

**CAROLINE TOWN BOARD**

**January 22, 2020**

**BUSINESS MEETING AGENDA (postponed from January 15 because of an incomplete meeting announcement)**

**Salute to the Flag (7:00)**

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

*\* Appointed Public Officers are those positions that are entrusted with some degree of independent authority, like Deputy Clerk, Deputy Supervisor, Deputy Highway Superintendent, and Code Officer.*

**Business Meeting**

**Privilege-of-the-Floor:** Opportunity for citizens to bring forward matters of concern

*Please be prepared to make one statement not to exceed 3 minutes in length*

**Additions or Deletions from Agenda**

**Highway Superintendent's Report**

**Supervisor's Report**

**Town Clerk's Report**

**County Representative's Report**

**Department, Committee, & Liaison Updates**

**Old Business (7:40)**

- **Resolution to modify the Town's Privilege of the Floor Policy to not allow comments about personnel matters**

**New Business (8:30)**

- **Discussion and vote on Local Law expanding residency allowance to adjoining towns for appointed public officers**
- **Discussion of building permit fee for changes in home heating/cooling systems**
- **Resolution to allow county forests to grow to old-growth forests without commercial logging or other intervention**
- **Resolution to appoint a Representative and Alternate to the Board of Directors of the Greater Tompkins Municipal Health Insurance Consortium**
- **Discussion of 2020 committee assignments and projects**
- **Review of minutes of Dec 11, Dec 30, and Jan 7**

**—Adjourn—**

**Resolution # \_\_\_\_\_-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 town council; and

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 citizen 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 a particular meeting. Each citizen is provided one speaking opportunity per meeting; written input is also welcome.
- Speakers agree not to speak about Town staff personnel matters. Personnel matters should be directed to the appropriate Supervisor or Department Head.
- Comments should be directed to the town board. The Supervisor or Councilpersons may answer questions brought forward or defer to allow for further research and thought.

**TOWN OF CAROLINE**

**LOCAL LAW NO. \_\_\_ OF 2020**

**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. SUPERSESSION:** 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.

**Resolution \_\_\_\_\_ of 2020. Recommendation of Hands-off Policy to Promote Old-growth Forests on County Lands.**

Whereas, Tompkins County owns forest lands in the Town of Caroline, and

Whereas, forests provide many benefits to our residents and the environment, and old-growth forests (those that are undisturbed for centuries) are among the rarest habitats and pieces of biodiversity, and

Whereas, Tompkins County's Environmental Management Council has produced a draft report with different management options, noting that with a "hands-off" approach the forests will naturally grow to old-growth forests, and

Whereas, a "hands-off" policy is a low-cost/low-effort approach that avoids the negative impacts of logging on the landscape, and

Whereas, forests are in a natural state of flux where trees get sick and die, insects kill trees, wind blows trees over, and fire sometimes burns forests, and

Whereas, none of these natural phenomena should automatically trigger human intervention, and

Whereas, old-growth forests maximize the amount of carbon sequestered from the atmosphere, now therefore be it

Resolved, the Caroline Town Board requests that Tompkins County allow the land it owns in Caroline and Newfield to grow into precious old-growth forests, without commercial logging and with minimal human intervention.

**Resolution \_\_\_\_\_ of 2020      Tompkins Health Consortium Director and Alternate**

Resolved, the Caroline Town Board appoints Mark Witmer to be its Designated Representative to the Greater Tompkins County Municipal Health Insurance Consortium Board of Directors and Velvet Lyke as Alternate Representative.

**Meeting of Town Board of Caroline**  
**12-11-19**

Town Board Meeting  
Business Meeting

Attendance: Councilmember Fracchia, Councilmember Snow, Councilmember Weiser, Councilmember Murray and Supervisor Witmer were all in attendance

Meeting called to order at 7:03 pm.

**Privilege of the Floor:**

Janice Burton - She thanked the Board for their attendance at the Candidate Forum. The League of Women Voters mentioned how the candidates acted like they were willing to work together.

