

October 10, 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 six 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 September 12, 2017 Regular Town Board meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the October 2, 2017 Special Town Board meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the October 5, 2017 Highway Workshop meeting. All aye. Motion carried.

PUBLIC DISCUSSION

None.

SUPERVISOR'S COMMENTS

The Town of Clinton has expanded its televised Town Board meetings and workshops to be available also on the internet. These will not be live broadcasts but will be available within a few days of the actual live meeting. This request came from the Clinton snowbirds who leave the area or the residents who do not have Cablevision service and cannot see the meetings broadcast on Cablevision Channel 22. You will need a computer connected to the internet to use this free service. You sign onto the Town's web page www.TownofClinton.com, click on Government, then Town Board then choose the written Minutes or the internet videos linked on YouTube.

In the newspaper, the NYS Comptroller had a press release commenting on the financial stress on all the local governments in NYS. Clinton's financial stress dramatically improved from 9.6% in fiscal years 2014 and 2015 to 3.3% in 2016. This was due to the tight control the Town's budget and expenses. In all years, Clinton was way below the threshold of concern by the Comptroller's Office.

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.

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, on file in the Town Clerk's office.

***CONSERVATION ADVISORY COMMITTEE**

Councilman Michael said two new people attended the meeting and explained the duties of the CAC to them. Eliot advised on creeks and protections; suggestion made regarding handing out posters of rare species, discussed critical environmental area, we should collect more emails to do a mass mailing or a newsletter; nature trail subcommittee did a walk with 20 or so attending

***RECREATION COMMITTEE**

Councilwoman Cunningham said no meeting this month. Working on a cdbg grant for next year. The plan is to upgrade the play area to include handicapped accessible equipment. The idea has been accepted by the county.

***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 meeting. Sent draft of tree law to chair and asked for comments.

***LIBRARY REPORT**

Councilman Werner said the Library had its meeting last night. A few trustees will speak later in the meeting.

***ALTESE (formerly CABLEVISION)**

Councilman Appolonia said he left several messages with no reply concerning complaints. He will follow up.

***ZONING REVISION**

Councilman Michael said discussions continued. It was decided that we should update our maps to discuss protecting certain species.

TRANSMISSION LINES

Supervisor Oberly said no meeting tonight.

***OTHER REPORTS**

OLD BUSINESS

1. Update Tree Harvesting Local law

Mr. Werner said several members made comments and the Town Attorney has revised the draft incorporating suggestions from the Board. A draft was received from the attorney this afternoon incorporating changes from the last meeting. Wants to set a PH as we are at a point of diminishing returns. Ray said his comments were never addressed on the insurance issue. Eliot followed up with Arlene the PB clerk who said that the town does not require any specific amount. She has never seen one less than 1 million dollars. Dean said it should follow suit with other insurance requirements and it is at \$1 million.

MM Councilman Werner, 2nd Councilman Michael to approve the following resolution: **BE IT RESOLVED** that the Town Board approves **Resolution No. 45 of 2017 introducing proposed LL 3 named “Timber Protection and Harvesting Law”, and further, refers the proposed local law to the Dutchess County Department of Planning and Development for review and recommendations pursuant to 239-m of the General Municipal Law; and that a public hearing be held at the Town Hall on November 14, 2017 at 6:15 o’clock p.m. on said proposed local law.** All aye, except Supervisor Oberly who vote NAY. Motion carries.

2. Discussion on CDBG Funds - Cunningham

In the works with the county approving the idea. Nancy is working with the Town Engineer on the handicapped accessible playground. A Public hearing is scheduled for October 19 on the CDBG.

MM Councilwoman Cunningham, 2nd Councilman Michael to set a public hearing for October 19, 2017 at 6:45 PM in the Town Hall to discuss the proposed Community Development Block Grant project at the Francis J. Mark Memorial Park for the upcoming grant cycle. All aye. Motion carried.

3. Approve LL3 tax cap override

Since the 2018 Budget appears at this time to be under the allowed NYS Tax Cap, Supervisor Oberly does not think we need to proceed with the enactment of the Local Law to override the NYS Tax Cap for the Town of Clinton.

