

Caroline Town Board Business Meeting Minutes of November 10, 2021

The Town Board Special Meeting was held electronically via Zoom teleconference on November 10, 2021, beginning at 7:00 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: Highway Superintendent, Bob Spencer; Tompkins County Legislature Representative, Dan Klein and 0 members of the public attended the teleconference.

Privilege-of-the-Floor

None

Discussion with LeBerge Representative

Cm. Fracchia introduced Leberge Representative, Philip Koziol to discuss and present information collected on the three potential sites for a new highway facility. The three sites are as follows:

- **SITE 1 – Current Highway Grounds**

This site is partially in the floodplain according to FEMA maps, but the maps are being updated. The new highway building would be relocated at the top of hill, currently used for stock pile materials and other miscellaneous truck parts/equipment storage. There is limited use for expansion and there is an 8-10% grade from the bottom level to the top hill where the new building would be located. They would remove the current facility and the quonset building and use that space for the stock pile materials and would build a 5-10ft retaining wall. One benefit for this location is that the salt shed, outbuildings and the fuel pumps will stay in place – making this the least expensive option, but maybe not the most desirable.

Site 1 projected cost is \$4.9 million.

- **SITE 2 – Perkins Road – Land owned by the Town**

There would need to be a lot of grading and materials moved to open this space and provide adequate room for a facility, but would result in more room than site 1. There is unknown cost associated with a septic system – whether a pressurized system would be necessary. This could add to the projected cost. One concern pointed out by Hwy. Supt. Spencer was that the intersections used to get to and from this location are blind (White Church/Valley Rd, and Perkins/Valley/Brooktondale Rd). Something that may not be noticed by riding in a car or pickup but in a 10-Wheeler with a plow, there are site restrictions.

Site 2 projected cost is \$5.3 million.

- **SITE 3 – Vacant Lot – Valley Rd – next door to the Brooktondale Fire Hall**

This lot size is an open, privately owned 46 acre lot. The lot size needed to accommodate the new highway facility, a washbay, a new salt shed and a large area for a material storage area is roughly 10-15 acres. This site has the open space that neither site 1 nor 2 has. If the town could buy that portion of the lot or

buy the additional acreage for future expansion or to keep the open space to prevent future building, staying aligned with the town's Comprehensive Plan. However, you could say that this goes against the Comprehensive Plan by purchasing this agricultural land (not designated ag district) but using this open space to build highway facility and out buildings.

Site 3 projected cost is \$5.5 million

The final report will give site details and concept to each site, pros and cons, and they will include their location recommendation to the board. The report will also have discussion regarding funding sources and grant programs. Finally, the next steps to move project forward.

Cltm. Murray asked Phil for a comparison to the grades at Site 1 to 3. Site 1 requires a retaining wall to hold the fill needed for the upper hill development. This grade will be a 5-10' high wall over a considerable distance. Site 3, the grade is 8% or less and is longer in length, making the driveway more manageable. Cltm. Fracchia has the documents that were provided this evening and will be sending along to the board for review.

Reports

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

Correspondence of Note

- Tompkins County Department of Assessment announced that they will be re-instating the Local Advisory Board of Assessment Review (BAR) hearings in 2022 (date from May 9-20) because of the "uptick in the housing market."
- 3rd Quarter Sales Tax Report from Tompkins County Director of Finance, Rick Snyder. Town third-quarter distributions increased by 16.88% over third-quarter 2020; year-to-date sales tax distributions to towns and villages is 22.02% greater than 2020. The second semi-annual mortgage tax distribution is 87.1% greater than 2020 overall. Caroline's second-quarter mortgage tax payment is 271% greater than 2020 (\$26,762 versus \$72,582).

Supervisor's Notes

- Tompkins County Council of Governments (TCCOG): Two proposals relating to Code Enforcement were put forward at the October 28 meeting. I think these both have merit and am seeking feedback from the town board.
 - Greg Potter presented a proposal for the County to take the lead on assignment of street addresses.
 - Martha Roberson presented a proposal for the County to undertake a study of possible areas for the county to take responsibility for enforcement of the New York State Unified Building Code. Tompkins County Assessment Office is willing to house this office. This initiative is parallel to the prior transfer of responsibility for assessment to the County.
- LED streetlights: awaiting scheduling of final project completion from NYPA contractor. I have requested clarification and revision of our financing arrangement to reflect Clean Energy Communities grant funds dedicated to the project.
- Watershed Committee: Our October 19 meeting was a stormwater training organized by the Water Resources Council. In 2011, Six Mile Creek washed out a portion of Banks Road during back-to-back rainfall events of Hurricane Irene and Tropical Storm Lee. In response, this project focused on: realigning and dissipating energy in stream, reconnecting the stream to the floodplain, and regrading and planting the banks and floodplain.
- Working with Brighten Up Program Director Emily Adams to close out Brighten Up Campaign.

Town Clerk, Jessie Townsend – Report on license fees collected in October are as follows: 0 Marriage; 17 Dogs; 5 Hunting; and 6 Building Permits. Total fees collected were \$1,828.00 less \$218.63 in non-local revenues. Check 258 to Supervisor on November 1st in the amount of \$1,609.37.

