

### Caroline Town Board Meeting Minutes of June 7, 2023

The Town Board Agenda Meeting was held hybrid beginning at 7:05 p.m. and was hosted by Town Supervisor Mark Witmer

**Attendance:**

Supervisor Mark Witmer  
Councilmember Cal Snow  
Councilmember Tim Murray  
Councilmember Kate Kelley-Mackenzie

**Also Present:**

County Legislature Rep., Dan Klein

**Recording Secretary:**

Jessie Townsend, Town Clerk

**Public Attendance:** 5 in-person, 11 via zoom

Supr. Witmer opened with the Pledge to the Flag.

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**Privilege-of-the-Floor**

Chad Novelli – Spoke in favor of zoning.

Barbara Baird – Spoke in favor of zoning.

Rebecca Schillenbeck – Spoke in favor of zoning.

Shawn Malarcher – Spoke in favor of zoning.

Pete Hoyt – Shared his disagreement of how the draft law was constructed.

Bill Podulka – As a member of the zoning commission, he is in attendance tonight to offer support to the Board as they review the draft law. Disagreed with their decision to lower the 50’ buffer to 20’ for intermittent streams and asked that they reconsider.

Bruce Murray – Also a member of the zoning commission. Agreed with the modifications made to the draft at the last session. Added that the Board keep in mind that the DEC has their regulations set at a 50’ buffer.

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**Additions to the Agenda**

Supr. Witmer added the following items to the agenda:

Discussion and Vote on response to Court

Resolution to approve RFP for Ekroos Rd Culvert Project

Approve AIA Agreement with Labella Firm for the Highway Facilities Project

Executive Session regarding potential acquisition of property

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**Committee Reports**

**Hwy. Supt., Bob Spencer, Highway Report** – Mr. Spencer was not present at tonight's meeting but submitted a report (Attachment #1 herewith) and which report was read aloud by Supr. Witmer

**Cm. Snow** – *highway* - Attended highway school earlier this week. Workshops attended included CHIPS allocation of money, and stormwater mitigation. *Cemeteries* – grounds were mowed over Memorial weekend. The Morris Chapel Cemetery (Middaugh Rd) needs some attention. Looking for volunteers to help with minor restoration and mending of headstones.

**Dan Klein, County Legislator Report** – *Broadband* – County study showed approximately 1100 homes do not have internet access. An RFP for buildout has been paused as they have now asked their consultant to research what it would take to develop County-wide broadband services. Once that information is collected, the Legislation will then vote on which option to move forward with. *Tax Foreclosure Auction* – The Supreme Court law has changed the process. They are awaiting word from NYS on how to proceed. There are currently 7 properties in Tompkins County that are on hold for now. *Asylum Seekers* – No record of arrival of any seekers yet. The County has worked internally and developed a plan for services should they receive families.

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**Discussion of Draft Zoning Law (Article V, Section 5.3 continued; Article III)**

The following 4 motions were made:

Motion 1: Revise the amended streambank buffer of 20’ back to the original recommended buffer of 50’ for intermittent streams.

By: Witmer – 2<sup>nd</sup> Kelley-Mackenzie

PASSED (unanimous)

Motion 2: make the maximum extent for perennial 200 feet when wetlands and/or steep slopes are in play in all districts except hamlets; 150 feet within hamlets.

By: Witmer - 2<sup>nd</sup> Kelley-Mackenzie

PASSED (Opposed: Snow)

Motion 3: to modify text of 5.3.4 (as revised at last meeting) as follows:

4. Each application for a Building Permit, Special Use Permit, Subdivision, or Site Plan Approval within a Stream Buffer shall furnish sufficient a site or subdivision plan showing the boundary of the Water Overlay District and locations of all building envelopes. Whenever a building envelope cannot be sited outside of the buffer area due to lot configuration, lot size, or other natural features, the Review Board may require site specific stormwater management or other strategies to prevent or minimize adverse impacts on the water body. The Review Board may require additional data to demonstrate that the proposed activity will not result in any of the following impacts:

1. Alteration of Aquifer capacities.
2. Reduction of flood-carrying capacities of watercourses or increased hazards associated with flooding.
3. Deterioration of water quality or impairment of best usage of waters.
4. Alteration of water retention capabilities; increase in siltation of surface water bodies and adjacent areas.
5. Significant Disturbance to fish and wildlife populations and natural plant communities.
6. Impairment of any natural function of a Wetland or its adjacent Buffer area.
7. Alteration of the flow pattern of a watercourse area.
8. Increase in the velocity of surface water runoff.

