two decided to withdraw their applications from consideration by the Town Board: Linda Adams, Heidi Moesch, Rich Andersson, Robert Spaulding.

Four of the applicants, Robert Chapman, Bert Cooley, along with Stephen Nicholson and Peter Hoyt, have decided to be considered for appointment.

- Robert Chapman likes the area with the greenery, water sports, and the energy of the Town and the Town administration. He feels he could help with economic development on the Town Board. Town government is the most immediate form of government and it sets the tone for the future of the Town. The Town should be proactive and future orientated. Now is the time to get a handle on the future of land use and future growth. The Comp. Plan has done a good job covering different issues and growths for the Town. He is a professor at TC3, teaching public administration and social studies teacher. He is interested in public issues. He has 8 hours a week to spend on Board issues. He believes taxes are too high. He would like to be a part of that. He wants the Citizens of Caroline to get their money's worth from taxes. He also in the record a statement of appreciation to Nelly Farnum for her service to the Community and best wishes to her.
- Bert Cooley wanted to be involved so that if he doesn't like the decisions at least he would have to partly blame himself. A lot of this happens to be about what has gone on within the last 2-3 years. He likes this Community and the people are nice. He doesn't want it to be highly regulated nor highly zoned. He couldn't support zoning if it came into law. The town government provides a safe stable way of life and provides necessary services. The comp plan has no zoning laws in it and it was written by a bunch of people who talked to a lot of residents and took what they said into consideration. He has 8 hours a week to spend for Board issues but sometimes he has to travel between Thursdays and Mondays. His employment has allowed him to make proposals for millions of dollars. He likes citizen committees, for the leg work and fact finding, the input is good, but the decision is up to the Board. He may feel one way

but he puts his feelings aside and goes with just the facts. He feels this is one of his biggest assets. He was checking the Minutes on the web, but it looked like it wasn't as up to date as he thought they should. He could give some help with that. He would like a copy of the town charter. Supv. Barber hasn't seen it.

- Rich Andersson wants to give public service to the Community. He's been here for 18 years; he likes the people, loves the area, and is close to his job. He has worked on Rec. Partnership, youth services and the Subdivision Review Committee with working on SEQR and Environmental Review. He's very proud of the youth services in this Town. The role of government should be health and safety. While encouraging business and responsible development, the Comp Plan is not a coercive document. He was impressed with the citizen input towards the document. He is dead set against zoning but not for land use planning. He thinks that incentives are the way to go. He has 8 hours a week to work on Board issues. He's been concerned about the polarization within the Community. He feels because of his employment as a social worker he has had experience in running groups and has had a good deal of experience in communication and as a facilitator, reaching out to people. There should be a way of coming together as a people who love this Town. What he has gleaned from the ruckus about the noise law is not more restrictive laws out here, not big brother here that people want. He doesn't fault the Board for trying to take care of that situation; however there are already laws on the books about junk. Trying to put out incentives he feels would work better than more laws. He also would like the Town to be more pedestrian friendly, but not by passing laws. Make it safer for kids and people as a whole. Clm. Cope stated this year is critical for making decision in implementing the Town Plan. It is very hard to put some of the plans in place; how to deal with land use regulation, site plan review and responsible development. The Planning Board is already very deep into this, and they have been told legally and by planners it's very hard to accomplish this without using some form of zoning. Which one of those would he sacrifice? He stated he would have to know more about it. He's lived here long enough to know there would be a huge uproar. He feels somehow it would have to be accomplished in some other way. Might have to settle for less in the Comp. Plan.
- Peter Hoyt feels he owes the people that voted for him to apply for Nelly's seat. For question # 2) People know what he stands for. He knows that master planning is good for getting money for the Community. #3) He feels he has an obligation to the people who voted for him to make himself available to people. #4) He would be able to, on average, stay abreast of the issues 8 hours most weeks. With the County-wide meetings it would depend on protecting the interest of the Town. He feels if it isn't, critical or necessary, he would prefer to see his kids. # 5) The skills he would bring would be friendliness and critical thinking. He is a computer programmer by training and a practical person. He cares very much about the Town and obviously gets along with people, at least 585 of them. #5) On Fiscal Management experience, he almost was wiped out with a divorce, and has managed to own 2 pieces of property and is paying more money in child support than most people make.
- Steve Nicholson feels that the purpose of town government is working hard to improve people's lives, and it can be done on a local level. He spends a lot of free time volunteering on the Environmental Council and improving environment. Reason why he is involved in Energy Independent Caroline is to increase the energy efficiency in each household. This is a huge impact and something you have to plan for and something you have to spend money on. The Town government will be around for a long time. If it means planning for 25 years down the road such as the Comp. Plan is a 20 year plan, it's something the government can be doing putting aside money so that every household spends less money on energy. It's only through local government that people's needs are met. # 4) Stephen has unlimited time is involved on 8 committee and boards, and he said he will have to cut back on some of them. But if you want something done, ask the busiest person to do it. Supv. Barber asked for him to respond about experience on budgets. He has limited experience, but he is treasurer for the State Association of E M C's. He has lived his whole life with no debts, no mortgages.

