

March 12, 2024

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, Councilman Dykas, Councilwomen Mustello and Councilwoman Auspitz as well as Town Clerk Carol-Jean Mackin. There were approximately 20 people in the audience.

Supervisor Whitton called the meeting to order at 6:43 PM. **(Pledge done earlier)**

APPROVE MINUTES

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello to approve the February 15, 2024 Public Hearing minutes (Bldg. Reserve Fund). All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello to approve the February 15, 2024 Public Hearing minutes (Farm Law). All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello to approve the February 15, 2024 Town Board meeting minutes. All aye. Motion carried.

PRESENTATION OF NRI

Joe Phelan - chair CSC – The Climate Smart Task Force was developed to encourage towns to be better stewards of the environment. The NYSEERDA program has levels of achievement, the first is bronze. We are close to applying for bronze certification. It sends a message to the community that we are concerned about the environment and active to that end, and we can apply for grant money to further work toward that goal. NYSEERDA outlined 118 different things the town can do for bronze certification. We need 120 points for bronze. One priority item is to conduct a natural resources inventory, NRI, which we should do every ten years, the previous one was done 12 years ago. He thanked CSC members Jack Persley, Margaret Pierpont, and Jean Mac Avoy for doing this work. The NRI is complete.

Jack Persley – has been working with Jean MacAvoy for a full year to create the natural resources inventory; worked with DEC, Hudson River Estuary Program, and the Cornell Cooperative Extension. He hopes the info and maps provide good information for future town decisions. Clinton is blessed with extraordinary natural resources. We have a history of considering the environment in planning and zoning and the NRI will help with those decisions. Encourages approval.

Margaret Pierpont – encourages people to go to the web to view the NRI, the maps are really interesting and give a big picture of the whole town. We are a dispersed town; to see the overall picture of all natural resources and their interconnection was interesting to her. Councilman Charlie Dykas thanked them for their work

PUBLIC DISCUSSION: (Agenda Items only)

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

Chris Juliano- re: ARPA funds, he sent everyone information about an altercation that happened at Fran Mark Park, two groups of kids jumped two individual kids he knows. Asked the Board to use ARPA fund to place cameras at the park.

Ray Oberly – re: ARPA funds, asking if the standby generator will be funded; concerned about someone getting stuck in the elevator if we lose power. Regarding the 284 Agreement, hopes there is work on Kansas Road listed on there, described the problems on that road.

Jeff Newman, MCEI – thanked the CSC for the NRI maps, they will be hugely helpful in many ways. Can the maps be digitized? Answer: yes. He would like to see the parcel lines be superimposed and updated through GIS with Dutchess County. The DEC is eliminating their maps soon and our town code refers to the dec maps, he is wondering if the NRI maps can substitute. Councilwoman Mustello said the DEC is predominantly removing the wetlands maps. Mr. Newman added the ecode 360 has a repository that can be accessed for the public to view the NRI. Councilwoman Mustello said we have other alternatives to use to access files.

Dean Michael – re: hometown heroes project. We can reach out to other towns for information. Suggests we can also be a purple heart town; the town of Pleasant Valley town clerk can help as she chaired that project. Mr. Michael suggested an ideas from his time as a Town Board member to use ARPA funds to expand solar, with a battery backup. We can be receiving the benefit of the solar every day and cut back on electric bill and then it powers the battery back up if we lose power.

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

SUPERVISOR’S COMMENTS

Deputy Supervisor Werner read them aloud on behalf of Supervisor Whitton:

- The Clinton Town Offices, Highway Department, Justice Court Office, and Court will be closed for Good Friday on Friday, March 29. The Clinton Community Library will remain open.
- Dutchess County will host a ThinkDIFFERENTLY Sensory Sensitive Movie Event. Dutchess County Executive Sue Serino and Legislature Chairman Will Truitt will be hosting a free sensory-sensitive screening of ‘Kung Fu Panda 4’ on Saturday, March 23rd at the Roosevelt Cinemas. The movie will begin at 10:30 AM, with the doors opening at 10 AM. Registration is required at dutchessny.gov/movie by March 20th.
- Supervisor Whitton submitted three grant applications this month for a town wide generator. This generator will help prevent damage to our buildings in the event of a power outage. We are also looking at fixing the floor and updating the kitchen in the basement of the Town Hall. All of these projects together will turn our Town Hall into a warming/cooling center in the event of extreme weather. Last month he estimated the total cost of the generator at \$140,000. The estimate came in at \$143,000.