Hwy Supt., Bob Spencer – Getting trucks ready for snow. Chips money has been submitted. Concerns with traffic still on Bald Hill Rd. The bridge project should be completed over the next couple of weeks. Crew has hauled a considerable amount of material for stock pile. Clm. Snow asked if a DOT Engineer would come out to look at Site 2 and give a recommendation on truck access and visibility at those intersections of concern. Bob does not have an answer but is doubtful because the intersections are not on State highway. Bob also extended an invite to any board member for a ride-along with a crew member.

Dan Klein, County Rep. Report – County's Shared Services Plan – Members from town and school leaders meet annually and study ways to save money. Next year they will be exploring a few ideas. One is the purchasing of bulk snow and ice cutting edges. By the County purchasing them together, they are estimating a \$45,000 savings county-wide each year. They are also looking at expanding Health Consortium Insurance to others outside of Tompkins County. This will hopefully cut premiums. Code Enforcement study – (see Supervisor's notes) Dan echoed that this is only a study. The County is just looking into possibilities currently. Money for the study has already been included in the 2022 budget.

Cell phone coverage – there has been a lot of discussion on broadband, but not much mention on the lack of cell phone coverage. This is a big issue for many people throughout the County and there hasn't been much discussion from a government level. Dan was thinking about recommending using some of the Community Recovering Fund to hire someone to do a study but was just notified that the FCC has released data of 4G LTE coverage and County IT can use that to make maps. More info to follow. Southern-Tier 8 Planning Commission gave a press release regarding a broadband application. This was just the application to apply for money. This would cover 128 houses in Caroline, 115 by Haeefe and 13 by Point Broadband (previously was Clarity Connect).

Budget - Voting on final budget on Tuesday. If there is no significant change, the tax levy will remain flat this year by using \$1.6 million of fund balance. This does not mean that taxes will be unchanged but rather your assessment and other factors. Still helpful. Caroline also followed their lead and used fund balance to stay flat this year.

Clm. Murray – Zoning Commission's presentation will be held on Thursday, December 2nd via zoom at 7pm (this will be recorded and available for anyone who is unable to attend); the same presentation in-person will be on Sunday, December 5th at the Brooktondale Fire Hall at 1:00pm. After this presentation, there will be stations setup around the Fire Hall where maps can be viewed with a Commission member and some questions will be answered by the Planner. The Commission will be distributing a public mailing that will be going door to door and signage will be placed around town. Comment and information boxes are also being placed around town at various locations (including one at the Town Hall) where people can ask questions to the ZC. The Board discussed procedures in how to verify vaccination for those attending in-person, which will be required to attend. Supr. Witmer's recommendation is for those attending show their vaccination card at the door. Clm. Murray added that it should be a Board member that manages that, not the responsibility of a Commission member. He added his concerns that some may be angry about showing their card because of the politics surrounding it but unfortunately feels they have no control over that. This is just an information session, not a public hearing. Clm. Goldberg asked for explanation on whether the public would be able to view some of the comments or questions asked by others. Although unsure of that, he did clarify that they will be available for the Commission for consideration which is the purpose of this information session. The public's feedback will come at the Public Hearing that will be held, after a proposal is presented. An additional Public Hearing will be held by the Town Board once the proposal is turned in to them.

Town Court – Letter was sent by Supr. Witmer this week requesting a copy of the keys and an update on the small conference room. No response has been given at this time.

Discussion of Marijuana Regulation & Taxation Act

The Act was passed this year in NY. Supr. Witmer gave a brief overview of the Act. This act legalizes marijuana for recreational use and allows dispensaries and consumption at selected places designated in the town. Rules that apply to non-smoking areas, will be the same for marijuana. A Local Law will need to be filed by the end of this year to opt out of the dispensaries and designated areas. It will not allow you to opt-out of the recreational use of marijuana or the growth of a small number of plants. If the town does not file, we automatically opt in. If the town opts out now, you will have the ability to opt-in later in the future. However, if you do not opt-out before December 31, you cannot opt-out later. Clm. Fracchia is not interested in opting out. Some concern regarding public areas of consumption without knowing location provisions, but it is believed that the rules would be like what they are now with liquor licensing and that authority overview would be in place. Clm. Murray and Clm. Goldberg suggested it may be sensible to opt-out of the local areas of consumption now and learn more about the procedures, then once there is a better understanding of what it all entails, opting-in later. They are not however opposed to dispensaries, but to leave options open, it almost makes sense to opt-out now. The Board has 6-weeks to decide. Supr. Witmer will talk with town attorney, and they will discuss further at next meeting.

