

Caroline Town Board Business Meeting Minutes of February 10, 2021

The Town Board Business Meeting held electronically via Zoom teleconference on February 10, 2021 beginning at 7:03 p.m. hosted by Supervisor Witmer

Attendance: Mark Witmer, Supervisor
John Fracchia, Councilmember
Cal Snow, Councilmember
Tim Murray, Councilmember
Katherine Goldberg, Councilmember

Recording Secretary: Jessica L. Townsend, Town Clerk

Also Present: Highway Superintendent, Bob Spencer and 3 members of the public attended the teleconference.

Privilege-of-the-Floor

None

Addition or Deletion to Agenda

Supervisor Witmer to add a Resolution to schedule a Public Hearing for a waiver application received by Distributing Sun.

Library Discussion with Gale Moran

Barbara Kone described the various guidelines that are in place at the Library. She noted that Caroline is the only library in Tompkins and other surrounding Counties that is still closed. Patrons are generally in the library for 10-15 minutes or less and most often, less than 3 people are in the library at one time. She asked that the Board consider reopening. Councilmember Murray clarified that the closure was because of the climbing number of positive COVID cases in the County in December and January months and felt it was necessary to keep residents and volunteers safe.

A motion was offered by Councilmember Snow and seconded by Councilmember Fracchia to open the Caroline Town Library.

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Reports

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

Correspondence of Note:

- Wil Lawrence forwarded information on a virtual workshop series (one per month, February - May) by the Tompkins County Age Friendly Center for Excellence. Information is [HERE](#). The first workshop is February 17th.

Supervisor’s Notes:

- Watershed Committee is sponsoring a presentation by Dr. Leann Kanda titled, *A Real Live Game of Frogger: Amphibian Breeding Migrations at Thomas Road*, at the February 23 Watershed Committee

meeting. Information and Zoom invitation is at the [Watershed Committee Page](#). Town announcement is forthcoming.

- Energy Independent Caroline is planning a final Brighten Up Caroline LED bulb distribution effort on Saturday, April 24th. Caroline residences are eligible for up to 12 60-W equivalent LED bulbs. To place an order contact program coordinator Emily Adams at 607-708-0342 (call or text), or send her an email at emilyfinnadams@gmail.com, or use the order form at www.brightenupcaroline.com.
- Tompkins County Council of Governments (TCCOG):
 - Broadband: TCCOG is forming an advisory committee to Tompkins County Planning and Sustainability on the Southern Tier Network/Fujitsu study for a countywide municipally-owned “middle-mile” fiber network to be conducted and completed this year. Nick Helmholdt is the county lead.
 - Community Choice Aggregation (CCA): This subcommittee chaired by T. Ithaca Supervisor Rod Howe, working with Terry Carroll at CCE, is forming a working group of municipal officials to draft a basic CCA agreement that would allow modifications going forward to facilitate additional community goals.

Jessie Townsend, Town Clerk – The Clerk’s Office has collected 83% the total tax warrant. Has submitted the final tax payment to the Town Supervisor this week.

Bob Spencer, Highway Superintendent – Equipment - Has supplied the Board with an installment plan option for the purchase of new trucks. Further discussion regarding new equipment purchasing needs. He asked the Board to commit to the purchase of a new truck in 2022. Councilmember Murray asked that he put together a rotation schedule to better understand the capital planning for the future. Board members also asked for repair tracking as Bob noted that the repair cost on these older trucks are increasing every year. Building and Grounds - Repairs made to the newer building have been completed. Bob and crew are happy with the improvements. Bald Hill Cell Tower – After many delays and re-routing, Spectrum is working to complete the project soon. He will keep the Board updated when he has an official date as to when the tower will be operational.

Tim Murray, Councilmember – Planning Board Meeting is tomorrow night (February 11, 2021) at 5:30 p.m. to discuss the Proposed Law for the Siting of Solar Electricity and Battery Energy Storage Facilities.

Dan Klein, Tompkins County Legislature Representative – Dan was not present for the meeting, but offered the following information: The appropriation of \$15,000 from the County to the Town of Caroline passed committee last week, and will be passed by the full legislature Tuesday night. This is money that was meant for broadband expansion in Caroline and was allocated by the County in 2013.

Resolution 63 of 2021 Adoption of Local Law to increase Planning Board Membership to Seven persons.

