

The Clinton Town Board held the Regular Town Board meeting on September 8, 2020 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.

There is no audience participation. Members of the public may view the Board meeting as it is livestreamed on You Tube. The livestream can be viewed on the "Town Board Videos page of the Town of Clinton Website" Townofclinton.com

Supervisor Oberly called the meeting to order at 6:30 PM.

NO PLEDGE/ NO FLAG PRESENT

ATTENDANCE

Supervisor Oberly took attendance to establish a quorum:

Supervisor Oberly	here
Councilwoman Cunningham	here
Councilman Juliano	here
Councilman Michael	here
Councilman Whitton	here
Town Clerk Mackin	here

APPROVE MINUTES

MM Supervisor Oberly, 2nd Councilman Dean Michael to approve the minutes of the **August 11, 2020 special executive session meeting.**

ROLL CALL VOTE:

Oberly	AYE
Cunningham	AYE
Juliano	AYE
Michael	AYE
Whitton	AYE

Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the **August 11, 2020 regular TB meeting.**

ROLL CALL VOTE:

Oberly	AYE
Cunningham	AYE
Juliano	AYE
Michael	AYE
Whitton	AYE

Motion carried.

SUPERVISOR'S COMMENTS

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Your help is needed to complete the 2020 Census. We are in crunch time to complete the 2020 Census with a completion date scheduled in three weeks on September 30, 2020. Without your support in registration, New York State and Dutchess County will lose Federal funding with State and County taxes needing to go up and some services will be reduced. Census results affect your community every day and provide data that will impact communities for the next decade. Some examples that the Federal funding supports are school lunches, highway and bridge construction and maintenance, support for firefighters, families in need, disaster planning, small business development, Medicare Part B, political redistricting, and others. Policymakers use census data to plan and fund many programs that affect rural communities. There is still time to fill out your Census form. Visit www.2020Census.gov for the online version which takes about 5 minutes to complete. The phone number to complete the Census in English is 844-330-2020, but there are 14 other spoken languages and options for a phone response. If you received a paper Census registration either in the mail or dropped off at your door, please quickly complete and mail in to beat the deadline. The response on September 1, 2020 is not that good with the national self-response at 64%, New York State at 61.2%, Dutchess County at 64.4% and Clinton has a self-response rate of 62.4% - that means 38% people still need to respond. Do your part now or pay more taxes for the next decade.

The Clinton Justice Court operation gets praise. Clinton Town Judge Barbara Seelbach reported that the Town Court just received high praise on September 3 after holding Court from Attorney Pat Bonnano. He has been in many different courts throughout the state and Clinton's is the most safe, sanitary, and secure court that he has been in during COVID-19. He expressed his sincerest gratitude for Clinton's quality of operation during the COVID-19 time.

Joule Community Power will be holding a public outreach to the community to further discuss their Community Solar Program where residents can get up to a 10% reduction in their electric bill at no cost to them. The program purchases solar electricity from solar farms not located in the Town of Clinton. This presentation followed by questions and answers will be held online on Thursday, September 10 from 6:30 to 7:30 p.m.. To get the details for the online presentation, please register at <https://www.eventbrite.com/e/community-solar-virtual-information-session-and-qa-tickets-117754734581>. Your registering will enable you to participate in the presentation and learn more about the program.

The 2021 Budget process with workshops is beginning on October 8 for the Highway Fund portion of the Budget and on October 15 for the General Fund portion of the Budget. Both workshops begin at 7 p.m. and I am planning to hold them in person in the Town Hall. The 2021 Budget will be the only item being discussed. The 2021 Tentative Budget will be available on the Town's web page (www.TownofClinton.com) after October 1, 2020 or at the Town Clerk's office.

OLD BUSINESS

1. Discuss installation of new roof at Friends Park Pavilion – Cunningham

Nancy Cunningham: We only have one bid and another by the end of the week. The funds come from subdivision funds, not tax dollars and she thinks bids will be under the \$10,000 cap. Ray Oberly is concerned about using subdivision money as there are no new subdivisions and there will be no more money to replenish the fund. Nancy said the roof needs to be done, not done in 25 years. There is \$98,000 in the fund. Dean Michael said we have been using some money for example, to buy the stove in the pavilion, and we are

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investing in the parks, we are not wasting money. Next year Friends Park will qualify for a CDBG grant.

