

March 9, 2021 Town Board Meeting
March 9, 2021

Schultzville, NY

The Clinton Town Board Regular meeting was held on this day, March 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 6:31 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 February 9, 2021 Public Hearing on updating Town Code.

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 February 9, 2021 Town Board 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 February 24, 2021 special meeting.

ROLL CALL VOTE:

Oberly	AYE
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March 9, 2021 Town Board Meeting

Cunningham AYE

Juliano AYE

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 Good Friday Holiday on Friday, April 2. The Clinton Community Library will be open on Good Friday for usual hours. The Recycling Center will be open as usual from 7:30 a.m. to noon on Saturday, April 3.

The DEC's annual burn ban is in effect from Tuesday, March 16 to Friday, May 14. This means you cannot have any outside open fires in order to reduce the incidences of grass and brush fires. All year, there is a burn ban for the use of outside burn barrels. You can receive a fine for doing illegal burning during the burn ban time. If a grass fire occurs, immediately call 911 to report it so the fire department can quickly extinguish it and minimize property damage.

The Fiddlers Bridge Road bridge near the intersection of Long Pond Road by West Clinton Station 2 Firehouse will be closed to all traffic during June through September 2021 while the bridge is being replaced. The detour routes have not been published at this time by Dutchess County Public Works. This alert is being published now so you can plan traffic flows during your summer activities (parties, construction activities for equipment and supplies deliveries, etc.) for services and guests. As more information becomes available, it will be announced at Town Board meetings.

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 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. Sign up now so you are ready as the eligibility requirements change especially reducing the age. 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 and these quantities are increasing rapidly. The County centers are located at the old J.C. Penny store in the Galleria on Route 9 in Wappingers and at Dover at the old CVS location on Route 22. For pharmacy vaccinations at CVS, Rite Aid, 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. Vaccinations are becoming available, and you may be put on a list to be alerted when vaccinations are 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.

REPORTS (TO ANNOUNCE)

Nancy Cunningham - the parks will be opening on April 15, 2021. We will have summer camp and we are looking to hire gate guards, life guards and camp staff. The pavilion will be open for use and we will determine the occupancy in future days.

JOULE PRESENTATION

Jeff Domanski Hudson Valley Energy, Executive Director of Hudson Valley Energy, which is a nonprofit program, that is chosen by Joule Community Power, who was the administrator for the Community choice aggregation program that Clinton chose to join beginning of 2020. Presented a progress report. Since July 2019, with more than 25,000 households, more than 200,000 tons of greenhouse gases avoided with solar. As the programs go forward, there are solar and wind power projects that are in development that will feed CCA program so that it won't just be hydro power in the years ahead.

Cost was \$5.50 more per house per month, due to the pandemic for the renewable electricity. In the last quarter of the two-year agreement, we need to repeat the program with a new contract and a new rate for the community members. Houses that opted in saved 10 percent on total electric charges. They are starting the renewal process for July 2021. The cost benefit is positive going forward. The town will consider contract renewal. And we will choose the community choice solar to determine default energy offerings to benefit residents. The link to the PowerPoint presentation is: <http://www.townofclinton.com/government/town-board/town-board-meeting-videos/>

HIGHWAY SUPERINTENDENT PRESENTATION

Todd Martin – gave the highway report, including working on guiderails on Pumpkin Lane, road closures and delays end of March and April. Seeking approval for surplus trucks and equipment. PV highway was closed due to covid for two weeks, Clinton picked up northern roads, others picked up other roads. \$18,000 worth of effort; they gave us reimbursement in salt. One truck is down and with covid it is hard to get parts. Plans to be up to 100 percent by end of week; Todd will keep two trucks as back ups; the surplus trucks are too expensive to maintain.

OLD BUSINESS

1. Approve Fund Balance Policy Local Law - Whitton

MM Councilman Whitton, 2nd Councilperson Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 17 of 2021 adopting Local Law No. 3 of 2021 entitled “Fund Balance Policy” as amended a copy of which is attached 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 of this Local Law to the Secretary of the State of New York.** In discussion, Ray wants the one-time expenditure deleted and it was not. Mike explained the section. Dean asked him to expand on his concern. Ray said the way it is written, the overage cannot be used for tax reduction and he disagrees with this. Dean agrees with Ray’s comment and Juliano wants to also make the change. Mike will update the law to include this change. The law will be approved as amended.

March 9, 2021 Town Board Meeting

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

2. Discuss opening Rec Park for summer activities – Cunningham

Information will be on the web when we determine dates. We are waiting for an answer on our CDBG grant, expected in March. The grant will offer updates to Friends Park if we get it. Dean Michael asked if we are going to enforce that the park is closed as people are walking there everyday and kids were there shoveling the basketball court. Should we open it so people don't get hurt? Nancy said the park is officially closed until April 15, Dean wants to open it and plow the parking lot. The sheriff will patrol. Councilman Juliano said the enforcement is the tough part. Todd said they did not plow Fran Mark; they did plow the nature trail and Friends Park for East Clinton overflow. Nancy said the park is not ready and there is a liability if we open it and there is ice and snow. It is only a few more weeks. Dean said there is liability either way as there are people walking in there already. Todd can plow and we can sand, but if it freezes we can't sand every day. Ray Oberly and Mike Whitton are in favor of keeping it closed. Nancy said she extended the park being open through November, but she is not comfortable opening too early with unpredictable weather. It will stay closed.

