

Town of Caroline Town Board Minutes

October 12, 2006

The regular meeting of the Town Board of the Town of Caroline held on October 12, 2006 at the Town Hall was called to order by Supervisor Don Barber at 7:02 p.m.

Present:

Don Barber, Supervisor
Ed Cope, Councilman
Tim Seely, Councilman

Recording

Secretary: Debra DeAugustine, Town Clerk

Privilege of the floor

Beth Harrington: how many complaints prompted forming the committee? Beth is opposed to a law. Don: number of complaints over the years, but lately several chronic complaints regarding a rock group practicing for hours on end and a motocross group riding for hours on end. Tried to resolve by getting the groups together, but did not work. Couple dozen people came to the meetings to see what the board could do to resolve the issue. Our attorney said only option was for the group to press a civil suit. Town board decided to investigate making a local law and formed a committee, not to see whether we should have a noise law, but to give the board a recommendation on what type of law could be formulated. When given their recommendation, board will decide what to do.

Bev Liddington: opposed. Too much control.

Steve Crispell. What about putting the issue out to vote? Don: according to town law (state law), this can't go out for referendum. It is subject to a public hearing. We will be open to public comment. Tim: the committee will probably give recommendation in December.

Cindy Whittaker: Opposes party permits. Feels differences between people should be resolved without a law.

Kathy Mix: Regarding permitting: Town clerk's office would have to extend hours.

Ann Turscik (noise committee member). Feels her application would not have gone through if it were known that her son and husband rode motorcycles. Don: The board was specifically looking for a committee to represent a broad spectrum of the community.

Karen Johnson. Thought the tone of the noise committee meeting she attended was disrespectful. Doesn't feel like the whole town should pay for situation of a few that can't be resolved on its own. Law would raise the costs of court and lawyer fees. Don. Committee has specific charge to make a recommendation to the town board. The noise committee was not charged to take input from the public. Planning board is charged to get public interest; noise committee is not that type of committee. It is supposed to work on its own and people are welcome to come and watch. The Town Board meeting is the forum for comments.

Chris Fillingner (noise committee member). Last night was the first time anything about permitting came up. The question came up regarding parties with live bands, etc. Think Woodstock. Should the town have a permitting process? Certainly not meant at the level of a party. We bounce freely from topic to topic in an exchange of ideas.

Doug Derr. This village has 35 mph speed limit. Rest of towns around here are 30 mph. Very concerned about the speed limit. Tim: many people are concerned. All roads in town have speed limits set by NYS. Board sets a resolution to petition the state, but state decides. Also no lines since they paved. Cindy will call on Monday. Don: the 55 mile per hour stretch on 79; we petitioned the state, but they would not change it. We're working with the school to get flashing lights.

Don: if you have more concerns about a noise local law, please come in and address the board.

Monthly Reports

Highway Superintendent's Report

Cindy signed off today on FEMA. Ended up with \$187,000; Barrile got \$42,000. Creek projects got over \$25K and it's done. Septic tank out front needs to be replaced, it's leaking. Walk-in door in the back needs to be replaced (steel). Sealed 8 miles of road. Need to work out a policy of putting in driveway culverts; we are one of the only towns in the county that does this. Still have shoulder work from the flooding; will be doing that next week with Ithaca.

County Rep

Budget review: if legislature passes the budget we reviewed tonight, the county tax rate would go up by 2.4%; looking at under \$7/1000. One thing that affects town of Caroline was the hazard mitigation program money.

Supervisor's Report

Correspondence

1. Notice from Assessment that State has increased income limits for property tax reduction qualification for Seniors and Persons with Disabilities.

Report

- FEMA: all projects approved except for Brearily Hill and Central Chapel. Contract on agenda for Engineering services for both projects. At first meeting FEMA unwilling to pay for prevention-only remediation.
- Grievance: received a notice from Teamsters that the employment issue had been sent to arbitration. Called Bill and expressed my displeasure with the inconsistent communication. He apologized. I offered to meet them at any time. No calls. Received a notice from PERB that the request for services is being dropped.
- Workers comp. Office of the State Comptroller called to say that the current arrangement where the town supplies WC for fire districts is illegal. Notified Fire Districts. Since that time, have gotten WC quote broken down for FD and have been meeting with them. OSC will allow us to supply WC for FD in 2007 with a municipal agreement. For later years, would like to work to make this legal.
- Cindy, Scott, and I met with Manager of US&G. Discussed shoulders and dirt on Perkins Rd. and distortion of Valley Rd. Got agreement to work together on Perkins. More to do on Valley, will require more discussions.
- Emergency Services Communication Tower is up, but no antennae.
- TCMOA meeting coming up.
- Will introduce CoG agenda items: Shared services agreement, road clearing policy for snow emergencies, storm water runoff officer for many or all municipalities. Required by NYS to pass a local law.

