

This is the regular meeting of the Clinton Town Board held on this day, September 14, 2021 in the Town Hall. Present were Supervisor Oberly, Councilmen Dean Michael, Chris Juliano, Michael Whitton, and Councilwoman Nancy Cunningham and Town Clerk Carol-Jean Mackin. There were 10 people in the audience.

Supervisor Oberly called the meeting to order at 6:38 PM and led the Pledge of Allegiance.

APPROVE MINUTES

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the August 10, 2021 Public Hearing on Fines and Penalties LL. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the August 10, 2021 Town Board meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the August 24, 2021 Town Board special meeting. All aye. Motion carried.

PUBLIC DISCUSSION (AGENDA ITEMS ONLY)

MM Supervisor Oberly, 2nd Councilman Michael to open the meeting to public comment. All aye. Motion carried.

Cynthia Koch – regarding the charge to the library of \$150 per month. She spoke about the history of public libraries and how the early philanthropist Andrew Carnegie, who funded libraries, asked the townspeople to support Library's in the future. Asks the town to support the Library and is against charging the Library to exist.

MM Supervisor Oberly, 2nd Councilman Michael to close public comment and return to the regular order of business. All aye. Motion carried.

SUPERVISOR'S COMMENTS

Dutchess County is asking residents and businesses to report to them any Ida storm damage incurred using their portal https://www.surveymonkey.com/r/5K2FYRM?utm_medium=email&utm_source=govdelivery as soon as possible. More details on Ida storm damage can be found on the Town's web page www.TownofClinton.com.

In mid-October, the Dutchess County Transportation Council (DCTC) will be doing a traffic safety study of Hollow Road (CR14) in the vicinity of Frost Mills. Hopefully, the study will enable road improvements to be made to reduce accidents on the portion of Hollow Road.

REPORTS

***PLANNING BOARD**

Councilman Dean Michael read from the report, on file in the Town Clerk's office.

***ZONING BOARD OF APPEALS**

Councilman Dean Michael read from the report, on file in the Town Clerk's office.

***CONSERVATION ADVISORY COMMITTEE**

Councilman Whitton read from the report on file in the Town Clerk's office.

***CLIMATE SMART TASK FORCE**

Councilman Whitton said they met and have a substantial list of actions to follow through on. Good organizational base set up.

***RECREATION COMMITTEE**

Councilwoman Cunningham said they did not meet, but they are forming a new committee. Camp was successful despite Covid with a smaller group of children. Problems staffing this summer. Got a grant to upgrade Friends park starting end of September with paving the entry to the park. We had vandalism in both parks. The basketball court hoop was destroyed and in Friends Park, a car rode on lawns and wet lands. We are looking to implement security quickly. Outsiders are coming in to use the parks after hours and the police are stepping up their patrols.

***BUILDING INSPECTOR**

Supervisor Oberly read from the report which is on file in the Town Clerk's office.

***ZONING ADMINISTRATOR**

Supervisor Oberly read from the report which is on file in the Town Clerk's office.

***HIGHWAY**

Councilman Whitton read from the report which is on file in the Town Clerk's office.

***SCENIC AND HISTORIC ROADS ADVISORY COMMITTEE**

Councilman Juliano said things are quiet.

***LIBRARY REPORT**

Councilman Whitton read from the report which is on file in the Town Clerk's office.

***CABLEVISION Altese**

Councilman Whitton read from the report which is on file in the Town Clerk's office; he also noted that Altice has made changes to their cable rates. The changes are posted on the Town's webpage.

***CEMETERIES**

Councilman Whitton read from the report which is on file in the Town Clerk's office.

***ZONING REVISION**

Councilman Michael said updates are on the web and we will continue meeting after the approval of the budget.

***PROPOSED TRANSMISSION LINES**

Supervisor Oberly said in October 2021, National Grid will start tree and brush clearing of the transmission right of way. There also may be some earth grading done to improve

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accessibility. In spring 2022, more work will be done in preparation for the removal of the existing towers and installation of the new monopoles. The project should be complete in early 2024.

***OTHER**

WIC

Councilman Whitton read from the report which is on file in the Town Clerk's office.

SAFETY

Nancy Cunningham will be doing a site wide safety review.

OLD BUSINESS

1. Approve local law for fines and penalties – Dean Michael

MM Councilman Michael, 2nd Councilman Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 42 Of 2021 adopting Local law No. 5 of 2021, a local law for fines and penalties** 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 State of New York. All aye. Motion carried.

