

Caroline Town Board Business Meeting Minutes of May 11, 2022

The Town Board Business Meeting was held hybrid at the Caroline Town Hall and was called to order at 7:04 p.m. by Supr. Witmer

Attendance:

Supervisor Mark Witmer
Councilmember Tim Murray – *via zoom*
Councilmember Cal Snow
Councilmember Katherine Goldberg
Councilmember Kate Kelley-Mackenzie – *via zoom*

Recording Secretary:

Jessica L. Townsend, Town Clerk

Also Present: Hwy. Supt. Bob Spencer, 4 members of public via zoom, and 11 members of the public in-person.

Supr. Witmer led the Pledge of Allegiance.

Privilege of the Floor

Pete Hoyt – He is aware that the Board will need to decide on whether they will continue to contract with the Planning Consultant. The current contracted amount is almost depleted, approximately \$4,000 remains. As he stated last week, he asks the Board to halt the zoning initiative at this time.

Andrew Dygert – Addressed the Board regarding zoning. He has asked the Board for data on zoning and has never received any information. At the April 26th zoning meeting, they had a discussion regarding mining. Agreed large scale mining should have regulation but disagrees that these volunteers, who have zero experience in the field, are working to redefine mining in our town. Lastly, asked that the Board have an open and honest conversation about zoning, the public has not heard from any of them on this topic. This is something that should have been done before forming a zoning commission.

Kim Whetzel – Displeased to see that there are still members of the Board that aren't attending the meetings in public. Regarding mining, he is the only resident in Caroline that has a mining permit. Mining is thoroughly regulated by the state and federal government. Regarding zoning, he shared concern about how zoning will define his local businesses. Recommended that the Board look at the current town regulations and enforce some of those. He, too, asked the Board to look at the necessity of zoning. He will be looking at retirement in the future, he has plans for his land and he doesn't want to be restricted to what he wants to do. Lastly, questioned why the Board is actively searching for a Zoning Officer.

Supr. Witmer responded that the town is searching for a new Code Officer. The position is advertised as a Code/Fire/Zoning Enforcement Officer. This is a civil service title and has been the title of this position for many years.

Clm. Murray responded that the mining conversation at the Zoning Committee was because they were approached by the company that is running the mine in town. They requested language regarding mining be added because of the definitions that are in the draft of the zoning law.

Reports

Supervisor Mark Witmer – Supervisor’s Notes

- **Zoning Initiative:** Zoning planning expenditures to Community Planning & Environmental Associates (CP&EA) to date are \$30,666.51. The Zoning Commission has enlisted our planning consultant for more services than originally proposed by CP&EA at \$34,875. Recommend that the Zoning Commission continue to use the services of CP&EA on an as-needed basis within the 2022 planning budget.
- **Ekroos Road Culvert:** Superintendent Spencer, Deputy Superintendent Guggenheim, Donald Harner from T.G. Miller, and I met with NYSDEC and Army Corps of Engineers representatives at Ekroos Road to consider how best to complete this culvert project. There was agreement that given the site conditions and greatly improved capacity of the installed culvert, modifications to stream bed and bank to stabilize the stream and enhance passage of aquatic organisms through the culvert would be the best use of our Water Quality Improvement Program (WQIP) grant funds from the NYSDEC, without installation of an additional culvert.
- **Energy Independent Caroline (EIC):** NYSERDA's Clean Energy Coordinator Regina Cassidy attended the April meeting to update the group on the Community Choice Aggregation (CCA) initiative being led by Rod Howe’s TCCOG Energy subcommittee. The Town and City of Ithaca are taking the lead on this effort; other municipalities will have the opportunity to join. This is an “opt-out” group-purchasing model that can provide a pathway to affordable, clean energy supply for the community. “Opt-out” means that utility customers can opt to maintain their current energy supplier if they wish. Energy Independent Caroline will be following this effort in order to advise the Town Board and inform the community.
- **Historic Town Hall Planning:** Clm. Snow and I met with Steve Gibian to examine the conditions at the Historic Town Hall in order to consider measures to mitigate stormwater impacts on the building’s foundation and siding. Re-grading around the perimeter and guttering discussed.
- **TCCOG Emergency Services Planning subcommittee** continues work on addressing personnel and fiscal strains on emergency services. The state-funding model proposed by Mayor Hart of Trumansburg is now being considered by the state legislature. We are discussing county-level rapid response in which paramedics would respond to emergencies to stabilize the situation until an ambulance arrives.
- **Trail Planning:** Continuing work with partner towns and NYSEG on easement agreement with NYSEG to extend the South Hill Recreation Way Trail through Caroline.
- Received water test results for Town Hall water from the Community Science Institute - negative for E. coli and Coliform bacteria.

Met with consultants developing City of Ithaca’s Drinking Water Source Protection Plan.

