

Town of Caroline Town Board Minutes

January 8, 2008

The regular meeting of the Town Board of the Town of Caroline held on January 8, 2008 at the Town Hall was called to order by Supervisor Don Barber at 7:00 p.m.

Present:

Don Barber, Town Supervisor
Toby McDonald, Councilman
Pete Hoyt, Councilman
Dominic Frongillo, Councilman
Linda Adams, Councilwoman

Recording

Secretary: Debra DeAugustine, Town Clerk

Presentation US Postal Service

Donna Marotto discussed the relocation of post office in Slaterville. 30-day comment period follows. First step is to look at existing buildings, if can't find one, will look for sites. She will advertise for sites and work with a committee to choose. Committee will include current postmaster, architects, engineers, etc. They want 770 square feet and a 20-year lease, during which they pay taxes. USPS will either do the interior work themselves or have locals build to spec. Current building coming down due to poor structural integrity. Preferred area is within hamlet limits. She encouraged anyone with comments to write or call her.

Privilege of the Floor

Duane Scott: Representing rural students at Ithaca High in committees with school and justice department; several community forums coming up, and they're looking to see changes in the ICSD. Need stakeholders willing to sign on and make a commitment to work toward change. Would like the Town Board to make a commitment that they're willing to stand with committee. Mr. Barber and Mr. Frongillo have been involved, but would like a commitment from the board. Our kids have parallel issues with the urban kids, but thus far haven't had a voice. Mr. Barber requested wording in the form of a resolution or something for board to work with (attached).

Kathleen Quinlan: stands in support of the trails resolution in front of the board tonight.

Department, Committee, & Liaison Reports

Highway Superintendent

Ms. Whittaker is on jury duty. Mr. McDonald reported for her. Just came off the ice storm of last week. Need for washbasin (catch basin under vehicles when they're washed so waste that comes off vehicles can be contained instead of just running off into parking lot) need to move forward to comply by July. Mr Barber mentioned that we discussed this last year, and will have difficulty complying. Report Sharon Anderson did is available. Ms. Adams mentioned she'll be meeting with Sharon this month and will get the information.

Supervisor's Report

Correspondence of Note:

1. Notice from SEMO that they have sent both Barille II and Valley Road projects off to FEMA with recommendation for approval

Report:

1. GOSC- We have received a phone call that a Foreclosure of a Property in the pipeline has been averted. If true, project will go ahead
2. Council of Gov'ts – Health Care Consortium, Dog Control on agenda 1/24/08
3. SPCA and contract: Any one interested in representing Town with these negotiations? SPCA came up with one-time funding from donation, letting us go through 2008 with a 50% increase instead of higher
4. Laberge will be sending a notice releasing us from our contract with them for Planning Services
5. Spoke with both Barry Goodrich and Steve Nicholson about serving as co-chairs of the Annex Design phase and both agreed. First meeting will be 9 am January 14th; will
6. TCMOA meeting 1/15/08, Manos 7 pm, organization might be dissolving
7. Association of Towns Resolutions; Don handed copies out; will want to discuss at next meeting
8. Audit of town functions, 1/19/08

Frank Proto, County Legislator

1. New TCAT contract with new provider
2. Board of Health: fee structure of Bolton Point; shortfall will be made up out of property taxes, even those not on public water supply. BOH may have to approach the state about a per capita tax instead
3. Contract with SPCA
4. Health Dept building: not finalized to move entire operation to up by airport
5. Nursing home: seems that Lakeside might survive
6. Ag assessments due no later than April 1st; Mr. Proto would be happy to help
7. Water resources council will meet again with Cornell about Lakesource cooling

Dominic Frongillo

Website: Katy will get to minutes as soon as she can; does not have access to Web where she lives.

