

June 8, 2021 Town Board Meeting
June 8, 2021

Schultzville, NY

This is the Clinton Town Board Regular meeting being held on June, 8, 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 7:41 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 Juliano to approve the minutes of the May 11, 2021 Public Hearing on proposed LL 4 Conference Centers.

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 May 11, 2021 Town Board meeting.

ROLL CALL VOTE:

Oberly	AYE
Cunningham	AYE
Juliano	AYE
Dean Michael	AYE
Whitton	AYE

Motion carried.

SUPERVISOR'S COMMENTS

On the Fourth of July Holiday, the Town Offices, Town Court, Court Clerks, and Highway Department will be closed on Saturday and Monday, July 3 and 5. The Library will be closed

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only on Monday, July 5 and open regular hours on Saturday July 3. The Recycling Center will be open regular hours (7:30 AM to noon) on Saturday July 3.

The Primary Election Day is June 22 from 6 a.m. to 9 p.m. with in-person voting in Town of Clinton with all election districts voting at Clinton Town Hall, 1215 Centre Road, Rhinebeck, NY 12572. The Clinton Primary has only one voting line for the Working Families Line for Family Court Judge. NYS has adopted early voting starting June 12 through June 20 during the times and locations posted on <https://www.elections.dutchessny.gov/>.

Update that the Fiddlers Bridge Road bridge near the intersection of Long Pond Road by West Clinton Station 2 will be estimated closed to all traffic starting the first week of July until mid October 2021. Notify your attendees coming to social activities and delivery and service providers of the closure and the detour routes will be published when they become available. North Quaker Lane (CR 16) will be closed from Forest Drive to East Fallkill Road starting Monday, June 14 until the fall of 2021. The road will be straightened and the culvert bridge will be replaced. Follow the detours to avoid the construction on North Quaker Lane.

Central Hudson is in the process of upgrading/replacing their poles in the Town of Clinton today. They use contractors in addition to their workers to speed up the work. Originally, we thought this may be 5 G installations and that is incorrect.

On the COVID-19 front, the Governor announced Monday when the vaccination rate achieves 70% for New York State, he'll remove most COVID restrictions. Today, we are at 68.6% vaccination rate statewide so the lifting of restrictions will probably occur in about 2 months. We can further discuss at the July 13 Town Board meeting.

OLD BUSINESS

1. Discuss/Approve Town wide Reval – Dean Michael

Councilman Dean Michael said he has a teleconference with Marist College for interns next week and will get more detail then. Assessor Stegner has been busy with grievance day and she did not get a cost for the rfp to hire an outside firm to do the Reval but got a template from NYS to get rfps.

2. Approve revised position statement for Secretary to the Highway Superintendent – Oberly

MM Supervisor Oberly, 2nd Councilman Whitton to approve the revised position statement for the position of Secretary to the Highway Superintendent.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Dean Michael AYE
Whitton AYE

Motion carried.

3. Approve Conference Center Local law - Dean Michael

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MM Councilman Michael, 2nd Councilman Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 31 of 2021 adopting Local Law No. (4) of 2021, entitled “Conference Center Law”** a copy of which is attached hereto and made a part of this resolution; and Be It Further Resolved, that the Town Clerk is 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.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Dean Michael AYE
Whitton AYE

Motion carried.

4. Discuss Cyber-Password Policy – Oberly

This was written in conjunction with our IT Consultant Fred Shequine to improve the Cyber Security of our computer network. It is the cheapest and is a very effective way to reduce ransomware, fraud, and scams on our computer network. NYMIR has requested we implement this Cyber-Password Policy for our Cyber Security Insurance.

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 32 of 2021 Cyber Security Password Policy effective June 9, 2021.**

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Dean Michael AYE
Whitton AYE

Motion carried.

5. Discuss local law for fines and penalties – Dean Michael

Dean Michael discussed the purpose of this law is to discourage people from intentionally violating rules, so min fines are on higher side and they progressively go up for the chronic violators, we’ve seen in certain cases people will pay the fine and violate the rules.

