

Caroline Town Board Agenda Meeting Minutes of September 4, 2018

The Town Board Agenda meeting held on September 4, 2018 at the Caroline Town Hall was called to order at 7:03 p.m. by Supervisor Mark Witmer.

Attendance:

Mark Witmer, Supervisor
John Fracchia, Councilmember
Irene Weiser, Councilmember
Cal Snow, Councilmember
Megan Barber, Councilmember

Recording Secretary:

Jessica L. Townsend, First Deputy Clerk

Also present were 46 members of the public

Mr. Witmer started the meeting with the Pledge of Allegiance to the Flag.

Privilege of the Floor

Peter Hoyt – This was his 3rd or 4th time to speak against the proposed Local Laws since they were introduced. Recognizes that there is tension between the Town Supervisor and the Town Clerk. Does not believe this is the way to handle that situation.

Bruce Murray – It was told at the last board meeting that there would be one more meeting before the vote. Opposes the Local Laws. People have spoken against the change. Read from the Supervisor's letter in the Old Mill and expressed his desire to keep as is.

Chad Tibbals – Opposes the change. The Town Board would be in charge. The townspeople should be in charge.

Melissa Marion – Opposes the change.

Jack Breed – Agrees with Chad Tibbals. Works for Tompkins County Highway where it is appointed and does not want to see that happen here.

Marion Goodrich – Who initiated this change? What are the reasons for making this change?

Mark Witmer – Responded saying that it was brought forward in June, has detailed his logic why this would be a good change. The board members will individually express their feelings on this change after everyone has had a chance to address the town board.

Rebecca Phillips – Opposes the change. Non-residents don't have any investments or anything at stake. The right to vote should not be up for debate.

Marilou Harrington-Lawson – Listed her qualifications. Stated that it feels like a personal attack against her. Works for the people of the town.

Kathy Mix – Thanks the Board for listening to the public. Hopes that the board hears that the people do not want to lose their right to vote.

Brandon Wyllie – Opposes the change. Leave things as they are. Doesn't want to lose his right to vote.

Hannah Wyllie – Opposes the change. Works on her family farm in Caroline. Does not want to lose the right to vote.

Taylor Crispell – Opposes the change. Agrees with other residents that have spoken. Doesn't want to lose his right to vote.

Harold Phoenix – Opposes the change. An appointed system would take our right to vote away. Taxes will increase in changed to appointed.

Linda Adams – Introduced herself, a prior board member. Wants this board and future town board to be successful. Can't be successful unless the Clerk is elected by the people. Town Clerk must remain as an elected colleague. This is a voter right and should remain so. Town Board will have a steep hill to climb to convince her to hand over this decision to possibly three (3) board members. In the end, must remain the people's vote choice.

Kelvie ? – Does not want to lose his right to vote. Opposes the change.

Duane Austin – Scary to worry about an appointment not being accountable to 3,000+ people. Doesn't know why this is being considered.

Pamela Austin – Owns businesses and rental properties in Caroline. Opposes the change. Voters should decide. We the people should decide.

Cynthia Kettle – Asked why now? Understands the idea of getting a bigger pool of applicants. She made a suggestion that maybe residents could have some inclusion on deciding the applicants.

Kathy Dubin – Is for the referendum. Doesn't see the harm. She wants to get the best possible candidate. A system that has worked in the past doesn't mean that it can't be made better.

Mike Moran – Asked Megan Barber to abstain her vote.

Ed Wertz - Thinks there are qualified residents for the jobs. Concerned that if the person is not doing a good job then the board could get them out.

Betty Dean – Opposes the change. Feels like this is part of an agenda.

Pat Carey – If it's not broke, don't fix it. Asked why now?

Supervisor Mark Witmer – Responded to the question why now; it is because Cindy (Highway Superintendent) is retiring next year. Concerned about the pool of qualified applicants. Same for the Town Clerk.

Scott Dean – Has been in the highway business. Has seen it appointed and failed. Residents know each other and know who will do a good job. Opposes the change.

Joel Holly – Asked what makes the board more qualified than the people of the Town. Majority should vote on it.

