

Caroline Town Board Public Hearing and Business Meeting Minutes of December 15, 2021

The Town Board Business Meeting was held electronically via zoom teleconference, and was called to order at 7:05 p.m. by Supr. Witmer

Attendance: (via zoom)

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

Recording Secretary: (via zoom)

Jessica L. Townsend, Town Clerk

Also Present: Tompkins County Rep., Dan Klein; 3 via zoom

Public Hearing on Local Law to opt out of allowing Cannabis retail dispensaries and on-site consumption sites

Supr. Witmer opened the Public Hearing at 7:05 p.m.

Bruce Murray – Wanted to know if the board would be voting tonight on this local law. Supr. Witmer explained that they will vote at the end of year meeting on December 30th. They will continue to discuss the local law later in tonight's meeting.

Supr. Witmer closed the Public Hearing and began the Business Meeting at 7:09 p.m.

Privilege of the Floor

None

Addition to the Agenda

Supr. Witmer will add a Resolution to hire support to the Code Office for special projects.

Reports

Supervisor Mark Witmer – *Supervisor's Notes*

- awaiting scheduling of completion of LED streetlight installation by NYPA
- finalizing Tentative Agreement for the Teamsters' Contract with Duane Wright and Angelo Castalano
- working on additional code enforcement support
- meeting with Supervisor's and NYSEG reps on recreational trail easement
- we will receive a Clean Heating & Cooling Campaign grant of 5K from NYSERDA for successful completion of our local campaign. Exploring options for use of funds.

Town Clerk, Jessie Townsend – Report on license fees collected in November are as follows: 2 Marriage Transcripts; 33 Dog Licenses and 1 Impound; 4 Hunting Licenses; and collected fees for 4 Building Permits. Total fees collected were \$680.00 less \$148.72 in non-local revenues. Check 260 to Supervisor on December 6th in the amount of \$531.28. Tax bills have been delivered to The Mailbox and are set to be mailed on Wednesday the 29th of December.

Hwy Supt, Bob Spencer – Bob was not present at tonight's meeting but submitted the following report for the record:

Roadwork

Repairing washouts from recent flooding weather permitting
Routine snow and ice maintenance
Brush work and tree Removal (weather permitting)

Equipment

We are still awaiting delivery on the new chevy 6500 light weight plow truck. There is a hold up on parts. Estimated delivery Jan 2022

Year End material update (materials hauled by highway)

3713.46 Tons Asphalt = 2.66 miles of New Paved Roads for 2021
2400 Tons sand= 2021/2022 winter season
7645.79 Tons Gravel = Gravel Roads, Shoulders, Culvert pipe installs
904.11 Tons washed stone for highway resurfacing

Chips, EWR, PAV NY Reimbursements – submitted the following:

\$38,636.30 in PAVNY

\$241,317.00 in CHIPS

\$18,562.50 in EWR

\$298,516.30 in total reimbursements to the town checks will be cut 12/15/21 and we should she check in week and a half

Miscellaneous

Seasonal Roads – Have had several calls for cars off the roadway on the seasonal section of Speed Hill. There is a seasonal sign, danger ice ahead, and a minimum maintenance sign at each end we have also install barrels at each end

Clm. Snow, Highway Report – There are several problematical issues that need to be addressed at the highway barn, specifically a leak in the roof of the shop, and other minor fixes. Supr. Witmer agrees that these issues should be repaired.

Dan Klein, County Leg. Rep. Report – County booster clinic - appointments are booked through December. The Health Dept. popup clinic drew 1,100 residents.

Community Recovery Fund (ARPA Funds) –The County will be hiring an outside agency to help them access areas in the community where covid has impacted the most. There are a lot of unanswered questions still.

Cell Coverage – County is also working with IT to better understand areas in the County where there is no cell phone coverage and how to obtain better information from residents. Working on creating an interactive map website where you will be able to select your carrier, the area you live, and then give your coverage a rating. Supr. Witmer anticipates the Bald Hill Rd tower to become active hopefully in January 2022 after a long delay. Dan wished Clm. Fracchia farewell.

Clm. Murray – Zoning Commission – Met last night and continued to discuss lines and concepts for zoning districts. Stated that they are making progress and believe to be on track. The Planner is working on a preliminary draft of the potential laws, this will give the Commission something more concrete to help them make decisions. They are planning to hold the next public meeting in late January/early February. Supr. Witmer added that the two events that were held two weeks ago he believed to be very successful in attendance. The next zoning meeting will be held on January 11th at 7:15 p.m. Clm. Snow inquired about privilege-of-the-floor and if there was discussion last night related to any comments that came from the two events that were held. Clm. Murray stated that there typically are not many that speak during privilege-of-the-floor and that the survey/questionnaire that went out after the public events, received somewhere around 40 responses. He added that the Commission is working tremendously to find different ways to reach the public for their input.

