

March 21, 2017 Town Board Meeting
March 21, 2017

Schultzville, NY

The Clinton Town Board held their Regular Town Board meeting on this day in the Town Hall, postponed from 3/14 due to a blizzard. 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 five 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 Appolonia to approve the minutes of the February 14, 2017 regular Town Board. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Cunningham to approve the minutes of the March 16, 2017 special Town Board meeting to approve fuel master bid. 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 March 14 snowstorm. Their efforts kept the roads passable and safe.

The Town's 2016 AUD Report was prepared and submitted. The Town Clerk's Office has a copy for public viewing and it is posted on the web.

The smoke detectors have arrived and will be installed shortly in the Library and Town Hall meeting areas.

A Town Board workshop will be held upon the request of the Dutchess County Department of Emergency Response to allow them to present their information contained in the Dutchess County Emergency Medical Services Task Force Report (dated March 2017). A date in April is being scheduled and will be posted on the TV scroller and 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.

***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. Apologized for a minor problem that occurred on several roads during this last storm and the issue has been addressed. On the Field Road issue, it is being addressed and the plan is to be oil and stoned. There was a concern with the Ruskey/ Browning Roads intersection; the highway committee will address with Theron making that a season road.

***SCENIC AND HISTORIC ROADS ADVISORY COMMITTEE**

No meeting.

***LIBRARY REPORT**

Councilman Werner said the Board met and the members will attend later in the meeting.

***ALTESE (formerly CABLEVISION)**

Councilman Appolonia said no report.

***ZONING REVISION**

Councilman Michael said the Zoning Review Committee (ZRC)'s met last Monday and the tree harvesting law was the major discussion which will be discussed later in this meeting.

TRANSMISSION LINES

***OTHER**

none

OLD BUSINESS

1. Discuss/ Approve CSEA Memo of Agreement

Dean Michael said we are at an impasse of one word. The attorney said we should just accept it the way it is as the contract has been this way for the last three years. In addition, the negotiation teams agreed not to introduce any new items for discussion after the third meeting which this item was. Ray Oberly disagrees with that rule and thinks it is wrong to exclude an item because it did not come up during the first three negotiation meetings. Dean said the lawyer said it is not worth arguing about.

MM Councilman Michael, 2nd Councilwoman Cunningham to approve the following resolution: BE IT RESOLVED THAT the Town Board accept the MOU Agreement dated February 21, 2017 between the Town of Clinton and the CSEA as presented to the Town Board and authorizes that the Supervisor sign the contract. All aye. Motion carried.

2. Discuss locks/closure of Fran Mark Rec Park – Cunningham

At the February Town Board meeting the following discussion occurred: 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.

Tonight, Nancy said that Dan did not get the memo but he will follow through and get the locks. Nancy also discussed using the south part of the Town's land, where the mud bogs used to be held, as a dog park. Ray Oberly pointed out that there are no dogs allowed on Town property, but we can allow them if we revise our rules. Nancy wants to use this area as a dog park and will follow up with all of the issues.

3. Discuss drone use in Town of Clinton – Appolonia

According to FAA drones are considered an unmanned flying system. There are two laws he discussed, including one in Orchard Park, NY – due to drone use over Bulls stadium and one from Town of Hempstead which is very comprehensive. There are two divisions: FFF flying for fun and FFW fly for work, for business-oriented drones; Mike explained the details to each of the divisions. He does not recommend a local law as the rules are changing. Ray said there is a concern for fire districts as they are a way to keep an eye on fires and right now, there are no individuals who would be qualified to use them. Mike said that he spoke to the FAA and they were not concerned about that issue. Ray said we have an airport in Town so we need to be concerned about being in proximity to an airport.

NEW BUSINESS

1. Approve Supervisor attending PERMA Annual member conference May 25 & 26 – Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED THAT the Town Board approve the Supervisor attending the Perma Annual Conference May 25 and 26, 2017 at Bolton Landing, NY, with no cost. All aye. Motion carried.

2. Approve Troy & Banks to do audit of cable, telephone and electric bills – Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED THAT the Town Board approve Troy & Banks to do an audit of cable, telephone, and electric bills and authorizes the Supervisor to sign the contract. All aye. Motion carried.

At this time, Nancy Cunningham said has the court audit scheduled for the end of the month.

3. Approve Supervisor Oberly to attendance Cornell Local Roads program – Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED THAT the Town Board approve Town Supervisor Oberly attendance at Cornell Local Roads Program workshop on Highway Departments Legal Liabilities on 4-19-17 in Ulster County at a cost of \$50 registration plus mileage. The Board wants to know why Theron isn't going. Ray said Theron does not go to things. The highway committee will talk to Theron to go too. All aye. Motion carried.

