

**Town Board Workshop**  
**March 26, 2018**  
**Town Hall 836 Route 217, Mellenville, NY 12544**  
**6:00pm**

Attendees:

|                               |                    |               |
|-------------------------------|--------------------|---------------|
| Clifford Weigelt –Supervisor  | Stephen Hook       | Councilman    |
| Katy Cashen Councilwoman      | Maryanne Lee       | Councilwoman  |
| Lauren Bell Deputy Town Clerk | Robert Fitzsimmons | Town Attorney |

Absent:

|              |            |   |
|--------------|------------|---|
| Brian Keeler | Councilman | Louis LaMont – Superintendent of Highways |
|--------------|------------|---|

The meeting began with representatives from the Claverack Free Library, Stephen King - President of the Board of Trustees, Mary Elizabeth Vincent – Trustee and Thea Schoep – Library Director.

Kippy informed the public the Library members were there at the request of the Town Board to update them on an alleged incident that had occurred in the library involving inappropriate computer use.

Stephen King began by informing the board they had reviewed their policies and everything was up to date. He reminded the board that in over 15 years of providing internet this is the only incident of this kind to been reported. The incident did lead the library board to make sure policies are in place and have made them more visual in the computer area. Mary Elizabeth Vincent also noted there is an “agree to usage” screen patrons need to “agree” to in order to use the computers which also explains the rules of conduct. Thea Schoep as the Library Director has also coached the staff on how to appropriately handle and report an incident as well as put mechanisms in place in place to mitigate another issue. Ms. Vincent stated the Detective with the NYS Troopers called her and said no pornography had been viewed that day and worked with the patron in question to review what sites were viewed.

Supervisor Weigelt interjected that he spoke with someone in the Mid-Hudson Library System – the governing organization for the Claverack Free Library, because he wanted to make sure he understood, he wanted to confirm that pornography was not allowed to be viewed in libraries. He was informed that no, this is not allowed because children frequent libraries. He then questioned the Library representatives as to review what happens when something or someone is found to be doing something inappropriate, he was told and individual would be asked to stop, then asked to leave, then reported to the police if compliance does not occur. Stephen King clarified that it is a matter of policy not to allow pornography at all. Councilwoman Lee asked the representatives to explain the policy in more detail. She was told the “Computer Use Internet Policy” states that users are not to change or tamper with settings, parents are responsible for being and monitoring their children. If a child is under 12, parents must be in the building, if a child is under 10, they can only use the computer with a parent. The patrons must also review the internet policy. Ms. Vincent clarified that if a librarian does not see something offensive on the computer monitor they cannot ask patrons to reveal their browsing history.

Supervisor Weigelt confirmed the library was always staffed. Councilwoman Cashen asked if there were any internet blocks in place, if the library was able to do that? She was informed they do not have blocks on the internet. Councilwoman Lee clarified the resident who reported the incident to the board was concerned with the library because the staff that was present during the incident implied the patron wasn't usually at the library at this time and was only an issue because children were there. Ms. Vincent addressed this concern by stating she had spoken to the Detective with the NYS Troopers and have continued to monitor the computers but cautioned, if staff cannot see the infraction it cannot be stopped. In response to this Councilwoman Lee inquired as to what safeguards are in place to ensure kids are not seeing inappropriate materials on the computer and that the library maintains its status as a safe place. Ms. Vincent informed the Board children's programs occur when the library is closed or if not, there is more staff on hand. All toys have been moved out of the adult area and tablets are available for parents who want to check their email while in the children's room.

Supervisor Weigelt asked if the patron had ever been reported for inappropriate computer usage before? He was told no, never to the Library Board. He then asked if this person has been asked to no longer patron the library since this appears to be something that is known. Ms. Vincent responded inappropriate content has never been witnessed, the material seems to be "off-beat" but not inappropriate, she mentioned the Detective corroborated this.