NEW BUSINESS

1. Approve Tax Cert, Ferrandi – Dean Michael

MM Councilman Michael, 2nd Councilperson Juliano to approve the following resolution: **BE IT RESOLVED that the Town Board approves Resolution No. 18 of 2021 that the Town Board of the Town of Clinton hereby authorizes the Attorney for the Town of Clinton, Shane J. Egan, Esq., to enter into a Stipulation with the attorney for petitioner, Allen B. Rappleyea, Esq., the terms of which are set forth in the attached Stipulation # 2019-52892 and hereby authorizes Shane J. Egan to sign said Stipulation on behalf of the Town of Clinton.**

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

2. Discuss/Approve a highway credit card – Juliano

Councilman Juliano said buying parts has been difficult with Covid – 19 and this enables us to look around for parts and buy them directly.

MM Councilman Juliano, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves authorizing an M&T Visa Credit Card in the name of Highway Superintendent Todd Martin to use where there is no other reasonable or convenient form of payment due to the timing, vendor location, policies of the vendor, and where the town makes regular, periodic payments as a subscriber for services, with a card limit not to exceed \$5000 and an individual purchase limit not to exceed \$1000. Dean Michael asked what kind of purchases will be made, Councilman Juliano explained they've had to use vendors outside the usual ones due to short supplies; the money will come out of the highway account. Councilman Whitton said Highway Superintendent Martin can make purchases for less money with new vendors but we don't have an account there; he can save money with this option. Ray Oberly said we survived all these years with one Town credit card; he won't be responsible to the charges. The highway has never requested to use the Town card, Nancy uses it, Ray uses it, Arlene uses it. Councilman Juliano said they will be able to match their invoices to the bill and that the Board will develop a policy for its use. Ray Oberly said some highway expenses are already charged to the main credit card and there is no problem. Ray said Councilman Juliano wants the highway to have the card and Ray's comment does not matter, the need for a credit card never been brought up before. Todd Martin gave an example for the need: he needed a time clock and needed a credit card to purchase it. With the covid virus and short supplies, he needed to buy from outside vendors. He and the foreman had to be in early and late to punch the highway crew in and out every day as they worked without a timeclock. Ray said Todd just needs to walk across the grass to get the town card and he can buy what he wants. Dean Michael said he personally uses certain credit cards for certain purchases. Mike Whitton will work on the policy, is not a personal thing. Dean thinks we should wait for the policy.

ROLL CALL VOTE:

Oberly NAY
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried 4-1.

3. Approve new mower for the cemetery – Whitton

MM Councilman Whitton, 2nd Councilperson Juliano to approve the following resolution BE IT RESOLVED that the Town Board approves the purchase of a 48" Scag Tiger Cat II from Brady's Power Equipment at a cost not to exceed \$8412, from the Cemetery Fund, Code 8810.2. Whitton discussed the quotes and why he chose the Scag Tiger Cat II.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

March 9, 2021 Town Board Meeting

4. Approve fee schedule to include Ag Event application fees – Michael

MM Councilman Michael, 2nd Councilperson Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 19 of 2021 Town of Clinton Fee Schedule to include application and renewal fees for the Ag Events Law and that the site plan special permit application is \$275 and the permit \$750 and the annual renewal application is \$500.** In discussion, Ray asked about a fine of \$1500 per event in violation. Ray asked if The Town Attorney reviewed the violation fee. Mike Whitton said our fee schedule has a scale of zoning violation fees. Ray does not think the \$1500 is a valid number. We will leave out the violation fee until next month when we discuss construction fees.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

5. Approve Public Employee Blanket Bond with Utica Mutual Insurance Co. - Oberly

MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the three-year Public Employees Blanket Bond policy with Utica Mutual Ins. Co for the period 02/15/2021 to 02/15/2024 for three annual installments of \$1,115.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

6. Approve Town of Washington as lead agency and authorize Supervisor to sign TO Washington Petition – Oberly

MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board authorizes, empowers and directs the Town Supervisor to sign the Lead Agency Coordination Letter naming that the town of Washington the lead agency in the matter of a petition from Janet’s Farm LLC for an amendment to their Town Zoning code. Dean asked if the property crosses into Clinton. Ray said no.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

March 9, 2021 Town Board Meeting

7. Approve surplus highway items going to auction – Juliano

Chris Juliano reviewed the items up for surplus.