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: **BE IT RESOLVED** that the Town Board approves enacting the proposed Local Law Tax Cap Override for the 2018 Budget. **All NAY. Motion FAILS.**

4. Participation in Municipal Coalition against Central Hudson rate increase – Oberly

Central Hudson has requested a 19% rate increase to the PSC for their delivery service (wires, transformers, and related facilities) that will become effective July 1, 2018. This rate increase is occurring because increased use of solar and wind electricity generation and the increased use of more energy efficient items and activities (LED lights, appliances, and personal conservation). Attorney Daniel Duthie is forming a Municipal Consortium to fund his efforts in protesting this proposed Central Hudson rate increase

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for their service area that includes parts of Dutchess, Orange, Ulster, and Columbia Counties. He developed a fee schedule depending on the types of local governments and school districts. The Town's fee would be \$5,000 with \$1,000 payable in 2017 and \$4,000 payable in 2018. It is unlikely that the Town's individual residential rate payers would have the resources to fund this protest of the rate increase. I'd like to have a vote at the November meeting on whether the Town will participate in the Municipal Consortium after we get more information who else is participating in the coalition. Councilman Appolonia said we don't have a good track record on this, starting with the Taconic Parkway litigation. He encourages people to write letters directly. Ray said a coordinated effort is what the attorney will bring to the table. Dean discussed that we are paying more for delivery after the deregulation.

5. Discussion of family leave plan – Oberly

NYS has enacted a Family Leave Plan (FLP) which is more generous than the Federal plan. The Plan has a start date of January 1, 2018. The Plan is self-funded through payroll deductions from the employees' pay. Town governments are not required to participate in the Plan unless the Town Board votes to offer the Plan to its employees. To determine if there is any interest by the eligible Town employees, I suggest we do a survey of the eligible employees before November 3 so we can determine if the employees desire the FLP – eligible employees are all in or all out. Depending on the results, we can then vote on adopting the FLP at the November 14 Town Board meeting.

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves having the Town Supervisor's Office conduct a survey of eligible employees to determine if they desire to participate in the Family Leave Plan and have the survey results back by Friday, November 3 using a simple majority for approval. All Aye. Motion carried.

5. Discuss Path along Salt Point Turnpike from Stewarts to Ballfield-Appolonia

Mike Appolonia applied for a grant from the federal DOT grant, named Tiger grant. Grants start at \$1 million, the advice he received was that a Salt Point Turnpike walkway would not meet the criteria. A state tap grant would be more appropriate.

NEW BUSINESS

1. Discussion on Snow Plow Intermunicipal Agreement - Oberly

We received an updated IMA but it still is missing any statement or insurance coverage for the Town to get paid for any damages to our equipment or personnel due to County based causes. We will need to get agreement at the latest at the November 14 Town Board meeting to be in effect for the 2017-2018 snow season. No agreement means Centre/Clinton Hollow Roads (CR 18) will not be plowed by Clinton and we will need to wait until the County can do it later in the day.

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2. Approve Troop 228 BSA selling wreaths – Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves Boy Scout Troop 228 selling wreaths at the transfer station on Saturday November 26 and Saturday, December 2 from 7:30 AM until noon with the proper certificate of insurance in place. All aye. Motion carried.

OTHER

1. Resignations and Appointments

None.

2. Approval of Warrants

MM Councilman Michael, 2nd Councilwoman Cunningham approve the following resolution BE IT RESOLVED that the Town Board approves the October General Fund Warrant, vouchers numbered 348 through 378 A-H, totaling \$33,345.35 and the October Highway Fund Warrant, vouchers numbered 250 through 266A, totaling \$ 25,098.27. 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. 46 of 2017, titled a Resolution to move funds for the October 10, 2017 meeting.** All aye. Motion carried.

4. Supervisor's Report

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

PUBLIC DISCUSSION

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

Norene Coller – received information from Cooperative Extension on Agriculture. The horse business is the majour agrcultural business in our county.

Sam Moyer – expressed a gun violence concern; feels like the threat level is rising for gun violence. What is the position of the town board regarding gun violence in town hall and town properties? Can the town strengthen the code regarding gun violence for its citizens? Nancy said that the Town has put in place security in the town courts and we have armed constables.

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Barbara Burns and Theresa McGurk, Clinton Library – thanked Mary Malloy for yard sale fundraiser and thanked Lions Club for their efforts there. Discussed the workshops and events on their calendar. Barbara discussed the 414 petition it will be on the ballot on Nov. 7 to move to a sustainable funding stream.

MM Supervisor Oberly, 2nd Councilman Michael to close the meeting to public discussion and 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 7:30. PM.

Respectfully Submitted,

Carol-Jean Mackin,
Town Clerk