

September 13, 2016 Town Board Meeting

September 13, 2016

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 Councilmen Dean Michael, Mike Appolonia, Nancy Cunningham, Eliot Werner and Town Clerk Carol-Jean Mackin. There were five people in the audience.

Supervisor Oberly called the meeting to order at 6:30 PM and led the Pledge of Allegiance and the public stood for a moment of silence to honor 9/11.

APPROVE MINUTES

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the August 9, 2016 regular meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the August 22, 2016 special meeting. All aye. Motion carried.

PUBLIC DISCUSSION

None.

SUPERVISOR'S COMMENTS

1. We have started the process of developing the Town's 2017 Budget. The schedule is posted. Most of the public involvement will occur in October.

REPORTS

***PLANNING BOARD**

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

***ZONING BOARD OF APPEALS**

Councilman Appolonia said the meeting was cancelled due to lack of quorum.

***CONSERVATION ADVISORY COMMITTEE**

Councilman Michael said they met, but there were no minutes filed.

***RECREATION COMMITTEE**

Councilwoman Cunningham said the camp program is complete with 27 children per week attending. Working on the project at the Fran Mark Rec Park. Looking at other parks to determine what improvements can be made.

***BUILDING INSPECTOR**

Councilwoman Cunningham read from the report which is on file in the Town Clerk's office. Councilman Appolonia said there is a new building going in for a million-dollar price tag.

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***ZONING ADMINISTRATOR**

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

***HIGHWAY**

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

***SCENIC AND HISTORIC ROADS ADVISORY COMMITTEE**

Councilman Werner said the committee did not meet but applications are before the chair, one for solar panels and one for Old Stone Farm site plan.

***LIBRARY REPORT**

Councilman Werner said the Board met last night. Programming, budgeting, fundraising plans and future programming were topics of discussion. The basement redo has been refurbished into a children's room and office.

***CABLEVISION**

Councilman Appolonia said nothing new to report.

***ZONING REVISION**

Councilman Michael said the meeting continues and shared with the Board the items that have been revised. The Board will review the chapters as the committee finishes them to expedite the review process.

***PROPOSED TRANSMISSION LINES**

There will be no Power Line Workshop discussion at 8 p.m. after this Town Board meeting today. Most of the action at this time is quite secretive by the NYSISO and PSC. When information becomes available, we'll report it at the regular Town Board meeting and at a workshop if appropriate after the meeting.

***OTHER**

None.

OLD BUSINESS

1. Awarding of the CDBG Contract B

Town Engineer Morris Associates recommends the low bidder, Treetop Landscape Construction, LTD

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves awarding the CDBG bid for CONTRACT B, the handicapped bathrooms renovation at the Francis J. Mark Memorial Park, to Treetop Landscape Construction, LTD at a base bid of \$32,069.00. All aye. Motion carried.

2. Release Shapp Dam Project bond

MM Supervisor Oberly, 2nd Councilwoman Cunningham to approve the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 13 of 2016 titled: Release Shapp Dam Project bond.** Dean Michael questioned how we can return a bond when the Town Attorney never approved the bond, which was a condition of the project. Town Clerk Mackin explained the Town Attorney asked for additional paperwork from the homeowner to approve that the bond was satisfactory to the Town. The homeowner finished the project without that information being supplied to the Town Attorney. Mr. Werner asks how can we prevent this from happening again where an individual does a job without the required, proper paperwork in order? Councilman Michael said he feels for the homeowner and does not mean to penalize her but we have rules and they must be adhered to. In this case, the job was done correctly, so no harm no foul. Oberly: Aye, Werner, Abstain, Appolonia, Aye, Michael: Abstain, Cunningham: Aye. Motion carried.

NEW BUSINESS

1. Approve putting on table local law for Tax Cap override

Place on the table proposed LL 3 of 2016, a Local law to Override the Tax Levy Limit for fiscal Year 2017

MM Supervisor Oberly, 2nd Councilwoman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 36 of 2016 titled: Resolution Introducing a Local Law, Setting Public Hearing and Directing Town Clerk to Cause Publication for proposed Local Law No. 3 of 2016 a Local law to Override the Tax levy Limit for fiscal Year 2017, and further that the Town Board sets a public hearing on such proposed local law for October 11, 2016 at 6:15 pm in the Clinton Town Hall at which time all interested parties and citizens shall have an opportunity to be heard.**

ROLL CALL VOTE: OBERLY: Aye, WERNER: Aye, APPOLONIA: Aye MICHAEL: Aye, CUNINGHAM: All aye. Motion carried.

