

July 11, 2017 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 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 Michael to approve the minutes of the June 13, 2017 Regular Town Board meeting. All aye except Councilman Appolonia who was absent. Motion carried.

PUBLIC DISCUSSION

None

SUPERVISOR'S COMMENTS

The joint Senior Picnic is with the Towns of Clinton and Hyde Park. The Dutchess County Office for the Aging is holding their chicken BBQ Senior Picnic tomorrow Wednesday, July 12 (rain or shine) starting at noon at Francis J. Mark Memorial Park. You should have made a reservation earlier to attend.

The replacement of the Clinton Hollow Bridge on Hollow Road (County Route 14) has begun. The project will make a realigned Hollow Road, replace the bridge, and change the intersection with Schoolhouse Road. The County had to rebid the project so the new dates are bridge construction will anticipate start on September 5 and the road will be anticipated open by November 22. These new dates represent about a one-month delay in the original schedule. The detour will be Centre Road to Schultzville and then on Fiddlers Bridge Road to Pleasant Plains. As more details become available, I'll announce them at the Town Board meetings.

REPORTS

***PLANNING BOARD**

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

***ZONING BOARD OF APPEALS**

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

***CONSERVATION ADVISORY COMMITTEE**

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

***RECREATION COMMITTEE**

Councilwoman Cunningham reviewed the status of the Park and discussed the Park programs for the summer including the Summer picnic. The projects were completed using grants funds. New appliances were purchased in the kitchen and plantings were added to thwart atvs. Camp has started. The middle school camp is being delayed for next

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year. Looking for people to be part of the Recreation committee to plan events. Contact the Town Clerk if interested.

***BUILDING INSPECTOR**

Supervisor Oberly read from the report which is on file in the Town Clerk's office.

***ZONING ADMINISTRATOR**

No report.

***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 no activity this month.

***LIBRARY REPORT**

Councilman Werner said the Library does not meet in July. The petition campaign has started for the 414. Their website has a lot of information if there are questions for the Library.

***ALTESE (formerly CABLEVISION)**

No report.

***ZONING REVISION**

Councilman Michael said the meeting included discussing definitions and a continued discussion on Airbnb's.

TRANSMISSION LINES

Supervisor Oberly said there is no change in the status of the new power line activity at this time. As expected, the whole schedule is still delayed 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).

Meanwhile, there is some good news. As you may have seen the Governor is committing to 2,400 MW of offshore wind along Long Island and the recent lease (79,000+ acres for \$42.5 million) won by an extremely experienced European wind developer (Statoil) would seem to undercut the need for a \$1 billion transmission line to access a few hundred MWs of renewables

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

***OTHER REPORTS**

OLD BUSINESS

- 1. Update Tree Harvesting Local law – Michael**
Nothing new. Waiting for the final revision.

2. Discuss Fee Schedule - Michael

Dean created a draft after canvassing other Towns and Town employees.

Ray Oberly reviewed his suggestions line by line.

Nancy Cunningham discussed her concerns as did Eliot. A question arose on the legality of charging for a renewal of a special permit and a site plan review.

Eliot Werner questioned the fee for a use variance and they agreed on \$200. Concerning the item: Operating permit – what does it relate to? Dean said it has been in the schedule so it should stay.

Ball court field rental fees – a new ite, many questions arose, including who collects the fees? Councilwoman Cunningham does not agree with charging. The Board agreed to take it out.

Other minor changes were agreed to and will be reflected in the fee schedule.

MM Dean Michael 2nd Councilman Cunningham to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 29 of 2017 to adopt the 2017 fee schedule date July 11, 2017 as amended.** All aye except Councilman Appolonia who was absent. Motion carried.

3. Discussion of Governor’s Shared Services law – Oberly

As part of the Governor’s 2017 Budget was included a requirement that the County Executives develop a plan in concert with the local governments to create a county-wide services property tax savings plan. I submitted these Shared Services activities that the Town of Clinton is interested in participating in; County road salt purchase, piggy back on County bid for shared macadam paving, piggy back on County bid for rental of highway equipment, having the County do motor vehicle repair, do County-wide assessor service provided there is a resident clerk in Town office, do a County bid for sports field baseball clay, and do a County bid for playground mulch. The next meeting on July 18 will develop the specific projects and possible savings which will generate the County-Wide Shared Services Initiative plan. The aggressive schedule has the panel of local officials approving the Plan by September 15, 2017. This is a mandate from the State with little hope of getting any funding to cover costs.

