

## **Caroline Town Board Meeting Minutes of December 30, 2021**

The Town Board End-of-Year Business Meeting of December 30, 2021, was held electronically via zoom teleconference and was called to order by Supervisor Witmer at 9:10: a.m.

### **Attendance:**

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

### **Recording Secretary:**

Jessica L. Townsend, Town Clerk

**Also Present:** Highway Supt., Bob Spencer; 4 members of the public via zoom

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

Bruce Murray – After having some discussions with a town board member regarding the 800 signatures in support of a Moratorium, and only 95 against the Moratorium. He decided to submit a FOIL request for all petitions relating to the Moratorium. He read a description from the NYS Community Development webpage relating to the credibility of handwritten signatures vs. electronic signatures and pages of petitions that have signatures with no description of the petition they are signing. Upon his review of the petition for a moratorium on development until Comp Plan is completed, there were 21 ½ pages with a heading only on the first page. Of the 711 total signatures, all of which were electronically entered, 315 of those were not residents of Caroline. He asked what credibility this petition has and requested they ask town council if it's legal. The petition against the moratorium has 25 pages with 200 signatures, all with a heading on each page, all with signed names and addresses. Shared his disappointment that the town board did not examine these more closely and was used to regulate the extension of the last moratorium. Supr. Witmer responded that the petition was received and that it was not the basis of his decision to extend the moratorium. His decision was based on town initiatives that were in process, such as the town comprehensive plan. Clm. Murray added that there was a Public Hearing held and that revisions were made to the text of the Moratorium based on feedback from town residents.

Bob Reminnik – Spoke regarding the Cannabis Law - He doesn't believe this was communicated enough throughout the community. He hasn't heard about this on the radio or seen it on social media. He believes by voting on such a big-ticket item quickly may be immature. Supr. Witmer explained that this action must be taken before the end of 2021 due to a state deadline. The way that it is setup is that if a municipality does not opt out before January 1, 2022, it automatically opts them in. He added that the law was introduced in early December and that a public hearing was held at the last town board meeting. A notice was published in the Ithaca Journal regarding this hearing and announcements had been made.

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### **Addition to the Agenda**

Supr. Witmer added Executive Session at the end of tonight's meeting to discuss the terms of the tentative agreement with highway employees.

## Resolutions

### **Resolution 167 of 2021. Adopt Local Law to opt out of Cannabis dispensaries and places for consumption**

Motion by: Supr. Witmer

Seconded by: Clm. Snow

Resolved, the Caroline Town Board hereby agrees to adopt Local Law to opt out of Cannabis dispensaries and places for consumption.

Discussion: After a brief discussion among the board members, the decision was split. Clm. Murray and Clm. Fracchia changed their previously stated approval of opting out for now. Most neighboring towns are opting in now. Clm. Snow recommended revisiting the law in six-months. Clm. Goldberg added that because there is a moratorium in place now and developments are on hold, there isn't harm in waiting until state regulations are set forth but rather help them plan once more information is available. Clm. Murray asked that they revisit in 3-months rather than six. Supr. Witmer added that the current moratorium is in place until August 1, 2022.

**Motion carried.**

**Ayes: Witmer, Snow, Goldberg**

**Nays: Fracchia, Murray**

### **Resolution 168 of 2021. Accept final LaBerge highway facilities site evaluation report**

Motion by: Supr. Witmer

Seconded by: Clm. Fracchia

Resolved, the Caroline Town Board hereby accepts the final LaBerge highway facilities site evaluation report as revised.

**Motion carried.**

**Ayes: Witmer, Fracchia, Snow, Murray, Goldberg**

**Nays: None**

### **Resolution 169 of 2021. Budget Adjustment**

Motion by: Supr. Witmer

Seconded by: Clm. Fracchia

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

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

\$10,458      Increase expenditure account A9060.8 Medical Insurance  
                 Increase revenue account A2683 Insurance Recoveries

**Motion carried.**

**Ayes: Witmer, Fracchia, Snow, Murray, Goldberg**

**Nays: None**

### **Resolution 170 of 2021. Budget Transfers**

Motion by: Supr. Witmer

Seconded by: Clm. Snow

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

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

\$2,500	from A1410.4 Town Clerk CE	to A1420.415 Legal CE, CBA negotiations
\$67	from A1460.4 Records Mgmt.	to A1620.4 Town Hall CE
\$1,900	from A1990.4 Contingency	to A9010.8 Retirement
\$1,305	from A1920.4 Municipal dues	to A9010.8 Retirement
\$310	from A9060.802 Med Ins - HRA	to A9010.8 Retirement
\$5,300	from DA5140.1 Misc. PS	to DA5110.1 Gen. Repairs PS
\$4,200	from DA5140.1 Misc. PS	to DA5130.1 Machinery PS

