

April 13, 2021 Town Board Meeting  
April 13, 2021

Schultzville, NY

This is the Clinton Town Board Regular meeting being held on April 13, 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 6:30 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 Dean Michael	here
Councilwoman Cunningham	here
Town Clerk Mackin	here

**APPROVE MINUTES**

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the March 9, 2021 Public Hearing on LL 3 Fund Balance Policy.

**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 March 9, 2021 Town Board meeting.

**ROLL CALL VOTE:**

Oberly	AYE
Cunningham	AYE
Juliano	AYE
Dean Michael	AYE
Whitton	AYE

**Motion carried.**

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MM Supervisor Oberly, 2nd Councilman Juliano to approve the minutes of the April 5, 2021 special Town Board meeting executive session.

**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

**SUPERVISOR'S COMMENTS**

A reminder, 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. If a grass fire occurs, immediately call 911 to report it so the fire department can quickly extinguish it and minimize property damage. There recently have been numerous grass fires in the area.

The Fiddlers Bridge Road bridge near the intersection of Long Pond Road by West Clinton Station 2 Firehouse will be closed to all traffic from June 1 through October 15, 2021 while the bridge is being replaced.

The Town web page [www.TownofClinton.com](http://www.TownofClinton.com) has the latest information on COVID.

**OLD BUSINESS**

**1. Fee Schedule – Dean Michael**

Hold this item until May to get feedback from the Town Attorney before we incorporate changes to the fee schedule. The Building Department suggestions are attached for your review. Mike Whitton talked about the cemetery fee schedule that the weekday rate is lower than the weekend rate and the Board agreed to make a change to the rate to make it stable.

**2. Discuss Conference Center Local law - Dean Michael**

Chris Juliano says it looks good. Councilman Whitton has an issue with the 10 acres, a conference center on 10 acres and not being on a state or county road concerns him. Councilman Whitton suggests a 25-acre minimum, the Board agrees to that minimum.

MM Councilman Michael, 2<sup>nd</sup> Councilman Juliano to put the proposed conference center law on the table and hold a public hearing on May 11, 2021 at 6: 15 pm.

**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

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**3. Approve Policy for Credit Card Use - Whitton**

MM Councilman Whitton, 2nd Councilperson Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 21 of 2021 titled: Credit Card Policy**. Councilman Whitton thanked Town Clerk Mackin for her assistance.

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano            AYE  
Dean Michael   AYE  
Whitton          AYE

**Motion carried.**

**NEW BUSINESS**

**1. Approve continuation of CCA Program – Oberly**

MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 22 of 2021, to continue the Town’s Community Choice Aggregation program by continuing to offer supply and incorporating opt-out community distributed generation**. Chris Juliano said some residents contacted him about the opt out feature. Mike Whitton said if they opt out and then call Central Hudson and ask for a freeze on the account they will never have to opt out again.

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano            AYE  
Dean Michael   AYE  
Whitton          AYE

**Motion carried.**

**2. Approve Proclamation for Municipal Clerks Week – Oberly**

MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 23 of 2021 recognizing May 2 through May 8, 2021 as professional Municipal Clerks Week and to extend our appreciation to our Town Clerk Carol Mackin and all professional municipal clerks for the vital service they provide to the community**.

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano            AYE  
Dean Michael   AYE  
Whitton          AYE

**Motion carried.**

**3. Approve Court Audit – Cunningham**

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MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board accepts the Internal Audit of the Clinton Justice Court for YE 2020 performed by Councilwoman Cunningham, dated February 25, 2021.

**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

**4. Approve Summer Recreation Employees -Oberly**

MM Supervisor Oberly, 2nd Councilperson Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 24 of 2021 Summer Recreation Seasonal Employees.**

**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

**5. Approve Summer camp 2021 - Cunningham**

MM Councilwoman Cunningham, 2nd Councilperson Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approves holding **summer camp 2021 at Fran Mark Rec Park daily M-F from 9AM to 4PM with a maximum of 9 children per week (camp) on the following weeks: July 5-9 and 12-16 and August 2-6 and 9-13 with a fee of \$100 / child /week for residents and \$185 / child /week for non-residents with established Covid 19 guidelines to continue (face masks and social distancing.)** In discussion, if more than nine children sign up we may split into several groups of a maximum of 9 children in each camp group.

