

TOWN OF CLAVERACK

REGULAR MONTHLY MEETING

June 12, 2006

The Regular Monthly Meeting of the Town Board of the Town of Claverack, Columbia County, New York, was held at the Town Hall, Rte. #217, Mellenville, New York.

Meeting opened immediately following the Public Hearing on Local Law #1 of 2006, by Supervisor James W. Keegan.

Present:

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|--------------------|------------------------|
| James W. Keegan | Supervisor |
| James Van Deusen | Councilman |
| William L. Blaauw | Councilman |
| Clifford Weigelt | Councilman |
| Louis LaMont | Highway Superintendent |
| Robert Fitzsimmons | Town Attorney |
| Martha Pizza | Deputy Clerk |
| Mary J. Hoose | Town Clerk |

Absent:

| | |
|------------------|---------------|
| Joseph Romano | Town Engineer |
| Michael Johnston | Councilman |

Motion by Councilman Van Deusen, seconded by Councilman Blaauw to accept minutes of previous meeting held on Monday, May 08, 2006. Carried.

Meeting opened to public:

Howard Brandston - 348 Catskill View Road - Read letter to be included as a public record which states reasons for a moratorium of major residential subdivisions involving five or more parcels of land.

Marie D' Amico - Snyderstown Road - In favor of moratorium.

James Nielsen - 15 Thomas Road - Suggested size of lots be changed. If not changed. will not be able to live in Claverack.

Richard Harrison - Spoke regarding Morningstar Project. Project has not yet submitted application. Per Attorney Fitzsimmons, they would have to petition Town to change zoning.

Thomas Fiederlein - Have to consider well-head protection area - Wet lands will have to be addressed. Heard Mud Creek is in flood zone.

Nathan Chess - Big issue is the pressure. Had informal representations - need more efficient overview -Town has not kept pace with growth.

Virginia Martin - Fully supports moratorium.

Howard Brandston - Information given well in advance - hopes it was discussed and decision made.

Joan Steiner - Rte. #9-H - Existing zoning laws do not cover problems. Feels they are archaic.

Morgan Bowers - Stated just about every town near us is renewing moratoriums.

Nathan Chess - Board has to consider that if at sometime a subdivision is allowed, there probably will be an Article 78 against the Town.

No further comments.

Report of Highway Superintendent - Grading dirt roads, Miller II, Harder, Walden, Lockwood, Roxbury Hollow, Old Barrington, Orchard, Oak Hill, Carlson, Thielman, Humane Society, Wenzel and Kittle.

Ditching, replacing and installing culvert pipes on Oak Hill, Catskill View and Old Lane. Cold patching in all zones where needed - Mowing roadsides in all zones. Sweeping roads in all zones. Louis LaMont, David Siter and Anthony Barry took course for Class "C" water license. Giving out water meters at Highway Garage.

COMMITTEE REPORTS

Cablevision - **Councilman Van Deusen** - No report - Charges increased again.

No further committee reports.

Dog Control Officer's Report for May received and on file in Town Office for review.

Building Inspector's Report for May received and on file in Town Office for review.

Water Report - Supervisor Keegan reported that after June 26th, residents can put meters and services in. Tower needs one more coat of paint. All is on schedule.

Comprehensive Plan Committee Report - Mr. Brassard reported a busy month. Survey results received. May 25 - Reviewed Town profile draft. Prior to last meeting received survey results. Started review of all this. Now on third review. Before next meeting would like to meet with Board to see what would be put on web site due to changes.

Councilman Van Deusen questioned whether Committee was pleased with survey response? Little over 20% returned, which is better than normal response.

Gretchen Steams said talking and listening to people gives ideas.

Board will meet with Comprehensive Committee Thursday, June 22 at 10:00 a.m. Vision statement and goals by Comprehensive Committee will be given to Town Board before this meeting.

No further report.

Motion by Councilman Van Deusen, seconded by Councilman Blaauw to accept Financial Report for April 2006, as prepared by Town Accounting Firm.

Local Law #1 of 2006 - After SEQR review being read by Attorney Fitzsimmons, motion by Councilman Blaauw, seconded by Councilman Weigelt for negative declaration. Carried.

Motion by Councilman Van Deusen, seconded by Councilman Weigelt to accept Local Law #1 of 2006, setting forth rules, regulations and construction standards for Claverack Water District #1. Carried.

Letter of Resignation from Planning Board by Martha Pizza received. Motion by Councilman Blaauw, seconded by Councilman Weigelt to accept resignation with regrets. Carried

LOOSAP - (Length of Service Award Program) - For fire companies in Town. Requires mandatory referendum because it is paid for by taxes.

Motion by Councilman Van Deusen, seconded by Councilman Blaauw to have Claverack and Taghkanic enter inter-municipal agreement for Churchtown. Carried. Philmont will do it independently.

Will get Penflex representative to come to meeting.

Vote to be scheduled sometime in September. Residents will vote in district they are a part of.

Request received to abandon MacBrown Road. Basically a driveway now. Need a Notice of Public Hearing and neighbors have to be contacted. Attorney Roche will take care of this. Consensus of Board was to abandon road.