Discussion of Local Law to opt out of *Cannabis* dispensaries and places for consumption

Board members discussed this in length at the Agenda Meeting. Each member stated why they are leaning towards opting out of both for now and allow the state to set the regulations and see how our surrounding towns that opt-in do before they make the final decision for the town. Supr. Witmer added that most of the other towns in Tompkins County are not opting out, but he agrees that waiting it out is the right step at this time. Clm. Murray asked for clarification on the filing process and what, if any, delays may be like at the state level. Supr. Witmer stated that Attorney Krogh has made clear that local laws take effect immediately after passing. State filing is just ministerial.

Discussion on LaBerge Report

Clm. Fracchia stated that he had not yet received any feedback from board members since Laberge presented their report. They are eager to hear back and close phase 1 of the project. Clm. Fracchia hopes that they can close by December 31st, his last day as a Councilmember.

Clm. Goldberg has comments regarding the actual sites and Clm. Fracchia clarified that would be part of phase 2. He further described phase 1 as gathering pros and cons of each site by the professional data they, the Engineers, have collected and analyzed. The board can agree or disagree with the recommendation given but now would be the time to comment or ask for clarification of methodology used. Clm. Goldberg expressed disapproval of their assessment of which site is best aligned with the town's comprehensive plan. She would prefer they look at all scientific factors gathered and take out the metric of the alignment with the comp plan and give a recommendation. Clm. Murray asked for clarification of the use of ARPA funding for a new highway garage. He doesn't recall any specific language of approval for such funds throughout his research of ARPA. He was also surprised that they didn't include soil sampling in the report. Clm. Fracchia believes that will be included in phase 2. John will bring these three questions/clarifications to Laberge and try to get answers by the end of year meeting.

Discussion on use of the Town's ARPA funds

Supr. Witmer received a message from Lee Haefele and he would like to discuss the possibility of using ARPA funds for broadband. Other than that, he has nothing new to report. Clm. Murray would like to see if it's possible to target more initiatives to support the local food pantry, youth services, rental assistance, etc. Supr. Witmer has not found any sort of capacity to do this but will continue to look for those. Clm. Fracchia agrees and supports those initiatives and would also like to see broadband for all. Clm. Murray proposed an alternative to help residents without broadband in the interim such as expanding the library hours and have additional computers available so more people can have access to internet. Supr. Witmer will discuss with Lee and report back.

Discussion of Downey Road Seasonal Road discontinuation request

Supr. Witmer sent some information today from town attorney and county assessment regarding seasonal/minimum maintenance roads. Building Permits can't be issued for areas that are on seasonal roads. Board members need clarification on this particular request. They need to know what building is there and how long it has been there. They have been given some conflicting information from both the assessment office and the town attorney. Clm. Goldberg recommended giving the landowner some clarification on the process and explain that this is a complicated issue and will take time to gather information. Hwy. Supt. Spencer offered the following report on the topic:

There has been some discussion about a property on Downey Rd, this piece of property being on the Seasonal and Minimum maintenance section of Downey RD. We cannot give this property a physical address number if we do so we the town of Caroline will then have to make this section of Road passable for Fire, EMS, Postal Delivery, School Buss, Garbage Trucks etc., as well as the general public year round. This section of road in question is barely wide enough for a car and is not built to withstand the more intense heavy traffic as well as the extra weight carried by the heavier vehicles. This section of road at this time would not be passable for a fire truck alone and would be a huge burden on the town financial as this road would have to be completely reconstructed. Currently we have not heard for the actual landowner (Carlan Josephine Gray) only Nathan Jautis, who is a friend of the land owner. No address can

be given until the road classification changes (seasonal classification removed as well as Minimum Maintenance) and with the significant cost and personnel requirements to undertake this project would be astronomical and again a huge burden to the town of Caroline. In my opinion this should not be considered at this current time

Resolutions

Resolution 158 of 2021. Set 2022 Town of Caroline employee wages.

Motion by: Supr. Witmer Second: Clm. Fracchia

Resolved, the Caroline Town Board hereby increases 2022 employee wage rates by 4%.

Motion carried.

Ayes: Witmer, Fracchia, Snow, Murray, Goldberg

Nays: None

Resolution 159 of 2021 to set 2022 employee health insurance terms.

Motion by: Supr. Witmer Second: Clm. Fracchia

Resolved, the Caroline Town Board hereby provides that employees or officials qualifying for the Town's health insurance plan (Gold Plan) shall be responsible for 16% of the premium. Employees and officials currently covered by the Town's health insurance may continue in 2022 with the Gold Plan with an HRA funded at 100% of the Out-of-pocket Maximum (OOPmax); they may also switch to an HSA funded at 100% of the OOPmax for two years, then 50% OOPmax thereafter. This is a one-time irreversible option that must be made at the start of the year. New employees and officials are eligible for the Town's health insurance (Gold Plan) with an HSA funded at 100% OOPmax in the first year, then 50% of the OOPmax annually thereafter.

Motion carried.

Ayes: Witmer, Fracchia, Snow, Murray, Goldberg

Nays: None

Resolution 160 of 2021 to appoint a temporary Code Enforcement Officer.

Motion by: Supr. Witmer Second: Clm. Fracchia

Whereas, the Town of Danby has agreed to provide the services of their Code Enforcement Officer, Steve Cortright, for temporary building code enforcement in Caroline, compensated for hours worked and mileage; therefore be it

Resolved, the Caroline Town Board hereby appoints Steve Cortright as the Town's temporary Code Enforcement Officer.

