

Caroline Town Board Meeting of October 14, 2015

The Town Board Business meeting held on October 14, 2015 at the Caroline Town Hall was called to order at 7:00 p.m. by Supervisor Don Barber.

Attendance:

Don Barber, Supervisor
John Fracchia, Councilmember
Irene Weiser, Councilmember
Mark Witmer, Councilmember and Deputy Supervisor
Tim Seely, Councilmember

Recording

Secretary: Marilou Harrington-Lawson, Town Clerk

Also present: 2 members of the public were present

Privilege of the Floor

No one spoke under privilege of the floor

Reports

Cindy Whittaker, Highway Superintendent

Attach report

Don Barber, Town Supervisor

Correspondence of Note:

1. Report from County Highway- expecting Engineers report on soil conditions affecting Brooktondale Road just west of Banks Road
2. Letter from NYS Dept of Public Service announcing public meetings on Reforming the Energy Vision (REV) closest meeting Binghamton 11/17
3. Time line of events- summarizing relationship between Town and Clarity Connect regarding universal broadband
4. Announcement from DHSES that Buffalo Creek application was received on time

Report:

1. Tentative Budget prepared and distributed
2. Working with Town Board direction and Attorney Krogh, communicated Town position on Phase 1

Tim Seely, Town Board

Absent

Mark Witmer, Town Board

Buffalo Creek Time Warner cable and Frontier walked the whole site. Frontier had an engineer. Frontier lines are safe closer to the road not as sensitive. If they get damaged they will splice and repair. Time Warner Cable is closer to the creek and more problematic. Going to work with Frontier to move the fiber optic cables to the Frontier poles.

Attending Environmental Bootcamp- Watershed Management

State Wide Conference Friday in Ithaca

John Fracchia, Town Board

Emergency Services

- Continued investigating potential options with Slaterville Ambulance board regarding pursuing part-time paid staff as a means to alleviate volunteer shortage while continuing service in 2016. Learned that the Vestal, NY squad was part of the town and separated from it when they moved to a paid-hybrid service model.
- Research by Attorney Guy Krogh (initiated by Supervisor Don Barber) finds no legal method for paid EMS staff to be town employees on loan to a business entity.
- Met with Slaterville Ambulance board and Don Barber to share these findings. Brainstormed suggestions to ease the administrative burden of employees with the ambulance being the employer or record. They shared with us that they have leads on two paramedics who may be interested in filling these roles. Also discussed bringing on a part-time paid driver. We advised that they reflect these in their budget request.

Greater Tompkins County Municipal Health Insurance Consortium

- Attended GTCMHIC annual meeting on September 24. Several resolutions were offered including: 1) Adoption of the 2016 budget, 2) Adoption of Gold and Silver plan options, 3) An amendment to the code of ethics regarding dispute resolution, 4) Admission of the Village of Virgil to the Consortium and 5) Adoption of a Wellness Component for the metal level plans.
- Resolutions 1-3 passed, but I had to leave before the votes on resolutions 4 and 5.
- The annual budget indicates a potential small decrease in costs from FY2015. I abstained on this vote due to the fact that the board received the budget less than a day before we were supposed to vote on it. Good discussion was had regarding sufficient and appropriate review periods and an effort will be made to incorporate them into the process for FY 2017.

CIT

- Discovered that the Town's website had been hacked and investigated the cause. Learned that PowWeb's security had identified malware and shut the site down. There is a service called, "SiteLock" which defends against these types of attacks and which addresses malware issue. In the interest of making this resource available to our community as soon as possible, I paid for the service and our site was restored within a few hours. It is my strong recommendation that we continue SiteLock moving forward.
- Met with the County Broadband Committee on October 5 to discuss concerns with Clarity Connect and the process. The discussion was productive, but ultimately not fruitful as Mr. Bartosch of Clarity Connect is unwilling to sign a Service Agreement with the Town. Recommend that we reset as a new project.
- Am developing a proto-type as an interim website in order to address the difficulties that we have been experiencing with our current site.