Mike Whitton said the permit stays with the property: will a new owner be responsible for the past owner’s fine? Dean said the title search will find that when a property is sold and it will need to be remedied before the closing on the property.

The law will be on the agenda for approval in July.

NEW BUSINESS

1. Discuss 2021 fund Balance Report – Whitton

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Mike Whitton explained the fund balance requirement. The AUD was complete in April and it shows the general fund unassigned balance is about \$704,000, 53% of the adopted budget appropriations. We should bring that down to 45% or by about \$110,000. The Highway fund balance is at \$170,000 or 10% of the budget; needs to be raised to 25% at least. Suggested ways to use the general fund balance for the 2022 budget. Councilman Dean Michael said we have some big expenses coming in 2022, like the reval, and maintenance on the buildings. Councilman Juliano said we figured we would add some money this year to some we saved for these projects. Supervisor Oberly said it is difficult to define where monies will go until we start working on the budget, and we will work on the budget in the workshops.

2. Approve Shredding Event on June 26, 2021 – Oberly

Town Clerk Mackin is working on a records management project, the shredding truck is the best way to dispose of the volume of records that have met their required retention period.

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution BE IT RESOLVED that the Town Board approves the June 26, Shredding event and the Shredding Truck from Records Storage Solutions, Inc. at a cost not to exceed \$550.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Dean Michael AYE
Whitton AYE

Motion carried.

3. Approve regular meeting night for Climate Smart Task Force – Whitton

MM Councilman Whitton, 2nd Councilman Michael to approve the following resolution BE IT RESOLVED pursuant to Resolution 29 of 2018, which established the Climate Smart Community Task Force, the Town Board approves the regular meeting night on the **fourth Tuesday of every month at 7 PM starting June 25, 2021 in the Masonic Hall**; (Under the suspension of OML, the Committee will meet via Zoom.) the first meeting is the fifth Tuesday to accommodate a special guest. Ray commended Whitton on his work.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Dean Michael AYE
Whitton AYE

Motion carried.

4. Discuss Cannabis/Town decision – Oberly

The Town will need to make decisions on this issue before September 1, 2021 so if local laws are needed, there is time to enact them.

1. Do we want to allow the sale of cannabis products in our Town after the regulations get developed by NYS. If we allow the sale, we will be able to receive a 3% sales tax revenue source. If we do not approve the sale in Town, we will not get any of the sales tax revenue.
2. Do we want to allow smoking parlors in Town?
3. Do we want to allow smoking out in public places? No cannabis smoking is allowed in private and public vehicles and eating places. Organizations can restrict smoking in their facilities and grounds.

All the above are subject to the Town's Zoning as to locations and restrictions which must be revised. There are some other issues possible once we get the new rules and regulations from NYS government later this year. How do we want to get any input from the community on these 3 decisions to move forward on Town actions?

Councilman Juliano thinks a public hearing should be held so we can see what the community wants. Councilman Whitton thinks we are elected to make these decisions. It was decided a public hearing should be held.

MM Supervisor Oberly, 2nd Councilman Juliano to approve holding a Public Hearing via ZOOM on July 13, 2021 at 6 pm to hear comments from the community regarding cannabis.

ROLL CALL VOTE:

Oberly AYE
Cunningham NO
Juliano AYE
Dean Michael AYE
Whitton AYE
Motion carried.

5. Discuss ARP (American Rescue Plan) Funding– Oberly

The US Treasury is starting to make available a draft of their rules for implementing ARP. These rules are coming from a 150-page Federal law which is in many cases very general. There are grant areas that we have no ability to apply for like water and sewer infrastructure since we have none of these facilities. The ARP funds are being sent by the Treasury to the state to distribute to the Towns based on population. We expect around \$400,000 being given to Clinton in 2 payments, in late 2021 and a year later in 2022. All funds must be committed by YE 2024 and payments made to vendors by YE2026.