Resolutions

Resolution 146 of 2021. Urging the Honorable Governor Hochul to sign Senate Bill S3503C establishing the New York State Rural Ambulance Task Force

A motion made by Supr. Witmer and seconded by Clm. Fracchia as follows:

WHEREAS, the Caroline Town Board recognizes the critical role that ambulance services provide in rural communities; and

WHEREAS, the Caroline Town Board understands that rural ambulance companies are under unprecedented financial and staffing stress which is causing many rural companies to shut down, as did Slaterville Volunteer Ambulance Company in 2016, and others to take on larger service areas, which increases response times; and

WHEREAS, the decreasing availability of ambulance service creates equity issues for emergency services in rural parts of the state; and

WHEREAS, fewer people are pursuing the paramedic profession, primarily due to low pay and a stressful work environment, leading to a growing shortage of paramedics; and

WHEREAS, the problems facing Caroline are shared by rural municipalities throughout New York State; therefore be it

RESOLVED, that the town of Caroline requests that the Honorable Kathy Hochul, Governor of the State of New York, sign pending legislation establishing the New York State Rural Ambulance Task Force, Senate Bill S3503C; and further be it

RESOLVED, that a copy of this resolution, accompanied by a letter from the town, be sent to Governor Hochul, Senator Hinchey, Senator Helming, Senator Oberacker, and Assemblyperson Kelles.

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

Resolution 147 of 2021. Authorizing the Supervisor to sign 2022 Caroline Fire Protection contracts with Speedsville Volunteer Fire Co. and Brooktondale Fire District

A motion made by Supr. Witmer and seconded by Clm. Snow

RESOLVED, the Caroline Town Board authorizes the Supervisor to sign the 2022 Caroline Fire Protection District contracts with Speedsville Volunteer Fire Co. and Brooktondale Fire District.

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

Resolution 148 of 2021 Authorizing the Supervisor to sign the 2022 Agreements for Cooperative Purchasing of Workers' Comp Insurance

A motion made by Supr. Witmer and seconded by Clm. Snow

RESOLVED, the Caroline Town Board authorizes the Supervisor to sign the 2022 GML 119-o Agreements for Cooperative Purchasing and Reimbursement of Workers' Compensation Insurance with Brooktondale and Slaterville Fire Districts.

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

Resolution 149 of 2021 Authorizing the Supervisor to sign 2022 Agreement for Legal Services

A motion made by Supv. Witmer and seconded by Clm. Murray

RESOLVED, the Caroline Town Board authorizes the Supervisor to sign 2022 Agreement for Legal Representation between the Town of Caroline and Guy K. Krogh, Esq. of Thaler & Thaler.

Discussion: Hourly fee has held flat for two years. Rate will increase from \$220/hr to \$270/hr.

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

Resolution 150 of 2021. Budget Transfers

A motion made by Supv. Witmer and seconded by Clm. Fracchia

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

\$22,020.20	Increase expenditure account:	A7140.1 Youth Programs PS
	Increase revenue account:	A3820 Youth Programs
\$137,858.30	Increase expenditure account:	DA5112.2 Highway Improvements EQ
	Increase revenue account:	DA3501 CHIPS

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

Resolution 151 of 2021. Budget Transfer

(PS = personnel services, CE = contractual, EQ = equipment)

A motion made by Supr. Witmer and seconded by Clm. Goldberg

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

\$150	from A1410.2 Clerk EQ	to A1620.2 Town Hall EQ
\$1,000	from A1010.4 Town Board CE	to A1620.4 Town Hall CE
\$2,300	from A1110.2 Court EQ	to A1620.41 Town Hall CE-IT Support
\$400	from A3310.4 Traffic Control CE	to A3620.4 Safety Inspection CE
\$3,554.44	from A9040.8 Workers' Comp	to A9010.8 Retirement
\$2,362	from A1110.2 Court EQ	to A9010.8 Retirement
\$18,000	from DA5130.1 Machinery PS	to DA5110.1 Gen Repairs PS
\$100	from DA5130.1 Machinery PS	to DA5110.11 Gen Repairs OT - PS

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

Resolution 152 of 2021. Approve Vouchers for Payment of Town Bills

A motion made by Supr. Witmer and seconded by Clm. Fracchia

Resolved, the Caroline Town Board approves payment of vouchers for bills in the amounts of \$54,116.80 for the General Fund, \$332,993.58 for the Highway Fund, and \$397.53 for the Streetlight Fund.

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

Approval of Minutes

The Town Board reviewed and approved the Minutes of November 3, 2021, Agenda Meeting as submitted by Town Clerk, Jessica Townsend and was carried unanimously.

A motion made by Supr. Witmer and seconded by Clm. Fracchia to enter Executive Session to discuss personnel issue at 8:35 p.m.

Resolution 153 of 2021. Change of Employment Status

A motion made by Clm. Fracchia and seconded by Clm. Goldberg

Resolved, the Caroline Town Board hereby terminates the employment of the Town's Code Enforcement Officer, effective immediately.

PASSED: Witmer: Aye; Fracchia: Aye; Snow: Nay; Murray: Aye; Goldberg: Aye

A motion to exit Executive Session by Supr. Witmer and seconded by Clm. Snow and carried unanimously at 9:40 p.m.

A motion to adjourn by Supr. Witmer and seconded by Clm. Snow and carried unanimously at 9:41 p.m.

---Adjourn---

Respectfully Submitted,

Jessica L. Townsend, Town Clerk