

Caroline Town Board Meeting Minutes of August 5, 2008

The regular meeting of the Caroline Town Board held in the Town Hall was called to order on August 5, 2008 at 7:02 p.m. by Deputy Supervisor Dominic Frongillo.

Attendance:

Dominic Frongillo, Councilman
Linda Adams, Councilwoman
Toby McDonald, Councilman
Pete Hoyt, Councilman

Recording

Secretary: Cindy Vicedomini, Deputy Town Clerk

Privilege of the Floor

Glenn Robertson: Supports the proposed trail and would like the whole feasibility study done. Would use the trail with his family. A lot of public education about the trail would go a long way. It could be multi use, and allow ATVs, snowmobiles.

Joe Scaglione: Indicated that it was an idiotic move if you do not like trail proposal, some people have said to put up a fence if you don't like it. He indicated that the Trail issue is being minimized by the group, proposed cost would be a lot, and doesn't think government has enough money, so a lot will come out of tax payers' pockets. Individuals are worried about security and overgrown trails. Many feel this is an invasion of privacy. Easement is nothing but a law, a privilege to cross property.

Linda Adams – NYSEG tells us that they own it, it is not an easement. Some people that have contacted me promised to have their lawyer review their deeds but none of these folks (adjacent land owners) have ever gotten back to me.

Robin Tilton - will go to court house and check out the ownership. NYSEG will not be selling easements. Town has gone through a rough time with the noise ordinance. A letters with 75 signatures was sent to send to board. I asked how many signatures to stop the trails issue and was told 25. This is taking away farm owners rights and privacy. Was told it would not impede on anyone rights. The board should have stepped up on the noise ordinance. We have spent time and money to get signatures. There is a political agenda. Their land, privacy and home, should not be taken away from them. As a board, this should not be considered.

Linda Adams: Adjacent Landowners were notified at the earliest possible time about the trail proposal. Order of notice, four municipalities, NYSEG, then the adjacent Land owners. Wants to keep the adjacent land owners involved.

Toby McDonald: The qualifier is the agreement and the ok of the adjacent property owners. If adjacent property owners do not want it, Property owners do not have to sign onto this project, it is critical for this to go forward to protect rights and owner's interests.

Pete Hoyt: If the approval by adjacent homeowners has to be in writing, why are we going forward?

Linda Adams: We do not know what the proposal is.

Pete Hoyt: wants approval in writing before this starts. This is not even a political issue anymore.

Linda Adams: NYSEG granted a letter of access in order to go forward to investigate the trail, but not to put the trail in.

Mary Arsenault: Addressed the board members privately, but not publically. Her property borders the railroad bed . It is a real threat to have the public that close to her horses. There is a liability issue, and concerned for the safety of her animals from malicious mischief and inadvertent problems. She has a stretch she mows that people park on, if damaged she is responsible for repair. Increase in traffic on rural roads. No place to park on Beaver Creek Rd., very narrow road to go to Burns road. Go on Saturday or Sunday and you will see.

Sarah Myers: Wants to express opposition, the trail is very close to their yard.

Joe Scaglione – NYSEG wants a liability policy.

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Dominic Frongillo – are we passing this along to the trail committee?

Linda Adams- yes, the minutes are very comprehensive, from the first two public information meetings and have been forwarded to the adjacent land owners.

Pete Hoyt: How much of a burden for people to be heard,

Linda Adams– support of the adjacent land owners? One of the things involved here is that some sections have much more support, then some of the sections that owners present here have.

Robin Tilton: The town must obtain written approval from all adjacent owners, they have to sign off

Linda Adams: for sections of it.

Unidentified man: reads a portion of letter from NYSEG emphasis on “all”. This keeps changing, it was proposed as a package deal. Now you are suggesting it is being done in pieces as a proposal. Difficult to deal with until there is a clear and definite proposal. One function of government is to protect. The minority has to be protected and they are the adjoining landowners. It is the majority pushing this. It is difficult to see how to get around this. And need a clear articulate proposal.