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\$2,003	from DA5130.4 Machinery CE	to DA5130.2 Machinery EQ
\$2,642	from DA5110.4 Gen. Repairs CE	to DA5130.2 Machinery EQ
\$2,578	from DA5110.4 Gen. Repairs CE	to DA5142.4 Snow Removal CE
\$1,411	from A5010.4 Supt. Hwy CE	to A5132.2 Garage EQ

**Motion carried.**

**Ayes:** Witmer, Fracchia, Snow, Murray, Goldberg

**Nays: None**

**Resolution 171 of 2021. Designation of Encumbrances of 2021 funds for use in 2022**

Motion by: Supr. Witmer                      Seconded by: Clm. Murray

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

Resolved, the Caroline Town Board makes the following Encumbrance of 2021 Funds:

\$1,946 from A5132.4 Garage EQ encumbered for expenditure in 2022

**Motion carried.**

**Ayes:** Witmer, Fracchia, Snow, Murray, Goldberg

**Nays: None**

**Resolution 172 of 2021. Approve Vouchers for payment of town bills**

Motion by: Supr. Witmer                      Seconded by: Clm. Snow

Resolved, the Caroline Town Board approves payment of vouchers for bills in the amounts of \$3,737.95 for the General Fund, \$16,646.95 for the Highway Fund.

**Motion carried.**

**Ayes:** Witmer, Fracchia, Snow, Murray, Goldberg

**Nays: None**

## Highway Equipment

Hwy. Supt. Bob Spencer asked for a resolution to purchase a new woodchipper. He budgeted \$40,000 for a used chipper in 2022. For \$58,000 they can get a new one. Getting an approval now will allow this price to get locked in. It will take at least 7 months to get here if not more. The current woodchipper is about 30 years old and the safety features are nonfunctioning at this point. If they don't approve it today and get locked in, the cost will change by thousands of dollars in the matter of a few days.

Clm. Murray asks that in the future Bob give them more time to consider these large purchases.

**Resolution 173 of 2021. Authorizing Supt. to order a new woodchipper**

Motion by Supr. Witmer                      Seconded by: Clm. Goldberg

Resolved, the Caroline Town Board hereby authorizes Highway Superintendent, Bob Spencer to order a new woodchipper in the amount of \$58,000.

**Motion carried.**

**Ayes:** Witmer, Fracchia, Snow, Murray, Goldberg

**Nays: None**

## Approval of December 15 Business Meeting Minutes

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

Executive Session was called on a motion by Supr. Witmer and seconded by Clm. Goldberg to discuss the terms of the tentative agreement with highway employees.

**Resolution 172 of 2021. Approval of the Tentative Agreement with the highway employees for the 2022-2026 Collective Bargaining Agreement.**

Motion by: Supr. Witmer

Seconded by: Clm. Murray

Resolved, the Caroline Town Board hereby approves the terms of the Tentative Agreement with the highway employees:

**TENTATIVE AGREEMENT, 11/17/21 meeting**

Town: Mark Witmer, Cal Snow, Robert Spencer, Angelo Catalano

Highway Unit: Bob Mix, Bill Guggenheim, Duane Wright

**Proposal 1: 5-year term.** Agreed.

**Proposal 2: Retroactivity.** NA

**Proposal 3: Employee Organizational Rights** (Agreed)

**Proposal 4: Compensation**

7.1.1. Wage Rate – 2% annual increase

7.1.2 Steps for New Employees. Add “Prior Service Credit” clause, stating that a new hire may be granted up to 3 years prior service credit for the purposes of assigning the starting wage rate. This determination is at the judgement of the Highway Superintendent, with approval from the Town Board. This determination is not subject to grievance process under the Collective Bargaining Agreement.

7.1.3 Longevity Bonus

At 10 years, \$500 annually at anniversary date

At 15 years, \$750 annually at anniversary date

At 20 years, \$1,000 annually at anniversary date

At 25 years, \$1,250 annually at anniversary date

7.2.4. Compensatory Time. Accumulation allowance of 75 hours of earned Comp Time, used (or paid) by end of year (increased from 40 hours).

7.3.1. Minimum Call-in Time. 3.5 hours (increased from 3.0 hours)

**Proposal 5: Paid Leave**

8.1.1. Designated Holidays. No change

8.2.5. Vacation. 240 hours allowed annual rollover (increased from 100 hours)

8.3.1. Sick Leave. No change

**Proposal 6: Health Insurance**

10.1.4. All employees contribute 16% to premium cost.

Current employees. Gold Plan with HRA funded at 100% OOPmax (Out-of-pocket maximum).  
One-time option to switch to HSA funded at 100% OOPmax for two years, then 50% OOPmax thereafter.

New employees. Gold Plan with HSA funded at 100% OOPmax in first year, then 50% OOPmax annually thereafter.

**Motion carried.**

**Ayes: Witmer, Fracchia, Snow, Murray, Goldberg**

**Nays: None**

A motion to adjourn was made by Supr. Witmer and seconded by Clm. Fracchia and was carried unanimously at 10:15 p.m.

**----Adjourn the meeting ----**

Respectfully Submitted,

Jessica L. Townsend, Town Clerk