MM Councilman Juliano, 2nd Councilman Whitton to approve the following resolution: BE IT RESOLVED that the Town Board approves the Sale of Highway Surplus items through **Absolute Auction as listed on Attachment A**. Ray said he wants the mileage listed so people have an idea how much use the trucks have had.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

OTHER ITEMS

1. Resignations and appointments – Oberly

RESIGNATION:

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board accept the resignation of Wyatt Kelly as the full-time winter seasonal highway employee effective March 31, 2021.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

APPOINTMENTS:

FT Highway Laborer appointment – Wyatt Kelly

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board appoints WYATT KELLY FT highway laborer at a rate of pay as per the CSEA contract for \$1 less than \$17.60 per hour for a period of 6 months or 1000 hours starting April 1, 2021, full medical, eye and dental coverage with an employee contribution of 15%, and paid leave benefits as per the CSEA contract paid from D5110.110.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

FT Maintenance Worker - Highway – Kyle Mackin

March 9, 2021 Town Board Meeting

MM Supervisor Oberly, 2nd Councilman Juliano that the Town Board appoints KYLE MACKIN to the position of **FT Maintenance Worker** - Highway at \$15.07/hour working 32 hours per week; starting April 1, 2021 working 28 weeks for Recreation and starting October 15, 2021 – March 31, 2022 working for Highway, with full medical, dental and eye benefits paying 15% employee contribution and General Fund benefit hours, paid from D5110.133. Ray explained that he moved money from rec fund that was allocated for one set of books and averaged the pay difference between the summer and winter positions which had two different rates. Dean said this is not a problem with the union, ray said no, Todd said that it is the same position that Wyatt held. Nancy thinks this is a good thing to streamline the work under the highway superintendent.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

AMENDED BY TOWN BOARD APPROVAL ON APRIL 13, 2021: Amendment is to align wit Dutchess county HR established positions, changing Maintenance Worker to Groundskeeper.

MM Supervisor Oberly, 2nd Councilman Juliano that the Town Board appoints Kyle Mackin to the position of **FT Groundskeeper** at \$15.07/hour working 32 hours per week; starting April 1, 2021 working 28 weeks for Recreation and starting October 15, 2021 – March 31, 2022 working for Highway, with full medical, dental and eye benefits paying 15% employee contribution and General Fund benefit hours, paid from D5110.133.)

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Michael AYE
Whitton AYE

Motion carried.

PB Member

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board appoints Katerina Maxionova as a member of the Planning Board for a term of office from March 10, 2021 to December 31, 2027 to fill the unexpired term of Tracie Ruzika who resigned.

ROLL CALL VOTE:

Oberly AYE
Juliano AYE
Whitton AYE
Michael AYE
Cunningham AYE

Motion carried.

Jamie Suszinski

March 9, 2021 Town Board Meeting

Todd Martin said he is the MEO, receiving the contractual lower rate; Todd wants to lift his probation period early. He has gone above and beyond and is the only one with a class A cdl to haul a 10-wheeler and trailer. Dean Michael said you can't raise his salary early due to the negotiated union contract. You have to follow the labor contract. The contract is retroactive to January 1, 2020 so it includes Jamie and his probation. Chris Juliano wants to talk about training for our workers in the near future. Dean said the contract that we added MEO to rank up to the HMEO, technically he should be a HMEO. Nancy said that Todd has a good problem. You can document his performance which may be good for him in the future. The board will consider adding a job description for a trainer and add it to the union contract. Otherwise the precedent is not acceptable. Dean said we can add a category for a mechanic and trainer for negotiations. Todd wants two of his workers to go get their cdl a permit paid for by the Town and Jamie will train them. Dean thinks the contract does not allow the town to pay for CDL permits. Nancy wants to continue this conversation at the next meeting. Ray asks Todd to notify him when Jamie changes to full pay so he can update DC HR. Todd will call the union rep to see if the town can pay for the permit for the cdl a license for two highway members.

2. Approval of Warrants

MM Councilman Michael, 2nd Councilman Juliano to approve the following resolution BE IT RESOLVED that the Town Board approves the March General Fund Warrant, vouchers numbered **73 through 121 totaling \$ 1,314,270.20** and the March Highway Fund Warrant, vouchers numbered **39 through 63 Totaling \$ 155,942.30.**

ROLL CALL VOTE:

Oberly	AYE
Juliano	AYE
Whitton	AYE
Michael	AYE
Cunningham	AYE

Motion carried.

3. Motion to Move funds

MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 20 of 2021, a resolution to move funds at the March 9, 2021 meeting.**

ROLL CALL VOTE:

Oberly	AYE
Juliano	AYE
Whitton	AYE
Michael	AYE
Cunningham	AYE

Motion carried.

4. Supervisor's Report

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

March 9, 2021 Town Board Meeting

OTHER

Councilman Whitton clarified the change he made to the local law 3.

Todd Martin - has reached out to Didi Barrett for a grant for the radio system, \$25,000 to upgrade to hi band frequency radios and repeaters to coordinate with the fire district radios. Thanked Chris Juliano and Mike Whitton for those grants.

ADJOURNMENT

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting. The meeting was adjourned at 8:39 PM.

ROLL CALL VOTE:

Oberly AYE

Juliano AYE

Whitton AYE

Michael AYE

Cunningham AYE

Motion carried.

Respectfully Submitted,



Carol-Jean Mackin,
Town Clerk