

## **Caroline Town Board Business Meeting Minutes of March 10, 2021**

The Town Board Public Hearing and Business Meeting were held electronically via Zoom teleconference on March 10, 2021 beginning at 7:10 p.m. hosted by Supervisor Witmer

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

**Recording Secretary:** Jessie Townsend, Town Clerk

**Also Present:** Tompkins County Legislature Representative, Dan Klein and 16 members of the public attended the teleconference

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### **Public Hearing on SUNXLLC Waiver Request**

Supervisor Witmer opened the Public Hearing beginning at 7:11 p.m.

The Supervisor explained that a 180-day Moratorium on Land Use Development was enacted on December 9, 2020 and that the Town has received a Petition of Waiver request from SUNXLLC along with other necessary documentation such as a Narrative for Petition of Waiver, sketch plan, topographic map, and an Addendum to Waiver regarding clarifications. Supervisor Witmer asked SUNXLLC Representative, Chet Feldman if the Board was in receipt of the full application and he answered yes.

Supervisor Witmer then asked the Town Board members if they have any conflict of interest pertaining to this project and was unanimously answered no.

Chet Feldman – Gave a brief statement on his professional background with the company. They have solar developments in surrounding areas such as two in the Town of Dryden, Town of Harford and one currently pending in Cortland County. The current pending project request in Caroline is a 3-parcel lot on 76 Rd., which will be subdivided into 5 parcels. The total acreage of the project is approximately 130 acres. Mr. Feldman shared further plan details - those can be found on the application which is posted on the town's website. He also shared issues concerning costs and state level incentive programs that are dwindling as time proceeds.

Mary Kobler – Appreciates the diligent work of the Board. Supports the SunX project and believes it fits with the Town's Comprehensive Plan. Urged the Board to pass the waiver.

Jonathan Comstock – Strongly supports the waiver. Supports our farmers and believes that ignoring their needs would be unconscionable. Has read the waiver and supports this developer.

Barbara Knuth – Served on the Task Force and is currently a Planning Board member. Spoke as a citizen of the Town and supports of the waiver request. Believes the waiver provided thoughtful analysis and the exceptional hardship of the landowner. It is consistent with the Comprehensive Plan. Should the waiver be approved, it will then go through the Review process.

Irene Weiser – Spoke in support of the waiver. She stated that the Town needs to move forward with renewable energy now and that this is a time sensitive project; federal and state support can be lost. Believes this application is consistent with the Comprehensive Plan. This proposed development is not in an area that is under development pressure. Solar installations are not permanent and can be removed if

necessary. Stated that there is benefits to the farmers and to the Town, both environmentally and financially.

Bruce Murray – Agrees with previous speakers. Believes that everyone loses if this does not go through. Supports the Waiver.

Councilmember Murray asked Mr. Feldman for clarification on the chronology and if the approval of the waiver gives the greenlight to the next stage of the project. Mr. Feldman outlined the various stages of the project and it begins with Town approval. He projected that should they get approval and move forward; they would break ground in Spring 2022. Finally, he gave further details on the vegetation of the area and said that the agricultural development is a prime focus of the Company.

Supervisor Witmer closed the Public Hearing at 7:59 p.m.

The Caroline Town Business Meeting began at 8:03 p.m.

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### **Discussion on Waiver Request**

Councilmember Murray would like some time to review the addendum that they received yesterday from SUNX and because of the Moratorium Law that is in place, they need to carefully consider this Waiver. After brief discussion, the Town Board unanimously agreed to hold a Special Meeting to vote on the Waiver.

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### **Resolution 78 of 2021. Set Special Meeting**

A motion made by Supervisor Witmer and seconded by Councilmember Goldberg to set a Special Meeting to vote on SUNXLLC Waiver Request scheduled for Tuesday, March 16, 2021 at 7:00 p.m. to

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

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

None

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### **Presentation on Joint Youth Commission by Karyn Scott and Nancy Kane**

Nancy Kane and Karyn Scott gave a presentation on various youth programs offered by the Joint Youth Commission that meet youth developmental needs. The Commission promotes and provides life skills, apprenticeships, and developmental opportunities. Ms. Scott outlined the 5 funded programs which include: Youth Employment Service (summer jobs), The Learning Web (apprenticeship for middle schoolers), Cooperative Extension Rural Youth Services (after school enrichment), Coddington Road Community School & Summer Camp (Youth in Training and Camp Counselors) and new Youth Entrepreneurship Market (Business and Marketing). *For more information, visit the Joint Youth Commission Facebook page or reach out to Karyn or Nancy.*

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### **Interviews for the Town's Zoning Commission**

The Town Board interviewed the applicants and asked each the following questions:  
What do you see as the purpose of the Zoning Commission? Why are you interested in serving on the Zoning Commission? Share thoughts/reactions about the updated Comprehensive Plan and for the Task Force Report. Do you have time to commit to this important work? What skills do you think you might bring to the process?

