

November 14, 2023 Town Board Meeting

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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, and Town Clerk Carol-Jean Mackin. Chris Juliano was absent There were approximately 8 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.

Supervisor Whitton said the ZEO is not present tonight, his comments were sent to NYS Ag and Markets and we are waiting for their comments.

### **PUBLIC HEARING**

The public hearing on the local law was left open for additional comments from the October 10, 2023 public hearing date.

Mike Whitton asked for comments from the floor.

Stacey Higgins - brought the Ag Events law which is 5 pages, there is simplicity there. This new Farm Law should be combined with the Ag Events law, she feels there is not good communication among staff on these laws and to combine them would make them simpler to follow depending on what kind of ag endeavor a person wants to pursue with their farms. This Farm Law is too lengthy and complicated.

Eliot Werner - asked for her to suggest a solution: she said there should be one liaison for farmers to lay out the process to help them with the information they need. Katherine asked her to suggest how we can simplify the draft Farm Law. Stacey is waiting for Ag and Markets to return their comments to see what they suggest.

Mike Whitton – our goal was to take the parts of the State Ag and Markets laws that are identical and just reference them in our local law, so if they change at the State level, we do not need to rewrite our law as the reference will be the current Ag and Market law. Dean we are trying not to rewrite the wheel, we should not try to parrot what Ag and Markets says but agrees to reference to let us keep pace with updates at the State.

Eliot Werner- the ZEO is the liaison and should be the person to assist the applicant. Stacey said she heard from other farmers that the ZEO does not return calls in a timely manner. It is not a part time job any longer. She knows people with open building permits from the 1980s.

Eliot Werner - said we have given more hours to ZEO and Building Inspector over the years. Dean said if the ZEO is spending his time writing the Farm Law, he is not enforcing issues. Mike said ZEO wrote the law outside his office hours.

Katherine said maybe we can ask Jeff to prioritize his work.

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At 6:28 PM, there being no further comments, MM Supervisor Whitton, 2nd Councilman Michael to keep open the public hearing to December 12, 2023 at 6:15 PM for further comments. All aye except Councilman Juliano who was absent. Motion carried.

**ADJOURN**

At 6:29 PM, MM Supervisor Whitton, 2nd Councilman Michael to adjourn the meeting. All aye except Councilman Juliano who was absent. Motion carried.

Respectfully submitted,

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

Carol-Jean Mackin  
Town Clerk

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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 Michael, and Councilwoman Mustello. Town Clerk Carol-Jean Mackin was also present. Councilman Juliano was absent. 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 following sets of 2023 minutes:

October 5 Highway budget workshop

Oct 10 PH Farm Law

Oct 10 PH LL Tax Cap Override

October 10 PH CDBG

October 10 Regular TB meeting

October 12 General fund workshop

Oct 18 special meeting

November 1 budget public hearing.

All aye except Councilman Juliano who was absent. Motion carried.

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

None.

### **SUPERVISOR'S COMMENTS**

- Offices, Highway, and Court closed for Thanksgiving holiday Nov 23 & 24.
- Library closed also.
- Town Justice Barbara Seelbach has been elected 3<sup>rd</sup> VP of the NYS Magistrates Association.
- Central Hudson HEAP program to help pay for electricity is available again this year.
- Food drive is underway, drop food to the Town Clerk's office for the Food Pantry.
- Toys for Tots is being run until December 1<sup>st</sup>, drop unwrapped toys to Cathy Gallinger in the Town Supervisor's office.
- Annual Tree Lighting Ceremony scheduled for December 1<sup>st</sup> starting at 4 PM, a real Town effort. The Drago Family has donated a tree in their daughter's memory which will be dedicated.

