

February 9, 2021 Town Board Meeting
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Schultzville, NY

The Clinton Town Board Regular Town Board meeting was held on this day, February 9, 2021 via teleconference using Zoom with a You Tube livestream to the public. This is due to the 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.

Members of the public may view the Board meeting as it is livestreamed on the Town Board Videos page on the Town of Clinton Website. There is no public participation at this meeting.

Supervisor Oberly called the meeting to order at 6:35 PM.

NO PLEDGE/ NO FLAG PRESENT

ATTENDANCE

Supervisor Oberly and took attendance to establish a quorum:

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

APPROVE MINUTES

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the January 12, 2021 Town Board meeting.

ROLL CALL VOTE:

Oberly	AYE
Cunningham	AYE
Juliano	AYE
Michael	AYE
Whitton	AYE

Motion carried.

SUPERVISOR'S COMMENTS

The COVID vaccination situation is providing only 600 doses per week for the people who are allowed to receive them. The allowed people to receive the vaccinations is very large so the demand to get appointments and vaccinations is very frustrating. At this time, you'll need to make a return trip to the same center to get the second vaccination. It is expected that it will take into the summer for all who want a vaccination to obtain their vaccination. In all cases, you'll need to have a prior appointment to get a vaccination. For much information on COVID-9 go to www.dutchess.gov/COVIDVaccine.

There are three general places to get vaccinations; NYS run centers, Dutchess County centers, and pharmacies. Each has a different way to obtain an appointment. To get a NYS

February 9, 2021 Town Board Meeting

appointment, you must phone their hotline 1-833-697-4829 (open seven days a week from 7 a.m. to 10 p.m.) and their closest centers are either at SUNY Albany or at the Westchester County Center.

For the Dutchess County appointments, you must sign up at www.dutchessny.gov/covidvaccine to complete the COVID-19 Vaccination Request Form and to get alerts on your computer when appointments are available and for more information who is allowed to get a vaccination. When the alert comes on your computer, you must quickly click on the button to get an appointment. The County has also set up a telephone service (845-486-3555, option 2) for Seniors and those having serious medical conditions who do not have a computer and also may require transportation to the vaccination center to be added to the notification list. When you receive a telephone call, you must then set up your appointment. The number of appointments are made depending on the number of vaccines received from NYS for that week. The County centers are located at the old J.C. Penny store in the Galleria on Route 9 in Wappingers and at Dover with a new location being set up.

For pharmacy vaccinations at CVS, RiteAid, and Walgreens, they are setting up their appointments only on their web page, not at their local pharmacies, and vaccination locations will be shown on their web page. There is no guarantee when vaccinations will be available, and you may be put on a list to be alerted when vaccinations become available at your local pharmacy. No walk ins will be given a vaccination, you'll need an appointment. The CVS contact is through www.CVS.com, using the CVS Pharmacy app, or telephone 800-746-7287 if do not have a computer. The Walgreens web page for appointments is www.Walgreens.com/ScheduleVaccine. For Rite Aid appointments, go to their web page www.RiteAid.com/COVID19 or call 800-748-3243.

Power Line

The Town will approve 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. Much more information on the project is available on their web page www.NY-YES.com. Actual construction in Clinton will begin in 2022 with the electrical transmission service beginning by December 2023. Additional TRANSCO presentations will be scheduled in 2021 as more information becomes available.

REPORTS (TO ANNOUNCE)

Tax Collector Cathy McMahan:

Since town offices are closed to the public, I would like to present your options for paying your property taxes remotely.

1. **Pay by Mail** – Mail your payment to Tax Collector Town of Clinton, 1215 Centre Road, Rhinebeck 12572. For 2021, payments must be postmarked by March 1 to avoid penalty. Include your entire bill to receive a receipt by mail. Make your check payable to Tax Collector, Town of Clinton.
2. **Online Payment Portal** – Pay your taxes online using the online payment portal. Access the portal from townofclinton.com, go to Departments, then click on Tax Collector. The following fees do apply.
e-Check – which is an automatic withdrawal from your bank account, \$1.75

February 9, 2021 Town Board Meeting

Debit Card - \$3.95

Credit Card – 2.45% of total tax due

3. **Payment Drop Box** – A new payment option this year. I asked the town to install a secure payment drop box which is located on the front of the school house building at the town hall campus. Look for the green sign above the slot where you can drop your payment. Payments placed in the drop box come right into the building. Receipts are mailed the day I process your payment. The drop box is available 24/7 through March 1. After that you must pay online or by mail

4. **In person payments are by appointment only.** Please call (845) 266-5721 x141 or email taxcollector@townofclinton.com to make an appointment. Appointments are limited. For the safety and health of everyone, please use the remote payment options whenever possible. Payments made in person must be by check or cash for exact amount.

