

February 8, 2022 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 Whitton, Councilmen Dean Michael, Chris Juliano, Eliot Werner and Katherine Mustello. Town Clerk Carol-Jean Mackin was also present. There were six people in the audience.

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

APPROVE MINUTES

MM Supervisor Whitton, 2nd Councilman Michael to approve the minutes of the January 11, 2022 Town Board meeting. All aye. Motion carried.

PUBLIC DISCUSSION

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

Cynthia Koch – President, Historical Society noticed The Historical Society’s executive committee members in the audience. Spoke in favor of their request to the Town for arpa funding to recoup the income they lost during the pandemic. Ms. Koch named the various events that were cancelled due to the pandemic that resulted in lost revenue. Appreciates the support.

Rich Morse - a gem in the Town is the Historical Society stone building. Any help to keep that building and the society going is appreciated.

Craig Marshall – VP of Historical Society and Town Historian. The funds go to preservation and improvement of the building. The Historical Society hired an architect and a professional team to help us preserve the building include a handicapped access.

Barbara Sweet – via email to Supervisor Whitton, asks for support of the Historical Society with arpa funds.

MM Supervisor Whitton, 2nd Councilman Juliano to return to the regular order of business. All aye. Motion carried.

East and West Fire District Reps Comments

Don Estes – Chief ECFD thanked Supervisor Whitton for the opportunity to talk about volunteering. Being part of the fire department is among the top three things in his life, it’s been inspiring and life changing. The community service experience, the sacrifice and training are the most rewarding experience. We have an active rescue squad and an active fire department, we need help. This is the best way to help your neighbors. There are five different divisions, there are many options where your help is important without a high level of training, but you are still helping you neighbors. We have social members too who help with fundraisers, invites the community to stop in and see what it is about. Meetings are every Monday night 6 pm. His Home phone number is 845-266-5485. Junior members can join at 16 YO.

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Brian Dingee – Chief WCFD – September is 6 years for WCFD with paid EMTs. There wasn't a choice, volunteerism has dropped drastically due to time/commitment. Brian has two jobs and is the Chief. He is seeing volunteering waning in many areas. Encourages the public to attend the commissioners' meetings, there is a lot to learn at these meetings. This is one of the most important volunteer organizations in the community. If you're interested in joining go the website or come to a Monday night meeting. We provide everything for you to become a member including the training and equipment.

Chris Juliano would like to commend both departments. One of his employees is a member of the ECFD and Chris has learned a lot especially the pride they have. Sending warm thoughts to a member who is recovering from a fall. Supervisor Whitton thanked them for their 87 years of combined service to the town.

SUPERVISOR'S COMMENTS

The Clinton Town Offices, Highway Department, Justice Court Office, and Court will be closed for the President's Day holiday on Monday, February 21. The Clinton Community Library will also be closed.

I had a meeting with representatives of the Transco Project, in anticipation of the beginning of the powerline tower replacement through the Town of Clinton. Preliminary staking of the transmission corridor will begin in early summer. The work of replacing towers along the corridor is not expected to begin until late summer or early fall. Residents living along the transmission corridor will be noticed 14-30 days before work begins. Details of this project, along with construction schedules, can be found at NY-ES.com

On January 28, there was a meeting with Sean Carroll of the DC Cornell Cooperative Extension, attended by myself, the Highway Superintendent, and representatives of the CAC and Climate Smart Task Force. Working with the Cooperative Extension and the DEC, we are starting a project to create a comprehensive inventory of all of the culverts and bridges in the Town of Clinton, complete with a wealth of data on each structure. The plan is to develop a prioritization and management plan document that can be used for reference and maintenance. More importantly this document will help elevate the Town when applying for infrastructure funding for resizing or replacing Town-owned culverts or bridges. This project is expected to take about 18 months from start to finish with opportunities for public input along the way.

At the conclusion of the last Town Board meeting, Councilwoman Mustello asked a couple of questions that were not on the agenda. In my opinion, the questions did not receive sufficient answers because of that. After that meeting, we had email discussions answering those questions. I want to address them here so that the public can hear the answers.

The first question was whether we can switch over to a Purchase Order system versus our current voucher system of paying bills. A PO system is likely to cause delays in purchasing, as it would require permission, with a PO, for every purchase. All of them would funnel through one office, either the Supervisor or the Town Clerk. This raises concerns, especially for the Highway Department, as many of their purchases are items they need for repairs in the moment, or during weather emergencies. Our current system has worked well for many years, with the Supervisor having ongoing discussions with the Highway Superintendent regarding budgeting and spending. I believe it is best to keep the voucher system.

