

**Town of Caroline  
Town Board Minutes  
August 10, 2006**

The regular meeting of the Town Board of the Town of Caroline held on August 10, 2006 at the Town Hall was called to order by Supervisor Don Barber at 7:05 p.m.

**Present:**

Don Barber, Supervisor  
Tim Seely, Councilman  
Dominic Frongillo, Councilman  
Nelly Farnum, Councilwoman

**Recording**

**Secretary:** Debra DeAugustine, Town Clerk

**Privilege of the floor**

Ann Marie Turscik wants to be sure that the noise law committee is made up of a wide variety of people; she's been hearing from both sides that have concerns and feels she can be fair to both sides.

Chris Fillingner wants to see a diverse committee; has things he wants to be sure are covered by the committee. Has become aware that programs for wind power aren't available unless the town has wording covering them.

**Monthly Reports**

**Highway Superintendent's Report**

We bill the county time and materials for snow removal; they want us to go to a fixed price per mile AND commit to a five-year contract, but since the amount of snow is not preordained, it could very well mean we'd be subsidizing the county. That also doesn't address level of cleanliness – every town has different standards. 76 Road opened today at noon. No idea when Banks will open. Approach is the town's responsibility; bridge is the county's. FEMA will cover cost. Done with parts A and B of FEMA; should get \$8000 for those parts.

**Supervisor's Report**

**Correspondence**

1. Water Resources Council: municipal vacancy for existing term that expires 12/09 – due 9/5
2. Letter from insurance agent asking us if we want to have another company, PERMA, quote our workers comp. Current carrier said there will be a 9.5 % increase.
3. Buffalo Road Bridge test boring info and aquifer – concern about erosion of cap over test boring. Talked with John Lampman of TC PW Engineering. They'll measure erosion and discussion methods to rectify.

**Report**

- Grievance: Town notice to employee that employment is being terminated due to Section 71 of Civil Service Law was met with grievance. Second step done; third step appeal: the union has asked for town board to review the decision of the highway superintendent. Need to respond to teamsters by 8/21.
- Via email responded to county's Flood Hazard Mitigation Fund Plan. Don recommended municipalities where the work is being done must be involved in the process.
- Town board member can't abstain from voting, but can recuse him/herself if conflict of interest.
- If a resolution is turned down, a town can bring it up again; no limit on the number of times.
- Farm-city days are this Saturday in Lansing
- FHMP: Feels that projects should not be restricted based on an existing watershed's analysis. Recognizes the value of this study, but \$25,000 won't buy a lot of work that would have significant impact within a watershed. Sure there are many important projects that are pretty obvious in non-studied watersheds.

**County Representative’s Report**

- County budget: talking about keeping the penny increase, which means they need to cut \$2 million out of the budget. They will be cutting programs.
- Health Dept: water well testing program. He and John Anderson want to make sure that before someone builds a new home, the siting of the well they plan to tap is suitable. They may not be able to introduce it in 2007 because of the county budget. Building permit only specifies number of feet away from the septic. Concern is mostly for subdivisions. Banks are concerned with quantity of water, not quality. This program is for adequacy *and* quality. This is already a law for rental property.
- Judge ruled in favor of Bolton Point. The health dept lost, so the county lost. 80% of that is paid through property taxes (even if you’re not on delivered water). Now the remaining 20% that the users had to pay, the taxpayers will pay. Over 50% of people in county are not on public water supply.
- John Anderson has announced his retirement from the health department next year.
- County board meeting: density policy in city of ithaca. Should they support? The outlying towns don’t benefit from the policy at all. Passed 9 –5; Frank voted against it.
- Revision to county’s policy on advisory boards; previously had to be a voting county resident. Government operations committee said that it could be flexible. Frank did not support it.
- Local law on new tax on property transfers. County will be given the opportunity to add 2% to the 4% the seller has to pay. State keeps the 4%; county keeps 2%.
- Veteran’s Cemetary at Samson. Did not make it through the assembly.

**Department, Committee, & Liaison Reports**

**Farnum**

- Town board members must take ICS 100 course by end of Sept in order to be assured of FEMA coverage. Beth Harrington has one planned at the Slaterville Fire Hall on 9/16 and at her county office 9/30. Once they take courses, need to vote on adopting the national incident management system.
- Nelly will work with group considering request from local licensed ATV clubs wanting to have access on town roads to go from trailhead to trailhead.

**Frongillo**

- Funding for Boiceville Bridge work. Dominic working on a letter of intent to get our foot in the door.

**Action Topics**

**Transfers**

**Motion to Authorize Transfer of Funds**

A motion was made by Supervisor Barber and seconded by Councilwoman Farnum to authorize the following transfer:

	<b>From</b>	<b>To</b>
\$840.00	General Fund Account A 1990.4 Contingency	General Fund Account A 9050.8 Unemployment

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

**Approval of Abstracts**

**Approval of General Fund Abstract**

A motion was made by Supervisor Barber and seconded by Councilwoman Farnum to approve payment for the General Fund voucher numbers 205 through 228 in the amount of \$6,166.03.

