

Caroline Town Board Meeting Minutes of July 14, 2009

The Town Board meeting held on July 14, 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 presented the highway superintendent's report.

Roadwork:

- Cleaning ditches on Snyder Hill, Shindagin Hollow, and Leonard Road
- Soil & Water hydroseeded on Snyder Hill Road and Shindagin Hollow Road
- Graded Bald Hill, Brearly Hill, Chestnut, and Level Green Road
- Put shoulders on sections of South, Landon, and Central Chapel Road
- Put down cold patch at Downey Road Ext and South Road intersection. Also did various patching on Speed Hill, Pacific, and Tobeytown.
- Put up new road name signs for Boiceville, Burns, Central Chapel, Landon, and Hamilton Road
- Continued roadside mowing on Bailor Road Ext, Buffalo, Downey, Fuller Lane, Goodrich Hill, Gulf Creek, Hurd, Level Green, Shindagin Hollow, South, and Speed Hill roads
- Replaced culvert cross pipe on bottom of Shindagin Hollow Road
- Starting spray patching and oil and Stoning tomorrow

Equipment:

- Town pick-up is back at the shop after being at Pritchard's for most of the month of June

Misc.

- Genson Overhead installed overhead door on the cold storage building
- The radio tower will be advertised this month by Roy Teitsworth, Inc Auctioneers

Don Barber, Town Supervisor

Correspondence of Note:

1. Letter from SEMO- They will fund construction of Barrile II
2. Correspondence to and from Laberge
3. Decision from Human Rights Commission- Walls claim was not upheld
4. Letter from Assembly woman Lifton regarding 90 day extension of dSAGEIS comment period

Report:

1. Word is that we have Office bldg permit from DOS- final plans need to be reviewed and signed
2. Town received it's first of three return of Capitalization check from NYMIR at TCCOG for \$1900
3. Negotiations with SPCA for 2010 and beyond working on MOU for long term commitment and budget control
4. Health Insurance Consortium- 2015 contracts – beats 2000 minimum

Frank Proto, County Legislator

1. County supported farm build piece on migrant workers. Farm bureau was opposed to it. Weren't given enough time to review the implications on the county.
2. Sales tax extension passed. Had it not, the impact on the county would have been a \$9.6 million setback. Released a county economic report on Friday; it is online. Don emailed it to Town Board.

3. Health dept building: \$11 million allocated for the project, looks like they're slightly over \$8 million into it. Occupancy date is supposed to be October.
4. Board of health: Frank asked them to pass an updated bill on gas drilling. An extension of the time to review the EGIS. Seward and Lifton are supporting an extension of the review time. County is putting together a template of various items for what towns should be aware of.
5. SPCA: Abigail and Frank putting together the emergency services piece.
6. Barrille II: Don: Too late to start this year, but now state leg has supposedly released money for environmental projects that are on their current list.
7. 6 ¼ percent cut on youth services. County and towns made a commitment for 5 years. Passed a resolution at committee meeting that rec partnership would be exempt from that cut. Have several scenarios on how to handle shortfall.
8. NRCS has money available for people in agriculture, such as crop planning. Wanted to get the word out, probably in the newsletter for people in agriculture to apply for funds.

Pete Hoyt

Talked to Harold Phoenix about staggering the judges terms and he's willing to go a 2-year term in 2013 (both judges are up for election for 4-year terms this year). Talked to Janice Johnston about 5013C: rec partnership can apply to the Echo Fund. Frank asked Nancy at TCOG for towns to look at what it would cost to replace such a service. Other argument in favor is because so many families are hurting, we need it now and are looking for inexpensive ways to service kids. The library has seen a huge jump in usership.

Linda Adams

Watershed committee: Section of Tetco gas pipeline has been exposed along B'dale Road for several years. Team of Tetco consultants met with a resident and it appears that they plan to work on a design to cover it up again.

Dominic Frongillo

Planning Board: The Planning Board discussed conducting a "critical areas inventory" in order to provide comment on the NYS DEC's draft Generic Environmental Impact Statement (dGIES) on natural gas drilling. For each critical resource the Town identifies, we must define: (1) Physical boundaries; and (2) reasons why the critical resource merits consideration & protection from gas drilling operations. A draft list of critical areas include:

- Old existing gas wells
- Aquifer depth
- Wetlands (100ft)
- Streams (100ft)
- Bird/animal/plant habitat areas
- UNA (County-defined)
- Wetlands (12+, less than 12)
- Prime farmland (All Areas Prime Farmland or Farmland of Statewide importance)
- Sites of critical historic or cultural importance

The Planning Board discussed the best venues to solicit public input, including email, letter, or town meetings (in Brooktondale, Slaterville, Speedsville), asking key people in each communities to spread the word.

Energy Independent Caroline: Caroline's energy independence intern, Anosh Shah, is working with Don and Dominic on a grant proposal to USDA for geothermal for the Town office building.

