

CAROLINE TOWN BOARD BUSINESS MEETING

Wednesday, October 14, 2020, 7 pm

Because of the Novel Coronavirus (COVID-19) Emergency and State and Federal bans on large gatherings, and pursuant to Governor Cuomo's Executive Order suspending the in-person meeting requirement of Open Meetings Law, the Caroline Town Board Business Meeting scheduled for October 14, 2020 at 7 pm will be held electronically via Zoom teleconference. Members of the public may listen to and/or view the meeting by following the instructions below. Minutes of the meeting will be posted on the [Town of Caroline website](#). Comments to the Board may be provided at Privilege of the Floor during the Zoom meeting, by email (clerk@townofcaroline.org), or by mail (P.O. Box 136, Slaterville Springs, NY 14881).

INSTRUCTIONS TO ATTEND THE VIRTUAL ZOOM MEETING (<https://zoom.us>)

1. Direct Link: <https://us02web.zoom.us/j/86148710458>
2. Without a Zoom account: <https://zoom.us/join>; enter Meeting ID: 861 4871 0458
3. Phone dial-in: +1 929 205 6099 US (New York)

Find your local number (if not NY): <https://us04web.zoom.us/j/86148710458>

MEETING AGENDA

Privilege-of-the-Floor: Opportunity for citizens to bring forward matters of concern (3-min limit)

Additions or Deletions from Agenda

*Update on LED Streetlight Project with Casey Mastro from New York Power Authority

*[2021 Tentative Budget](#) Discussion with Highway Department ([Budget Presentation](#))

Highway Superintendent's Report

Supervisor's Report

Town Clerk's Report

County Representative's Report

Department, Committee, & Liaison Updates

Town Business

- ¹Introduction of Local Law to Override the 2021 Tax Cap
- ²Resolution to adopt [Town of Caroline Fund Balance Policy](#)
- ³Resolution authorizing the Supervisor to sign the [2020](#) and [2021](#) Municipal Cooperative Agreements for the Greater Tompkins County Municipal Health Insurance Consortium
- ⁴Resolution [authorizing NYPA to create LED streetlight maintenance agreement](#)
- ⁵Resolution supporting overtarget request to Tompkins County for broadband study
- Discussion of highway garage planning
- Discussion of planning assistance from County Dept. Planning & Sustainability
- Transfers
- Approval of Abstracts: Highway, General, Lighting, Fire Protection
- Approval of minutes of [October 6](#)

—Adjourn—

**¹ Town of Caroline, County of Tompkins
Local Law No. ___ of the year 2020**

**TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN
GENERAL MUNICIPAL LAW §3-C**

Be it enacted by the Town of Caroline as follows:

Section 1. Legislative Intent

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Caroline, County of Tompkins pursuant to General Municipal Law §3-C, and to allow the Town of Caroline to adopt a Town budget for (a) Town purposes, and (b) any other special or improvement district, and Town improvements provided pursuant to Town Law Article 12-C, governed by the Town Board for the fiscal year beginning January 1, 2021 and ending December 31, 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-C.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent of said governing body.

Section 3: Tax Levy Limit Override

The Town Board of the Town of Caroline, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-C.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or its application to the person, firm or corporation, or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

²Resolution ____ of 2020. Adoption of a Town of Caroline Fund Balance Policy

WHEREAS, a Fund Balance Policy that establishes a clear understanding of the purposes and goals of the various Town funds will provide guidance for Town Officials to promote a rational strategy for the budgeting and capital planning needs of the Town, enhancing fiscal stability and predictability for the Town and its residents, therefore be it

RESOLVED, the Town of Caroline hereby adopts the following Fund Balance Policy:

Town of Caroline Fund Balance Policy

Purpose: The Office of the New York State Comptroller recommends that local governments establish a policy to maintain reasonable levels of Unexpended Surplus Funds to buffer the Town from unanticipated expenditures or revenue shortfalls. The Caroline Town Board hereby establishes this Fund Balance Policy in order to provide a clear understanding of the purposes of the various Town funds and guidance for Town Officers to promote a rational strategy for the budgeting and capital planning needs of the Town. This policy will enhance fiscal stability and predictability for the Town and its residents.

Fund Balance Classifications: In 2009 the Governmental Accounting Standards Board (GASB) revised the classification of Fund Balance in Statement 54 from reserved and unreserved fund balance to five fund balance classifications:

1. **Non-spendable Fund Balance:** assets that are inherently nonspendable because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, financial assets held for resale, and the principal of endowments (examples include materials and fuel for maintenance of highways and Town capital assets).
2. **Restricted Fund Balance:** funds that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments, or through constitutional provisions or enabling legislation (examples include Town Hall, Highway Barn, and Highway Equipment Reserve Funds, as well as grant awards from FEMA or the NYS Dept. Environmental Conservation, such as WQIP and Clean Energy Communities).
3. **Committed Fund Balance:** amounts that are subject to a purpose constraint imposed by a formal action of the government's highest level of decision-making authority before the end of the fiscal year, and that require the same level of formal action to remove the constraint. The New York State Office of the State Comptroller believes that most local governments in New York will not have committed fund balance to report.
4. **Assigned Fund Balance:** amounts subject to a purpose constraint that represents an intended use established by the government's highest level of decision-making authority, or by their designated body or official. The purpose of the assignment must be narrower than the purpose of the General Fund, and in funds other than the General Fund, assigned fund balance represents the unexpended moneys in those funds (i.e., Highway Fund, Fire Protection Fund, and Streetlight Fund).