Scott Dean: Went around to get signatures – White Church to Meddaugh Roads. Area he knows and the land that is going to affect people the most. The people who really don’t want it have spoken and attended board meetings.

Unidentified woman: Where is the committee meeting, who is the committee. They are not doing their job, they have not brought anything back to the board, when it is 10 people who do not live by the trail

Eddie Myers: Can we get on the trails mailing list.

Linda Adams- Natural Area & Trails group – does not have any problem with people going to their meetings

Robin Tilton– She (Kathleen Quinlan) was very unapproachable, that is not the kind of person NAT should have representing them, not kind, acted like a child. They have not done anything, how much time do they get?

Linda Adams: Trails have taken 5 to 10 to 15 years to create. Spoke to NYSEG, they have a big file on the Lackawanna rail bed. Every year or two, someone is approaching NYSEG, why doesn't NYSEG do a trail. NYSEG says "we are not in the trail making business." The Lackawanna grade just keeps coming up on the radar screen, this is not new.

Toby McDonald: My stance on this is, it should be over, if folks don’t want it, it should be over.

Dominic Frongillo: the questions is: When does this board make a decision? The board makes a decision as a body. Waiting for the proposal of the committee, and have to vote as a whole. Has to feel the committee is moving along.

Pete Hoyt: Requires the approval of all landowners? Will folks change their minds.

Linda Adams: We owe it to the committee to look at their proposal. One delay has been the letter of access that needs the supervisor's signature. NAT has not been able to have a feasibility team go on the trail. At next week's meeting I will bring up a resolution to approve the letter of access.

Pete Hoyt: what is wrong with the logic.

Dominic Frongillo: is committed to the process and responsive to the system, and not being authoritative, would like to see a proposal sooner rather than later.

Pete Hoyt: It puts us to square zero.

Dominic Frongillo: proposal has not come to the board. They need to come forward

Linda Adams: Will introduce the resolution for a yea or nay for access on the trail for the opportunity to create proposal.

Unidentified woman: We do not want the trail, so they do not need to go forward.

Linda Adams: Letter of access is a key point in trying to mitigate the risks and issues folks raise.

Mary Arsenault: Nobody has approached us as to why do you oppose this, everyone would be happy to show

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them the problems. Trail goes within 50 feet of homes.

Robin [Tilton](#): We don't want to keep doing this, I want my town board to support me, the needs and wants of the community.

Joe Scaglione: Will extend personal invitation, to my property and show you the trail.

Unidentified [woman](#): Approving the access signature is one more piece that says the board is supporting them, and by doing that you are not supporting us.

[Toby McDonald](#): These people do not approve of this, does not say they have to disapprove of this, this is step one of the qualifiers – you will never get me to approve a letter of access, the only approval will be to get it out. We are wasting our time.

Linda [Adams](#): A group of volunteers earned an opportunity to do the work and have a proposal come forward.

Dominic Frongillo: Positions on all sides have been articulated. I suggest, this will not be resolved, it will be brought forward next week.

Annex Committee Report:

Barry Goodrich and [Steve Nicholson](#) presented proposal specs .

[Hundreds](#) of hours of volunteer work. Have come up with the very best proposal. We have septic approval, and have been granted to use the old septic. Now to construct the modular. It will be very much energy efficient. Specified in the Annex specs. People on committee are lead architects. Modular building is built in a factory we avoid 10% surcharge, than if stick built due to the wicks law. Saving money, modular construction is sustainable, flexibility, built to code. Once ordered it is built. Does not have to be a public bid, can send to who you want. If sent out to bid you have to take lowest bid. Check to see if there is a legal to post in the newspaper. Requirement that it must be modular. [Classified](#) as a small commercial building. And will be up to code, will be over built to survive the shipping.

Pete [Hoyt](#): does not see any problem with getting the RFP

May want to put in the newspaper for a proposal. – asking can you do it and how much will you do it for.