- Regarding the recent bank fraud that was mentioned at the last meeting, we have gotten back all of the money that was stolen from the town, totaling \$9,500.
- We recently had constables at a Public Hearing of one of our boards. While you have heard Supervisor Whitton say many times that social media is not real life, there were questions raised about this topic on one of the social media sites. He has constables attend meetings at the request of the people conducting each meeting. He tends to approve these expenditures because he thinks it is not his place to deny those requests.

Deputy Supervisor comments

- We have two quotes for a security system at Fran Mark Park; Recreation Director Dan Harkenrider is getting a third and we will be able to discuss this at the April meeting.
- We will reviewing a new sexual harassment law in April.
- Kansas Road - the Town Engineer and Highway Superintendent Todd Martin met together with Duputy Supervisor Werner to discuss the road issues. Highway Superintendent Martin's suggestion is to repave about a quarter mile portion of Kansas Road to solve the runoff problem. We plan to poll the residents to see if they would agree to the solution before we approve the \$2500 estimate for the Town Engineer for a detailed study.

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)

Councilwoman Mustello –

- CAC - Omega has reinstated the Neighbors Program for Town of Clinton and Rhinebeck residents only. For more information, go to the News page on the town's website or the new CAC/CSC website - www.clintoncac.com. CAC Members attended the Planning Board Six Senses workshop on February 20th. It was evident that CAC's letter of concerns and questions had been reviewed by both the Planning Board and the Six Senses team. Members also watched the YouTube Zoning Board Meeting regarding Six Senses held on February 22. Further discussion regarding wetlands will be done at the April 10th CAC meeting with Cornell Cooperative Extension's Sean Carroll. The DEC is updating their maps so the current maps will become non-regulatory, meaning they can be used for informational purposes only.
- Planning Board – read from report, posted online.
- ZBA - read from the report, posted online.

Councilwoman Auspitz –

- Highway - read from the Highway Report, posted online.
- Library – regarding the solar eclipse on April 8, glasses for viewing were available to the public beginning March 11 along with a safety sheet. They will host a community

viewing also for residents. All towns' libraries have glasses for viewing. The book and plant sale planning is underway.

Deputy Supervisor Werner –

- Building Inspector read from the Report, posted online.
- MCEI – read from the report, posted online.
- Recreation Committee –
 - met on February 27, The summer camp information is on the website. Madies Way and Dingee Landscaping are offering two scholarships to camp. More information to come.
 - A 3X3 basketball tournament for ages 12+ is scheduled for Memorial Day weekend. The info is on the website.
 - We are starting a basketball league this summer for 18+ for Tuesdays, Thursdays and Saturdays, proposed for 8 teams.
 - the first Hike will be April 20 at Frannie Reese Park at 9 am.
 - The committee is working on a logo with students from the local schools' art departments to sell athletic gear.
 - We are going to get recycling containers at the Rec parks to use along with the garbage bins to recycle bottles and use the money for rec purposes.
 - Dan emailed 2023 summer employees: 3 lifeguards are returning, we need 3 more; the camp director is returning, we need 2-3 counselors; one gate guard is returning, we need one or two more.
 - The ECFD Easter Egg hunt is Saturday 3-30 at Friends Park, the Rec Committee will help and have information on programs available.
 - The summer concert series is planned with 6 musical acts, three at Fran Mark Park, 3 at Town Hall with food trucks at every one this year.
 - Ray Oberly is taking on the responsibility of organizing senior trips with the Town of Stanford, as the Seniors Helping Seniors group in Clinton is disbanding.

