

## **Caroline Town Board Meeting of September 9, 2015**

The Town Board Business meeting held on September 9, 2015 at the Caroline Town Hall was called to order at 7:07 p.m. by Supervisor Don Barber.

**Board Members Present:** Don Barber, Supervisor, John Fracchia, Irene Weiser, Mark Witmer, Deputy Supervisor, Tim Seely

### **Recording**

**Secretary:** Deb DeAugustine, Acting Clerk

**Also present:** County Legislator Dan Klein

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### **Resume Adjourned Public Hearing Regarding Local Law to Override Tax Levy Limit**

Mr. Barber opened the public hearing at 7:08 p.m. He explained why the board is doing this now. There's a tentative budget created by the supervisor, which is due to the town clerk by September 30th and to the town board by October 1st. Without having this law adopted, the supervisor's only action can be to put forward a budget that complies with the law. So, adopting this now gives the supervisor the flexibility to go outside the tax cap. It also gives the town board the same flexibility. This only creates the possibility; it doesn't create the outcome.

No one wished to address the board.

Mr. Barber closed the public hearing at 7:11.

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### **Privilege of the Floor**

Barry Adams spoke on behalf of Brooktondale Community Center (BCC) board of directors. There are a number of vacancies on the board. They are in search of good people now to fill interim openings and also vacancies beginning in January. The BCC is not specific to Brooktondale – it serves the town of Caroline and anyone who lives within a three-mile radius of the BCC building. It's an all-volunteer board. They meet once per month and members are expected to take on various tasks. They have a newsletter editor, a summer camp program, a playground open to the community at large. Law stipulates 12 board members maximum. He thinks they will be best served with between four and six new members for staggered three-year terms. Six of the current 12 members are programmed to continue in January; the other six will not be on board.

Jonathan Comstock addressed the board as the Caroline representative to the Solar Tompkins board. The HeatSmart program will launch next week. Three installers will be named. The first meeting in Caroline will be Sept. 17th at the BCC. He thanked the board for being one of the municipalities that helped Solar Tompkins this year. They expect this HeatSmart program to be similar to the solar PV program with below-market prices, a set of best practices standards, and vetted installers. The program will help members to have more comfortable homes, more affordable heating options, and large reductions in greenhouse gases. One level is to do basic insulation of the home. Then they advocate heat-pump technologies to replace fossil fuel heating in the home. That will apply to both domestic hot water, which can have its own standalone air source heat pump, and also air-sourced and ground-sourced heat pumps for air conditioning and heating of the whole building. Heat pumps are tremendously energy efficient, so there's a great

reduction in the amount of energy needed to heat a home. They are electric, so they can be as efficient as your electric supply. Even just taking grid electric as it is today, it is still a substantial reduction in greenhouse gas and fossil fuel usage because it's so efficient.

Jan Burton spoke on behalf of the League of Women Voters. She said they're planning another meet-the-candidate event. She's having a hard time reaching some people. She usually just contacts each party's chair so she doesn't have to chase down every candidate. John Reed offered to video record it. It will be held Wednesday, Oct. 28th from 7 to 8:30 p.m. at the Brooktondale Community Center.

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## Reports

### Don Barber, Town Supervisor

#### Correspondence of Note

1. Notice from TC Personnel of Supervisory training this fall
2. Letter from Department of Taxation and Finance that the town's equalization rate is 100%

#### Report

1. Working with Mr. Witmer on budget preparation
2. DHSES has re-opened the FEMA grant for Buffalo Creek - conference call tomorrow including Watershed Committee and TG Miller. The application was completed by 9/30/15. State may cover town match (25%)
3. He expects that budget paring has been successful over past few years and that there will be little added to fund balance from 2015
4. Direct deposits for today's payroll were not transferred to TTC on time to make bank accounts today. There will most likely be additional costs for missed payments
5. NYMIR
6. Ithaca College is asking for permission to conduct a survey about what happens around watering holes.