Brennan Keeler – Town Resident and NYS Trooper reported to the Board what he witnessed when responding to the complaint in an official capacity. He reported the staff member stated "Oh not again" when he informed her of the complaint, the staff member then mentioned this patron has been watching inappropriate material for the past two years. He then asked how this behavior was allowed to continue without banning the person from the library. He pointed out this constituted "endangering the welfare of a child". He also informed the Board the library computers were never taken by the police to be investigated. Mr. Keeler expressed his frustration at being told by the library staff it was "unacceptable and embarrassing to have troopers here"; that their presence was creating a bad public image for the library. Library representatives responded to Mr. Keeler by stating this is a case of "he said, she said" since no library staff member was able to witness anything inappropriate themselves. They further explained they do not use blocks on the computers because they do not work well. They found they block useful as well as inappropriate information so they are not a perfect solution. Mr. Keeler renewed his concern for children at the library. Thea Schoep – library director, gave to the board the American Library Association & Mid-Hudson Library Association Standards to review.

Laurie Michael – Claverack Resident, asked if the library was able to look at the browsing history of the computer – did they? And was there anything inappropriate? Supervisor Weigelt followed up on that question by asking if doing something like that would be illegal.

Attorney Fitzsimmons took the time to read the New York Public Library Policy on Internet Use, he added this organization receives funds the Town Library does not, which is why their policy might be stricter. They use filtering software which the Claverack Library does not use. He advised the Library and Town Boards for the need to create a policy that satisfies everyone and to put in protections to protect themselves.

Supervisor Weigelt told the Library representatives they need to be on top of this type of situation in the future in order to protect the kids. They need to decide if protecting an individual patron is worth it. His

opinion was to do the best that can be done to monitor this person and not to give them a chance to do this again.

Mike Brandon – Claverack resident, echoed these sentiments by stating he hopes the Claverack Library takes a conservative approach and not allowing inappropriate content to be viewed in order to avoid future occurrences.

Mr. Keeler continued he was disappointed in the Library and in his opinion it sounds like nothing has changed in the thoughts and practices of the library and this environment would continue to allow this to happen and feels that this is disrespecting his kids and other children as well.

Ms. Vincent reminded Mr. Keeler and the Board that changes have been made, the kid's space is separate from the computer space and complaint procedures have been refreshed and are now more visible.

Councilwoman Cashen expressed her belief the library has taken this seriously and told them the Town Board is here to assist in any way.

Stephen King wanted to clarify the library has patrons, these patrons took inappropriate action, not the library, now the library has to decide how to proceed, which they have.

Supervisor Weigelt suggested Law enforcement be invited to the Library Board meeting to help with creating a policy that works for both the Library and the police.

It was asked what was actually on the site the patron was viewing, Ms. Vincent explained legally in order to disclose that information about what a patron does or borrows from a library there would need to be a subpoena or warrant.

Supervisor Weigelt expressed to the Library representatives that he believes they are working on fixing this problem but wondered if they cannot check computers to see what patrons are doing?

Councilwoman Lee told the Library representatives she believes it is the responsibility of the library to make sure screens are viewable to the staff and expressed that she was disappointed in this situation.

Gretchen Sterns – Claverack Resident, agreed with Councilwoman Lee but cautioned we still do not have all the facts and proof. Ms. Vincent followed up with that statement by saying the history of the computer in question was checked and nothing was inappropriate.

Dave Graziano – Claverack Resident, asked for clarification of the Library to make sure the word pornography was specifically being used as something patrons were banned from viewing. Stephen King answered that this is specifically noted in the terms of use and is printed and posted by the terminals.

Mike Brandon worried there was no policing of this since people just click "agree" then go online without actually reading the terms.

Supervisor Weigelt reiterated the State Police should be allowed to come to library meetings and make sure everyone is on the same page and work together. Stephen King expressed that this was a good idea.

Gretchen Sterns reminded the library and Town Board there are other things beyond pornography that should be banned too and to consider that as well.

Supervisor Weigelt thanked the Library Representatives for coming and expressed his sorrow that this had to occur. Stephen King responded they are sorry too.