Town Clerk, Jessie Townsend – The following collection report for April was: 19 dog licenses; 8 building permit applications; 2 fishing licenses; 1 impoundment fee; and 1 marriage transcript. Total revenue was \$1,087.00, less NYS fees totaling \$75.24. Check # 272 in the amount of \$1011.76 was given to Supervisor on May 3, 2022. I received 4 FOI requests in the last 30 days, all of which have been completed.

Highway Supt, Bob Spencer – Junk Clean up week cost \$86.00 in total. Currently lining up spring work. They will be surface treating next week. Working to get a date set for Buffalo Rd streambank issue. Supr. Witmer had mentioned the trail in his report and Bob asked how the trail will affect the highway dept. Clm. Kelley-Mackenzie suggested he read the 2008 Report which has good information for him but, of course it is still unknown how or if it would affect them at all.

Brian Buttner Report – *Special projects CO* – Introduced himself to the public. Gave an overview on his responsibilities as Special Projects work with the town. He described the Moratorium on construction and explained why it is a necessary and very common law when a town is developing zoning. He was hired to do a job and does not have an agenda or mission, he will work fairly and justly. He is not following a list by the Supervisor or the Councilmembers, he is trying to resolve specific projects that are still open and he is following the rules of the law. He gives adequate time for the owner to respond to his requests, could be a response by an attorney, and that if they can't come to an agreement, they could receive a fine, or it could go to trial.

Clm. Snow - *Board of Assessment Review* – Today was the Board of Assessment Review at the Historic Town Hall. 3 people came to grieve their assessment; 2 were residential and 2 were commercial. The group made their recommendations and passed that along to Tompkins County and the Assessor and they will ultimately make the decision on the grievance.

Clm. Murray – *Zoning Commission* – Meeting May 24th at 7:15PM. Hopeful that the Commission will be in a position at the end of that meeting to share its revisions with the public and hold a public meeting in late June.

Katherine Goldberg – *Ag Committee* – Met last week and discussed the desire to have signs stating that we are a Right to Farm Community. She will meet with Bob to help collaborate with the State regarding a sign on Route 79 at the town lines.

Dan Klein, County Legislation Rep., – *Dan was not in attendance but provided the following report:* The County has kicked off its budget process. We have set a goal of a 1.9 % increase in the tax levy. This would result in an increase of \$80 on a median-priced home in Tompkins County. We have a long way to go, and there are many unknowns still to be factored in. But I can say that my goal is to bring that tax levy increase down to zero. We were able to do that last year, with only a narrow majority in favor. This year I am sensing increased support to try to do this again. I just want to say that although this is my goal, there are many factors that could affect our ability to do this responsibly. The biggest factor may be that we don't yet know the size of the fund balance and won't know for a few more months.

Related to budget, we are going to pass a resolution authorizing the County to exceed the tax cap. We do this every year, although we rarely do actually exceed the tax cap. We do this an insurance policy, because if you don't pass this resolution, you are not permitted to exceed the tax cap. Our tax cap is currently estimated at about 3.5%.

I will be participating in the Board of Assessment Review this afternoon in Caroline. I did it in Danby yesterday, and we had 6 property owners come in to appeal their assessments.

Wil Lawrence – Working on Age-Friendly Planning in Tompkins County. This will be a 5 yr plan and they are still taking comment on their draft plan. There is a large section in the draft that addresses youth services and Wil will meet with Clm. Kelley-Mackenzie who is the liaison to the County Youth Services Advisory Board. Gave a brief overview of Dr. Warner's study of bridging the rural-urban divide. Encouraged the Town Board to read the report. Wil is heavily involved at the County level, and now wants to begin publishing in our community. She will be attending the Brooktondale Farmer's Market.

Discussion of Highway Barn Planning

Supr. Witmer advocated to reconstitute a highway committee. Clm. Snow recommended that the Capital Equipment Committee also be the New Highway Barns Committee because they seem to go hand in hand. Clm. Murray agrees that they are parallel but both are complex and deserve to have separate

attention. Hwy Supt Bob Spencer added that $\frac{3}{4}$ of the Capital Committee were on the Highway Barn Committee and agreed that the two combine. The Board discussed the RFP process. Clm. Snow asked the Board to reconsider Site 3. The Capital Committee voted at the last meeting and picked Site 3. He understands that Site 1 was chosen and was unanimously approved by the Board but he still believes that Site 3 is a better option and that Site 1 is too restrictive. They now know that Site 3 land is going up for sale and just want to be sure that Site 3 still is not an option before moving forward with Site 1. Further discussion regarding keeping the committees separate but working parallel. Capital Planning Committee will meet again on Thursday at 7:00PM at the Historic Town Hall. Recommendation that a town announcement for volunteers be sent out. It was agreed that the Board will visit Site 1 and check boundary lines for available space.