### **DEPUTY SUPERVIOR COMMENTS**

**None**

**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,

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ALTICE, ZONING REVISION, CEMETERIES, PROPOSED TRANSMISSION LINES, OTHER (QUARTERLY: WIC, SAFETY)

Katherine Mustello– CAC- investigating Six Senses project. They will present their questions to the Planning Board. The Spongy Moth presentation is available via you tube, the Town Clerk will send it out on MailChimp. The Seqr workshop had two members attend; the listed other workshops attended by their members. Barb Mansell will stay on as chair until 2025. Mike Whitton added that the nature trail map has been updated. Library report - come to the tree lighting ceremony is on Dec. 1. Highway report – given by Todd Martin who read from the report which is online and on file in the Town Clerk’s office. Winter season: no parking on Town roads, Nov 1 to April 15, no plowing driveway snow onto Town roads.

Eliot Werner– read from the Planning Board report, online and on file in the Town Clerk’s office  
Recreation report – read from the report, online and on file in the Town Clerk’s office.  
Cemeteries – the maintenance season is over. Thanked Andy and Tim who did a good job of maintain them, thanked Pat O’Hara cleaning stones. Working to correct distressed stones, Lori brands and barre memorial are working to together to fix stones. The cemetery committee has one opening. Contact Eliot or the Town Clerk if interested. The BAR has an opening contact Eliot or the Town Clerk.

### **OLD BUSINESS**

1. **Approve Resolution Adopting a Budget for the Fiscal Year commencing January 1, 2024 – Whitton**

MM Supervisor Whitton, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves **Resolution No. 47 of 2023, titled: A Resolution Adopting a Budget for the Fiscal Year commencing January 1, 2024 and ending December 31, 2024.** In discussion, Katherine has a highway issue in the October Supervisor’s report there is an unexpended fund balance that is not reflected in the 2024 budget. Mike said you are looking at the 2023 Supervisor’s report with 2023 funds, we are passing the 2024 budget. Maggie VanNorstrand, the Town’s accountant, agrees that money will most likely be spent by the end of the year or put into surplus for 2024.

### **ROLL CALL VOTE:**

MUSTELLO: AYE

MICHAEL: AYE

WHITTON: AYE

WERNER: NAY

JULIANO: ABSENT

Motion carried.

2. **Discuss LL XX Article V Supplementary Regulations § 250-51. Farm Operations – Werner**

The public hearing is left open until December 12<sup>th</sup> at 6:15.

### **NEW BUSINESS**

1. **Discuss Evacuation Plan – Mustello**

Katherine Mustello said Arlene Campbell helped to find plans for all of the buildings to be able to create evacuation routes that will be posted in each building. All paper floor plans will be scanned of buildings and Minute Man Press will make exit routes. Cathy Gallinger will be able to do a phone alert to all employees. Thanked Cathy Gallinger and Carol Mackin for their help.

2. **Approve Highway Materials Going to Bid – Mustello/Michael**

MM Councilman Michael, 2nd Councilman Werner to approve the following resolution: BE IT RESOLVED that the Town Board approves the following resolution: the Town Board authorizes the Town Clerk to advertise for sealed bids for highway materials; the sealed bids are due by **10:00 am on Tuesday, December 5, 2023** and awarded at the regular Town Board meeting on Tuesday, December 12, 2023 to the lowest responsible bidders whose bid has been filed in conformity with this notice. Todd Martin added that he has been notified the dirt roads will go from brown to grey, with the new product a little more expensive as the local dirt quarries are going out of business. All aye except councilman Juliano who was absent. Motion carried.

3. **Discuss Sexual Harassment Policy- Werner**

Deputy Supervisor Werner- We have been requested by PERMA, our insurance carrier to update our four year old law. The new policy will include sex harassment and discrimination on gender, age, and gender preference among others. We will need to rescind the current law and replace it with a policy.

4. **Discuss/Approve Health Emergency Policy (Communicable Diseases Plan) – Werner**

MM Councilman Werner, 2nd Councilman Michael to approve the following resolution: BE IT RESOLVED that the Town Board approves the **Health Emergency Policy (Communicable Diseases Plan) effective November 14, 2023**. All aye except Councilman Juliano who was absent. Motion carried.

