

April 9, 2019 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 Dean Michael, Michael Whitton, Nancy Cunningham and Eliot Werner. Also present was Town Clerk Carol-Jean Mackin. There were four 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 March 7, 2019 Zoning Revision Workshop. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the March 12, 2019 Regular Town Board meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the March 21, 2019 Zoning Revision Workshop. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the March 26, 2019 Zoning Revision Workshop. All aye. Motion carried.

PUBLIC DISCUSSION

None

SUPERVISOR'S COMMENTS

The Town of Clinton offices, Court, and Highway Department will be closed on Good Friday, April 19. The Town Recycling Center will be open on Saturday, April 20 as usual from 8 a.m. to noon.

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 Whitton read from the report on file in the Town Clerk's office.

***RECREATION COMMITTEE**

Councilwoman Cunningham read the report, which and on file in the Town Clerk's office.

***BUILDING INSPECTOR**

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

***ZONING ADMINISTRATOR**

Councilman Werner 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 Roadside Cleanup is April 20th 9 am – 3 pm.

***LIBRARY REPORT**

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

***CABLEVISION Altese**

Councilman Whitton said no report.

***ZONING REVISION**

Councilman Michael said the meetings are ongoing. He listed the sections to be reviewed which are on the website. Added a link to the Comprehensive Plan and maps.

***PROPOSED TRANSMISSION LINES**

Supervisor Oberly said NYS ISO (Independent System Operator) has approved Transco's project on April 8, 2019 to transport 2,100 megawatts of electricity. This is for the transmission line going from Albany to Pleasant Valley through Clinton. It now goes to the PSC which will begin the Article 7 review process and the local governments and others then can offer comments after reviewing the proposal. In the coming months, there will be contactors working on the powerline right-a-way to do test hole borings at projected sites of the monopoles which will hold a set of 135 KVA and 345 KVA transmission wires. My guess no construction will begin for another 2.5 years or longer. There will be public information sessions held later this year by Transco. There will be no No Power Line Workshop after this Town Board meeting tonight.

***CEMETERIES**

Councilman Werner said we had our first burial, which went well, and another is scheduled for May. Thanked several people who helped him get started. The transfer of funds has begun from former executives to the Town. The Schultzville Cemetery is meeting, and we expect they will abandon that cemetery and the Tow will take that over as well.

***OTHER**

***WIC**

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

OLD BUSINESS

1. Approve Highway Superintendent medical coverage in retirement – Oberly

Highway Superintendent Theron Tompkins requested to receive a single plus spouse medical coverage when he retires. The past policy for Highway Superintendents allowed only a single medical coverage. This proposed resolution provides for the requested medical coverage for retirement.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 18 of 2019 a resolution adopting a New Policy for the Medical Benefits for Retired Town of Clinton Highway Superintendents, Schedule A.** All aye. Motion carried.

2. Discussion on moratorium for conference centers – Werner

MM Councilman Werner, 2nd Councilman Whitton that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 19 of 2019 introducing proposed local law 2 titled: “Conference Center and Dude Ranch Moratorium” and sets a public hearing on the proposed law at the Town Hall on May 14, 2019, at 6:00 p.m.** Dean Michael said we should use moratoriums sparingly, feels this is an overkill. The three places this law would apply to are exempted in his opinion as they are already in operation. We want limitations and zoning for these kinds of events, including access to a major roadway for the venue to operate. Nancy asked if six months is overkill, could it be less? Eliot said he sees six months as necessary looking at neighboring laws and devising a single document for our Town, distribute it, make revisions, review, get Attorney input, put on table, public hearing; less than that would not be enough time. Ray Oberly reviewed the law and asked questions of specific items, including who will handle the variance and the escrow if they are requested. The main interest from Townspeople has been holding weddings and large events. He does not see that information in the document. Eliot explained this moratorium is relative to events at conference centers and dude ranches. The conference centers section regulations are very thin, and we need to tighten them, these requests are new in recent years, so we need to address them. Weddings as a commercial venture right now are not allowed in the zoning law, so if someone asks for a permit to hold a wedding, the ZA denies it. All aye, except Supervisor Oberly and Councilman Michael who voted Nay. Motion carried.

