

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 12 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 November 12, 2019 continued PH - Events law. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the November 12, 2019 regular TB meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the December 2, 2019 Highway Bid Opening. All aye. Motion carried.

PUBLIC DISCUSSION

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

Scott Hues- we need to move forward with the Events law, the neighbor is moving ahead with events and we need a law to stop the neighbor's events that are obtrusive to neighbors.

Brennan Kearney – Legislator – DC budget approved for 2020. Asked for a fully staffed hazardous waste disposal site amendment, a study for this was funded for this purpose. County funded a program that allows school bus violation monitoring systems, which is voluntary. Veterans Christmas party 12- 17 at the Brown Derby.

Carol Hues – reviewed the draft events law aloud; specifically discussed the neighbor who holds events on their property wanted to know if the Board checks the individual's tax returns for their income which would allow them to be called a farm. Dean Michael said that those numbers are checked by the assessors. She wants to know how the Adriance farm has a bar now. Disappointed at the lack of progress with this law. Dean said the zoning officer has the opportunity to enforce the current laws and we don't have a zoning officer right now. Nancy is working on finding a new zeo and zeo assistant. Ms. Hues wants the Town board to check for a permit on the property next door to her for a new building that is being put up.

Mike Parella –regarding events law, comments on the number of people allowed on a five-acre parcel during an event is listed at 500. Dean Michael recommends 200 people allowed on a five-acre parcel and agrees the 500 number is excessive.

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

SUPERVISOR'S COMMENTS

Thanks are given to Eliot Werner for his years of service on the Town Board and other Boards and to Theron Tompkins for his years of service as Highway Superintendent and as a member of the Highway crew.

The Reorganization Town Board meeting will be held on Friday, January 3 stating at 6 p.m. with the swearing in of the elected officials. It will be followed at 6:30 p.m. with the Reorganization meeting where many administrative actions are approved. Following the meeting will be a social time with some light refreshments being served.

The Clinton Town Offices, Highway Department, Justice Court Office, and Court will be closed for the Christmas Holiday on Wednesday December 25 and New Year's Day on Wednesday, January 1, 2020. The Clinton Community Library will be closed on the same days. The Recycling Center will be open as usual from 7:30 a.m. to noon on Saturdays December 28 and January 4. Thanks are given to the Clinton Friendship Garden Club for their placing Christmas swags on the doors of the buildings in the Town Complex.

The Clinton Christmas Tree lighting ceremony will be held on Saturday, December 21 at 4 p.m. in front of the Library. East Clinton Fire department Santa will also be there so bring your children and cameras. Santa will give some small gifts to the children. A few carols may be sung and light refreshments will be served. This is a joint activity of the Town Recreation Committee, Clinton Community Library, and the East Clinton Fire Department.

The Town has a Local Law requiring no parking on public roads from November 15 to April 15 to allow the Highway crew to safely snow plow and do ice control. You may be fined or have your vehicle towed so please comply.

The Warren Lodge Masons with the help of the Friends of the Kitchen are spearheading the remodeling the Town Hall kitchen. They held a successful fund-raising dinner on November 16. in the Clinton Alliance Church's Youth Center. The cost estimate for the initial work is \$2,600 with the Masons also paying for the four-burner range. A design team will be working on the details of the remodeling. It is hoped to be done by April 2020.

REPORTS

***PLANNING BOARD**

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

***ZONING BOARD OF APPEALS**

Councilman Werner said there is no meeting due to the Thanksgiving holiday.

***CONSERVATION ADVISORY COMMITTEE**

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

***RECREATION COMMITTEE**

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

***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 no activity.

***LIBRARY REPORT**

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

***ALTICE – Formerly Cablevision**

Councilman Whitton said no report.

***ZONING REVISION**

Councilman Michael said the next meeting is January 16 tentative: sections 250-66. We are going in chronological order but we have been taking action on other sections, including outdoor storage.

***PROPOSED TRANSMISSION LINES**

Supervisor Oberly said Transco submitted their plans on October 18, 2019 and filed their Article VII application with the NYS PSC. Nothing has changed since last month's report. The Town in cooperation with the Hudson Valley Smart Energy Coalition (HVSEC) will work to ensure the transmission upgrade does not seriously impact our Town. There will be no No Power Line Workshop directly following this Town Board meeting tonight.

***CEMETERIES**

Councilman Werner said there were two burials this month.

