

## **Caroline Town Board Meeting Minutes of October 13, 2009**

The regular Town Board meeting held on Tuesday October 13, 2009 at the Caroline Town Hall was called to order at 7:02 p.m. by Supervisor Don Barber.

### **Attendance:**

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

### **Recording**

**Secretary:** Marilou Harrington, Deputy Town Clerk

Also present: Cheryl Boyer, Pat Brehl and Brooke Greenhouse

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### **Privilege of the Floor:**

Deputy Clerk, Marilou Harrington introduced Cheryl Boyer, employee of the Town Court office. Cheryl was sitting in on the Town Board meeting learning how to take minutes so as to work as a back up in the absence of the Town or Deputy Clerk for future Town board meetings.

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### **Reports**

#### **Toby McDonald, Highway Superintendents Report-**

Ditch work on Downey Rd., Ridgeway Rd., Buffalo Hill Rd. with miscellaneous lawn type maintenance. New center lines on Level Green Rd.

The highway truck sold for \$20,500.

The Highway dept is working on a concrete pad and shed addition for the new department generator, estimate 1 month until the work is finished and generator can be installed. The generator has been delivered.

Radio Tower sale- No one has contacted the Town about purchasing the Tower so Harry Zimmer or his son in law may scrap the Tower, but this hasn't been confirmed. Dominic did research into free removal. Toby doesn't see the likelihood Town generating revenue from the sale of the Tower.

#### **Don Barber, Supervisors Report**

Health Insurance Consortium had second meeting. Approved budget for 2010 with premiums as we discussed. Still waiting on Consultant to package a Teamster ancillary proposal (Cayuga Heights employees grieving their on union over benefit changes) also approved the benefit plan for our retirees which includes an increase in benefit (out of area coverage) at a reduced cost.

Did receive draft language for road preservation law- the Association of Towns says there is an potentially litigable flaw in the overall construction of the law--- charging a fee to drive our roads. SGEIS talks about Road Access agreements- looking into this.

Braley Hill Road- Met with Cindy, Toby and Harrington EMT's and concluded that transferring to Candor may be a significant reduction in service and that our Ambulance could be timelier even if they took a more circuitous route. Need to do the mileage and suggest alternative routes.

#### **Frank Proto, County Board Representative**

Absent- no report

#### **Dominic Frongillo, Town Board**

Planning board- critical environmental committee- debating whether to send a letter to all Town's residents- Tony and Bev in particular, are in favor of sending the letter. Request to the committee will be to send the letter on Monday October 19<sup>th</sup>, see attachment A. Pete asked for cost of mailing and what the committee will do with the

information they receive. Linda feels being proactive with the information is advisable. NYS law says that towns can designate critical environmental areas. SEQR review- It is important to be an involved agency, adding more input and to show a standing in the process. It was also noted that all of Caroline's wetlands have not been identified. And having community feedback and information is not only appreciated by the DEC but it is important in the way of SEQR reviews.

Pete feels that other areas of concern shared by other Town's people may feel invalidated if they are not addressed in the same manner as the well drilling. Dominic explained that the information is to put the DEC on notice of areas to mitigate.

Website committee- problems with broken links that the web master will address along with other issues

#### **Peter Hoyt, Town Board**

Speedsville- They will purchase a new replacement truck this December. They will be reducing the amount of trucks from four to three.

Brooktondale Fire Department- Brooktondale to keep last year's budget? Pete missed Brooktondale meeting on October 12<sup>th</sup>, 2009. To report back at the October 14<sup>th</sup>, 2009 Town Board Meeting with any updates.

Slaterville Ambulance and Fire Department- Asking for an increase of \$10, 000 (45k to 55k). Pete feels the budget increase should pass.

#### **Linda Adams, Town Board**

Barrile II project received the first check with a ¼ of the funding the State promised, a little less than 55k. Linda complimented the many people involved in making this project possible.

#### **Toby McDonald, Town Board**

Valley Road Project- The TG Miller engineer, Town Suprv. Don Barber and Highway Supt. Cindy Whitaker where at the completed project. There will still need to be turf reinforcement. In the cold weather the seed to be planted will not germinate at this time of year. Dave Herrick will plant rye seed as a temporary solution (which will take root) and reseed in the spring. Fill is also needed at the access; granular mater, light stone between guide wall and retaining wall. The Town will hold \$10,000 of the amount due to Economy paving until the work is completely finished.

