

## **Caroline Town Board Meeting Minutes of September 10, 2013**

The Town Board Business meeting held on September 10, 2013 at the Caroline Town Hall was called to order at 7:00 p.m. by Supervisor Don Barber.

### **Attendance:**

Don Barber, Supervisor  
Linda Adams, Councilmember - Absent  
Aaron Snow, Councilmember  
Irene Weiser, Councilmember  
Tim Seely, Councilmember (newly appointed at this meeting)

### **Recording**

**Secretary:** Marilou Harrington-Lawson, Town Clerk

**Also present:** Bob Anderson, Tim Seely, Peter Hoyt and Randall Reed

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### **Privilege of the Floor**

Peter Hoyt wanted to reiterate his opinion about recommending Bob Anderson to fill the remainder of the open term (until 12/31/2013) on the Town Board. Pete said “Bob would bring in an interesting perspective which might be an ‘eye opener’ to the board”. He said the Town Board should not be made of up ideological members but offer diversity. He said that this a “low risk opportunity” that wouldn’t change “the set” make up of the board but would be good to have a different point of view.

Don Dinger a long time resident of the Town of Caroline spoke to the board about lowering the speed limit on the 76 road in Brooktondale. There is problem with motor vehicles speeding in residential areas. In one area there is a children’s daycare in operation. Don Dinger had presented a petition to the board asking for their support in lowering the speed limit. The signatures came from residents living on 76 Rd. There is 34 individuals that signed the petition plus it contained statements of individuals who had been a witness to the excess speed used by motor vehicle drivers. The petition asked the Town Board to request the NYS DOT to lower the speed limit from 55 mph to 45mph. Supervisor Barber asked which areas of 76 Rd was of the most concern of the speeding. Don Dinger spoke about Caroline Center which is marked at 30 mph but drivers go over 55 mph through that area and then lower to 45mph an area of the 76 road to the West Fall Corners that is most populated. Supervisor talked about asking law enforcement to set up speed enforcement in those area, and working with enforcement about sections of road that the residents were suggesting the lower the speed limit from 55 mph to 45 mph. The board will discuss the proposal and petition and then bring forward a resolution, which if passed, will make a recommendation to the DOT for lowering the speed limit on 76 rd from 55 mph to 45 mph. .

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### **Reports**

#### **Cindy Whittaker, Highway Superintendent**

No report

#### **Don Barber, Town Supervisor**

Correspondence of Note:

1. 2 letters from NYS Homeland Security and Emergency Services inviting the Town to apply for grant funding
2. Petition signed by 34 residents of Caroline requesting that the speed limit be reduced on 76 Road to 45 mph in the area of Caroline Center.
3. Letter from Ms. Shenk, IHS teacher. She is requesting to confirm that we have student projects available and the list is accurate or needs alteration.

4. Letter sent to NYS Homeland Security and Emergency Services regarding reimbursement for Banks Road – received email that was received
5. Request from Veronique Domarastsky to consider a resolution to remove one light from the Lighting District- process?

Report:

1. The National Resource Conservation Services (NRCS) funded project for 600 Road stream bed and bank stabilization is not happening this year. Barry and I are meeting with NRCS staff tomorrow to speak about process for extension.
2. Contacted by Office of State Controller (OSC) to perform an audit. Triggered by DA fund which has been spending more than revenue. I told them we knew and when FEMA reimbursed us, this would no longer be a problem. After several meetings with me, the clerk, bookkeeper, and Highway Supt, they ended their audit with one recommendation: Board needs a better audit of Supervisor books. They gathered info about Solar panels to determine the savings for possible info source for other municipalities.
3. Met with Dog Control Consortium – the group is looking to develop an RFP for an enumerator that handle roughly one third of our group's homes per year, but we would all pay our portion on a 1/3 per year basis
4. Broadband: Recent email from Chuck Bartosch saying that the state granting agency apparently put out an alert that had the wrong date for the grant applications to be submitted for this fall. Bartosch discovered with too little time to develop an application. He claims there will another opportunity in 2014. 31 minutes

**Frank Proto, County Representative**

Absent

**Irene Weiser, Town Board**

Speedsville Fire Department- Rick Morgan will be attending an EMS refresher course. Discussion of the budget at Speedsville; they will be asking for a budget increase. They need pump heaters to keep the pumps from freezing while fighting fires in the winter months. The cost is \$2500 for each pump heater. They are also requesting 6 new turn-out suits (gear) @ \$2000 a suit.

