

June 9, 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 Dean Michael, and Mike Appolonia and Frank Venezia. Also present was Town Clerk Carol-Jean Mackin. There were two people in the audience. Claudia Cooley was absent.

Supervisor Oberly called the meeting to order at 6:31 PM and led the Pledge of Allegiance. A moment of silence was held for Paul Habershtock, a former Board member who passed away.

APPROVE MINUTES

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the May 12, 2015 Town Board meeting. All aye except Councilwoman Cooley who was absent. Motion carried.

PUBLIC DISCUSSION

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

Barbara Burns, trustee of the Library – updated the Town on Library happenings. Looking for a new Library director. Information is on their website.

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

SUPERVISOR'S COMMENTS

1. The Clinton Senior picnic with Hyde Park will be held on Wednesday, July 15 at noon at Fran Mark Memorial Rec Park on Clinton Hollow Road. All Seniors 60 and older are invited to attend the picnic. Postcards will be sent out later this month. Be sure to make your reservations with the Office for the Aging.
2. About 800 parcel increases in assessment were sent out. About 90 parcels were grieved with about 30 stipulations being made. The remaining 60 parcels are being processed by the BAR.
3. The Dutchess County Efficiency Plan details were submitted before the June 1, 2015 deadline thus meeting the 2016 2% Tax Cap requirement.
4. The Town Recycling Center will be closed on the Saturday, July 4 holiday.

REPORTS

***PLANNING BOARD**

Councilman Michael said the report will be given at the July meeting.

***ZONING BOARD OF APPEALS**

Councilman Appolonia said the report will be given at the July meeting.

***CONSERVATION ADVISORY COMMITTEE**

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

***RECREATION COMMITTEE**

Supervisor Oberly gave the following report for Councilwoman Cooley in her absence: In regards to the basketball court & tennis courts, we are doing an informal polling by asking town residents which they would favor and where they live: not surprisingly, those living on the East side of the Taconic would like the tennis courts rebuilt and the basketball courts resurfaced at Friends Park and those living on the West side of the Taconic would like a new basketball court at Fran Mark Rec Park. After the May Town Board meeting, Councilwoman Cooley asked about the path/walkway around Friends Park and the various respondents said that this was pursued a few years ago and once looked into, it was revealed to be a wetland issue and that construction of a path through the area would be difficult and costly. Rec Director Dan Harkenrider suggests that we make improvements to both parks, meaning resurfacing the full and half court basketball courts at Friends Park and the tennis court needs are beyond just resurfacing. The tennis court would have to be rebuilt, and also construct a new basketball court in Fran Mark Rec Park. It would appear that all three projects could be accomplished within the Rec Fund amount but they will use up all the funds. Once we receive estimates, we can revisit the projects.

***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**

Councilman Appolonia read from the report which is on file in the Town Clerk's office. Supervisor Oberly said Lynn Tompkins retired from the Highway Department at the end of May 2015. We are seeking a new hire to work part time 10 hours a week. Contact the Highway Superintendent Theron Tompkins on 845-266-3204 for more details.

***SCENIC AND HISTORIC ROADS ADVISORY COMMITTEE**

Councilman Michael said there was no meeting; the roadside cleanup was a success.

***LIBRARY REPORT**

Given earlier by the Trustee.

***CABLEVISION**

Councilman Appolonia said the equipment has been received, we are arranging with Cablevision to have their technicians meet with us.

***ZONING REVISION**

Councilman Michael said the Zoning Review Committee (ZRC)'s met. A draft local law for the solar issue is being finalized. Plan to have a public hearing in August. Oberly said

we got the Greenway grant. Dean Michael will work with Norene Collier to make sure we meet the criteria of the grant.

***PROPOSED TRANSMISSION LINES**

The workshop will follow this meeting. Supervisor Oberly sent the final signed Power Line Attorney Intervener Funds contract to NYS for approval so we can be reimbursed for all attorney expenses incurred after January 21, 2015. As part of the Coalition's efforts to stop the construction of new transmission lines, an environment impact study is being done in the Mid Hudson Valley towns. The company CC Environment & Planning from Batavia will be stopping by several properties along the transmission lines starting Wednesday, June 10 and continuing for several days more. We request you provide access to your property so they can complete their analysis and report before the end of June. Another company will be taking pictures along the power lines to assess the visual impact of the proposed new transmission lines. The visual group will be in the area on Monday, June 15 and Tuesday, June 16. Another Coalition Power Line Conference is being planned for Saturday morning, July 11 in the Pleasant Valley Town Hall. More will be placed on the Town's web page and TV scroller when the details are finalized. The Power Line Workshop discussions will begin at 8 PM after this Town Board meeting ends.