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### **Town Business**

New building-Floor poured, building will arrive October 18<sup>th</sup>, (next Monday). Supv. Don Barber will be out of town so Councilman and Deputy Town Supervisor Dominic Frongillo will have the check to make a payment on the building.. Clm Toby McDonald will look at building before it is set on the foundation on Tuesday morning. Barry Goodrich will talk with Brooke Greenhouse regarding the service entrance location and electrical issues. Brooke Greenhouse will also work with the electrician to connect phone lines, etc to older Town building. (It would be helpful to have the Town clerk's office able to connect to Town Court office so we are able to transfer call between buildings.)

Supv. Don Barber suggested the new building plaque show the 2001-2009-Town Council. Clm. Toby McDonald prefers not to have plaque but with rather spend money on signage. Brooke Greenhouse is willing to address that issue. The plaque is at no cost to Town but it will also include the name of Cayuga Country Homes which was noted to be free advertising for the company. Other ideas to be discussed.

Energy Independent Caroline Plague- The plaque will show the names of Town resident's who have donated \$100.00 or more to Energy Independent Caroline. Pat Brehl asked if an exception would be made if, as an example, Caroline School children (as a group) gave less than \$100.00. Clm. Dominic Frongillo agreed exceptions could be made. Clm. Toby McDonald expressed that he wished this would have been a discussion of the Town Board, and that a joint decision of the Town Board was made before the idea was put into motion with the promise of a plague to donors. Clm. Pete Hoyt agreed with Clm. Toby McDonald. Clw. Linda Adams thought the plaque served a useful purpose in acknowledging those who contributed.

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## Transfers

On a motion by Mr. Barber and seconded by Mr. McDonald the Caroline Town Board authorizes the Supervisor to transfer 2009 funds as follows:

\$ 3,000.00 from Highway Fund Account DA 5130.1 Machinery PS to

Highway Fund Account DA 5140.1 Misc PS

\$ 300.00 from Highway Fund Account DA 5130.11 Machinery PS OT to

Highway Fund Account DA 5140.11 Misc PS OT

\$ 2,000.00 from Highway Fund Account DA 5130.4 Machinery CE to

Highway Fund Account DA 5142.4 Snow and Ice CE

\$ 600.00 from Highway Fund Account DA 5110.11 Repairs PS OT to

Highway Fund Account DA 5112.11 Capital Improvement PS OT

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

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## 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 310 through 344 in the amount of \$18,014.90.

**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 176 through 199 in the amount of \$342,010.14.

**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. Barber to approve payment for the Streetlight Fund voucher number 19 in the amount of \$454.49.

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

### Bond Fund Abstract

A motion was made by Mr. Barber and seconded by Mr. Frongillo to approve payment for the Bond Fund voucher numbers 1 and 4 in the amount of \$154,500.00.

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

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## Approval of Minutes

### Minutes of Agenda Meeting

A motion was made by Mr. Barber and seconded by McDonald to accept the minutes of September 1, 2009 as submitted by the town clerk.

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

### Minutes of Business Meeting

A motion was made by Mr. Barber and seconded by Mr. Frongillo to accept the minutes of September 9, 2009 as submitted by the deputy town clerk.

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

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## Resolutions

### Resolution 10-2 of 2009 Budget Modification

By Mr. Barber; Seconded by Mr. Frongillo

RESOLVED, the Caroline Town Board hereby makes the following budget modification:

Increase Highway Fund Appropriation Lines DA 5112.4 by \$57,313.25 to \$238,775.25, and DA 5112.4R by \$19,104.75 to \$79,591.75

And increase Highway Revenue Line DA 3061 by \$57,313.25 to \$238,775.25

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

### Resolution 10-3 of 2009 EMC Representative

By Mr. Barber; Seconded by Ms. Adams

RESOLVED, the Town Board appoints Steve Nicholson as the representative to the Tompkins County Environmental Management Committee.

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

### Resolution 10-4 of 2009 NYSERDA Contract

By Mr. Frongillo; Seconded by Mr. Barber

RESOLVED, the Town Board authorizes the Town Supervisor to sign the contract with NYSERDA.