The Town Board will take into consideration everything that has been said, and would hopefully have a candidate's name for the seat, by the next Meeting.

Committee Reports

Cm. Cope called the Business Rep. twice for the Teamsters to setup a meeting, but he hasn't gotten back to Cm. Cope. Supv. Barber left a message 2 weeks ago but no communication. Planning Board-Supv. Barber brought up the contract of Quality Communities that needs to be worked on by March. The Planning Board needs to be focused and ask for an extension. Cm. Cope will bring this up at the next Meeting.

Cm. Frongillo will introduce a local law for Regulation of Illicit Discharge to Storm Water System. This will be emailed to the Board Members and to Supt. Whittaker prior to next week's meeting.

Cm. Seely met with Caroline Youth Committee after a two month break. They received grant money from United Way for a working session about the Brooktondale Summer Camp with other municipalities; Groton, Dryden, Enfield, Newfield. There is a unique difference in Brooktondale; there were higher numbers of helpers and lower numbers of campers. Is there something that we can offer those C I T's moving into the future? Maybe they will be able to go else where to get more experience to be a Counselor- In-Training and what other communities are offering a place for teenage campers? This is the reason for planning a luncheon to brainstorm.

Supervisors Report

Supv. Barber reported a Study was done by Wells College about the garbage trucks traveling through Caroline This will be circulated among the Town Board Members.

County Wide Water & Sewer Evaluation will be discussed next week. This will not affect Caroline. We are just cooperating with the County.

Supv. Barber stated that Council of Governments did approve a memorandum of understanding with the SPCA which would agree to 50% increase over this current year's contract, around \$10,000, a monthly charge for the first three months of 2008. After April 1st of 2008 then we go to \$14,000 a year. There is only one facility that meets the Ag. & Markets criteria, which is the SPCA. There are private facilities that are asking questions and showing interest so the Council of Governments will be requesting proposals.

Drug and Alcohol Testing Consortium- Supv. Barber stated that all the Highway employees randomly will be tested. This consortium is asking that the Town will still continue on.

Supv. Barber stated that John Clancy is interested to come to Caroline to speak on Shindagin Hollow. The Board needs to give him the time and date. This has nothing to do with a Town Board Meeting, but the board will let people know. There will be slides shown and ask for public comments. The Board decided on Wednesday December 5th at 7:00 PM.

Supv. Barber stated the Budget needs to be an adopted next week. Cm. Frongillo will ask the Web Committee to see if there is more money that is needed to be appropriated for possible mailings, or for more public information.

The Town Board needs to work on the Employee Handbook. The date for this will be Monday, November 12, 2007 at the Town Hall.

Supv. Barber brought up the Bond Resolution for the Board to vote on tonight. This Resolution is the money needed to borrow for the Town Hall Annex. There will be a Permissive Referendum held for this. The Town Clerk will need to post this in the Ithaca Journal 30 days prior to it.

