

## **Caroline Town Board Minutes, July 8, 2008**

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

### **Present:**

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

### **Recording**

**Secretary:** Debra DeAugustine, Town Clerk

### **Public Hearing**

#### **Regarding use of public funds for housing rehabilitation for a public official**

Mr. Barber opened the public hearing at 7 pm. He explained that one of our town employees, the deputy clerk, received funds from the grant. He read the law, and explained that she is not an exercise of decisions. Only the oversight committee, consisting of the supervisors plus two citizens and Frank Proto, the county legislator, plus the representative from Better Housing exercise decisions regarding expenditure of grant funds. Meetings of the oversight committee are held at Better Housing and minutes are not kept at Town Hall. They thought it fair to provide assistance to this person.

Mr. Barber asked for comments from those present.

Rich Anderson of Brooktondale Road sees no conflict of interest since there's clear separation.

Mr. Frongillo: any preference given since she's deputy? Response: No, the names are drawn in chronological order.

Hearing no other public comments, Mr. Barber closed the public hearing at 7: 04 p.m.

### **Caroline Seniors**

Bob & Ruth Larry, representing travel committee. Three trips planned for this year, one of which is already done (cost \$500); another in July to Fairport, and the other to Merry Go Round Theatre. Started with \$1000 in fund for bus travel. Three trips come to \$1800; asking for another \$800. Have 45 people signed up for Fairport trip. Can only get 40 tickets to Merry Go Round Theatre. Seniors pay for their own tickets and meals.

Mr. Barber: town has paid for expenditure in the past; cost of fuel has gone up. It's been several years since seniors have gone on a trip.

Mr. McDonald: what other options do you have for revenue? Mr. Larry: none. We have a dinner once per month; put \$1 in per person to pay for rent on BCC and for coffee. Only other revenue we have for Fairport trip is a few people from Lansing and Newfield will provide extra \$5 per person.

Ms. Adams: why no trips previous two years? Mr. Larry: no one volunteered to chair the committee.

Mr. McDonald: how many attendees from outside town of Caroline? Mr. Larry: 15. Mr. Barber: we have reciprocal arrangement; our seniors go on other trips in other towns. Mr. Larry: some people belong to several senior groups.

Edward Meyers: any money left over from previous years that they did not use? Mr. Barber: money came back to the town coffers and we use it to lower tax rate.

Pat Brhel (BCC): they don't really pay rent; it's a donation and they've been very generous.

Mr. Barber: we'll deal with it later on in the meeting (see Transfers)

## Privilege of the Floor

Rich Anderson, 476 Brooktondale Rd: spoke in support of Coddington trail initiative. Provided handout. Family is outdoor enthusiasts. Interested to hear about the trail initiative. Understands it would extend South Hill Trail to Tioga county line, and that NYSEG has right of way on part they own. Thinks it would be a wonderful thing for Town of Caroline; gas going through the roof, I could ride my bike safely to work. Have read that there's been opposition, and we have to listen to those folks and their point of view; their concerns have to be taken into account. Some concerns are vandalism, theft, litter, drug use. Believe these concerns could be addressed and mitigated through signage, design of the trail. I use South Hill Trail and see little of that; people are very responsible of their use of the trail. Other trail users keep a look out and pick up litter and dog droppings, etc. This is a beautiful area out here, but there aren't a lot of public opportunities to use the land other than Shindagin. This would be one way to allow residents to use lands without leaving town. Also very much in support of the Town Hall annex; being done in a very responsible way, using town employees to keep costs down, recycling building materials. Other thing, living in B'dale, I've gone thru 3 or 4 cell phone providers and can't get coverage in B'dale. wanted to know if anything could be done about it.

Joe Scaglione: thanks for speech on way trail can be good for him. Brought 600 pages on problems on trails throughout the country. Have lots of equipment that's valuable, and trail runs 15 feet from my buildings. Knows people who use it and we have no problems with it. NYSEG told landowners to use it as their own property. Left the 600 pages but would like them back.

