

April 14, 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 and Frank Venezia; Mike Appolonia was absent. Also present was Town Clerk Carol-Jean Mackin. There were 2 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 Michael to approve the minutes of the March 10, 2015 public hearing on proposed LL 2 of 2015 – concerning solar panel moratorium. All aye except Councilman Appolonia who was absent. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the March 10, 2015 regular Town Board meeting. All aye except Councilman Appolonia who was absent. Motion carried.

PUBLIC DISCUSSION

MM Supervisor Oberly, 2nd Councilman Michael to open the meeting to public discussion. All aye except Councilman Appolonia who was absent. Motion carried.

Theresa McGurck – representing the Library, gave an update on the Library. Started a sustainability plan to show NYS we are a good home for a permanent Library. Discussed the success of recent events. Library is currently undergoing an audit. She thanked the Board members for their support.

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

SUPERVISOR'S COMMENTS

The Town is participating in the Intrastate Mutual Aid Program (IMAP) which allows the Town to share resources during a declared local state of emergency. The major benefit of the program is that it allows for mutual aid during a locally declared disaster without the need to enter into individual intergovernmental agreements prior to or during an event.

The Town has submitted the Hazard Mitigation information requested by the County to evaluate the hazards (typically floods and wind damage) to provide some mitigation to prevent future damage.

Dutchess County is starting to implement and be part of the Solarize Hudson Valley project. It will provide guidance, contractors, suppliers, and financial information for the installation solar panels at residences and small businesses. Out reach meetings will be held locally depending on the support of the local governments. Is there a Board member willing to be the lead in coordinating this activity?

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The Town passed the Dutchess County payroll audit for 2015 where Dutchess County HR compares their personnel records with a Town's monthly payroll.

The Iroquois Gas Transmission pipeline will be doing on site inspections and appropriate clearing this summer.

There is a copy of the approved 2015 Legislative Programs for The Association of Towns at the Town Clerk's Office. It covers strengthening home rule, support for local infrastructure, property tax relief, funding assistance, real property tax reform, and economic development.

The Town has been notified the Country Crock Inc, DBA The Schultzville Store is renewing their liquor license.

REPORTS

***PLANNING BOARD**

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

***ZONING BOARD OF APPEALS**

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

***CONSERVATION ADVISORY COMMITTEE**

Councilman Venezia said there was no report.

***RECREATION COMMITTEE**

Councilwoman Cooley reported on the camp. Thank the Town Clerk and the Deputy Town Clerk for their help with the paperwork for camp. Met with Town Engineer to plan a basketball court at the Rec Park.

***BUILDING INSPECTOR**

Supervisor Oberly read from the report which is on file in the Town Clerk's office.

***ZONING ADMINISTRATOR**

Supervisor Oberly 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.

***SCENIC AND HISTORIC ROADS ADVISORY COMMITTEE**

Councilman Michael Roadside cleanup is April 18th. People should put their garbage in the dumpster by Highway garage, no tires.

***LIBRARY REPORT**

No report.

***CABLEVISION**

Supervisor Oberly said the equipment was delivered and they are in the learning process to learn to work with the new equipment.

***ZONING REVISION**

Councilman Michael said the Zoning Review Committee (ZRC)'s met. The topics include the solar arrays and other energy items, like wind turbines. We may have an outline by the end of this week on a law to regulate these items. They are discussing tree management and the need for permits. Supervisor Oberly said the State is drafting a Solar power law for a commercial solar facility.

***PROPOSED TRANSMISSION LINES**

The workshop will follow this meeting.

***OTHER**

none

OLD BUSINESS

1. Status of CSEA contract with Highway workers – (Venezia)

MM Councilman Venezia, 2nd Councilman Michael to approve the final contract between the Town of Clinton and the CSEA highway workers pending the signatures of the CSEA negotiating representatives. (Jan. 1, 2014- Dec. 31, 2016). All aye except Councilman Appolonia who was absent. Motion carried.