**Supervisor's Report**

**Correspondence of Note:**

Notice from Jay Franklin about the RPTL421 exemption. The County passed this exemption allowance (8-year, stepped exemption) on November 7th for county taxes. Towns can do this, as well.

Notice from Haeefe TV of rate increases effective 1/1/20: basic cable will increase by \$2.25/mo; digital cable will increase by \$1.00/mo; local station fees will increase by amount as per negotiated contracts.

**Supervisor's Notes:**

Working with T.G. Miller and NYSDEC on work plan for Ekroos Road culvert project for contract with DEC.

Watershed Committee: Terry Carroll and Osamu Tsuda met with Watershed Committee in November to discuss generation of a Climate Vulnerability Assessment for Caroline. They will be reaching out to the Planning Board and are seeking community input.

Attended the Water Resources Council's "Riparian Management for Municipalities" on 11/21. Kristen Hychka from our Watershed Committee presided and spoke.

Monika Roth from Cornell Cooperative Extension let me know that she would like to attend a Planning Board meeting to provide an update on the proposed changes to our Agricultural District. I suggested the January 9 Planning Board meeting. I mentioned that we were possibly planning to form a Caroline Agriculture Committee and she would be very willing to support that. She mentioned that the group could be instrumental in developing a Farmland Protection Plan and that this could help us qualify for NYS ag. Infrastructure improvement grants. Lansing, Ithaca, Dryden, and Ulysses have Agriculture Advisory Boards.

Cindy Whittaker was honored with Cornell's Town-Gown Award on Saturday, December 7, for her excellent service to the community, and her profession, for the past 22 years. Congratulations, Cindy.

**County Representative Report - Dan Klein**

County has three different funds that relate to each other and they want to collapse into one fund. This will eliminate the trails and scenic categories and funds for these areas. Dan is working to keep money for trails in the County budget.

County is considering merging the Health Department and Mental Health Department.

County will be reviewing what to do with the forests that the County owns.

County is providing money for two projects in Caroline. Summerland Farm owned by Bowers and Brown Project.

Hemp processing plant in the Town of Danby and the residents were not happy due to noise.

**Department, Committee, & Liaison Updates**

**Transfers:**

Budget Transfer Resolution

Resolution 160 of 2019

Resolved, the Caroline town board makes the following budget transfers:

Amount	From	To
	<hr/>	
	General Fund	
\$250	A1110.2 Court EQ	A1110.4 Court CE
\$1060	A8020.4 Planning CE	A1420.4 Legal CE
\$160	A1620.4 Town Hall CE	A1620.2 Town Hall EQ
\$1,415	A1620.4 Town Hall CE	A1620.41 Town Hall IT Support
\$530	A1620.4 Town Hall CE	A1620.411 Town Hall
\$2,500	A1989.4 Contingency	A1910.4 Insurance
\$340	A5020.4 Hwy Eng. CE	A5010.4 Support of Hwy CE
\$850	A5010.4 Hwy Eng. CE	A5132.4 Garage CE
\$3,338	A1989.4 Contingency	A9010.8 Retirement
	Highway Fund	
\$800	DA5140.4 Misc. CE	DA5110.4 Gen. Repairs CE
\$882	DA5140.4 Misc. CE	DA5110.412 Gen. Repairs CE - Ekroos
\$6,331	DA5142.4 Snow Removal CE	DA5130.4 Machinery CE

Supervisor Witmer proposed the Resolution and Councilmember Fracchia seconded the Resolution. All Board Members were in favor. Resolution passed.

Budget Amendment

Resolution 161 of 2019

Resolved, the Caroline town board makes the following budget amendment:

\$4,882.68 Increase A3820 Youth Services  
\$4,882.68 Increase A7140.1 Youth Summer Employment

Supervisor Witmer proposed the Resolution and Councilmember Weiser seconded the Resolution. All Board Members were in favor. Resolution passed.

