

December 12, 2023 Town Board Meeting

December 12, 2023

Schultzville, NY

A public hearing on proposed local law No. X “Farm Law” of 2023 was continued on this day in the Town Hall. Present were Supervisor Mike Whitton, Deputy Supervisor Eliot Werner, Councilmen Dean Michael, Katherine Mustello, Chris Juliano and Town Clerk Carol-Jean Mackin. There were approximately six people in the audience.

PLEDGE OF ALLEGIANCE

At 6:15 PM, Supervisor Whitton called the public hearing to order and led the Pledge of Allegiance.

The Local Law continues to be under review based on comments received from the public and Ag & Markets. MCEI Jeff Newman has been in contact with Ag & Markets regarding changes and we believe an updated Local Law will be ready for reintroduction in January. The public will have a chance to weigh in again at that time when the draft will be available.

PUBLIC HEARING

The public hearing on the local law was left open for additional comments from the November 12, 2023 public hearing date.

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

Katherine Mustello - confused last month by Stacey Higgins’ comments which was about process, not the law itself. Thanks Jeff Newman for reviewing the law because he works with it and for his work with the ag and markets. Goal of the law is to make it easier to be a farmer.

Mike Whitton - will be closing the public hearing tonight and reintroducing it at the end of the year with one more public hearing in February to meet the deadlines for review by the county.

Eliot Werner – we are reintroducing it because there have been significant changes.

At 6:19 PM, there being no further comments, MM Supervisor Whitton, 2nd Councilman Michael to close the public hearing. All aye. Motion carried.

ADJOURN

At 6:19 PM, MM Supervisor Whitton, 2nd Councilman Werner to adjourn the meeting. All aye. Motion carried.

Respectfully submitted,

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Carol-Jean Mackin
Town Clerk

December 12, 2023

Schultzville, NY

The Clinton Town Board held the Regular Town Board meeting on this day in the Town Hall. Present were Supervisor Whitton, Deputy Supervisor Werner, Councilmen Michael, Chris Juliano and Councilwoman Mustello. Town Clerk Carol-Jean Mackin was also present. There were approximately 8 people in the audience.

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

APPROVE MINUTES

MM Deputy Supervisor Werner, 2nd Councilman Michael to approve the November 12, 2023 public hearing minutes. All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilman Michael to approve the November 12, 2023 Town Board meeting minutes. All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilman Juliano to approve the December 5, 2023 Highway materials bid opening. All aye. Motion carried.

PRESENTATION

Sean Carroll- Cornell Cooperative Extension on the road stream crossing inventory for the climate smart community program.

- Discussed the process used to create the inventory, and then presented the inventory and management plan document. Also listed the flood risk priorities and funding opportunities. The presentation is attached.

Joe Tompkins – to get the water to displace we need a transit from high to low and put in pipes where roads are washing out. Who puts in the pipes as we need to make sure they are put in correctly. It's a safety issue. Sean said they work with the town and the county soil and water district and professional companies. Joe said we need to make sure the ditches are clear for the water to run into the culverts. Sean can't speak to the maintenance of the culverts.

Highway Superintendent Todd Martin thanked Sean. The priority is Pumpkin and Nine Partners, when we rebuild a road, we enlarge the culvert pipes. Looking for funding and said the Governor just gave more money to CHIPS. To answer Joe, we have to prioritize roads and we do our best. We are out of funding for culvert pipes and the board has given money to get some on call, we

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have had monsoons all summer long, so we have been doing our best. Joe criticized the highway department and Mike Whitton asked the conversation to focus on questions to Sean.

PUBLIC DISCUSSION: (Agenda Items only)

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

Joe Tompkins- 37-year resident, complained about putting in a driveway and the cost to do it, which previously was refunded when approved and the money is not refunded now. His car has several flats and a blowout driving on the dirt roads which are now covered with straight stone. He approached the Board to show pictures of the road. Supervisor Whitton advised Joe this is not on the agenda, so his comments need to wait until the end on the meeting for the second public comment session.

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

SUPERVISOR'S COMMENTS

- Town offices closed December 25 and January 1
- Rec Committee annual tree burning at Fran Mark Park is on Jan 13 at 5:30.
- Central Hudson running HEAP program to help eligible households.

TOWN BOARD REPORTS: Posted on the web, townofclinton.com.

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)

Katherine Mustello - attended the watershed roundtable trying to revive the watershed council. The CAC has submitted information to the Planning Board on Six Senses. The spongy moth program will be rebroadcast in January.

Todd Martin - read from the highway report, posted on the website and on file in the Town Clerk's office. Thanked Chris and Dean for their support of the highway department.