CSC - Climate Smart Committee Task Force –

- With the help of Cornell Cooperative Extension, the bronze status submission is planned.
- Several members Recently toured the highway garage which has the largest green house gas emission, looking for ways to make it more energy efficient. Discussion on the road stream crossing plan continues.
- Katherine Mustello added that she completed the disaster plan and sent it to the county planning and development for review; that will perhaps qualify towards the bronze status.
- Jenn Browne created a separate CAC and CSC webpage where this information can be found in detail.

OLD BUSINESS

1. Discuss/Approve Farm Law – Whitton

The approval is on Hold until April so the Board can answer questions that arose during the public hearing.

2. Approve Request for Dutchess County DOT Traffic Signal Study at Pumpkin Lane and Longview Rd. – Auspitz/Dykas

MM Councilperson Auspitz, 2nd Councilperson Werner that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the Superintendent of Highway's request that the Dutchess County Department of Transportation conduct a Traffic Signal Study at the intersection of Pumpkin Lane and Longview Road at no cost to the Town. DCDOT will notify the Highway Superintendent of the findings and conclusions upon completion of the study. Councilwoman Mustello asked if we are doing the engineer's study, Supervisor Whitton said we will go with this for no cost first. All aye. Motion carried.

3. Discuss/Approve Designing an Evacuation Plan – Mustello

In February, Councilwoman Mustello explained that she is working on a fire drill plan with a map of how to get out of each building. CPL can design a plan, which they have done for Wappingers, for \$5000. Councilwoman Mustello said the exit plan is not required by PERMA, so we should shelve this for the cost. She will continue to work on the evacuation plan.

4. Discuss Hometown Heros Project – Dykas

Councilman Dykas has begun to work in the project with a planned Kick off with the first banner on July 4th. He is putting together a committee, including Ray Oberly, 2 other veterans have been identified and they are looking for a female vet. The cost of the sign is \$180 per sign; the families pay for their sign. Discussed the process of how the committee will work. Said the highway departments in other towns like Beekman put them up, and the Committee can decide for us. Katherine Mustello said volunteers can install them, it does not have to be the highway department.

5. Discuss ARPA Update/Project Considerations - Whitton

Supervisor Whitton said funds must be obligated by end of this year; he wants that done by June 30 to get contracts. The money must be spent by end of 2026. Money not obligated must be returned. We have \$113,000 left to spend.

Projects to consider:

Rec Park Cameras - we are getting quotes for the cameras. We have money left from the previous earmark to install wifi and cameras.

Microphone update by Councilwoman Mustello: She thanked Bob Trysynski, Gerry Dolan, and Brandon Campbell for assessing the microphones and rebalancing the systems. They thought the equipment was fine but needed adjustments. They are monitoring the sound in the room, on tv and on you tube. The sound seems to be better tonight.

Flooring update by Councilwoman Auspitz- for the basement floor, the tiles are coming up and need repair. A vinyl floor is being suggested as they can hold up.

Price estimates:

main basement area: \$14500

kitchen	\$1800
2 bathrooms & hall	<u>\$5600</u>
Total	\$21,900.

Kids area	<u>\$19,570.</u>
TOTAL	\$41,470

Councilwoman Auspitz wants to put the flooring project out to bid and see where the numbers fall. Councilwoman Mustello would like to see the ARPA update; Supervisor Whitton will share that with Board.

Windows – Hobson Window came in and said the windows are fine but the cords that raise and lower them need replacing. They recommend replacing the cords for \$400 per window; there are 9 windows: total cost \$3600.

Five Highway garage door maintenance – Councilwoman Auspitz discussed information from the item 3 on new business for a cost of \$4226, the Board will decide to use funds from ARPA or bldg. maintenance fund.

Supervisor Whitton said former Councilman Dean Michael brought up solar and batteries. We can consider this also. Paving on Kansas Road is also a consideration for ARPA funds. Deputy Supervisor Werner said if we wait to do projects, the cost can go up. Supervisor Whitton agreed but said we have surplus funds available if necessary.