***OTHER**

***WIC**

Councilman Whitton said there was a WIC meeting; he had a conflict and did not attend,

Nancy Cunningham said the Rec Dept. is planning to do a bon fire in January, date TBD.

OLD BUSINESS

1. Discuss local law to regulate event venues “EVENTS LAW”– Michael

Councilman Michael said the Town Attorney worked with DC Planning to develop a new draft law to meet their criteria. He separated dude ranch and conference centers from agricultural events. This should pass DC planning criteria. Councilman Michael would like to reduce the number of attendees to 200, not 500. Councilman Whitton agrees that 500 is too many but the PB has discretion to set the number of attendees as stated in the first sentence. There is continued discussion over the work on the dude ranch/conference center law, but Councilman Michael said that work will not change this document. He wants to move forward on a public hearing and move this along. People can send comments to Dean and he will incorporate them into the document.

MM Councilman Michael, 2nd Councilman Whitton to call a public hearing the events law on Jan 14, 2020 at 6:00 pm in the Clinton Town Hall. All aye. Motion carried.

2. Discussion on local law for short term rentals “STR” – Whitton

Councilman Whitton said he worked with the Town Attorney and would like to formally introduce the proposed STR law next month for consideration by the Board.

3. Approve highway bids – Cunningham

MM Councilwoman Cunningham, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves awarding the 2020 highway bids to those vendors highlighted on Attachment A: 2020 Highway Bid Result. In discussion, Supervisor Oberly asked if these materials can be purchased cheaper on the county bid. Dean asked Todd Martin, highway superintendent elect to come forward. Nancy said Theron did take into consideration the County pricing in the past. Todd discussed the winners of the bids. All aye. Motion carried.

NEW BUSINESS

1. Approve Reorg / Annual meeting dates- Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves setting the date for the Reorganization meeting for January 3, 2020 at 6:30 PM in the Clinton Town Hall. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves setting the date for the Annual Meeting for December 30, 2019 at 7 PM in the Clinton Town Hall. All aye. Motion carried.

2. Approve CPL as Town Engineer for Planning and for Municipal Services - Oberly

Our Town Engineering organization Morris Associates has been brought into the CPL organization this year and they are requesting a rate increase for their services in 2020. The hourly rates have not increased since 2008 for Town Board services and since 2013 for Planning Board services.

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board appoints CPL Engineers as Town Engineer for the Planning Board at the rates provided on the attached 2020 Basis of Fees for Clinton Planning Board. In discussion, Councilman Whitton said last year we went out for an RFP and CPL agreed to a three-year contract and this is 5% increase. These new rates are more competitive with others in the community. It's a violation of what they agree to last year. Ray Oberly said we can hold this and speak to them. **No vote as Supervisor Oberly will speak to CPL about the three-year agreement for fees.**

3. Approve Tax Certiorari for Travis– Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 49 of 2019 hereby authorizing the attorneys for the Town of Clinton, Cappillino, Rothschild & Egan LLP, to enter into a Stipulation with the attorney for petitioner, Griffin, Coogan, Sulzer & Horgan, P.C., Matthew S. Clifford, Esq., the terms of which are set forth in the attached Stipulation and hereby authorizes the attorneys for the Town of Clinton to sign said Stipulation on behalf of the Town.** In discussion Dean Michael said this property was purchased for a low price and we agreed to an assessment that is still higher than their purchase price, it is a good deal for the Town. All aye. Motion carried.

4. Approve Annual Training for Juliano and Oberly - Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve Chris Juliano attending annual training in Albany January 15-17, 2020 at a cost not to exceed \$900.00. Ray said new Board members get a three-day crash course in government. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve Ray Oberly attending annual NYC training February 16 – 19, 2020 at a cost not to exceed \$1250.00 and appoint Oberly as Town's voting representative at the annual meeting. all aye. Motion carried.

5. Approve new credit card – Oberly

Currently, the Town only has a Chase Credit Card. In order to keep all our financial processing in one bank, I propose establishing a M&T Credit Card and when appropriate, close the Chase Credit Card.

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves obtaining an M&T credit card and closing the Chase credit card at the appropriate time. All aye. Motion carried.

OTHER ITEMS

1. Resignations and appointments

MM Councilwoman Cunningham, 2nd Councilman Michael to accept the resignation of Todd Martin as HMEO effective 12-31-2019. All aye. Motion carried.

MM Councilwoman Cunningham, 2nd Councilman Michael to accept the resignation of Chris Juliano as a member of the ZBA effective 12-31-2019. All aye. Motion carried.