Robert Wilcox: if you saw a motorized vehicle you'd report it immediately? My children have used it for years for bikes and snowmobiles. Reason he's opposed is because of constraints would be put on it for folks who have had a non-contractual agreement from NYSEG. If landowner does not want rec vehicle going thru, they'd post it; otherwise they'd get agreements from the landowners and towns. Ms. Adams: you mentioned that NYSEG had put up barriers and signage and that fixed the issue, so signage worked. Mr. Wilcox: NYSEG didn't have a problem, it was the people who owned adjacent land; they'd discuss it with the landowner and address it. In certain places, you have to go out and around.

David Carr: went thru this scenario in the early 80s about the bike trail in south hill. Was opposed to the bike trail and it encroached on landowners . 6 of them hired an atty to oppose it. My son was robbed of \$15,000 worth of property, including guns, cash, jewelry; trail was used as a means of egress. Neighbor's house has been robbed, his house has been robbed. Does not see viable solution for public access to railroad bed. We have a different environment: fields being worked by farmers, hunting, 4 wheelers, snowmobilers. I don't think we need to infringe on landowners in this rural area. Question: who's going to pay for it, who's going to maintain it? On White Church, we'd have to bear costs. IC, Cornell, unload vans of kids by my property, it's an invasion of privacy, they go off the trail.

Sara Myers, Caroline Depot Road: wants to support Mr. Carr's comments; total opposition. Privacy would be gone.

Robert Wilcox: Dave and I belong to a hunting club that is posted along the trail; how would trail handle that?

## Department, Committee, & Liaison Reports

### Highway Superintendent

Mr. McDonald reported for Cindy Whittaker:

- Changing highway superintendent and town clerk to 4 year terms: Steve Dewitt of the Board of Elections says that it is not a possibility for the next election because board must pass a resolution 150 days before biennial election
- Ridgeway rd completed; Level Green road been repaved.

### Supervisor's Report

Correspondence

- Letter from USPS – they received 1 proposal at 2706 Slaterville Road for new PO space

- Letter from SEMO appealing FEMA decision not to fund Barrile II project – found data showing that excavation at Buffalo Road in the order of 4' to 6' was enough to allow aquifer to discharge to the surface – there are pools at the bridge that are 3' to 4' deep now

#### Report

1. Valley Road streambank stabilization project. TG Miller has met with both Army Corps to begin permitting process; DEC will happen soon. Frank Proto wondered if the tentative design plans were available. Mr. Barber: I can make them available.
2. Council of Governments: dog control contract is bug topic; RFP sent out Monday 7/7
3. TCAT park & ride: Brooktondale Baptist would like to enter into discussions
4. Gas Drilling land men and contracts again. Much concern about process and lack of oversight by DEC. Mr. Frongillo noted that Cooperative Extension will hold information session next Tuesday.

#### **Frank Proto, County Legislator**

Handed out a newspaper put out by the County highlighting the projects in county, including comm towers and TCAT. Have reduced fares during off-peak hours during July and August. Wasn't sure if posted at the bus shelters. (Mr. Hoyt noted that it's posted on the buses.) TCAT hit 3 million riders the last 2 years in a row

Board of Health meeting: revisions to sanitary code dealing with water well program. Item did not move forward because of concern of cost to homeowner. Budget reflects this program, but might be pulled. Also takes 6 months for well logs by well drillers to become available to Health Dept. There are regs already in place requiring town code inspectors to comply with a similar program. Communication is not taking place between well driller, contractor, and code enforcement officer. Does not involve subdivisions because in those cases, plans already have to be brought to Health Dept for review. Some are complying and some are not. Ought to make an attempt to work with existing infrastructure without spending the additional \$64,000+ on an additional regulation. Mr. Barber: code enforcement officer in perfect place to coordinate that communication. Kevin Ezell in Dryden brings them together and coordinates their education program. DOH and DEC have already distributed info to code enforcement officers.

Budget impact: trying to keep at no more than 3% increase in tax levy

Cayuga Lake monitoring plan: sponsored moving this forward. Redundancy in areas and may be way to save money, but we are not proposing abandoning these sites. Approx \$100,000 Cornell may save by not monitoring those sites is a drop in the bucket when looking at a cost of over a million dollars.

Harford Road bridge: Negotiated right of way and a bypass with the landowner; work started today. Shortened the number of weeks by 2 weeks. Don deserves thanks for helping to bring this thing forward.