***OTHER**

none

OLD BUSINESS

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

Cooley- Court Clerk is complete.

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

Appolonia- Tax Collector Councilman Appolonia has a date - June 11 to get it done.

Venezia - Supervisor/Budget Officer . Frank has a difficulty to take off in the morning and it can not be done by him, as he has stated before.

2. Approve lawn mowing Providence Cemetery

Dean Michael feels this is not something we should be doing; it is a private enterprise and they should maintain it themselves. He said he talked to the Town Attorney and although legally we can do it, his feeling is that we should not. Supervisor Oberly disagrees; feels it is better to do the mowing rather than be responsible for the whole operation of the cemetery. If they go bankrupt we will have to take them over. Councilman Venezia agrees with Dean that it is a private enterprise and to voluntarily take on the mowing is expensive and not budgeted. Dean estimates the budget is \$4000 to cover the cost and this is money we don't have. Ray Oberly said the cost is more like \$1400 total. Councilman Appolonia said it was unclear to him how they can get the funds necessary to operate. He asked if they ever tried a fundraiser, and feels that might be worthwhile. Councilman Venezia said they do have funds and although they can only use the interest on those funds to operate, interest rates will eventually go higher; if that happens, we will

still be mowing the lawn and they will be making money. Frank feels the trustees will step up and start mowing or find volunteers. He does not want to take on the commitment. Frank commented that he is willing to talk more about the issue at budget time when we can plan for the cost.

4. Status of Central Hudson Poles moving on Schultzville Rd - Appolonia

Mike Appolonia said previously there are 4 roads of note affected. Received many concerns from people on Schultzville Road which has been devastated in some parts with the taking down of mature, choice trees. Asked Zoning Officer Fennel to pursue a stop work order. The Town Attorney said Central Hudson has some rights, including improving the facility. Councilman Appolonia said they should have come before the town and made application, which they did not do. The Town Attorney will write the letter to them, but the damage has been done. They have disregarded the law; they have a right to upgrade but they have to come before the Board for permission to do so, which they have not. We can go forward and ask for remediation.

5. Status of Solar Moratorium

Dean Michael said the moratorium is in effect. If you want a solar panel now during the moratorium, come before the Town Board and follow the process for a variance. Councilman Michael is looking forward to a public hearing at the August meeting and the passing of the law in September.

6. Status of the Shapp Dam on Hibernia Road – Venezia

Councilman Venezia said the removal is in the process but the road to get to the dam needs a steep slope permit so it will slow down the project. Do we want to fight the DEC and the US Army Corp of Engineers to stop the removal? He thinks not, but they will have to follow the zoning process. Frank explained that it is DEC policy to remove dams as they affect the environment negatively. Councilman Appolonia sees two issues: the historic nature of the sight, and the DEC commented that would not consider saving any dam, they want the water to go back to the natural flow for the sake of the environment. We should let them know that this is an historic site; Councilman Appolonia will draft a letter to that effect. Ray Oberly pointed out the homeowner is bearing the cost of this.

7. Discussion on exchange of household items at recycling center – Oberly

No plan from Joel Tyner. The item will not be pursued.

8. Purchase of computers – Oberly

Supervisor Oberly said all of the computers are vintage XP machines, we need to upgrade. Supervisor Oberly presented a proposal at the May meeting and Dean Michael came up with another plan, which is much cheaper. Supervisor Oberly discussed the need for an upgraded Microsoft office license, which is more expensive then the cost of the machines themselves. The Board members discussed purchasing both the hardware and the software upgrades. Councilman Venezia and Councilman Michael discussed

Windows 10 and the use of the cloud for storage. Councilman Michael feels we need a budget line item every few years to address the upgrade of computers. Recommends getting the computers up and running using current software and hold up on windows 10. Dean said that the computer consultant can upgrade all of the computers except ZEO Bob Fennell and Building Inspector Emerson Burger, will both need new computers as they are very old.

MM Councilman Michael, 2nd Councilman Venezia to authorize the Supervisor to spend no more than \$6000 upgrading the computer systems. All aye except Councilwoman Cooley who was absent. Motion carried.

