

February 10, 2015 Town Board Meeting

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Schultzville, NY

The Clinton Town Board held their Regular Town Board meeting on this day in the Town Hall. Present were Supervisor Ray Oberly and Council people Claudia Cooley, Dean Michael, Mike Appolonia, and Frank Venezia. Also present was Town Clerk Carol-Jean Mackin. There were 3 people in the audience.

Supervisor Oberly called the meeting to order at 6:30 PM and led the Pledge of Allegiance.

APPROVE MINUTES

MM Supervisor Oberly, 2nd Councilman Appolonia to approve the minutes of the January 13, 2015 Reorganizational meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the January 13, 2015 regular Town Board meeting. All aye. Motion carried.

PRESENTATION BY DC Public Works on the replacement of Bridge c-31 on Hibernia Road at Town Boundary with Washington. Bob Balkind, DC Deputy Commissioner Public Works explained the need for the replacement and the various deteriorating conditions of the bridge, located east of the Taconic State Parkway, and then discussed the process and the impacts of the bridge replacement.

PUBLIC DISCUSSION

MM Supervisor Oberly, 2nd Councilwoman Michael to open the meeting to public discussion. All aye. Motion carried.

Norene Coller – concerned that Central Hudson is replacing poles on Schultzville Road, as pointed out to her and the CAC by people who live on that road. Did research on relations between Town and the utilities and how they proceed with changes, upgrades, etc. She looked at the Scenic Roads Law and the Greenway Compact and she wrote to Mr. Mulpteter of Central Hudson to ask that Central Hudson consider these local laws and documents.

Bill Relyea- announced the Library Book Sale.

MM Supervisor Oberly, 2nd Councilman Venezia to return to the regular order of business. All aye. Motion carried

SUPERVISOR'S COMMENTS

1. The Town of Clinton AUD for 2014 was received today and the Town Clerk has a copy for review. It is the equivalent of the year end financial report for a business.
2. All assessment tax exemptions must be received by the Town Assessor before March 1, 2015.
3. The property tax bills are due by February 28 to the Tax Collector, She will have collection days on Saturdays, Feb 21 and 28 in the Clinton Library from 10 AM to noon.

4. A TAN (Tax Anticipatory Note) for \$250,000 was processed with the M&T Bank to allow the Town to pay its bills until sufficient tax revenues are received.
5. Dutchess County is developing a Dutchess County All-Hazards Mitigation Plan and all local governments must have such a plan. The County received a grant to develop the plan and the Town of Clinton will be included at no expense for the Town. I've appointed the following people to participate in the plan development; Primary Point of Contact (POC) Ray Oberly Town Supervisor, Alternate POC Mike Appolonia Deputy Town Supervisor, and Bob Fennel Zoning Officer.
6. Dutchess County Department of Public Works (DPW) will be holding a Public Information Meeting on the replacement of the C-19 bridge replacement over the Little Wappingers Creek in Clinton Hollow on Wednesday, February 18 from 7 to 8 PM with registration from 6:30 to 7 PM in the Town Hall. Please come to learn about the replacement and voice your comments.

REPORTS

***PLANNING BOARD**

Councilman Michael read from the minutes, which are on file in the Town Clerk's office.

***ZONING BOARD OF APPEALS**

Councilman Appolonia read from the minutes, which are on file in the Town Clerk's office.

***CONSERVATION ADVISORY COMMITTEE**

Councilman Venezia read from the report which is on file in the Clerk's office. CAC needs members.

***RECREATION COMMITTEE**

Councilwoman Cooley reported they are working on camp forms and camp activities.

***BUILDING INSPECTOR**

Councilman Appolonia read from the report which is on file in the Town Clerk's office.

***ZONING ADMINISTRATOR**

Councilman Appolonia read from the report which is on file in the Town Clerk's office.

***HIGHWAY**

Councilwoman Cooley read from the report which is on file in the Town Clerk's office. Town residents can get two buckets of sand per storm from the highway department.

***SCENIC AND HISTORIC ROADS ADVISORY COMMITTEE**

No meeting. Mike Appolonia asked that the Committee review the movement of the Central Hudson poles on Schultzville Road.

***LIBRARY REPORT**

No report.

***CABLEVISION**

Councilman Appolonia said they made significant progress on the purchase of the new equipment Cablevision.