Banks Road bridge will start probably in August. All funding in place. Share equip from Harford Road bridge since it's already there.

Dog control: municipality is responsible for dog portion; county is responsible for the cruelty portion. Under this piece, SPCA often has to house the animals, which is the county portion; includes feral cats, only includes cruelty to dogs. Dog control contract is important piece to county.

#### **Dominic Frongillo**

Web site: can do a soft launch by end of month; will go live, but without official announcement.

#### **Linda Adams**

Watershed meeting 7/15 at Town Hall, 7 pm. Speaker will talk about wetlands and changes at federal level.

#### **Toby McDonald**

Office building: copy of spec for the board. Would like feedback prior to next committee meeting, July 21. Looking for guidance from the board as to how to proceed Mr. Barber: would like to see architect's stamp since building needs that; no sense in bidding without or will have to bid twice. Mr. McDonald: chose modular structure since anything from a modular builder comes with stamped plans. Person on committee is very well versed in modular construction and feels this spec is sufficient to get proposals. Committee wants to

finalize specs after getting feedback from board, and get it out. Mr. Barber: required to post it; can identify list of preferred bidders.

## Transfers

By Mr. Barber; Seconded by Mr. Frongillo

\$1000.00	from General Account A1410.101 Deputy Clerk PS to General Fund Account A1410.4 Clerk CE
\$23.00	from General Account A7510.4 Historian CE to General Fund Account A7510.410 Historical Room CE
\$2013.00	from Highway Fund Account DA5110.4 Repairs CE to Highway Fund Account DA 5112.2 Improvements Capital

**Passed** Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

By Mr. Barber; Seconded by Mr. Frongillo

\$850.00	from A1990.4 Contingency CE to A7610.4 Senior Citizens CE
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**Passed** Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

Discussion: Mr. Hoyt: disagrees with adding funding to senior activities. Mr. McDonald: we've given funding in past. Mr. Barber: in past they've stayed in budget, and this year fuel has gone up. Mr. McDonald: I can go along since they've returned money in past that they have not used. Mr. Hoyt: how did town get into funding senior citizens? Mr. McDonald: we fund youth. Mr. Barber: both youth and seniors have been in budget since I started. Unused money went back into fund balance. Few years back we had a contract with them to use a specific amount, but since there has been no chairman, had no contract. Youth has a contract, mixing county, state and town funds. Amount budgeted for youth last year was \$11,000; this includes Rec Partnership. Ms. Adams: caught in a change of committee. Can we still have a contract? Mr. Barber: Yes. Mr. Frongillo: open to all Caroline seniors? Yes. Agrees with sentiments, and thinks we should be looking at grant opportunities.

## Abstracts

### Approval of General Fund Abstract

A motion was made by Mr. Frongillo and seconded by Mr. McDonald to approve payment for the General Fund voucher numbers 214 through 242 in the amount of \$6548.53.

**Passed** Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

### Approval of Highway Fund Abstract

A motion was made by Mr. McDonald and seconded by Ms. Adams to approve payment for the Highway Fund voucher numbers 148 through 170 in the amount of \$167,051.95.

**Passed** Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

### Approval of Streetlight Fund Abstract

A motion was made by Mr. Barber and seconded by Mr. Frongillo to approve payment for the Streetlight Fund voucher numbers 12 in the amount of \$413.01.

**Passed** Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

## Minutes

### Minutes of June 3, 2008

A motion was made by Mr. Barber and seconded by Mr. Frongillo to accept the minutes of June 3 as submitted by the town clerk.

**Passed** Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

**Minutes of June 10, 2008**

A motion was made by Mr. Frongillo and seconded by Mr. McDonald to accept the minutes of June 10 as submitted by the town clerk.

**Passed** Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Aye

**Town Business****Dog Control**

Council of Governments has put out an RFP. Groton already with outfit in Homer (Country Acres); Lansing making change. Rep from Homer came in and talked to clerk several months ago. Whole county does not have to go with the same outfit. Makes sense from the county standpoint if all towns go with the same service provider.

Ms. Adams: can suppliers of service choose to serve some towns and not others?

Mr. Barber: RFP put out by county, but they don't have control over it; each town has their own contract.

