

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 Nancy Cunningham, Dean Michael, Mike Appolonia, and Eliot Werner. Also present was Town Clerk Carol-Jean Mackin. There were two 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 January 13, 2017 public hearing. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the January 13, 2017 reorganizational meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Appolonia to approve the minutes of the January 13, 2017 regular Town Board meeting. All aye. Motion carried.

PUBLIC DISCUSSION

None.

SUPERVISOR'S COMMENTS

Thanks are given to the Highway crew for their dedication and long hours put in during the recent snowstorms. Their efforts kept the roads passable and safe.

Monday, February 20, Presidents' Day is a Town holiday for the Town offices and highway. The Library will be open as usual.

It is time to start to think about reapplying, when needed, for your various exceptions to reduce your assessment and thus your land taxes. These exemptions are for STAR, veterans, agriculture, and others. All applications and required information must be in by March 1 to be used to calculate the 2017 school taxes and 2018 land taxes. If you have questions, call or stop in and visit the Assessor or visit the Town's web page.

REPORTS

***PLANNING BOARD**

Councilman Werner read from the report, on file in the Town Clerk's office.

***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 on file in the Town Clerk's office.

February 14, 2017 Town Board Meeting

***RECREATION COMMITTEE**

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

***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 Cunningham read from the report which is on file in the Town Clerk's office. Mike Appolonia received several positive comments after the ice storm.

***SCENIC AND HISTORIC ROADS ADVISORY COMMITTEE**

No meeting.

***LIBRARY REPORT**

Councilman Werner said it would be given later by the Library Trustee.

***CABLEVISION changed to ALTESE**

Councilman Appolonia said we have two notices of upcoming programming changes; they will notify customers directly.

***ZONING REVISION**

Councilman Michael said the Zoning Review Committee (ZRC)'s met last Monday discussed preservation of historic buildings, reviewed definitions.

TRANSMISSION LINES

On January 24, 2017, the PSC issued an Order Addressing Public Policy Transmission Need for AC Transmission Upgrades. The 23-page Order spent 2/3rds of the time describing what was already known. The upgrade of the transmission line is still the existing two tower 115 KV line on the east side of the Town of Clinton. The plan remains to replace the 2 towers with a monopole with a 115 KV line on one side and a 345 KV line on the other side. Most of the rest of the Order was justifying and describing how it was going to be paid for. In summary, the rate payers (users of electricity) will eventually pay the costs in their electric bills. The current plan being pushed is have the consumers of the electricity NY City and others (may be us too) pay 75% of the construction costs and the remaining 25% will be distributed across NYS rate payers. Another financial aspect is for the developers. If they go over the bid contract, they only need to pay 20% of the overage and the rate payers pay the remaining 80%. If the developer goes under the bid contract price, they can keep up to 20% of the savings. In reality, the developer wins and the rate payer get stuck with the bill. It appears the upgrade of transmission lines is now only due to the old towers and lines needing to be replaced. and now to replace the power being lost due to the closing of Indian Point.

As expected, the whole schedule is delaying again. HVSEC's combined guess is the developer selection results from NYS ISO will be around August 2017 and the Article 7 Part B process will start in the 3rd or 4th quarter of 2017. HVSEC will have access to intervener funds again but there is little we can do to stop the process until 4Q17 when we know more details from the selected developer(s).

February 14, 2017 Town Board Meeting

There will be no No Power Line Workshop after this Town Board meeting tonight

Dean said that since this is done we should not be paying the transmission line attorney, Bowitch. All Board members agreed. Ray said the consortium needed to speak to him and get answers to certain questions to wind up this portion of the fight. Dean we should not be paying for the attorney for this issue. Dean feels the power lines are a done deal and will go forward because the Cuomo wants them so we should not try to fight them any longer.

***OTHER**

none

OLD BUSINESS

1. Approve Mass Gatherings Law

MM Councilman Werner, 2nd Councilman Appolonia that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 10 of 2017 a resolution introducing local law no. 1 of 2017 “Mass Gatherings Law”** that the Town Board hereby adopts said Local Law No. 1 of 2017, entitled “Mass Gatherings Law” a copy of which is attached hereto and made a part of this resolution; and that the Town Clerk 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, Werner: Aye, Appolonia: Aye, Michael: Aye, Cunningham: Aye. Motion carried.

2. Approve CSEA Memo of Agreement

Not completed.

3. Approve speed control resolution

The State now requires a numbered resolution to authorize the review of lowering the speed limit. The process otherwise is the same.

MM Supervisor Oberly, 2nd Councilman Werner that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 11 of 2017 titled Lower Speed Limit Request for Salt Point Turnpike.** All aye. Motion carried.

NEW BUSINESS

1. Approve Brands tax judgment

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 12 of 2017 authorizing the attorneys for the Town of Clinton, Cappillino & Rothschild, LLP, to enter into a stipulation with the attorney for petitioners, J. Phillip Zand Esq., the terms of which are set forth in the attached Consent Judgment and hereby authorizes the attorneys for the Town of Clinton, Cappillino & Rothschild, LLP to sign said Consent Judgment on behalf**

February 14, 2017 Town Board Meeting

of the Town of Clinton. In discussion Dean trusts that the assessor and town attorney did due diligence and he has had no discussion on the matter with them; Judge Brands handles these kinds of cases every day and we are dealing with part of his parcel that is under forestry exemption, the amount negotiated is on the forestry part and is reduced by a bit.

ROLLCALL VOTE: Oberly: Aye, Werner: Aye, Appolonia: Aye, Michael: Aye, Cunningham: Abstain. Motion carried.