They want to be kept apprised of public building inspections, problems found and the follow up. They want to also be kept updated on all the unsafe buildings, what the reports say and the follow up. When discussed what the protocol would be to follow, Supervisor Barber suggested that a member of Speedsville Fire dept. should contact the code officer with their request (which Councilmember Weiser said that they already done through e-mail). Supervisor Barber also said that that council member Weiser should follow up with the other local fire departments about the additional requests (in addition to the permit status) and then follow up with Code Officer.

Councilmember Weiser visited other Towns board meetings and found that Danby has a monthly report from the Code Officer and Court Office. She was wondering if that might be a possibility to have a written report given to the Caroline Town Board from our Code Officer and Court Clerk.

**Aaron Snow, Town Board**

No report

**Linda Adams, Town Board**

Absent

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**Action Topics**

The board members will be voting to replace the open seat on the Town Board that Dominic Frongillo has left. The vote is taken by secret ballot and then depending on the results (tallied by the Town Clerk), the highest voted for person will be presented by resolution. If the majority votes in favor of that person to become an interim board member then that person takes the vacant seat to be filled until 12/31/2013. The vote was taken and the highest votes were received by Tim Seely. Resolution to follow.

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**Resolution 130 of 2013**

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

Resolved, the Town board, by majority vote, has hereby appointed Tim Seeley to replace the seat of Dominic Frongillo on the Caroline Town Board for the remainder of his term ending 12/31//2013.

**Adopted** Barber: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

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**Fund Transfer****Resolution 131 of 2013**

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

**Be It Resolved the Caroline Town Board makes the following 2013 Fund Transfers**

\$ 600.00 from General Fund Account A 1010.4 Municipal Board CE to General Fund Account A 1220.4 Supervisor CE

\$ 20,000.00 from Highway Fund Account DA 5130.2 Capital Equipment to Highway Fund Account DA 5110.1 Road Maintenance PS

\$ 1,000.00 from Highway Fund Account DA 5130.2 Capital Equipment to Highway Fund Account DA 5110.11 Road Maintenance PS OT

\$ 10,000.00 from Highway Fund Account DA 5130.2 Capital Equipment to Highway Fund Account DA 5112.1 Road Capital Improvement PS

\$ 7,900.00 from Highway Fund Account DA 9080.801 Health Insurance Reserve to Highway Fund Account DA 9080.8 Health Insurance

**Adopted** Barber: Aye; Seely: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

## **Abstracts**

### **Approval of Abstracts**

#### **Resolution 132 of 2013 General Fund Abstract**

A motion was made by Mr. Barber and seconded by Mr. Seely to approve payment for the General Fund voucher numbers 259 through 282 for \$12,168.48.

**Adopted** Barber: Aye; Seely: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

#### **Resolution 133 of 2013 Streetlight Fund Abstract**

A motion was made by Mr. Barber and seconded by Ms. Weiser to approve payment for the Streetlight Fund voucher numbers 17 for \$437.47.

**Adopted** Barber: Aye; Seely: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

#### **Resolution 134 of 2013 Highway Fund Abstract**

A motion was made by Mr. Barber and seconded by Ms. Weiser to approve payment for the Highway Fund voucher numbers 134 through 155 for \$50,329.55.

**Adopted** Barber: Aye; Seeley: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

#### **Resolution 135 of 2013 Community Development Abstract**

A motion was made by Mr. Barber and seconded by Ms. Snow to approve payment for the Community Development Abstract voucher numbers 1 for \$50.50.