4. Approve resolution and pledge for Hudson River Waterfront Alliance to ban barge parking on Hudson River – Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED THAT the Town Board approve **Resolution No. 18 of 2017 Banning barge parking on the Hudson River.** Mike Appolonia reviewed the document; there are 10 spots that are indicated. The document is heavy on banning oil barges, but there are lumber barges and food transport barges that travel the River too. These are just stop off points, they could be for tired pilots, machinery, etc. Mike is a fan of river cleanup but feels we should take a step back from banning barges and wants to wait for the coast guard recommendations. Dean Michael said the concerns that are being addressed here are for the concern that the oil distributors will park waiting for the oil prices to go up and then move their cargo. Ray said this is just expressing our opinion. **All aye, except Councilmen Appolonia and Cunningham who voted NO. Motion Carried.**

5. Discuss Tree Harvesting Local law - Michael

Dean Michael – introducing this as a standalone by creating a local law, as was done with the Solar law. Took Hyde Park, Beekman and Pawling laws as a starting point and through discussions with DEC created this draft. The DEC said there are already laws protecting commercial harvesting equal to ag and markets law. DEC said if one cuts all trees and leave stumps that is allowed because the cutting would not disturb the environment. The Committee came up with this and added exemptions to allow clearing. Sent out the draft and tonight's discussion is to proceed to see if the attorney should look at it and prep it for a local law.

Comments- Ray why is building inspector the key person to work with this? It is way out of his element, he does not work with land. Ray thinks it should be zoning officer, he deals with zoning issues. Ray said the document is very complicated and verbose. If it can't be easily interpreted, it won't be used. Eliot said this has gone through many revisions. Dean said the DEC and our planner have revised this as well. The goal is to stop someone from clearing land without a plan.

Ray asked what about ag and markets review, wants to have their review; should get zoning officer to see if it fits his abilities and what it will add to his workload. Eliot feels that is putting the cart before the horse, he executes the laws we write. Dean said neither the building inspector or the zoning officer knew solar before that law, and they are working with that law today.

5. Benefits for hourly employees

Eliot discussed the issue to offer some benefit days to our part time hourly employees. He called the Town Clerk's in other towns and he reviewed the offerings. Wants to consider this for recognition and morale. Many work long hours do good work and should be rewarded. Nancy wants a ballpark figure as to cost and agrees with the idea. Eliot said it should not add to salaries. Ray is not against it but wants to see it written out. Questions Eliot with the kind of things to consider, like can you accumulate and carry over time for example. Eliot will have those details for the next meeting.

OTHER ITEMS

1. Resignations and Appointments

none

2. Motion to move funds

MM Supervisor Oberly, 2nd Councilman Appolonia to approve the following resolution BE IT RESOLVED that the Town Board approves **Resolution No. 19 of 2017, a motion to move funds at the March, 21 2017 meeting.** All aye. Motion carried.

3. Approval of Warrants

MM Councilman Michael, 2nd Councilwoman Cunningham to approve the following resolution BE IT RESOLVED that the Town Board approves the March General Fund Warrant, vouchers numbered 68 through 114 A-J, totaling \$ 951,759.45 and the March Highway Fund Warrant, vouchers numbered 53 through 83A, totaling \$ 169,423.59, and the February Capital Fund Warrant, numbered 2, totaling \$1750.00. All aye. Motion carried.

3. Supervisor's Report

MM Supervisor Oberly, 2nd Councilman Appolonia to approve the December 2016, January 2017, and February 2017 Supervisor's Reports. All aye. Motion carried.

PUBLIC DISCUSSION

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

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Bill Relyea – Library trustee. Thanked Eliot for attending their meeting. Discussed their successful book sale. Programs focused on optimistic aging. Discussed the monthly activities, the list is available on their website. They are looking for two more trustees. Introduced Johanna Whitton, the newest trustee. She thanked the Board for their support. She discussed her personal story of moving to the Town.

Joel Tyner – Thanked the Town Board for supporting the Hudson River resolution. Discussed the fire districts, said we need to get more volunteers for both. Several East Clinton members worked hard to get their EMT certifications. Supports volunteers getting a free DCC tuition and maybe partial property tax exemption. Discussed solar arrays on town landfills and the EPA doing studies. Asked the town board to consider putting a solar array on the old town dump and to reach out to the EPA for guidance. Ray said the town has no town landfill that land was leased and returned to those owners. Joel discussed other issues he is working on.

Idan Simms – Discussed the County report on problems with E911 EMS response rates. He discussed items from the report; said E and W Clinton Fire Districts are among 3 worst in county for failure to respond. There was a public meeting held at town hall to discuss the report; well represented by elected officials and the Commissioner and Deputy Commissioner of WCFD attended. No Commissioner from ECFD attended. Discussed what could happen going forward: nothing, tweak the current system, and many liked, centralization of a single central fire district utilizing the combined resources we already have. He said Dana Smith, Dutchess County Director of E911, will be in touch with the town to have a public meeting to discuss the report, which Ray agreed will happen. Discussed the LOSAP -length of service award program - of the ECFD; cost \$130,000 per year to fund, paid for by 700 homes in the ECFD, yet they have recruited only a handful of new members.

Arthur Wieland – asked for volunteers for the cemeteries. Also, stated he is a Commissioner on ECFD; he attends the transfer station every Saturday with a sign – which he had - to let people know he is available to ask him questions. Goes to County fire meetings to learn as much as he can. He said that he did not attend the forum that Idan spoke of the previous Saturday as he had a family obligation and could not attend. The ECFD is in the process of getting a website up and running.

Michael Whitton – Thanked Joel for advocacy on his solar issue. Went online and saw they have not functioned since Sept. 2015. Supervisor Oberly will follow up.

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

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,

March 21, 2017 Town Board Meeting

Carol-Jean Mackin,
Town Clerk