### Quick Cemetery

RC Quick shared some information about the cemetery. Gary Jordan was also present. Mr. Quick submitted an article to the Old Mill for the newsletter, which he read to the board, but declined to submit the article for attachment to the minutes. He said that the reason the cemetery looks so nice is because of the Jordan brothers, Gary and Steve. He supplied a price list for the cemetery (Attachment #1). He was before the board with a five year plan for the cemetery board to stop running the cemetery. It remains to be seen whether the town will need to take it over. He has no desire for his name to remain associated with the cemetery once he is no longer involved. There are probably 300 lots left, at a minimum. There is the possibility that in the next five years, someone will come forward to take over the cemetery. He shared some information from the annual report. They have very good records, including maps and lot owners. He later took questions from the board.

Mr. Fracchia asked what the best outcome would be. Mr. Quick responded that the town taking it over would be the best outcome. It would need to be done in a manner in which towns are not

accustomed to taking over cemeteries. It would remain an active cemetery – they have 300 lots left unsold.

Mr. Barber said the process Mr. Quick is going through is to hold meetings with folks who have an interest in the cemetery annually.

Mr. Quick said that, yes, they will have a meeting every November through 2020. Gary Jordan has agreed to stay on as a consultant and he, himself, will stay on to help with the annual report for the fiscal year ending 2020. He will contact other people who have an affiliation with the cemetery, including John Carson, who has family in the cemetery. He will also contact other cemeteries. Then he will stay in contact with the town board, who are welcome to attend the meeting in November. There are five board members. His family has been active in the cemetery since 1864.

Brendon Stanton, regional investigator, NYS Department of State, Division of Cemeteries, was present to take questions.

Ms. Barber asked about the process for taking it over. He said the town mows the cemeteries three times per year.

Mr. Stanton said that all cemeteries in NYS are not-for-profit; it's a requirement. All cemeteries are regulated by the not-for-profit corporation. So, their annual reports are public information. In 1949, quite a few funeral firms were trying to take over cemeteries in New York, so the state stepped in because that's not in the people's best interest – they were raising prices and treating people unfairly. They cannot be owned or directed by funeral entities. Abandonment means it has no current board of directors. There are two ways a cemetery can be abandoned and both require the town to take it over. One, the cemetery association votes to hand it over to the town and the town board accepts or not. If the cemetery board quits, it is turned over to the town. Mr. Quick wants the board to accept the cemetery. It won't be cost effective for the town to run the cemetery like it is run now. When a cemetery is abandoned, the state has one-time funds for cleanup. This can pay to erect a fence, pay for toppled headstones, pay for equipment to maintain the cemetery, etc. If you accept the money, you are required to maintain it more than the minimum required by statute, which is to mow it three times per year. This particular cemetery is well cared for. Once you take it over, people will call all the time and complain that it's not taken care of properly.

Mr. Fracchia asked whether the assets would be transferred.

Mr. Stanton said they would. The cemetery association cannot spend any permanent maintenance funds.

Mr. Barber noted that their funds are mostly invested in stocks, which the town is not allowed to invest in. So they'd have to be liquidated.

Mr. Seely asked whether there could there be internments.

Mr. Stanton said there could be. Once a cemetery is abandoned it isn't regulated by NYS anymore. A cemetery association could take it over for the town or another local cemetery could take it over. A merger with an existing cemetery is rare in this part of the state, but is okay. Once abandoned, town law governs.

Someone in the audience asked what happens to the lots that are already sold.

Mr. Stanton responded that the town has to allow burials to occur, but does not have to facilitate them. They have to keep a record of the burials. The cost of the burial would be borne by the lot owner and managed by a funeral home.

Ms. Weiser asked whether the association can give the lot owners' money back.

Mr. Stanton said that he's never heard of that happening.

Barb Kone stated that lot owners for four generations are owners of the lots.

Mr. Stanton agreed that burials could happen for generations to come. They have an estimated 200 lots for sale right now and they can continue to sell them up until the time of abandonment. The state encourages cemeteries not to be abandoned. It works with boards to help them stay active.

