

November 9, 2021 Town Board Meeting  
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Schultzville, NY

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

Supervisor Oberly called the meeting to order at 6:30 PM and led the Pledge of Allegiance.

### **APPROVE MINUTES**

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the October 12, 2021 Public hearing – Opt Out Cannabis Smoking Parlors. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the October 12, 2021 Public hearing – Tax Cap Override. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the October 12, 2021 Town Board meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the October 20, 2021 special Town Board meeting on ARPA funds. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the October 26, 2021 special Town Board meeting executive session. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael to approve the minutes of the October 30, 2021 special Town Board meeting. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Juliano to approve the minutes of the November 1, 2021 Highway Workshop meeting. All aye. Motion carried.

### **PUBLIC DISCUSSION (AGENDA ITEMS ONLY)**

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

Mary Pat Sternberg vp Library, regarding the lease and the Town Board's addition of a monthly charge. Received no response to the comments made last month. The Library is not a business, it is a nonprofit providing educational resources. The 414 passed in 2017 with a stable amount of funds to be raised; the Town's \$150 per month charge is derived from no matrix. The Clinton Library is the 2<sup>nd</sup> lowest funded library in the county. The Library doubled the numbers served and there is a 76 percent increase in business. Invited the town board to meet to resolve this issue.

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

### **SUPERVISOR'S COMMENTS**

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The Fiddlers Bridge Road bridge is planned to be open by mid December 2021 if the weather does not cause construction problems and delays. When it opens, we will put it on the Town web page.

The Veterans Day Holiday Thursday, November 11, 2021, has the Town offices, Court offices, and Highway Department are closed. The Library is open as usual.

The Thanksgiving Holidays are closed on Thursday, Friday, and Saturday November 25 -27 with the Town offices, Court offices, and Highway Department being closed. The Library is closed on Thursday and Friday, November 25 and 26 and is open on Saturday, November 27 with usual hours. The Recycling Center will be open 7:30 AM to noon on Saturday, November 27.

### **Supervisor Elect Whitton:**

Clinton Seeks Nominations for Boards and Committees

The Town of Clinton is accepting letters of interest for Town wide Boards and Committees for appointment in 2022. Positions include membership on the Planning Board, Zoning Board of Appeals, Board of Assessment Review, Conservation Advisory Council, Recreation Committee, Scenic and Historic Roads Committee, and Cemetery Committee.

Letters of interest with contact telephone numbers and related experience should be sent to Town Supervisor Elect Michael Whitton by e-mail at whittontownboard@gmail.com or by mail to Town Supervisor, Town of Clinton, 1215 Centre Road, Rhinebeck, NY 12572 by Tuesday, November 30, 2021. Interviews will be scheduled for early December at the Town Hall. For any questions, call the Town Supervisor at 845-266-5721 ext 105 in the mornings, Monday through Thursday or his Secretary at 845-266-5721 ext 130.

## **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 read from the report on file in the Town Clerk's office.

### **\*RECREATION COMMITTEE**

Councilwoman Cunningham said they did not meet, planning to meet in December with new committee members and tour the facilities and create a 2022 plan.

### **\*BUILDING INSPECTOR**

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

### **\*ZONING ADMINISTRATOR**

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Supervisor Oberly said there was no report.

**\*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.

**\*ALTESE (Cablevision)**

Councilman Whitton said there was no communication.

**\*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. Schedule again in the new year.

**\*PROPOSED TRANSMISSION LINES**

Supervisor Oberly said

**\*OTHER**

**WIC**

Councilman Whitton said the next meeting is November 19, 2021.

Nancy appreciates the blacktopping at Friends Park, prepping the grant in Friends Park. Bought two trail cameras, in Fran Mark Park, they need some maintenance. Still waiting for the basketball hoop to be replaced. Normally close park Nov.1 and will keep it open; will close it when the snow falls.

**OLD BUSINESS**

**1. Approve/Discuss Library lease – Whitton**

Lease is on a month to month and they paid the \$1 in April. Chris wants to meet as a Board with the Library Board. Nancy said it's a sad situation; we are for the Library and she appreciates the support of the community. We are struggling with making the budget work. Councilman Whitton said individuals may meet with the Library Board if they want - just schedule it yourself.