2. Approve mitigation resolution

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board approves **Resolution No. 13 of 2017 titled Adoption of jurisdictional annex to Dutchess County Hazard Mitigation Plan. All aye. Motion carried.**

3. Approve referendum for four-year term for Supervisor

Supervisor Oberly said it is currently a two-year term; half the Supervisors in the County have two year terms, half have four year terms. He explained that when the budget is being worked on it is a very busy time and to do campaigning it is very difficult and time consuming. If the position is contested it makes it even more difficult to get out to the community and campaign. He reminded the Board that they are voting to get the referendum on the 2017 ballot. All other elected positions are four year terms.

Dean Michael and Mike Appolonia shared the thought that five years ago, the Supervisor was left off the ballot for a four-year term. Councilman Michael said it is not about us, these decisions are made for the future. We don't know what kind of Board we will have we don't want to have to wait four years to change the complexion of the Board. Now, every two years the complexion of the Town Board can change. He is opposed to the four-year term; the Town must be allowed to change a Board more than every four years.

Councilman Appolonia pointed out that now every two years the majority of the Board can change.

Nancy agrees with Dean's rationale. She sympathizes with the job of the Supervisor developing a budget and the time it takes, but if the job is being done well the amount of door to door campaigning is less. She would like a say so every two years for the Supervisor.

MM Supervisor Oberly, 2nd Councilman **NO SECOND** that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board approves the referendum for the 2017 ballot in the general election to change the Supervisor term of office from two to four years. **DIES FOR LACK OF SECOND.**

4. Approve retirement resolution for NYS retirement recordkeeping

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 14 of 2017 titled Retirement Recordkeeping Resolution**. All aye. Motion carried.

5. Approve Court Clerk to training in NYC

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves Justice Court Clerk Elizabeth Johnson attending the Association of Towns Court Clerk Training in NYC from Feb. 19 to Feb. 21, 2017, at a cost not to exceed \$750.00. All aye. Motion carried.

6. Approve Parkinson's Disease proclamation

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 15 of 2017 Parkinson's Awareness Proclamation**. All aye. Motion carried.

7. Approve renewal with Pine Plains Vet for dog control purposes

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the "Shelter Contract" to provide and maintain a shelter for seized dogs as provided in the contract named above for a term commencing on January 1, 2017 to December 31, 2017, and authorizes the Supervisor to sign the contract. All aye. Motion carried.

OTHER ITEMS

1. Approve Change Order

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 16 of 2017, titled CDBG Change order bathroom renovation**. All aye. Motion carried.

2. Resignations and Appointments

MM Supervisor Oberly, 2nd Councilman Michael to appoint Chris Juliano to the BAR for a term of office of February 14, 2017 to September 30, 2020 to fill the unexpired term of Nancy Cunningham. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Appolonia to appoint Felicity Schaefer to the position of part time student worker effective January 31, 2017 at a rate of pay of \$11.42 for up to 8 hours per week. All aye. Motion carried.

3. Motion to move funds

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution BE IT RESOLVED that the Town Board approves **Resolution No. 17 of 2017, a motion to move funds at the February 14, 2017 meeting.** All aye. Motion carried.

4. Approval of Warrants

MM Councilman Michael, 2nd Councilwoman Cunningham to approve the following resolution BE IT RESOLVED that the Town Board approves the February General Fund Warrant, vouchers numbered 23 through 67K, totaling \$ 191,569.24 and the February Highway Fund Warrant, vouchers numbered 14 through 52A, totaling \$ 151,908.18, and the February Capital Fund Warrant, numbered one, totaling \$30,123.25. All aye. Motion carried.

3. Supervisor's Report

The December 2016 Supervisor's Report and the January 2017 will be approved when the 2016 books are reconciled and the AUD is done.

PUBLIC DISCUSSION

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

Barbara Burns – Library Trustee – Said the book sale last weekend in February. They are collecting donations now. Hosting an emergency preparedness two-hour training session, March 30 at 7 pm. Register by calling the Library. March 10 is a wine tasting. Grateful for the money received by the annual appeal.

Joel Tyner – talked about an organization focused on jobs. Said Dutchess does not have a Dept. of consumer affairs and we do not license elections, plumbers or home improvement companies. He will work on this issue this year. On the powerlines issue, asking the public to support his forum for protesting the building of the new powerlines. There is a big hole in state budget if millionaire tax is allowed to expire. Dutchess county EMC sent letter to federal representatives to please not decimate the EPA. Ray Oberly said he understands in the state budget if you don't consolidate, Cuomo will reduce grants to help fund items. We get about \$17,000 from the state every year.

Idan Simms – announced the ECFD monthly meeting tomorrow at 7:30 PM. The three newly elected officials are committed to the issues. Praised these new members and their efforts. The powerlines, the Town Board is doing a good job. Asked if our state representatives are involved in this issue. Dean said they both wrote letters of opposition. Ray said he puts the pressure on them all the time.

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

February 14, 2017 Town Board Meeting

Other

Nancy Cunningham said the Fran Mark park gate says park is closed during the winter. The gate is closed but not locked. People are there every day with dogs. Wants to know if we are going to enforce the closed for winter as the hill was driven on and destroyed. Dean said if it is open we need to plow it. Ray said people ice skate on the pond, which is not allowed. The gate had a lock, but the issue of keys was a problem. The two fire departments need keys so they can get to water if necessary. The Town Board says it should be locked. Town Clerk Mackin said all the recreation locks are numbered and use the same number combination. We can program this lock to match. Nancy will speak to Dan Harkenrider and get a numbered lock with the same combo as the other rec locks.

ADJOURNMENT

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting. All aye. Motion carried. The meeting was adjourned at 8:03 PM.

Respectfully Submitted,

Carol-Jean Mackin,
Town Clerk