**Review of Abstracts:**

Resolution 162 of 2019

Supervisor Witmer, seconded by Councilmember Weiser, made the motion to pay the A vouchers in the amount of \$50637.00. All in favor, the motion passed

Resolution 163 of 2019

Supervisor Witmer, seconded by Councilmember Murray, made the motion to pay the DA vouchers in the amount of \$32,729.38. All in favor, the motion passed.

Resolution 164 of 2019

Supervisor Witmer, seconded by Councilmember Snow, made the motion to pay the Street Light Vouchers in the amount of \$818.49 All in favor, the motion passed.

Minutes

Resolution 165 of 2019

Supervisor Witmer, seconded by Councilmember Snow, made the motion to approve the minutes as amended for November 18, 2019 and December 3, 2019. All in favor, the motion passed.

Local Law for the Establish Residency Requirement of Appointed Public Officers

Supervisor Witmer introduced this law to the Board.

The law would allow a little flexibility in hiring Public Officers i.e. Deputy Clerk etc.

TOWN OF CAROLINE

LOCAL LAW NO. X OF 2020

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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.

Resolution 166 of 2019

Supervisor Witmer, seconded by Councilmember Snow, made the motion to establish a public hearing for the purpose of getting public opinion on the Local Law Establishing Residency Requirement of Appointed Public Officers on January 7, 2020 at 7:00 pm. All in favor, the motion passed.

Resolution 167 of 2019. Resolution of Appreciation to Deputy Clerk Becky Jordan

Resolved, the Caroline Town Board hereby recognizes Deputy Clerk Becky Jordan for superlative service to the Town in 2019. In the absence of the Clerk, Becky was the acting town clerk, providing necessary clerk's office functions during extended office hours outside of the bounds of her regular work week on three weekday evenings and Saturday mornings. Becky also clerked town board meetings. Ms. Jordan performed the duties of the office with efficiency and good humor. The Caroline Town Board extends our heartfelt appreciation to Becky.

Resolution 168 of 2019

Supervisor Witmer, seconded by Councilmember Fracchia made the motion to provide the 5-year Continuous Service Benefit to Court Clerk Kirstine Armstrong. All in favor, the motion passed.

Resolution 168 of 2019.

Supervisor Witmer, seconded by Councilmember Murray made the motion to

Let It Be Resolved, the Caroline Town Board authorizes Supervisor Mark Witmer to sign a contract for 2020 legal services with Thaler & Thaler.

All in favor, the motion passed.

Resolution 169 of 2019. Workers Compensation GML 119-o Agreement

Supervisor Witmer, seconded by Councilmember Fracchia, made the motion

Let It Be Resolved, the Caroline Town Board authorizes the supervisor to sign the GML 199-o Agreement for cooperative procurement and reimbursement of Workers Compensation insurance premiums with the Slaterville and Brooktondale Fire Protection Districts.

Resolution 170 of 2019.

Supervisor Witmer, seconded by Councilmember Snow made the motion

Resolved, the Caroline Town Board authorizes the supervisor to sign a contract for the 2020 Caroline Fire Protection District service with the Brooktondale Fire District for \$20,668.00.

Resolution 171 of 2019.

Supervisor Witmer, seconded by Councilmember Snow made the motion

Let It Be Resolved, the Caroline Town Board authorizes the supervisor to sign a contract for the 2020 Caroline Fire Protection District service with the Speedsville Volunteer Fire Department for \$54,200.00.

Resolution 172 of 2019.

Supervisor Witmer, seconded by Councilmember Fracchia made the motion

Let It Be Resolved, the Caroline Town Board establishes the 2019 Year-end Meeting time and date for December 30, 2019 at 9:00 am.

Resolution 173 of 2019.

Supervisor Witmer, seconded by Councilmember Murray made the motion

Let It Be Resolved, the Caroline Town Board establishes the 2020 Organizational Meeting time and date for January 7, 2020 at 7:00 pm.

**Old Business:**

Privilege of the Floor Policy

Councilmember Weiser spoke to the Town Attorney who does agree that personnel matters should not be discussed at Board Meetings since this is a legislative body and personnel matters are not in their realm.