Supervisor Whitton wants to decide to use ARPA for flooring, windows, and highway garage doors. Councilwoman Mustello said the basement underfloor has been problematic, Councilwoman Auspitz said they are putting in a base when they pull up the tile. We will get the other quotes on the floor before we approve that. Katherine agrees with fixing the windows and disagrees with ARPA money for Kansas Road.

Park cameras and security – wifi cost was \$3200 to install, we have \$3300 left to buy cameras. Quotes coming in at \$5000. They are also considering purchasing less expensive cameras; Supervisor Whitton is researching the cameras. We also had a security issue on town campus, so there is a discussion on having a camera here. Councilwoman Mustello said we need better lighting outside.

NEW BUSINESS

1. Discuss/Approve Natural Resources Inventory – Werner

Deputy Supervisor Werner read from an email from resident Kat Maxianova, who commented it is an amazing piece of work, thanks to volunteers.

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 12 of 2024 approving and adopting the Town NRI dated February 19, 2024, created by the CAC, as an inventory of data collection identifying important natural and community resources within the Town.** All aye. Motion carried.

2. Approve Resolution to update Records Retention Schedule – Werner/Whitton

The State Education Department updated the Records Retention Schedule late in 2023. We are adopting it to continue to manage our records according the schedule.

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board approves **Resolution No. 13 of 2024 that the Town Board hereby adopts LGS-1, the revised edition of the MU – 1 Retention and Disposition Schedule for New York Local Government Records pursuant to Article 57-A of the Arts and Cultural Affairs Law, containing the legal minimum retention periods for local government records.** All aye. Motion carried.

3. Approve repair and maintenance of Highway Garage doors – Auspitz

Highway Superintendent Martin has requested the approval to repair five garage doors to have rubber weather stripping and seals installed to reduce air leaks and maintain heat from escaping to better improve energy usage. Additionally, he requests the installation of electric eye sensors to comply with risk management safety requirements.

MM Councilwoman Auspitz, 2nd Councilman Werner that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board approves Dutchess Overhead Doors proposal at a cost not to exceed \$4226.00 from ARPA funds for the repair of five garage doors to include weather stripping, seals, and the installation of electric eye sensors. All aye. Motion carried.

4. Approve 284 Agreement – Auspitz/Dykas

MM Councilman Dykas, 2nd Councilman Werner that the Town Board approves the following resolution: **BE IT RESOLVED** that the Town Board approves **Resolution No. 14 of 2024, the Agreement to Spend Highway Funds.** All aye. Motion carried.

5. Discuss CCA – Whitton

Supervisor Whitton: The Community Choice Aggregation (CCA) is an alternative to Central Hudson energy supply system where we can buy energy through alternative energy supply contracts. Joule chooses the power generation source on behalf of the consumers. To begin considering the CCA is there will be an education of the town by the company, they brought posters and they will have two public sessions and then go to bid, present bids and then we decide. Supervisor Whitton has started discussions with Joule for Round 3; Councilwoman Mustello Katherine said we did not agree to round 2, Columbia Utilities defaulted in the first round, then Joule came back for Round 2, and were disingenuous, so we did not join. Also people did not like the opt out feature. Supervisor Whitton added that no one opts into Central Hudson for their electricity.

6. Discuss Public Meetings Policy – Whitton

Supervisor Whitton was disappointed at last month's meeting by both Town Board members and the public. We have no policy addressing these concerns. We do have Roberts Rules of Order, which does address decorum at a meeting, but this policy asks members of public to do extra work.

The policy is public and will be posted describing decorum, explains meetings and why we have them. The Town Attorney did not have time to review it this month. So Supervisor Whitton would like Board member input and reintroduce it next month to approve. Councilwoman Mustello asked where he got it from, asked if he would consider the Association of Towns to review it. Eliot asked if this is a policy? Yes the Supervisor can have it reviewed by AOT. It can be updated and changed; it will be published on the web for the public.