Planning Board: will now work with TC planning department instead of Laberge

Rec Partnership comprised of 11 municipalities, kids can participate at a reduced cost; in process of creating a new work plan for the next 5 years

EIC: Erica Freney gave a proposal from EIC for the town to have an energy audit (attached)

Action Topics**Transfers****Transfer of Funds**

A motion was made by Supervisor Barber and seconded by Councilman McDonald to authorize the following transfer:

- \$ 517.00 from Highway Fund Account DA 5130.4 Machinery CE to Highway Fund Account DA 5140.1 Misc PS
- \$ 1,095.00 from Highway Fund Account DA 5142.1 Snow and Ice PS to Highway Fund Account DA 5140.111 Sick/Holiday/Vacation
- \$ 371.00 from Highway Fund Account DA 5142.4 Snow and Ice CE to Highway Fund Account DA 5142.11 Snow and Ice PS (OT)
- \$ 18.00 from Highway Fund Account DA 5640.4 Transportation CE to Highway Fund Account DA 5142.11 Snow and Ice PS (OT)
- \$ 335.00 from Highway Fund Account DA 5142.1 Snow and Ice PS to Highway Fund Account DA 5140.1 Misc PS
- \$ 62.00 from Highway Fund Account DA 5142.1 Snow and Ice PS to Highway Fund Account DA 9030.8 Social Security

Approval of Abstracts

Approval of General Fund Abstract

A motion was made by Supervisor Barber and seconded by Councilwoman Frongillo to approve payment for the General Fund voucher numbers 1 through 24 in the amount of \$66,687.64.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Approval of Highway Fund Abstract

A motion was made by Supervisor Barber and seconded by Councilwoman Adams to approve payment for the Highway Fund voucher numbers 1 through 24 in the amount of \$69,554.77.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Approval of Streetlight Fund Abstract

A motion was made by Supervisor Barber and seconded by Councilman McDonald to approve payment for the Streetlight Fund voucher number 1 in the amount of \$453.37

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Approval of Community Development Fund Abstract

A motion was made by Supervisor Barber and seconded by Councilman Frongillo to approve payment for the Streetlight Fund voucher number 1 in the amount of \$2,224.50.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Approval of Fire Protection Abstract

A motion was made by Supervisor Barber and seconded by Councilman Frongillo to approve payment for the Streetlight Fund voucher number 1 in the amount of \$8,299.00.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Minutes

Approval of Minutes from December 28, 2007

A motion was made by Supervisor Barber and seconded by Councilman Hoyt to accept the minutes of December 28, 2007 as submitted by the town clerk.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Approval of Minutes from January 2, 2008

A motion was made by Supervisor Barber and seconded by Councilwoman Adams to accept the minutes of January 2, 2008 as submitted by the town clerk.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Town Business

Introduce Draft Local Law

A Local Law of the Town of Caroline, State of New York, Providing for a Partial Tax Exemption for Real Property Owned by Persons with Disabilities Whose Incomes Are Limited by Reason of Such Disability

Section 2 of Local Law No. 5 of the year 2000 of the Town of Caroline entitled "A Local Law of the Town of Caroline, State of New York, Providing for a Partial Tax Exemption for Real Property Owned by Persons with Disabilities Whose Incomes Are Limited by Reason of Such Disability," as amended by Local Law No. 3 of the year 2002, and further amended by Local Law No. 1 of 2004.

Real property located in the Town of Caroline owned by one or more persons, each of whom is disabled and whose income is limited by reason of such disability, or real property owned by husband and wife or siblings, one of whom is disabled and whose income is limited by reason of such disability, shall be partially exempt from taxation by said Town for the applicable taxes specified in Section 459-c based upon the income of the

owner or combined income of the owners. Such partial exemption shall be to the extent set forth in the schedule following.