By: Witmer - 2<sup>nd</sup> Murray

PASSED (unanimous)

Motion 4: Change wording from “pervious” to “gravel” on page 69/3e.

By: Kelley-Mackenzie – 2<sup>nd</sup> Witmer

PASSED (Abstain: Kelley-Mackenzie)

Supr. Witmer noted that the definition needed to be revised to “buffer area inner” to “buffer area outer”.

Lastly, Clm. Murray reviewed and announced all the hamlets and summarized how the commission came to identify those districts. The board studied the Town map and discussed the hamlet boundary lines.

The next zoning discussion is set for next Thursday, June 15, 2023, at 7:00 PM

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**Approval of Minutes**

The Town Board approved the Minutes of May 15th and May 23rd, as submitted by Town Clerk, Jessie Townsend

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**Resolutions**

**Resolution 87 of 2023. Court Furniture**

**Motion By: Murray    Second: Kelley-Mackenzie**

Resolved, the Caroline Town Board authorizes the Supervisor to provide the following statement to the Town Justices:

The Town Board is committed to shared responsibility for the town hall, including providing the Court needed materials. In regard to the Court's need to secure confidential papers, we've obtained the needed lockable file cabinets and an office desk with lockable drawers and are prepared to assist with placement of this furniture in the Court office spaces. We would like to schedule this as soon as possible. If you need or want other items, Cornell Facilities is an excellent resource. You could also submit a proposal for a JCAP grant. We of course are open to considering future needs of the Court. Please provide us keys to the Court offices and Small Conference Room.

**Motion carried.**

**Ayes: Witmer, Snow, Murray, Kelley-Mackenzie**

**Nays: None**

**Resolution 88 of 2023. Approve RFP for Ekroos Rd Project**

**Motion By: Witmer    Second: Snow**

Resolved, the Caroline Town Board hereby approves the RFP for the Ekroos Rd Culvert Project

**Motion carried.**

**Ayes: Witmer, Snow, Murray, Kelley-Mackenzie**

**Nays: None**

**Resolution 89 of 2023. Approve Agreement with Labella on New Highway Facilities**

**Motion By: Witmer    Second: Snow**

Resolved, the Caroline Town Board hereby authorizes Supervisor to sign the Phase 1 Agreement with Labella Associates for the site and architectural design for a new Highway Facilities Project

**Motion carried.**

**Ayes: Witmer, Snow, Murray, Kelley-Mackenzie**

**Nays: None**

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**Agenda Items for June Business Meeting**

Continue discussion on zoning law.

June Agenda Meeting – Recorded and Posted on Website

A Motion to enter Executive Session was called by Supr. Witmer and seconded by Clm. Kelley-Mackenzie to discuss potential acquisition of real property and was carried unanimously at 9:49PM

A Motion to exit Executive Session was made by Supr. Witmer and seconded by Clm. Murray at 10:09PM and a Motion to Adjourn the meeting was made by Supr. Witmer and seconded by Clm. Snow and carried unanimously at 10:10PM.

----Meeting Adjourned----

Respectfully Submitted,  
*Jessie Townsend*

**(ATTACHMENT #1)**

**Town of Caroline Highway Department  
Superintendents Report**

**June 7, 2023**

**Roadwork**

- Patching potholes
- Grading gravel Roads
- Finished Beaver Creek Rd Project (Streambank Stabilization)
- Finished roadside drainage project on Speed Hill Rd.
- Roadside mowing has begun.
- Preparing for surface treatment (oil and stone) on approx. 11 miles of town roads.

**Equipment**

- New Dodge 4500 has been ordered from Robert Greens Truck Division

**Capitol Highway Projects**

- Core samples were taken on White Church rd. in preparation of FDR (full Depth Restoration) process to evaluate the road base underneath the current black top.
- Working in conjunction with Tompkins County Highway on drainage from Weber Rd. to White Church Rd. in preparation for road resurfacing

**Miscellaneous**

- Hydro seeded ditches that were cleaned this spring to included:
  - Bailor Rd.
  - Landon Rd.
  - Speed Hill Rd.
  - Beaver Creek Rd.
- Working in conjunction with Tompkins County Highway on implementation of a 4-way stop at the intersection of Buffalo Rd. and 76 Rd.
- Bill and I attended the 76<sup>th</sup> annual Highway School this week.
- Currently looking into a small portable speed monitor to purchase, pending price potentially more than one. This will allow us to place them around town in hopes of making people aware of their speed in problematic areas.

*Bobby Spencer*