Chris Juliano – concerning rec parks' cameras, he hopes the Town will follow up in 2024.

Rec Director Dan Harkenrider, no December meeting. People can drop trees off by the fence and at the park the day of the tree burning; clubs still going strong. The skating rink is set up at Friends Park. Feb 2 skating party, rain date is the following Saturday. Check website and Instagram for rec activities. Chris Juliano very proud of the rec accomplishments to bring the parks to life. One of the assets in the town.

Eliot Werner read from the planning board report; they had a special meeting regarding the Cornerstone. Jan 16 - public hearing for Cornerstone in the town hall.

Cemetery had one burial.

ZBA - there is an open position on the ZBA, please notify the supervisor if interested.

OLD BUSINESS

1. Discuss LL XX Article V Supplementary Regulations § 250-51. Farm Operations – Whitton

We will reintroduce the law on Dec 28th with a public hearing at the February 2024 meeting followed by a vote.

2. Discuss Evacuation Plan – Mustello

Progress made, the plans are now in digital copy, she will now create an evacuation route for each building.

3. Approve 2024 highway materials bid winners – Michael/ Mustello

Todd Martin discussed some of the items, including culvert pipes whose prices are all the same. These are the state bid price, and the products have no collar. The collar is a separate cost, not included. Spinnenweber is cheaper because they slide in together. Supervisor Whitton questioned the 3/8 washed stone - same price on Peckham and Colloruso. Todd explained one is washed and one not and complimented EcoTech for their inspections and that the price is the same.

MM Councilman Michael, 2nd Councilman Juliano to approve the following resolution: BE IT RESOLVED that the Town Board approve the Attachment: 2024 Highway Materials Bid Winners. (Winners highlighted in yellow). All aye. Motion carried.

4. Approve dates for Annual Meeting and 2024 Reorganizational Meeting – Whitton

MM Supervisor Whitton, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approve the Annual Meeting date of December 28, 2023, at 6:30 PM in Town Hall. All aye. Motion carried.

MM Supervisor Whitton, 2nd Councilman Werner to approve the following resolution: BE IT RESOLVED that the Town Board approve the Annual Re-Organizational meeting date of January 3, 2024, at 6:30 PM in Town Hall. A swearing in ceremony will start at 6:00 PM before the meeting to swear in all newly elected Town officials. All aye. Motion carried.

5. Discuss STR update - Whitton

Mike Whitton said we agreed a tax is a good idea but added that we would be the only town in Dutchess with a tax. Our biggest issue is quality of life. Does a tax address that? Will we earmark that money to give more hours to ZEO to address those issues. Chris Juliano said we need to balance use of a property with the benefit to the town. Not a

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taxation fan, but for type 2 str, we can help with the cost of zoning and building department costs. Dean Michael said commercial properties are taxed at a higher rate, there is a commercial operation to the str, like a motel. We can address that with a tax. An occupancy tax is common for a hotel. Mike said we can set the rate at whatever we want. Dean said the county is taxing at 6 %. Councilman Werner said an occupancy tax is a good idea.

6. Discuss Sexual Harassment Policy-

Eliot said we have a local law which was passed in 2019, PERMA asked us to update several policies. The town attorney said this should be a town law. Eliot will follow up in January with a local law. Dean said anytime we want to make a change we need to go through this process which is a negative. We can model to the state so if there are changes at the state ours will change with that automatically. Chris agrees with Dean. Katherine asked Eliot to explain who PERMA is – an acronym for our insurance company.

Other:

Chris Juliano – regarding the 2024 budget, said we talked about adding money to the building reserve fund. We have a plan to put money in that fund. Dean said we were to take the balance of the savings and put it into the reserve fund. Mike Whitton said there is a motion to move funds we can make it there. Chris said we can make a motion to amend the 2024 budget tonight. Mike said we are past the date to pass a new budget. Eliot said we allotted money in the budget, but it was not transferred. The resolution that Chris Juliano wants to introduce to put surplus into a building reserve fund was distributed at 4:30 this afternoon and Mike is only allowed 22 hours a week, so he was not in office at 4:30; said Chris is asking me to vote on a resolution he has not seen. Katherine said we can make a motion to transfer the money at the December 28 meeting. Chris is not comfortable with this, and he was not at the last month's meeting to bring up the issue. Chris reiterated that the understanding was that the balance of surplus monies under the tax cap would be put in the reserve fund. Mike Whitton said this motion is not on the agenda, no one spoke to him, the budget officer. Chris said we agreed to put the money in a reserve fund. Where is that money? Chris and Dean discussed the monies they want in the reserve fund. Mike agrees with Chris putting the funds in the reserve account for building maintenance. Chris Juliano said he sees a smokescreen here. Katherine said Mike agrees the money should be in that account. Chris Juliano said this was overlooked and asks why Mike overlooked putting the money in the reserve fund. Mike said the money is there in the budget. The board members discussed the money that would go into the building fund. Mike said it's a 2024 budget change and we can do it on December 28. All agree, Katherine wants the numbers before she approves a resolution. The resolution will be approved on the 28 of December.