5. **Unassigned Fund Balance:** the residual classification for the government's General Fund, and could be a surplus or a deficit. In funds other than the General Fund, the unassigned classification should be used only to report a deficit balance resulting from overspending for specific purposes for which amounts had been restricted, committed, or unassigned.

Policy:

1. This policy shall apply to the Town's General Town-wide (A) Fund and the Highway (DA) Fund.
2. When resources are available from multiple fund balance classifications, the Town shall spend funds in the following order: restricted, committed, assigned, unassigned.
3. The Caroline Town Board is the decision-making authority authorized to commit fund balance. The action to commit fund balance must occur prior to the end of the fiscal year in order to report such commitments in the annual financial report. The commitment may only be modified by a resolution of the Town Board.
4. The Town Supervisor has authority to assign Unassigned Fund Balance amounts where the Town's intent is for those amounts to be used for specific purposes. This delegation of authority is for the sole purpose of reporting these amounts in the annual financial statements.
5. *Unexpended Surplus Funds:* For the purpose of this policy, *unexpended surplus funds* shall consist of Unassigned Fund Balance for the General Fund (A917 in the Annual Update Document) and Assigned Fund Balance for the Highway Fund (DA915 in the Annual Update Document).
6. The Town shall strive to maintain Unexpended Surplus Funds in the General and Highway Funds between 15% and 20% of budgeted expenditures:
 - A. General Fund Unexpended Surplus Funds above 20% shall be reserved for specific capital needs or to support Highway Fund policy goals.
 - B. Highway Fund Unexpended Surplus Funds above 20% shall be reserved for equipment needs (Reserve Fund DA 233).
7. The Town Supervisor shall report the amount and percentage of unexpended surplus funds to the Town Board upon completion of the Annual Update Document each year.
8. If unexpended surplus funds exceed the maximum amount recommended by this policy, the excess may be used for any lawful purpose approved by the Town Board. In order to minimize the long-term impact of such use, the excess should be appropriated to one-time expenditures which do not result in recurring operating costs, and/or be used to establish or increase reserves, and/or be used to offset the succeeding year's tax levy.
9. All unexpended funds in DA5130.2 Machinery - Equipment shall be transferred to its own reserve fund (DA233).
10. All other Unexpended Surplus Funds may not be transferred to reserves or used for other purposes unless fund balance minimums have been met.
11. In the event that Unexpended Surplus Funds fall below the minimum amount set forth herein, the Supervisor shall make a recommendation to the Town Board to restore the balance to the minimum level in the next budget year or other appropriate period of time.

Review: This policy shall be reviewed by the Town Board on an annual basis.

³Resolution ____ of 2020. Approval of the 2020 and 2021 Amendments to the Municipal Cooperative Agreement for the Greater Tompkins County Municipal Health Insurance Consortium

WHEREAS, the Town of Caroline is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010) and the 2020 and 2021 Amendments that provide for the operation and governance of the Consortium, and

WHEREAS, Article 47 of the New York Insurance Law (the "Insurance Law") and the rules and regulations of the New York State Department of Financial Services set forth certain requirements for governance of municipal cooperatives that offer self-insured municipal cooperative health insurance plans, and

WHEREAS, the Agreement sets forth in Section Q2 that continuation of the Consortium under the terms and conditions of the Agreement, or any amendments or restatements thereto, shall be subject to Board review on the fifth (5th) anniversary date and upon acceptance of any new Participant hereafter, and

WHEREAS, by motion nos. 005-2020 and 008-2020, the Consortium's Board of Directors recommends approval of the 2020 and 2021 amended agreements based on review of the document by the Governance Structure/MCA Review Committee, the New York State Department of Financial Services, and the Consortium's legal counsel, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by its municipal board,

WHEREAS, the Town of Caroline is in receipt of the proposed amended Agreement(s) and has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the attached 2020 and 2021 Amended Municipal Cooperative Agreements, now therefore be it

RESOLVED, that the Town of Caroline approves and authorizes the Chief Executive Officer to sign the 2020 and 2021 Amendments to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium, and

RESOLVED, further, that the Clerk of the Town of Caroline is hereby authorized to execute this Resolution to indicate its approval, transmit a copy thereof to the Board of Directors of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.

