

**Meeting of Town Board of Caroline  
1/22/2020**

Attendees: Supervisor Witmer, Councilmember Weiser, Councilmember Murray,  
Councilmember Snow, Superintendent Spencer, Code Enforcer Greenhouse and 9 residents  
Absent: Councilmember Fracchia

Meeting called to order at 7:02 pm.

**Continued Public Hearing on Local Law to Allow Residents of Adjoining Towns to Serve as  
Appointed Public Officers**

No comments.

Public Hearing was closed by Supervisor Witmer at 7:04pm

**Privilege of the Floor:**

**Addressing Resolution on allowing county forests to grow to old- growth forests:**

**Jan Burton:** Addressing topic on the forests. She would like the trees to be as is.

**Tim Levatich:** He was a forestry consultant. Concern about old growth forest Resolution. If the forest were left to become old growth forest will not grow to maturity it will allow invasive plants and beech brush to take over. Should not let them grow and do a hands-off approach because it would do the opposite.

**Katherine Forest:**

Would like to preserve the forest with responsible preservation.

**Jonathan Bates:**

His understanding is that the County has not finalized all the pieces of this resolution. The county considers what truly is happening in the future and made adjustments. He suggests that the Resolution be tabled until further information from the county can be made.

**Dan Klein:**

Old growth forests are the rarest type of forest in the county. The county owns the property and pays no taxes, so he feels the county is the correct entity to monitor it. In the future, you would be thanked for letting the forests grow. The goal is to have the forest as an exception to being cut down.

**Megan Barber:** Privilege of the Floor

She doesn't feel that the people's issues are not being heard and they feel nothing is being done. She suggests that the process being proposed have a piece where the person making a comment be told the resolution. She doesn't believe that this will solve the issue at heart.

**Additions to Agenda:**

Resolution to assign the Health Consortium Representative

Resolution for soil and water

Resolution to purchase Highway truck

**Highway Superintendent's Report:**

Roadwork:

Routine snow and ice maintenance

Equipment repairs

Brush work (weather permitted)

Concrete Removal at town hall (two big pieces are left and will be removed soon)

**Equipment:**

Working with Tracey Road Equipment and Viking/cives on a Quote to replace two of the current plow trucks with two 2020 western Star 4700SF. The goal is to have these before next years plowing season with the current two trucks being 20+ years old.

**Miscellaneous:**

Seasonal Roads - have had several calls for cars off the roadway on the seasonal section of Speed Hill. There is a seasonal sign, danger ice ahead, and a minimum maintained sign at each end.

One of these calls being a tractor trailer (18 wheeler) tipping over with a loaded trailer. The main problem seems to be GPS/Google maps uses this a a main route and does not list it as a seasonal minimally maintained road.

**Supervisor's Report:**

**Correspondence of Note:**

- Caroline Public Library 2019 annual report submitted by Gale Moran
- Five letters in support of the Old-growth Forest Resolution
- Tompkins County Planning & Sustainability Department will be offering a "Municipal Grants and Assistance Workshop" on 1/29 (4:30-6:30 pm), and repeating on 2/6 (12-2 pm) at the Borg-Warner Room

**Supervisor's Notes:**

- Working with Bookkeeper Lyke on year-end and year-start books and payroll.
- Watershed Committee met on January 21, 7 pm. Planning for roadside cleanup day in late April Saturday, either the 18th or 25th.
- Annual Audit of offices of Court Clerk, Supervisor, and Town Clerk conducted on Saturday, Jan 18, 10 am - 1 pm.
- Received reimbursement of \$7,314 for 2019 legal fees from AT&T for Telecommunications Tower review.
- Added information on Berkshire and Candor ATV Local Laws to town website.
- Information Session on License Agreement with NYSEG for use of the I&O Railbed as a recreational trail scheduled for Tuesday, January 28, 7 pm. I will summarize the license agreement and where we are in our planning process. We will not be taking public comment at this meeting - there will be future opportunity for that.
- Superintendent Spencer and I met with T.G. Miller to discuss and develop project plan for Ekroos Road/Boyer Creek culvert and stream stabilization work funded by NYSDEC Water Quality Improvement Project grant of \$247,568.
- Visited New Visions class (BOCES program for high school seniors) on January 8 to talk about my experiences in local government.
- 2020 Budget and Supervisor's Summary posted to website.

