

TOWN OF CLAVERACK

Regular Monthly Meeting

September 10, 2015

The Regular Monthly Meeting of the Town of Claverack, Columbia County, New York, was held at the Town Hall, #836 Rte. #217, Mellenville, New York. Meeting opened by Supervisor Clifford Weigelt, who led in the Pledge of Allegiance to the Flag. Meeting opened at 7:00 p.m.,

Present:

Clifford Weigelt	Supervisor
Kathleen Cashen	Councilwoman
William Gerlach	Councilman
Stephen Hook	Councilman
Brian Keeler	Councilman
Robert Fitzsimmons, Jr., Esq.	Attorney for Town
Lauren Bell	Deputy Town Clerk

Absent:	Mary J. Hoose	Town Clerk
	Louis LaMont	Superintendent of Highways

Motion by Councilman Hook, seconded by Councilman Gerlach to accept minutes of the previous Regular Monthly Meeting of August 13, 2015. Carried.

Report of Superintendent of Highways –Given by Councilman Hook – The Town Park has reduced its workforce to one man who is working towards closing the park by October 1st.

Dog Control Officer's Report for September 2015 was received and is on file in the Town Office for review.

Councilman Keeler read a 2015 Camp Season Final Write Up submitted by Camp Director Brett Holmes. It was a great year for camp with numbers of 90-120 campers per day. There were no reports of injuries and the Counselors were a very hard working group.

Committee Reports:

Historical Advisory Committee – Chair Ian Nitschke- Reviewed the agenda from their September 5th meeting. Their priority being making progress on the Shaw Bridge located in the Hamlet of Claverack. They have come up with a 5 step plan. The first step would be to remove overgrown vegetation. It was remarked by Councilwoman Cashen that there has been a large branch on the bridge deck for over a year now. The Committee is also looking to work as an Umbrella organization under Non-Profit organization in order to capitalize on grants and donations. The third step would be to put a temporary deck on the bridge. In conjunction with the Town Historian – Jean Laporta, they are trying to get historical signage designation. And finally to work with Dr. Griggs in order to restore the bridge.

Supervisor Weigelt noted that we need the Town's engineering firm to make sure the existing bridge is safe enough for the volunteers to be on during their clean-up efforts. He also stated that until this is accomplished he would ask the Town Highway to clear the underbrush that has grown up

alongside the bridge. He also mentioned that the committee look into the necessity of handrails since the bridge was originally designed for vehicles and not pedestrians.

Correspondence

Including but not limited to:

- Email Letter from Stephanie Sussman and David Baylen Re: Old Barrington Road
- Email Letter from Cecile Harrison, Re: Old Barrington Road
- Email Letter from Enid Futterman, Re: Old Barrington Road
- Email Letter from Wendy Schmalz, Re: Old Barrington Road
- Email Letter from Dianna McCarthy, Re: Old Barrington Road
- Winget, Spadafora, Schwartzberg, Re: Old Barrington Road
- Thank you to CYC from The Burfiend Family for summer camp
- James Tipple, Re: Maintenance of Sidewalks and Crosswalk Safety
- Faye Colburn, Re: Senior Citizens Group meeting space use
- Lynn Hotaling, Re: Sole Assessor
- Columbia County Board of Supervisors, Re: Bus Transportation to Philmont
- Habitat for Humanity, Re: Building Permit Fee Waiver
- Town of Ashland Municipal Building and Fire Department open house invitation
- David Baylen – Re: Old Barrington Road

Supervisor's Report

On a county level there was an hour long County Finance Audit discussion at the Board of Supervisors meeting. It concluded that the county is in good shape with an \$8 million reserve which they are hoping to bolster to \$10 million.

The Pine Haven sale is on track and moving ahead. The company who purchased Pine Haven has already taken over the daily operation while the sale is still pending. They have increased admissions to 108-110 people and are offering therapy. They are also moving forward with building an assisted living home next to the existing building.

