

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 three 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 July 11, 2017 Regular Town Board meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the July 11, 2017 Public Hearing meeting. All aye. Motion carried.

PUBLIC DISCUSSION

None.

SUPERVISOR'S COMMENTS

The replacement of the Clinton Hollow Bridge on Hollow Road (County Route 14) has begun on August 1 with the bridge being removed and Hollow and Schoolhouse Roads being closed. The project will make a realigned Hollow Road, replace the bridge, and change the intersection with Schoolhouse Road. The bridge and roads are anticipated to be opened by mid-October. The detour will be Centre Road to Schultzville and then on Fiddlers Bridge Road to Pleasant Plains. The culvert pipe on Clinton Hollow Road (County Route 18) about 100 feet south of Grissom Place will undergo replacement of parts of the culver starting about September 5. One lane traffic control will be set up on Clinton Hollow Road. Construction will be completed by late November.

The Labor Day holiday schedule will have the Town offices, Court, and Highway closed on Monday, September 4. The Recycling Center will be open on Saturday, September 2 with normal hours of 8 AM to noon.

The 2018 Budget process has begun and must be approved by the Town Board by November 20. The schedule of activities is available on the Town's web page. There is no change in the status of the new power line activity at this time. There will be no No Power Line Workshop after this Town Board meeting tonight. It is with sadness that I announce the passing of Louise McDermott in late July. She had been very involved in the community as treasurer (Clinton Community Library, East Clinton Fire District, and Clinton Historical Society), was instrumental in the acquisition and forming of Friends Park, and volunteered in many other community organizations. She will be missed by the community.

REPORTS

***PLANNING BOARD**

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

***ZONING BOARD OF APPEALS**

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

***CONSERVATION ADVISORY COMMITTEE**

Councilman Michael read from the report from July 12th 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. The pavilion is rented for the summer. The senior picnic was well received.

***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.

***SCENIC AND HISTORIC ROADS ADVISORY COMMITTEE**

Councilman Werner said no activity.

***LIBRARY REPORT**

Councilman Werner said the Library had no July meeting so no report.

***ALTESE (formerly CABLEVISION)**

Councilman Appolonia said a letter was received saying certain surcharges are being increased. And certain programming will no longer be available.

***ZONING REVISION**

Councilman Michael said the meeting spoke about several topics and right to farm issues and aquifers. Next meeting on Sept. 11.

TRANSMISSION LINES

Supervisor Oberly said no meeting tonight.

***OTHER REPORTS**

Councilman Werner reported that the State and County rejected our speed limit reduction request in Clinton Corners.

Councilman Appolonia on the Wappingers Creek Watershed (WIC): Attended a quarterly meeting where the group got an estuary award from DEC. Discussed the plan they are implementing, which is essentially a clean-up plan with each Town taking the lead on a different aspect. One can see the improvements in the watercourses due to the work over the last twenty years.

OLD BUSINESS

1. Update Tree Harvesting Local law – Michael

The Town Clerk researched and found a tree harvesting law from another Town that would relate well to our Town's needs. It was distributed by Councilman Werner for the Board to get consensus to see how to move forward. Nancy thinks it is a great find and wants to see us convert it to a Town product. Ray Oberly said it looks fairly good as a basis. Eliot will talk to the Town Attorney to make it reflect the intent of the Zoning Review Committee's goals and come back with a draft in September.

2. Approve putting on table Local Law for TB approval before commencing court action – Werner

Councilman Werner explained the need for the local law for Town Board approval before commencing a court action. Councilman Michael commented that the smaller the town the more personal issues are so five minds making a decision to commence litigation call for cooler minds to prevail. He feels that all Town Board members should discuss whether to expend the money before going to court. Ray Oberly added last month that he suggested the proposed law should be for Town Board approval for appeals only, and it appears that the word appeals has been taken out. He asks: Does this include all litigation including Article 7s? Written this way, Supervisor Oberly feels we are going to have more executive sessions to discuss these items as litigation comes our way. The other Board members feel that is what we will do if necessary. Dean said we had two or three legal actions in the last few years. Ray said we see four or five certioris every year. The Board said if that is the way it should be, so be it. Eliot wants to protect the tax payers. Dean said before we settle the legal action on the tax certioris, we approve it. Ray said the certioris are part of this, we are not separating them out so we should start to expect more and more executive sessions. Councilman Werner said Shane Egan, our attorney did not raise these questions.