Annual Income	Percentage assessed valuation exempt from taxation
Less than or equal to \$27,000	50%
Equal to or more than 27,001 but less than 28,000	45%
Equal to or more than \$28,000 but less than \$29,000	40%
Equal to or more than \$29,000 but less than \$30,000	35%
Equal to or more than \$30,000 but less than \$30,900	30%
Equal to or more than \$30,900 but less than \$31,800	25%
Equal to or more than \$31,800 but less than \$32,700	20%
Equal to or more than \$32,700 but less than \$33,600	15%
Equal to or more than \$33,600 but less than \$34,500	10%
Equal to or more than \$34,500 but less than \$35,400	5%
Equal to or more than \$35,400	0%

This local law shall take effect upon filing with the Secretary of State and for assessment rolls prepared after such effective date.

Resolutions

Resolution 1-33 of 2008

Support for Coddington Trail Initiative by the Natural Areas and Trails Working Group

By Supervisor Barber; Seconded by Councilman Frongillo

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

WHEREAS, "Open space enriches our lives and adds ecological, social and economic value to our community. Caroline's open space encompasses many different areas of the landscape that have not been built over, including.... pathways and trails... Protecting and enhancing open spaces provides value for residents and is an essential ingredient of quality of life in Caroline" (*Comprehensive Plan for the Town of Caroline*, 2006, p. 11); and

WHEREAS: Trails provide an important recreational outlet and stated goals of this plan include, "Preservation of existing protected open space, and pursuit of additional opportunities for public open space and recreational amenities, particularly close to population centers." (*Comprehensive Plan for the Town of Caroline*, 2006, p. 10); and

WHEREAS, Trails built to bicycle riding standards provide alternative commuter routes, reducing traffic on local roads; and

WHEREAS, Trails support the public health of communities by providing opportunities for residents to engage in physical exercise; and

WHEREAS, stated goals of the Town of Caroline Comprehensive plan include establishing "Pedestrian ways and bikeways between Slaterville, Brooktondale, and Ithaca, especially the Coddington, Six Mile Creek, and Besemer trails." (*Comprehensive Plan for the Town of Caroline*, 2006, p. 13); and

WHEREAS, one of the "nine main approaches, which over the next five years will move Caroline toward fulfilling the Comprehensive Plan's goals" includes "Establish the Natural Areas and Trails Group", charged to "Develop pedestrian trails and bikeways between Slaterville, Brooktondale and Ithaca. The first priority of this group and a reasonable five year goal will be to secure an easement for the Coddington Trail that will connect Brooktondale, along the old railway bed, to the South Hill Recreation Way at Burns Road, locate funding and begin construction." (*Comprehensive Plan for the Town of Caroline*, 2006, p. 23); and

WHEREAS, the Natural Areas and Trails Group was convened in April 2007 by Kathleen M. Quinlan, a former *Planning Board* member, at the request of the *Planning Board*; and

WHEREAS this group of ten citizens has the long term vision of establishing a trail/path extending the South Hill Recreation Way through Caroline to Owego along the former Lackawanna Railroad bed, with a trail spur that connects to the hamlet of Brooktondale along a route yet to be determined) and has accomplished the following relevant background work during the spring, summer and fall of 2007:

