

June 13, 2023 Town Board Meeting

June 13, 2023

Schultsville, 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, Councilman Michael, Juliano and Councilwoman Mustello. Town Clerk Carol Mackin was also present. There were approximately 7 people in the audience.

Deputy Supervisor Werner called the meeting to order at 6:30 PM and led the Pledge of Allegiance. Welcome back to Supervisor Mike Whitton

APPROVE MINUTES

MM Deputy Supervisor Werner, 2nd Councilman Michael to approve the minutes of the May 9, 2023 Town Board meeting. All aye. Motion carried.

PRESENTATION BY ASSESSOR STEGNER

Concerning the recent revaluation: There was an overall average 11.83 percent increase, similar increase as Stanford. Reviewed the other towns' increases. Assessor Stegner made comparisons of the assessment increases by school districts. Homes at \$500,000 value in Hyde Park school see \$113 increase in the tax. Rhinebeck homes will see \$141 increase, Millbrook and Pine Plains will see a decrease in \$140 dollars in their tax. Dean said he is hearing complaints from people, asked if Hyde Park dropped their equalization rate and Teresa said yes it dropped. Eliot asked additional questions that Teresa will get back to him on including the mean increase and the average tax increase for town taxes.

PUBLIC DISCUSSION: (Agenda Items only)

None

SUPERVISOR'S COMMENTS

As you can hear, my voice is a little different. Not much has changed, and my voice will improve over time. I want to thank Eliot Werner and the whole board, Cathy Gallinger, Mary Molloy, and Carol Mackin for keeping things going smoothly while I was away. I especially want to thank Eliot for his signature and Carol taking care of the ARPA reporting. I am ramping up my activity and will be full-time soon. My biggest obstacle is physical/speech therapies. Those will be done by the first week of July, and we will be moving full-steam ahead.

The Clinton Town offices, Highway Department, Justice Court office, and court will be closed for Juneteenth on Monday June 19, 2023, and Independence Day on Tuesday July 4, 2023. The Clinton Community Library is closed for both of those dates, as well.

DEPUTY SUPERVISOR'S COMMENTS:

Pleased to have Mike back and look forward to him running July's meeting.

The Town Campus will be closed on Monday June 19th in observance of the Juneteenth holiday.

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We cut over to the new phone system on May 26th. Everyone will now dial just one number to reach the Town of Clinton and that number is (845) 266-5853. You will be greeted by an auto attendant to guide you to the department you need.

Carol Mackin asked me to announce that the Town Clerk's office is now a permanent drop-off point for the Clinton Food Pantry. The pantry has an increased number of clients and any donations over the summer in particular will be a great help to families with children.

Two recent grants:

- 1) Town Clerk Carol Mackin secured a \$3800 grant from the John T. Sloper Community Fund of the Community Foundations of the Hudson Valley to support a program on pediatric CPR and first aid for teens, parents, grandparents, and caregivers. The program will be cosponsored by Clinton Rec and the East Clinton Rescue Squad and will be presented by ECRS Captain Susan deHaan. Details will follow when available.
- 2) Todd Martin and Melissa Karchmer of the Highway Department secured a \$125,000 grant from the Dormitory Authority of New York State for the installation of two-way radios in the Highway Department trucks.

On July 10th the Planning Board will hold a special meeting to discuss Cornerstone of Rhinebeck's application for a special use permit. The meeting will be in the form of a workshop and the public is welcome to attend. The workshop will be in Town Hall at 7:30.

An exhibit of models representing the Seven Wonders of the Ancient World is on display at Town Hall until June 23rd. The models were created by students at the Ridge School, a small private school dedicated to treating high-functioning autistic students founded by Clinton residents Michael and Linda Kondor.

The Cemetery Committee is sponsoring a gravestone-cleaning workshop to be held at the PPC on Fiddlers Bridge Road on July 8th. People interested in participating should RSVP the cemetery custodian by June 25th at deputysupervisor@townofclinton.com.

Personal thanks to town employees—also belatedly to Arlene Campbell for stepping up on short notice to take minutes at the May meeting.

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: Library- check the website for updated information. She asked Highway Superintendent Todd Martin to come to the mike to talk about the highway work. Phase 1 is done on Schultzhill Road, in July a fog seal will complete that project, Lake Drive will be black topped from Omega to the end; culverts have been put in, there have been requests to have speed machine moved around. They have

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been using the bucket truck, the roadside mower is down in the shop, we have a rental we are using now. Asked people to mow in front of the properties if possible.