7. Discuss PB/ZBA webpage updates and need for additional staff – Mustello

Councilwoman Mustello said these Boards expressed the desire to have documents in an online format or one repository for all information. We can use the Laserfiche structure with a public portal, which we have available. We have the structure, the problem is with a voluminous number of documents, Arlene needs staff to assist with the uploading, she estimates about 5 hours a week, as needed. Mike Whitton said in the budget is 5 hours a week for a Supervisor's helper. We can use that person to assist Arlene. Supervisor Whitton agreed that Arlene can have the 5 hours a week, Supervisor Whitton said we also approved that the Assessor is budgeted for an assistant and we have not hired that person yet so there is that money available.

OTHER ITEMS

1. Resignations and appointments – Werner

(NONE)

2. Approval of Warrants - Mustello

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

March General Fund Warrant, vouchers numbered 100 through 163, totaling \$1,543,916.66

and the

March Highway Fund Warrant, vouchers numbered 50 through 80 totaling \$ 103,889.38

All aye. Motion carried.

3. Motion to Move Funds – Whitton/Werner

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 15 of 2024 a motion to move funds**. All aye. Motion carried.

4. Supervisor's Report - Whitton

MM Deputy Supervisor Werner, 2nd Councilwoman Auspitz to approve the Supervisor's Report for February 2024. 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.

Jeff Newman – Jeff Newman, Municipal Code Enforcement Inspector for the Town. Transcript of his comments: I would like to address the accusations made at the Zoning Board of Appeals meeting on February 22, 2024, when I was directly and inaccurately accused of unconscionably manipulating the process of drafting what would become Local Law number 4 of 2021, amending Town of Clinton Town Code §250-45 Conference Centers. I will try to be brief, but I feel it’s necessary to address such accusations as they seem to be an increasingly used tactic against those who are working to serve the Town. All quotes are taken directly from videos, not from meeting minutes. Mr. Warren Replansky stated, “It’s curious that the conference center portion of the Town Code was amended in 2021 with significant input if not control by Mr. Newman at a time that he was employed by the property owner and the amendment opened the door for the argument that the proposed conference center now fits within the definition of a Conference Center rather than a Hotel. If you read the old definition of a Conference Center prior to the amendment, you will see that it did not, in any way, encompass what is now proposed. Certain language was added to that definition by Mr. Newman and whoever he worked with in the Town at a time when he was working for the developer and we suspect that the purpose behind that was to allow for this application to proceed where it wouldn’t have been permitted otherwise.”

It is correct that I participated in the process of amending the Conference Center Law from June 20, 2019 to June 8, 2021. It’s also true that, during that time, I was employed by the Dutchess, who owned and operated the property then. It is not true that I was working for any developer during any of that time. However, what was not mentioned is that it was exactly because I managed the Dutchess that I was asked to join an ad hoc committee, created at the Town Board meeting on June 11, 2019.

The Town had been in the process of drafting the proposed law for four months when, at that Town Board meeting, Nancy Cunningham introduced the idea of forming an ad hoc committee. This is a brief summary of quotes from the 20 minute discussion that ensued among the Town Board members as they created the committee of 10 people who would be asked to come up with a draft to present. Please note that the references to ‘Naylor Farm’ represent the Dutchess as is common practice in referring to a property by its longest running ownership of memory (the Naylor family ran a dairy farm on the site for most of the 1900’s). This also demonstrates how far off the Town Board’s radar the Dutchess, and I, were.

- Nancy Cunningham ○ “Why do we not have a good representative group within this town sitting down and working with that input and coming up with something...?”
- Dean Michael
 - “When we had the Zoning Revision, that’s basically what Nancy’s kind of saying, we took one person from each, a representative from each aspect, you know, a

business owner, realtor, zoning, and one of the things that I kind of impressed upon that we really should have input is all stakeholders, I meant that whether it be Adriance Farm or one of the other two farms that are doing these wedding venues to have them have input and be part of sitting at the table. And Stacey seemed like she's very amiable for whatever the law is, she just wants to have it clear...and I think she was very amiable, but we never brought her to the table and part of that process of writing that 10 page document and that's really what the concern was on my part, having to create this thing without that side of the input."

