

Caroline Town Board Meeting Minutes of March 10, 2009

The Town Board meeting held on March 10, 2009 at the Caroline Town Hall was called to order at 7:10 p.m. by Supervisor Don Barber.

Attendance: Don Barber, Supervisor
Dominic Frongillo, Councilman
Linda Adams, Councilwoman (absent)
Toby McDonald, Councilman
Pete Hoyt, Councilman

Recording Secretary: Debra DeAugustine, Town Clerk

Town Business

Department, Committee, & Liaison Reports

Frank Proto, County Legislator

1. Health and human services committee meeting: all depts. provided list of governor's proposed budget. County will be affected by \$2-3 million; agencies \$1 mil. COFA doesn't think they'll get any restorations; hit on emergency services; big unknown is the home health aides piece. Could put Family & Children Services out of business. If we have to hire 25 - 35 employees, there is no way to house them.
2. Stimulus package generated the first receipt of money yesterday for Warren Road.
3. Frank appointed to Rules committee
4. Passed affordable housing initiative
5. Soil and water meeting. Concerns about puncturing the aquifer
6. Letter from Joann Cornish, City Planning Dept, regarding DEIS availability, and stating that Town of Caroline is not an involved agency. (Frank has been asking for copy since November) She will send "free" copy to Don.

Pete Hoyt concerned with the question of puncturing the aquifer. Don said reason FEMA is funding this is because they're trying to be proactive – if flooding happens and the aquifer should be breached, they would be on the hook to fix it. The approach we're taking is to not dig into the aquifer, so the chances of it happening deliberately is very low, but if there's a high water event, it could happen. But at least we'll be on site to deal with it. So better to be there and working on it than letting nature take its course.

Don Barber, Town Supervisor

Correspondence of Note:

1. Contract between Caroline Library committee and TCPL
2. Association of Towns Resolutions

Report:

1. Sent in preliminary drawings for Barrilee II on Feb 26th. SEMO looking for a construction schedule and permit application to complete our deliverables for engineering grant. TG Miller is in regular contact with SEMO and things seem OK since Army Corps is trying to decode with this project fits under a nation wide permit or site specific. Most recent info from Army Corps. – we should submit our application under an already existing "nation wide" permit- good news that we won't have to develop a site specific permit
2. Met with neighbors regarding preliminary drawings for Valley Road Streambank Stabilization project, good questions and comments
3. The Valley Rd Stream bank project is an unlisted action and the SEQOR short form is in correspondence file [town clerk note: it will be moved to the project file]. Town Board will need to make a finding next month on significance.

4. Spoke with Guy Krogh. The PRC # and rebidding scare is a red herring. I have signed the contract for engineering with Cayuga Country Homes

Barrile: Toby asks who runs the show? Answer: Soil and water. It goes out to bid, but Don does not know who awards the project. State funding goes through them. Federal funding comes to town, then we get billed from TC Soil and Water. We can't get into the stream until July 15th, but need everything ready to go by then. Have to be out by October 1st. We are right now behind on the planning.

Pete Hoyt

Vacuum cleaner doesn't work; Pete can't fix, but will take to Leonard's. He thinks we should consider using a cleaning service.

Domimic Frongillo

EIC committee will come back next month with info on geothermal for new building. Working on putting together payback info for photovoltaics. For geothermal, would want biggest photovoltaic array possible because of increased electric use, but would see a 75% savings in fuel oil. Toby mentions it really should be compared against natural gas since that is what the town uses.

Approval of Abstracts

General Fund Abstract

A motion was made by Mr. Barber and seconded by Mr. Frongillo to approve payment for the General Fund voucher numbers 72 through 104 in the amount of \$18,546.58.

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

Highway Fund Abstract

A motion was made by Mr. Barber and seconded by Mr. Hoyt to approve payment for the Highway Fund voucher numbers 39 through 60 in the amount of \$24,034.48.

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

Streetlight Fund Abstract

A motion was made by Mr. Barber and seconded by Mr. Frongillo to approve payment for the Streetlight Fund voucher number 5 and 6 in the amount of \$640.15.