**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

**6. Approve Retirement Reporting Resolution - Oberly**

MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 25 of 2021 Reporting the Standard Work Day and Reporting Resolution for Appointed and elected Officials.**

**ROLL CALL VOTE:**

Oberly AYE

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Cunningham AYE

Juliano AYE

Dean Michael AYE

Whitton AYE

**Motion carried.**

## **7. Discuss Town wide reassessment – Oberly**

Supervisor Oberly: The Town is currently at 100% Equalization Rate (EQ) for property assessments. With the many sales at higher values occurring today, the EQ will drop according to the Assessor since assessments will probably increase on average 8% in 2021 and increase another 15% in 2022. Without a new data collection Town-wide, the Assessor is not confident of her numbers so she thinks a Town-wide revaluation is now necessary. Without a full revaluation, she is going to have to abandon the 100% full market values in 2022 and let the equalization fall to an estimated 85%.

The Town has done Town-wide reassessments in the past just using Town staff at a reasonable cost and it will take 2 years to do. The first year is to collect the data on all properties and during the second year, input it into the RPS files. The cost for us to do it could be about \$160,000 (quick estimate) for our 2 years of extra cost. It can also be done with a commercial firm and probably will cost between \$250,000 to \$500,000 depending on how the contract is negotiated. It will be a new item in the 2022 Budget this August depending on how the Town Board wishes to proceed. I request a Town Board member be appointed by the May 11 Town Board meeting who will be involved in the process for the 2 years and should be the one owning the process and financing. Without a plan and finance numbers for the budget by early August 2021, a Town-wide revaluation will not be included in the 2022 Budget

Councilman Dean Michael has mixed feelings, Town of Hyde Park is not at 100 percent and the homes from Clinton in that school district results in unfair assessments between the towns. Chris Juliano agrees with Dean. Councilman Whitton says we should continue to do what is right and keep 100 percent assessments. Dean Michael said we should be updating one fifth of properties every year and maybe we can update our rolls a cheaper way. Ray recommends the Board members speak to the Assessor.

## **8. Approve use of SSL/HTTPS for Town URL – Oberly**

MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves adding SSL security to the Town website to have HTTPS security. Juliano asked for the cost; \$100 to \$200/year.

### **ROLL CALL VOTE:**

Oberly AYE

Cunningham AYE

Juliano AYE

Dean Michael AYE

Whitton AYE

**Motion carried.**

## **9. Approve ebills and online payment for Central Hudson bills - Oberly**

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MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves receiving ebills from Central Hudson and to enroll in online payments.

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE  
Dean Michael   AYE  
Whitton         AYE

**Motion carried.**

**10. Approve purchase of excavator – Whitton**

MM Councilman Whitton, 2nd Councilperson Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approves the purchase of 2021 Hyundai HX-85 excavator with a three-year full warranty, a 48” tilting grading bucket and a 5 year/5000-hour warranty at a cost not to exceed \$107,300 from D5130.250. In discussion, Councilman Whitton explained the 2021 budget has \$150,000 for a backhoe; we have one that is functioning but needs about \$10,000 in repair. The mini excavator we use through the shared services program takes a beating when we use the hammer attachment; we can continue to use the mini excavator for this rough work. Our backhoe that we fix and can be used year-round for other work and we end up with essentially two pieces of equipment for the budgeted amount: the new excavator for \$107,300 and a refurbished backhoe for \$10,000. Councilman Juliano said it is a win win for the Town. Highway Superintendent Martin said that the Town of Rhinebeck is pulling out of the shared services agreement so we can use the mini excavator more frequently. This excavator is bigger and we won’t have to contract out for a bigger machine and we can transport ours with the new trailer we bought.

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE  
Dean Michael   AYE  
Whitton         AYE

**Motion carried.**

**11. Approve refurbishing of plotter – Oberly**

MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the bid to repair the plotter, our sign maker, from the Plotter Doctor, LLC at a cost not to exceed \$3385.00. Nancy asks if the plotter is in the highway department. She needs to make signs for the park.

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE  
Dean Michael   AYE  
Whitton         AYE

**Motion carried.**

**OTHER ITEMS**

**1. Resignations and appointments – Oberly**

**RESIGNATIONS:**

MM Supervisor Oberly, 2<sup>nd</sup> Councilman Juliano to accept the resignation of Sara Love from the Planning Board effective on the date a new member is appointed to fill her unexpired term.

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE  
Dean Michael   AYE  
Whitton         AYE

**Motion carried.**

MM Supervisor Oberly, 2<sup>nd</sup> Councilman Michael to accept the resignation of Dave Schmidt from the Board of Assessment Review due to health conditions effective April 12, 2021.