**2. Discuss Town wide Reval – Michael**

We did not fund it in the 2022 budget. We can send out an RFP to see what the numbers will be for a future date. 1. An rfp for whole town then 2. An rfp one for larger farms and commercial. Ray concerned about that we don't have a plan. Dean said the plan was to hire a

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deputy to do residential and an rfp to get a vendor to do the commercial and large farms.  
Councilman Whitton suggests get the rfp to have a number to plan for next year's budget.

**3. ARPA Funding Update – Juliano**

We will start to approve to use arpa funds later in the meeting. Looking forward to getting updated information on what we can use the funds for.

**4. Highway Heating system update – Juliano**

Working with the town engineer to get the process going. Estimates for the job with prevailing wage is at \$50,000. Looking to get equipment through the arpa funds, putting in two smaller units rather than one large one, so we can phase it in and cut the costs. Ray said splitting a bid to be under a cap is illegal. That is not what Chris means, he means splitting it for budgeting purposes. The one job, phase one is a gas line installation and then phase two is putting in the system itself.

**5. Security Update – Cunningham**

Stated Earlier. Ray said if a safety issue, the cameras will fall under arpa funds.

**6. Story Hour Parents' Petition for a STEM Playground**

Nancy did not follow up with Rec Director Dan Harkenrider. Chris Juliano thinks it would be nice to have a playground but we need to check the legality of the Iroquois property to see if we are allowed to build on it.

**7. Approve price increase to emergency purchase of sander – Oberly**

Last month the Town Board approved the purchase of a new available sander for one of our trucks. Unfortunately, we were informed by the vendor that the specific 2-yard sand was stolen from their property. They have a new 2.5-yard sander that they will sell us for an additional \$500 so we can complete outfitting the truck.

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve the additional funds of \$500 for the emergency purchase of a sander from Hudson River Truck and Trailer for the 2019 Ford F-350 dump truck. All aye. Motion carried.

**7. Approve/Discuss SPCA Contract - Whitton**

**Hold for December**

**NEW BUSINESS**

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**1. Approve Council people-Elect Mustello and Werner’s participation at NYS Association of Towns virtual training – Oberly**

In early January the Association of Towns has training for newly elected Town Board members. This year the training will be online training.

MM Supervisor Oberly, 2nd Councilman Michael to approve Katherine Mustello and Eliot Werner attending the Association of Town’s virtual training for newly-elected’s training in January, 2022 at a cost of \$75 each. All aye. Motion carried.

**2. Approve purchase of scanning and Laserfiche programs using ARPA funds – Oberly**

These purchases were approved by the Town Board during a previous ARPA meeting and now I am getting each quote approved by the appropriate vendor.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the scanning of Town documents by NYSID Preferred Source Solutions for an estimated cost of \$53,550.50 and not to exceed \$58,905.00 after actual scanning is done. This is an authorized NYS approved source and the funds come from ARPA funding. The Town Supervisor is authorized to sign the Quotes. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves NYS Bid General Code, CMS LLC to convert the previously scanned files to Laserfiche for an estimated cost of \$10,300.89 and not to exceed \$11,331 after the actual conversion is done. The purchase is using ARPA Funds. The Town Supervisor is authorized to sign the Quote. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the purchase of a Laserfiche Cloud System for \$11,857.00 from NYS Bid General Code, CMS LLC using ARPA funds. The Town Supervisor is authorized to sign the Quote. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the purchase of a Laserfiche Retrieval User w/Email and Weblink programs and support from NYS Bid General Code, CMS LLC at a cost of \$13,172.00 using ARPA funds. The Town Supervisor is authorized to sign the Quote. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the purchase of a Laserfiche Foil Program from NYS Bid General Code, CMS LLC at a cost of \$5,819 using ARPA funds. The Town Supervisor is authorized to sign the Quote. All aye. Motion carried.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves payment not to exceed \$1,500 to the Town’s IT Consultant to assist locally in the installation of the aforementioned Laserfiche programs. The costs use ARPA funds. All aye. Motion carried.