Motion Carried.

Ayes: Witmer, Fracchia, Snow, Murray, Goldberg

Nays: None

Resolution 161 of 2021. Authorizing the Supervisor to issue a Letter of Approval

Motion by: Supr. Witmer Second: Clm. Fracchia

Resolved, the Caroline Town Board hereby authorizes to appoint Brian Butner as the town's acting Code Enforcement Officer for special projects on a contractual basis at \$45.00/hr

Motion Carried.

Ayes: Witmer, Fracchia, Snow, Murray, Goldberg

Nays: None

Resolution 162 of 2021. Budget Transfer

Motion by: Supr. Witmer Second: Clm. Fracchia

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

\$87	from A1110.4 Court CE	to A1220.4 Supervisor CE
\$215	from A1110.4 Court CE	to A1620.2 Town Hall EQ
\$1,015	from A1110.4 Court CE	to A1620.4 Town Hall CE
\$1,420	from A1110.4 Court CE	to A1620.41 Town Hall CE-IT
\$530	from A1110.4 Court CE	to A1620.412 Town Hall CE-Office
\$166	from A1110.4 Court CE	to A3620.4 Safety Insp. CE
\$10,000	from DA5140.1 Misc. PS	to DA5110.1 Gen Repairs PS
\$1,000	from DA5140.1 Misc. PS	to DA5110.11 Gen Repairs OT - PS
\$600	from DA5140.4 Misc. CE	to DA5142.4 Snow Removal CE

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

Motion Carried.

Ayes: Witmer, Fracchia, Snow, Murray, Goldberg

Nays: None

Resolution 163 of 2021. Budget Transfer to Reserve Accounts

Motion by: Supr. Witmer Second: Clm. Fracchia

Resolved, the Caroline Town Board makes the following 2021 transfers to town reserves:

\$30,000	from A1620.43 Town Hall Capital Reserve	to A231 Town Hall Reserve
\$38,297.38	from A1620.44 Highway Barn Capital Reserve	to A230 Town Barn Reserve

Motion Carried.

Ayes: Witmer, Fracchia, Snow, Murray, Goldberg

Nays: None

Resolution 164 of 2021. Approval of Vouchers for Payment of Town Bills

Motion by: Supr. Witmer Second: Clm. Fracchia

Resolved, the Caroline Town Board approves payment of vouchers for bills in the amounts of \$27,250.92 for the General Fund, \$66,419.26 for the Highway Fund, and \$413.53 for the Streetlight Fund.

Motion Carried.

Ayes: Witmer, Fracchia, Snow, Murray, Goldberg

Nays: None

Resolution 165 of 2021. Appreciation to John Fracchia for his eight years of service to the town

Motion by: Supr. Witmer Second: Clm. Snow

Whereas, John Fracchia will be stepping down as Caroline Councilperson at the end of the year after serving two four-year terms; therefore be it

Resolved, the Caroline Town Board hereby extends its heartfelt appreciation to John for his dedicated service to the town of Caroline

Motion Carried.

Ayes: Witmer, Snow, Murray, Goldberg

Nays: None

Abstain: Fracchia

Resolution 166 of 2021. Appreciation to Irene Weiser for her nine years of service to Caroline

Motion by: Supr. Witmer Second: Clm. Fracchia

Whereas, Irene Weiser stepped down as Caroline Councilperson at the beginning of 2021 after nine years of service; therefore be it

Resolved, the Caroline Town Board hereby extends its heartfelt appreciation to Irene for her dedicated service to the town of Caroline.

Motion Carried.

Ayes: Witmer, Fracchia, Snow, Murray, Goldberg

Nays: None

Discussion: Each board member thanked and expressed their appreciation to both John and Irene and gave their best wishes. They shared stories and all agreed that each will be missed. Mark shared a rainbow tie-dye truckers' hat, a gift for John, and a pair of socks that's purchase helps the fight for equality, a gift for Irene. Bruce Murray, who was also in attendance, expressed his gratitude for their service to our community.

Approval of Minutes

The Town Board reviewed and approved the Minutes of December 7, 2021, Agenda Meeting as submitted by Town Clerk, Jessica Townsend.

Discussion

Brief discussion regarding the Court. Clm. Snow shared that Judge Reinbolt made mention of the plan to have magnetic locks installed for the Court and that the Supr. would be given an access card. Supr. Witmer expressed his desire to put an end to all of this. Clm. Murray also explained that there is an immediate situation happening where the Supervisor of the town does not have access to all town facilities, and until the time comes where they receive a grant for a security system or have electronic locks installed in the future, the town has a key policy, and it requires a key to each room be always available. Further states that this should not be a confrontational issue. State laws and procedures proved this at their September meeting. Clm. Snow thought they could try to coordinate a way to resolve this issue. Supr. Witmer and Clm. Snow will follow-up on this.

A motion made by Supr. Witmer and seconded by Clm. Fracchia to adjourn at 9:06 p.m. and carried unanimously.

----Adjourn----

Respectfully Submitted,

Jessica L. Townsend, Town Clerk