Jack Breed – Asked if the highway superintendent gets appointed and the person is not a resident of the town, how will they check the roads and know when to send crew out?

Supervisor Mark Witmer – Stated that tonight the town board is only voting on if it goes to referendum.

Frank Proto – At the Information Meeting he was encouraged that the Town Board would not pursue this. Now the turnout in opposition should speak to them. The public has elected this board. You have 4 years with these positions to make a change. The people paying these positions should be the ones picking the candidate. There are other issues in the town to be dealt with. Thanked the board for listening.

Steve Nash – Is a lifelong resident of Caroline. People know what they want, and they want to decide. People are here to say they don't want to see this change.

Laurie Spada – If town board appoints these positions what different criteria are they going to want that's different from now?

Janet Nash – This would make the positions better? Does not agree.

Barry Goodrich – Is a 55-year resident. Has sat on the town board. Is against the change. This should not go to referendum.

Levi Scott – Opposes the change.

Todd Schmidt – This is a strong reflection of what people want.

Cindy Whittaker – Ran for highway superintendent 22 years ago. People didn't think she was qualified to do this job. Opposes the change.

Board Discussion

Cal Snow – Believes in the distribution of power and admires the election process. Also admires the people that run for election and put themselves out there to depend on their neighbors to trust in them to do the job. Has seen that over the years when a current Clerk hasn't done a good job, others get the word out and are then not re-elected. The people have always decided, and that

system hasn't failed. The right to choose is an honor and a right. He is for the positions staying elected.

Councilmember John Fracchia – Appreciates the comments today. Has reflected on comments from past meetings. Has done a lot of research on this. The Town Clerk: there has been a conflict with the Clerk and the Supervisor. The Clerk does important work for the Town. He went on to list duties of the Town Clerk. Is not in support of this going to referendum for the Town Clerk position. For the Highway Superintendent appointment: Has major qualification concerns. Thinks there is room for the community to get involved. Is in support of the referendum for the Highway Superintendent position.

Councilmember Megan Barber – Has been thinking about both sides of this, all the way around. Comes down to her belief of civic engagement is the heartbeat of every small community. Hard for her to do something other than encourage that. Important that people are running for position and voting. Encourages residents to get more involved by considering running for an elected position and/or making sure to get out and vote. Thinks qualifications should include a person's relationship with the community. Accountability – doesn't believe necessarily that these positions should be accountable to the town board but rather seeing a system of mutual accountability. We all want to see things run as well as possible. She will be voting no on both proposed local laws.

Councilmember Irene Weiser – She came into this meeting thinking she knew where she wants to go/how she was going to vote. Expressed extreme confusion on how to vote on these proposed local laws. Has heard all the comments from tonight and wishes that people were involved this much in the democratic process in the rest of the Country. She understands how much the Town means to the residents. She is afraid for accountability issues and feels there has been such issues with the Clerk's Office for some time. Still, she is struggling with her decision. Accountability is still her greatest concern. There have been several instances where positions are open (board vacancies) but people don't run for these offices. People want to serve but don't want to run. Ultimately, she does want to see these laws go to referendum.

Town Supervisor Mark Witmer – Thanked everybody for their input. He has grappled with this decision as well. He introduced these laws and thought going to an appointed system made sense. Cindy (Highway Superintendent) has served a long time and has done such a great job and finds the prospect of replacing her a formidable one. Thought going to an appointed system would benefit the Town. This was introduced this as a policy change, not a condemnation of Marilou (Town Clerk) or Cindy (Hwy Supt). He is trying to make the best decision for the Town. Based on what has been presented, he is supporting both proposed laws going to referendum.

Question from an audience member regarding the process of what will happen after the vote tonight and when other details will get cleared out. Mr. Witmer explained that there would be a separate discussion to iron out the details of further proposals, only if the two proposed local laws that are being brought forward tonight pass.

Councilmember Irene Weiser requested a recess. A motion was then made by Mark Witmer for a short recess at 8:52pm.

Resolutions

Resolution No. ____ of 2018

Proposed Local Law No. ____ of 2018

Resolved, the Caroline Town Board hereby passes a Local Law Providing for the Abolition of the Elected Position of Highway Superintendent and the Creation of the Appointed Position of Highway Superintendent of the Town of Caroline as a mandatory referendum for public vote November 6, 2018.

