

Caroline Town Board Special Meeting Minutes of August 30, 2021

The Town Board Agenda Meeting held on August 30, 2021, at the Caroline Town Hall and electronically via zoom teleconference was called to order at 7:02 p.m.

Attendance:

Supervisor Mark Witmer
Councilmember John Fracchia – via zoom
Councilmember Cal Snow
Councilmember Katherine Goldberg - zoom

Absent:

Councilmember Tim Murray - Absent

Recording Secretary:

Jessica L. Townsend, Town Clerk

Also Present: 0 members of the public in-person; 2 via zoom

Pledge of Allegiance was led by Supr. Witmer

Privilege-of-the-Floor

None

Supervisor Witmer stated that the uptick of COVID positive cases throughout Tompkins County has caused great concern for our community. He wishes to maximize the safety of the town board, town employees and members of the public.

Resolution 123 of 2021 to modify Caroline Town Board policy for in-person meeting attendance to require proof of vaccination for COVID-19.

A motion made by: Supv. Witmer Seconded: Clm. Fracchia

Whereas, the Caroline Town Board wishes to maximize the safety of anyone attending public meetings; therefore be it

Resolved, the Caroline Town Board hereby stipulates that, in addition to masking and distancing, anyone attending a public meeting of the Caroline Town Board or other town meetings must be vaccinated and provide proof of vaccination.

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

Resolution 124 of 2021 Urging Limited Suspension by Executive Order of the New York Open Meetings Law

A motion made by: Supv. Witmer Seconded: Clm. Fracchia

Whereas, on March 12, 2020, in an effort to contain the spread of COVID-19, New York Governor Andrew M. Cuomo issued Executive Order 202.1 which suspended portions of Article 7 of the New York Public Officers Law “to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed;” Governor

Cuomo successively extended such suspension by Executive Orders on a monthly basis through June 25, 2021; and

Whereas, on June 24th, 2021, by Executive Order 210, Governor Cuomo rescinded Executive Orders 202 through 202.111, including Executive Order 202.1, effective June 25, 2021, the Governor concluding at that time that “the State of New York [has] successfully flattened the curve of COVID-19 cases in New York,” and that, therefore, the Executive Orders were “no longer necessary;” and

Whereas, since the issuance of Executive Order 210, the increased prevalence of the Delta Variant of COVID-19 has caused a resurgence of coronavirus cases throughout the United States, New York State and Tompkins County, prompting local governments to reinstate public health advisories that call for the indoor masking of individuals, whether vaccinated or not, and recommend limitations on the size of indoor gatherings, including municipal meetings; and

Whereas, the Governor’s rescission of Executive Order 202.1 now requires that the Caroline Town Board, as well as all municipal governing boards throughout New York State, convene in-person meetings at a central location and allow full public attendance and participation therein; and

Whereas, the Town of Caroline, like many municipalities throughout New York State, finds itself with limited meeting facilities that may not provide adequate social distancing for either Board members or meeting attendees, and further, that the Caroline Town Board senses among both its own members and the Town’s other residents a serious and growing concern regarding the public’s health and safety amid the coronavirus’ resurgence; and

Whereas, no legislative remedy to this problem through amendment of Article 7 of the New York Public Officers Law is likely to occur before January 2022; therefore be it

Resolved, that the Caroline Town Board respectfully requests that the Governor of the State of New York immediately re-impose through Executive Order those portions of previous Executive Order 202.1 that suspended portions of Article 7 of the New York Public Officers Law so as to permit municipal governing boards and other, similar municipal bodies to conduct public meetings remotely in a manner similar to, and with like restrictions, as Executive Order 202.1 until such time as the COVID-19 pandemic has been successfully been controlled; or until such time there is legislative remedy; 2nd by Kathrine and be it further

Resolved, that a copy of this Resolution shall be transmitted to The Hon. Kathy C. Hochul, Governor; the Hon. Peter Oberacker, New York State Senator; Dr. Anna R. Kelles, New York State Assemblymember; the Hon. Leslyn McBean-Clairborne, Chair, Tompkins County Legislature, the Association of Towns of New York State, and the Secretary of the Tompkins County Council of Governments.

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

A motion made by Supr. Witmer and seconded by Clm. Snow to enter Executive Session to discuss personnel policies at 7:21pm and ended on a motion made by Supr. Witmer and seconded by Clm. Fracchia and carried unanimously at 8:30pm.

----Adjourn the meeting ----

Respectfully Submitted,
Jessica L. Townsend, Town Clerk