

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 Eliot Werner. Also present was Town Clerk Carol-Jean Mackin. There was one person 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 January 12, 2016 Reorganizational meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Werner to approve the minutes of the January 12, 2016 regular meeting. All aye. Motion carried.

PUBLIC DISCUSSION

None.

SUPERVISOR'S COMMENTS

1. Monday, February 15 is Presidents Day, is a Town Holiday, and the offices will be closed.
2. The Clinton Business Association and the Town's Recreation Department are sorry the planned annual Christmas tree bonfire had to be canceled due the forecasted snow storm on Saturday and the high wind gusts on Sunday. Another makeup date was not able to be scheduled. We are looking forward to having it again in January 2017.
3. The land tax bills have been sent out and they are due by February 29. The Tax collector will be collecting on Thursdays, from 5 to 8 PM in the Schoolhouse at the Town Complex. She will also collect on Saturdays, February 20 and 27 from 10 AM to noon in the Clinton Community Library.
4. The Town's telephone system is aging out. The PBX system no longer has a guarantee of available repair parts. Several telephone service providers are under early consideration to replace the current system. The decision will be made in late spring and hopefully there will be minimal disruption to the telephone service.
5. Be sure to get all your exemptions for agricultural, veteran, STAR, and others into the Assessor before the March 1 deadline. The Assessor's office is open Saturday mornings from 9 AM to noon and Wednesdays from 1 to 4 PM.

REPORTS

***PLANNING BOARD**

Councilman Werner read from the report which is on file with Town Clerk.

***ZONING BOARD OF APPEALS**

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

***CONSERVATION ADVISORY COMMITTEE**

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

***RECREATION COMMITTEE**

Councilwoman Cooley reported that they are working on summer camp, it will go through the Supervisor's secretary this year.

***BUILDING INSPECTOR**

Councilwoman Cooley read from the report which is on file in the Town Clerk's office.

***ZONING ADMINISTRATOR**

No report as there is no Zoning Administrator.

***HIGHWAY**

Councilwoman Cooley read from the report which is on file in the Town Clerk's office.

***SCENIC AND HISTORIC ROADS ADVISORY COMMITTEE**

Councilman Werner said they had a meeting this month as the Chair met with Central Hudson and it will be discussed later in the meeting.

***LIBRARY REPORT**

No report.

***CABLEVISION**

No updates.

***ZONING REVISION**

Councilman Michael said they are reviewing foresting issues and the DEC is reviewing the section right now as there is a right to forest law that is strong. Looking at in home business section.

***PROPOSED TRANSMISSION LINES**

Supervisor Oberly gave a summary and the details will be discussed after this meeting.

***OTHER**

OLD BUSINESS

1. Discussion on Central Hudson Tree Cutting Werner

Councilman Werner said he and Councilman Appolonia met with reps from Central Hudson and they aired our concerns and discussed the scenic roads law. We want to be involved in the

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process of their tree cutting when work is being done, there is too much cutting in some cases. Very few towns are involved with Central Hudson. Discussed setting up a procedure to be involved with their decision making. They were very receptive. They met again at a site that is planned to be cut back on Nine Partners by Electronic Road. Rick McGlaufflin Chair of SHRAC and Highway Superintendent Theron Tompkins were also present. Central Hudson described the work to clear the line, saying they saved an evergreen that was planned to be taken down. Eliot Werner feels he has set up a system of notification with Central Hudson for future tree cutting. Mike Appolonia reiterated his positive feelings about the meetings. The lines of communication are open.

2. Approve bid for sand – Appolonia/Cooley

Councilman Appolonia explained there are two types of sand used, one for hard top and one for dirt roads.

MM Councilman Appolonia, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the bid for screened sand ice control materials to Dutchess Quarry at \$10 per yard, which is the rate provided on Addendum A: 2016 Highway Materials bid award. This material is more effective for the hard top roads. All aye. Motion carried.

3. Discussion of zoning administrator position

At 6:55 PM, MM Supervisor Oberly, 2nd Councilman Michael to enter into executive session for the purpose of discussing the personnel matter concerning the Zoning Administrator. Eliot Werner recused himself from the discussion. All aye except Councilman Werner who recused himself. Motion carried.

