

The Regular **Town Board meeting of the Town of Clinton Town Board was held on this day, December 8, 2020** via teleconference using Zoom with a You Tube livestream to the public. This is 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 allowed at this meeting. Members of the public may view the Board meeting as it is livestreamed on Town Board Videos page of the Town of Clinton Website.

Supervisor Oberly called the meeting to order at 7:11 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 Dean Michael	here
Councilman Whitton	here
Town Clerk Mackin	here

**APPROVE MINUTES**

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the **October 29, 2020 special meeting.**

**ROLL CALL VOTE:**

Oberly	AYE
Cunningham	AYE
Juliano	AYE
Dean Michael	AYE
Whitton	AYE

**Motion carried.**

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the **November 5, 2020 Public Hearing on the 2021 budget.**

**ROLL CALL VOTE:**

Oberly	AYE
Cunningham	AYE
Juliano	AYE
Dean Michael	AYE
Whitton	AYE

**Motion carried.**

MM Supervisor Oberly, 2nd Councilman Juliano to approve the minutes of the **November 10, 2020 Public Hearing - CDBG.**

December 8, 2020 Town Board Meeting

**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the **November 10, 2020 Public Hearing – STR local law.**

**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

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

**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the **November 17, 2020 special Town Board meeting to adopt the budget**

**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

**SUPERVISOR’S COMMENTS**

The Clinton Town Offices, Highway Department, Justice Court Office, and Court will be closed for the Christmas Holiday on Friday December 25 and New Year’s Day holiday on Friday, January 1, 2021. 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 26 and January 2. Community Power has developed a simpler process to become a member and receive up to a 10% reduction in your electric bill. The Town will get a \$50 donation for every person joining Community Power. More details are on the Town web page [www.TownofClinton.com](http://www.TownofClinton.com). The Tax Collector moved her office in December from the Town Hall to the Schoolhouse. A secure drop box will be installed on the left side of the Schoolhouse entrance door to allow residents to drop off only their tax payments. All drop offs for other offices are to use the drop

## December 8, 2020 Town Board Meeting

off boxes on the porch of the Town Hall. For in-person reserved appointments, the office hours are Tuesdays and Thursdays from 10 AM to 2 PM and Wednesdays from 9 AM to noon. Appointments can be made by calling 845-266-5721 ext 141 or by email to TaxCollector@TownofClinton.com. Residents are encouraged to pay by mail, use the aforementioned secure drop box, or pay online. To pay online go to the Town's web page www.TownofClinton.com and click on Departments, then go to Tax Collector and you'll see the payment portal.

### Power Line

The Town continues to work on an agreement with TRANSCO on the repair of damaged Town roads when their equipment will need to cross the roads. Currently, they are starting construction at the northern end of the transmission line. TRANSCO gave their presentation on December 3 over Zoom to the community. The video, PowerPoint, and minutes of the presentation will be placed on the Town's web page under Town Board for those who missed the live presentation. Much more information on the project is available on their web page www.NY-YES.com. Some of the Clinton highlights are the current towers have an average height of 82 feet while the new monopoles have an average height of 90 feet. There are 6 new monopoles that are 100 feet tall. Transco will have available an agricultural coordinator to help coordinate farmers with their crops and TRANSCO's construction activities in the transmission line right-of-way. Actual construction in Clinton will begin in 2022. Additional TRANSCO presentations will be scheduled in 2021 as more information becomes available. The Clinton Community Library has a TRANSCO laptop that is loaded with much of the technical details that were presented to the Public Service Commission (PSC) as part of the approval process for the project. The laptop will be updated as new and more information becomes available.

### **OLD BUSINESS**

MM Councilman Juliano, 2<sup>nd</sup> Councilman Michael to approve the following resolution: BE IT RESOLVED that Highway Superintendent Todd Martin join the Town Board meeting to be able to participate in the discussion of the highway bid.