Eliot Werner – gave a brief review of the Planning Board and ZBA meetings, the reports are filed on the website.

Dan Harkenrider, Recreation Director gave the report, including:

- **Summer Camp Registration is open.** See the website for more info

Dates:

July 3-7 (no camp July 4) July 10-14 and

August 7-11 and August 14-18

We received a financial gift for a family to send child to camp who can't afford it, contact Dan to apply for the scholarship.

Cancelled first basketball clinic due to smoke alert.

Hiking Club at Tivoli bays on Saturday.

Swimming open weekends , on June 23 Fran Mark Park is open for swimming every day.

New: Walking club, meeting on Mondays 9 am, three trails: pavement, around the softball field and lastly on part of nature trail on the grass. All measured and marked.

Day passes are available to purchase in the gate at the rec park

Adult kickball will start after volleyball ends, kickball in July and August at Fran Mark Park.

Basketball league is meeting on Saturday mornings - 6 teams, also there is interest in 3v3 tournament which is in the works.

Music in Park starts July 14.

Shoutout to Lifeguards Brandon, Adam, and Gate guard Amanda at the Rec Park over the weekend who all followed protocol for a health emergency at the park. Dan arrived in 5 minutes of the call; East Clinton fire district came for the rescue.

No May meeting. Next meeting is June 26, at Fran Mark Park. Kitchen is complete with first aid station and aed and fire extinguisher and other lifesaving kits. Bought a lifeguard cabinet for more secure, organized storage. Mowing is in full gear. Dan gave some TLC to the kiosk and a sign board up at basketball court.

OLD BUSINESS

- 1. Approve introducing LL X Article V Supplementary Regulations § 250-51. Farm Operations - Werner**

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MM Deputy Supervisor Werner, 2nd Councilman Michael that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board approves **Resolution No. 32 of 2023 introducing proposed Local Law No. 4 entitled Article V Supplementary Regulations § 250-51, Farm Operations** and setting a public hearing for July 11, 2023 at 6:15 PM in the Clinton Town Hall. All aye. Motion carried.

Dean wants it sent to the farms it will affect.

2. Approve revising May 9th motion regarding the maintenance and storage of Highway Dept. personnel records - Whitton

MM Supervisor Whitton, 2nd Councilman Werner that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board approves revising the May 9th motion regarding the maintenance and storage of Highway Dept. personnel records; and **BE IT FURTHER RESOLVED** that the Town Board adopts the Highway Personnel File Policy dated June 13, 2023: **That all files related to Personnel, Payroll, Healthcare, or Legal activity will remain in the Supervisor's office, with the Highway Superintendent having access to those files during normal business hours. Copies of all other files will reside in the Supervisor's and Highway offices equally.** In discussion, Supervisor Whitton said on June 2, he met with Todd Martin, Highway Superintendent, Chris Juliano, fellow councilman, and Judge James Brands, a Town Justice. We met and discussed personnel files, which were a topic at the last meeting. We came to an agreement on how to handle personnel files moving forward, detailed in this motion. I would like to thank each of them for meeting with me, and taking the time to discuss this matter. Left unresolved, is the payroll portion of our problem. We have come much closer on that issue, and should have a resolution to move forward at the next meeting. This includes an electronic clock, with initial payment coming from ARPA funds. We will meet to discuss our plans as soon as this week. Chris Juliano doesn't like the way the motion is written and the use of 'personnel files'. Mike wants clarification on the issue with personnel files. Todd Martin said he is looking for personnel items; Katherine asked him to describe the documents: reprimands, certain private information, certain union information no health or w2s – he wants the original files they had, lens, legal, confidential files of the union, start / stop date, drug testing, complaints from residents. Chris said personnel is all items, Mike said they are keeping documents with social security numbers etc. Katherine said the wording of the motion made is not clear. Mike asked if this is this urgent right now. Can we meet next week? Todd said yes. Katherine wants to sit down and hammer this out so future boards know which files belong where and there is a clear understanding. Mike said they have a meeting next week for payroll issues and they will address it then. Katherine wants to see a detailed list of everything Todd needs in the highway department. Mike wants to do it right once.