At 7:07 PM, MM Supervisor Oberly, 2nd Councilman Appolonia to return to the regular order of business All aye except Councilman Werner who recused himself. Motion carried.

No further discussion.

4. Approve corrected stipulation for Madsen

This resolution corrects the school district which was listed incorrectly on Resolution No. 48 of 2015, the original stipulation.

MM Supervisor Oberly, 2nd Councilman Appolonia to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 9 of 2016** authorizing the attorneys for the Town of Clinton, Cappillino & Rothschild, LLP, to enter into a Consent Judgment with the attorney for petitioners (Madsen), Lewis & Greer, PC, Esq., the terms of which are set forth in the attached Judgment Index Number 2015 / 2734 and hereby authorizes the attorneys for the Town of Clinton to sign said Judgment. All aye. Motion carried.

NEW BUSINESS

1. Approve stipulation for Wowaka

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No 10 of 2016** authorizing the attorneys for the Town of Clinton, Cappillino & Rothschild, LLP, to enter into a Consent Judgment with the attorney for petitioners (Wowaka) Warren S. Replansky, Esq., the terms of which are set forth in the attached Consent Order and Judgment Index No. 2015-2772 and hereby authorizes the attorneys to sign said Judgment on behalf of the Town of Clinton. Dean Michael said there is process to lowering the tax assessment that doesn't seem is being followed. The assessor will work with individuals on their assessments, to start with her, then there is the BAR. Many of these properties are going right to the court which costs a lot of money for all parties. All aye. Motion carried.

2. Approve RFP to have Town Engineer to develop a bid/RFP for the replacement of the 2 windows in the Highway Superintendent's office and also to get entrance roofs over the 2 new entrance doors for the Highway garage

MM Supervisor Oberly, 2nd Councilman Appolonia to approve the following resolution: BE IT RESOLVED that the Town Board approves having the Town Engineer to develop a bid/RFP for the replacement of the 2 windows in the Highway Superintendent's office and for entrance roofs over the 2 new entrance doors for the Highway garage. In discussion, Councilman Appolonia asked about including the replacement of the Town Clerk window too. Supervisor Oberly said that window is in the repair budget, and that is the next item for discussion. Councilwoman Cooley asked why are we looking at adding roofs for the Highway doors and no other doors. Dean said maybe we can put a bed liner coating on the bottom of the door to save the door from water damage. Supervisor Oberly said there is a lot of water that pools by these particular doors. All aye. Motion carried.

3. Discuss/Approve replacement of broken window in Town Clerk's office

Councilman Werner feels this is an easy fix and it is an eyesore. The Town Clerk is the representation for the town and the window should not be left broken any longer.

MM Councilman Werner, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves replacing the broken window in the Town Clerk's office at a cost not to exceed \$ 300. Supervisor Oberly asked who will coordinate it to get it done. Eliot Werner will follow through. All aye. Motion carried.

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. 11 of 2016 a resolution to amend the 2016 Town Budget at the February 9, 2016 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 13 through 55 totaling \$ 185,625.42 and the February Highway Fund Warrant, vouchers numbered 9 through 47A totaling \$ 46,777.27. All aye. Motion carried.

3. Supervisor's Report

The December 2015 and the January 2016 Supervisor's Report will be approved when the 2015 books are reconciled.

OTHER

Dean Michael talked to several other towns regarding the server and server back up. Our back up to our server is not operational and he wants to back up to a cloud based server. It is a reasonable cost between \$50 and \$100 per month. Ray asked where this cost will be found in the budget. Dean will continue his research.

PUBLIC DISCUSSION

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

Colleen McGarry – Tax Collector – asked the Town Board to fund a clerk for the Tax Collector for \$1300. The Deputy Tax collector is currently serving without pay.

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

MM Supervisor Oberly, 2nd **NONE** to approve the Deputy Tax collector be paid up to \$1300 to help in the collection for the 2016 tax season, paid at a rate of \$12 per hour. **MOTION DIES FOR LACK OF SECOND.**

ADJOURNMENT

MM Supervisor Oberly, 2nd Councilman Appolonia that theTown Board adjourns the meeting. All aye. Motion carried. The meeting was adjourned at 7:26 PM.

Respectfully Submitted,

February 9, 2016 Town Board Meeting

Carol-Jean Mackin,
Town Clerk