Resolution 11-1 of 2007

Bond resolution of the town board of the Town of Caroline, Tompkins County, New York (the "Town"), authorizing certain renovations to be undertaken to convert the former Midnight Sun building into a town hall annex; estimating that the total cost thereof is \$300,000; appropriating said amount therefor; and authorizing the issuance of up to \$250,000 in serial bonds of the town to finance said appropriation

WHEREAS, the Town Board of the Town of Caroline (the "Town Board") is considering the authorization of certain renovations, additions and improvements to an existing building owned by the Town (and known as the former Midnight Sun building) located on a parcel of land immediately adjacent to the Caroline Town Hall, including roof reconstruction, truss repairs, mold remediation, repairs and renovations to walls and floors, replacement and/or upgrading of HVAC systems, electrical systems and plumbing and sewage systems, site development, landscaping, related site-work improvements, original furnishings, fixtures and equipment, and other incidental and appurtenant improvements, items and services required for the purposes of creating an approximately 2,400 square-foot Town Hall Annex which will provide storage space, office space and a community library (collectively, the "Project"); and

WHEREAS, the Town Board of the Town, acting as lead agency under the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation adopted thereunder (collectively, "SEQRA"), by Resolution 10-8 of 2007 previously adopted by the Town Board, determined that the Project is a "Type II" action within the meaning of SEQRA, and that it will not have a significant impact on the environment, and that no further actions or proceedings are required to be taken under SEQRA; and

WHEREAS, the Town Board of the Town now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds or bond anticipation notes to finance said appropriation.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF CAROLINE, TOMPKINS COUNTY, NEW YORK (the "Town") HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to undertake certain renovations, additions and improvements to an existing building owned by the Town (and known as the former Midnight Sun building) located on a parcel of land immediately adjacent to the Caroline Town Hall, including roof reconstruction, truss repairs, mold remediation, repairs and renovations to walls and floors, replacement and/or upgrading of HVAC systems, electrical systems and plumbing and sewage systems, site development, landscaping, related site-work improvements, original furnishings, fixtures and equipment, and other incidental and appurtenant improvements, items and services required for the purposes of creating an approximately 2,400 square-foot Town Hall Annex which will provide storage space, office space and a community library (collectively, the "Project"), and is hereby authorized to issue up to \$250,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the Project and to expend \$50,000 from the Town's current funds.

SECTION 2. It is hereby determined that the estimated maximum aggregate cost of the aforesaid specific object or purpose is \$300,000, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of the issuance of up to \$250,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), or bond anticipation notes issued in anticipation of the Bonds, and the expenditure of \$50,000 from the Town's current funds.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned specific objects or purposes is ten (10) years, pursuant to subdivision a.12.(a)(3).

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to subdivision d.9. of Section 107.00 of the Law.

SECTION 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in Section 1 of this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 2 of this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 6. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Section 2 of this resolution.

SECTION 7. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 8. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town (the "Town Supervisor"). Further, the power to issue and sell bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law is hereby delegated to the Town Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of the Local Finance Law. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 9. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax

purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as **A**qualified tax-exempt bonds in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Town Board.

SECTION 11. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Seven of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to post and publish a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in a newspaper which is designated as the official newspaper of the Town for such purpose.

SECTION 12. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval. As soon as reasonably possible after the date that this resolution takes effect, the Town Clerk is hereby authorized and directed to cause a copy of this resolution to be published in full in a newspaper which is designated as the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

SECTION 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

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

AGENDA

- 1) Appointment of Town Board Member
- 2) Adoption of 2008 Budget
- 3) Introduce Local Law for Regulation of Illicit Discharge to Storm Water System
- 4) Resolution in Support of County wide Public water and Sewer study
- 5) Resolution to Continue Caroline's participation in Drug and Alcohol Consortium
- 6) SPCA 2008 Contract

The Meeting adjourned at 9:59 PM.

November 8, 2007

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Respectfully Submitted,

Mary Clark Walls
Deputy Town Clerk