2. Approve new \$55,000 Removal Bond for Verizon tower on Germond Road

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves a new \$55,000 Removal Bond for the Verizon tower on Germond Road. All aye. Motion carried.

3. Approve special meeting on Monday October 3, 8:30 am to distribute budget to Town Board

MM Supervisor Oberly, 2nd Councilman Appolonia to approve a special meeting on Monday October 3, 8:30 am to distribute the tentative budget to Town Board. All aye. Motion carried.

4. Discuss the Town's takeover of the Provident Cemetery

Supervisor Oberly said this is a new item: We have been requested by the Provident Cemetery to take over the operation of their cemetery since the Provident Cemetery Association is abandoning it. The law requires the Town to take over the operation of abandoned cemeteries. Taking over by the Town would entail both the financial and maintenance operations. The Town of Rhinebeck took over the big cemetery on Route 9 just south of the Village of Rhinebeck in 2002. Supervisor Oberly is using them as a mentor in the process for Town operation of a cemetery. Our Town Attorney is investigating the process to be followed to transfer the operation from the Association to the Town, transfer of the land, transfer of the existing funds, and establishing a Town volunteer Cemetery Board to do the daily operation of the cemetery. Some of the burial fees will be placed in new Trust and Agency accounts, General Fund accounts, and Capital accounts. Ray will try to get the accounts set up for approval in the Town's 2017 Budget as best as possible in the short time. Policies for the operation of the cemetery must be written. Registration with the NYS Department of State Cemetery Board must be obtained. At his time, only the Provident Cemetery is being abandoned. In October, Ray expects to receive an abandonment letter from the Schultsville Union Cemetery Association. The Pleasant Plains Cemetery Association feels they are able to continue in operation through 2017. This will be an involved process and could take until YE16 to complete.

Mike Appolonia asked several questions about the financials, including knowing what part of the finances can be spent for operations vs. maintenance about which Ray had no information.

Dean, said can we take it over and sell it? Ray does not know.

Eliot asked how do we get possession of the cemetery, Ray said we are obligated to take it once it is abandoned.

Dean talked about the insurance requirements, said a criminal insurance policy is designed for cemeteries and Ray will research other insurance liabilities.

On another matter, Dean said the Park employees are being paid monthly and wants a follow up discussion to pay them bi monthly. Ray said he believes there are some exceptions to the monthly paycheck but he does not have a definitive answer. We can change it via a motion for next year. Dean suggests that if there is no cost perhaps all hourly employees and lifeguards should be paid by monthly next summer.

OTHER

1. Resignations and Appointments

None

2. Approval of Warrants

MM Councilman Michael, 2nd Councilwoman Cunningham to approve the following resolution BE IT RESOLVED that the Town Board approves the September Capital fund warrant vouchers numbered 10 only totaling \$2000.00; the September General Fund Warrant, vouchers numbered 357 through 414, totaling \$47,178.76; and the September Highway Fund Warrant, vouchers numbered 217 through 242A, totaling \$20,392.33. All aye. Motion carried.

3. Motion to Move Funds

MM Supervisor Oberly, 2nd Councilman Appolonia that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board **approves Resolution No. 37 of 2016 a resolution moving funds for the September 13, 2016 Town Board meeting.** All aye. Motion carried.

4. Supervisor's Report

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the August, 2016 Supervisor's Report. All aye. Motion carried.

PUBLIC DISCUSSION

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

Matt Pfister - Board of Trustee member of the Library. Working to make the Library the heart of the Town. Hearing very positive buzz, great programs, concert series and programs for the community. Quoted a survey showing communities value Libraries.

Zach Snow - treasurer of the Library Board. Expects to break even this year. Thanked the Town Board for contributing about 60 percent of the Library's Budget. Received a onetime \$25,000 grant from Agnes Barris trust. Looking forward to 2017, not counting on another major gift and they see a significant shortfall for next year. For 2018, the Library is hoping to pass a 414 proposition. Asked the Town Board to increase funding for next year.

Idan Simms – Announced that on Saturday, October 1, 2016 at 11 am at Town Hall, the second annual meet the candidates' forum for the East Clinton Fire District. On Tuesday, December 6, 2016 from 6 pm to 9 pm, is the East Clinton Fire District elections at the fire house. 2015 had a record turnout. The election date is a state wide date; all 900 fire districts are voting on that day.

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

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OTHER

Councilman Appolonia – the subject of the comments was both related to Ben Franklin. He started the volunteer fire company and the first library open to the public. And we realize Libraries are more than books, including Multimedia and sponsored events.

ADJOURNMENT

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting. All aye. Motion carried. The meeting was adjourned at 7:25 PM.

Respectfully Submitted,

Carol-Jean Mackin,
Town Clerk