2. Approve/Discuss Library lease – Whitton

Councilman Whitton said the Library Board members are still discussing the Library lease. They will get back to us with their determination.

3. Approve introducing LL to opt out of cannabis consumption/ PH Oct. 12 -Oberly

Since the Town Board approved not allowing marijuana smoking parlors to exist in Town, we must pass a local law and have a public hearing at the next Town Board meeting on October 12.

MM Councilman Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 43 Of 2021 introducing local law no. XX, subject to permissive referendum, to opt out of cannabis consumption in the Town of Clinton** and that a public hearing be held at the Town Hall on October 12, 2021, at 6:15 o'clock p.m., Prevailing Time. All aye. Motion carried.

4. Approve updating Cemetery rules and regulations – Whitton

MM Councilman Whitton, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 44 Of 2021 adopting updated rules and regulations for Town cemeteries to include deputy cemetery custodian, labeled**

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Schedule A. Councilman Whitton explained that Eliot Werner is the custodian but if he goes out of town, there is no one in his place. The rules are amended to give him the power to appoint a deputy. All aye. Motion carried.

5. Discuss Town wide Reval – Michael

Dean said the Board is considering if we are going to have a deputy Assessor, as we develop the 2022 budget; we need to consider this position which will cost about \$21,000. The cost for a reval is expensive. The Assessor is looking to not do any major reassessments this year. Ray said we included a deputy Assessor in our salary workshop discussion. Ray said you can't keep delaying the reval. Dean said we will be at 100 percent next year and we should wait to see if there is a market correction next year. Nancy said to go forward with the deputy position to which the others agree, and go forward with considering a bid to reval the commercial properties.

6. ARPA Funding update – Juliano

Chris said we need estimates for broadband, cameras and road drainage. Nancy would like to use some funds for the park security and the Board agrees. Ray said we do not have any approvals to spend the money we received. Dean Michael has suggested getting electronic signage that changes and updates the town activities on the sign board. Ray asked who will change the sign content and pointed out that electronic signs are not allowed in our Zoning Law. Ray has two bids already to go for scanning; Chris said we can put them out and we need to have them for the October reporting paperwork.

Councilman Whitton said we have several years to implement these projects and use the ARPA funds. Chris Juliano gave an overview of the ARPA program.

7. Discuss Covid Restrictions – Oberly

With the new option of in-person or Zooming meetings, we are returning to in-person Town Board meetings to allow the public to participate in discussions. All meeting attendees and visitors to offices will be required to wear a mask even if COVID vaccinated. Now we will require more operators for the TV operation to simultaneously broadcast on Cablevision Channel 22 and also on YouTube. Anyone interested in these paid part time positions for working about 3 hours a Town Board or Public Hearing meeting, contact the Town Supervisor by email at TownSupervisor@TownofClinton.com. You will be trained in the operation of the electronic equipment. Computer operation knowledge is very helpful.

8. Discuss Status of Assemblywoman Barrett grant – Oberly

Ray received authorization from Albany to start the process for doing the subject grant. There are more financial papers to be signed so we can get reimbursement for funds expended. Remember there are two pieces to the grant; replacement of the old highway garage roof and the ramp and new door for the Library.

The first project (roof) is having its bid package being prepared with approval for bidding to be done at the September 14 Town Board meeting. The County's BidNet will be used to get

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many bids for approval at the October 12 Town Board meeting. The work should take about one week or less to complete before mid-December 2021. This project was chosen since it is a generic bid and the work can be done quickly before the cold weather comes.

The second project (Library ramp and door) will take longer to do the required architectural drawings and construction. The plan is to approve the bid package at the December 14, 2021 or January 11, 2022 Town Board meeting and award the bid by the February 8, 2022 Town Board meeting. The County's BidNet will be used to get many bids. Construction can start in spring 2022 after the ground thaws. This project was chosen second since it requires more architecture time and work can only be done in the spring or later.

9. Approve bid for old garage roof replacement using Assemblywoman Barrett grant – Oberly

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves going for bidding for the replacement of the roofing on the old highway garage using the County's BidNet to get more bids. **Bid opening will be at 10:00 a.m. prevailing time at the Town Clerk's Office at 1215 Centre Road, Rhinebeck, NY 12572.** We agree to waive performance, labor, and material bonds but will require a one-year maintenance bond. In addition, there must be the 30 or 40-year manufacturer's warranty on the shingles. All aye. Motion carried.

10. 2022 Budget status – Oberly

With the delays in getting the 2022 Budget information and Town Supervisor staffing, it is impossible to ensure the September 30, 2021 deadline can be met. The previous schedule is not correct any more. The only deadline that must be met is the November 20, 2021 budget deadline.