Mr. Barber said that town would be performing a non-for-profit function for a few people, borne by all the taxpayers in perpetuity.

Mr. Stanton said that eventually, a cemetery runs out of plots to sell and runs out of money and that's when the cemetery is usually abandoned. That's not in play here. We work with cemeteries to find new boards to prevent them from being abandoned. He said that prices for services are regulated, not plot prices.

### **Food Pantry, John Martin**

Mr. Barber said that, historically, the Food Pantry comes to the board at the end of the year for funding to tide over them, not at the beginning.

Mr. Martin said that the Foodbank of the Southern Tier is spending more money, based on new USDA guidelines, on fresh fruits and vegetables and dairy. (Attachment #2)

Mr. Fracchia asked about funding sources.

Mr. Martin responded that they get a grant every year, the United Way, private donations that go through the United Way, the town. They get free produce from the Amish, but don't know what they'll get until the truck arrives. They get food donations from the colleges. Without a permit to serve food, they can't take donations from restaurants. Every two weeks, they get a large amount of bread from Ithaca Bakery. Also, the Brookton Market gives all their day-old bread, so clients are offered unlimited bread products. Bethel Grove Church and the Ithaca Post Office give donations of food.

## **County Representative's Report**

Mr. Klein said they had their first of 10 budget meetings last night. The state passed a tax freeze law this year. If municipalities stay within the tax cap and provide a plan to have a lower tax levy of 1% each year for the next three years, then the taxpayer can get a refund of the entire tax increase.

The county submitted the three-year plan back in June and they have not heard back from New York State yet, so they don't know if it's going to happen. They have a goal to stay under the 1.8%, and the tentative budget right now is 1.3%. Nothing has been cut; it's maintenance of effort. They're proposing to add three staff people. There are over-target requests of \$3 million, and they have \$2 million to fund them. The increase to an average home in the county would be about \$15. If the tax freeze works out, taxpayers will get that \$15 back. Ms. Weiser pointed out how much it might cost the state to process that. Mr. Klein responded that downstate, the amount taxpayers get back comes out to be much higher.

Mr. Seeley would like to see youth employment funded; Mr. Klein was hoping so also, but doesn't think it will be. Mr. Fracchia requested they put in funds for training emergency response personnel.

Mr. Klein pointed out that the tax rate went down. He pointed out that next year is the bicentennial for Tompkins County. There will be a little bit of money for historic plaques, at least one for each town.

## **Tim Seely's Report**

### **Joint Youth Commission**

The meeting was held on September 8, 2015. The 2016 budget with expected revenues and expenditures was reviewed. Revenues are uncertain from the county with three OTRs that have not yet been approved. The JYC learned that CCE has reached an agreement with their program managers to increase pay rates by 10% in 2016. This increase in pay rate is going to cut into youth programming unless revenues increase. He has requested a 2% increase for the JYC in the 2016 budget.

### **Tompkins County Recreation Partnership**

No report.

### **Buildings and Grounds**

The roofing project for the town hall has been advertised and is now out to bid. There will be a pre-bid conference at the town hall on Friday 9/11 at 4:00 p.m. for any interested bidders to ask questions. All bids are due to the town clerk by Thursday 9/17 at 3:00 p.m.

## **Mark Witmer's Report Planning Board**

They discussed questions for Comprehensive Plan survey.

## **Watershed Committee: August 18, 7-9 p.m.**

- Reviewed our updated draft of Stormwater Management Plan.
- He attended IO meeting on August 26th in Aurora. Good attendance, with presentations by DOS rep (Stephanie) and Keith Batman (Cayuga County legislator). Theme was getting input for the update to the RPP. Mr. Batman suggested developing a plan for septic inspections (for example, point of sale). General discussion and concern about implementing effective stormwater control measures on farmland. Discussed advancement of ditching best practices with Stephanie. She said that DOS is developing draft plans for towns to adopt. Also supportive of the idea of demonstration projects by towns, including state funding.