**Adopted** Barber: Aye; Seely: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

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## **Approval of Minutes**

### **Resolution 136 of 2013**

#### **Minutes of the Business Meeting held August 13, 2013:**

A motion was made by Mr. Barber and seconded Mr. Snow to accept the minutes of the August 10, 2013 meeting as submitted by the Town Clerk.

**Adopted** Barber: Aye; Seely: Abstain; Adams: Absent; Snow: Aye; Weiser: Aye

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## **Resolutions**

### **Resolution 137 of 2013**

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

#### **Resolution to Expand Membership of Emergency Planning Committee**

Whereas Resolution 126 established an Emergency Planning Committee to assist in the preparation of an Emergency Plan for the Town of Caroline,

Now therefore be it Resolved that the following persons are also appointed to the Emergency Planning Committee

Rick Morgan

William Lampila

Brian Turk

John Fracchia

(A motion was made by Mr. Wieser; seconded by Mr. Barber to amended the resolution to add John Fracchia)

**Adopted** Barber: Aye; Seely: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

**Resolution 138 of 2013**

A motion was made by Mr. Barber; seconded by Msss. Weiser

Resolved, the Town Board hereby authorizes the Supervisor Don Barber to sign a housing rehabilitation contract with Better Housing of Tompkins County

Adopted Barber: Aye; Seely: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

**Resolution 139 of 2013**

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

**Resolution to waive some requirements for Clarity Connect application to the Town of Caroline for a Special use Permit to Site Telecommunication Towers and Antennae as identified in Local Law #2 of 1998**

Whereas, Clarity Connect has received a public funded grant to install a Broadband Infrastructure within the Town of Caroline, and

Whereas the proposed system involved wooden poles with transmitters on top, and

Whereas, Clarity Connect will need to secure Road Construction and Special Use permits, and

Whereas, the installation of this infrastructure is regulated by Local Law #2 of 1998

Entitled: “Regulating the Siting of Telecommunication Towers, Antennae, and Related Facilities”, and

Whereas, certain application criteria are not germane to a wooden pole system being proposed for the Broadband infrastructure system, and

Whereas, the Caroline Town Board is the designated body to review and grant the Special Use permit,

Now therefore be it resolved, that the Caroline Town Board waives the following subsections of Section 6 of by Local Law #2 of 1998 Entitled: “Regulating the Siting of Telecommunication Towers, Antennae, and Related Facilities”

Section 6. F. 3&4: Size of property

Section 6. F. 7: Location, size and height of all structures on the property

Section 6. F. 9: Landscaping proposed and existing

Section 6. F. 12: Description of all tower related structures, materials, color and lighting

Section 6. F. 19: Copy of FCC license

Section 6. F. 20: Certification that topographic and geomorphic study and analysis was conducted

Section 6. G: Statement that no co-location sites available

Section 6. F. 23: State how facilities will be constructed in a manner to minimize impact on wildlife – unless a site is not along a roadway.

Section 6. I: Certification that tower is designed with a breakpoint at the midpoint

Section 6. K. Long form EAF for each tower- instead the requirement will be a short form EAF for the entire system

Section 6. N: Screening of tower

Section 6. W: Investigate feasibility of designing to allow future co-location

And Be it further resolved that the Visual Impact Assessment, Section 6. L, shall be modified to include a graphic representation or picture showing the tower poles being proposed in relation to standard utility poles and in width and height of mature trees.

**Discussion:** Councilmember Seely asked if the transmitters could be used on existing poles. Supervisor Barber answered they are not tall enough. The poles they will be placing are 70 feet; 10 feet buried 60 feet above ground.

A motion was made by Ms. Weiser; seconded by Mr. Seely

To change section 6F7 (Irene suggested removing it and Don suggested amending it.)

And it be further resolved, section 6 F7 is modified to say Location, size and height of all structures within the fall zone of any and all poles being placed.

