

Caroline Town Board Meeting Minutes of June 11, 2009

The Town Board meeting held on June 11, 2009 at the Caroline Town Hall was called to order at 7:05 p.m. by Supervisor Don Barber.

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

Recording Secretary: Debra DeAugustine, Town Clerk

Department, Committee, & Liaison Reports

Highway Superintendent's Report

Toby McDonald gave the report for the highway superintendent:

- Ask Board to adopt a resolution to provide a four-year term for highway superintendent
- Roadwork:
 - Paved Ogden Road
 - Graded, raked, and rolled Speed Hill, Bald Hill, Chestnut, McGrath, and Fire Tower
 - Dug out the intersection of 76 and Downey Road Ext. and replaced culvert pipe
 - Roadside mowing on Bald Hill, Bald Hill School (section), North Landon, Pheasant Walk, Snyder Hill, Thomas, and VanDemark.
 - Put shoulders on section of Landon Road
 - Applied dust oil to sections of Bald Hill, Weston, stabilizing and dust control for Lackawanna and Speed Hill
 - Framed and poured two concrete pipe headers (White Church and Middaugh Roads)
- Capitol Improvements: the highway agreement this month is for chip sealing. We will be reimbursed through Capitol Improvement program.
- Equipment: town pickup has been at Pritchard's for repair most of the last month.

Don Barber, Town Supervisor

Correspondence of Note:

1. Caroline Youth Commission requests the Town Board endorse Tobacco Free Zones at public spaces and other Tobacco Education initiatives for youth
2. Caroline Youth Commission requests the appointment of Tim Seely
3. Park Foundation- Unable to help us with Geo-thermal – like program rather than capita grants
4. TC Assessment- a chart showing all exemption opportunities available and which ones Caroline has authorized
5. DEC Permit for Valley Road Stream bank Stabilization Project
6. TC Health- Water supply at Town Hall passes health inspection need water sample collected and tested. Linda volunteered.

Report:

1. In contact with Assemblywoman Lifton's office regarding Barrile II funding from DEC- big question mark right now for 2009- looking for assurances for 2010
2. Town will receive its return of Capitalization check from NYMIR at TCCOG meeting on June 25th
3. Negotiations with SPCA for 2010 and beyond. They are happy to keep the municipalities they currently serve. They are working with CU Vet school to construct a lab at Hanshaw Road and provide spay and neuter, etc. Could be a significant cost reduction

4. Working with County and other municipalities on language for a permitting overweight trucks

Linda Adams

Much of the Shockey barn has been removed.

Approval of Abstracts

General Fund Abstract

A motion was made by Mr. Barber and seconded by Ms. Adams to approve payment for the General Fund voucher numbers 183 through 217 in the amount of \$19,133.31.

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

Highway Fund Abstract

A motion was made by Mr. Barber and seconded by Mr. McDonald to approve payment for the Highway Fund voucher numbers 102 through 120 in the amount of \$34,656.19.

Adopted Barber: Aye; Frongillo: Aye; Adams: Aye; 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 numbers 11 and 12 in the amount of \$576.93.

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

Approval of Minutes

Minutes of May 12, 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: Aye; McDonald: Aye; Hoyt: Aye

Town Business

Town Hall Office Building: Brooke Greenhouse has been in contact with the dept of state and answering their questions.

Resolutions

**Resolution 6-1
Budget Transfer**

By Mr. Barber; Seconded by Mr. McDonald

RESOLVED, the town board authorizes the supervisor to transfer \$190.00 from A1990.4 to A7610.4.

Discussion: Toby not in favor – thinks they need to have their own way of raising money for these trips; to become more self-supporting. By Sept, should be able to raise the funds. Linda agrees. We're the first source they come to. We've already raised the amount given in the budget. Their needs could be communicated to the folks in the community, avenue they need to explore. Will offer them methods of fundraising. Dominic: may not be the most sensitive thing to do to simply say no through a resolution; maybe we could help them come up with resources. Need to pass constructive information to them. Pete: not the town's job to help other adults fund their recreational pursuits.

Denied Barber: Nay; Frongillo: Nay; Adams: Nay; McDonald: Nay; Hoyt: Nay

**Resolution 6-2 of 2009
Appoint Chad Novelli to Planning Board**

By Mr. Barber; Seconded by Mr. Frongillo

RESOLVED, the town board Chad Novelli, residing at 457 Brooktondale Road, Brooktondale, NY, to serve the remainder of the four-year term to the Caroline Planning Board, ending 12/31/2012. The appointment is effective immediately.

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

Resolution 6-3 of 2009

Agreement with Greater Tompkins County Healthcare Consortium for New York State Shared Municipal Services Program

By Mr. Barber; Seconded by Mr. Frongillo

WHEREAS, the Tompkins County Council of Governments (TCCOG) comprises all the municipalities in Tompkins County; and

WHEREAS, the Town of Caroline is a member of TCCOG; and

WHEREAS, in 2007, the County, on behalf of TCCOG, accepted an incentive grant award under the New York State Shared Municipal Services Program; and

WHEREAS, the grant's purpose is to assist the municipalities in Tompkins County create a local municipal healthcare consortium; and

WHEREAS, the Health Care Consortium will develop health benefits coverage for all participating municipalities with the intent to provide a new savings to the taxpayers of Tompkins County; and

WHEREAS, TCCOG encourages the signature of an intermunicipal agreement by TCCOG members, now therefore be it

RESOLVED, by the Town of Caroline, that the Town Supervisor is hereby authorized to execute an intermunicipal agreement effective January 1, 2010 with the Greater Tompkins County Health Care Consortium for the New York State Shared Municipal Services Program.