5. **Discussion STRs – Whitton**

Supervisor Whitton said we are considering a number of changes to the law, including a cap on the number of permits issued which also caps the income. We can also limit the number of days an str can be rented out, maybe just consider this for non-hosted. We might want to consider higher fines for quality of life issues and consider a tax for str. We should talk about adopting all or some of these items. Dean Michael – concerned about enforcement, to limit a rental to a max of 180 days for example, how do you enforce that. The other ideas Mike suggest are palatable and the fines will bring in more money to add to enforcement. We should limit the number of permits per person and look into no one person with LLCs having several homes for str. Katherine does not want to regulate the hosted str as they are a good way to make income and the person is there. Agrees with one person owning a max of two str, otherwise neighborhoods are being erased. We have gotten a lot of cooperation from homeowners to get their permits. Eliot

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is concerned about non hosted strrs existing in general, it changes the town. We have to deal with them, but he has reservations if we should encourage them at all. Katherine said there are people who live here 9 months and rent their home out for 3 months, that is different and does not change the neighborhood. Whitton explained when writing the law, he spoke to attorney about banning any rentals in Town and that is really not an acceptable alternative. He sees a problem with one person buying multiple properties, for example one property with six cottages, how many permits do they get, one or six? Katherine suggests the ideas that will let us build revenue.

## **OTHER ITEMS**

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

#### **RESIGNATIONS:**

MM Deputy Supervisor Werner, 2<sup>nd</sup> Councilwoman Mustello to accept the resignation of Andy Cooley as Groundskeeper effective November 2, 2023. All aye except Councilman Juliano who was absent. Motion carried.

MM Deputy Supervisor Werner, 2<sup>nd</sup> Councilman Michael to accept the resignation of Marilyn Donohue Shiller as a member of the CAC effective November 24, 2023. All aye except Councilman Juliano who was absent. Motion carried.

#### **APPOINTMENTS –**

#### **FT HWY EMPLOYEE**

MM Deputy Supervisor Werner, 2<sup>nd</sup> Councilman Michael to approve the appointment of Abbey Wiand as Winter Full Time Highway Employee effective November 27, 2023 to December 31, 2023 at \$15.76 per hour for 32 hours per week paid from D5110.132. All aye except Councilman Juliano who was absent. Motion carried.

MM Deputy Supervisor Werner, 2<sup>nd</sup> Councilman Michael to appoint Deborah Valchar as a member of the CAC from November 1, 2023 to December 31, 2023 filling the unexpired term of Marilyn Donohue Schiller, who resigned. All aye except Councilman Juliano who was absent. Motion carried.

### **2. Approval of Warrants**

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

**November General Fund Warrant, vouchers numbered 579 through 635, totaling \$ 189,912.58 and the**

**November Highway Fund Warrant, vouchers numbered 279 through 305 totaling \$94,181.23 , and the**

**November Capital Fund Warrant, vouchers numbered number 18, totaling \$.**  
All aye except councilman Juliano who was absent. Motion carried.

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

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MM Supervisor Whitton, 2nd Councilman Michael that the Town Board approves the following resolution: BE IT RESOLVED that the Town Board approve **Resolution No. 48 of 2023 a motion to move funds**. All aye except councilman Juliano who was absent. Motion carried.

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

MM Supervisor Whitton, 2nd Councilman Michael that the Town Board approves the final Supervisor's Reports for October 2023. All aye except Councilman Juliano who was absent. Motion carried.

#### **OTHER/ANNOUNCEMENTS:**

none

#### **PUBLIC DISCUSSION –**

none

#### **ADJOURNMENT**

MM Deputy Supervisor Werner, 2nd Councilman Michael that the Town Board adjourns the meeting. All aye except councilman Juliano who was absent. Motion carried.  
The meeting was adjourned 7:08 PM.

Respectfully Submitted,



Carol-Jean Mackin,  
Town Clerk