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE  
Dean Michael   AYE  
Whitton         AYE

**Motion carried.**

**HOUSEKEEPING: The Maintenance position filled in March has to be amended to Groundskeeper to align with established positions at DC HR. We will create three Groundskeeper positions to have them available to fill at future dates.**

MM Supervisor Oberly, 2<sup>nd</sup> Councilman Michael that the Town Board approves creating three positions of Groundskeeper to align with Dutchess County HR job descriptions.

**ROLL CALL VOTE:**

Oberly            AYE  
Cunningham    AYE  
Juliano           AYE  
Dean Michael   AYE  
Whitton         AYE

**Motion carried.**

**Amend Kyle Mackin’s title:**

MM Supervisor Oberly, 2<sup>nd</sup> Councilman Michael that the Town Board approves amending the title of **Maintenance Worker to Groundskeeper** in the motion from March 9, appointing Kyle Mackin with the same pay rate and hours listed and paid from the same Budget code.

**(THE AMENDED MOTION READS:** MM Supervisor Oberly, 2<sup>nd</sup> 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.)

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**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

**APPOINTMENTS:**

**Seasonal Cemetery maintenance person – SUMMER GROUNDSKEEPER**

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board appoints Paul Welsh to the position of Summer Groundskeeper at \$14.50 per hour for 32 Hours per week for 25 weeks starting April 12, 2021 paid from budget code: A8810.110.

**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

**PT Justice Court Clerk –**

**Carol Mackin: Justice Barbara Seelbach appoints Grace Johnson as Justice Clerk**

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves Grace Johnson as Justice Clerk beginning May 24, 2021 at a rate of pay of \$15.00/hr for a maximum of 25 HOURS PER WEEK.

**ROLL CALL VOTE:**

Oberly AYE  
Cunningham AYE  
Juliano AYE  
Dean Michael AYE  
Whitton AYE

**Motion carried.**

**CAC Members (2):**

MM Supervisor Oberly, 2nd Councilman Juliano that the Town Board appoints **Joe Phelan and Jake Straus** as a members of the CAC; each to fill a one-year term of office of April 14, 2021 to December 31, 2021. Dean Michael wanted to interview the candidates and they were not.

**ROLL CALL VOTE:**

Oberly AYE  
Juliano AYE  
Whitton AYE  
Dean Michael Nay  
Cunningham AYE

**Motion carried.**

**Constables**



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MM Supervisor Oberly, 2<sup>nd</sup> Councilman Michael to approve Brody Rogers Military Leave from the position of Constable beginning March 10, 2021.

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano           AYE  
Whitton          AYE  
Dean Michael AYE  
Cunningham    AYE

**Motion carried.**

MM Supervisor Oberly, 2<sup>nd</sup> Councilman Michael to approve the appointment of Martin Finneran as Constable beginning April 1, 2021 at a rate of pay of \$22.72/hr.

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano           AYE  
Whitton          AYE  
Dean Michael AYE  
Cunningham    AYE

**Motion carried.**

Mike Whitton got an email from a resident interested to fill the BAR position. We will put it on the web and do an email blast looking for candidates.

MM Councilman Whitton 2<sup>nd</sup> Councilman Juliano to set a special meeting, executive session on Tuesday, April 20, 2021 at 6:00 pm, live in Town Hall to interview candidates for the BAR.

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano           AYE  
Whitton          AYE  
Dean Michael AYE  
Cunningham    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 April General Fund Warrant, vouchers numbered **122 through 174 totaling \$ 57,618.89** and the March Highway Fund Warrant, vouchers numbered **64 through 92 Totaling \$ 203,651.55.**

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano           AYE  
Whitton          AYE  
Dean Michael AYE  
Cunningham    AYE

**Motion carried.**

**3. Motion to Move funds**

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MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 26 of 2021, a resolution to move funds at the April 13, 2021 meeting.**

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano           AYE  
Whitton          AYE  
Dean 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.

**OTHER**

Councilman Whitton pointed out Susan Rohrmeier of the Library has received a NYS Outstanding Librarian Award; she is our asst. programming director at the Library.

Dean Michael, announced this weekend is Roadside Cleanup from 9 am to 3 pm.

Nancy Cunningham recognized Eric Sternberg, Barb Lawlor and highway department on their work efforts to maintain the complex.

**ADJOURNMENT**

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting. The meeting was adjourned at 7:29 PM.

**ROLL CALL VOTE:**

Oberly            AYE  
Juliano           AYE  
Whitton          AYE  
Dean Michael    AYE  
Cunningham     AYE

**Motion carried.**

Respectfully Submitted,



Carol-Jean Mackin,  
Town Clerk