- Nancy Cunningham

- "It's a proven fact that a small group of people that are qualified, that are there for a purpose will bounce information off of each other, ideas and whatever and you will come out with a consensus. Everyone won't agree, but there will be a consensus that you can put forward."
- "One person trying to put it all together is not as good as a group of people that agree on something (and a group of qualified people). That's all, I'm talking about a process."

- Eliot Werner

- "Is that what the Board wants to do? If that's the preference of the Board, we'll set up a special committee or task force or whatever you want to call it."

- Dean Michael

- "Who's active in pretty much everything that we do as far as the Zoning Revision, I would say Russ [Thompkins] should be on the Committee, maybe Rich [Morse] if he wants to be on the committee, and take one of the land owners whether it be Stacey or her daughter or Naylor Farm or whoever and certainly you [Eliot] and I since we've done it on the committee before, that's fine and if you want to select somebody from Zoning and somebody from the Planning and we can come up with a group of people."

- Michael Whitton

- "And, I think, also open it up to the public. If anybody wants to visit, they can come."

- Dean Michael

- "Yes, of course."

- Nancy Cunningham

- "It's not secret."

- Michael Whitton

- "Yes, of course."

- Ray Oberley

- "The thing is, you're gonna need both Naylor Farm and Adriance Farm. They're different modes of operation."

- Dean Michael

- "Absolutely"

- "I haven't heard anything from Naylor"

- Eliot Werner

- “Based on what Dean just said, I come up with a list of nine people: the two farms, you [Dean], me, you suggested Richard perhaps, Russell, the Zoning Administrator.” “Then we had a representative from the Planning Board, representative from the ZBA.”
- Dean Michael
 - “Maybe Ian, if he wants to get involved, he seems pretty “legal-eze”.”
- Eliot Werner
 - “Actually, I think Ian would be very good because he’s obviously very interested in this topic. So, we’re up to ten people.”
- Dean Michael
 - “I think that’s a good, core group that we can all sit around and hammer out a reasonable product.”
 - “In place of next meeting...and the public can come and certainly voice their opinions.”
 - “Next week, if someone wants to come, you’re more than welcome to come”

On June 12, 2019, Eliot Werner sent me an email asking if I’d be interested in joining, “...an ad hoc committee to work on the events centers law”. On June 13, 2019, he sent an email to the entire committee (10 people) announcing the first meeting to be held on June 20, 2019. And, all committee meetings were open to the public.

Two months later, at the August first, 2019, Town Zoning Revision Committee workshop, the product of the ad hoc committee was introduced into the public workshop process. A workshop open to the public at which any person can voice their ideas, concerns, objections, proposed changes, etc. The proposed local law stayed in workshop and public hearings until it was adopted by the Town Board on June 8, 2021, almost two years later. In other words, the ad hoc committee worked for two months and the law was publicly workshopped for two years. To say that I was in control or to imply that I somehow manipulated the entire Town Board, a committee of 9 other people, and all members of the general public over a two year span is simply absurd and not true. Further, reading only a paraphrased portion of the definition of a Conference Center, Mr. Replansky said, “A Conference Center, in the traditional sense, is an establishment where events are used for business, professional conferences, and seminars sometimes with rooms for lodging, eating, and recreational activities for the attendees. It is fact, that is the definition that used to be in the code before it was changed by Mr. Newman in 2021. There is little doubt that this law was amended specifically to allow this application to proceed before the board.”