MM Councilman Werner, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves proposed **Resolution No. 34 of 2017**, that the Town Board hereby approves putting on the table proposed **Local Law No. 2 of 2017 of the Town of Clinton, entitled "Prosecution of Town Code Violations – Litigation Authorization** and that a public hearing be held at the Town Hall on September 12, 2017, at 6:25 o'clock p.m., Prevailing Time. All aye except Supervisor Oberly who voted Nay. Motion carried. 4 – 1.

3. Approve Amending 284 Agreement to Spend Highway Funds – Cunningham

MM Councilwoman Cunningham, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 35 of 2017, the amended agreement to spend highway funds**. The agreement changes the work to be done from Meadowbrook Lane to Eighmyville Road due to the road closure at the Clinton Hollow Bridge. All aye. Motion carried.

4. Approve placing ad for Town of Clinton Highway Surplus Equipment – Cunningham

MM Councilwoman Cunningham, 2nd Councilman Appolonia to approve the following resolution: BE IT RESOLVED that the Town Board approves going to bid to sell surplus highway equipment and authorizes the Town Clerk to place the legal notice in the Poughkeepsie Journal; sealed bids must be received by Thursday, September 7, 2017 at 10 am and opened at 10:15 on that date. Bids will be awarded at the regular meeting on September 12, 2017 to the highest responsible bidder whose bid shall have been filed in conformity with this notice provided that the Town Board reserves the right to reject any or all bids and advertise anew, if, in the judgment of said Board it is in the best interest of the Town to do so. In discussion, Dean asked if we should perhaps go to the auction place and put the items on line. Nancy said the equipment is in poor shape and 20 years old. Ray asked what does the highest responsible bidder mean. Dean feels it is less expensive to go to the auction hall. Nancy said there are several items that will go for several thousand dollars. Theron put a minimum bid out for each item. Ray is concerned about the sickle bar, we bought it in a panic and now we are selling it, that seems to happen a lot. Nancy said that is not working and many items are not working. Dean said if we buy it and use it and sell it for the same price, that is not a bad deal. Nancy said some of these items can't be repaired for a cheap price. In the future, we can consider the auction house in the future. All aye. Motion carried.

5. Discussion of Government'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 shared services property tax savings plan. These Shared Services activities have been included for the Town of Clinton's participation; County road salt purchase, piggy back on County bid for shared purchase of macadam materials, piggy back on County bid for rental of highway equipment, having the County do motor vehicle repair, and do a County bid for sports field baseball clay. The County-Wide Shared Services Initiative plan has been submitted to the County Legislature for comments. Three Public Hearings will held on August 2 at 7 PM in Dover Town Hall, August 30 at 6 PM in Wappinger Town Hall, and August 31 at 10 AM in the Dutchess County Legislature Chambers. The aggressive schedule has the panel of local officials approving the Plan by September 15, 2017. A regional by Town newsletter will be sent out to the residents of the Towns during October. This is a mandate from the State with little hope of getting any funding to cover costs or savings.

NEW BUSINESS

1. Discussion on Town Hall Complex generator using FEMA Mitigation Grant – Oberly

FEMA has announced the 2017 Hazard Mitigation Assistance Grants programs. The development of Clinton's Hazard Mitigation Plan was done in 2015 and 2016. Final Plan approval occurred in July 2017. In the Plan, Clinton had listed a 150 KW stand-by generator for the Town Hall Complex and replacement of several flood prone culverts. The application start date is August 14 and applications must be in by late September or early October. According to a webinar on the process, it will take from 2 to 3 years from submission of

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application to completion and funding of project. This is the first time for doing this type of grant so there will be a great learning curve to complete the application and obtain all the required supporting data.