MM Councilman Michael, 2nd Deputy Supervisor Werner to table the resolution until next month: July 11 meeting. All aye. Motion carried.

Chris asked about the Tim Lawlor payroll situation, Mike said that we may off by \$700 in his comp time payout. Chris thinks there are two parts to the issue, and we need a way to handle these issues in the future. Katherine wants to work out this one issue and then we can discuss a plan going forward.

NEW BUSINESS

1. Approve authorizing Supervisor to execute DASNY grant disbursement – Werner

MM Deputy Supervisor Werner, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that that the Town Board approves **Resolution No. 33 of 2023 authorizing, directing, and empowering the Town Supervisor to execute the Grant Disbursement Agreement and take all other actions necessary to obtain the grant.** The town has a low band system and the fire districts have high band, Todd wrote a grant to switch to high band to talk to the fire departments. Helping the town. Reprogramming their radios to match all three. They will surplus the old radio system. All aye. Motion carried.

2. Approve Bike NY's annual request for Town Campus as a rest stop – Werner

MM Deputy Supervisor Werner, 2nd Councilman Juliano that the Town Board approves the following resolution: BE IT RESOLVED that the Town board approves of Bike Ny using the campus as a rest area on Sunday, June 25, 2023. A Certificate of Insurance is on file. All aye. Motion carried.

3. Approve Planning Board Consultants –

Paul Thomas Chair - Planning Board asked for the appointment of two consultants and offered the following:

HVEA - specialty in traffic studies, CPL recommended by hire them for the Sixth Sense - Naylor Farm development which is undergoing expansion and we need to review traffic impacts as the access there is now a single bridge, we need to determine if we need another or does it need expansion, etc. This would be a one-time appointment for this project.

Nelson Pope Voorhis - we want to retain as planning consultants, initially for Sixth Sense - Naylor Farm, and then to contemplate using them for other projects. He works with Hyde Park Planning Board, Pine Plains and East Fishkill. Very experienced working with CPL. Some of the Six senses property is in Hyde park, which is a benefit of efficiency to have a company working in both towns. CPL works for both towns as well. Eliot and Paul interviewed them, rates are competitive. We like working with CPL; we need as a PB an independent planning consultant, whose resources give us a better product for the town. All costs for the consultant planner are through the applicant via escrow. Mike Whitton said there is no budget impact, the planning board voted last meeting unanimously to aske the board to approve these. They interviewed four planners and Voorhis' costs are lower than the others.

Dean would like to go out to formal bid for the planner. Arlene Campbell said we are in desperate need of planner. Mike takes Paul's sentiment seriously, dean wants to go out for an rfp for an ongoing consultant. Chris asked about the rates, Paul said the rates are for 2023 to 2024. Eliot concerned that we have several items before the board and we will need them into 2024.

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Chris suggests appointing them until Dec 2023. Dean added that we have not gone to bid for other consultants because we are happy with them and their rates so we continue to appoint them.

MM Supervisor Whitton, 2nd Councilman Mustello that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board appoint HVEA Engineering as a consultant for the Planning Board for the purpose of preparing a traffic study and providing related services in connection with the application of Six Senses for a special use permit and site plan approval to be paid by applicant's escrow at an hourly rate effective June 6, 2023 at a cost not to exceed \$250 per hour. All aye. Motion carried.

MM Supervisor Whitton, 2nd Councilman Juliano that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board appoint Nelson Pope Voorhis as Planning consultant to provide an enhanced level of support and guidance to the Planning Board when necessary including but not limited to application reviews, meeting notes, attendance at meetings, drafting Board resolutions and SEQRA findings paid by applicants' escrow at an hourly rate from \$105 (Planning Analyst) to \$150 (Partner) effective June 6, 2023 until Dec 31, 2023. All aye except Councilman Dean Michael who voted nay. Motion carried.

4. Approve Stipulated Settlement with Feuermann– Dean Michael

Dean read from the consent judgment describing the reduction agreed to. The stipulation is posted on the website. The reduction is very minimal.

MM Councilman Michael, 2nd Councilman Juliano that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 34 of 2023** that the Town Board hereby authorizes the attorney for the Town of Clinton Shane J. Egan, Esq., to enter into a settlement agreement with the attorney for petitioner, Kyle Barnett, ESQ., the terms of which are set forth in the attached Consent Judgment and hereby authorizes Shane J. Egan, Esq., to sign said Consent Judgment on behalf of the Town. All aye. Motion carried.