Discussion of strategies to procure an excavator to enable highway department stormwater management work

Clm. Snow advocated for the purchase of an excavator as proposed by Supt. Spencer. The DEC does not want machines in the creeks if they are old or at risk of an oil spill in the creek. Supt. Spencer added that a rented excavator are typically 3-5 years old and may not be allowed to do the work that needs to be done. Supr. Witmer would like to look at other alternatives such as renting or sharing equipment with another town. Clm. Murray shared concern about purchasing an excavator when Supt. Spencer has advocated for the purchase of snowplow truck replacements. The Board agreed that they will get the equipment here that Bob needs but, prioritizing purchases is needed and that a rental price of \$20,000 seems more appropriate to spend now compared to the purchase price of \$190,000.

Resolutions

Resolution 71 of 2022. Excavator Rental for 2022

Motion by: Supr. Witmer Second: Clm. Murray

Resolved, the Caroline Town Board hereby agrees to authorize the Highway Superintendent to rent an Excavator for 2022.

Motion carried.

Ayes: Witmer, Murray, Goldberg, Kelley-Mackenzie

Nays: Snow

Resolution 72 of 2022. Contract with Steve Gibian to Develop Recommendations for Management of Roof Runoff from the Historic Town Hall

Motion by: Witmer Second: Murray

Whereas, water can undermine the integrity of rock foundations and building exteriors; and
Whereas, Steve Gibian is an architect with experience in historic preservation; and
Whereas, Mr. Gibian has made a preliminary evaluation of the Historic Town Hall and developed an understanding of the building's condition and situation; therefore be it
Resolved, the Caroline Town Board hereby authorizes the Supervisor to negotiate a contact with Mr. Gibian to develop recommendations for managing roof runoff at the Historic Town Hall at \$80/hr., not to exceed 40 hours of work.

Motion carried.

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

Nays: None

Resolution 73 of 2022. Approval of 2023-27 Intermunicipal Funding Agreement with the Tompkins County Recreational Partnership

Motion by: Witmer Second: Snow

Whereas, the Recreational Partnership of Tompkins County provides for jointly planning, financing, providing, and coordinating shared recreational services that supplement and complement those offered by localities; and

Whereas, the Recreational Partnership is partially funded by contributions by member municipalities based on the previous year's assessed value of its taxable properties in the Ithaca School District and the Town's share of program participation averaged over the past three years; and

Whereas, the Caroline Town Board recognizes the value of providing recreational opportunities for youth; therefore be it

Resolved, the Caroline Town Board hereby hereby approves the 2023-27 Intermunicipal Recreational Partnership Agreement

Motion carried.

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

Nays: None

Resolution 74 of 2022. Liaison to the Ithaca Tompkins Transportation Council

Motion by: Witmer Second: Snow

Resolved, the Caroline Town Board hereby appoints Clm. Kate Kelley-Mackenzie as the liaison to the Ithaca Tompkins Transportation Council.

Motion carried.

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

Nays: None

Resolution 74 of 2022. Resolution in Support of Assembly Bill A9535 and companion bill AS8520 to enable Tompkins County to offer property tax exemptions for properties providing conservation easements

Motion by: Witmer Second: Murray

Whereas, the Town of Caroline's Comprehensive Plan expresses a strong community vision of maintaining and bolstering the rural character of the Town; and

Whereas, providing financial incentives to landowners to conserve natural lands, including for agricultural use, is identified as a recommended action in the Comprehensive Plan; therefore be it

Resolved, the Caroline Town Board strongly supports Assembly Bill A9535 and Senate Bill A8520 to enable Tompkins County to offer property tax exemptions for lands enacting conservation easements; and further be it

Resolved, the Caroline Town Board authorizes the Supervisor to write a letter of support of these bills to Assemblymember Anna Kelles and Senator Peter Oberacker.

Motion carried.

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

Nays: None

Resolution 75 of 2022. Approval of Vouchers for Payment of Town Bills

Motion by: Witmer Second: Snow

Resolved, the Caroline Town Board approves payment of vouchers for bills in the amounts of \$17,555.71 for the General Fund, \$91,031.19 for the Highway Fund, and \$433.75 for the Streetlight Fund.

Motion carried.

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

Nays: None

Discussion of Tompkins County providing lead role in assigning new addresses

Supr Witmer described that the Code Officer of each municipality assigns a new address. Tompkins County is now proposing that they provide the assignment of new addresses. Clm. Goldberg agreed with the new process so long as Supr. Witmer pass along the importance of our towns seasonal and minimum maintenance roads and that they will not authorize a number being assigned to those sections. With that, the Board was in favor of this process.

Approval of Minutes

The Town Board reviewed and approved the Agenda Minutes of May 4, 2022, as submitted by Town Clerk, Jessie Townsend.

A motion to adjourn by Supr. Witmer and seconded by Clm. Goldberg at 9:21 and was carried unanimously.

---Adjourn---

Respectfully Submitted,

Jessica L. Townsend, Town Clerk