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

Oberly	AYE
Cunningham	AYE
Juliano	AYE
Dean Michael	AYE
Whitton	AYE

#### **Motion carried.**

**Highway Superintendent Todd Martin:** The Highway department is locked down due to COVID-19, an appointment is needed to enter, masks are mandatory, doors are locked. Talking to NYS Association of Hwy Superintendents and Dutchess County to have a plan if one or all employees come down with COVID-19. We will hire an on-call employee to be back up, he is a former employee with a CDL, so he is familiar with the town and the trucks. Reached out to local contractors as a back up if all employees contract the virus. Discussed the safety protocols taken by the employees and the office.

**1. Approve Ag Events local law – Michael**

The public hearing was held earlier this evening. The Dutchess Planning Department needs 30 days in which to review the law. We have given them until December 18<sup>th</sup>, as the November meeting introducing the law was Nov. 10<sup>th</sup>. We will put it on the agenda for approval at the December 29, 2020 meeting.

**2. Adopt Fee Schedule to include STR LL fees – Whitton**

Councilman Whitton said there has not been a lot of complaints from residents concerning these rentals. Fees need to be based on actual costs to the town; he talked to ZA and BI and they think the fees listed are appropriate and in line with the work they will perform. Making higher fees for a special permit for STR and not others seeking a special permit is unfair to them. STR's are not a commercial activity it is a residential use of a building. High fees are punitive, that should be in the fines section, not the permitting arena. He explained the hosted vs non hosted labels.

Chris Juliano said the hosted fees are fine, owners are on property. Concerned we will have people buying houses and renting them; so far there has been limited problems. There should be a benefit to the town and the residents with the fees. Dean Michael said we can pass a law to collect an occupancy tax if we want more money from these rentals. Councilman Whitton said if we make fees high we punish those who comply with the law. Fees should cover our costs, not be a benefit to the town and improve the parks for example. Nancy agrees with Michael's logic, agrees with fees recommended, and we can change the fees if we need to in the future.

Dean Michael is fine with the fees, and considering we typically have expensive homes that call for high rental rates, we likely won't have the kinds of problems other towns have with rowdy guests. He suggests focusing on the violation's fees, the permit fees should not be a money generator; people should be able to use their property.

Ray Oberly agrees with fees, fee schedule is one part of the fees, there are other fees that the owner is paying for like the certified mails when they go for the special permit. NYS law limits fines for certain types of actions.

Chris Juliano talked about fines; they should be punitive. Thinks initial fee of \$275 should be higher but the renewal is fine.

MM Councilman Whitton, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 52 of 2020 a resolution adopting a new Fee Schedule dated December 8, 2020.**

**ROLL CALL VOTE:**

Oberly	AYE
Cunningham	AYE
Juliano	NAY
Dean Michael	AYE
Whitton	AYE

**Motion carried. 4-1**

**3. Approve Highway Bids – Juliano**

MM Councilman Juliano, 2nd Councilman Cunningham to approve the following resolution: BE IT RESOLVED that the Town Board approves awarding the 2021 highway bids to those vendors highlighted on **Attachment AA: 2021 Highway Bid Result**. HS Martin thanked the Town Clerk for the spreadsheet and said we will use the County bid list for culvert pipe and blades. Ray Oberly said we used to go with state bid; the county went out on their own and we go with them for the lower price.

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE  
Dean Michael   AYE  
Whitton         AYE

**Motion carried.**

**4. Approve SAM Grant Resolution – Oberly**

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 53 of 2020 a resolution showing that the Town of Clinton Included \$6,000 in 2021 Budget to Supplement the DASNY Grant.**

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE  
Dean Michael   AYE  
Whitton         AYE

**Motion carried.**

**5. Discuss Conference Center Local Law – Michael**

Dean Michael said we separated this from the Ag Events Law. Asked the Board members to review the law.

**NEW BUSINESS**

**1. Approve Annual meeting and Reorganizational 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 Annual Meeting for December 29, 2020 at 6:30 PM via ZOOM.

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE

December 8, 2020 Town Board Meeting

Dean Michael AYE

Whitton 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 Reorganization meeting for January 5, 2021 at 6:30 PM via ZOOM.

**ROLL CALL VOTE:**

Oberly AYE

Cunningham AYE

Juliano AYE

Dean Michael AYE

Whitton AYE

**Motion carried.**

**2. Approve Oberly attendance at Association of Towns' Virtual classes - Oberly**

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves Supervisor Oberly's virtual attendance at the Association of Town's 2021 Virtual Conference from February 14 – 17, 2021 at a cost of \$100.00. Dean recommends we all do it.