Irene Weiser, Town Board

Challenges with the Town of Caroline website - The CIT committee is looking at another applicant? Councilmember Fracchia in the meantime has set up "Weebly" as an Content Management System (CMS) to make the website more user friendly. Could this be the permanent solution?

Dan Klein, County Representative

Absent

Transfers

Resolution 123 of 2015

A motion was made by Mr. Barber and seconded by Ms. Weiser

Be It Resolved the Caroline Town Board makes the following 2015 Fund Transfers

- | | |
|-------------|---|
| \$ 112.00 | from General Fund Account A 1220.4 Supervisor CE to General Fund Account A 1010.4 Legislature CE. |
| \$ 2,409.00 | from General Fund Account A 9060.8 Medical Insurance to General Fund Account A 5132.2 Highway EQ. |
| \$ 413.00 | from General Fund Account A 9040.8 Worker Comp to General Fund Account A 8710.4 Creek CE. |
| \$ 1,000.00 | from General Fund Account A 9060.8 Medical Insurance to General Fund Account A |

5132.2 Garage EQ.

\$ 657.00 from Highway Fund Account DA 5130.1 Equipment PS to Highway Fund Account DA5112.1 Capital Improvement PS.

\$ 2,012.00 from Highway Fund Account DA 5130.2 Equipment EQ to Highway Fund Account DA5130.4 Equipment CE

\$ 8,635.00 from Highway Fund Account DA 5130.2 Equipment EQ to Highway Fund Account DA5142.4 Snow and Ice CE

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Approval of Abstracts

Resolution 124 of 2015

Streetlight Fund Abstract

A motion was made by Mr. Barber and seconded by Mr. Witmer to approve payment for the Streetlight Fund voucher number 19 and 20 for \$570.40.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Resolution xxx of 2015

General Fund Abstract

A motion was made by Mr. Barber and seconded by Mr. Fracchia to approve payment for the General Fund voucher numbers 327 through 359 for \$15,961.50.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Resolution xxx of 2015

Highway Fund Abstract

A motion was made by Mr. Barber and seconded by Ms. Weiser to approve payment for the Highway Fund voucher numbers 197 through 211 for \$25,772.12.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Approval of Minutes

Resolution 125 of 2015

Minutes of the Business Meeting held July 7, 2015:

A motion was made by Mr. Barber and seconded Mr. Witmer to accept the minutes of the July 7, 2015 meeting as submitted by the Town Clerk.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Resolution 126 of 2015

Minutes of the Budget Meeting held July 15, 2015:

A motion was made by Mr. Barber and seconded Mr. Witmer to accept the minutes of the July 15, 2015 meeting as submitted by the Town Clerk as amended.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Resolution 127 of 2015

Minutes of the Budget Meeting held August 4, 2015:

A motion was made by Mr. Barber and seconded Mr. Witmer to accept the minutes of the August 4, 2015 meeting as submitted by acting Clerk

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Resolution 128 of 2015

Minutes of the Budget Meeting held August 12, 2015:

A motion was made by Mr. Barber and seconded Mr. Fracchia to accept the minutes of the August 12, 2015 meeting as submitted by the acting Clerk as amended.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Resolution 129 of 2015

Minutes of the Budget Meeting held September 1, 2015:

A motion was made by Mr. Barber and seconded Ms. Weiser to accept the minutes of the August 1, 2015 meeting as submitted by the acting Clerk as amended

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Resolution 130 of 2015

Minutes of the Budget Meeting held September 9, 2015:

A motion was made by Mr. Barber and seconded Ms. Weiser to accept the minutes of the September 9, 2015 meeting as submitted by the acting Clerk.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Town Business

The Board started a budget discussion and how the different accounts and funds worked - Supervisor Barber discussed and explained the differences on how expenses and revenue accounts worked. He also showed how monies can be used from certain accounts in various

areas and monies that cannot be taken from other accounts and used in other areas; how monies can and cannot be transferred between certain accounts.