**Energy Independent Caroline: August 17, 7-9 pm (Brice Smith, Melissa Kemp, Jonathan Comstock, Ed Wurtz, Pat Dubin, Steve Nicholson, Milt Taam)**

Melissa and Brice conducted blower-door measurement on Town Annex, took measurements of walls, and made IR readings. They will develop a heat-load assessment. (Mr. Witmer will forward to them: square footage, building set-point, insulation values, specs on heat pump). Plan to continue at September meeting.

**John Fracchia's Report**

**Emergency Services**

- Reached out to Vicky and Bob Wiener of Vestal Ambulance to find out how they transitioned from all-volunteer ambulance to hybrid paid/volunteer model. Learned that to do so they needed/decided to separate from the Town of Vestal.
- Have been in communication with Beth Harrington, Slaterville Ambulance, regarding potential budgetary impacts of hybrid service model. Assuming the hiring of weekend paramedics, the town can expect a request of \$58,330 above our current contract. (Estimates 44 hours/weekend x 53 weekends x 25.00/hour). We would be wise to plan more than this as they will not be able to be covered under the Workman's Comp the way volunteers are.

**Greater Tompkins County Municipal Health Insurance Consortium**

- The Consortium is currently working on a vision statement to guide future areas of focus and programmatic developments. Completed vision statement survey.

**CIT**

- No update

**Wellness Committee**

- Committee will be meeting later in the month to discuss work and possible plan of action.

**Emergency Preparedness**

- No update

**Irene Weiser's Report**

**Aquifer protection**

They continue to meet with Steve Winkley – building off proposed uses/constraints from the

proposed Danby law. One difference – we don't have zoning, and aquifer protection typically uses zones. We're evaluating items that we think would be appropriate to constrain/permit town-wide. Over half of our residents live in areas with unconsolidated/unconfined aquifers. Once we've developed our list we'll check with Guy Krogh to determine how to move forward.

## **COMMUNICATION INFORMATION AND TECHNOLOGY COMMITTEE**

### **Website**

Contractor's mother became ill and she needed to leave town. Now back and will work up outline, deliverables, hourly fee, overall cap as request by board.

### **Cell service**

They were contacted by residents requesting better cell service and expressing concern about a local law that they believed prohibited cell towers in Caroline. Ms. Weiser explained that was not the case and sent them a copy of the local law. She contacted Lee Shurtleff at County Emergency Services to discuss. He says there is a new development in that ATT recently developed a contract with the county jail. Ms. Weiser told him that in 2011, ATT expressed interest in putting a tower on Bald Hill Road, but property owner refused.

### **Other IT**

Ms. Weiser met with the IT committee to discuss budget priorities, and will send it to Mr. Barber soon.

### **Broadband**

The same resident with questions about cell service also had questions/concern about Clarity's service. Resident directed Ms. Weiser to a website that had several complaints about Clarity's service. However, the comments were written by the same three individuals over a period of several years, with the same exact words. So three people are unhappy and have said so on several websites over and over. What is the status of the service contract with Clarity?

### **TCCOG**

There was no meeting in August. The September meeting will discuss Residential Energy Score Project – a proposed voluntary program.

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## **Transfers**

### **Resolution 150 of 2015**

Moved by Don Barber; seconded by Tim Seely

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.
- \$ 4,000.00 from General Fund Account A 5020.4 Highway Engineering CE to General Fund Account A 8710.4 Creek CE.
- \$ 4,882.00 from General Fund Account A 1420.4 Legal CE to General Fund Account A 8710.4 Creek CE.
- \$ 2,000.00 from General Fund Account A 3310.4 Traffic Control CE to General Fund