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**3. Approve purchase of 3 network switches using ARPA funds – Oberly**

This purchase was approved earlier in an ARPA meeting and now the specific vendor is being approved and the total cost has been reduced.

MM Supervisor Oberly, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the purchase of 3 Smart Network Switches from General Security for \$5,246.00 to replace the outdated ones as needed to match the existing system requirements. Also, the Town Board approves an estimated \$1,000 for the Town's IT Consultant to install. Both purchases are using ARPA Funds. The Town Supervisor is authorized to sign the Quote. All aye. Motion carried.

**4. Approve Town Annual Meeting on: 12-28-21 - Oberly**

This Special Meeting is held during the last week of December to balance the Town's 2021 financial records and approve receivables, payables, and encumbrances of 2021 funds received or paid in 2022.

MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves setting the date for the **Annual Meeting for December 28, 2021 at 6:30 PM in the Clinton Town Hall.** All aye. Motion carried.

**5. Approve purchase of a chipper – Whitton/Michael**

MM Councilman Whitton, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the purchase of a XMB120 Morebark 1415 Wood Chipper off of State Bid from A. Montano Co. Inc. at a cost not to exceed \$49,779.80. All aye. Motion carried.

**6. Approve highway materials bid – Whitton/Michael**

MM Councilman Whitton, 2nd Councilman Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approves the following resolution: the Town Board authorizes the **Town Clerk to advertise for sealed bids for highway materials; the sealed bids are due by 10:00 am on Monday December 6, 2021 and awarded at the regular Town Board meeting on Tuesday, December 14, 2021 to the lowest responsible bidders whose bids are not subject to change; quoted bid prices are locked-in for the duration of the contract and not subject to change for any reason including fluctuations in the market.** Supervisor Oberly asked if there are any items on Dutchess County bid? Todd Martin said yes some are. All aye. Motion carried.

**7. Approve Steep Slope Performance Bond for a certain property – Oberly**

This bond is obtained from the homeowner on Centre Road for doing work required by the Planning Board on steep slopes to ensure the work is properly done. The bond is returned when the work is satisfactorily completed.

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MM Supervisor Oberly, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the **Security Agreement for Steep Slope and Soil Erosion and Sediment Control Permits for parcel # 6468-00-372264**, attached, setting the amount of escrow at **\$6500**, and BE IT FURTHER RESOLVED that the obligation remains in full force and effect until the improvements are deemed complete by the Town of Clinton and the obligors are released from liability as per the conditions of said Agreement. All aye. Motion carried.

#### **8. Approve Abandoned Road Certificate for a certain road - Oberly**

More work must be done by the Town Engineer and the Town Attorney to properly approve this requested abandonment of a part of Fourth Avenue. No action will be taken at this time.

### **OTHER ITEMS**

#### **1. Resignations and appointments –**

##### **Seasonal Laborer /Wingman Appointments:**

MM Supervisor Oberly, 2<sup>nd</sup> Councilman Michael to appoint Vickie Hicks, Tim Lawlor, Austin Burns and Christopher Maresca as part time Wingmen/Seasonal Laborers at a rate of pay of \$14/hour each starting November 9, 2021. All aye. Motion carried.

MM Supervisor Oberly, 2<sup>nd</sup> Councilman Juliano to approve Kyle Mackin, Groundskeeper from 32 to 40 hours a week starting October 18, 2021 due to an increased workload. All 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 November General Fund Warrant, vouchers numbered **473 through 518 totaling \$ 163,875.82** and the November Highway Fund Warrant, vouchers numbered **229 through 262 , Totaling \$ 244,847.57, and the November Capital Projects Warrant numbered 1, totaling 17,395.63** . All 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. 51 of 2021, a resolution to move funds at the November 9, 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 Report for October, 2021. All aye. Motion carried.

### **PUBLIC DISCUSSION**

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none

**ADJOURNMENT**

At 7:34 PM, 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