Resolutions

Resolution 131 of 2015

FEMA Reimbursement

A motion was made by Mr. Barber and seconded by Mr. Fracchia

WHEREAS, Section 112 of the Town Law allows the Town Board to fund supplemental appropriations with unreserved fund balance if the total of revenues recognized or reasonably expected to be recognized, together with unappropriated unreserved fund balance exceeds the total of all revenues estimated in the budget and appropriated fund balance and,

WHEREAS, the Supervisor has determined that as of 9/30/15, based on the formula required by Section 112 of the Town Law, that sufficient Highway Fund unappropriated unreserved fund balance (surplus) exist for appropriation in the total amount of \$305,543.67, of which \$90,000.00, being not otherwise committed, now therefore,

BE IT RESOLVED, that the Town Board, based on the Supervisor's determination, authorizes the Supervisor to make the following supplemental appropriations by the use of Highway Fund unappropriated unreserved fund balance (surplus). From DA909 to DA5110.41 \$90,000.00 (FEMA Reimbursement.)

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Resolution 132 of 2015

Budget Workshop

A motion was made by Mr. Barber and seconded by Ms. Fracchia

Resolved, the Caroline Town Board amends resolution #121 regarding the time and date of the budget workshop to now be October 22, 2015 at 7 PM at the Historic Caroline Town Hall.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Resolution 133 of 2015

Public Hearing Date

A motion was made by Mr. Barber and seconded by Mr. Witmer

Resolved, the Caroline Town Board will hold a Public Hearing to hear any comments on the 2016 Town, Lighting District, and Fire Protection District Budgets on Thursday, November 5th at 7:00 p.m. at the Historic Caroline Town Hall

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Resolution 134 of 2015

A motion was made by Mr. Barber and seconded by Mr. Fracchia

Universal Broadband Infrastructure Resolution

Whereas, the Caroline Town Board was faced with an eleventh hour changes in the Caroline portion of the NY Connect high speed internet grant roll-out which include only one transmission pole located in a location not identified in Clarity Connects Special Use Permit, and

Whereas, this single pole location is reported to have the position to provide broadband service to approximately 88 unserved **or underserved** households, and

Whereas, the Caroline Town Board is extremely disappointed that the Tompkins County Broadband Committee did not use its leverage to hold Clarity Connect accountable for its representations, within the NY Connect Grant, to the Town of Caroline and the County's Broadband Committee for broadband coverage to un-served households in the Town of Caroline and

Whereas, it is unclear at this time, in what direction the Town Board will proceed to gain universal high speed internet for all of its residents in Caroline,

Now Therefore Be It Resolved, that the Caroline Town Board has elected to accept the change in Phase 1 broadband infrastructure for the benefit of its residents, and

Be It Further Resolved that the Town Board will **honor the following** commitments. made during the grant application process in the Fall of 2012 to:

Waive the permit fee for the anticipated Road Construction permit application for this infrastructure installation on Vandemark Road.

The Town will install transformed electric service to the pole location on Vandemark Road under these conditions: the electric service installation

- (i) need only conform to the minimum specifications provide by Clarity Connect; and
- (ii) that Clarity Connect specifically inspect and approve all work periodically in progress and upon completion; and
- (iii) that all materials and all installations become the property of Clarity Connect after completion, and

- (iv) that Clarity Connect assume all obligations for inspections, maintenance, repairs, upgrades, replacements, liability, the sufficiency and quality of the power supplied, and all other fact, matters, events, occurrences, and transactions of any kind or nature pertaining to or in any way relating to or arising from such work; and

Be It Further Resolved, that absent a signed service agreement, the Town will make no representations that it endorses this project or service provider.

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

Resolution 135 of 2015

Budget Discussion

A motion was made by Mr. Fracchia and seconded by Ms. Weiser

Increase line A1670.4 Print/Mail by \$1,500 - changed from \$4,000 to \$5,500

Adopted Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Aye Seely: Absent

----**Adjourn**----

Adjourned on a motion by Mr. Barber and seconded Mr. Fracchia at **9:26** p.m.

Respectfully Submitted,

Marilou Harrington-Lawson, Town Clerk