3. Approve Airflow to repair Buderus Heating – Oberly

The Buderus heating unit is a propane heater to increase the temperature of the geothermal well water so heating can be done. There was one day this past winter where the Town Complex had very limited heating capability. This repair will resolve that problem.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve the repair of the Buderus Heating unit by Airflow at a cost not to exceed: \$3982.00 and authorizes the Supervisor to sign the contract. All aye. Motion carried.

4. Approve introducing new Solar Law - Whitton

MM Councilman Whitton, 2nd Councilman Werner that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board **approve Resolution No. 20 of 2019 introducing proposed Local Law 3 titled: “Solar and Wind Energy Systems Law” and sets a public hearing on the proposed law at the Town Hall on May 14, 2019, at 6:15 p.m. Board members made several comments, including:** Dean Michael said when considering upgrading the solar law, the intent was to update the law for community grants but this is a very large law adding in wind, which is not practical, and putting in solar farms; he does not believe in them. Councilman Whitton said that a comprehensive law is thorough. Half the law is the existing document with wind already in the law, this version adds another layer for solar farms. Councilman Whitton supports wind and solar farms because the land stays open instead of a subdivision being created when the land is no longer being farmed. Mr. Whitton addressed the criticism of solar farms creating hot spots; he said the literature supports that hot spots are not an issue. Dean said a criticism of wind farms is they kill wildlife. Nancy has an objection to a tier 3 solar farm installation as they change the look of the landscape. She is also concerned about the impact to wildlife from wind farms and comments that these solar and wind farms benefit only the landowner. Mr. Whitton said the Planning Board will implement the solar farm installations and the visual impacts. Ray Oberly said to connect a solar farm to Central Hudson is a \$100,000 to \$250,000 cost. All aye except Councilperson Cunningham and Councilman Michel who voted Nay. Motion carried.

NEW BUSINESS

1. Approve Agreement with NYSDOT for mutual aid for emergency shared services – Oberly

This agreement is to allow shared services with NYS DOT and the Town of Clinton during emergency and disaster situations.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board approve the Shared Services Agreement with NYSDOT for mutual aid for emergency shared services and authorizes the Supervisor to sign the contract. All aye. Motion carried.

2. Approve purchase of new truck for highway department – Cunningham

Will follow up with the Attorney to follow the procedure of a Permissive Referendum, for May

New truck information:

2019 Ford F-350 SD
Regular Cab 4x4
Aluminum Dump

Romeo Ford of Kingston, LLC
128 Route 28 Kingston, NY 12401
Government Bid Management System

Total Purchase Price: \$42,964.19

3. Approve mileage reimbursement to \$.58/mi effective 4-1-19 – Oberly

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve increasing the mileage reimbursement to \$.58/mi, the IRS standard mileage rate, effective 4-1-19. All aye. Motion carried.

4. Discussion on highway dental and vision benefits for non-union Highway employee – Oberly

Highway dental and vision benefits for an unpaid leave of absence for a highway employee are being discussed. These benefits are not discussed in the current CSEA Union contract. Medical coverage is discussed stating that an unpaid leave of absence of greater than 30 days, their medical benefits shall cease, and they then can go on COBRA. My recommendation is to also cease dental and vision benefits after 30 days.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves to stop offering dental and vision coverage for a Highway employee on approved unpaid leave of absence after 30 days. All aye. Motion carried.

5. Discuss potential opening on Planning Board and call for nominations to fill vacancies– Oberly

With the appointment of the Zoning Administrator, an opening occurs on the Town Planning Board. All interested candidates are requested to send a letter of interest and a resume to Town Supervisor Ray Oberly by mail at 1215 Centre Road, Rhinebeck, NY 12572 or by e-mail to TownSupervisor@TownofClinton.com by April 22. Interviews will be held on the evening of Thursday, April 25 in the Schoolhouse Building.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that an Executive Session be held on April 25, 2019 at 6:30 PM in the Supervisor's Conference Room in the Schoolhouse for the purpose of conducting interviews for PB, followed by discussion on Highway CSEA Contract. All aye. Motion carried.