4. Approve Local Law 2 of 2017- on clear Cutting - Werner

MM Councilman Werner, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **proposed Resolution No. 30 of 2017, that the Town Board hereby adopts said Local Law No. 2 of 2017, entitled “Clear Cutting Moratorium” a copy of which is attached hereto and made a part of this resolution; and Be It Further Resolved, that the Town Clerk be and she hereby 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.** In discussion, Dean Michael said we should address

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Mr. Brands comments for the necessity of the law. Nancy asked if this is an overreaction to the clear cutting on Hollow Road and the development of the winery there. Eliot said it is likely a reaction; but there have been other cases of clearcutting. Eliot said regulations are important and not everyone shares the same view of what is good and bad. He wants to see forests preserved and the proposed moratorium is to say stop and let's look at this in an intelligent way. Dean explained why we are developing a tree harvesting law and this moratorium as it relates to that proposed law. The moratorium is for the fact that we do not have a law to stop clear cutting; it gives us a chance to look at the event in the extreme case. Ray does not see the urgency. We have been talking about the tree law for about 6 months. **VOTE: Appolonia, absent; Oberly, Nay; Werner aye; Cunningham, Nay; Michael, Nay. MOTION FAILS**

NEW BUSINESS

1. Approve Amendments to Greenway Connections - Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 31 of 2017, adopting the annexed SEQRA Negative Declaration for the proposed action; and adopting the amendments to Greenway Connections to include seven new Greenway Guides: Centers and Greenspaces, Slower Safer Streets, Rural Roads, Building Bicycle Networks, Convenience Stores with Gas Pumps, Recycling and Waste Collection, and Green Infrastructure.** All aye except Councilman Appolonia who was absent. Motion carried.

2. Discussion on amending Section 250-88 - Werner

Eliot Werner discussed that last year we passed a local law allowing town officials to prosecute violations if necessary. Eliot suggests now that we amend the law so that the town official be required to have approval of a majority of the board to commence any legal action. He feels it would be frugal. Ray Oberly said there is spending money involved in lots of things and we don't micromanage Town officials. Eliot thinks before entering complex and challenging legal actions, there should first be consensus of the Board. Ray asks Eliot for the process that would be followed with the amendment and Eliot replied. Dean said having five minds making the determination is better than one. Ray said it would take time: we would need an executive session to discuss, then into public session to approve the action. Ray thinks it is overkill, but would support Town Board approval before entering into an appeal. Dean used the example of the tax certioris. Eliot will follow up with the attorney to draw up the local law, which will be presented next month.

OTHER

Dean Michael on the Climate Smart community

MM Councilman Michael, 2nd Councilman Cunningham to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 32 of 2017 becoming a climate smart community.** All aye except Councilman Appolonia who was absent. Motion carried.

1. Resignations and Appointments

MM Councilman Oberly, 2nd Councilman Michael to approve the appointment of Taylor Harkenrider as Recreation Assistant at \$9.70 per hour from 7-11-17 to 9-30-17. He replaces Zoe Holmes-Hunter and Mariel Mustello who are not able to serve. All aye except Councilman Appolonia who was absent. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve Esther Murray, Finn Ashworth and Sam Ulrich as volunteer helpers for the summer camp effective July 10, 2017. All aye except Councilman Appolonia who was absent. Motion carried.

2. Motion to move funds

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 33 of 2017 a motion to move funds at the July 11, 2017 Town Board meeting.** All aye except Councilman Appolonia who was absent. Motion carried.

3. Approval of Warrants

MM Councilman Michael, 2nd Councilman Cunningham approve the following resolution BE IT RESOLVED that the Town Board approves the July General Fund Warrant, vouchers numbered 225 through 270 A-P, totaling \$48,655.95 and the July Highway Fund Warrant, vouchers numbered 165 through 192A, totaling \$ 20,319.26 and the July Capital fund warrant, numbered 3 and 4, totaling \$5476.34. All aye except Councilman Appolonia who was absent. Motion carried.

4. Supervisor's Report

MM Supervisor Oberly, 2nd Councilman Michael to approve the June 2017 Supervisor's Reports. All aye except Councilman Appolonia who was absent. Motion carried.

PUBLIC DISCUSSION

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

Cathy Evans - has questions about county road signs. Ray said it is a county issue.

Joel Tyner – happy with the climate smart community resolution. Had a resolution passed at the county to move away from fossil fuels. Talked about the fund balance at the County tripled in 5 years. Wants support for addicted persons arrested to give them treatment vs jail. Dean Michael said the new jail contains non-jail cells for addicts.

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

At 8:25 MM Nancy Cunningham, 2nd Councilman Michael to go into executive session to talk about restructuring of the town personnel. All aye except Councilman Appolonia who was absent. Motion carried.

At 9:15 PM MM Supervisor Oberly, 2nd Councilman Michael to close the executive session and return to regular session. All aye except Councilman Appolonia who was absent. Motion carried.

ADJOURNMENT

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting. All aye except Councilman Appolonia who was absent. Motion carried. The meeting was adjourned at 9:16 PM.

Respectfully Submitted,

Carol-Jean Mackin,
Town Clerk