- Account A 5132.2 Garage EQ.
- \$ 1,721.00 from General Fund Account A 5132.4 Garage CE to General Fund Account A 5132.2 Garage EQ.
- \$ 2,000.00 from General Fund Account A 1990.4 Contingency to General Fund Account A 5132.2 Garage EQ.
- \$ 2,000.00 from General Fund Account A 8020.4 Planning CE to General Fund Account A 5132.2 Garage EQ.
- \$ 2,000.00 from General Fund Account A 9060.8 Medical Insurance CE to General Fund Account A 5132.2 Garage EQ.
- \$ 1,423.00 from General Fund Account A 1420.4 Legal CE to General Fund Account A 5132.2 Garage EQ.
- \$ 8,000.00 from Highway Fund Account DA 5130.2 Equipment EQ to Highway Fund Account DA5142.4 Snow and Ice CE.
- \$ 10,000.00 from Highway Fund Account DA 5130.2 Equipment EQ to Highway Fund Account DA 5110.4 Repair CE

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

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### Approval of Abstracts

#### **Resolution 151 of 2015: Streetlight Fund Abstract**

A motion was made by Mr. Barber and seconded by Mr. Seely to approve payment for the Streetlight Fund voucher number 17 and 18 for \$549.46.

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

#### **Resolution 139 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 298 through 326 for \$45585.23

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

#### **Resolution 140 of 2015: Highway Fund Abstract**

A motion was made by Mr. Barber and seconded by Mr. Witmer to approve payment for the Highway Fund voucher numbers 181 through 196 for \$40131.01.

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

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### Approval of Minutes

**Resolution 152 of 2015: Town Board Minutes August 4, 2015**

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

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Abstain Seely: Ay

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**Resolutions****TB Resolution No. 2015 -153: Approve Offering Medicare Supplement Plan**

Moved by Don Barber; seconded by Tim Seely

Whereas, the current Collective Bargaining Agreement with Teamsters Local 317 states in Section 11.2.5: “Medicare: At the time the retiree and/or spouse meet the eligibility criteria for Medicare coverage, the retiree and/or spouse will be enrolled in the New York State Teamsters Council Health and Hospital Fund Secure Comp Medicare Supplement Plan, or its equivalent. The Town will not reimburse an eligible retiree and the retiree’s spouse for the cost of the Medicare Part B premium”; and

Whereas, the Greater Tompkins County Municipal Health Insurance Consortium (Consortium) has approved a Medicare Supplement Plan with five options for prescription drug coverage; and

Whereas, the Town Board has compared the New York State Teamsters Council Health and Hospital Fund Secure Comp Medicare Supplement Plan with the Consortium’s Medicare Supplement Plan and found them to be identical; and

Whereas, the Town Board considering offering a Medicare Supplement plan with the three tier prescription drug option \$5 Tier1, \$15 Tier 2, and \$30 Tier 3 at an estimated monthly premium of \$449.75; now, therefore, be it

Resolved, the Town Board approves offering the Consortium Medicare Supplement plan with the three tier prescription drug option \$5 Tier1, \$15 Tier 2, and \$30 Tier 3 at an estimated monthly premium of \$449.75, effective January 1, 2016.

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Abstain Seely: Aye

**TB Resolution No. 2015-154: Resolution to Adopt Local Law to Override Tax Levy Limit Established by GML 3-C**

Moved by Don Barber; seconded Jon Fracchia

Resolved, the Caroline Town Board adopted Local Law No. xxx to Override Tax Levy Limit Established by GMS 3-C.

**Adopted** Barber: Aye; Fracchia: Aye; Witmer: Aye; Weiser: Abstain Seely: Aye

**Discussion regarding IC survey**

The board was enthusiastic. Ms. Weiser thought they should ask how much water people are getting per visit, how much they get, and why they’re coming to Caroline to get water. It’s a

precious resource that a lot of people depend on. She thought it would also be a good idea to specify where they're locating their drop box and how they'll make sure it stays in the ground.

**---Adjourn---**

On a motion by Tim Seely and seconded Jon Fracchia, the meeting adjourned at 9:12 p.m.

Respectfully Submitted,

Deb DeAugustine, Acting Clerk