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

Resolution 6-4 of 2009

Resolution Requesting Extension of Comment Period of DSGEIS for High Volume Hydrofracturing to Develop Marcellus Shale and Other Low-Permeability Gas Reservoirs

By Mr. Barber; Seconded by Ms. Adams

WHEREAS, during the summer of 2008, Governor Paterson directed the New York State Department of Environmental Conservation (NYSDEC) to supplement the existing 1992 Generic Environmental Impact Statement governing drilling to specifically address the specific techniques used to tap the natural gas in the Marcellus Shale, and

WHEREAS, on February 6, 2009, the NYSDEC Division of Mineral Resources, Bureau of Oil and Gas Regulation, released the *Final Scope for Draft Supplemental Generic Environmental Impact Statement (dSGEIS) on the Oil, Gas, and Solution Mining Regulatory Program: Well Permit Issuance for Horizontal Drilling and High-Volume Hydraulic Fracturing to Develop the Marcellus Shale and Other Low-Permeability Gas Reservoirs*, and

WHEREAS, natural gas drilling in the Marcellus shale is planned to be on the scale of hundreds of wells per Town, and

WHEREAS, the cumulative effects of this many wells on our water supply, environment, existing infrastructure, and economy will take some time to consider and comprehend,

NOW THEREFORE BE IT RESOLVED, that the Caroline Town Board hereby urges the NYS Department of Environmental Conservation to extend the comment period following promulgation of the dSGEIS from thirty (30) days to ninety (90) days, and

BE IT FURTHER RESOLVED, that the Caroline Town Board hereby urges the NYS Department of Environmental Conservation to schedule at least seven regional public hearings that are convenient and accessible

to interested parties, including rural Up State New York whose residents' domestic water (from both surface and ground sources) could be affected by gas drilling in the Marcellus Shale, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to DEC Commissioner Peter Grannis, Governor David Paterson, Senators Malcolm Smith, James Seward, and Speaker Sheldon Silver, Assemblywoman Barbara Lifton, and Chair of Senate Committee on Environmental Conservation Marcellino, Chair of Assembly Committee on Environmental Conservation Sweeney.

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

Resolution 6-5 of 2009

Resolution Urging Governor Not to Sign the NY Government Reorganization and Citizen Empowerment Act

By Ms. Barber; Seconded by Mr. Frongillo

WHEREAS, Article 9, §1(h)(1) of the Constitution authorizes counties to transfer or abolish functions and duties of cities, towns, villages and districts or other units of government, and

WHEREAS, this provision of the Constitution mandates that the Legislature provide for such transfer or abolition of functions and duties, and the Legislature has implemented this provision in §33 and §33-a of the Municipal Home Rule Law, and

WHEREAS, the application of these sections of Municipal Home Rule Law has allowed the citizens of NY to create, consolidate, and remove local governments as they see fit, and establishes a balanced process that is the same for creation, removal, and consolidation of local governments, and

WHEREAS, the NY Government Reorganization and Citizen Empowerment Act tips the balance in the process toward removal by allowing only 10% of the electors to petition for a referendum and then provides only a seven month window to put the plan in place for removal of a local government, but does not require a referendum before imposing the plan on the public when the plan may or may not be a more efficient means to deliver a public service, and

WHEREAS, the reported reasoning behind the NY Government Reorganization and Citizen Empowerment Act is that NYS has one of the highest property tax rates in the US, while also having a high number of local governments, and

WHEREAS, a study commissioned by the NYS Association of Towns found that local governments are the most efficient forms of government in delivering services and that local governments have artificially high rates because local governments are forced to levy property taxes to pay for unfunded and underfunded mandates from the NYS government, i.e. local governments are raising tax dollars for State programs,

NOW THEREFORE BE IT RESOLVED, That the Caroline Town Board hereby urges Governor Paterson NOT sign NY Government Reorganization and Citizen Empowerment Act, and

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Governor Davis Paterson, Senator James Seward, and Assemblywoman Barbara Lifton.

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

Resolution 6-6 of 2009

284 Agreement for expenditure of Highway Funds

By Mr. Barber; Seconded by Mr. Hoyt

RESOLVED, the Town Board agrees to sign the agreement for expenditure of highway monies.

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

Resolution 6-7 of 2009

Appointment to the Caroline Youth Commission

By Mr. Barber; Seconded by Mr. Frongillo

RESOLVED, the Town Board appoints Tim Seely, residing at 120 Burns Road, Brooktondale, NY, to the

Caroline Youth Commission; to be effective immediately.

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

Adjourn

On a motion by Mr. Frongillo and seconded by Mr. Hoyt, the meeting adjourned at 8:35 p.m.

Respectfully Submitted,

Debra DeAugustine, Town Clerk