**ROLL CALL VOTE:**

Oberly AYE

Cunningham AYE

Juliano AYE

Dean Michael AYE

Whitton AYE

**Motion carried.**

**OTHER:**

**Statement from County Legislator Brennan Kearney – Whitton**

Slate Quarry Road has long been a dangerous passage through Clinton and Rhinebeck. I have worked hard with local residents, Town officials and the County to find solutions to its hazards. I'm pleased to share this update:

A Safety Assessment of County Route 19 (Slate Quarry Road) was concluded in 2019. The Dutchess County Department of Public Works (DPW) reviewed this assessment and explored options to help mitigate concerns. Although the COVID-19 pandemic has caused delays, the department has pursued possible remedies and remains diligent in their efforts. An engineering survey of the roadway topography was commissioned and is near completion.

Dutchess County DPW recently announced resurfacing of 2.5 miles of Slate Quarry Road. This project resurfaced the roadway with new high-friction asphalt, from Zipfelburg Road to Centre Road. The existing pavement has lost some of its friction characteristics which creates safety issues. The new high-friction asphalt addresses those issues.

New high-reflectivity signage will also be installed to improve driver awareness and safety. Dutchess County DPW continues its efforts to improve safety. Regarding motorists traveling at excessive speeds, at my request, the Dutchess County Sheriff's Office has increased patrols.

December 8, 2020 Town Board Meeting

I will continue to push for safer driving conditions for both Clinton and Rhinebeck.

Councilman Whitton also stated that he knows people who have come down with COVID-19 after attending a party, commends Todd and his work to keep the staff safe, encourages people to follow recommendations and stay safe.

### **1. Resignations and appointments – Juliano**

#### **A. Resignations - None**

#### **B. Appointments**

MM Councilman Juliano, 2<sup>nd</sup> Councilwoman Cunningham to approve the temporary appointment of Tom O'Brien on an on-call basis from December 8, 2020 to March 8, 2021 at a rate of pay of \$17.50/hour for driving non-CDL trucks and \$20/hour for driving CDL trucks. In discussion, he is being appointed as a back up driver in case of illness. Tom was a former employee of the Clinton highway dept.

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

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE  
Dean Michael   AYE  
Whitton         AYE

**Motion carried.**

### **2. Approval of Warrants**

MM Councilman Dean Michael, 2<sup>nd</sup> Councilman Juliano to approve the following resolution BE IT RESOLVED that the Town Board approves the December 8 General Fund Warrant, vouchers Numbered **540 through 586 totaling \$ 133,921.18** and the December 8 Highway Fund Warrant, vouchers numbered **255 through 277, totaling \$ 28,296.84.**

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

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE  
Dean Michael   AYE  
Whitton         AYE

**Motion carried.**

### **3. Motion to Move funds – Oberly**

MM Supervisor Oberly, 2<sup>nd</sup> Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 54 of 2020 a motion to move funds at the December 8, 2020 Town Board meeting.**

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

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE  
Dean Michael   AYE  
Whitton         AYE

December 8, 2020 Town Board Meeting

**Motion carried.**

**4. Supervisor's Report**

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

**ROLL CALL VOTE:**

Oberly AYE

Cunningham AYE

Juliano AYE

Dean Michael AYE

Whitton AYE

**Motion carried.**

**OTHER**

Todd Martin – there was a rollover accident on Slate Quarry this morning, the highway dept. salted and sanded on request of the State police, it was very slippery. The County left big dips on the local roads that intersect with Slate Quarry Road when they repaved. He has contacted the County managers to fix these issues. Ray Oberly said the friction pavement is there for water conditions not ice. Not a cure all for all conditions.

Two new highway trucks are in and training is done. Thanked everyone for their support and help to purchase these trucks.

**ADJOURNMENT**

At 8:05 MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting.

**ROLL CALL VOTE:**

Oberly AYE

Cunningham AYE

Juliano AYE

Dean Michael AYE

Whitton AYE

**Motion carried.**

Respectfully Submitted,



Carol-Jean Mackin,  
Town Clerk