

May 14, 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 16 people in the audience.

Supervisor Oberly called the meeting to order at 7:47 PM and led the Pledge of Allegiance.

APPROVE MINUTES

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the April 4, 2019 Zoning Revision Workshop All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael o approve the minutes of the April 9, 2019 Town Board meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of April 18, 2019 Zoning Revision Workshop. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the April 25, 2019 executive session. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the May 2, 2019 executive session. All aye. Motion carried.

PUBLIC DISCUSSION

None.

SUPERVISOR'S COMMENTS

The Town of Clinton offices, Court, and Highway Department will be closed on Memorial Day, Monday, May 27. The Town Recycling Center will be open on Saturday, May 25 as usual from 7:30 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 said they did not meet.

***BUILDING INSPECTOR**

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 Town wide Clean-up day was a success.

***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; we are about half way through the process.

***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 that is east of Centre Road. 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. There will be public information sessions held later this year by Transco and for Clinton on Thursday, June 27 at 7 p.m. in the Town Hall. There will be a No Power Line Workshop following this Town Board meeting tonight to provide more details.

***CEMETERIES**

Councilman Werner said there are decisions to be made on Schultzville Cemetery. Do we want an easement over the Church property to the cemetery which is landlocked; the access is through the church property. Easement cost is about \$500. Dean Michael supports the easement. Consensus of the Board is to do the easement and to do the title search at a cost of \$1000. Supervisor Oberly was concerned about the insurance company's comments on the need for an easement. We will address the insurance contract requirement with our vendors next month.

***OTHER**

***WIC**

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

Highway Contract

Dean Michael said negotiations are moving along, the contract is up December 31, 2019.

OLD BUSINESS

**1. Approve proposed LL 2 a moratorium for dude ranches and conference centers –
Werner FAILS**

MM Councilman Werner, 2nd Councilman Whitton that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 23 of 2019 hereby adopting proposed Local Law No. 2 of 2019, entitled Conference Centers and Dude Ranches Moratorium.** In discussion, Councilwoman Cunningham said it's a tough decision, but that she does not support the moratorium. She wants to put effort into resolving the issue. Councilman Whitton said the draft of the new law is further along. From comments tonight, he sees it as a fairness issue, but wedding events are not allowed in our Zoning Law anyway. He supports the moratorium to create fairness, pointing out that the Planning Board and the Zoning Administrator asked for it. Dean Michael said that weddings are not allowed in the zoning law, and feels that our time will be better spent on creating a new law. Supervisor Oberly agrees; if this was such an important item, we have been talking about the moratorium for 3 months, we should have just created the law and it would have been done. Let's let the zoning revision committee work on a revised law. Supervisor Oberly suggested that the input of NYS ag and markets should be considered.

Roll Call Vote: OBERLY: NAY

CUNNINGHAM: NAY

MICHEL: NAY

WERNER: AYE

WHITTON: AYE

MOTION FAILS/MORATORIUM FAILS.

2. Approve proposed LL 3, new Solar Law – Whitton

Councilman Whitton said that the public hearing is being held open until June for input from the Planning Board and the Zoning Administrator, who did not receive the law in time to make comments tonight. He will meet with each to discuss the law.

3. Approve Purchase of highway truck – Cunningham

MM Councilwoman Cunningham, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 24 of 2019 authorizing the Town Supervisor to expend thirty-three thousand nine hundred sixty-four and 00/100 dollars (\$33,964.00) from town reserve account no. ER 7779.1,**

subject to permissive referendum, for the purpose of purchasing and acquiring a 2019 ford F-350 truck with dump body. All aye. Motion carried.

4. Approve new Fee Schedule with updated cemetery fees – Werner

MM Councilman Werner, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 25 of 2019 new Fee Schedule with updated cemetery fees.** All aye. Motion carried.

5. Approve HVAC maintenance contract – Oberly

MM Councilwoman Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **the three-year** maintenance contract with Dutchess Tekcon Industries, Inc for a bid of \$8190 for preventative maintenance HVAC services, with corresponding hourly rates for general repair and emergency service. All aye. Motion carried.

6. Approve elevator contract - Oberly

MM Councilwoman Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the **three-year** contract with Eagle Elevator for a bid of \$9989.12 for preventative elevator maintenance services, with corresponding hourly rates for general repair and emergency service. All aye. Motion carried.

NEW BUSINESS

1. Approve Agreement to Spend Highway Funds (284 Agreement) -Cunningham

MM Councilwoman Cunningham, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 26 of 2019 the Agreement to Spend Highway Funds.** All aye. Motion carried.

2. Approve Speed Control Radar Sign – Cunningham

MM Councilwoman Cunningham, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve the purchase of a speed control radar sign from Glenco Supply Inc. for a cost not to exceed \$7600.00 with money drawn from general fund surplus. All aye. Motion carried.