NEW BUSINESS

1. Approve the sale of wreaths by the Boy Scouts at the transfer station - Oberly

MM Councilman Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve the Boy Scouts Troop 228 wreath sale fundraiser at the Transfer Station on Nov. 27, 2021 and Dec. 4, 2021 from 7:30 am until Noon contingent upon receipt of the certificate of insurance. All aye. Motion carried.

2. Approve introducing LL to override the tax cap – Oberly

MM Councilman Oberly, 2nd Councilman Whitton to approve the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 45 Of 2021 introducing local law no. XY of 2021 to override the Tax Cap** and that a public hearing be held at the Town Hall on October 12, 2021, at 6:25 o'clock p.m., Prevailing Time. All aye. Motion carried.

3. Discuss IMA with Red Hook for labor services – Whitton/Michael

Councilman Whitton said we have an agreement like this with several Towns but Red Hook wants a new one every year. We don't have the agreement in front of us, so we can't approve it tonight. Dean Michael said if we don't approve this tonight we will be in trouble because we need to share their equipment for an upcoming project. Highway Superintendent Todd Martin explained why we need their equipment; this is the same agreement we have with the other towns. If we cut ties with Red Hook it will cost us money to rent trucks at \$110 per hour.

Chris Juliano suggests we approve the IMA with the condition that we approve it if the Town Attorney says there is no change. Dean Michael said then Red Hook would know that we are moving forward with the contract.

MM Councilman Whitton, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town approve the Intermunicipal Agreement with Red Hook for labor services pursuant to the approval of the Town Attorney's review. All aye. Motion carried.

Councilman Whitton asked Todd to forward the IMA to the attorney and cc the Board.

4. Discuss Park Security - Cunningham

Councilwoman Cunningham made an appeal to anyone in the community to come and talk to us about recreation in town. Call Nancy, her phone number is on the web.

OTHER ITEMS

1. Resignations and appointments –

MM Supervisor Oberly, 2nd Councilman Michael to accept the resignation of Paul Welsh as Seasonal Cemetery maintenance person – SUMMER GROUNDSKEEPER, effective August 23, 2021. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to appoint Samantha Campbell as Clerk effective September 7, 2021 at \$15.00 per hour for 20 hours per week. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Juliano to appoint Carol Harkelrode as pt Clerk (to the Justice court) effective September 13, 2021 at \$17.00 per hour for up to 15 hours per week. Nancy commends the Justices for saving us money for many years but this position is necessary. All aye. Motion carried.

MM Councilman Whitton, 2nd Councilman Michael to appoint Margaret Pierpont to the CAC for a term of office of September 14, 2021 to December 31, 2021. All aye. Motion carried. (This is a partial one-year term, she will be appointed to a full one-year term Jan 1, 2022.)

Dean Michael asked about a Planning Board inquiry and Ray said the applicant does not live in the Town, he just owns vacant land.

Supervisor Secretary discussion:

Supervisor Oberly: As the Town Board is aware, I had my Secretary resign two months ago since she wanted more pay. I have located a person willing to be my Secretary who has worked in governmental and business activities for over 9 years. The duties required working with Dutchess County HR, be benefits administrator, doing payroll, personal files maintenance, doing workers compensation filing and follow-up, doing the required annual audits for other agencies, computer familiar especially with WORD, EXCEL, and internet, currently is Notary, and other new tasks as assigned. These are the same requirements for my Secretary. I request a pay of \$25 per hour for this full-time Executive Secretary position with medical benefits.