The Town Board very briefly continued with their regular workshop.

Councilwoman Cashen brought up for discussion the beautification project of the Town Park adjacent to routes 23 and 9H.

Councilwoman Lee highlighted a report to switch the Street Lighting in the Town to LED lights in the future. Asked the board to review this for future discussion.

Councilman Hook reminded the Board about adopting a shared services agreement with the NY State DOT and its benefits.

MOTION to certify record of activity for Churchtown Fire Department was made by Stephen Hook, seconded by Councilwoman Lee, Carried.

Councilwoman Lee discussed the website Business Directory, finalizing the wording and making it available to residents.

Councilwoman Cashen told the board about the Town Insurance renewal and quote.

Supervisor Weigelt reminded the Board about the need to complete grant paperwork for Town Park

Councilman Hook informed the Board the Highway equipment is ready for auction and these vehicles have already been removed from the Town Insurance.

Motion to adjourn meeting made by Councilman Hook, seconded by Councilwoman Cashen. Carried.

Adjourned 7:01pm

**Continuation of Special Meeting regarding Amendments to the  
Town of Claverack Zoning Law creating a Planned Development District (PDD)**

**March 26, 2018**

**Town Hall 836 Route 217, Mellenville, NY 12544**

**7:00pm**

Attendees:

|   |                    |               |
|---|--------------------|---------------|
| Clifford Weigelt –Supervisor                        | Stephen Hook       | Councilman    |
| Katy Cashen Councilwoman                            | Maryanne Lee       | Councilwoman  |
| Lauren Bell Deputy Town Clerk                       | Robert Fitzsimmons | Town Attorney |
| Liz Axelson – Senior Planner, Morris and Associates |                    |               |

Absent:

|              |            |   |
|--------------|------------|---|
| Brian Keeler | Councilman | Louis LaMont – Superintendent of Highways |
|--------------|------------|---|

Supervisor Weigelt thanked the members of the Planning Board and Zoning Board for the attendance. Supervisor Weigelt opened the meeting reminding those in attendance there would be no public comments or questions entertained. Documents were made available for the public in attendance to review.

Liz Axelson, Senior Planner, from Morris Associates Engineering, opened the discussion by reviewing the changes that were made in the Use and Dimension & Density tables since last meeting. Some clarifying points were made regarding timber harvest and the need to maintain Special Exemption status for free standing Photovoltaic structures.

Questions arose regarding the Dimensions & Density table, more specifically, square footage. All members in attendance agreed they were concerned about creating a big-box like structure if square footage allotments were too high. Liz Axelson responded a PDD allows for requirements on a large structure for instance, having a broken up façade so it looks like many structures, not just one. Another way to avoid this scenario is by creating footprint parameters instead of square footage maximums. Planning Board members were concerned that eliminating limits in some of the categories would not allow them a tangible reason to deny an application. Liz Axelson reminded them the wording of the PDD law itself affords the Planning and Zoning boards rationale for declining and application.

Supervisor Weigelt confirmed that everyone was in agreement the necessity to make this law restrictive enough so development needs to fit in with the Town and the residents would be able to have their say. But he also cautioned against being too restrictive. He explained he wants development to have a chance. Liz Axelson confirmed there are enough processes and standards between the tables and the PDD law to allow for flexibility affording development and chance and the ability to decline an application.

Liz Axelson continued the safest course was to limit footprints and not square footage. Attorney Fitzsimmons seconded this by stating you can make these limits larger and rein them in with the PDD safeguards that are in place.

The steps an applicant would take to complete the PDD process was then reviewed.

Supervisor Weigelt ended the discussion after this and recommended they continue the discussion at the next Town Board Workshop, Monday, April 30.

Motion to adjourn meeting made by Councilwoman Lee, seconded by Councilwoman Cashen. Carried.

Adjourned 8:39pm

Respectfully submitted,  
Lauren Bell - Deputy Town Clerk