3. Approve RFP for painting exterior buildings – Whitton

Councilman Whitton said we have budgeted money to paint the Masonic Hall, but the engineer did not complete the RFP for tonight. He said the amount to paint the Masonic Hall would exceed the budget. Councilman Whitton asked the Board members to consider painting the Schoolhouse instead. It is smaller and the budgeted \$15,000 will cover the cost. Also, he pointed out if a sole proprietor is painting himself, we do not need to pay prevailing wages. The Board

members agreed to paint the Schoolhouse first. Councilman Whitton will follow up for an estimate.

4. Approve Fascia repair on Library building – Oberly

Bruce Hanka is being hired as an independent contractor to complete the fascia and soffit repair around the Library. The Town will provide all the needed materials.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves hiring Bruce Hanka as an independent contractor effective May 15, 2019 at \$25.00 per hour to do the repair of the fascia and soffit on the Library. The Town will supply the needed materials. All aye. Motion carried.

5. Approval of Conditional Fireworks permit for Haggerty – Oberly

The Town Clerk is responsible for issuing the permit according to NYS procedure, that includes the approval of the Town Board to start the permitting process.

MM Councilwoman Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board conditionally approve the fireworks display of Steven Haggerty 92 Sunset Trail, Clinton Corners on July 6, 2019 upon meeting all of the conditions of approval including: \$25 fee; Map of property showing display location and buildings, and Insurance Certificate naming the Town as an additional insured. All aye. Motion carried.

6. Approval of one Lenovo desk top computer – Oberly

The Town is upgrading their Microsoft 7 to Microsoft 10 operating systems for all system support and the operation of the new software. The plan is to try one inexpensive Lenovo to see if meets the Town's needs before buying several new computers. The plan is to replace all the Town's existing computers this year and in 2020.

MM Supervisor Oberly, 2nd Councilman Whitton that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the purchase of one Lenovo ThinkCenter M910s desktop computer, Acer V226HQL 22" LED LCD monitor, and Microsoft Office 2019 Home & Student software for a total cost of \$1,105.29 from CCB Technology, Racine, WI. All aye, except Councilman Michael who voted NAY. Motion carried.

7. Approval of the MIG shared services grant for grader – Oberly

The 2019 MIG (Municipal Innovation Grant) program is starting and three Towns plan to apply for an additional grant. Milan sent in the grant proposal for a grader but we need the approval of the Clinton Town Board as an attachment. Supervisor Oberly needs to write a simple letter stating the Town Board approves participating in this MIG Shared Services grant. The grant is for a grader to replace the 25 years old one the Town currently has. Milan would be the owner. The Towns involved are Northeast, Milan, and Clinton. The grant would pay all the purchase costs of \$318,402.18.

May 14, 2019 Town Board Meeting

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 grader and authorize the Town Supervisor to write the support letter. The grant will pay for all purchase costs of \$318,402.18. All aye. Motion carried.

8. Appoint seasonal employees - Oberly

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 27 of 2019 appointing seasonal employees**. All aye. Motion carried.

9. Approve purchase of items for Rec Parks - Cunningham

MM Councilwoman Cunningham, 2nd Councilman Werner that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve the purchase of six benches, 3 small grills, 1 large grill and 1 lifeguard chair from Miracle Equipment at a cost not to exceed \$2600.00 with money drawn from the Recreation Subdivision fund. All aye. Motion carried.

OTHER ITEMS

1. Resignations and appointments

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board appoints Sara Love to the Planning Board filling Robert Marripodi's vacated seat, for a term of office of effective May 15, 2019 to December 31, 2024. All aye. Motion carried.

2. Approval of Warrants

MM Councilman Michael, 2nd Councilwoman Cunningham to approve the following resolution BE IT RESOLVED that the Town Board approves the May General Fund Warrant, vouchers Numbered 162 through 225, totaling \$584,973.94 and the May Highway Fund Warrant, vouchers numbered 93 through 126, totaling \$34,638.68. All aye. Motion carried.

3. Motion to Move funds

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 28 of 2019 a motion to move funds at the May 14, 2019 Town Board meeting**. All aye. Motion carried.

4. Supervisor's Report

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves The December, 2018 and the January 2019 through April, 2019 Supervisor's Reports. All aye. Motion carried.

PUBLIC DISCUSSION

May 14, 2019 Town Board Meeting

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

Johanna Whitton – trustee of Library. Thanked the Board for approving the work on outside of Library and for voting to approve the lighting upgrade. We have new carpets and people are enjoying it. May is mental health month. Mrs. Whitton reviewed the calendar of events. Read a note of thanks from patron for chair yoga.

Russ Tompkins – on cemetery charges. Feels our fees are very high and that is cruel to take advantage of someone's ill time. Dean said the fee is for perpetual care also.

Brennan Kearney – discussed the Legislature's initiatives and her involvement. The "Are You OK" program is still available after being down for a time due to a software 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 9:00 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carol-Jean Mackin".

Carol-Jean Mackin,
Town Clerk