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

#### **Approval of Highway Fund Abstract**

A motion was made by Councilman Seely and seconded by Councilwoman Farnum to approve payment for the Highway Fund voucher numbers 131 through 147 in the amount of \$21,491.88.

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

#### **Approval of Streetlight Fund Abstract**

A motion was made by Councilman Frongillo and seconded by Councilman Seely to approve payment for the Streetlight Fund voucher numbers 014 through 015 in the amount of \$573.37.

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

### **Minutes**

#### **Approval of Minutes from July 6, 2006**

A motion was made by Councilwoman Farnum and seconded by Councilman Seely to accept the minutes of July 6, 2006 as submitted by the deputy clerk.

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

#### **Approval of Minutes from July 13, 2006**

A motion was made by Supervisor Barber and seconded by Councilman Seely to accept the minutes of July 13, 2006 with the following amendment.

#### **Amendment:**

Farnum, page 5, change Don's comments on the noise law committee resolution to read that it is his preference that we wait until the comprehensive plan is finished before drafting a noise law.

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

### **Town Business**

#### **Stormwater local law process**

Watersheds committee can review the issues and Dominic will respond.

#### **Noise Committee Applications**

Committee to be a balance of people who are affected by noise and others in the town who represent a broad spectrum of the community. Committee should be people who want a law; their task is to develop a noise law

that will fit the Town of Caroline and that is enforceable in the Town of Caroline. The town board then takes the recommendation and debates whether to adopt that law.

### **Annex Floor Plan**

Tim showed new drawing. Board discussed.

### **Warning Lights at the School**

How do we want to proceed? Tim estimated the cost to be \$6000 to \$8000. We need to apply for a permit from the DOT to install and operate the lights.

## **Resolutions**

### **Resolution 8-1 of 2006**

#### **Appoint Bev Liddington to Youth Commission**

By Supervisor Barber; Seconded by Councilman Seely

RESOLVED that the Town Board hereby appoints Bev Liddington, living at 616 White Church Road, to the Youth Commission.

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

### **Resolution 8-2 of 2006**

#### **Appointment of Advisory Committee for Noise Law**

By Supervisor Barber; Seconded by Councilwoman Farnum

RESOLVED, that the Town Board appoints Jeremy Richards, Ann Marie Turcsik, Chris Fillinger, Bob Spaulding, Richard Cromley, Brenda Daniels, and John Norman to serve on the Noise Law Committee. The purpose of the committee is to provide the Town Board with specific guidelines for the development of an enforceable Noise Law for the Town of Caroline.

The specific tasks of the committee shall be to:

1. Examine existing noise laws in towns similar to Caroline, including (but not limited to) the consideration of the rural nature of the town; that farming is practiced in the town; that the town has no zoning laws; and that seasonal hunting occurs in the town;
2. To develop guidelines for the types, levels and durations of noises that should be considered unacceptable within the town;
3. To work with the Tompkins County sheriff, local justices, and others to provide guidelines for ensuring that such a noise law would be enforceable;
4. To present the guidelines to the Town Board no later than November 15, 2006, one day before the November meeting of the Town Board.

Upon presentation to the Caroline Town Board of these guidelines developed by the committee, the Town Board may, at its discretion, direct the town attorney to draft a local law based on these guidelines, for further consideration by the Town Board and subject to public hearing.

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

### **Resolution 8-3 of 2006**

#### **Appointment of Town Board Representative to Noise Law Advisory Committee**

By Supervisor Barber; Seconded by Councilwoman Farnum

RESOLVED, the town board hereby appoints Tim Seely to serve on the noise law guidelines committee as a non-voting member.

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

**Resolution 8-4 of 2006**

**Appoint John Daniels as Code Enforcement Officer**

By Supervisor Barber; Seconded by Councilman Seely

RESOLVED, the Caroline town board hereby appoints John Daniels to fill the position of Zoning/Code/Fire Enforcement Officer. This is a part-time position (less than 40 hours/week) and is paid a weekly salary of \$765.96. The responsibilities are described in the Civil Service Position Description by this title. The appointee is responsible for Zoning/Code/Fire enforcement in the towns of Caroline, Harford, and Richford.

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

**Resolution 8-5 of 2006**

**Appoint Municipal Representative to WRC**

By Supervisor Barber; Seconded by Councilman Farnum

RESOLVED, the Caroline town board recommends Barry Goodrich be appointed to the Water Resources Council as a municipal representative.

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

**Resolution 8-6**

**Electrical Inspector**

By Supervisor Barber; Seconded by Councilman Seely

RESOLVED, the Caroline town board hereby designates the NY Board of Fire Underwriters, Atlantic-Inland, and Commonwealth Electric Inspection Services, Inc as the approved electrical inspection service providers for the Town of Caroline.

<b>Adopted</b>	Don Barber	Aye
	Ed Cope	Absent
	Tim Seely	Aye
	Nelly Farnum	Aye
	Dominic Frongillo	Aye

**Adjourn**

On a motion, the meeting adjourned at 10:30 p.m.

Respectfully Submitted,

Debra DeAugustine, Town Clerk