This is patently and completely false. Mr. Replansky left out the entirety of the second sentence of the definition. This is the 1991 Town of Clinton Zoning Law book. Here’s the definition of Conference Center as it was adopted by the Town of Clinton in 1991...28 years before I was asked to serve on the ad hoc committee: read from 1991 Zoning book This is the definition that was adopted in 2021 under the amended Conference Center law: “An establishment for hire as a location for events used for business or professional conferences and seminars, often with rooms for lodging, eating, and recreational activities. Also, an establishment which attracts clients principally for recreational or health activities and contains rooms for lodging and eating for its clients.” Note that the second sentence of the definition is word for word the same...entirely unchanged. Mr. Replansky also claimed that I managed to make the revised Conference

Center law less restrictive and more adaptable. This is also false. When Dean Michael opened the public workshop on August 1, 2019, he said, "Let me first start by saying, thank you to all the participants in our 'think tank' of sorts. Obviously, we'll never have a document that everyone agrees on, but through the process, I think the consensus was that most people wanted a very limited in scope document, so it went through several revisions of which thank you to Ian Shrank and Paul Thomas and...Jeff Newman who made a lot of the final revisions in this document that we have in front of us." Mr. Michael notes that the goal was to create a very limited scope. In the interest of time, I won't go over all of the examples of how the law became more restrictive. I'll simply mention two of them. First, the Conference Center law adopted in 1991 was a total of 9 lines...nine. The revised law is 33 lines long. Second, the first line, described the capacity formula for a Conference Center: read from 1991 Zoning book Using this calculation, a 228 acre parcel could have a capacity of 456 patrons...456. This capacity was eliminated from the new law and authority was given wholly and entirely to the discretion of the Planning Board:

"The Planning Board shall determine the maximum number of attendees allowed at any conference center, taking into account the size and occupancy capacity of buildings and structures that will be used for events, the proximity of buildings and structures to adjoining residences, the size and location of parking facilities, the potential for noise or other disruptions to the neighborhood, and the safety of all persons."

It is the Planning Board who was given the authority to determine capacity, not a blanket equation that applied equally to all properties.

In closing, I want to be clear, I was asked by the Town Board on June 12, 2019, to serve on an ad hoc committee to assist in drafting a revision to the Town law. The second sentence in the definition of conference center is word for word the same as the current definition, there was no change to that sentence in 2021. Lastly, the 2021 version of the Conference Center law is far more restrictive and property specific than the law adopted in 2019.

Dean Michael – He chaired 14 years of zoning revision and was conscious to get all sides to get input, MCEI Newman did not have a lead role, no one had major control.

Regarding the Hometown heroes program, look at the locations in other towns, they often picked locations where the person lived; look at some signs in different towns, some signs' quality are better than others and we will take on maintenance. Regarding the basement floor, he is skeptical to spend \$41,000 in a basement that gets little use.

Suggests to pull up tiles and paint it with concrete paint, the cost is probably less than \$10,000. Regarding the park and laws, a law is only as good if we enforce it. The park should be closed, if we have problems at night, then we need to enforce that it is closed.

On the public meeting policy, some of it is subjective. What is an effective manner, what is courteous? Use of phones prohibited, that is vague. Pointed out other language that is subjective. Dean suggested the policy needs more work. He commented that the Dept. of State has opined that one does not have to give their address when they speak at a meeting.

Chris Juliano – Transcript of his comments: Good evening, everyone: An Open Letter to the Board:

Since this is the first time seeing everyone in a few months, I would like to congratulate and welcome our new board members. After spending four years on the town board myself, I understand some of the complexities that you meet deal with. There is always a

learning curve needed to find your way. After I was elected several years ago, I received a congratulatory email from Mike. Which I still have. That single email of Mike reaching out really made me think how I might be in my new position. Being a republican, originally, I thought it was us verse them (The democrats). I learned early on that local politics is much different than national politics. I learned that everyone on the town board truly cares about our town. We might not all agree on everything, but I felt there was mutual respect. Hell, the person I the most differences was not a democrat but someone on my own party. Through my tenure on the board, I was very proud to say I was able to work with everyone. I would always say publicly and behind closed doors we are a team. Carol, I think you can attest to that. I never felt the need to take credit. I believed if we as a board worked in a bi-partisan way, The town would benefit positively. I still feel this way today. A while ago, I had the opportunity to share a table with Charlie at Jeanie Beans. We both were getting lunch and Charlie came up to me. I really enjoyed talking to Charlie and getting to know him a little bit in that short time. When he ran the first time, it was a close race, a few votes if I remember right. I told him that if he had won that election, I felt I would have been able to work with him, just the way that I was able to work with Mike. That election, Kathrine became the new board member and Elliot was elected back to the board.