2. Status of Annual Audit of Town Funds – (Oberly)

Cooley- has one audit to finish in the Court.

Michael – finished the Town clerk audit and sent it to the Supervisor's secretary on March 11.

Appolonia- absent

Venezia - said he is having a hard time making the appointment with the Supervisor's secretary as he is not available in the mornings to come to Town; Supervisor Oberly said the Supervisor's records in question are in the CPA's office in Rhinebeck. Councilman Venezia then questions why he is auditing the CPA? Dean Michal explained that the audit is not so much the numbers, but more auditing the process of how the money is handled.

3. Status of Central Hudson pole issue on Schultzville Road – (Appolonia)

Councilman Appolonia had explained that Central Hudson has been upgrading the poles to increase the power capacity. The plan called for moving the poles from the fields to the edge of the roads, Central Hudson is very sensitive to the homeowners' requests and they will not move many of them to the road.

3. Approve Crimson Hill Bond and Escrow

Item is removed as per Dan McCabe, the owner of the subdivision who is not ready to move forward tonight.

Dean Michael says we should not do any more work until we get escrow for the engineer and the attorney. Ray Oberly said the escrow is estimated at \$8000.

NEW BUSINESS

1.Approve garage lights replacement – Appolonia

Mike Appolonia provided the following information:

1. The price quoted is still valid.
2. The price quote includes new fixtures and LED lighting.
3. The price is not to exceed \$5476.32.

Supervisor Oberly stated that the payback is two or three years.

MM Supervisor Oberly, 2nd Councilman Venezia to approve the garage light replacements with new fixtures and LED lighting at a cost not to exceed \$5500.00. All aye except Councilman Appolonia who was absent. Motion carried.

2.Approve RFP for three-year generator maintenance –Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve going out for a RFP for three-year generator maintenance contract. Councilman Venezia asked why three years. Ray Oberly said it takes too long to go out for this information every year. All aye except Councilman Appolonia who was absent. Motion carried.

3.Approve RFP for Library porch maintenance – Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve going out for an RFP for Library porch maintenance contract.(a new coating) All aye except Councilman Appolonia who was absent. Motion carried.

4.Approve RFP for two metal garage entrance door replacements – Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve going out for an RFP for two metal garage entrance door replacements. Councilman Venezia said he thought we were going to look into a building maintenance person. Ray said this quote is for the doors and the installation, which includes the welding. All aye except Councilman Appolonia who was absent. Motion carried.

5.Approve RFP for 3 year elevator maintenance – Oberly

MM Supervisor Oberly, 2nd Councilman Venezia to approve the following resolution: BE IT RESOLVED that the Town Board approve going out for an RFP for three-year elevator maintenance contract. Councilman Venezia wants to see the quotes broken down by elevator. Claudia Cooley asked about the frequency of inspections. Ray Oberly said it is required twice a year but they have not been done. All aye except Councilman Appolonia who was absent. Motion carried.

6.Approve RFPs for two court porches/exits (west and south)– Oberly

MM Supervisor Oberly, 2nd Councilman Venezia to approve the following resolution: BE IT RESOLVED that the Town Board approve going out for an RFP for two court porches/exits (west and south). Councilman Venezia said the west door is not a handicap access and we might just weld the doors shut so they can't be opened. Supervisor Oberly said they put that in so they can get out of the court in an emergency. All aye except Councilman Appolonia who was absent. Motion carried.

7.Approve Todd Martin going to Highway school at Cornell from June 1 -3 at a total cost of \$527 – Oberly

MM Supervisor Oberly, 2nd Councilman Venezia to approve the following resolution: BE IT RESOLVED that the Town Board approves Todd Martin's attendance at the Highway Training School from June 1 – 3, 2015 at Cornell for a cost of \$527. All aye except Councilman Appolonia who was absent. Motion carried.

