

October 8, 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 6 people in the audience.

Supervisor Whitton called the meeting to order at 6:30 PM. **(Pledge done earlier)**

### **APPROVE MINUTES**

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello to approve the September 10, 2024 Public Hearing minutes STR. All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello to approve the September 10, 2024 Town Board meeting minutes. All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello to approve the October 1, 2024 special Town Board meeting minutes. All aye. Motion carried.

### **PUBLIC DISCUSSION: (Agenda Items only)**

### **NONE**

### **SUPERVISOR'S COMMENTS read by Deputy Werner**

- The Town is closed Columbus Day Oct 14th and Veterans Day Nov 11<sup>th</sup>. The Library remains open.
- The Town Clerk's office and the Clinton Library are teaming up with UPS to collect items to help those people affected by Hurricane Helene until Oct 18. **Items being collected:** Ready to eat foods: Granola bars Dried fruit Protein bars Canned fruit (pull tab) Jerky Canned veggies (pull tab) Trail mix Etc. Bottled water batteries. **Items they need:** Baby products: Diapers, Wipes. Diaper cream, Baby bottles, Formula (nonperishable), Feminine products, Flash lights. The Town Clerk will send out a flyer on Thursday with more information.
- Displayed the Climate Smart community Bronze status signs we received. Fran Mark Park gates will be locked on Nov. 1.
- Deputy Supervisor Werner read the following statement for Supervisor Whitton: Community Day comm has decided to form a nonprofit 501c3 to plan Community Day separate from the Town. Wishes them the best and offers whatever help we can give, however his is Disappointed as there was no previous discussion with the Town and the Committee changed the date also. The Town had no opportunity to address whatever challenges may have existed as Community Day grew. He hopes these discussions will take place and offers whatever help we can.

- Received a Bronze certified community and received the sign today.
- Fran Mark Park will close on Oct 31, gate locked and bathrooms closed and winterized.

**TOWN BOARD REPORTS:** Posted on the web, [townofclinton.com](http://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 – Clinton residents are always invited to visit the CAC and CSC website for updated information. [clintoncac.com](http://clintoncac.com)
- Planning Board – No meeting, report posted on the web; on file in the Town Clerk’s office
- ZBA – No meeting, report posted on the web; on file in the Town Clerk’s office.

**Councilwoman Auspitz –**

- Highway - report posted on the web; on file in the Town Clerk’s office.
- Library – report posted on the web; on file in the Town Clerk’s office.

**Deputy Supervisor Werner –**

- Building Inspector - report posted on the web; on file in the Town Clerk’s office.
- MCEI – report posted on the web; on file in the Town Clerk’s office.
- Recreation Committee – discussed the activities of the Rec Committee.
- CSC - discussed Community Day activities; interested in compositing for the Town.
- SHRAC – discussed Community Day activities. Talked about beautifying Town cemeteries.

**Councilman Dykas-**

- Hometown Heroes – Did a mailing to about 125 veterans, to date we have five that will kick off the program. Hoping to put up the first banner around Veteran’s Day.

**OLD BUSINESS**

**1. Approve LL XY Tax Cap Override – Werner**

MM Deputy Supervisor Werner, 2nd Councilman Mustello to approve the following resolution: BE IT RESOLVED that the Town of Clinton approve **Resolution No. 37 of 2024 which hereby adopts said Local Law No. 3 of 2024, entitled “A Local Law to Override the Tax Levy Limit for Fiscal Year 2024”** a copy of which is attached hereto and made a part of this resolution; and instructs the Town Clerk 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. Mustello said we have to pass this in anticipation of the budget. All aye. Motion carried.

**2. Discuss LL XX STR Amendment – Werner**

PH will continue next month. The law is still a work in progress.

**3. Discuss Ruskey Lane property – Whitton**

No action.