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The second question was about our current insurance coverage through NYMIR and how often the Town “shops around” for better rates. In the late 1980’s, affordable and comprehensive liability insurance was simply not available to many municipalities. So, in 1993, NYMIR was founded with 26 local government signing on as founding members. The Town of Clinton was one of those municipalities. Today, NYMIR is the largest insurer of local governments in NYS, with over 1600 general purpose municipalities. The Town of Clinton works with Salerno Brokerage to make sure we have the best insurance coverage for the tax dollars we spend. Since, 1993, that coverage has been through NYMIR.

Finally, I would like to thank the Highway Department and the entire crew for working through this past weekend’s challenging ice storm. They put in incredibly long hours to keep our residents safe on local roads, and did a fantastic job in difficult conditions.

When the Town has Covid at home tests available for distribution, notification will be sent through the town email subscription. Please visit townofclinton.com, click on the subscribe button at the top of the home page, and sign on to our email list.

TOWN BOARD REPORTS: Town Board reports are posted on the web: townofclinton.com, including: PLANNING BOARD, ZBA, CAC, CLIMATE SMART TASK FORCE, RECREATION, BUILDING INSPECTOR, ZONING ADMINISTRATOR, HIGHWAY, SCENIC AND HISTORIC ROADS, LIBRARY, ALTICE, ZONING REVISION, CEMETERIES, PROPOSED TRANSMISSION LINES, OTHER (QUARTERLY: WIC, SAFETY)

Chris Juliano - the first Rec Committee Meeting was really impressive. For our dollars, we get roads and rec and parks. Looking forward to a lot of good things to come. Feb 12th is the BYOS from 3-5 pm at the Friends Park ice rink. The committee is talking about better Wi-Fi at both parks; he is speaking to Optimum and Altice to move forward with that, which will make the parks safer, using ARPA funds to upgrade the WIFI. The committee plans to add a concession stand in Fran Mark Park, looking at credit cards and buying a shed to house the stand. Summer camp is a go, 1st and 2nd week of July and August; looking at starting classes and programs. Dog training was one of the ideas. Encouraged people to register for regular updates through MailChimp, look for the subscribe button on the webpage. One of our younger Rec Committee members suggested setting up a text alert for events and information. We are also bringing back Community Day. The meeting is the last Monday of every month at 7 PM.

Eliot Werner – The Planning Board had one particular item: the discussion on short term rentals. We are now contacting owners on the Airbnb website to find them, create a data set and bring them into compliance. Board members brought up concerns about the str law. We may need to revisit the law in the future, but need to utilize the law as it is now. The ZBA – one item of particular interest was an application to put a bathroom in an accessory structure. The rules are vague right now. The ZBA would like to see the Zoning Revision Committee ZRC, to come up with parameters on when these bathrooms are allowed and when they are not allowed. There is a risk of not being equitable, and we need a structure to follow.

Dean Michel- ZRC had its return to its meetings last week; caught up from last July. Next week it will continue, we are getting towards the end so we need to address certain issues. We asked for PB and ZBA to forward any ideas they thought needed to be changed. Concerning the

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bathroom in an accessory structure, for the most part it has always been that a bathroom is not allowed in an accessory structure.

Katherine Mustello- The CAC has programs at the library in the spring, they are listed on the library website.

OLD BUSINESS

1. Approve Resolution to adopt LL 1 of 2022 Security Breach Notification Policy - Whitton

NYS Technology Law §208 and General Business Law §899-aa, mandate that the Town have a Security Breach Notification Policy. If we own or license computerized data which includes private information, then we must disclose any breach of that data to residents whose private information was exposed.

MM Supervisor Whitton, 2nd Councilman Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 10 of 2022 adopting Local Law No. 1 of 2022, entitled “Local Law Establishing Computer System Security Breach Notification Policy”** a copy of which is attached hereto and made a part of this resolution; and Further Resolved, 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. All aye. Motion carried. Dean said we have an insurance policy that indemnifies us from this issue.

2. Approve Resolution to update Fee Schedule – Whitton

There is a change to work permit fees based on input from the Highway Superintendent. We changed our fees for returned checks to conform with NY law. There is also an adjustment to the dog impoundment fees based on our current contract with DCSPCA.

MM Supervisor Whitton, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 11 of 2022, the Fee Schedule**, dated February 8, 2022. All aye. Motion carried.