6. Approve tax cert for Sasse/Goodmanson – Michael

MM Supervisor Oberly, 2nd Councilman Cuningham that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 21 of 2019 authorizing the attorneys for the Town of Clinton, Cappillino, Rothschild & Egan, LLP, to enter into a Stipulation with the attorneys for petitioners, Stenger, Roberts, Davis & Diamond, LLP, by Karen E. Hagstrom, Esq., the terms of which are set forth in the attached Stipulation and authorizes the attorneys for the Town of Clinton to sign said Stipulation on behalf of the Town.** All aye. Motion carried.

7. MIG Grant – Oberly

The 2019 MIG (Municipal Innovation Grant) program is starting and three Towns plan to reapply for the same grant that was not approved last year. I do not have the final details for the grant but need the approval of the Town Board as an attachment. I just need to write a simple letter as was done last year. The grant would be for a vibrating roller and a trailer to transport it to site locations and between towns. Clinton would be the owner since we have the most dirt roads to maintain. The Towns involved are Northeast, Milan, and Clinton. The grant would pay all purchase costs, around \$165,000.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves participating with the Towns of Milan, Northeast, and Clinton on the 2019 Municipal Innovation Grant (MIG) program to purchase a vibrating roller and trailer to carry it to job sites and between Towns and authorize the Town Supervisor to write the support letter. The grant will pay for all purchase costs. All aye. Motion carried.

MM Councilwoman Cunningham, 2nd Councilman Michael to appoint Shane Empert as Rec Park maintenance person three days a week, 8 hours a day for 27 weeks at \$12/hour starting April 14, 2019. All aye. Motion carried.

OTHER ITEMS

1. Resignations and appointments

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board accepts the resignation of Robert Marrisodi from the Planning Board effective April 3, 2019. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Werner to appoint Robert Marrisodi as ZA beginning April 4, 2019 at an annual salary of \$18,102.00. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Whitton that the Town Board appoints Merida Welles to the CAC for a term of April 10, 2019 to December 31, 2020. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Werner that the Town Board appoints Ray Oberly as the Veterans' liaison. All aye. Motion carried.

2. Approval of Warrants

MM Councilman Michael, 2nd Councilman Whitton to approve the following resolution BE IT RESOLVED that the Town Board approves the April General Fund Warrant, vouchers Numbered 123 through 161, totaling \$584,973.94 and the April Highway Fund Warrant, vouchers numbered 65 through 92, totaling \$90,826.47. All aye. Motion carried.

3. Motion to Move funds

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MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board approves Resolution **No. 22 of 2019 a motion to move funds at the April 9, 2019 Town Board meeting**. All aye. Motion carried.

4. Supervisor's Report

The March 2019 Supervisor's Report will be approved when the 2018 books are reconciled.

PUBLIC DISCUSSION

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

Merida Welles – airflow repair, why don't we go back to the company if it never worked? Ray said it would cost to have their tech come similar to the cost to fix it.

Judy Canham – wants a dog park in the Town. Has this come up before? Dean said law doesn't allow dogs in park. We own land south of Fran Mark park and the thought was to make that a dog park. The concern is liability of dog bites, so we can look at it. Dean explained the procedure to start the process. Nancy said we have seen interest in it, but we have no finances this year.

Barbara Burns – May is mental health awareness month. Half of people in USA will experience mental health issues in their lifetime. The Library has invited psychologist Dr. Crenshaw to speak on the stigma of mental health, May 16. She spoke about the programs at the Library to address the issue.

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 7:47 PM.

Respectfully Submitted,



Carol-Jean Mackin,
Town Clerk