Transfers

A motion was made by Mr. Barber and seconded by Mr. Frongillo to make the following transfers:

\$ 1000.00	from General Fund Account A 1990.4 Contingency to General Fund Account A 1480.4 Public Information CE
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\$ 300.00 from Highway Account DA 5112.1 Capital Imp PS to
Highway Fund Account DA 5112.11 Capital Imp PS OT

\$20,000.00 from Highway Account DA 5110.1 Repair PS to
Highway Fund Account DA 5140.1 Misc PS

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

Approval of Abstracts

General Fund Abstract

A motion was made by Mr. Barber and seconded by Mr. McDonald to approve payment for the General Fund voucher numbers 218 through 249 in the amount of \$48,505.49.

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. Hoyt to approve payment for the Highway Fund voucher numbers 121 through 141 in the amount of \$30,828.88.

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 13 and 14 in the amount of \$569.35.

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

Approval of Minutes

Minutes of May 5, 2009

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

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

Minutes of June 2, 2009

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

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

Minutes of June 11, 2009

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

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

Minutes of June 24, 2009

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

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

Town Business

Introduce Local Law to Extend Terms of Office for Clerk and Highway Superintendent

Don Barber introduced the proposed local law:

1. Statutory authority.

This law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

2. Increase in terms of office.

The terms of office of the elected Town Clerk and Town Superintendent of Highways shall be four (4) years. Such four-year terms shall commence as of the first day of January 2012, and shall apply to the person elected to such office at the biennial town election to be held on November 8, 2011, and to those elected thereafter, provided that the proposition submitted pursuant to § 3 below is approved.

3. Mandatory referendum.

This law is adopted subject to a mandatory referendum and shall be submitted for approval of the qualified voters of the Town of Caroline at the biennial town election to be held on November 3, 2009. A proposition shall be included on the ballot at such biennial town election, and the increased terms of office shall not take effect unless such proposition is approved by a majority vote of the qualified voters voting thereon.

4. Supersession of state law.

This law shall supersede Town Law § 24 relating to the terms of office for the Town Clerk and Town Superintendent of Highways of the Town of Caroline.

5. When effective.

This law shall become effective immediately upon being filed in the office of the Secretary of State after approval by the qualified voters.

Introduce Local Law to Stagger Terms of Office for Town Justices

Don Barber introduced the proposed local law:

§ 1. Statutory authority.

This chapter is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

§ 2. Alter the term of office for one term.

The terms of office of the elected Town Justices shall be four (4) years on staggered terms. To accomplish this act, one justice selected by lottery shall serve one two-year term commencing as of the first day of January 2014, and shall apply to the person elected to such office at the biennial town election to be held on November _ 2013 provided that the proposition submitted pursuant to § 3 below is approved.

Further that affected Town Justice position shall serve four-year terms commencing as of the first day of January 2016, and shall apply to the person elected to such office at the biennial town election to be held on November _ 2013, and to those elected thereafter, provided that the proposition submitted pursuant to § 3 below is approved.

§ 3. Mandatory referendum.

This chapter is adopted subject to a mandatory referendum and shall be submitted for approval of the qualified voters of the Town of Caroline at the biennial town election to be held on November 3, 2009. A proposition shall be included on the ballot at such biennial town election, and the increased terms of office shall not take effect unless such proposition is approved by a majority vote of the qualified voters voting thereon.

§ 4. Supersession of state law.

This chapter shall supersede Town Law § 24 relating to the terms of office for the Town Clerk and Town Superintendent of Highways of the Town of Caroline.

§ 5. When effective.

This chapter shall become effective immediately upon being filed in the office of the Secretary of State after approval by the qualified voters.

Resolutions

Resolution 7-2 of 2009

Appoint Marriage Officer

By Mr. McDonald; Seconded by Mr. Barber

WHEREAS, pursuant to Section 11-c of NYS Domestic Relations Law, a municipality has the authority to appoint marriage officers whose function is to solemnize marriages, and

WHEREAS, Robert Elshire and Robyn Johnston are desirous to have a Caroline elector, Dominic Frongillo, solemnize their marriage, now therefore be it

RESOLVED that the Caroline Town Board hereby appoints Dominic Frongillo to be the Town of Caroline Marriage Officer, as defined in NYS Domestic Relations Law Section 11-c from September 11, 2009 through September 14, 2009 with all of the rights and responsibilities declared in that section of NYS Law, and be it further

RESOLVED, that the maximum fee the Marriage Officer can charge for this service is \$75.00 and be it further

RESOLVED, that ceremonies must be performed in the Town of Caroline.

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

Resolution 7-3 of 2009

Contract with Finlo for Photovoltaic Panels for Town Office Building

By Mr. Barber; Seconded by Mr. Frongillo

RESOLVED, the town board authorizes the supervisor to sign the contract with Finlo for the installation of 12.6kw of photovoltaic panels on the Town Office Building.

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

Resolution 7-4 of 2009

Set Public Hearing for Local Law to Extend Terms of Town Clerk and Highway Superintendent

By Ms. Barber; Seconded by Mr. Frongillo

RESOLVED, the town board will hold a public hearing on the proposed local law on August 4, 2009 at 7 pm.

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

Resolution 7-5 of 2009

Set Public Hearing for Local Law to Stagger Terms of Town Justices

By Mr. Barber; Seconded by Mr. Hoyt

RESOLVED, the Town Board will hold a public hearing on the local law on August 4, 2009 at 7:05 pm.

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 8:30 p.m.

Respectfully Submitted,

Debra DeAugustine, Town Clerk