Regarding the Town of Claverack, Grant Writer, Donna Verna, has contacted the Town because she has found a possible culvert grant. The State is issuing grants to municipalities to fix drainage culverts before they break or malfunction during a storm. Claverack could be a good candidate for this grant.

The Town has finally received the necessary permits for the Millbrook bridge replacement. The bridge is currently on site. The town engineers are contacting the State DEC for an extension to working in the Loomis Creek to complete concrete work beyond the October 15th deadline. Depending on the permits, the town hopes to complete a large part of the work in 2015, with final completion set for early 2016.

End of Report.

Town Board Members' Reports

Councilman Hook – Attended the Town Board workshop. Also attended a meeting between the Highway department and the Town's insurance company representative. Attended the Planning Board monthly meeting as Town Board liaison.

Councilwoman Cashen – Planning Board liaison work continued – the revised Zoning law will soon be available. Worked with the Town Historian to craft a letter of support from the Town supporting a

historical marker for the Shaw Bridge. Worked with Dan Duthie – the Town’s attorney regarding proposed powerline upgrades – a conference for the project’s need is upcoming. Created a request for quotes for the new telephones needed in the Town Office.

Councilman Keeler – In regards to the upcoming budget conversations, is looking forward to meeting with each fire department/district in the Town. He also remarked the Board needs to coordinate another Town wide Fire department meeting. The State has put tougher restriction on the Tax Cap this year and as such there is a .73% cap on the Budget this year which will be very tough to stay within.

Councilman Gerlach - Echoed the budget process is going to be difficult. Informed the public that the street light on Route 9H adjacent to Orchard Grove was installed.

End of Reports.

Motion to accept Financial Statements made by Councilman Hook, seconded by Councilwoman Cashen. Carried.

Resolution to increase CHIPS funds Appropriation made by Councilman Hook, seconded by Councilman Gerlach. Carried.

In other business: Councilman Keeler asked Attorney Fitzsimmons about the Board’s proposal to purchase an AED (Automated Electronic Device) for the Town Park. This would cost the Town approximately \$1600 (this includes pediatric pads). Attorney Fitzsimmons explained that anyone using the device would be covered by the New York State “Good Samaritan” Law. This was enacted because you want people to help. It covers someone who is making a good faith attempt at helping someone in need. Obtaining an AED was also discussed with Rich Nesbitt, the Town’s insurance representative, who stated that an AED device is typical now for towns to have on their public grounds.

Dave Baylen – Stated he agrees that getting an AED device for the Town Park is very important but had a couple questions from a legal aspect. If the device is secured and not readily available when it is needed has the Town created more negligence because it’s not available for use or the device is not maintained?

Attorney Fitzsimmons answered there is no increased liability if the device is not available but the Town is subject to a claim if it is not maintained.

Lisa Bowe – commented that the Town of Greenport has one, and we should contact them to see how it is secured.

Councilwoman Cashen addressed tabling the discussion for now since the park is closing in early October as to have time to look into this further to clarify any unanswered questions.

Supervisor Weigelt addressed the request the Board received to extend Village sidewalks to the Town Park. He remarked that this is a complicated issue because you would need to apply for two different grants. One for the Town and a separate one for the Village.

A **Motion** was made by Councilwoman Cashen and seconded by Councilman Gerlach to waive the building fees Habitat for Humanity Restore would incur to expand their facility. Carried. It was recommended because they are a non-profit organization. Councilman Gerlach remarked that this is a great organization while, Councilwoman Cashen stated it was a great idea.

Motion by Councilwoman Cashen, seconded by Councilman Keeler to place a Request For Quotes in the newspaper and on the Town website to replace the telephone system used in the Town Office. Carried This Town office telephone system is antiquated and the voicemail system does not work efficiently.

David Baylen – asked the Deputy Clerk to change the voicemail recording to reflect the fact that the voicemail is currently inoperable.

Supervisor Weigelt gave an update of the proposal for bus transportation for the elderly from Philmont to Hudson has now gone to the committee level of the Board of Supervisors.