Not Passed: Witmer: Aye; Fracchia: Aye; Weiser: Nay; Snow: Nay; Barber: Nay

Resolution No. ____ of 2018

Proposed Local Law No. ____ of 2018

Resolved, the Caroline Town Board hereby passes a Local Law Providing for the Abolition of the Elected Position of Town Clerk and the Creation of the Appointed Position of Town Clerk of the Town of Caroline as a mandatory referendum for public vote November 6, 2018.

Not Passed: Witmer: Aye; Fracchia: Nay; Weiser: Aye; Snow: Nay; Barber: Nay

Committee Reports

John Fracchia, Councilmember – (See Attachment 1) Met with Supervisor Witmer, the Town Justices, and Code Officer to discuss the old town hall heating and cooling system grant. Received a letter back from NYS Broadband Program Office regarding his questions on phases 2 and 3 projects to be completed and coverage. Phase 2 should be completed by the end of this year. Phase III completion by the end of 2019. No additional funding grants available. Further discussion regarding areas of coverage for broadband services. Still question on what areas are to be covered and where there will still be gaps in coverage. Brief discussion on health care consortium. Passed several initiatives at the August 23rd meeting. Amended conflict of interest policies. No meeting of the Joint Youth Commission in August.

Irene Weiser, Councilmember – Aquifer protection law has been sent to the town attorney, Guy Krogh. Expects comments back from him and will then have further discussion. Attending the commissioners meeting in Brooktondale. Some questions raised were regarding coverage being provided to the Slaterville area and possibly a paid position for coverage of same. Differences among Chiefs regarding mutual aid. Brooktondale has coverage of the area everyday but Monday. Intends to talk to Slaterville about their willingness to ask for mutual aid. She has also been working with Cornell students on projects. Meeting with a student tomorrow to work with Bangs regarding their coverage of the town. Will start to look at an optimal location for an ambulance outpost. Cornell is looking at expanding to East Hill Plaza, possible location? Will also be looking to find ways to reduce call volume for non-emergency. A lot of non-emergency calls that come in.

Megan Barber, Councilmember – Planning Board did not meet last month but will meet next week. Needs/wants community input on comprehensive plan. Meeting with Cindy Whittaker on September 12th to discuss Capital Planning. No update on Enslaved Burial Ground. Received an email from Susan Beckley regarding the New York Health Act and is asking for the board to support the act. It was decided that they will make a proposal and vote at next week's business meeting.

Cal Snow, Councilmember – Asked why the Town Court has a separate number. He heard about a minute transcription service and whether that is something the town wants to investigate that service. Discussion followed, and it was decided that it would be too expensive for the town. Coddington Road resident concerned about speed limit and wants to know the procedure on how to request a speed limit change.

Discussion and Agenda Items for September 12 Town Business Meeting

Supervisor Mark Witmer asked for the board's thoughts on hiring someone from Tompkins County in helping create/draft the local laws for the Solar and Wind Siting Laws. Discussion followed regarding prior authorization for Mr. Witmer to sign a contract with CJ Randall, who was interviewed for the job. It was further agreed that Mr. Witmer would sign the contract with Ms. Randall and will move forward.

Kathy Mix has put together a business plan on emergency response and will be presenting it to the board next month.

John Fracchia will bring forward a resolution to move forward with the Cornell Cooperative Extensions, Multi-connect Conduit proposal.

Irene Weiser Cayuga Power Plant is looking to convert to burning gas. Between 25-60 trucks per day. The route is unknown, but they would be coming in from PA therefore chances are they will be coming through Caroline. She will be bringing forward a resolution to not have that happen here in this Town. Will not move on this next week but wanted to put it on everyone's radar.

Will discuss the date and process for the upcoming ATV Riders meeting.

----Adjourn the meeting ----

The meeting adjourned on a motion by Mark Witmer and seconded by Councilmember John Fracchia at 9:59 p.m.

Respectfully Submitted,

Jessica L. Townsend, Deputy Town Clerk