Department, Committee, & Liaison Reports

Seely

- Noise law advisory committee has asked for a one-month extension, to the business meeting in December. Don says they should take as long as they need.
- Gave clerk the roster of kids participating in the Caroline soccer program, and the list of volunteer coaches.

Town Business

Youth Commission

Lucy Gagliardo presented their budget. \$8351 requested from town, increase of 238 from last year. \$5370 is a match of contribution from NYS and TC Youth Services. Funding will support Brooktondale Community Center Summer Camp and Cornell Coop. Extension Youth Program.

Comprehensive Plan

Final Plan is filed in the clerk’s office and it is available for public review and access. Changes:

- Page 2. slightly different wording on the bottom of the page.
- Page 3. 5500 acres for the ag acreage listed in #2.
- Page 4. “last updated in 2000.” #16 added the Gutches Preserve
- Page 5. part b #1a changed to 50 acres owned by the town

Action Topics

Transfers

Motion to Authorize Transfer of Funds

A motion was made by Supervisor Barber and seconded by Councilman Cope to authorize the following transfer:

	From	To
\$3000.00	General Fund Account A 1990.4 Contingency	General Fund Account A 9080.8 Hospitalization Insurance
\$200.00	General Fund Account A 1990.4 Contingency	General Fund Account A 1440.405 Engineering
\$4000.00	Highway Fund Account DA 5130.2 Machinery EQ	Highway Fund Account DA 5130.4 Machinery CE

Make the following journal entry:

Remove \$31.33 from General Fund Account A 5680.4 and ad \$131.33 to Highway Fund Account DA5680.4

Make the following budget adjustment:

Increase revenue line DA 2770 Unclassified Revenues by \$8264.01 and increase appropriation line DA 5110.4 Repairs CE by \$8264.01

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Absent
	Dominic Frongillo	Absent

Approval of Abstracts

Approval of General Fund Abstract

A motion was made by Councilman Seely and seconded by Councilman Cope to approve payment for the General Fund voucher numbers 257 through 288 in the amount of \$47,644.12.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Absent
	Dominic Frongillo	Absent

Approval of Highway Fund Abstract

A motion was made by Councilman Cope and seconded by Councilman Seely to approve payment for the Highway Fund voucher numbers 177 through 204 in the amount of \$104,157.50.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye

Nelly Farnum	Absent
Dominic Frongillo	Absent

Approval of Streetlight Fund Abstract

A motion was made by Councilman Cope and seconded by Councilman Seely to approve payment for the Streetlight Fund voucher numbers 018 and 019 in the amount of \$480.39.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Absent
	Dominic Frongillo	Absent

Minutes

Approval of Minutes from August 8, 2006

A motion was made by Supervisor Barber and seconded by Councilman Seely to accept the minutes of August 8, 2006 as submitted by the deputy town clerk.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Absent
	Dominic Frongillo	Absent

Approval of Minutes from September 5, 2006

A motion was made by Supervisor Barber and seconded by Councilman Seely to accept the minutes of September 5, 2006 as submitted by the deputy town clerk.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Absent
	Dominic Frongillo	Absent

Approval of Minutes from September 14, 2006

A motion was made by Supervisor Barber and seconded by Councilman Seely to accept the minutes of September 14, 2006 as submitted by the town clerk.

Amendments

page 1, supervisors report, last sentence should be changed to read, "Can the town contract with a local surveyor..."

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Absent
	Dominic Frongillo	Absent

Resolutions

Resolution 10-2 of 2006

Appoint Len Pogorzala to Oversight Committee for GOSC Grant

By Supervisor Barber; Seconded by Councilman Cope

RESOLVED that the Town Board hereby appoints Len Pogorzala to the oversight committee for the Governor's Office of Small Cities grant.

