

**RESOLUTION 13 OF 2023**  
**AUTHORIZING THE ADOPTION**  
**BY THE TOWN OF CLINTON, NEW YORK**  
**OF LOCAL LAW NO. 1 OF 2023** entitled

**“Revised Amendment to Section 250-31 of the Town Code – Alternate Care Facilities”**

**WHEREAS**, on January 10, 2023 a resolution was duly adopted by the Town Board of the Town of Clinton, New York (the “Town Board”) authorizing a public hearing to be held by the Town Board on February 14, 2023, at 6:00 p.m. at the Town of Clinton Town Hall at 1215 Centre Rd, Rhinebeck (Town of Clinton), New York, to hear all interested parties on a proposed Local Law entitled “**Revised Amendment to Section 250-31 of the Town Code – Alternate Care Facilities**”; and

**WHEREAS**, on November 9, 2022 a prior version of a local law amending Section 250-31 of the Town Code was introduced by the Town Board with a public hearing being held on December 13, 2022; and

**WHEREAS**, after due consideration of the prior version and after consideration of comments made by members of the public, the prior version of the local law was rejected by the Town Board pursuant to Resolution on January 10, 2023 and this revised local law was thereafter introduced on January 10, 2023; and

**WHEREAS**, notice of the public hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of said Town, on the 18 day of January, 2023; and

**WHEREAS**, the public hearing was duly held on February 14, 2023, at 6:00 p.m. at the Clinton Town Hall at 1215 Centre Rd, Rhinebeck (Town of Clinton), New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

**WHEREAS**, the Town Board having determined that all parties entitled to notice have been duly given notice thereof; and

**WHEREAS**, pursuant to 6 NYCRR Part 617 of the implementing regulations pertaining to Article 8 State Environmental Quality Review Act (SEQRA) the Town Board, having reviewed the Full Environmental Assessment Form (EAF) – Part 1 and Part 2, hereby determines that adoption of this proposed Local Law is a Type I action which would not have a significant effect upon the environment; and

**WHEREAS**, pursuant to Section 239-nn of the N.Y. General Municipal Law the Town Clerks of surrounding towns were duly notified of the February 14, 2023 public hearing; and

**WHEREAS**, pursuant to Section 239-m of the N.Y. General Municipal Law the Dutchess County Department of Planning and Development has reviewed and approved the proposed Local Law; and

**WHEREAS**, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

**Now On Motion** of Supervisor Whitton, duly seconded by Councilman Michael:

**Now, Therefore Be It Resolved**, that pursuant to SEQRA, the Town Board, as Lead Agency, has determined that the Type I action will not result in any significant adverse impact on the environment for the reasons enumerated in the attached Negative Declaration and EAF – Part 2;

**Be It Further Resolved** that the Town Board hereby adopts said Local **Law No. 1 of 2023**, entitled “**Revised Amendment to Section 250-31 of the Town Code – Alternate Care Facilities**” a copy of which is attached hereto and made a part of this resolution; and

**Be It Further Resolved**, that the Town of Clinton Town Clerk be and she hereby is directed to enter this Local Law in the minutes of this meeting and give due notice of the adoption of this Local Law to the Secretary of the State of New York.

The foregoing resolution was voted upon with all councilmen voting as follows:

Supervisor Michael Whitton	VOTING	<b>AYE</b>
Councilman Eliot Werner	VOTING	NAY
Councilman Katherine Mustello	VOTING	<b>AYE</b>
Councilman Dean Michael	VOTING	<b>AYE</b>
Councilwoman Christopher Juliano	VOTING	ABSENT

MOTION CARRIED. 3-2

DATED: Clinton, New York  
February 14, 2023



Carol-Jean Mackin, Town Clerk