Possible eligible grant uses are:

1. Responding to Public Health Emergency (COVID-19)/ Associated Negative Economic Impacts.
2. Replace Town Revenue Losses due to COVID-19
3. Premium Pay for essential workers

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4. Broadband Infrastructure including Cyber Security, possible funding also from County ARP funds
5. Highway Infrastructure, needs more research to confirm

Ineligible uses for ARP grant funds:

1. Used to reduce taxes
2. Place in Reserve Funds for future projects
3. Pay for operating expenses

How should we develop the projects to undertake for ARP funding?

Chris Juliano will take the lead on this issue and asks Ray to distribute the information as he wants to see the list of eligible projects so each person can then bring their ideas together.

6. Approve Marshall & Sterling as Medical Insurance Broker – Oberly

Our current family broker operation (Mid-Hudson VIP in New Paltz) has become slow or negligent in providing insurance support to us and our employees for the last year. Stefani and I met with Marshall and Sterling to evaluate the services they can provide. As you are aware, Marshall and Sterling is a large organization and can provide support in depth and more services. The MVP rates for the various policies are the same for all brokers so there is no price benefit either way. We need the timely support to get our and the employees questions answered as they arise. Additionally, we need to make the change before the start of the 2022 Town Budget so we have the latest rates during the Budget process. The change will become effective July 1, 2021. The Board discussed the merits of the new company but Dean thinks there are other companies that are good brokers too.

MM Supervisor Oberly, 2nd Councilman Whitton to approve the following resolution BE IT RESOLVED that the Town Board approve Marshall & Sterling as the medical and Arch for disability family leave plan insurance broker effective July 1, 2021.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Dean Michael AYE
Whitton AYE

Motion carried.

7. Approve Cory Gallinger Memorial at Rec Park – Whitton

MM Councilman Whitton, 2nd Councilman Juliano to approve the following resolution BE IT RESOLVED that the Town Board approve naming the basketball court Cory Gallinger Memorial Basketball Court at the Fran Mark Rec Park in honor of a Clinton resident who recently passed away, and further to approve a basketball tournament fundraiser, co-sponsored by the Rec Department, to support a scholarship in his name on August 1, 2021. There is also an idea to build a gazebo but that will take more planning. Dean is concerned that naming something in a residents honor and setting the precedent. Town Clerk Mackin explained that the basketball court has been a magnet for the kids in our community who have few other recreation choices. They are a group of about 20 kids who use the park and we parents know they are safe. One of their friends is now missing from their group as they continue to join together there and to have it named for him would mean he will continue to be present. Councilman Whitton met with some of Cory's friends and considers himself lucky to have met them and he sees how much this means

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to them. He explained the town Co-sponsoring is to cover the insurance for the event. Nancy thinks it's good thing but wants Dan involved Harkenrider involved.

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Dean Michael AYE
Whitton AYE

Motion carried.

8. Approve purchase of 2021 Ford F350 off of State Bid – Dean Michael/Whitton

Councilman Whitton said we sold some items at auction which brought in about \$31,000 and we have some excess funds in sand we can transfer to make the purchase. Councilman Juliano said he has talked to Todd about having a plan to upgrade our equipment after getting rid of the old items at auction. This plan includes giving an older truck to the zoning and building inspectors to use. The Board members talked about the different trucks we own and their uses. Nancy Cunningham asked about the funds for the heating system; Councilman Juliano said there are funds for that and he plans to revisit this issue in July. Dean said Todd found this truck now is the time to buy one as they are hard to find. If we don't buy this one there may not be another option to buy a vehicle any time soon. Ray Oberly said initially there was no defined reason why we needed a truck and after receiving the numbers today, he can see that we have the funds and so we can go ahead and make the purchase tonight.

MM Councilman Whitton, 2nd Councilman Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approve the purchase of a 2021 Ford F350 STX R. C. Turbo Diesel 4X4 equipped with 9'6" Fisher XV2 MS plow off of State Bid from Romeo Ford at a cost not to exceed \$57,986.60

ROLL CALL VOTE:

Oberly AYE
Cunningham AYE
Juliano AYE
Dean Michael AYE
Whitton AYE

Motion carried.