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

Approval of Minutes

Minutes of February 3, 2009

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

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

Minutes of February 10, 2009

A motion was made by Mr. Barber and seconded by Mr. Frongillo to accept the minutes as submitted by the deputy town clerk, with the following amendment.

Highway Superintendent Report: Salamander Crossing: Cindy Whittaker will coordinate with Dryden highway once John Confer gets the okay from them for the crossing.

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

Resolutions

Resolution 3-3 of 2009

EBE Officesource Contract

By Mr. Barber; Seconded by Mr. McDonald

RESOLVED, the Town Board authorizes the supervisor to sign the contract with EBE Officesource for yearly maintenance.

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

Resolution 3-4 of 2009
Taxes on State Lands

By Mr. Barber; Seconded by Mr. Hoyt

WHEREAS, the State of New York pays \$ 74,197 in property tax to the Town of Caroline for lands it owns within the Town of Caroline, and

WHEREAS, the Governor's proposal for the 2009-2010 NYS budget fixes the tax payment for future years to what was paid up to March 31, 2009, and

WHEREAS, this action would override the Assessment function of assigning a value to State of NY land in the Town of Caroline which is the basis for our own Assessment Department assign forest land values, and

WHEREAS, the other property tax payers (seniors and working families) of Caroline will bear even more of the property tax burden in covering the deficiency in revenues from the State of NY, and

WHEREAS, it is a stated objective of the Governor and the Legislative bodies to reduce the property tax burden for property owners in NY, and

WHEREAS this action of freezing the State's portion of property tax runs completely counter to the stated goal of reduced property tax for everyone except the State of NY, and

WHEREAS, the Caroline Town Board has do its share by producing a property tax rate for 2009 that is less than the rate of 1994, now Therefore Be It

RESOLVED, that the Caroline Town Board urges its Senator Jim Seward, Assemblywoman Barbara Lifton, and Governor David Paterson to remove this clause from the 2009-2010 NYS budget, and Be It Further

RESOLVED, that the Caroline Town Board State recommends that the budget be designed through reduced unfunded and underfunded mandates to reduce property tax burden for all property tax payers including the State of NY, and Be It Further

RESOLVED, that the Clerk is directed so send certified copies of this resolution to Senator Seward, Assemblywoman Lifton, and Governor Paterson.

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

Resolution 3-5 of 2009
Appointment of Town Clerks

By Mr. Barber; Seconded by Mr. Hoyt

WHEREAS, Municipal Home Rule Law Section 23 (e) provides a mechanism for a town to adopt a local law changing the office of Town Clerk from an appointed position, and

WHEREAS, this Section requires a mandatory referendum if a Town abolishes an elective office, or changes the method of nominating, electing, or removing an elective officer, or changes the term of an elective office, or reduces the salary of an elective officer during his term of office, and

WHEREAS, the Governor's proposal for the 2009-2010 NYS budget overrides this section of Municipal Law and creates a new process whereby a Town Board may adopt a resolution subject to a permissive referendum to change the office of Town Clerk from an elected to appointed position, and

WHEREAS, this action would result in the direct disenfranchisement of the voters of the State of New York, and

WHEREAS, this action would place an unreasonable burden on the electorate to exercise their current right to determine how their Town Clerk comes to office and potentially gives the Town Board the ability to convert the office of Town Clerk from an elected to appointed one without any public comment, and

WHEREAS, the voters of the Town of Caroline in 1999 overwhelmingly defeated a ballot initiative to have their

Highway Superintendent change from elected to appointed, now therefore be it

RESOLVED, that the Caroline Town Board urges Senator Jim Seward, Assemblywoman Barbara Lifton, and Governor David Paterson to remove this clause from the 2009-2-010 NYS budget, and be it further

RESOLVED, that the Clerk is directed to send certified copies of this resolution to Senator Seward, Assemblywoman Lifton, and Governor Paterson.

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

Adjourn

On a motion by Mr. Barber and seconded by Mr. Frongillo, the meeting adjourned at 8:31 p.m.

Respectfully Submitted,

Debra DeAugustine, Town Clerk