A motion made by Supervisor Witmer and seconded by Councilmember Snow

**TOWN OF CAROLINE
LOCAL LAW NUMBER 2 of 2021**

Amendment of Town of Caroline Local Law #1 of 2002 to Increase Membership on the Town’s Planning Board to Seven Persons

The Town Board of The Town of Caroline, New York, pursuant to a Resolution dated February 10, 2021 does hereby pass a local law as follows, expressly superseding New York State Town Law, Section 271 (4) (5) (6) and Town of Caroline Local Law #1 of 2002 (To Establish a Town of Caroline Planning Board) to limit terms of appointment to no more than five years, rather than equal to the number of members on the Planning Board:

Section 1. Authority

This Local Law is adopted pursuant to the authority granted in the New York State Town Law, Section 271 (Planning board, creation, appointment).

Section 2. Title

This Local Law shall be known as “Local Law Number 2 of 2021”, titled “Amendment of Town of Caroline Local Law #1 of 2002 to Increase Membership on the Town of Caroline Planning Board to Seven Persons.”

Section 3. Purpose and Scope

The Town wishes to increase total membership on the Town’s Planning Board from five to seven persons to enable additional participation by residents in Planning Board initiatives.

Members shall be appointed to terms no greater than five years.

Otherwise, all other provisions of Local Law #1 of 2002 shall remain in effect.

Section 4. This local law shall take effect following its adoption.

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 64 of 2021. Formation of a Town of Caroline Zoning Commission

A motion made by Supervisor Witmer and seconded by Councilmember Murray hereby agrees to the formation of a Zoning Commission as amended:

Whereas, from public input and the judgement of the Town’s Planning Board based on increasing growth pressures and few development guidance tools to promote the goals of the Town, the Town’s updated Comprehensive Plan recommends consideration of a zoning plan appropriate for Caroline; and

Whereas, for towns like Caroline Considering adopting zoning for the first time, a Zoning Commission must be established, which has the responsibility “*to recommend the boundaries of the original zoning districts and appropriate regulations to be enforced therein, make a preliminary report, hold public hearings and submit a final report to the local governing board...*”; therefore be it

Resolved, upon the recommendations of New York State and a professional planner, and after consultation with the Town’s Planning Board, the Caroline Town Board hereby establishes a Zoning Commission of seven members, which shall include three members of the Town’s Planning Board and additional Caroline residents appointed by the Town Board. A member of the Town Board shall serve as liaison to the Zoning Commission; and

Be it Further Resolved, the Town’s Zoning Commission is a separate body with its specific charge to:

- a) examine existing conditions,
- b) through a process which encourages and accommodates public input recommend the boundaries of the zoning districts and appropriate regulations to be enforced therein,
- c) make a preliminary report of this information,

- d) hold public hearings on the preliminary report, and
- e) submit a final report to the Town Board”; and

Further Resolved, shall be disbanded upon submission of its final report to the Town Board.

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Discussion: The Board discussed Public Hearings and Information Sessions to inform and involve the community. It was noted that the Zoning Commission will be engaged in that process and report to the Town Board with the findings.

Resolution 65 of 2021. Discussion and Town Board Vote on 2021 Assoc. of Towns Legislative Program Resolutions

Resolved, the Caroline Town Board votes as follows on the 2021 Association of Towns Legislative Program:

1. Preserve and Support Home Rule
2. Share Potential Cannabis Revenue and Support Local Option
3. Support the Expansion of Cellular and Broadband Service while Preserving Local Authority
4. Seek Town Input for Clean and Renewable Energy Decision-making and Initiatives
5. Provide Towns the Authority to Determine Town Real Property Tax Exemptions and PILOT Agreements for County IDA-Sponsored Projects
6. Support and Fund Local Roads, Bridges and Highway Operations
7. Provide Training and Funding for Police Reform Requirements
8. Support Funding for Town Justice Courts by Increasing Reimbursement Rates, Authorizing Surcharges and Addressing Unpaid Parking and Traffic Fines
9. Provide Towns with More Options to Address Revenue Shortfalls and Cover Operating Expenses
10. Support Funding for Towns during COVID-19
11. Collaborate with Towns on Responses to COVID-19 and Vaccine Distribution
12. Create a Statewide Committee to Evaluate the Impacts of Recent Criminal Justice Reforms
13. Amend the Utility Moratorium on Termination of Services to Ameliorate the Financial Burden on Local Governments
14. Proactively Eliminate the “Dark Store Theory” as a Valuation Method to Reduce Real Property Tax Assessments

A motion made by Supervisor Witmer and seconded by Councilmember Fracchia to vote yes on all the above except #12.