Discussion on Mountain View Road - Town wants to widen road to carry water away from private property and highway. Landowner notified and has signed off. Motion by Councilman Blaauw, seconded by Councilman Van Deusen for resolution for same. Carried.

CORRESPONDENCE

Received notice of auction at Columbia County Highway Garage of heavy equipment, vehicles and surplus on Saturday, June 24th.

Request received to close Van Wyck and Brookbound Lanes on August 18, 2006, beginning 11 :00 a.m. to all traffic except emergency for annual block party. Motion by Councilman Blaauw, seconded by Councilman Weigelt to approve same. Carried.

Changes made in New York State Building Code and drafted by Department of State. Goes into effect January 2007. Will need Local Law to incorporate changes. Other minor zoning provisions include increasing size of mobile home replacement by 50% and motor vehicle storage permits.

Letter from Columbia County Emergency Management received by Supervisor Keegan. Check for \$25.00 received from Senior Citizens Group towards of maintenance of Park.

No further correspondence.

Moratorium - Consensus of Board was not to proceed with a moratorium at this time. Nothing changed since request in 2005. Approved one major subdivision, Old Barrington Road, over last ten years. Moratorium can be implemented at any time if necessary.

Bills #272- #356, totaling \$104,025.88, were audited and ordered paid from their accounts.

Highway bills #138- #167, totaling \$31,631.55, were audited and ordered paid from their accounts.

Water bill #32- #46, totaling \$55,610.76, were audited and ordered paid from their account.

Stewardship at Millbrook Road bills totaling \$414.00, were audited and ordered paid from their account.

Motion by Councilman Van Deusen, seconded by Councilman Blaauw to go into Executive Session at 10:00 p.m. to discuss possible litigation.

Motion by Councilman Weigelt, seconded by Councilman Van Deusen to go out of Executive Session at 10:25 p.m.

Before adjourning, it was noted that Town will be looking into funding for a tractor with mower.

There being no further business to be brought before the Board, on motion by Councilman Blaauw, seconded by Councilman Weigelt, meeting adjourned at 10:25 p.m.

Date:

Supervisor:

Councilman Van Deusen:

Councilman Blaauw:

Councilman Weigelt:

Town Clerk:

**TOWN OF CLAVERACK
COLUMBIA COUNTY, NEW YORK**

RESOLUTION NO. 38

At a meeting of the Town Board of the Town of Claverack, Columbia County, New York, duly held on the 12th day of June 2006, at the Town Hall, NYS Route 217, Mellenville, NY, the following Resolution was proposed and seconded:

Resolution by:William Blaauw.....:

Seconded by: Clifford Weigelt

WHEREAS, section 147 of the New York State Highway Law provides that the Town may authorize the Superintendent of Highways to enter:

1. Upon any lands adjacent to any of the highways in the town, for the purpose of opening an existing ditch or drain, or for digging a new ditch or drain for the free passage of water for the drainage of such highways.
2. Upon the lands of any person adjoining rivers, streams or creeks, to drive spiles, throw up embankments and perform such other labor as may be necessary to keep such rivers, streams or creeks within their proper channels, and to prevent their encroachment upon highways or abutments of bridges.
3. Upon the lands adjoining a highway which, during the spring freshets or at a time of high water are subject to overflow from such rivers, streams or creeks, to remove or change the position of a fence or other obstruction preventing the free flow of water under or through a

highway, bridge or culvert, whenever the same may be necessary for the protection of such highway or bridge.

WHEREAS, the Town of Claverack, Superintendent of Highways has determined that Mountainview Road, a Town Road within the Town, has to be improved by widening the road to provide for adequate traffic flow and to provide more adequate space for the turning of road maintenance vehicles, further such improvements will require the altering and placing of drainage equipment such as pipes, culverts or swales for adequate drainage of the area; and

WHEREAS, in his investigation the Superintendent of Highways has contacted the neighboring landowners Salvatore Zerbo and Angela Zerbo and discussed the project in detail; and

WHEREAS, the Zerbo's have consented to the Highway Superintendent performing such work, and have consented and approved the Highway Superintendent entering upon their lands to perform such work, inclusive of improving Mountainview Road, installing drainage for Mountainview Road, and clearing and cleaning a drainage ditch upon the Zerbo property to carry water away from the roadway and lands of Zerbo.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Claverack authorizes such work in accordance with the New York State Highway Law section 147, such work to be performed by the Superintendent of Highways and the Claverack Department of Public Works, such work being the best interest, health safety and welfare of the Town and its residents.

Upon question of the foregoing Resolution, the following Claverack Town Board members voted "Aye" in favor of the Resolution:

.....*James Keegan*.....;

.....*Bill Blaauw*.....;

.....*Clifford Weigelt*.....;

.....*James Van Deusen*.....; and

.....

The following Claverack Town Board Members voted "No" in opposition, thereto:

.....*None*.....; and

.....*None*.....

The Resolution having been approved by a majority of the Town Board, the same was declared duly adopted by the Supervisor of the Town of Claverack.

Dated: June 12th 2006,

.....*Mary J. Hoose*.....
Mary J, Hoose, Town Clerk,
Town of Claverack