2. Discuss installation of new fencing at Friends Park – Cunningham

Nancy Cunningham: The highway department has been shoring up the fence and it needs to be upgraded. We will have to go out for bids, the estimate is around \$40,000.

NEW BUSINESS

1. Status of Jim Reilly, Dog Control Officer - Cunningham

Nancy Cunningham: The position of Dog Control Officer, previously occupied by James Reilly, requires taking an oath of office. The Board has determined that Mr. Reilly has not filed his oath of office for 2020. Therefore, the position of Dog Control Officer must be considered vacant.

MM Councilwoman Cunningham, 2nd Councilman Whitton that the Town Board approve the position of dog control officer, formerly occupied by James Reilly, be considered vacant due to failing to file an oath of office.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

2. Approve dog control services agreement with SPCA - Whitton

MM Councilman Whitton, 2nd Councilman Juliano to approve the following resolution: **BE IT RESOLVED** that the Town Board approves **Resolution No. 37 of 2020, APPROVING DOG CONTROL SERVICES AGREEMENT WITH DUTCHESS COUNTY SPCA and that the Town Supervisor hereby is authorized, empowered, and directed to execute the attached Dog Control Services Agreement and to take any and all actions necessary to implement the provisions of said Agreement.** In discussion, Supervisor Oberly asked what is happening with Pine Plains Vet Contract? Councilman Whitton replied we are under no obligation to house dogs in Pine Plains, but this motion is to authorize dog control services, the housing motion is next on the agenda.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

3. Approve dog control housing agreement with SPCA - Whitton

MM Councilman Whitton, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 38 of 2020, APPROVING DOG CONTROL HOUSING AGREEMENT WITH DUTCHESS COUNTY SPCA and that the Town Supervisor is hereby authorized, empowered, and directed to execute the attached Dog Control Housing Agreement and to take any and all actions necessary to implement the provisions of said Agreement.** Supervisor Oberly asked Mr. Whitton to notify Pine Plains Vet of the change. Michael Whitton will make the call.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

4. Approve sale of surplus highway equipment via Absolute Auctions - Juliano

MM Councilman Juliano, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the Sale of Highway Surplus items through Absolute Auctions as listed on **Attachment B**.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

4a. Approve sale of non-highway surplus items through Absolute Auctions.

MM Councilman Juliano, 2nd Councilman Whitton that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the sale of non-highway 2020 surplus items labeled **Attachment C** through Absolute Auctions with the minimum reserves listed.

ROLL CALL VOTE:

Oberly AYE
Juliano AYE
Whitton AYE
Michael AYE
Cunningham AYE

Motion carried.

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5. Approve introduction of LL XX tax cap override - Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 39 of 2020 “A Local Law to Override the Tax Levy Limit for Fiscal Year 2021” and further that a Public Hearing will be held on October 13, 2020 at the Town of Clinton Town Hall, 1215 Centre Rd, Rhinebeck (Town of Clinton), New York at 6:15 p.m. Prevailing Time, or as soon thereafter as the matter is reached on the agenda” pursuant to N. Y. General Municipal Law §3-c.**

In discussion, Councilman Whitton asked if he PH method will be live. If so, why can't we do other public hearings for other items on hold? Chris Juliano said he spoke to Fred (IT Consultant) about public hearings and we can have you tube and cable together and get back to a system to review our local laws that are already on the table. Ray Oberly said there is a restriction from the Governor limiting the number in attendance. Mike Whitton's friend is a school board member, they invite a limited number live and residents can also attend the zoom meeting and they can use the chat feature. Mike and Chris want to move forward on having public hearings. Chris said other towns are doing hybrid sessions.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

6. Approve Oct. 1, 2020 special mtg at 8:30 AM in person to distribute 2021 tentative budget to Town Board – Oberly

MM Supervisor Oberly, 2nd Councilman Juliano that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves holding an Oct. 1, 2020 special mtg at 8:30 AM in person to distribute 2021 tentative budget to Town Board.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

1. Resignations and appointments

A. Resignation - Cunningham

Justice Court Constable Williams:

MM Councilwoman Cunningham, 2nd Councilman Juliano that the Town Board accepts the resignation of Constable Robert Williams effective 8-27-2020.