3. Approve questionnaire regarding Family Leave Policy – Whitton

In 2017 the town took a survey of employees in order to determine whether or not we would offer Paid Family Leave benefits. The vote narrowly passed, and we have offered those benefits since early 2018. Since coming into office on January 1, I have made an effort to take a fresh look at all of our systems and operations. It came to my attention that the 2017 vote included employees that were not eligible for paid family leave, and many of those that did vote no longer work for the Town of Clinton. I would like to propose that we take a new survey of the 11 current employees that are eligible for these benefits in order to determine if we should continue with the program. I am ineligible, and I take no position on the merits of the Paid Family Leave benefit, but I think the Town should revisit this issue considering the way the world has changed since the original vote, including people’s needs. It is also an expense for both the Town and our enrolled employees. I believe it is right to re-assess our involvement every few years.

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MM Supervisor Whitton, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves distributing a questionnaire to qualified employees to decide on continuing to opt-in to an employee-funded Family Leave Policy. All aye. Motion carried. (11 employees)

4. Approve Retirement Reporting Resolution for salaried employees – Whitton

MM Supervisor Whitton, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 12 of 2022 Reporting the Standard Work Day and Reporting Resolution for Appointed and Elected Officials**. All aye. Motion carried.

5. ARPA update – Juliano/Whitton

Chris Juliano - good news that there are many more qualifying uses for the money. The garage heat is on the list now. Supervisor Whitton handed out an overview spreadsheet of the arpa approved and proposed projects which the Board members discussed. The first six are his priority, the ARPA Breakdown is attached to the minutes.

One item, an updated website, states that we need a new hosting service and a fresh design. The new design can be done by our IT person Fred Shequine. Councilwoman Mustello would like to see examples of other websites he's done. Councilman Michael said the County also builds websites, through the county IT department and their prices are usually lower than competitors. Councilman Juliano spoke to the hotspot issue at the Rec Parks. Optimum said hot spots are non-existent here. Chris will meet with them next week; they are going to a higher volume router which we will have to support with network extenders. Dean Michael would like to consider upgrading the pavilion at Friends Park, which we could consider for public use and add a concession stand there too. The Board members discussed the proposed elevator in Town Hall. Dean Michael suggests getting rid of the lift in the Schoolhouse building, which we can do if we had a bathroom on the ground floor, in the Town Clerk's level. In the Town Hall, if we made a door right into the basement we can remove the lift there, which is currently not working properly and then we don't have maintenance agreements that are costly. Katherine wants to consider repurposing the schoolhouse lift to the Town Hall if we remove it. Chris Juliano likes the idea to purchase tablets to reference information easily and eliminate so many copies. Town Clerk Mackin said there is a document sharing program used by other Towns for this purpose. Supervisor Whitton said he has discussed with Fred the logistics of their use and the security of using these devices.

MM Supervisor Whitton, 2nd Councilman Juliano to approve a \$17,225 grant for the Historical Society through ARPA funds. All aye except Councilman Werner who abstained. Motion carried.

6. Reval update - Michael

Councilman Michael said he brought this item as far as he can, now the Supervisor and the Assessor need to coordinate, we can send out the rfp, we need to decide what date we will use to start the reval and what the timeline will be. There is no money in this year's

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budget to start the reval. Supervisor Whitton said he would like to get the rfp out this year so we can budget for next year; the cost is based on the number of parcels. Councilman Michael also suggested to consider hiring a deputy to do some of the data assessment work and train under Teresa who plans to retire in a few years. Teresa will keep us at 100 percent; the reval is good for the Town and it really affects us at the school tax. Supervisor Whitton thanked Dean for his work on the document.

NEW BUSINESS

Chris Juliano announced that the Town is looking for summer staff: lifeguards, gate guards and Rec assistants for the summer employment.

1. Approve Summer camp at Fran Mark Park – Juliano

MM Councilman Juliano, 2nd Councilperson Werner to approve the following resolution: BE IT RESOLVED that the Town Board approves holding summer camp 2022 at Fran Mark Rec Park daily M-F from 9AM to 4PM with the exception of Monday July 4, 2022 no camp on this day, with a maximum of 20 children, per week of camp on the following weeks:

July 5-8 and 11-15 and

August 1-5 and 8-12 for children K - 5

with a fee of \$150 / child /week for residents and \$225 / child /week for non-residents.

All aye. Motion carried.

2. Approve ice skating rink opening and B.Y.O.S. kickoff on February 12th – Juliano

MM Councilman Juliano, 2nd Councilperson Werner to approve the following resolution: BE IT RESOLVED that the Town Board approves Bring Your Own Skates kick off at the Friends Park ice rink on February 12, 2022 from 3 – 5 PM to officially open the ice rink. All aye. Motion carried.

3. Approve Proposed Schedule of Recreation events for 2022 – Juliano

MM Councilman Juliano, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the proposed schedule of Recreation events for 2022, attached. All aye. Motion carried.