**4. Approve awarding bid for Townwide cameras – Whitton**

MM Supervisor Whitton, 2nd Councilman Werner to approve the following resolution: BE IT RESOLVED that the Town of Clinton award the bid to purchase Townwide cameras to S&F Telecommunications for parts, labor, and installation at a cost not to exceed \$15,366.34, as described on the quote dated 8/22/24. Paid with ARPA funds. Katherine Mustello had questions about the viewing station. Supervisor Whitton explained. Can the cameras be accessed remotely? Supervisor Whitton said we can, but there was no discussion on that. Was this discussed with Shane? Yes, it was, and we have a high enough resolution that it can be used for evidence. Councilwoman Mustello is concerned if the highway contract addresses the use of cameras. Supervisor Whitton said no. All aye. Motion carried.

**5. Discuss painting of metal roofs – Auspitz**

The bids came in and were very high. We need to consider the issue in the future. We should look into grants. The Masonic Hall was \$51,000, the Highway main building was \$101,212. The Highway building #2 was \$55,000.

**6. Discuss ARPA funds – Whitton**

We have \$30,000 to spend until the end of the year. Supervisor Whitton's idea was EV chargers; the Town Hall floor needs redoing, and we are looking at electronic locks for the Masonic Hall building. We have to bid at the November meeting. Katherine Mustello wants to look at lighting on campus. Marion Auspitz said Dan Harkenrider is installing new LED lights and motion detector fixtures for better lighting. Marion will get bids for the floor. Katherine said there are repairs for the geothermal that are necessary, we should look at that also. Geothermal motors are being rebuilt, one was leaking, and others are making noises. Katherine said we should consider a generator for one building so you can continue to do business and keep the town open. Marion Auspitz said the floor downstairs is done, some finishes still need to be done. Katherine Mustello asked to consider playground equipment be put on the north side of the building.

**NEW BUSINESS**

**1. Approve Amendment to Snow and Ice Control Agreement – Whitton**

MM Supervisor Whitton, 2nd Councilman Werner that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves the Snow and Ice Control Agreement by and between the Dutchess County DPW and the Town of Clinton and authorizes, empowers, and directs Town Supervisor Whitton to sign the agreement. All aye. Motion carried.

## **2. Approval of Security Agreement and Bond for Dutchess Reserve – Mustello**

MM Councilwoman Mustello, 2nd Councilman Werner that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 38 of 2024 a resolution approving the bond for Dutchess Reserve** and authorizing, directing, and empowering the Town Supervisor to execute the security agreement and to take any and all actions necessary to implement the provisions of this resolution to execute the security agreement with Dutchess Reserve LLC for common driveway improvements. All aye. Motion carried.

## **3. Discussion on incorporating the NRI for Board use – Mustello**

Katheirne Mustello said the DEC is changing the wetlands law, we adopted the NRI, which she thought would be our guide. We may need to look further into what maps we need to consult for Planning and Zoning decisions.

## **4. Approve bid for Solar Panels - Whitton**

MM Deputy Supervisor Werner, 2nd Supervisor Whitton that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves bidding for salt shed solar panels using ARPA funds; bid packages will be prepared for October 18, 2024; bids are due to Town Clerk Carol Mackin by 11-15-24 at 10 am via email or standard mail: [townclerk@townofclinton.com](mailto:townclerk@townofclinton.com); 1215 Centre Road, Rhinebeck, NY 12572. Supervisor Whitton said we just had solar companies give estimates, they were all over in terms of price and the work. Our engineer came up with a package of what we need as the basis of the bid. All aye. Motion carried.

## **OTHER ITEMS**

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

MM Deputy Supervisor Werner, 2<sup>nd</sup> Councilwoman Mustello to approve the appointment of Roberta Grant as Winter Employee – Highway effective November 1, 2024 – December 31, 2024, at a rate of pay of \$16.27 per hour for 32 hours per week, paid from D5110.132. All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilwoman Auspitz to approve the appointment of Tim Horton as Groundskeeper effective November 1, 2024 – December 31, 2024, at a rate of pay of \$16.27 per hour for 32 hours per week paid from A1620.130. All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello to approve the appointment of Connor Burns as Part time seasonal winter employee: wing person, effective October 9, 2024, at a rate of pay of \$16.27 per hour. All aye. Motion carried.