Mr. McDonald: currently paying SPCA over \$914 monthly; last month they picked up only one dog.

Mr. Barber: they do other things, too, but valid point. Right now, private donations are picking up the difference between what they charged last year and this year. Price will go up.

Mr. McDonald: their costs are their own business; we need to decide if the services we get are worth what we pay. Any time there's a void in the market place, someone steps in to fill it. We need to decide who will provide the best value.

Mr. Barber: last year, push back from public because of SPCA's no-kill policy; policy does not go away if we go with another provider. We have to make arrangements for that. (Passed out statistics from Groton.) Bidders have to respond by end of July. Contract includes only dog control, not the county part

Mr. Proto: county looking at cruelty piece. Impoundment of these cruelty cases costs quite a bit; could be that it exceeds what the county budgets, and the SPCA has to eat that cost. They've agreed to provide a service at a certain cost; if the service exceeds the contracted amount, the SPCA loses money; or vice versa.

Mr. Hoyt: will anyone get hurt if we separate the control function from cruelty function? If Country Acres can provide it cheaper, any reason not to go with them?

Mr. Barber: last year paid \$7000 to SPCA and collected \$3500 in fees; roughly half.

Ms. Adams: when you ask suppliers for a look at their goods and services, it could actually help the SPCA.

Mr. Barber: we need to resolve this by October. Plans to visit Country Acres.

**Brooktondale Fire District boundary lines**

Mr. Barber: Number Pete received last week from Jay Franklin were bogus, and we're working on them now; he still has too much in the Brooktondale section. Some in the "red" zone are not paying fire protection tax. He has more numbers in the red area than are there. I'm sending the stuff to Jay in hard copy so he can plug in the actual properties. Has too much assessment in the red.

**Budget process**

Town Board members have to be thinking about their budgets; have a month to work on that, then supervisor puts it together into a total package. Then there's another month and a half to work out the budget. This is going to be a tough year to keep the levy down. If you have committees, it's time to start talking about it.

**HSBC**

Mr. Proto: bank would like to opportunity to look over the statements from the town to see if there's opportunity for increased income through increased interest. Talking as a member of the bank; does not earn any income from this.

## Resolutions

### **Resolution 7-2 of 2008 Speed Limit Change and Marking on Slaterville Road**

By Mr. Barber; Seconded by Mr. Frongillo

WHEREAS, there are a number of intersections on 2.5 mile stretch of NYS Route 79 between Slaterville Springs and Besemer, and

WHEREAS, there is a school zone with a speed limit reduction in this road section as well, and

WHEREAS, heading east on Rt. 79, the speed limit changes 5 times sometimes less than a quarter mile apart and heading west it changes 4 times in this road section, and

WHEREAS, heading east there is no marking for the end of the school zone, and

WHEREAS, Rt. 79 has seen increased truck traffic and the Governor has recommended a two pronged approach of rerouting and lowering speed limits to deal with this change, and

WHEREAS, members of the Caroline Town Board have received many complaints about this section of Rt. 79 about both unclear speed zones and excessive speed especially heading east as this is the last stretch of 55 mph before the approach to Ithaca, now therefore be it

RESOLVED, that the Caroline Town Board hereby requests that the Tompkins County Highway Manager notify NYS Department of Transportation the speed limit signs in the section of NYS Route 79 between Slaterville Springs and Besemer do not give clear direction nor enough time to alter speed to motorists on this section of road, and be it further

RESOLVED that the Caroline Town Board hereby requests that the Tompkins County Highway Manager request of the NYS Department of Transportation, in keeping with the Governor's proposal, the general speed limit in this section of Rt. 79 be set at 45 MPH except for the clearly marked school zone.

**Passed** Barber: Aye; Frongillo: Aye; Adams: Aye; McDonald: Aye; Hoyt: Nay

Discussion: Mr. Hoyt: Can't support change of speed limit. Mr. Frongillo: several comments today supporting this resolution. Residents brought up safety issue and several changes of speeds along that stretch of road. Mr. Barber: since our last petition of the state, governor has shown support. Tim Murray: major accident only last week.

## Adjourn

On a motion, the meeting adjourned at 9:13 p.m.

Respectfully Submitted,

Debra DeAugustine, Town Clerk