

April 14, 2020 Town Board Meeting  
April 14, 2020

Schultzville, NY

The Clinton Town Board held the Regular Town Board meeting on this day via teleconference using Zoom with a You Tube livestream to the public due to the Novel Coronavirus (COVID-19), Emergency State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued on March 12, 2020 suspending the Open Meetings Law.

Via Zoom, Present were Supervisor Ray Oberly and Council people Dean Michael, Michael Whitton, and Chris Juliano. Also present was Town Clerk Carol-Jean Mackin and Town IT Consultant Fred Shequine managing the technical aspects of Zoom. Nancy Cunningham logged on at 6:51 pm. There is no audience participation. Members of the public may view the Board meeting as it is livestreamed on You Tube: <http://www.townofclinton.com/government/town-board/town-board-meeting-videos/>

Supervisor Oberly called the meeting to order at 6:33 PM. **NO PLEDGE/ NO FLAG PRESENT**

### **APPROVE MINUTES**

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the **March 10, 2020 Public Hearing Ag Events Law.**

#### **ROLL CALL VOTE:**

Oberly	AYE
Juliano	AYE
Whitton	AYE
Michael	AYE
Cunningham	ABSENT

**Motion carried.**

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the **March 10, 2020 Public Hearing STR Law.**

#### **ROLL CALL VOTE:**

Oberly	AYE
Juliano	AYE
Whitton	AYE
Michael	AYE
Cunningham	ABSENT

**Motion carried.**

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the **March 10, 2020 regular Town Board meeting.**

#### **ROLL CALL VOTE:**

Oberly	AYE
Juliano	AYE
Whitton	AYE
Michael	AYE
Cunningham	ABSENT

**Motion carried.**

MM Supervisor Oberly, 2nd Councilman Juliano to approve the minutes of the **March 27, 2020 special executive session meeting.**

**ROLL CALL VOTE:**

Oberly	AYE
Juliano	AYE
Whitton	AYE
Michael	AYE
Cunningham	ABSENT

**Motion carried.**

**SUPERVISOR'S COMMENTS**

1. The Town is closed

This is a reminder that the Town Complex is still closed for walk-ins. The staff will be working from home if possible and/or occasionally in the office. To contact the staff, send an e-mail, phone call, or mail them a letter. The Highway crew is working half staffed on alternate weeks to do road maintenance and remove trees blocking the roads due to the recent windstorm. Court is also closed but if you got a V&T ticket, you can mail your fine monies to the Court for processing. Grievance Day is still on schedule for May 20 with the tentative Assessment Roll being available on May 1. There are no details on how this Day will be conducted. Only Gov. Cuomo can change the Grievance Day date.

2. Census 2020

This is a 2020 Census reminder that you should have received a mailing from the Census organization with your personal ID number that is to be used to complete your census information by on-line computer, telephone, or paper form. To date, slightly less than 50% of the people in Dutchess County have completed the Census registration. Due to the COVID-19 virus, the Census Schedule has been delayed. On April 8, 2020, the Census started mailing out questionnaires to those residents who have not replied yet. On June 1, 2020, they hope to have Census taking personnel start to track down the people who have not completed their Census registration. Please make every effort to register for the Census since much of NYS and Dutchess County funds are distributed by the Federal government on the basis of population collected during the Census.

3. Trash/Recycling collection

The trash/recycling collection will be discussed as an agenda item.

4. Sign on to MailChimp

The Town encourages its residents to sign up for the free electronic e-mail service MailChimp so they can quickly get information on activities and other information directly. No waiting for the newspaper to come, mail to arrive, or having to search the internet or Town's webpage for information. To quickly sign up, go to the Town's webpage ([www.TownofClinton.com](http://www.TownofClinton.com)) and in the upper right-side top line click on SUBSCRIBE and fill in the requested information. During the time of COVID-19, the information many times changes weekly and sometimes daily. This way you will be quickly informed of the changes.

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5. Rec Parks only allowed activity walking; all group activities and sports are not allowed. Due to the COVID-19 virus pandemic, the Recreation Parks are closed for these types of activities. You cannot have social gatherings (birthday, graduation, company, etc. parties) and group activities (baseball, soccer, volleyball, etc.). You may walk, jog, and sit and observe nature but you must maintain the social distance of 6 feet between people during your activities. You should also be wearing a face mask since you are out in public areas. The Parks are Frances Mark Park (Clinton Hollow Road, CR 18), Friends Park (Salt Point Turnpike CR17) and Girls' Little League Ball Field at Town Complex (Centre Road, CR 18).

The Hudson Valley Energy organization will be holding an informational meeting on Wednesday, May 6 at 7 PM. It will be conducted live electronically on the internet on Webex so the Clinton residents can see and hear the PowerPoint presentation and then ask their questions. The organization is sending out a mailer this week with all the details for the presentation and the services they are providing to reduce the residents' electricity cost and by using renewable energy sources. The presentation will later be posted on the Town's webpage.