8.Discussion of the government efficiency plan (Due by June 1 to meet 2016 tax cap) – Oberly/Appolonia

Supervisor Oberly said he opted in to the Dutchess County Joint Government Efficiency Plan (GEP). This is part of the 2% Tax Cap legislation to reduce the cost of governments. The County is doing all the required paperwork with the local governments providing inputs. The Town's 1% savings is \$13,443 in each year 2017, 2018, and 2019 for a total of \$40,329. He would like to hold a Town Board Workshop on Thursday April 23 at 6:30 p.m. to determine the possible savings so the EXCEL spreadsheet can be submitted by the May 1 deadline.

The residents will get money back if we follow this plan. The rebates are estimated to be \$15 to \$20 per resident. The workshop is slated for 6:30 pm on April 23, 2015 workshop and we will interview two individuals for the CAC on that same night.

9.Approve Stipulation for 3-C

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 20 of 2015** hereby authorizing the attorneys for the Town of Clinton, Cappillino & Rothschild, LLP, to enter into a Consent Judgment with the attorney for petitioners, Daniel J. McCabe, Esq., the terms of which are set forth in the attached Judgment Index no. 3323/2014 and hereby authorizes the attorneys for the Town of Clinton, Cappillino & Rothschild, LLP to sign said Judgment on behalf of the Town of Clinton. In discussion, Dean Michael said that this value will be short lived as the property just sold for \$420,000 so he expects the value will go up next year. All aye except Councilman Appolonia who was absent. Motion carried.

10. Approve Stipulation for Pagnuzzi

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 21 of 2015** authorizing the attorneys for the Town of Clinton, Cappillino & Rothschild, LLP, to enter into a Consent Judgment with

the attorney for petitioners, Karen E. Hagstrom, Esq., the terms of which are set forth in the attached Judgment Index Number 2013/4663 and hereby authorizes the attorneys for the Town of Clinton, Cappillino & Rothschild, LLP to sign said Judgment on behalf of the Town of Clinton. All aye except Councilman Appolonia who was absent. Motion carried.

11. Approve Stipulation for Strauss

By consensus, the Town Board chose to hold this item for more information and consider it at the May meeting.

OTHER

1. Motion to Move Funds

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 22 of 2015** a resolution to amend the 2015 Town Budget at the April 14, 2015 Town Board meeting. All aye except. Motion carried.

2. Approval of Warrants

MM Councilman Michael, 2nd Councilman Venezia to approve the following resolution BE IT RESOLVED that the Town Board approves the April General Fund Warrant, vouchers numbered 91 through 141, totaling \$ 327,552.81 and the April Highway Fund Warrant, vouchers numbered 89 through 128A, totaling \$ 41,033.10 . All aye except Councilman Appolonia who was absent. Motion carried. Ray Oberly said we are paying back the \$250,000 TAN (Tax anticipation Note) at this meeting.

3. Supervisor's Report

MM Supervisor Oberly, 2nd Councilman Venezia that the Town Board approves the 2015 March Supervisor's Report . All aye except Councilman Appolonia who was absent. Motion carried.

PUBLIC DISCUSSION

MM Supervisor Oberly, 2nd Councilman Venezia to open the meeting to public discussion. All aye except Councilman Appolonia who was absent. Motion carried.

Joel Tyner – discussed having a reuse/recycle day at the Transfer Station and listed the myriad of items that could be included. The Highway Superintendent is supportive. Ray Oberly asked if Joel could come back with a solid plan; also discussed a voluntary opt in county plan to eliminate property taxes to fund school taxes

MM Supervisor Oberly, 2nd Councilman Michael to return to the regular order of business. All aye except Councilman Appolonia who was absent. Motion carried

ADJOURNMENT

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MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting. All aye except Councilman Appolonia who was absent. Motion carried. The meeting was adjourned at 7:52 PM.

Respectfully Submitted,

Carol-Jean Mackin,
Town Clerk