**Town Clerk's Report:**

Jessica Townsend is settling in and doing a wonderful job.

**County Representatives Report:**

Dan Klein - trails funding has been restored

Sales tax increase by 5.5% for Caroline.

Resolution passed to support NYS ban on Styrofoam.

## Department, Committee, & Liaison Updates

### Planning Board:

Monica Roth presented on Ag boundaries  
Climate Vulnerability Assessment presentation  
Draft of Revised Comprehensive Plan in March for the Planning Board Public Hearing

### Cable/Internet Charter:

Councilmember Weiser had called with no response.

### Increase Trucks and Speed on Coddington Road:

County sent Councilmember Weiser the 2018 study.

### Resolution to Allow County Forests to Grow to Old-Growth forests without commercial Logging or other intervention:

Councilmember Murray proposed the Resolution seconded by Supervisor Witmer

Councilmember Murray indicated that Caroline only has 100 acres of land that this Resolution would impact.

Councilmember Weiser does not think that old growth will be obtained by a hands-off approach and would like to see the County spend money on people rather than on 100 acres of forest land.

Councilmember Snow feels that the Resolution be adjusted to remove Newfield and the “hands off element.”

Supervisor Witmer’s feelings are that its only 100 acres and for little or no cost would benefit the community. Nature is messy and the minimal intervention might cause less disadvantages to the land. He feels that a management portion would be agreeable.

Councilmember Murray, seconded by Councilmember Weiser, made the motion to table this until the next meeting.

### Old Business:

#### Resolution to Adopt the Privilege of the Floor

Supervisor Witmer, seconded by Councilmember Murray, made the motion to accept the proposed Resolution.

Councilmember Weiser suggested a few changes.

Supervisor Witmer found a previous privilege of the floor that specifically identifies the Highway Department and the Building Department (Code Enforcer).

#### Resolution #53-2020 Privilege-of-the-Floor

**Whereas**, the function of town board meetings is legislative and;

**Whereas**, the discussion of the job performance of town employees is inappropriate for meetings of the town’s legislative body; and

**Whereas**, discussion of personnel matters at Privilege of the Floor potentially exposes the employee to attacks that cannot be defended and may be political; and

**Whereas**, concerns by the public about the job performance of town employees should be directed to town department heads and/or the employees’ supervisor,

**Whereas**, the Caroline Town Board wishes to modify its policy on Privilege of the Floor accordingly; therefore, be it

**Resolved**, the Town Board adopts the following protocol for resident’s participation during Privilege of the Floor at Town Board meetings:

- Privilege-of-the-Floor is offered at the beginning of town meetings as an opportunity for individuals to provide input to the Town Board. Speakers have up to three minutes, subject to modification depending upon time constraints of the particular meeting. Each resident is provided one speaking opportunity per meeting; written input is also welcome.
- Comments should be directed to the Town Board. The Supervisor or Councilmembers may answer questions brought forward or defer to allow for further research and thought.
- Personnel matters should be directed to the appropriate Supervisor or Department Head.

**Roll Call:**

Ayes -Supervisor Witmer, Councilmember Murray, Councilmember Weiser  
 Abstain - Councilmember Snow  
 Absent - Councilmember Fracchia

**Highway Truck**

Resolution # 54- 2020

Supervisor Witmer, seconded by Councilmember Murray, made the resolution to allow the Highway Superintendent to purchase two new plow trucks. With 4 ayes the resolution passed

**Resolution # 55- 2020**

Supervisor Witmer proposed a Resolution to Local Law on Residency, seconded by Councilmember Weiser.