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ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE
Motion carried.

Recreation Seasonal Maintenance Person Ryan Mackin:

MM Councilwoman Cunningham, 2nd Councilman Michael that the Town Board accepts the resignation of Recreation Seasonal Maintenance Person Ryan Mackin effective September 4, 2020. In discussion, Nancy thanked Ryan for the excellent job, the parks have never looked better. Michael Whitton and Chris Juliano also thanked Ryan for his hard work and the good condition of the cemeteries and parks. Ray Oberly said we can't accept his resignation because his title is not on the official county payroll. The county won't accept it. Councilman Whitton pointed out Ryan was still being paid regardless of his title, he has been getting paid and now he is no longer working here. Supervisor Oberly countered that we can't take him off the payroll as he was never technically put on the payroll.

After discussion, the following housekeeping motions will correct that:

MM Councilwoman Cunningham, 2nd Councilman Whitton that the Town Board rescinds the appointment of Ryan Mackin as Recreation seasonal maintenance person from April 1, 2020 to October 1, 2020 effective September 8, 2020, due to his being mistitled in his position.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

MM Councilwoman Cunningham, 2nd Councilman Michael that the Town Board approve the appointment of Ryan Mackin as Groundskeeper effective April 1, 2020 to October 1, 2020 at a rate of pay of \$15/ hour for 24 hours per week.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

MM Councilwoman Cunningham, 2nd Councilman Michael that the Town Board accept the resignation of Ryan Mackin as Groundskeeper effective September 4, 2020.

ROLL CALL VOTE:

Oberly AYE

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Cunningham AYE

Juliano AYE

Michael AYE

Whitton AYE

Motion carried.

RESCIND:

MM Councilwoman Cunningham, 2nd Councilman Juliano that the Town Board rescinds the appointment of Rebecca Mills as pt. Clerk working in the Supervisor's office due to her unavailability for the position effective September 1, 2020. Sam Campbell is filling in and Nancy is looking for a replacement

ROLL CALL VOTE:

Oberly AYE

Cunningham AYE

Juliano AYE

Michael absent, Lost connection

Whitton AYE

Motion carried.

B. Appointments- Cunningham

MM Councilwoman Cunningham, 2nd Councilman Whitton that the Town Board appoints Brody Rogers Constable effective 9/14/20 at an hourly rate of \$22.27.

ROLL CALL VOTE:

Oberly AYE

Cunningham AYE

Juliano AYE

Michael absent, lost connection

Whitton AYE

Motion carried.

MM Councilwoman Cunningham, 2nd Councilman Juliano that the Town Board appoints Russ Tompkins as ZBA member effective 9/8/20 to fill the unexpired term of Virginia Morrow who resigned, for a term of office of 9/8/20 -12/31/2025. Councilman Juliano thanked the other applicant, who was also qualified. Russ has brought a lot of good information to the zoning meetings.

ROLL CALL VOTE:

Oberly AYE

Cunningham AYE

Juliano AYE

Michael absent, lost connection

Whitton AYE

Motion carried.

2. Approval of Warrants

MM Councilman Michael, 2nd Councilman Juliano to approve the following resolution BE IT RESOLVED that the Town Board approves the September General Fund Warrant, vouchers Numbered **390 through 426 totaling \$ 30,938.26** and the September Highway Fund Warrant, vouchers numbered **182 through 206 , totaling \$ 95,047.45.**

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton 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. 40 of 2020 a motion to move funds at the September 8, 2020 Town Board meeting.**

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

4. Supervisor's Report

MM Supervisor Oberly, 2nd Councilman Juliano that the Town Board approves the August 2020 Supervisor's Report.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

OTHER

Chris Juliano said Todd Martin asked for applications, looking for wingmen. Call the highway department if interested.

Councilwoman Cunningham, still looking for pt clerical person for the Supervisor. If interested contact the Town Hall.

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Councilman Juliano said many townspeople have told him Ryan Mackin did a great job.

Councilman Whitton said he will be missed.

ADJOURNMENT

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

ROLL CALL VOTE:

Oberly AYE

Cunningham AYE

Juliano AYE

Michael AYE

Whitton AYE

Motion carried. The meeting was adjourned at 7:17 PM.

Respectfully Submitted,

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

Carol-Jean Mackin,
Town Clerk