9. Fran Mark basketball court location – Cooley

Hold for all quotes.

10. Discuss Central Hudson LED replacement in highway garage and other new locations - Appolonia

After much discussion, Mike Appolonia will follow up with Central Hudson on the rebate program. He will report back next month.

NEW BUSINESS

1. Approve lifeguards, gate guards and Maintenance – Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 25 of 2015** appointing the summer employees: lifeguards, gate guards and maintenance man at the rates and terms of offices listed. All aye except Councilwoman Cooley who was absent. Motion carried.

2. Appoint Rec leader and Rec Assistant – Oberly

MM Supervisor Oberly, 2nd Councilman Appolonia to appoint Katherine Mustello to the position of Recreation Leader for a term of office of July 1, 2015 to August 15, 2015 at a rate of pay of \$600 per week of camp session, not to exceed four weeks. Camp will proceed with a minimum of 15 campers; no camp – no salary for the director. All aye except Councilwoman Cooley who was absent. Motion carried.

MM Supervisor Oberly, 2nd Councilman Appolonia to appoint Mariel Mustello to the position of Recreation Assistant for a term of office of July 1, 2015 to August 15, 2015 at a rate of pay of \$9 per hour. All aye except Councilwoman Cooley who was absent. Motion carried

3. Appoint Rec Volunteers

MM Supervisor Oberly , 2nd Councilman Venezia to appoint the following volunteer helpers to work with Katherine Mustello at the 4 weeks of summer camp at no pay:

Abby Hackbarth
Erica Gartelmann
Emelia Kern
Samantha Karchmer
Roy Cooley
Finn Ashworth
Samantha Campbell
Felicity Wager

All aye except Councilwoman Cooley who was absent. Motion carried.

4. Approve Bike NY using Town Property as a rest stop - Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the use of the Town complex as the staging area for the bike club on June 28, 2015, providing the Club issues the proper insurance coverage. All aye except Councilwoman Cooley who was absent. Motion carried.

5. Approve Resolution for shared services for a bucket truck

MM Supervisor Oberly, 2nd Councilman Venezia to approve the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 26 of 2015** approving participating in the shared services purchase of a bucket truck with the Towns of Clinton, Milan, Red Hook and Rhinebeck. The Town of Milan will be the lead agency. In discussion, Councilman Venezia asked if we are guaranteed a minimum number of use-hours. Supervisor Oberly said we will have a document of understanding laying out those parameters. All aye except Councilwoman Cooley who was absent. Motion carried.

OTHER

MM Supervisor Oberly, 2nd Councilman Michael to approve the free yoga services by Clinton resident Vincent Sauter as part of the Town's Recreation activities. He will be required to provide his own insurance and have the Town named as additional insured. All aye except Councilwoman Cooley who was absent. Motion carried.

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. 27 of 2015** a resolution to amend the 2015 Town Budget at the June 9, 2015 Town Board meeting (Highway expenses). It is a lot of money being moved according to Frank Venezia. We need to think about all the cutting we have done in the past in the hwy dept when we are doing our budget for next year. All aye except Councilwoman Cooley who was absent. Motion carried.

Ray talked about electricity choices for the use of solar power. The Board members discussed solar energy and the best ways to take advantage of these energy sources. Ray

is talking about the purchase of a new generator for the future and looking at grants for the funding, which he estimates to be about \$75,000.

2. Approval of Warrants

MM Councilman Michael, 2nd Councilman Appolonia to approve the following resolution IS IT RESOLVED that the Town Board approves the June General Fund Warrant, vouchers Numbered 188 through 222, totaling \$ 85,933.94 and the June Highway Fund Warrant, vouchers numbered 158 through 181A, totaling \$ 32,712.75. All aye except Councilwoman Cooley who was absent. Motion carried.

3. Supervisor's Report

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the 2015 May Supervisor's Report. All aye except Councilwoman Cooley who was absent. Motion carried.

PUBLIC DISCUSSION

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

Joel Tyner – giving up on the recycling as the Clinton Historical Society has a good one. Talked about certain issues he is promoting at the County Legislature.

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

ADJOURNMENT

MM Supervisor Oberly, 2nd Councilman Venezia that the Town Board adjourns the meeting. All aye except Councilwoman Cooley who was absent. Motion carried. The meeting was adjourned at 8:11 PM.

Respectfully Submitted,

Carol-Jean Mackin,
Town Clerk