### **OLD BUSINESS**

None

### **NEW BUSINESS**

#### **1. Approve Justice Brands' request for unpaid leave - Oberly**

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve Town Justice James Brands' request to go on unpaid leave effective March 14, 2020 while the Justice Court is closed due to the COVID -19 virus. In discussion, Councilman Whitton appreciates his offer, but it is not constitutional under the NYS Constitution. Quoting from the NYS Town Justice Manual, Councilman Whitton stated the compensation of a justice may not be reduced during his or her term of office. Councilman Whitton referred to Justice Brands' memo which said that he will still be working during this shutdown due to the Coronavirus so we, by law, cannot lower a Town Justices salary midterm. Councilman Juliano asks does it make a difference if he requests the stopping of his check? The Town Board discussed the issue and decided they needed more information to decide. Councilman Whitton said he should simply take his check and donate it back to the town. There was no vote, and the Board will revisit the issue next month with more information.

#### **NO VOTE.**

#### **2. Approve garbage disposal on April 18, 2020 at transfer station – Juliano**

Chris Juliano explained that the Town will provide a dumpster for town residents on Sat. April 18th to help people dispose of their garbage during this time when the transfer station is closed. This week will be used as a trial to see if we can do this again as Welsh Sanitation said they will keep the transfer station closed for another month. Mike Whitton asked if the \$900 fee for the dumpster is offset by the money we collect. Councilman Juliano said yes and we keep any additional money collected. The Roadside Cleanup will be ongoing also on Saturday with a separate dumpster behind the Highway department gate. Residents can also continue to use the Welsh Sanitation Service station in Wingdale, open 6 days a week.

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Nancy Cunningham logged into the Zoom meeting at 6:51 PM.

MM Councilman Juliano, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve providing a household garbage dumpster and recycling at a cost not to exceed \$900.00, available to residents at the Town Hall transfer station location on April 18, 2020 from 7:30 am to noon for the contracted garbage disposal rates. Exact change is requested. Councilman Juliano reviewed the fees.

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano            AYE  
Whitton           AYE  
Michael           AYE  
Cunningham      AYE

**Motion carried.**

**3. Approve extension to Library lease agreement - Whitton**

Councilman Whitton explained that the Library trustees are using a different video meeting method and they can't have executive sessions to discuss their business, so we want to postpone the agreement until the pandemic is over.

MM Councilman Whitton, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 15 of 2020 whereby the Town agrees to continue the current lease arrangement with the Library month-to-month; such term shall expire thirty (30) days after the expiration of Executive Order 202.1 which temporarily suspends certain provisions of the N.Y. Open Meetings Law.**

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano            AYE  
Whitton           AYE  
Michael           AYE  
Cunningham      AYE

**Motion carried.**

**OTHER ITEMS**

**1. Resignations and appointments**

**Building Maintenance and Grounds Person - Cunningham**

MM Councilwoman Cunningham, 2nd Councilman Juliano to appoint Eric Sternberg as Building Maintenance and Grounds Person with a term of office beginning April 14, 2020 at rate of pay of \$ 25.00 per hour for 160 hours per year. Dean Michael is concerned about the disparity in pay with the other groundskeepers. Objects to the \$25.00. Supervisor Oberly said he comes with tools; our groundskeepers do not have that. Nancy Cunningham said he has personal experience although he was not a contractor. Councilman Whitton said he will also do electrical and plumbing, that would demand a higher rate. Other candidates for the position told Nancy they would need two to three times the rate. Dean Michael insures contractors who are professionals

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that make \$25 per hour and feels the rate is too high; he feels all three maintenance worker appointees tonight are doing similar tasks with very different rates. Ray Oberly said the scope of the jobs is not the same. Councilman Juliano any plumbing and electrical work should use a professional. Nancy verified that he comes with the skills that deserve the pay. The work has been necessary for the past two years

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano            AYE  
Whitton           AYE  
Michael           NAY  
Cunningham    AYE

**Motion carried.**

**Cemetery Maintenance Person – Whitton**

MM Councilman Whitton, 2nd Councilman Michael to appoint Ryan Mackin as Cemetery Maintenance Person for 24 hours per week with a term of office beginning May 1, 2020 at rate of pay of \$ 15.00 per hour for 25 weeks.

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano            AYE  
Whitton           AYE  
Michael           AYE  
Cunningham    AYE

**Motion carried.**

**Highway Maintenance Worker - Cunningham**

MM Councilwoman Cunningham, 2nd Councilman Michael to appoint Shane Empert as Summer Highway Maintenance Worker for 30 hours per week with a term of office beginning May 1, 2020 at rate of pay of \$13.50 per hour for 16 weeks.

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano            AYE  
Whitton           AYE  
Michael           AYE  
Cunningham    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 139 through 183, totaling \$ 26,331.46 and the April Highway Fund Warrant, vouchers numbered 72 through 92, totaling \$49,818.36.

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano            AYE  
Whitton           AYE  
Michael           AYE  
Cunningham    AYE

**Motion carried.**

**3. Motion to Move funds – Oberly**

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 16 of 2020 a motion to move funds at the April 14, 2020 Town Board meeting.**

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano           AYE  
Whitton          AYE  
Michael          AYE  
Cunningham     AYE

**Motion carried.**

**4. Supervisor's Report**

The March 2020 Supervisor's Report will be approved when the 2019 books are reconciled.

**OTHER**

Councilman Dean Michael stated that he emailed the CSEA union contract out and it just needs signatures to finalize it.

**ADJOURNMENT**

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting.

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano           AYE  
Whitton          AYE  
Michael          AYE  
Cunningham     AYE

**Motion carried.** The meeting was adjourned at 7:07 PM.

Respectfully Submitted,



Carol-Jean Mackin,  
Town Clerk