

## **Caroline Town Board Business Meeting Minutes of August 12, 2020**

The Town Board Business Meeting held electronically via Zoom teleconference on August 12, 2020 at 7:04 p.m. hosted by Supervisor Mark Witmer and co-hosted by Councilmember Irene Weiser

**Attendance:** Mark Witmer, Supervisor  
John Fracchia, Councilmember  
Irene Weiser, Councilmember  
Cal Snow, Councilmember  
Tim Murray, Councilmember

**Recording Secretary:** Jessica L. Townsend, Town Clerk

**Also Present:** 12 members of the public attended the teleconference.

Supervisor Witmer opened with the following statement:

Welcome to tonight's meeting of the Caroline Town Council. We are grateful for the tremendous groundswell of public interest in town planning over the past five months, which has resulted in constructive public input at the meetings of both the Town Council and the Planning Board. I would like to offer this opening comment to answer questions we received at last week's meeting about our thinking, intentions, and actions in regard to protecting the welfare of Caroline. In addition to undertaking preliminary discussions and research of various approaches to planning, the Supervisor and Town Board have worked with the Planning Board to assist in the completion of the Revised Comprehensive Plan, a long-term project that has involved public questionnaires, public discussions, and open deliberation by the Planning Board. Since May, the Planning Board has graciously accelerated its deliberations and meeting schedule in order to bring the draft of the revised Comprehensive Plan to completion. We are extremely thankful to the volunteer members of the Planning Board for their commitment to this important effort. At this past Thursday's meeting, the Planning Board announced plans for final minor adjustments and an intention to release the draft to the public within the next two weeks, which will be followed by a public hearing. In view of the deliberative guidance provided by this draft, I am putting forward a proposal tonight to immediately form a working committee to research, identify, and recommend to the Town Board measures that might best address future development so that it supports the vision articulated in the updated Comprehensive Plan. I am also proposing that we engage the services of a professional planner to assist us with this critical work. It is now time to plan for actionable steps so that we can use the current moratorium term responsibly towards addressing the welfare of the town and its vision. While the impetus for a moratorium was generated by public concern over possible commercial development, the rationale and purpose of the moratorium was expressly to allow completion of the updated Comprehensive Plan so that any development with long-term impacts would be consistent with the rigorously constructed vision of the people of Caroline. Without the documented rigor of that effort and clear evidence that it was near completion, the moratorium would not have had merit. The Town Board has been careful and deliberative through this process and is now prepared to move forward to identify potential legislative measures that will support the Town's vision. It is clear that Caroline is vulnerable to development in ways and places that do not support and nurture the vision of Caroline as articulated in the revised Comprehensive Plan. The Board and I look forward to continued collaboration with the community to address the important issue of the guidance of planning and development in Caroline that has focused our collective attention. Thank you for your active participation in town governance.

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### **Privilege-of-the-Floor**

Rita Rosenberg – Thanked the Supervisor and the Board. Spoke in support of a Research Committee.

Elisa Evett – Encourages using all resources available in order to keep moving forward through this Moratorium phase.

Rose – Remains grateful that the board voted in favor of a Moratorium. Pleased to hear that the board is considering a research committee to continue to explore guidance tools in support of the community's vision.

Councilmember Tim Murray expressed dismay over the spread of rumors of the Board's inactivity and he endorses Supervisor Witmer's summary of how urgently the Board has been working since instituting the Moratorium, from working closely with the Planning Board's completion of the revised Comprehensive Plan to conducting internal discussion and research of various approaches recommended by this plan. He added that it's been most important for the actions and research of the Board to have been guided and informed by the Plan's public input and balanced recommendations.

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### **Additions or Deletions from Agenda**

Supervisor Witmer has two resolutions to add tonight. One is to clarify that the code officer position will be a part-time position. The other will be a resolution to not support the two bids that were submitted for the town hall grounds project.

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### **Reports**

**Mark Witmer, Town Supervisor** – The Town Supervisor's Report is as follows:

- Streetlights: payment and materials for purchase of streetlight facilities submitted to NYSEG
- Attended August 10 meeting of Speedsville Fire Company. Proposed review and update of Fire Protection Contract and will provide information for next meeting.
- Prepared draft Flood Damage Prevention Local Law from DEC model law and submitted to DEC for review.
- Working with Superintendent Spencer on Town Hall Grounds Project, with Clm. Snow and Barry Goodrich.
- Budget requests sent to departments. Request return by September 5.
- 2019 AUD submitted to NYS Office of State Comptroller.