Supervisor Witmer suggests incorporating the policy as part of the Organizational Meeting.

ATV on Town Roads

Supervisor are not allowed on state roads however, municipalities can pass a local law to allow ATV's on certain roads.

Superintendent Whittaker had provided a map with certain roads highlighted. Most are in the Eastern part of the Town. Supervisor Witmer will pull together the information and discuss with Councilmember Snow and Butch Partridge.

Informational Session on License Agreement with NYSEG for the Rail Bed

The Town is working to gain access to the DL&W Railroad rail bed as a public recreational trail. The Railbed is owned by NYSEG. There is a map on the website along with other supporting documentation for public review. In August, NYSEG provided a license agreement to the Town of Caroline. Each town along the trail would hold their own license agreement. The Caroline segment is quite small, only along Middaugh Rd.

The informational meeting will be held on January 28, 2020 at 7:00pm at a location to be determined.

Supervisor Witmer, seconded by Councilmember Murray made the motion to adjourn the meeting at 8:34 pm

Prepared by:

Velvet Lyke

Bookkeeper

End of Year Town Board Meeting  
Town of Caroline  
December 30, 2019

Meeting called to order by Supervisor Witmer at 9:43 am

In Attendance: Councilperson Snow, Councilperson Weiser, Supervisor Witmer, Councilman Fracchia

Supervisor Witmer, seconded Councilperson Snow, made the

Resolution 176 of 2019. Transfers

Resolved, the Caroline Town Board makes the following transfers:

\$2,500	from A1910.4 Insurance	to A1620.41 Town Hall IT
\$2,850	from A1670.4 Print/Mail /CE	to A1620.41 Town Hall IT
\$200	from A5010.2 Hwy Support EQ	to A5010.4 Hwy Support CE
\$322	from A5020.4 Hwy Eng CE	to A5010.4 Hwy Support CE
\$1,704	from A5020.4 Hwy Eng CE	to A5132.4 Garage CE
\$27,260	from DA5130.4 Machinery CE	to DA5142.4 Snow Removal CE
\$173.00	From A1480.4 Public Interface	to A1620.4 Town Hall CE

With 4 ayes, the Resolution passed

Supervisor Witmer, seconded by Councilperson Weiser, made

Resolution 177 of 2019. 2019 Encumbrances

Resolved, the Caroline Town Board makes the following encumbrances of 2019 funds for use in 2020:

\$27,600	A3310.4 LED Streetlight conversion
\$3,000	A3310.41 Purchase of Your-Speed-Is sign
\$26,626.21	A8989.41 Brighten-Up Caroline (LED bulb distribution)
\$45,861	SL5182.4 LED Streetlight conversion

With 4 ayes the Resolution passed.

Supervisor Witmer, seconded by Councilperson Fracchia, made the motion to pay the A fund bills in the amount \$9,353.92. with 4 ayes the motion passed

Supervisor Witmer, seconded by Councilperson Weiser, made the motion to pay the DA fund bills in the amount of \$20,494.07, with 4 ayes the motion passed.

Discussion of the fund balances at the end of the year. It was stated that for the last two years a large amount has been budgeted for Highway vehicles.

Supervisor Witmer, seconded by Councilperson Weiser, made the

Resolution 178 of 2019. Highway Barn Reserve Fund Allocation

Resolved, the Caroline Town Board allocates \$65,000 from expenditure account A1620.44 to A230 Town Barn Reserve.

With 4 ayes the resolution passed

Supervisor Witmer, seconded by Councilperson Snow, made the

Resolution 179 of 2019. Highway Equipment Reserve Fund Allocation

Resolved, the Caroline Town Board allocates \$178,000 from expenditure account DA 5130.2 to DA233 Highway Equipment Reserve.

With 4 ayes the resolution passed.

Councilperson Fracchia made the motion to adjourn and it was seconded by Supervisor Witmer.

Meeting adjourned at 10:37pm

Velvet Lyke  
Bookkeeper