1. Met six times for discussion and planning;
2. Hosted the following invited speakers to learn of the history of successful trail establishment in Tompkins County, specifically focusing on background information to understand the issues involved with establishing the South Hill Recreation Way:
 - George Franz, project manager during the planning and construction of Ithaca's South Hill Recreation Way
 - Rich Schoch, Park Maintenance Manager, Town of Ithaca Public Works Department (in charge of maintenance for Ithaca's South Hill Recreation Way)
 - Fernando De Aragón, Executive Director, Ithaca-Tompkins County Transportation Council (ITCTC)
3. Attended several related meetings, including the May 2007 Southern Tier Trails conference;
4. Has had informal conversations with others in Tompkins County with experience related to trail development;
5. Has walked two specific sections of the proposed path (Banks Road to Burns Road, and Burns Road to Middaugh Road) (led by an individual with permission to access the property);
6. Has determined that this extension runs through four Towns in Tompkins County (Ithaca, Dryden, Danby and Caroline);
7. Has determined that this extension would provide a valuable bicycle commuter link between the Town of Caroline and the City of Ithaca, if construction to the bicycle path design standards of the American Association of State Highway and Transportation Officials (AASHTO) were completed;
8. Has determined that the segment between Burns Road and Banks Road could link to the west edge of the Hamlet of Brooktondale and is highest priority for bicycle- standard construction; that the segment from Banks Road to Beaver Creek would significantly enhance bicycle accessibility from the hamlet of Brooktondale by bringing the trailhead closer to the center of the hamlet, although construction would be much more costly along this second section due to current trail conditions.
9. Has determined that the extension overlaps the Finger Lakes Trail east of Ridgeway Road, providing a link between the Finger Lakes Trail (and, in turn, Shindagin Hollow State Forest and Hammond Hill State Forest) and the City of Ithaca;
10. Has determined that the land along the proposed extension belongs to New York State Electric and Gas (NYSEG);
11. Had determined that neighboring landowners will need to be involved in discussions early in the trail planning process;
12. Has determined that this trail is not currently on the Tompkins County Planning map for trail development within Tompkins County;
13. Has determined that county grants are available for a feasibility study if a trail is on the Ithaca Tompkins County Transportation Planning map for trail development;
14. Has determined that putting the trail on the Ithaca Tompkins County Transportation Council Planning map requires a formal request from the affected towns (Ithaca, Dryden, Danby and Caroline);
15. Has determined that there are at least two options for grants for trail construction to a bicycle standard, with anticipated deadlines of June 2008 and September, annually;
16. Has determined that a requisite for success in winning state and federal grant applications for funds for trail construction is that a right of way for trail use be established before grants are awarded;
17. Has determined that a requisite for success in winning state and federal grant applications for trail construction is inclusion in relevant government plans.

WHEREAS the *Natural Areas and Trails and Working Group* has presented the background of their work to the *Town of Caroline Planning Board* on December specifically outlining their long and short term goals, as well as specific challenges associated with this project (6, 10, 12 in particular, above); and

WHEREAS *The Town of Caroline Planning Board* unanimously endorsed the resolution that:

1. The Town of Caroline be the governmental agency providing leadership and momentum for this project;
2. That the initial steps be:
 - a. Coordination with the three other affected towns (Dryden, Danby and Ithaca) to make a formal request to the Ithaca Tompkins County Transportation Council that the extension of the South Hill Recreation Way along the former railroad bed be included on the Tompkins County Transportation Planning map and be granted feasibility study funding for the trail segment from Burns Road to Banks Road.
 - b. Negotiations with NYSEG for a right of way for the entire length currently under their domain in Tompkins County; and
3. That a member of the Caroline Town Board, separate from the liaison to the Planning Board, be appointed with the responsibility to act on the Town's behalf, and speak for the Town Board, in this coordination with other Towns, the County, and NYSEG, working in close association with citizens of the *Natural Areas and Trails Working Group*;
4. That the pace of negotiations be such that it is realistic for the *Natural Areas and Trails Working Group* to apply for state grant funding for construction with a June 2008 deadline.

WHEREAS the Caroline Town Board received an oral presentation on the background to this project and its goals at the December 2007 board meeting, now therefore let it be

RESOLVED, that The Town of Caroline be the lead agency in providing direction and momentum for this project, acting with the *Natural Areas and Trails Working Group* to establish shared goals with the Towns of Ithaca, Dryden and Danby in the establishment of an extension to the South Hill Recreation Parkway to the hamlet of Brooktondale;

And Be It Further Resolved that Linda Adams, a member of the Caroline Town Board, has the responsibility to conduct negotiations and discussions on behalf of the Caroline Town Board with the *Natural Areas and Trails Working Group*, other Towns, the County, NYSEG, and landowners in a timely manner so that the Town Board can apply for state or federal grant funding with a June 2008 deadline.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Discussion: Trails are owned by NYSEG. Must get permission from property owners for right of way to access trail. This resolution enables someone from the town to negotiate with NYSEG; trails group can't make a commitment on behalf of the town since the board is the legal entity. Town of Ithaca and Black Diamond Trail have agreements with NYSEG. Ms. Adams offered to lead negotiations.