Discussion took place regarding Old Barrington Road upgrades as follows:

Supervisor Weigelt explained that Old Barrington Road was not paved but was treated with stone and oil. This is done to reduce the amount of dust that is produced when cars travel on a dirt road. It is the habit of the Town to use Calcium chloride to treat the roads but this only lasts for a short duration of time and needs to be reapplied 2-3 times per year. By putting stone and oil on the road, the road will not have to be treated for a number of years. Since more people are living on the roads now, it is the Town's obligation to maintain the roads so they are safe for residents and emergency vehicles. He offered his support of a job well done by the Highway department for clearing and ditching the road as well.

David Baylen – a resident of Old Barrington Road prepared and read a handout he distributed to the Town board. (This is on file with the Town Clerk) In this he cited the need for greater communication when road work is occurring, and for the purpose of this work, the need for signage designating a farm area and speed limits particularly with the increase of non-local traffic and new homes bringing children to the neighborhood.

Virginia Ambrose – a resident of adjacent Theilman Road explained her displeasure with the upgrades to Old Barrington Road, mainly because the widening of the roadway by clearing ditches has created increased sightlines which in turn allow vehicles to travel faster along the road because of increased visibility. The elegance of a canopied country road is diminished by the road upgrades, inviting more traffic at increased speeds. She asked that the residents directly affected be noticed when road work is scheduled to occur so they can have input.

Councilman Gerlach remarked that it seems the roads were over improved and asked Attorney Fitzsimmons if the Town is at increased liability because of this, to which the answer was no because the Town has an obligation to maintain its roads. Attorney Fitzsimmons continued that Highway Superintendent Lamont has State manuals to help with signage for the Town Roads.

Supervisor Weigelt concluded that the Highway needs to communicate better with the Residents what roads are going to be worked on for the year. Councilwoman Cashen remarked that the Board used to visit the projected roads prior to approving their maintenance budget and they might wish to institute this again.

There was discussion regarding speed limits on other Town roads, many of which are State roads and not under the Town's purview. The Town has recommended reduction of speeds many times and the State continues to deny their requests.

Councilman Keeler wanted to follow up on the summer camp write up. There was a specific thank you for the contributions of David Siter & the Philmont Rod and Gun Club for the introduction of Archery. Bill Vandeusen and the Polish Sportsman Club for teaching fishing and Arts and Crafts director Lauryn Czysweski.

Meeting open to the Public –

Rory Tice – a resident on Route 23 inquired about the progress of AirBnb violations.

Councilwoman Cashen explained that AirBnb rentals fall under the regular B&B definition of the town zoning code, which are owner occupied and while they are a permitted use in most non-commercial zones of the town, they are subject to Planning Board site plan review. The town will be looking into any potential zoning law changes if complaints continue. Mr. Tice stated the Zoning enforcement officer can easily go online and see who is operating an AirBnB as he feels he was singled out amongst fellow violators. Attorney Fitzsimmons explained this is a conversation for the planning board and not an issue of selective enforcement. It is helpful for the Zoning officer when he issues violations when there is a signed complaint because this can be upheld if the case goes to trial. The Town Board said that they would look into this issue further.

There being no further questions or comments, Supervisor Weigelt closed the public comments.

General A bills, totaling \$9,216.23, were audited and ordered paid from their accounts.

General B bills, totaling \$2,537.29, were audited and ordered paid from their accounts.

Highway DB bills, totaling \$51,446.01, were audited and ordered paid from their accounts.

Water District A bills, totaling \$8,932.18, were audited and ordered paid from their accounts.

There were no Highway DA bills.

There were no Escrow accounts bills.

There being no further business to be brought before the Board, on motion by Councilman Hook, seconded by Councilman Gerlach, meeting adjourned at 9:00 p.m.

Date: _____

Supervisor: _____

Councilwoman Cashen: _____

Councilman Gerlach: _____

Councilman Hook: _____

Councilman Keeler: _____

Deputy Town Clerk: _____