Payments must be received or postmarked by March 1, 2021 to avoid penalties.

Payments made March 2 – March 31 will incur a 2% penalty

Payments made April 1- April 30 will incur a 3% penalty

Payments made May 1 - June 1 will incur a 4% penalty plus a \$2.00 rebilling fee

Payments made after June 1 must be made to the Dutchess County Commissioner of Finance.

Call 845-486-2025 to make arrangements to pay.

Mailing Address Changes – I receive a lot of returned mail so please keep your mailing address up to date. You can send mailing address changes to the Town Assessor, 1215 Centre Rd Rhinebeck NY 12572 or by email to assessor@townofclinton.com.

OLD BUSINESS

1. Approve Agricultural Events Law – Michael

Dean Michael’s connection was lost and he left the meeting as a result.

MM Supervisor Oberly, 2nd Councilperson Juliano to approve the following resolution BE IT RESOLVED that the Town Board approves **Resolution No. 13 of 2021 adopting Local Law No. 1 of 2021, entitled “Agricultural Events Law”, a copy of which is attached hereto and made a part of this resolution; and that the Town Clerk be directed to enter this Local Law in the minutes of this meeting and give due notice of the adoption to the Secretary of the State of New York.**

ROLL CALL VOTE:

Oberly AYE

Cunningham AYE

Juliano AYE

Michael ABSENT

Whitton AYE

Motion carried.

2. Approve Amendment to Town Code - Oberly

MM Supervisor Oberly, 2nd Councilperson Juliano to approve the following resolution BE IT RESOLVED that the Town Board approves **Resolution No. 14 of 2021 adopting Local Law No. 2 of 2021 entitled “Amendment to Town Code – Municipal Code Enforcement Inspector” a copy of which is attached hereto and made a part of this resolution; and that the Town Clerk be directed to enter this Local Law in the minutes of this meeting and give due notice of the adoption to the Secretary of the State of New York.**

February 9, 2021 Town Board Meeting

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael ABSENT
Whitton AYE

Motion carried.

At this time, Chris Juliano said Dean's computer shut down and he is attempting to log back in.

NEW BUSINESS

1. Approve Resolution to extend exemption renewals for certain eligible people – Oberly

MM Supervisor Oberly, 2nd Councilperson Juliano to approve the following resolution BE IT RESOLVED that the Town Board approves **Resolution No. 15 of 2021 to extend to the 2021 assessment roll, the renewal of exemptions received in 2020 for eligible persons age sixty-five (65) and older and eligible persons with disabilities and limited income, dispensing with the need for renewal applications from such qualified persons, and rescinding Town Board Resolution No. 57 of 2020.**

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael ABSENT
Whitton AYE

Motion carried.

2. Approve introducing LL xx of 2021, Fund Balance Policy – Whitton

Councilman Whitton said we have been discussing this for almost a year, nothing has changed in the document and he is reintroducing it.

MM Councilman Whitton, 2nd Councilperson Juliano to approve the following resolution BE IT RESOLVED that the Town Board approves **Resolution No. 16 of 2021 introducing proposed Local Law No. XX of 2021 titled: Fund Balance Policy and setting a public hearing on March 9, 2021 at 6:25 pm via Zoom at which time the public can be heard concerning the proposed local law.** In discussion, Ray Oberly has an issue with the policy saying that any amount above the threshold must put into capital projects. This won't allow the board to use the money to balance the taxes as in the past when we've taken unexpended balance to balance the budgets of the general and highway funds. Councilman Whitton said the document spells out that any money overage can be used for anything the town board approves or for a one-time cost. Ray is concerned we won't be able to stay under the tax cap with this. Mike feels 45 percent is a pretty high threshold. Dean Michael returned here. The Board agreed to reword D iv. To allow the Board to utilize excess fund for any lawful purpose they agree on.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE

February 9, 2021 Town Board Meeting

Whitton AYE

Motion carried.

3. Discussion of Granicus contract for Short Term Rentals and MOU with Dutchess County – Whitton

Councilman Whitton – the County has software so municipalities can identify short term rentals and for proper permitting of properties. The county collects occupancy tax and they will provide this identifying of local STRs service for free because we do not get a cut of the tax for STRs in our Town.

MM Councilman Whitton, 2nd Councilperson Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approves the contract labeled Q-107858 between Granicus and the Town of Clinton for STR compliance monitoring as detailed in the contract for a period of one year commencing on February 9, 2021 at an annual cost of \$4464 paid for by Dutchess County, and authorizes, empowers and directs the Supervisor to sign the contract with the stipulation that we receive an MOU from DC for the cost of this service.