NEW BUSINESS

1. Approve EAP contract – Whitton

MM Supervisor Whitton, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the EAP Agreement between The

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Work Place at Mid-Hudson Regional Hospital of Westchester Medical Center and the Town of Clinton effective January 1, 2024, and authorizes, empowers, and directs the Town Supervisor to sign the Agreement. All aye. Motion carried.

2. Approve use of Town campus as staging area for Stringendo Orchestra School half marathon/5k on May 11, 2024 - Whitton

MM Supervisor Whitton, 2nd Councilman Werner that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the Stringendo Orchestra School of the Hudson Valley to use the Town campus as staging area for the 2nd Annual Fiddler's Bridge half marathon/5k on May 11, 2024. The certificate of insurance naming the Town of Clinton as additional insured has been received. All aye. Motion carried.

3. Approve sending newly elected officials to training school in Albany Jan. 17 - 19, 2024 - Whitton

MM Supervisor Whitton, 2nd Councilman Werner that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the attendance of Councilmen – elect Marion Auspitz and Charlie Dykas to the Association of Towns' Newly-Elected training school in Albany, January 17 – 19, 2024 at a cost not to exceed \$1000 for registration and lodging. All aye. Motion carried.

OTHER ITEMS

1. Resignations and appointments – Werner

RESIGNATIONS:

MM Deputy Supervisor Werner, 2nd Councilwoman Juliano to accept the resignation of Norma Dolan as a member of the ZBA effective November 5, 2023. Chris thanked Norma for many years of service. All aye. Motion carried.

APPOINTMENTS –

MM Deputy Supervisor Werner, 2nd Councilman Michael to approve the appointment of Alaina Dampf as part time substitute clerk effective December 11, 2023, at \$15.76 per hour. All aye. Motion carried.

2. Approval of Warrants

MM Councilman Michael, 2nd Councilman to approve the following resolution BE IT RESOLVED that the Town Board approves the:

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December 12 General Fund Warrant, vouchers numbered **636 through 699**, totaling \$ **138,143.31**.

and the

December 12 Highway Fund Warrant, vouchers numbered **306 through 333** totaling \$**68,237.53**

and the

December 12 Capital Project Fund Warrant voucher 19 totaling \$ **290.00**

3. Motion to Move Funds – Whitton/Werner

MM Supervisor Whitton, 2nd Councilman Werner that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 49 of 2023 a motion to move funds**. All aye. Motion carried.

4. Supervisor’s Report - Whitton

MM Supervisor Whitton, 2nd Councilman Michael that the Town Board approves the final Supervisor’s Report for November 2023. All aye. Motion carried.

OTHER/ANNOUNCEMENTS:

None.

PUBLIC DISCUSSION

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

Joe Tompkins – feels the town board is being snowballed by the Highway Superintendent, showed the town board the stone that is being used for dirt roads. Criticized the way his road was being worked on with the grader today. Called Highway Superintendent Todd Martin to complain and Todd said he does not know what the crew is doing. Due to the stone, Joe got several flats and one blow out, and then they don’t clean out the ditches on the side of the road, which is why we are going over budget, it’s a big waste of product. He worked in the quarry for 40 years and understands stone. Chris Juliano was the highway liaison, he understands stone, trucks and aggregate. He was removed from that position by the former supervisor due to a personal issue. Spoke about the personality issues from that time frame so when Todd took over as highway superintendent, he inherited a lot of problems. Feels Joe’s concern is legitimate, and we can be successful by working together. They discussed the fees for driveways; fees are set by the board.

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Todd Martin - overbudget on culvert pipes only. Driveway permits went up last year by town board decision.

Chris Juliano - acknowledged Dean for 16 years of service. Took on zoning revision was well beyond what a councilperson does, he did it because he cares about the town. Mike Whitton also thanked him for his service. Dean said we don't have to agree but we do have to listen, we have all done a lot we agree on most everything. We should not measure by the disagreements. The town has been like his family. Dean wished Marion, who was in the audience, success.

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

ADJOURNMENT

MM Supervisor Whitton, 2nd Councilman Michael that the Town Board adjourns the meeting. All aye. Motion carried.

The meeting was adjourned 8:07 PM.

Respectfully Submitted,

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

Carol-Jean Mackin,
Town Clerk