***ZONING REVISION**

Councilman Michael said the Zoning Review Committee (ZRC)'s met several times and Norene Collier attended to explain the Greenway grant we are working on. The Committee discussed the issue of the trees, logging and solar panels. The next meeting is Thursday at 7 pm.

***PROPOSED TRANSMISSION LINES**

Things are heating up quickly. The workshop will follow this meeting.

***OTHER**

none

OLD BUSINESS

1. Status of CSEA contract with Highway workers – Venezia

Councilman Venezia said we negotiated the contract last year, but the CSEA never signed off on it. Frank will review the document, consult with the Town Attorney and report back.

2. Status of Annual Audit of Town Funds – Oberly

Cooley- one justice audit is done

Michael – it will be done in next week

Appolonia- held off because of some medical concerns of the person involved.

Venezia - will have it done by March.

3. Approve Boundary Line Change – LL 1 of 2015 – Michael

MM Councilman Michael, 2nd Councilman Venezia that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board approves **Resolution No. 11 of 2015 a resolution authorizing the adoption of Law No. 1 of 2015, entitled “A Local Law amending Chapters 206 and 250 of the Town Code regarding the approval of certain lot line adjustments”** a copy of which is attached hereto and made a part of this resolution; and

Be It Further Resolved, that the Town Clerk be and she hereby is directed to enter this Local Law in the minutes of this meeting and give due notice of the adoption of this Local Law to the Secretary of the State of New York. **ROLLCALL VOTE: Oberly: Aye, Venezia: Aye , Appolonia: Aye, Michael: Aye , Cooley: Aye. Motion carried.**

4. Approve resolution to remove Donna Hart , Clerk- Support and Jimmy Charles Hicks as Court Attendant from Res. 1 of 2015

MM Supervisor Oberly, 2nd Councilman Venezia that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board approve removing **Donna Hart , Clerk- Support and Jimmy Charles Hicks as Court Attendant from Res. 1 of 2015**. In discussion, Supervisor Oberly explained that Dutchess County Personnel requires a separate, individual

motion to appoint Donna Hart to the Clerk- Support position and Jimmy Charles Hicks is not available to work and has never worked for the town in this position. All aye. Motion carried

NEW BUSINESS

1. Approval to obtain Expert Intervener Funds for studying the AC transmission proposals – Oberly

MM Supervisor Oberly, 2nd Councilman Venezia that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve obtaining Expert Intervener Funds for studying the AC transmission proposals. Supervisor Oberly explained why he is proposing this item, “We are starting to proceed into Part A of the Article VII proceedings on the AC Transmission Lines process. At this time we, the Town and Coalition, are seeking Expert Intervener Funds from the PSC to hire experts in several fields to analyze the four developers’ AC Transmission Lines proposals. At this time, the Coalition has identified five areas for expert activity. The process would be for Scenic Hudson to be the lead agency to handle all the financial matters associated with the Expert Intervener Funds. To provide more support and coordination for the experts, the Coalition is asking all the members to sign on to the applications for Expert Intervener Funds. Different people are assigned as the coordinator for finding experts, getting their budgets and proposals, and then coordinating with the Coalition on hiring the expert. Their analysis will be done at a high level since we do not know which of the many proposed options will be considered for Part B analysis so another request for Expert Intervener Funds will be made later this year. The intent is to use the Expert Intervener Funds to cover the costs so no Town funds are needed. The Applications must be submitted by this Friday, February 13. The following are the areas of the experts being considered.

1. Energy Economist

Hayley Carlock from Scenic Hudson is the coordinator and it appears that London Economic International is the selected expert since they have done this activity in the past for Scenic Hudson.

2. Visual/Historic

Daniel McKay from Preservation League of NYS is the coordinator and he is looking at two experts who both have good and much experience in transmission line issues.

3. Environment

Gary Bowitch from Town of Clinton, CCC, and PVCC is the coordinator and is working on several experts at this time.

4. Real Estate

Greg Quinn of Walnut Farm (Clinton resident) is the coordinator and he has selected R. Peters Hubble Appraisal of Dutchess County. He has the experience in this type of evaluation on property evaluations impacted by power lines.

5. Gidon Eschel Power Analyses

Daniel Duthie is the coordinator and represents many members of the coalition. The expert funding is to allow Gidon funds to prove the correctness of his earlier analysis to the PSC and NYISO.