**Brooke Greenhouse, Code Officer** – None

**Jessie Townsend, Town Clerk** – Deer Management permits went on sale on Monday, August 10<sup>th</sup>. The Clerk is still waiting to get an Agent ID assignment by DEC in order to be a licensing agent. She has been informed that they are working at half-staff because of the pandemic and therefore there have been delays. She wants the public to know that she will continue to call and email them and will make an announcement once she is able to sell licenses. She is also keeping a log of those residents who wish to purchase licenses once she can do that.

**Bobby Spencer, Highway Superintendent** – Crew has been working on Town Hall grounds. The parking lot paving is tentatively scheduled for September 14<sup>th</sup>. Buffalo Road shoulders are on the schedule for next week (weather permitting). Raised concern about the town taking ownership of the Thomas Rd wetlands and how management and maintenance of those grounds would constrain the highway department as they are already stretched thin. Would like the board to consider the hire of an additional employee if Parks/Grounds will be a necessity.

**Irene Weiser, Councilmember** – Received an email from Lee Haefele that they can not apply for federal grant for broadband service for our area. Also, has received complaints from residents regarding truck traffic and speed of vehicles on Coddington Road. Discussion with Superintendent Spencer regarding making a recommendation to Tompkins County Highway to construct a new traffic study.

**Cal Snow, Councilmember** – None

**Tim Murray, Councilmember** – None

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### **Consideration of Thomas Road Wetlands Conservation Proposal**

Supervisor Witmer spoke to the town’s insurance representative regarding rates and he was told that by taking ownership of these wetlands would not increase rates. He also traveled to neighboring towns to visit their preserved lands and saw the public benefit of those. Kris West also recommended that maintenance or management demands could be handled by a volunteer group. She will be sending the board updated conservation easement language that the State approved. She will get information on whether grant money can be used to provide access to the property with those funds. The town board unanimously agreed that they will need more time to discuss this proposal.

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### **Resolutions**

#### **Resolution 103 of 2020**

#### **Town of Caroline Land Use and Economic Development Task Force**

A motion was made by Mark Witmer and seconded by Cal Snow to form a Town of Caroline Land Use and Economic Development Task Force to research development guidance tools in support of the community vision.

Whereas, the Town adopted a 180-day Moratorium on June 10, 2020, to allow completion of the update to the Town’s Comprehensive Plan in order to ensure that future residential and commercial land use developments are in congruence with the Town’s vision of the community; and

Whereas, the draft updated Comprehensive Plan reiterates and amplifies many of the goals concerning small businesses in Caroline expressed in the 2006 Caroline Comprehensive Plan of:

- i. increased town pride, civic engagement, and community investment,
- ii. increased support of local businesses and opportunities for new small and home-based businesses, central to continued viability of the town,
- iii. economic development in hamlets compatible with other long-term goals,
- iv. encouraging locally-owned businesses that integrate with the rural residential and agricultural nature of the town, and discouraging commercial development that would negatively affect local agriculture, business, and residential communities, and
- v. encouraging businesses to protect air and water quality, reduce impact on traffic density and road quality, use clean and renewable sources of energy, and embrace sustainable business practices; and

Whereas, through its work on the revised Comprehensive Plan for the Town, the Planning Board identified a number of important tools for guiding future land use to promote the community vision that the Town may wish to implement, chief among them Formula Business Restrictions, Economic Impact Review Laws, and Zoning Laws; and

Whereas, achieving the goals of a Comprehensive Plan requires identification and careful development of appropriate regulatory tools; therefore be it

Resolved:

1. There is hereby created the Town of Caroline Land Use and Economic Development Task Force charged with researching tools (laws, ordinances, and regulations, etc.) that promote the values and vision of the Town as expressed in the Comprehensive Plan. The Town Board shall appoint members and a Chairperson, and a member of the Town Board shall serve as Liaison. The committee may adopt its own internal procedures and shall be an advisory committee to the Town Board. The Town Board shall appoint the Chair annually at its organizational meeting. The Town Board may hire a Planner and/ or Attorney to support this effort. Interested persons should submit an application to the Town Clerk (Volunteer Application Form on the Town Committees page of the town website, [www.townofcaroline.org](http://www.townofcaroline.org))

2. The committee shall keep minutes of meetings and submit them to the Town Clerk. The committee may request minute-taking assistance. The committee may work on issues as a whole or in groups, but any recommendations to the board should have the endorsement of a majority of the members.