MM Councilwoman Cunningham, 2nd Councilman Michael to accept the resignation of Chris Juliano as a member of the BAR effective 12-31-2019. All aye. Motion carried.

MM Councilwoman Cunningham, 2nd Councilman Michael to accept the resignation of Don Empert as a maintenance worker effective 12-4-2019. All aye. Motion carried.

MM Councilwoman Cunningham, 2nd Councilman Michael to accept the resignation of April Tompkins as Highway Clerk effective 12-31-2019. All aye. Motion carried.

MM Councilwoman Cunningham, 2nd Councilman Michael to appoint Theron Tompkins Jr. to the position of full time HMEO effective January 1, 2020 at \$21.96 per hour. Ray said shouldn't he be an MEO to show he can work all the equipment. Nancy Cunningham said he has the qualifications and will be on 6-month probation. All aye. Motion carried.

MM Councilwoman Cunningham, 2nd Councilman Michael to appoint Melissa Karchmar to the position of Clerk temporary– Highway Dept effective December 1, 2019 and ending December 31, 2019 at \$18.00 hour for up to 10 hours per week. 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 December 10 General Fund Warrant, vouchers Numbered 507 through 547, totaling \$19,245.80 and the December 10 Highway Fund Warrant, vouchers numbered 269 through 290, totaling \$ 67,841.40. 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. 50 of 2019, a motion to move funds at the December 10, 2019 meeting.** All aye. Motion carried.

4. Supervisor's Report

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the November, 2019 Supervisor's Report. All aye. Motion carried.

Dean asked if we shut off garbage pickup at the Rec Parks; Nancy said yes. Councilman Whitton thanked Councilman Werner, said Eliot gave him a lot of guidance and advice and thanked him for his service to the town.

PUBLIC DISCUSSION

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

Chris Juliano – attended WIC meeting and they reviewed studies; there was funding for pilot programs to help protect Wappinger's creek.

Patricia Smith - needs help with a neighbor who is videotaping her house when she is using her woodstove. The town says to call the police, they say there is nothing that can be done. Has a wood stove since 1973, never had a problem with it. Her neighbor is harassing her over the smoke going in the neighbor's yard. Her neighbor wants her to use a pellet stove, which is not what she wants to do. She should not have to justify the use of a stove. Feels this neighbor is harassing other neighbors as well as the town and she notes that this particular neighbor recently got a handgun. Frightened of this neighbor. Asks who will protect her from this neighbor.

Russ Tompkins – said Schultzville Cemetery closes for the winter, perhaps we want to consider that for other cemeteries. Eliot said graves can be dug virtually all year round; he noticed a headstone with no foundation at the last burial. Russ feels we need a committee to handle these cemeteries with Eliot leaving. Does town have a fund for vehicle replacement? Commented that recently a 1995 truck lost the rear end. Nancy said we did replace a truck last year, but we don't have funds to replace the truck this year. Russ reviewed the events law.

Denise Stillman – concerned that a neighbor has a pistol and the comment of Ms. Smith being frightened of this neighbor should not be dismissed. Ray asked her not to discuss the neighbor's gun. There has to be something the Board can do for her friend.

Denise Trusz – the events law, asked why there are so many cross outs, dean said this draft eliminates the old conference center law. The items that are red are the original draft, so they can be eliminated because they will not be included in the draft for the PH in January. An important part of the document is to include the road type the event center is on or we will be overrun with people using our local roads. That has been taken out of this draft. Whitton said this process is taking time to pass a law that will not be overturned if challenged.

Christina Agne, lawyer representing Steven Simcock will submit written comments on the Events Law. Notices that the distance to the boundary is still being measured from residence and not the property line. Asks the Board to reconsider this.

Ernestine Martin – Schultz Hill road is wonderful, there was a post office there and there is a cave there, it's a good road. Told the story of a lost boy on the original property they owned on Schultz Hill Road. Her son spotted the boy from above in the helicopter and

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that was her son Todd, our new highway superintendent. The majority of people who live on Schultz Hill road are not against the venue.

Carol hues, the event venue is a bad apple on their road.

Denise Trusz - bad things happen on every road, says the traffic is an issue on Schultz Hill road, she does not have anything against any one person there. She does not think neighbors should be fighting neighbors.

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 8:01 PM.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Carol-Jean Mackin". The signature is fluid and cursive, with the first name "Carol" and last name "Mackin" clearly distinguishable.

Carol-Jean Mackin,
Town Clerk