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 66 of 2021. Authorizing Cooperative Purchasing of Worker’s Compensation Insurance with Slaterville and Brooktondale Fire Districts

A motion made by Supervisor Witmer and seconded by Councilmember Snow authorizing Cooperative Purchasing of Worker’s Compensation Insurance with Slaterville and Brooktondale Fire Districts as follows:

Whereas, the Town of Caroline is a member of the Comp Alliance (The New York State Municipal Workers' Compensation Alliance), a municipal cooperative that manages Workers' Compensation risks and costs to ensure efficiency and stability; and

Whereas, GML 119-o allows municipal corporations and districts to enter into agreements for cooperative purchasing contracts; therefore be it

Resolved, the Caroline Town Board hereby authorizes the Supervisor to sign the 2021 agreements for collective purchasing of Workers' Compensation Insurance through the Comp Alliance with both the Slaterville Fire District and the Brooktondale Fire District.

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 67 of 2021. Completion of Annual Accounting Audit of Caroline Town Court

A motion made by Supervisor Witmer and seconded by Councilmember Snow

Resolved, the Caroline Town Board hereby affirms completion of the 2021 audit of the Caroline Town Court on 19 January 2021. Present were Court Clerk Diane Gair and Justice Gary Reinbolt for the court and Mr. Witmer, Mr. Snow, and Mr. Murray for the town board. The accounts and recording-keeping of the Caroline Town Court were found to be in good order.

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 68 of 2021. Completion of Annual Accounting Audit of Town Supervisor's Office

A motion made by Supervisor Witmer and seconded by Councilmember Fracchia

Resolved, the Caroline Town Board hereby affirms completion of the 2021 audit of the Caroline Town Supervisor on 25 January 2021. Present were Supervisor Witmer and Bookkeeper Velvet Lyke for the Supervisor's Office and Councilmembers Snow and Murray for the town board. The accounts and recording-keeping of the Town Supervisor's Office were found to be in good order.

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 69 of 2021. Completion of Annual Accounting Audit of Town Clerk's Office

A motion made by Supervisor Witmer and seconded by Councilmember Snow

Resolved, the Caroline Town Board hereby affirms completion of the 2021 audit of the Caroline Town Court on 25 January 2021. Present was Town Clerk Jessica Townsend for the Clerk's Office and Councilmembers Snow and Murray for the town board. The accounts and recording-keeping of the Town Clerk's Office were found to be in good order.

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 70 of 2021. Renewal of Planning Board Terms

A motion made by Supervisor Witmer and seconded by Councilmember Goldberg

Resolved, the Caroline Town Board hereby renews Planning Board member terms as follows:

Bill Podulka, 2021 through 2025

Wilma Lawrence, 2021 through 2023

Michele Brown, 2021 through 2021

Barbara Knuth, 2021 through 2022

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 71 of 2021. Renewal of Review Board Term

A motion made by Supervisor Witmer and seconded by Councilmember Murray Resolved, the Caroline Town Board hereby renews the Review Board Term of Craig Modisher from 2021 through 2025

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 72 of 2021. 2020 Encumbrance

A motion made by Supervisor Witmer and seconded by Councilmember Fracchia to make the following encumbrance to A8989.41 NYSERDA SEC Grant in the amount of \$26,626.21.

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 73 of 2021. Approval of Vouchers for Payment of Town Bills

A motion made by Supervisor Witmer and seconded by Councilmember Snow Resolved the Caroline Town Board approves payment of vouchers for bills in the amounts of \$19,219.99 for the General Fund, \$86,939.06 for the Highway Fund, and \$408.63 for the Streetlight Fund and \$75,190.00 for the Fire Protection District.

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 74 of 2021. Approval of Minutes

A motion made by Supervisor Witmer and seconded by Councilmember Snow to approve the Minutes of the February 2, 2021 Town Board Agenda Meeting as submitted by Velvet Lyke

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 75 of 2021. Zoning Commission Chair

A motion made by Councilmember Murray and seconded by Councilmember Fracchia allowing the Town Board appoint the Chair of the Zoning Commission

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Resolution 76 of 2021. Set Public Hearing on Waiver Application from Distributing Sun

A motion made by Supervisor Witmer and seconded by Councilmember Goldberg to schedule a Public Hearing on a Waiver Application submitted by Distributing Sun set to begin at the start of the Business Meeting on March 10, 2021 beginning at 7:00 p.m.

Passed: Witmer: Aye; Fracchia: Aye; Snow: Aye; Murray: Aye; Goldberg: Aye

Discussion on Committee Liaison: Councilmember Murray proposed that he be the liaison to the Zoning Commission and that Councilmember Goldberg be the liaison to the Planning Board. He also volunteered to be the liaison to the Court. Councilmember Fracchia recommended Wil Lawrence serve on the County Broadband initiative. Supervisor Witmer will confirm with Wil. Town Board agreed unanimously.

A motion to adjourn by Supervisor Witmer and seconded by Councilmember Snow and carried unanimously at 9:53 p.m.

---Adjourn---

Respectfully Submitted,

Jessica L. Townsend, Town Clerk