**Ernie Bayles** – Ernie best described the purpose of a zoning commission is the drafting of the best possible ordinance to further direct the vision of the Town. His thoughts on the Comprehensive Plan were that it was largely supported by the community. Has personal knowledge of zoning appeals process and feels it is best to have a clear set of rules in place. Has been in areas where the rules are not forthcoming, and it can be an extremely frustrating process. He was part of the Subdivision Review Plan many years ago and feels it is his civic duty to serve the community. Believes this will be very hard work but feels he has some understanding on zoning regulations and could bring some insight to the group.

**Jean McPheeters** – Jean best described the purpose of a zoning commission is to consider what would make sense for our township. She is interested in serving on the commission because the process can be very frustrating, and it does not need to be. She believes that there is a need for rules, but they do not have to be scary, they just need to be clear. Lastly, she has the time to devote to this group.

**Bruce Murray** – Bruce best described the purpose of a zoning commission is to first decide if and how what type of zoning is going to be used and how to decide what and where zones will be. Believes with a professional planner they will be able to get there. Thinks there are some benefits to zoning but there is question as to how this will affect the citizens. Believes there are pros and cons to zoning. Wants to have clarity of zoning before presenting it to the public. Interest in serving is to make sure that it is an inclusive process with the citizens of the town.

**Evie Weinstein** – Evie best described the purpose of a zoning commission is that it will provide a forum for different points of view. Zoning has been discussed for several decades and believes that there will be a split reaction to the public on whether zoning is needed or not. Believes she has an open mind, and that good conversation is possible if everyone agrees to be willing to see others' points of view. Sees there are challenges ahead in the way the town could change. Has a strong interest in having a voice.

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## **County Report**

### **Dan Klein, Tompkins County Legislature Representative –**

Stimulus package - The County received word that the estimated stimulus package to be granted to Caroline was projected to be \$618,000. That has not been officially confirmed yet.

Reimagining Public Safety – The Plan was introduced last month and the County is still accepting public comments through the end of this month. There were 19 recommendations in the report; the most significant one is to abolish IPD. If this is forced into a vote, as it stands now, Dan will vote no. Other recommendations included integrating social workers into nonviolent tasks.

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## **Presentation of Caroline Town Court case load information by Town Justices**

Judge Barr thanked the cleaning and maintenance services that the Court is receiving now and thanked Supervisor Witmer for getting the entry door fixed. The Justices described feeling pressure from the Town Board to produce case load and outlined several examples as to why their quality of work matters more over their quantity of work. The Justices had asked the Board for an increase in wage this past budget cycle and stated that they were the lowest paid Justices in Tompkins County thus feeling devalued and unappreciated. Councilmember Murray apologized to them for feeling like this and clarified that the Board was asked to consider comparative salaries throughout the County and that case load would help them to determine an appropriate salary level. Supervisor Witmer concurred, adding that it is reasonable for the Town Board to understand the comparative information provided by case load data. Both the Town Board and Justices agreed to respectfully move forward in bringing resolution to this matter.

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**Resolutions****Resolution 79 of 2021. Budget Transfers**

A motion made by Supervisor Witmer and seconded by Councilmember Fracchia as follows:

Resolved, the Caroline Town Board makes the following 2021 budget transfer:

\$1,000 from A1990.4 Contingency to A1440.405 Creeks, Engineering

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

**Resolution 80 of 2021. Approval of Vouchers for Payment of Town Bills**

A motion made by Supervisor Witmer and seconded by Councilmember Snow for payment of Town bills as follows:

Resolved the Caroline Town Board approves payment of vouchers for bills in the amounts of \$63,383.15 for the General Fund, \$73,640.42 for the Highway Fund, and \$295.41 for the Streetlight Fund.

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

A motion made by Supervisor Witmer and seconded by Councilmember Snow to approve the Minutes of the March 2, 2021 Town Board Agenda Meeting as submitted by Town Clerk, Jessie Townsend and was carried unanimously.

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Executive Session was called by a motion made by Supervisor Witmer and seconded by Councilmember Goldberg to discuss personnel appointments and was carried unanimously at 9:59 p.m. and ended at 10:19 p.m.

The Caroline Town Board came back to public session beginning at 10:20 p.m.

**Resolution 81 of 2021. Appointment of Zoning Commission**

A motion made by Supervisor Witmer and seconded by Councilmember Murray to appoint the following persons to the Zoning Commission: Jean McPheeters, Ernie Bayles and Bruce Murray

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

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Respectfully Submitted,

Jessica L. Townsend, Town Clerk