Resolution 1-34 of 2008

Rescind resolution 1-28 of 2008, typist hourly rate

By Supervisor Barber; Seconded by Councilman Frongillo

RESOLVED, the Caroline town board will pay the typist highway assistant \$10.82 per hour.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Resolution 1-35 of 2008

Set Public Hearing for Draft Local Law Providing for Tax Exemptions for Persons with Disabilities

By Councilman Frongillo; Seconded by Councilwoman Adams

RESOLVED, the Caroline town board will hold a public hearing to hear comments on this proposed law on February 5, 2008 at 7 p.m. at the Caroline Town Hall.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Resolution 1-36 of 2008
Senior tax exemption

By Supervisor Barber; Seconded by Councilman Frongillo

Whereas, Real Property Tax Law Section 467 allows municipalities the authority to create partial tax exemption for real property owned by senior citizens 65 years of age and older, and

Whereas, the Town of Caroline is currently granting that exemption to its seniors, and

Whereas, Real Property Tax Law Section 467 has been amended by NYS to have higher income limits than are currently allowed by the Town of Caroline, now therefore be it

RESOLVED, that this resolution supersedes any previous resolution establishing income limits for citizens 65 years of age and older as follows:

Annual Income	Percentage assessed valuation exempt from taxation
Less than or equal to \$27,000	50%
Equal to or more than 27,001 but less than 28,000	45%
Equal to or more than \$28,000 but less than \$29,000	40%
Equal to or more than \$29,000 but less than \$30,000	35%
Equal to or more than \$30,000 but less than \$30,900	30%
Equal to or more than \$30,900 but less than \$31,800	25%
Equal to or more than \$31,800 but less than \$32,700	20%
Equal to or more than \$32,700 but less than \$33,600	15%
Equal to or more than \$33,600 but less than \$34,500	10%
Equal to or more than \$34,500 but less than \$35,400	5%
Equal to or more than \$35,400	0%

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Resolution 1-37 of 2008
Authorize signature form for Small Cities drawdown requests

By Supervisor Barber; Seconded by Councilwoman Adams

RESOLVED, the town board appoints Dominic Frongillo to have authorization signature for the Office for Small Cities Drawdown Requests.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Resolution 1-38 of 2008
Contract with Slaterville Ambulance

By Supervisor Barber; Seconded by Councilman Hoyt

RESOLVED, the town board authorizes the supervisor to sign the contract with Slaterville Ambulance through December 31, 2009.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Resolution 1-39 of 2008
Contract with Thaler and Thaler

By Supervisor Barber; Seconded by Councilman McDonald

RESOLVED, the town board authorizes the supervisor to sign the agreement for legal representation with Guy Krogh of Thaler and Thaler through December 31, 2008.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Resolution 1-40 of 2008

Agreement for Cooperative Procurement for Workers Comp with Slaterville Fire Company

By Supervisor Barber; Seconded by Councilman Hoyt

RESOLVED, the town board authorizes the supervisor to sign the agreement for cooperative procurement and reimbursement of insurance premiums.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Resolution 1-41 of 2008

Rescind resolution 11-1 of 2007, Bond Resolution of Town Hall Annex

By Councilman McDonald; Seconded by Councilman Hoyt

RESOLVED, the town rescinds ...

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Discussion: petitioners want project halted, reorganized, reformulate, then move forward. No one questions need for space or for the project, but would like to look at not using the old Midnight sun building and would like to look at cost, siting of building.

Resolution 1-42 of 2008

Monthly Abstract

By Supervisor Barber; Seconded by Councilman McDonald

RESOLVED, the town clerk will have the monthly abstract ready the Friday before the business meeting.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Adjourn

On a motion, the meeting adjourned at 9:45 p.m.

Respectfully Submitted,

Debra DeAugustine, Town Clerk