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

### Resolution 10-5 of 2009 Taitem Engineering contract for NYSERDA Energy Construction Analysis

By Mr. Barber; Seconded by Ms. Adams

RESOLVED, the Town Board authorizes the Town Supervisor to sign the contract with Taitem Engineering

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

Comments for the record:

Pete Hoyt: "There have already been suggestions and tentative bids to improve energy efficiency in the town hall, and that the town board has shown no interest. What would we do with the results of a multi-volume, \$20,000 audit, pray tell? The town would merely be a middleman in the transfer of federal stimulus money to a private."

Don Barber: "We have only one bid for improving energy efficiency by sealing the basement of the Town Hall. The bid was of sufficient value that it would require 3 bids. As Chair of Building and Grounds, it is Mr. Hoyt's responsibility to the Board to see that an RFP is written and other bids received. So I take great exception that Mr. Hoyt makes the Board out to be the ones with little interest. It would seem that Mr. Hoyt is the one with little interest."

With regards to the energy audit contract being considered, I watched Town Boards prior to my tenure pass up opportunities like this and in the process drive the Town's tax rate to the 2nd highest in the County. I will not be part of that failed philosophy. Saving tax payers money over the long haul by prudent financially planning decisions made with facts and not seat of the pants guesses, has given this Board the opportunity to look at no tax levy increase at a time when most other local governments are needing more revenues.

**Resolution 10-6 of 2009**  
**Set Public Hearing for the Preliminary Budget**

By Mr. Barber; Seconded by Mr. Frongillo

RESOLVED, the Town Board will hold their November Agenda meeting on November 4th at 7:30 p.m. at the Caroline Town Hall; and further

RESOLVED, the Town Board will hold a public hearing to hear public comment regarding the 2010 Preliminary Budget at the Agenda meeting on November 4th at 7:30 p.m.

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

**Resolution 10-7 of 2009**  
**Caroline Independent Energy Plaque**

By Mr. Frongillo; Seconded by Mr. Barber

WHEREAS, citizen voluntary participation in government is the hallmark of democracy; and

WHEREAS, recognition of volunteerism is a good strategy to encourage further volunteerism that has been used for years by the Town of Caroline; and

WHEREAS, citizens of the Town of Caroline are contributing to the fund balance for the expressed purpose to reduce the tax burden on their neighbors for the construction of geothermal heating and cooling and photovoltaic electricity generation at the new Town Office Building; now therefore be it

RESOLVED, that the Caroline Town Board authorizes the purchase of said plaque with the names of persons donating \$100 or more toward the purchase of geothermal heating and cooling and photovoltaic electricity generation at the new Town Office Building,

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

**Budget Discussion**

(Comments of Pete Hoyt included by request)

Flat levy- Pete Hoyt recommend Highway appropriation we can settle on, that he would have fewer problems with taking monies away from other areas.

Budget discussion couldn't include 50k for Gradall as the board wasn't clear whether the Highway Supr. Cindy Whittaker thought the amount was already included in the budget.

Pete Hoyt suggested Town clerk (A1410.1) and deputy clerk (A1410.101) budget lines be decreased by 30%.

Pete Hoyt suggested tabling the discussion, as he felt more willing to work with the clerk for higher wages if the increase of hours included more evening or Saturday hours.

On a motion by Mr. Hoyt and seconded by Mr. McDonald, the discussion of the town clerk budget was tabled until the budget meeting of Thursday, October 15 at 5:30 p.m..

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

Pete Hoyt offered a motion to change A-1480.4 to \$1300 (website maintenance). No one offered to second the motion.

**Resolution 10-8**  
**Budget Amendment**

By Mr. Hoyt; seconded by Mr. Frongillo

Decrease line A-1620.101 to \$2600 (building maintenance).

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

**Adjourn to adjourned meeting**

On a motion by Don Barber and seconded by Dominic Frongillo, the meeting adjourned to an adjourned budget meeting at 10:09 p.m.

**Executive Session:**

On a motion the Town Board entered Executive Session 10:09 p.m. to discuss a real estate transaction.

Respectfully Submitted,

Marilou Harrington, Deputy Town Clerk