Everyone now is probably wondering what's my point! It's very simple, even though Mike for the first two years and then Mike and Elliot in my last Two years on the board, we worked as a team. I would joke with Mike... that him, being the only democrat on the board for my first two years he was able to have much success. That's because all of us came to the middle and worked as a team. That doesn't mean that we didn't have our differences on issues and policy. But I felt that all our voices were heard equally. I also believed that anyone who came into talk at our meeting in the public discussion section had a right to be heard, even if I didn't agree. I would always listen. The funny thing was... I often learned residents that I thought I didn't agree with had some good ideas and suggestions. Interesting... Right! It's amazing what can be accomplished when we give respect,

However, I am very saddened from what I watched from the meetings as of January 3 and to current. In over 9 1/2 years that I served this Town (4 as elected and over 5+ years on different committees), I have never seen any town board meeting or committee meeting invoke Robert's Rule to try and silence an elected board member. Mike, I thought I knew you better than that. At the end of my last board meeting, I told you personally that you could become a great supervisor. You took a different path. It's not too late to change things. Lead by example and you will find you can still get respect. Over the past few years many of us on the Town Board and our Town clerk have had to deal with health issues. You and Carol by far had life-changing issues. That should bring much perspective, life is very short and precious. Treat people the way you want to be treated. It's never too late to right the ship.

Finally, I would like to bring up my thoughts on salaries. Last year we approved a budget for this year. What I have witnessed through watching the meeting on You Tube was a very vengeful approach. Melissa salary should have never been reduced; she is not a clerk. I Know... a few years ago I worked on writing her job description. She is Secretary of the Highway Superintendent. You decided to carry on a grudge that the previous supervisor started with the Highway Superintendent, because his son was not elected. Ray tried multiple times to get me onboard with him being able to fire Melissa. He even retaliated on me personally by removing me from all my liaison positions. What you are doing is retaliatory, discriminatory, and straight morally wrong. Melissa on January 2 and 3rd came to work knowing what her salary was. After the

reorganization meeting, her salary was cut. This has never happened to my knowledge in the 9 1/2+ years of being involve in the town to an employee. I feel you have now opened the town to potential lawsuits and audits.

You also decided to increase your secretary's salary and make your position full time to obtain health benefits. I am very sympathetic to what you are going through. I even agree that there is more to the Supervisors position. However, when we decide to run for office, we choose to run knowing the salary and benefits that are offered. As public officials we should not be creating the job and pay we want. The next budget meeting would have been the right place and time to address those issues. The previous board voted on the budget for this year.

I urge all the Town Board members to find a way to work together. Remember, Mike, for a long time you were in the minority. You had success because the board was reasonable. Now Kathrine is in the minority. I get it, elections have consequences. But that does mean you as a group can't find paths forward.

Lynne Miceli - resident 40 years plus. She has never seen such behavior as at the last meeting. She is ashamed of the behavior. The budget was approved, changing a salary is wrong, it appears selective to the public. The people are "pissed" and things need to be looked at, you were elected by the people to serve the people. You should be serving everybody not just a few. Suggested that we apply for a grant for the awning on the Schoolhouse as it is an historical building. If you have extra money at end of year, give it back to residents instead of establishing a fund. Complained about increasing assessments; some towns have frozen their assessments. Supervisor Whitton said we use surplus money to balance the budget, which is giving taxes back to the residents.

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

Katherine Mustello suggests to investigate skim coating also as a basement floor solution.

ADJOURNMENT

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

The meeting was adjourned 8:32 PM.

Respectfully Submitted,



Carol-Jean Mackin,
Town Clerk