2. Approve Court Clerk Training

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the annual Court Clerk training for Colleen McGarry from September 24 to 27, 2017 for a cost not to exceed \$850. All aye. Motion carried.

3. Approve Town Justice Training

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the annual Town Justice training from October 15 to 18, 2017 for Barbara Seelbach and Russ Tompkins at a cost not to exceed the amount of \$805 each. All aye. Motion carried.

4. Approve Assessor Training

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the annual Assessor training for Teresa Stegner from October 1 to October 4, 2017 at a cost not to exceed \$500.00. This is about 20% of the overall cost, the remainder paid for by the other Town she works for. All aye. Motion carried.

OTHER

1. Resignations and Appointments

none

2. Approval of Warrants

MM Councilman Michael, 2nd Councilman Appolonia approve the following resolution BE IT RESOLVED that the Town Board approves the August General Fund Warrant, vouchers numbered 271 through 308 A-Q, totaling \$12,095.90 and the August Highway Fund Warrant, vouchers numbered 193 through 217A, totaling \$ 26,163.04 and the August Capital fund warrant, numbered 5, totaling \$1775.00. All aye. Motion carried.

4. Supervisor's Report

MM Supervisor Oberly, 2nd Councilman Michael to approve the July 2017 Supervisor Report. All aye. Motion carried.

PUBLIC DISCUSSION

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

Bill Relyea – trustee of Library. The preparation for 414 is going well with more than enough signatures to get on ballot. Programming is very popular and listed some of the programs. Working with both fire depts., 4 h, Historical society and the CAC to offer programs to the public.

Maryann Muggenberg - why can't we open negotiations with a wireless cell tower to host a cell tower which will pay us to have a tower. Eliot said there have been several applications for cell towers and they have been withdrawn. Dean said we are approving these cell towers, but they decide not to continue the work.

Joel Tyner - thanked the Town Clerk for including him in an email requesting to have better signage for the detour. Announced the repair café this Saturday. Pushing for a trails advisory committee at the county level. Pushing for a sales tax break for solar installation. Discussed the foreclosed property system. Discussed literature being available to the public on the table in the Town Hall about comments he has made as County Legislator. He objects that they are there and commented that the Town Board would not allow such literature if it referred to his opponent. Since the table of public information is the Town Clerk's responsibility, the Town Clerk took Joel to task and asked that he speak to her directly rather than to the audience when he has an issue. He has not commented to the Town Clerk about his concern prior to these public comments. The Town Clerk felt Joel was impugning her reputation with his comments, to which he did not agree.

Idan Simms – wrote an email to the town Board regarding road sign posts for Barn Sale signs that are installed on Bulls Head Road. He discussed the emails back and forth to the ZEO and the Board members. Mr. Simms reads from his letter to the Town Board authored by four people describing their complaint. Dean said that we have an executive session to discuss the matter as it includes the discussion of an employee. Mr. Simms also received an email from Dana Smith, County 911 Commissioner who is trying set up a meeting to address EMS with fire districts and the town. Ray said two fire commissioners set up a meeting with Mr. Smith after Labor Day. They have met together without Mr. Smith to help each other and provide better service. Idan asked if the town is involved. No answer to that direct question, but Dean said people should go to the fire district meetings and voice concerns.

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

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board go to executive session to discuss a personnel matter. All aye. Motion carried. **7:45 PM.**

MM Councilman Michael, 2nd Councilwoman Cunningham to return to the regular order of business. All aye. Motion carried. **8:15 PM.**

ADJOURNMENT

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MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting. All aye. Motion carried. The meeting was adjourned at 8:37 PM.

Respectfully Submitted,

Carol-Jean Mackin,
Town Clerk