OTHER ITEMS

1. Resignations and appointments –

Whitton: Climate Smart Task force. Two-year staggered terms:

MM Councilman Whitton, 2nd Councilman Michael to approve the following resolution BE IT RESOLVED that he following are appointed to the Climate Smart Community Task Force with a **term of office of June 9, 2021 to December 31, 2021:**

(On January 1, 2022, we will appoint them for a full two years: Jan 1, 2022 to Dec 31, 2023)

Michael Whitton, Climate Smart Coordinator and Town Board Member

Joseph Phelan, Chair, Member of CAC

Ian Shrank, Secretary

Charles Canham, ZBA

Jacob Straus, CAC Member

Todd Martin, Highway Superintendent

ROLL CALL VOTE:

Oberly AYE

Cunningham AYE

Juliano AYE

Dean Michael AYE

Whitton AYE

Motion carried.

MM Councilman Whitton, 2nd Councilman Juliano to approve the following resolution BE IT RESOLVED that he following are appointed to the Climate Smart Community Task Force with a **term of office of June 9, 2021 to December 31, 2022:** (Full two-year terms)

Jean McAvoy, CAC Member

Richard Marshall

Paul Ruud

Leslie Power

Melissa Karchmer

ROLL CALL VOTE:

Oberly AYE

Cunningham AYE

Juliano AYE

Dean Michael AYE

Whitton AYE

Motion carried.

Cunningham:

Recreation Appointments:

MM Councilwoman Cunningham, 2nd Councilman Juliano to approve Rosemary Horgan and Kristopher O'Brien as Lifeguards at a rate of pay of \$12.97 per hour from June 9, 2021 to November 1, 2021.

ROLL CALL VOTE:

Oberly AYE

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Cunningham AYE

Juliano AYE

Dean Michael AYE

Whitton AYE

Motion carried.

Oberly:

Planning Board Engineer Consultant

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the appointment of **Ronald Graiff as Radio Frequency/Cell Tower Consultant at \$250.00 per hour effective June 3, 2021.**

ROLL CALL VOTE:

Oberly AYE

Cunningham AYE

Juliano AYE

Dean Michael AYE

Whitton AYE

Motion carried.

Cunningham:

Recreation Assistant

MM Councilwoman Cunningham, 2nd Councilman Michael to appoint Taylor Harkenrider as Recreation Assistant (Camp Counselor) for four weeks of camp plus orientation training effective June 9, 2021 at a rate of \$11.55/hr.

ROLL CALL VOTE:

Oberly AYE

Cunningham AYE

Juliano AYE

Dean Michael AYE

Whitton AYE

Motion carried.

2. Approval of Warrants

MM Councilman Dean Michael, 2nd Councilman Juliano to approve the following resolution BE IT RESOLVED that the Town Board approves the June General Fund Warrant, vouchers numbered **236 through 282 totaling \$ 104,818.59** and the June Highway Fund Warrant, vouchers numbered **112 through 130 Totaling \$ 75,015.76.**

ROLL CALL VOTE:

Oberly AYE

Juliano AYE

Whitton AYE

Dean Michael AYE

Cunningham AYE

Motion carried.

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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. 33 of 2021, a resolution to move funds at the June 8, 2021 meeting.**

ROLL CALL VOTE:

Oberly AYE
Juliano AYE
Whitton AYE
Dean Michael AYE
Cunningham AYE

Motion carried.

4. Supervisor's Report

MM Supervisor Oberly, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the final Supervisor's Report for May, 2021.

ROLL CALL VOTE:

Oberly AYE
Juliano AYE
Whitton AYE
Dean Michael AYE
Cunningham AYE

Motion carried.

OTHER

Nancy Dan is working with an eagle scout to upgrade a sign at Friends Park.

ADJOURNMENT

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting. The meeting was adjourned at 8:05 PM.

ROLL CALL VOTE:

Oberly AYE
Juliano AYE
Whitton AYE
Dean Michael AYE
Cunningham AYE

Motion carried.

Respectfully Submitted,



Carol-Jean Mackin,
Town Clerk