Councilman Venezia asked if we need to have our own attorney if we approve this, as this is what our residents asked for, for us to come together with other groups and towns under an umbrella group, like a Scenic Hudson, for example to fight these transmission lines. Supervisor Oberly said we need both as the PSC does not want to entertain each Town’s expert, but suggests that for expert testimony, the towns and groups come together. All aye. Motion carried.

2. Approval of hiring Donna Hart as Zoning Revision Clerk - Michael

MM Councilman Michael, 2nd Councilman Venezia that the Town Board appoints Donna Hart as part time Clerk – Zoning Revision beginning January 15, 2015 at a rate of pay of \$12.00 per hour for a total of 10 hours per month. All aye. Motion carried.

3. Approval of MVP Health Care benefit for Highway workers – Oberly

MM Supervisor Oberly, 2nd Councilman Appolonia that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the NYS group health insurance contract between MVP and the Town of Clinton - #210417, commencing January 1, 2015 and continuing until December 31, 2015, automatically renewing for subsequent 12 month terms, unless the Contract is non-renewed or terminated in accordance with the provision contained therein, and authorizes the Supervisor to sign the contract. All aye. Motion carried.

4. Approve adding Computer Fraud & Funds Transfer insurance coverage - Oberly

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves adding Computer Fraud & Funds Transfer insurance coverage to the Town of Clinton's Public Employee Blanket Bond. All aye. Motion carried.

5. Discussion on Central Hudson poles on Schultsville Road – Appolonia

Councilman Appolonia discussed this item. Residents were sent a note from Central Hudson from their director of Business Development in late January, notifying residents that the work could start the following Monday. Mike said they are going to increase the power running through the lines on these poles, make them taller and put the new poles along the side of the road. Mike reviewed the SHRAC law and saw they need to appear before the Town Board with their plan and how they impact the aesthetics of the road. The residents are making appointments with Central Hudson to discuss their plan. We will see an application come before the Town Board with a plan.

6. Approval of putting on the table a Local Law entitled “Energy Systems Moratorium”

MM Councilman Michael, 2nd Councilman Cooley that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 12 of 2015 a resolution introducing a local law “Energy Systems Moratorium”, setting a public hearing and directing the Town Clerk to cause publication.** ROLLCALL VOTE: Oberly: Aye, Venezia: Aye , Appolonia: Aye, Michael: Aye , Cooley: Aye. Motion carried.

7. Approve purchase of TV equipment

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MM Councilman Appolonia, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the purchase of TV equipment for the cable TV system through competitive bidding not to exceed a total of \$17,000 to five vendors for various equipment items, including Audiovisual Corp., Lighthouse, Pella Measurements, VCA, HV Communications, and B&H. All aye. Motion carried.

8 Approval of Justice Seelbach to attend training

MM Supervisor Oberly, 2nd Councilman Venezia that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves Town Justice Seelbach's attendance at the Association of Town's meeting in February for the required annual Magistrate's training and to approve the costs of the training and regular travel. All aye. Motion carried.

OTHER

1. Motion to Move Funds

MM Supervisor Oberly, 2nd Councilman Venezia that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 13 of 2015** a resolution to amend the 2015 Town Budget at the February 10, 2015 Town Board meeting. All aye. Motion carried.

2. Approval of Warrants

MM Councilman Michael, 2nd Councilman Cooley to approve the following resolution BE IT RESOLVED that the Town Board approves the February General Fund Warrant, vouchers numbered 19 through 48 , totaling \$ 178,562.13 and the January Highway Fund Warrant, vouchers numbered 13 through 51A , totaling \$ 115,754.97. All aye. Motion carried.

3. Supervisor's Report

The December, 2014 Supervisor's Report will be approved when the 2014 books are reconciled. And the AUD information is incorporated into it. Then the January and February supervisors report will also be approved.

PUBLIC DISCUSSION

MM Supervisor Oberly, 2nd Councilman Michael to open the meeting to public discussion. All aye. Motion carried.

Norene Coller – re the tree cutting situation on Schultzville road, we want a discussion with Central Hudson that supports the standards of our Town. We have local laws that address these certain issues.

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MM Supervisor Oberly, 2nd Councilman Cooley to return to the regular order of business. All aye. Motion carried

ADJOURNMENT

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting. All aye. Motion carried. The meeting was adjourned at 8:12 PM.

Respectfully Submitted,

Carol-Jean Mackin,
Town Clerk