OTHER ITEMS

1. Resignations and appointments – Werner

MM Deputy Supervisor Werner, 2nd Councilman Whitton that the Town Board accepts the resignation of Emilia Picon as Constable effective January 31, 2023. All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilman Juliano that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 35 of 2023 authorizing the appointment of additional summer Recreation employees.** All aye. Motion carried.

2. Approval of Warrants

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

June General Fund Warrant, vouchers numbered 210 through 341 totaling \$ 127,315.54
and the

June Highway Fund Warrant, vouchers numbered 147 through 175 , totaling \$ 78,913.08
All aye. Motion carried.

June Capital Fund Warrant, vouchers numbered 8 totaling \$ 5152.20
All aye. Motion carried.

3. Motion to Move Funds – Werner

MM Deputy Supervisor Werner, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 36 of 2023 a motion to move funds.** All aye. Motion carried.

4. Supervisor's Report

MM Supervisor Whitton, 2nd Councilman Michael that the Town Board approves the final Supervisor's Reports for January, February, and March 2023. All aye. Motion carried.

MM Supervisor Whitton, 2nd Councilman Juliano that the Town Board approves the April and May 2023 Supervisor's Reports. All aye. Motion carried.

OTHER:

Katherine Mustello introduced the following items:

- 1.** A new electronic time clock for highway as well as for all town employees using ARPA funds. She is working on evacuation plan and a time clock for all employees would be helpful to know who is on campus. Chris said we can link the time clock to view it electronically, it gives checks and balances, the one in consideration is the same system the County has, it will be streamline.
- 2.** Todd Martin is requesting additional time and money for his clerk Melissa to input data into the new Iworq system; she needs to go back to update old data and add new data. The thought is to approve 30 additional hours between June 26 and August 31. Essentially this amounts to is an additional 5 hours per week. Dean said he knew there would be additional hours for training. Katherine looking at about \$1700 additional dollars, which Todd says is in his budget. Town Clerk Carol Mackin pointed out that the law does not allow the transfer of money from the highway budget, D code to the general fund budget, A code. The clerk is paid from the A code. Mike would like to defer to July to find the money in the budget to fund any additional time. Todd said we need to get this data uploaded and implemented this June 13. Katherine said the computer program is operational without this additional information, we can wait until July. Mike Whitton

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understands, but he needs to know where the money is coming from. On the agenda for July.

- 3.** The highway department is charging the Rec department for gas. Dan Harkenrider added his input for the Board – Dan managed the recreation maintenance crew for 20 years, except the last two years, they were managed by the highway. Asks why am I getting a bill now when I never did before? The gas for all vehicles is already in the highway budget for the maintenance crew. Todd said his budget went up 2% and the rec/cemetery crew is using a lot of gas. Mike Whitton pointed said the money for all gas was budgeted for as a highway line item. Next year’s budget it will be removed from highway budget and put in the Rec budget.
- 4.** Community Day – Todd is charging other Town Committees \$25 for a table and Katherine wants the Board’s input. Eliot Werner said there are four town committees affected, Mike Whitton said the Town is just moving money from one budget line to another, do we want to do that? Melissa Karchmer said anyone with a table was charged, it’s hard to discriminate against a town or church or a civic group. It made it easy for the Bookkeeping. Mike Whitton as budget officer, he will decide how this will work. He thinks town committees should not pay to which Chris and Dean agreed.

Dean Michael – regarding the issue of lowering the speed limit on Salt Point Turnpike. Eliot Werner was in touch with DPW, but was unsuccessful. Todd Martin spoke to the Clerk in Milan, as they lowered the speed limit on their side of Milan Hollow Road to 40 mph. He said any road within the town is at 45, any hamlet road is 25, any town road is at 30 MPH. Our side is of Milan Hollow Road is 55 MPH. We will get more information from Milan to use their strategy.

PUBLIC DISCUSSION

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

Todd Martin – the Highway Department is looking for a laborer, union full time cdl preferred, not necessary.

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

ADJOURNMENT

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

The meeting was adjourned at 8:13 PM.

Respectfully Submitted,



Carol-Jean Mackin,

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Town Clerk