Councilmember Weiser discussed the location of the non-residents.

The Town Board Resolved to Adopt Local Law 1 of 2020 for Expanding Residency Allowance to Adjoining Towns for Appointed Public Officers

**TOWN OF CAROLINE**

**LOCAL LAW NO. 1 OF 2019**

**A LOCAL LAW TO ESTABLISH THE RESIDENCY REQUIREMENTS OF APPOINTED PUBLIC OFFICERS FOR THE TOWN OF CAROLINE.**

Be it enacted by the town board of the Town of Caroline in the County of Tompkins, as follows:

**SECTION 1. TITLE:** A local law to establish the residency requirements for appointed Public Officers.

**SECTION II. AUTHORITY:** This local law is adopted pursuant to Municipal Home Rule Law §10[1][ii][a][1] that grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this local law recognizes that the State Legislature

amended Public Officers Law, §3 adding a new subdivision (24) expanding the residency requirements for any appointed public office in the Town of Greenburgh, Westchester County, thereby rendering Public Officers Law a special law with respect to any appointed officer (Cf., N.Y. Op. Atty. Gen. (Inf.) No. 91-37).

**SECTION III. SUPERSESSSION:** This local law shall supersede Town Law, §23(1) in its application to appointed Public Officers for the Town of Caroline.

**SECTION IV. RESIDENCY REQUIREMENTS FOR APPOINTED PUBLIC OFFICERS FOR THE TOWN OF CAROLINE:** Appointed Public Officers in the Town of Caroline need not be a resident nor an elector of the Town of Caroline, provided, however, that such person shall reside in an adjoining town of the State of New York (whether or not such town is located within Tompkins County).

**SECTION V. INCONSISTENCY:** All other local laws and ordinances of the Town of Caroline that are inconsistent with the provisions of this local law are hereby repealed; provided however, that such repeal shall only be to the extent of such inconsistency, and in all other respects this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

**SECTION VI. SAVINGS CLAUSE:** If any clause, sentence, paragraph, word, section, or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal, or invalid, such judgment shall not affect, impair, or invalidate the remainder, thereof, but shall be confined in its operation of the clause, sentence, paragraph, worked section or part thereof directly involved in the controversy in which such judgement shall have been rendered.

**SECTION VII. EFFECTIVE DATE:** This local law shall take effect immediately upon adoption.

**Building Permit Fees:**

Brooke Greenhouse would like to propose a change to some of the fees.  
Some items Brooke would like to do a short form permit for a set fee.

**Resolution # 56 of 2020**

Councilmember Weiser proposed the resolution and seconded by Councilmember Murray.

Resolved that the Town Board allow the Code Enforcer to charge a \$50.00 fee for any permits submitted on the Short Form that will be designed by the Code Enforcer, as of December 1, 2019. With 4 ayes the Resolution passed

Resolution to Appoint a Representative and Alternative to the Board of Directors of the Greater Tompkins Municipal Health Insurance Consortium  
Councilmember Weiser, seconded by Councilman Murray  
Resolved, the Caroline Town Board appoints Mark Witmer, Supervisor to be its Designated Representative to the Greater Tompkins County Municipal Health Insurance Consortium Board of Directors and Velvet Lyke as Alternative Representative.

With 4 ayes the resolution passed.

**Resolution to sign the soil and Water Services**

Supervisor Witmer, seconded by Councilmember Weiser, proposed the Resolution.  
Resolution # 57 of 2020

Resolved, the Town Board of Caroline gives Supervisor Witmer the approval to sign the 2020  
Soil and Water Contract.  
Will 4 ayes the resolution passed

Supervisor Witmer, seconded by Councilmember Snow made the motion to adjourn the  
meeting at 8:45 pm

Prepared by:  
Velvet Lyke  
Bookkeeper

DRAFT