4. Approve the Town of Clinton hosting a Free Rabies Clinic April 16th from 8 AM – Noon – Whitton

MM Supervisor Whitton, 2nd Councilperson Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approves the Town of Clinton Town Clerk sponsoring a Free Rabies Clinic with the DC SPCA on April 16th from 8 AM – Noon in the Town Hall. All aye. Motion carried.

5. Approve the Green Fair at the Rec Park May 14th sponsored by the Climate Smart Task Force – Whitton

The Climate Smart Task Force is planning a Green Fair for the community. The green fair will encourage sustainable lifestyle choices for our community, raise awareness regarding environmental issues, and demonstrate how consumers can reduce their impact on the earth by selecting sustainable, eco-friendly products and services. The Task Force member Jack Persley has already lined up a number of vendors and presenters.

MM Supervisor Whitton, 2nd Councilperson Werner to approve the following resolution: BE IT RESOLVED that the Town Board approves the Green Fair event at the Fran Mark Rec Park May 14th sponsored by the Climate Smart Task Force. All aye. Motion carried.

6. Approve Karp Quit claim Deed – Whitton

Recently the town officially abandoned a short section at the end of Fourth Avenue, off Slate Quarry Road, in order to accommodate a resident that owns property on both sides of Fourth Avenue and is in need of installing a septic system. This motion will now transfer ownership of that small portion of abandoned road to the property owner, allowing them to finish their installation.

MM Supervisor Whitton, 2nd Councilperson Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 13 of 2022 which authorizes, empowers and directs Supervisor Whitton to execute the quit claim deed conveying the discontinued portion of Fourth Avenue to Jason Karp subject to the Town Attorney's review and approval of the deed and attendant transfer documents.** All aye. Motion carried.

7. Approve \$100.00 refund to Sweets Funeral Home for overpayment - Werner

MM Councilman Werner, 2nd Councilperson Whitton to approve the following resolution: BE IT RESOLVED that the Town Board approves a \$100.00 refund to Sweets Funeral Home for overpayment of a burial plot in Pleasant Plains Cemetery. All aye. Motion carried.

OTHER ITEMS

1. Resignations and appointments

MM Supervisor Whitton, 2nd Councilperson Michael to reappoint Joe Phelan and Jacob Strauss as members of the CAC with a term of office of January 1, 2022 to December 31, 2022. All aye. Motion carried.

MM Supervisor Whitton, 2nd Councilperson Werner to appoint Nancy Couse as a member of SHRAC for a term of office of February 8, 2022 to December 31, 2024. All aye. Motion carried.

2. Approval of Warrants

MM Councilman Michael, 2nd Councilman Juliano to approve the following resolution BE IT RESOLVED that the Town Board approves the February General Fund Warrant, vouchers numbered 25 through 77, totaling \$ 36,843.47 and the February Highway Fund Warrant, vouchers numbered 11 through 36, totaling \$ 79,987.63. All aye. Motion carried.

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3. Motion to Move Funds – Whitton

None

4. Supervisor's Report

The DRAFT January 2022 Supervisor's Report has been received; the final report will be approved when the 2021 books are reconciled.

PUBLIC DISCUSSION

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

Denise Biery – Milea Vineyard is planning to build a wedding pavilion and a bridal suite at their location and across the street, they plan to build a resort to refurbish the barn with suites and rooms. They purchased Clinton Vinyards also, she is concerned as their track record is not good. They clear cut property when they built without benefit of permit, later they took a slap on the wrist. They are building a banquet hall with no permit. They don't care about following the laws or our community. Its important to enforce our local laws, they will push the envelope; we need enforcement or why should anyone follow the local laws. The community should pay attention. She does not think they will seek the Town's approval. Supervisor Whitton, said our ZEO and Building Inspector are aware and they are taking necessary steps to have them follow the law.

Katherine Mustello asked about the ZEO and if he has hit the ground running. Supervisor Whitton said he has and took the opportunity to speak to him about the str issue. Last week 60 or so letters were sent out to bring the str into compliance. Hopefully there will be more enforcement. Katherine said there has not been a lot of zoning enforcement for a long time and we are changing that now. Dean said Adriance Farm has applied for the ag events permit.

MM Supervisor Whitton, 2nd Councilman Werner to return to the regular order of business. All aye. Motion carried.

ADJOURNMENT

MM Supervisor Whitton, 2nd Councilman Werner that the Town Board adjourns the meeting. The meeting was adjourned at 7:49 PM. All aye. Motion carried.

Respectfully Submitted,



Carol-Jean Mackin,
Town Clerk