MM Deputy Supervisor Werner, 2nd Councilwoman Mustello to approve the appointment of Stan Orser as a member of the CSC effective 10-8-24 to 12-31-24. All aye. Motion carried.

## **2. Approval of Warrants - Mustello**

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

**October General Fund Warrant, Vouchers Numbered 511 through 554, Totaling \$ 77, 348.24**

**and the**

**October Highway Fund Warrant, vouchers numbered 238 through 259, Totaling \$38,003.03**  
. All aye. Motion carried.

## **3. Motion to Move Funds –Werner**

MM Deputy Supervisor Werner, 2<sup>nd</sup> Supervisor Whitton that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 39 of 2024 a motion to move funds**. All aye. Motion carried.

## **4. Supervisor's Report - Whitton**

MM Deputy Supervisor Werber, 2<sup>nd</sup> Councilwoman Auspitz to approve the Supervisor's Report for September 2024. All aye. Motion carried.

## **OTHER/ANNOUNCEMENTS:**

## **PUBLIC DISCUSSION**

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

- Carol Bancroft, director Clinton Community Library, she wants to make people aware of the budget vote, increasing the town's portion to \$154,800. The General operation costs have increased, we are asking for a \$5000 increase in the voter approved budget. The impact will be an additional \$1-\$3 per household per year. The proposition is on the back of the ballot. See staff or the website for more information on the proposition.
- Adam Dyksal – here with neighbors with Common Senses Hudson Valley to discuss the need to update the conference center law. It is complicating life in Town. It was passed

during the pandemic; the implications of the law were not clear then. The law is confusing and vague, pointed out by DC Planning. The vagueness of law puts us at risk for litigation, which we see now. These are unfair burdens on volunteer boards. The law is at odds with what the people have stated in the comprehensive plan. Said the law ties the hands of the zba and pb if there is a problem. Used the analogy of living next to Omega, who are good neighbors; questions if a mega developer would be so open to their neighbors.

- Tess Lambert reading a letter from two residents who could not attend. Commented that the conference center law is vague. Described the actions of the zba members as having no clarity in the law when they had the conference center issue before them. Concerned about the two lawsuits.
- Nancy White – she values the agriculture, natural resources and quietness of the community as stated in the comprehensive plan and the open space plan. Quoted from the comprehensive plan to protect prime agricultural land with limited growth which she feels contradicts the conference center law.
- Dal Lamanian – regarding conference centers, can we cancel conference center law, or rewrite it to be prepared for the next person to come in?
- Donna Burns - NYS endorses smart growth to foster community. We need smart growth with vision and NYS offers assistance to this end. Quoted guidance from NYS in terms of how to develop laws and where to find resources. We need legal clarity and to follow the comprehensive plan. We can't wait to get a new compressive plan; we need to fix this conference center law now. Residents have told her they are concerned about the future. Asked the Board to update the law to reduce risk and make sure its legal to create the kind of community we all want.
- Dan Berndt – asking board to update conference center law to make it consistent with the comprehensive plan. He wants to clarify purpose of law; the definition of conference center must be defined. Only appropriate zoning districts should allow them, regulate the size and scope of permissible activities, concerned about the activity's proximity to wetlands, wants to see the permitted events listed, maximum number of attendees listed, and whether lodging is allowed overnight. Read the comprehensive plan and feels the residents would feel the same and have the same values as 15 years ago when it was published. Gave a petition to the Town Board.

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 Werner that the Town Board adjourns the meeting. All aye. Motion carried.

The meeting was adjourned at 7:40 PM.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Carol-Jean Mackin". The signature is fluid and cursive, with the first name "Carol" and last name "Mackin" clearly distinguishable.

Carol-Jean Mackin,  
Town Clerk