3. The committee shall pursue and examine the following matters and charges identified by the Town's Planning Board in its update of the Town's Comprehensive Plan in respect to its basic mission to make recommendations and findings as will promote the values and vision of the Town:

i. Formula Business Restrictions

ii. Zoning Laws

iii. Economic Impact Review Laws

iv. Solar/Wind Siting Law

v. any other tools that may promote the Town's vision at the discretion of the committee and subject to guidance and/or recommendations from the Town Board.

4. The Town hereby solicits applications to serve on the Land Use and Economic Development Task Force immediately. Upon appointment of a Chair, the Task Force is charged to begin work.

Discussion: Councilmember Snow wondered if they should consider agricultural development restrictions as well. Councilmember Fracchia made a suggestion that they appoint members at rotating terms so that there is not a full turnover. Irene – If this is going to be an ongoing committee there needs to be clarification between this committee and the planning committee. Perhaps a taskforce, not a committee. Also, would like to add that this group is starting now, not January 1. Recommends taking off zoning as part of the taskforce. Tim – agrees that they should consider a time and limiting powers and add option of planner and/or attorney. Does not want this group to compete with the Planning Board. Mark – agrees about the name change from a committee to a taskforce. Opposed to taking off zoning law. Tim – tackle areas that are most immediately achievable. Irene – would like to add renewable energy citing laws. Mark – Agrees that needs to be addressed and having EIC initiate that.

**Adopted:** Witmer: Aye; Fracchia: Aye; Weiser: Aye; Snow: Aye; Murray: Aye

#### **Resolution 104 of 2020 Transfers**

A motion was made by Mark Witmer and seconded by Irene Weiser

Resolved, the Caroline Town Board hereby approves the following account transfers:

\$4,300                      from A1990.4 Contingency                      to A1440.406 Streams (USGS gauge)

**Adopted:** Witmer: Aye; Fracchia: Aye; Weiser: Aye; Snow: Aye; Murray: Aye

#### **Resolution 105 of 2020**

## **General Fund, Highway Fund and Streetlighting Fund Abstracts**

A motion was made by Mark Witmer and seconded by Tim Murray to approve payment for the General Fund for \$28,123.86; the Highway Fund for \$28,105.76; and the Streetlight Fund for \$9,969.55

**Adopted:** Witmer: Aye; Fracchia: Aye; Weiser: Aye; Snow: Aye; Murray: Aye

### **Resolution 106 of 2020**

#### **Approval of Minutes**

A motion was made by Mark Witmer and seconded by John Fracchia to approve the Agenda Minutes of August 4, 2020 as submitted by Town Clerk, Jessica Townsend

**Adopted:** Witmer: Aye; Fracchia: Aye; Weiser: Aye; Snow: Aye; Murray: Aye

### **Resolution 107 of 2020**

#### **Code Officer Position**

A motion was made by Mark Witmer and seconded by John Fracchia to specify the position for Code Officer;

Resolved, the Caroline Town Board stipulates that the position for Caroline Code Officer is advertised as part-time, 20-30 hours/week.

**Adopted:** Witmer: Aye; Fracchia: Aye; Weiser: Aye; Snow: Aye; Murray: Aye

### **Resolution 108 of 2020**

#### **Decline of Town Hall Grounds Bids**

A motion was made by Mark Witmer and seconded by Cal Snow to decline two bids;

Resolved, the Caroline Town Board does not award the Town Hall Grounds Project to either bid proposal received in response to the Town's RFP. received for the town hall grounds project

**Adopted:** Witmer: Aye; Fracchia: Aye; Weiser: Aye; Snow: Aye; Murray: Aye

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Executive Session was called by a motion made by Supervisor Mark Witmer and seconded by Councilmember Tim Murray to discuss personnel matters and was carried unanimously at 9:35 p.m. and ended at 9:54 p.m.

---Adjourn---

Respectfully Submitted,

Jessica L. Townsend, Town Clerk