Dean Michael said the position is at \$21 per hour. Mike Whitton said the problem is that this position is an executive secretary. We can not find a qualified person for this rate. Nancy Cunningham said in the town of Poughkeepsie said they have a bookkeeper, and an HR employee who does all of the tasks of this person. We are not always comparing apples to apples. Chris said we had freezes on salaries for years, we are trying to get salaries back, we agree we need the right people and care for employees who have been here for years. We need to hire based on the position, not the person. We can outsource our payroll and benefits; he uses for his business ADP. He talked about the discrepancy that will occur between employees if the pay for this position is at the \$25 per hour rate. Ray said its simple, he has had new secretary every year and they quit because of the pay. With no resolution, work won't be done and no guarantee we will meet all the deadlines. Dean suggested he call the staffing agencies to get Temporary fill in help, Ray is concerned about the training. Mike Whitton said we don't need temporary solutions; we need a final solution. At last week's meeting, Mike Whitton said the position should be \$25 hour; people who are applying are saying the job is worth \$25 per hour. Not every clerical job is the same. This is the only executive secretary for the whole town. It is a different job. Chris feels that the appointed position can change every two years and then another supervisor appoints someone at that rate who is not qualified. Nancy said we are not going to resolve this tonight. Nancy asked the Board to look at the qualifications she created for this position; they are not the job description of the other clerks in the town. The position is much more involved. The job is elevated above the other clerks. Mike Whitton said we are two months behind; it's affecting the Town Clerk's office also as they also work in the Supervisor's office. Councilman Whitton wants to finish this now. Chris agrees. Ray said this is not going to affect him, things are falling behind, we are two months behind on retirement. Chris wants to find a solution but is concerned about the discourse the increased pay will cause. Dean's solution is to get temporary help. Nancy want's an executive session on the job description and to come to an agreement on the salary. Whitton is not against the temp, but we also need to define a salary for the Supervisor Secretary. Dean said the salary has come up quite a bit already and the \$21 per hour will be advantageous for someone. Ray said at this rate, we will not hire someone this year. Ray feels they will cut other salaries to make the budget fall within the tax cap. Chris talked about his budget choices. Nancy asked the Board to decide on a number for the position. Understands the candidate is an excellent fit who won't need training. Is the town willing to pay? Thinks the job is more than \$21 but not \$25. Chris thinks the job is worth more than \$21 per hour but he can't get to \$25 per hour. Feels it's a two-year deal if Supervisor's change. Mike Whitton wants to determine a wage for the rest of the year. Whitton wants to discuss \$23.50 or \$24 per hour with no promise for next year's rate.

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Chris asked Dean if he sees something in the job description that warrants more money. Dean said he will go to \$22 like the court clerks with their special training. Chris agrees with Dean. Chris wants to see if we can get a temp clerk and then consider the job and its rate.

Nancy thinks the position has more value than the other clerks as she will have reporting duties higher than the local clerks. Ray and Mike Whitton agree.

The Board members discussed how they picked and chose the numbers for pay rates at the workshop meeting. The Board members feel the position is a Clerk, Ray said it is not a clerk. Nancy suggests a temp agency to start.

2. Approval of Warrants

MM Councilman Dean Michael, 2nd Councilman Whitton to approve the following resolution
BE IT RESOLVED that the Town Board approves the September General Fund Warrant, vouchers numbered **380 through 432 totaling \$ 58,795.65** and the September Highway Fund Warrant, **vouchers numbered 176 through 204, Totaling \$53,983.38.** All aye. Motion carried.

3. Motion to Move funds

MM Supervisor Oberly, 2nd Councilperson Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 46 of 2021, a resolution to move funds at the September 14, 2021 meeting.** All 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 August, 2021.

PUBLIC DISCUSSION

MM Supervisor Oberly, 2nd Councilman Juliano to open the meeting to public discussion
All aye. Motion carried.

Cary Bell – problem he gets gushes of water to his home when it rains coming down Nine Partners Road. Feels the recent culvert replacement on Center Road is a larger culvert and that may be bring debris through his yard, and the water is building up.

Bob Calsi – said Chris Juliano said he would fix the water runoff problem on his property last year and nothing has been done. Chris reviewed his solution to this issue. Mike Whitton said he spoke to all the engineers and they are creating the documents, and it is taking a long time but it is moving forward. The attorney is drawing up the easement. Chris Juliano defended his efforts to find a solution for Mr. Calsi, who is angry that the process is moving slowly. Mike Whitton will follow up with this issue to bring it to a conclusion.

Todd Martin - addressed Mr. Bell's issue, there is a beaver dam on Nine Partners Rd., the group home put in a culvert pipe that collapsed. The Town is trying to trap the beavers to

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open that up slowly. The catch basin the County installed was a smaller one by the house on Fiddlers Bridge Road. Concerning Mr. Calsi, Todd said the lawyer is finalizing the easement to fix the problem once and for all. We have a serious problem with dead deer, picking up 5 to 6 a week. DEC does not want these diseased animals transported. Get bags of lime and put over top of the deer to help decompose the deer. The highway is short staffed. We have one person to mow and weed whack and it not enough.

MM Supervisor Oberly, 2nd Councilman Michael to close public comment and return to the regular order of business. All aye. Motion carried.

ADJOURNMENT

At 8:53PM, MM Supervisor Oberly, 2nd Councilman Michael that the Town Board adjourns the meeting. All aye. Motion carried.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Carol-Jean Mackin".

Carol-Jean Mackin, Town Clerk