ROLL CALL VOTE:

Oberly AYE

Cunningham AYE

Juliano AYE

Michael AYE

Whitton AYE

Motion carried.

4. Discussion of Town scroller updates – Whitton

Councilman Whitton noticed the scroller does not have the most up to date information and it turns out that the hardware we use is no longer supported, so Jerry is trying to work around this issue. Once fixed, then Jerry will train Samantha Campbell, who is trained on the video equipment, to keep the scroller updated.

5. Discuss Planning Board vacancy - Michael

Tracie Ruzika has decided not to return to the Planning Board, so we have a vacant seat. Send resume to Supervisor if interested.

MM Councilman Michael, 2nd Councilman Juliano to call a special meeting, executive session **LIVE** in the Town Hall in the evening on Wednesday, February 24, 2021 for the purpose of interviewing candidates for appointment to the Planning Board.

ROLL CALL VOTE:

Oberly AYE

Cunningham AYE

Juliano AYE

Michael AYE

Whitton AYE

Motion carried.

6. Approve Transco Use and Crossing Agreement - Oberly

February 9, 2021 Town Board Meeting

MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the **Road Use and Crossing Agreement between Transco and the Town of Clinton effective February 9, 2021** and authorizes, empowers and directs the Supervisor to sign the contract.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

7. Approve dog control services agreement with SPCA for 2021 - Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **DOG CONTROL SERVICES AGREEMENT WITH DUTCHESS COUNTY SPCA** from January 1, 2021 to December 31, 2021 and that the Town Supervisor hereby is authorized, empowered, and directed to execute the contract.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

8. Approve dog control housing agreement with SPCA - Oberly

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **DOG CONTROL HOUSING AGREEMENT WITH DUTCHESS COUNTY SPCA** from January 1, 2021 to December 31, 2021 and that the Town Supervisor is hereby authorized, empowered, and directed to execute the contract.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

OTHER ITEMS

1. Resignations and appointments – Oberly

February 9, 2021 Town Board Meeting

MM Supervisor Oberly, 2nd Councilman Michael to accept the resignation of Jacob Bancroft as Student Worker effective February 7, 2021.

ROLL CALL VOTE:

Oberly AYE
Juliano AYE
Whitton AYE
Michael AYE
Cunningham 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 February General Fund Warrant, vouchers numbered **34 through 72 totaling \$ 42,894.97** and the February Highway Fund Warrant, vouchers numbered **19 through 38, Totaling \$61,742.33**

ROLL CALL VOTE:

Oberly AYE
Juliano AYE
Whitton AYE
Michael AYE
Cunningham AYE

Motion carried.

3. Motion to Move funds

None

4. Supervisor's Report

The January 2021 Supervisor's Report will be approved when the 2020 books are reconciled.

OTHER

Dean Michael is concerned about the email Ray sent today on a personnel matter and he wants an executive session to discuss it, to which Chris and Michael agreed. On the personnel matter, Ray is not prepared to provide any information at this time as per Albany, he is working under their guidance.

Michael Whitton wants to add the public comment to our meetings. Dean wants to move towards live meetings as we can accommodate 18 people in the audience and we usually don't have that many attendees. Ray will check with Jerry to be sure he can video the meetings to see if we can go live.

Michael Whitton is fine with Zoom meetings, Chris agrees with the benefit of Zoom, but people should be able to be included in a public session. Dean wants to start back with the zoning revision meetings as he wants to continue updating the law. Dean thought to have certain sections approved in pieces as they are updated; if we wait to

February 9, 2021 Town Board Meeting

approve the whole thing it will be a \$30,000 hit. Dean said we also need to look at updating the definitions section. Ray said General Code will review the revised law for free. Dean will send GCP the sections we have updated for their review.

At 7:30 PM, MM Councilman Whitton, 2nd Councilman Juliano to enter executive session to discuss a personnel issue that Supervisor Oberly has alerted the board to.

ROLL CALL VOTE:

Oberly AYE
Juliano AYE
Whitton AYE
Michael AYE
Cunningham AYE

Motion carried.

The Board discussed the issue.

At 7:55 PM, MM Supervisor Oberly, 2nd Councilman Michael to return to the regular order of business.

ROLL CALL VOTE:

Oberly AYE
Juliano AYE
Whitton AYE
Michael AYE
Cunningham AYE

Motion carried.

ADJOURNMENT

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting. The meeting was adjourned at 7:57 PM.

ROLL CALL VOTE:

Oberly AYE
Juliano AYE
Whitton AYE
Michael AYE
Cunningham AYE

Motion carried.

Respectfully Submitted,



Carol-Jean Mackin,
Town Clerk