⁴Resolution ____ of 2020. Authorization for the New York Power Authority (NYPA) to Proceed with Creation of LED Streetlight Maintenance Agreement for Caroline

WHEREAS, the Town of Caroline has contracted with NYPA to replace all 79 town streetlights with energy-efficient LED bulbs in order save energy and money for the town and its residents; and

WHEREAS, the Town of Caroline has purchased from NYSEG town streetlights in order to reduce streetlight maintenance costs and enhance streetlight maintenance service; and

WHEREAS, the current annual maintenance costs for 79 town streetlights (\$8.15/mo/light) is \$7,726.20 with NYSEG versus a proposed \$1,537.78 with NYPA (3% increase for year 2) plus recommended reserve funds of \$2,782.84 for non-routine maintenance; and

WHEREAS, NYPA obtained this streetlight maintenance price through a competitive bid process; therefore be it

RESOLVED, the Town of Caroline hereby authorizes NYPA to proceed with the creation of a formal “Customer Project Commitment” that specifies the terms of streetlight maintenance for the Town.

⁵Resolution ____ of 2020. Town of Caroline Supporting an Overtarget Request for Tompkins County to Undertake a Broadband Planning Study and Pledging Five Thousand Dollars in Support.

WHEREAS COVID-19 has highlighted key inequities in our infrastructure and communities, including a lack of adequate broadband access to residents and businesses in our rural communities; and

WHEREAS lack of broadband access impedes the ability of our residents to do work, attend school, have medical appointments, run their businesses, and even to have virtual face-to-face conversations with loved ones; and

WHEREAS access to broadband services is not a luxury but a necessary public need that must be addressed; and

WHEREAS at least 300 households (25%) in the Town of Caroline lack access to broadband service and others experience barriers to access based on affordability and physical distance from the road; and

WHEREAS the model for broadband buildout up until now has been that Internet Service Providers (ISPs) get grant funding from the state or federal governments to build a system that the ISP owns and controls; and

WHEREAS these ISPs are driven by profit motives rather than public interests, resulting in inadequate speeds and lack of access and competition in the most rural areas in the county; and

WHEREAS municipally owned internet services can better serve the public interest; and

WHEREAS it is not economically feasible for each municipality to fight each other for state and federal funding to build their own fiber network; and

WHEREAS a collective, regional approach is not only possible and logical, it is already happening in many counties around us through a regional partnership with the Southern Tier Network, and

WHEREAS the Southern Tier Network (STN) is a municipally-owned non-profit open access fiber network created in January 2011 through a partnership between the Southern Tier Central, Corning Incorporated, and Chemung, Schuyler, and Steuben Counties; and

WHEREAS STN was built to support the needs of public safety, improve broadband access in rural areas, increase competition and the level of telecommunications services across the region, and create a globally competitive advantage for job creation; and

WHEREAS STN has developed and successfully maintained over 500 miles of fiber across the Southern Tier of New York, with lines extending through Schuyler, Chemung, Steuben, Yates, Tioga, Broome, and even into Tompkins County; and

WHEREAS since 2011, STN has been building out middle mile fiberoptic cable that has successfully increased the competition of ISPs to provide service to both residential and commercial properties; and

WHEREAS STN is now working with member counties to explore solutions to reach into the most rural areas in the Southern Tier; and

WHEREAS earlier this year Schuyler, Chemung, Steuben, Yates, and Tioga (the current members of STN) collectively hired Fujitsu to do a study with 5 deliverables to explore a plan for STN to build, own and operate a network of both middle and final mile fiber in their communities; and

WHEREAS the Executive Director of STN, Steve Manning, indicated that Tompkins may be able to create an add-on contract with Fujitsu for the same deliverables, taking advantage of the work that has already been done (e.g. business and operations models, financial models etc.) to realize costs savings; and

WHEREAS the Town of Caroline recently participated in a webinar with Steve Manning to learn more about the potential of municipally owned broadband, and we are interested in exploring the possibility and believe economies of scale will be realized that will make the project more feasible by working with other Counties;

Now, therefore be it

RESOLVED that the Town of Caroline Town Board asks the County to support a one-time Over Target Request of not more than \$80,000 for a study that will provide the following deliverables to help us identify a possible path forward for a county-wide buildout of both middle and last mile fiber optic cable in Tompkins County.

1. Market assessment - identifying the unserved and underserved areas, what the competition is in the county, where do the current providers provide service, what the terms are and what they are charging, and will outline demographics.
2. Design - outside (geographic layout and design, redundancy and diversity, how to reach each address point, comparison of a distributed or central architecture) and inside plan design (where should colocation centers be placed, convergence points, OLTs, etc...).
3. Business and operations model - what are the different models out there for municipal based fiber to the home. What does it look like and what are the different models of operation?
4. Operations and maintenance - a complete look at what would it take to operate the infrastructure, what type of service, what are the staffing needs, what is a recommended maintenance schedule? How often do you need to replace a core router etc...?
5. Financials - for both capital and operations (including take rate opportunities) - what kind of revenue can you expect since it needs to cover costs for many decades?

FURTHER BE IT RESOLVED that the Town of Caroline pledges \$5000 to be paid to Tompkins County in 2021 when the contract for the above deliverables is executed.