**Adopted** Barber: Aye; Seely: Aye; Adams: Absent; Snow: Nay; Weiser: Aye

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

A few grammatical changes were made within the resolution

**Adopted** Barber: Aye; Seely: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

### **Resolution 140 of 2013 (as amended)**

A motion was made by Mr. Barber; seconded by Ms. Weiser to accept the following resolution as amended.

### **Resolution to waive some requirements for Clarity Connect application to the Town of Caroline for a Special use Permit to Site Telecommunication Towers and Antennae as identified in Local Law #2 of 1998**

Whereas, Clarity Connect has received a public funded grant to install a Broadband Infrastructure within the Town of Caroline, and

Whereas the proposed system involved wooden poles with transmitters on top, and

Whereas, Clarity Connect will need to secure Road Construction and Special Use permits, and

Whereas, the installation of this infrastructure is regulated by Local Law #2 of 1998

Entitled: “Regulating the Siting of Telecommunication Towers, Antennae, and Related Facilities”, and

Whereas, certain application criteria are not germane to a wooden pole system being proposed for the

Broadband infrastructure system, and

Whereas, the Caroline Town Board is the designated body to review and grant the Special Use permit, Now therefore be it resolved, that the Caroline Town Board waives the following subsections of Section 6 of by Local Law #2 of 1998 Entitled: “Regulating the Siting of Telecommunication Towers, Antennae, and Related Facilities”

Section 6. F. 3&4: Size of property

Section 6. F. 7: Location, size and height of all structures on the property

Section 6. F. 9: Landscaping proposed and existing

Section 6. F. 12: Description of all tower related structures, materials, color and lighting

Section 6. F. 19: Copy of FCC license

Section 6. F. 20: Certification that topographic and geomorphic study and analysis was conducted

Section 6. G: Statement that no co-location sites available

Section 6. F. 23: State how facilities will be constructed in a manner to minimize impact on wildlife – unless a site is not along a roadway.

Section 6. I: Certification that tower is designed with a breakpoint at the midpoint

Section 6. K. Long form EAF for each tower- instead the requirement will be a short form EAF for the entire system

Section 6. N: Screening of tower

Section 6. W: Investigate feasibility of designing to allow future co-location

And Be it further resolved that the Visual Impact Assessment, Section 6. L, shall be modified to include a graphic representation or picture showing the tower poles being proposed in relation to standard utility poles and in width and height of mature trees.

**And Be it further resolved, section 6 F7 is modified to read-Location, size and height of all structures within the fall zone of any and all poles being placed.**

**Adopted** Barber: Aye; Seely: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

### **Resolution 141 of 2013**

A motion was made by Mr. Barber; seconded by Mr. Snow

Resolved, the Caroline Town Board hereby approves the Justice Court Assistant Program (JCAP) grant for \$500.00 to be used for the purchase of new computer for the Caroline Town Court.

Adopted Barber: Aye; Seely: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

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### **Town Business**

### **Resolution 142 of 2013**

A motion was made by Mr. Barber; seconded by Mr. Snow

Resolved, the Caroline Town Board Budget set the following dates and time (7:00 p.m.) to discuss the budget for 2014: Tuesday 10/1, Tuesday10/ 8, Wednesday10/9, and Monday 10/14, and date of Tuesday10/29 if needed.

And be it further resolved, the board will hold the public hearing to set the preliminary budget for 2014 on 11/ 7 at 7:00 p.m.

**Adopted** Barber: Aye; Seeley: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

The Town Board entered into Executive Session at 8:48 p.m.

A motion was made by Mr. Barber and seconded Ms. Weiser to end Executive Session at 9:22 p.m.

**Adopted** Barber: Aye; Seely: Aye; Adams: Absent; Snow: Aye; Weiser: Aye

The Town Board came out of Executive Session at 9:22 p.m.

Adjourned on a motion by Mr. Barber and seconded by Mr. Seely the meeting adjourned at 9:22 p.m.

Respectfully Submitted,

Marilou Harrington-Lawson, Town Clerk