[Committee](#) – specifies everything. If proposed contractor cannot put in the specified brand, he has to explain what alternative and comparative quality. That same quality or better, as spelled out in the specs.

Want a low maintenance

Floor plan page 8 – no too changed from what the architect came up with . Bathroom handicapped accessible. Councilmen's office . Code enforcement office quite large . Clerk has no windows, records can only be accessible by the clerk. Everything handicapped accessible. May have to raise grade, will have a crawl space accessible through the utility room . NYSERDA has grants

Barry [Goodrich](#): need to send this out to bid. –

Steve [Nicholson](#): We should run this by a lawyer, Toby [McDonald](#) will run by Guy Krogh

Was sent to the two architects on the committee.

Department, Committee, & Liaison Reports

Dominic Frongillo, Town Board

Web site, is up and alive, went up today, www.townofcaroline.org. Look at it and give feedback – update [Current](#) board meetings need to be uploaded, Dominic will show Deb. Need a volunteer for Youth Partnership [committee](#) for the 4th Tuesday of every month, a 4:15 meeting. Pat [Brhel](#) volunteered.

Community WIND concept instead of developer coming in, the town or some entity, non-profit initiates. Interest in wind energy, what this company does and what their services are.

Linda Adams: Predominately in Urban areas, emerge energy website. Rural setting like us will be easier, need to make sure it is a match with the town of Caroline.

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Other Town Business

MEGA who we purchase electricity through notified that significant dip in electricity rate. Recommended to lock in the rate and wanted the board to approve.

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Budget sheets will be on the way. Budget process begins first part of September. Shows past to present.

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Dog Control

Toby McDonald: SPCA – dog control contract and the Country Acres in Homer as an alternative. Toby went there (as well as Pete) to see what it is about. Showed up unannounced. 28 miles from Toby’s house, approximately 40 minutes. Owned by Paul and Joyce Burhands. Granddaughter is shelter manager. Spent 30-40 minutes, in a converted dairy barn. AG and markets helped with her facility. They are in an expansion mode. 1. Enforcement for us, 2. Sheltering can do the shelter and transported to sheltering fee. Does adoption services. They do lots of municipalities. Questioning with enforcement. Recommend we have our own dog warden, have a couple of dog runs attached to the highway. If no one claims dog, it is taken to the Country Acres. Some towns hire a dog warden to cover a couple of town. The place looked very clean and very pleasant. It is not a no-kill facility. Also have a crematory. Do not appear anxious to put a dog down. Try to place the dogs in homes. Worth checking out to the next step. Seemed very honest, well set up. Would like to explore the possibility of a shared dog warden. 20 dog runs, plus adding on and remodeling. Now can hold 20 to 35 dogs. She indicated that they pay \$200 to \$300 per month for a dog warden. Distance is really an issue. If there is a significant cost savings. How many complaints and dogs at large. If much over \$500 for a dog warden, might as well stick with SPCA. Country Acres is well located to service Groton. They do not want to do enforcement.

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Highway

Toby McDonald: Had discussion with highway superintendent, need some way to enforce these posted weights on some roads. All the trucks that service McCormick. Cindy Whittaker says these trucks are damaging the roads and would like to see some kind of support and assistance. Has there been something in the past?

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Pete Hoyt: Is there some numbers of how many and how heavy these trucks are. How would she recommend other routes. Roads are deteriorated and repair is costly.

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Toby McDonald: will get more information on the situation.

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Resolutions

Resolution 8-1 of 2008

Town of Ithaca Storage Agreement

By Dominic Frongillo; Seconded by Pete Hoyt

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RESOLVED, the Town Board authorizes the supervisor to sign the rental agreement with the Town of Ithaca for records storage.

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

Agenda Items

Resolution – Approve Town Hall Office RFP

Letter of Access for the Trail

Adjourn

On a motion by Pete Hoyt and seconded by Toby McDonald, the meeting adjourned at 9:26 p.m.

Respectfully Submitted,

Cindy Vicedomini, Deputy Town Clerk