Adopted	Don Barber	Aye
	Ed Cope	Aye

Tim Seely	Aye
Nelly Farnum	Absent
Dominic Frongillo	Absent

Resolution 10-3 of 2006
Support SMSI Grant Application

By Supervisor Barber; Seconded by Councilman Seely

WHEREAS, the Town of Caroline has joined the Tompkins County Council of Governments, and

WHEREAS, the Council of Governments has resolved to apply for an incentive award under the New York State Shared Municipal Services Program, and

WHEREAS, the grant will assist the municipalities in Tompkins County to create a local health consortium, and

WHEREAS, the health care consortium will seek to develop health care coverage for all municipalities with the intent to provide a net savings to the taxpayers of Tompkins County, now therefore be it

RESOLVED, on recommendation of town board that the supervisor is hereby authorized to act on behalf of the Town of Caroline in all matters related to this grant, and be it further

RESOLVED, that the County of Tompkins shall be designated as the Lead Applicant and that the County Administrator is authorized to act as the contact person for this grant.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Absent
	Dominic Frongillo	Absent

Resolution 10-4 of 2006
Establish Meeting Date in November

By Supervisor Barber; Seconded by Councilman Seely

RESOLVED, the town board hereby agrees to set the meeting date for the abstract and agenda meeting and a public hearing on the budget for Thursday, November 2, 2006 at 7 p.m. at the Town Hall.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Absent
	Dominic Frongillo	Absent

Resolution 10-5 of 2006
Distribution of Records Management Funds

By Supervisor Barber; Seconded by Councilman Cope

WHEREAS, the Town of Caroline was awarded an indexing grant from the NYS Archives, and

WHEREAS the Caroline Town Clerk will perform grant duties that are separate from and beyond her existing duties as town clerk and records management officer, now therefore be it

RESOLVED, the Town board designates the town clerk as project director for the project work, and authorizes her to be paid separately for that work with funds from the grant.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Absent
	Dominic Frongillo	Absent

Resolution 10-6 of 2006
Determine that Adoption of Comprehensive Plan is Type 1 SEQR Action

By Councilman Cope; Seconded by Councilman Seely

WHEREAS, the Town of Caroline is considering the adoption of the Town of Caroline Comprehensive Plan, and

WHEREAS the Town board has accepted as complete the long Environmental Assessment Form (EAF), and

WHEREAS, as part of the State Environmental Quality Review Act (SEQR), comprehensive plans are considered Type 1 action, now therefore be it

RESOLVED, that the Town of Caroline Board determines the adoption of the Town of Caroline Comprehensive Plan a Type 1 action, and be it further

RESOLVED, that the town shall declare its intent to be Lead Agency, list and notify interested and involved agencies, and submit a draft of the completed long form of the Environmental Assessment Form (EAF) to the County Planning Department and the Commissioner of Agriculture under General Municipal Law Sections 2329-1 and 239-m and Town Law section 272-a.

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Absent
	Dominic Frongillo	Absent

Resolution 10-7 of 2006
Establish Town of Caroline as Lead Agency for Environmental Review of Plan

By Councilman Seely; Seconded by Supervisor Barber

WHEREAS, the Town of Caroline is considering the adoption of the Town of Caroline Comprehensive Plan and will review it as art of the New York State Environmental Quality Review Act (SEQR), and

WHEREAS the Caroline Town Board is the agency with the broadest governmental powers for investigating impacts of the proposed Town of Caroline Comprehensive Plan, and

WHEREAS, the Caroline Town Board has the greatest capacity to provide for the most thorough environmental assessment of the proposed actions, and

WHEREAS the Caroline Town Board is the most familiar with the unique topographical, geological, geographical significant sites and the growth is within the Town of Caroline, now therefore be it

RESOLVED , that the Caroline Town Board intends to act as Lead Agency in the environmental review process (SEQR), and be it further

RESOLVED, that the Caroline Town Board shall notify the following involved agency and interested agencies of this intent:

Involved Agency: Caroline Town Planning Board

Interested Agencies:

- New York State Agricultural Commission
- New York State Board of Historic Preservation
- New York State department of Environmental Conservation
- New York State Department of State
- Tompkins County Planning Department
- Tompkins Coty Board of Health
- Dryden Town Board
- Danby Town Board
- Ithaca Town Board
- Tioga County Legislature

- Richford Town Board
- Berkshire Town Board
- Candor Town Board

Adopted	Don Barber	Aye
	Ed Cope	Aye
	Tim Seely	Aye
	Nelly Farnum	Absent
	Dominic Frongillo	Absent

Executive Session

On a motion, the town board went into executive session at 9:30 to open bids for the town-owned land on Bald Hill School Road. On a motion, the town board exited executive session at 10:05.

Adjournment

On a motion, the meeting adjourned at 10:05 p.m.

Respectfully Submitted,

Debra DeAugustine, Town Clerk