

TOWN OF CLAVERACK

Regular Monthly Meeting

September 13, 2018

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 after a moment of silence in remembrance of the 9/11 tragedy.

Present:

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|-------------------------------|-------------------|
| Clifford Weigelt | Supervisor |
| Stephen Hook | Councilman |
| Maryanne Lee | Councilwoman |
| Brian Keeler | Councilman |
| Robert Fitzsimmons, Jr., Esq. | Attorney for Town |
| Lauren Bell | Deputy Town Clerk |

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|---------|-----------------|----------------------------|
| Absent: | Mary J. Hoose | Town Clerk |
| | Kathleen Cashen | Councilwoman |
| | Louis LaMont | Superintendent of Highways |

The meeting began with a presentation by Mark Lawler on the Claverack Mastodon, "Ice Age Giants". Mr. Lawler spoke of the significance historically of the find of a Mastodon tooth in what is now the Town of Greenport.

Motion to approve the August Regular Town Board minutes and the July Workshop and PDD Special Meeting minutes was made by Councilman Hook, seconded by Councilwoman Lee. Carried.

Report of Superintendent of Highways – Supervisor Weigelt spoke on the Superintendent's behalf as he was absent. The Highway department removed brush along Roxbury road, increasing visibility to the approach to the bridge that has been reduced to one lane by the County; where Roxbury Road connects with State Route 217, closest to the Village of Philmont. They are continuing paving and road work projects.

Dog Control Officer's Report for September 2018 was received and is on file in the Town Office for review.

Committee Reports: No reports were received.

Correspondence

Including but not limited to:

- Berkshire Taconic Community Foundation, Report to the Community 2017
- NYSEG – Re: Dig Safely – Recognizing Natural Gas
- Trustees, Berkshire Office – Re: Bulb planting program

- William G. Pierson – Re: Vehicle Speed Study
- Craryville Fire Company – Re: Banquet Invitation
- The Reformed Dutch Church of Claverack – Re: Park Fee Waiver
- Hudson River Valley Greenway – Re: Grant Programs
- Laberge Group – Re: Municipal Services Available
- New York Power Authority – Re: Smart Street Lighting NY Program
- Won Dharma Center – Email - Re: An invitation to a special event being held at the center
- Claire Every – Re: Resignation as Court Clerk
- Greenport Town Planning Board – Re: public hearings on the applications of JMMJ Development, LLC.
- New York State Energy Research and Development Authority – Re: Managing Solar in Your Community
- Warren A. Dorsch Sr. – Re: Correspondence with the NY State Public Service Commission regarding Verizon service
- Columbia County Board of Elections – Re: Primary Ballots

Supervisor's Report

Things have been slow in the County with a lot of Supervisors absent due to summer vacations. Morris and Associates, the Town's engineering firm has been purchased by a larger firm and will now go by CPL. In 2017 the State passed a law requiring Town's Volunteer Fire Department and Fire Protection Districts to carry an additional cancer presumption insurance for interior firemen. The County Board has decided to cover these additional costs with the help from the Towns. The County passed a resolution to bond for Sewer District #1 which will go up State Route 66 to the Commerce Park. Work on this project will begin in 2019.

In Town business, things are progressing with the Park grant the Town applied for which will resurface the tennis and basketball courts, extend the sidewalks from the Village of Philmont to the Town Park and hopefully get new playground equipment. The Park committee is continuing to work on this. The Board is also continuing to work on shared services projects for a combined firehouse facility and for a new Town Office complex. Supervisor Weigelt reminded the Board has been in conversations with the Town of Taghkanic regarding a shared Town Office facility. Both Town Attorneys are looking into what this process might entail. Supervisor Weigelt also explained the Board is in talks with the Mellenville Fire Department and the Philmont Fire Department to help them with the processes of creating a shared Fire Facility. This would allow both departments to upgrade their facilities at the same time saving their tax base money by sharing the costs.

End of Report.

Town Board Members' Reports

Councilman Keeler – Reported on the status of the Town's Employee Handbook. There are still a couple of outstanding questions to be answered before this can be completed. Councilman Keeler noted there are new anti-harassment laws that have been passed that need to be addressed. Reported on his and Councilwoman Cashen's discussions with the Mellenville and Philmont Fire Departments. Both departments are out of space and need new facilities. Will be meeting with both companies again on September 24th before the Town Board Workshop. Councilman Keeler was asked about recycling in the Town Park, believes that this is great idea that makes sense. He was going to look into getting this implemented. It was noted that COARC used to be responsible for recycling. Councilman Keeler reminded everyone the budget process is about to begin.

Councilwoman Lee – With Councilman Hook, met with Joyce Thompson from the Town of Taghkanic to discuss the possibility of the two Towns sharing a municipal building. Supervisor Skoda and Councilwoman Thompson would present this possibility to their board on Monday, August 13th. Councilwoman Lee reached out to Councilwoman Thompson on September 10th and was informed they are waiting for more information from their Town Attorney. Also in regards to shared services, Councilman Hook has reached out to Mayor Skip Speed of the Village of Philmont regarding the possibility and potential for shared services between the two municipality courts. Mayor Speed will bring this up with the Village Board. Employee Health Open enrollment meetings were scheduled for Wednesday, August 22nd. The Broker, Sue Meddoff – Bookkeeper, and Councilwoman Lee met with employees to answer questions. The meetings went well, all employees have received their new cards and no issues have been reported. Councilwoman Lee reported that it was recommended by Clean Energy that the town contact National Grid to get a price upgrade for LED lights in Lighting District #1. An official RFP was sent on August 13th to National Grid Representative Joseph Pallone. Once the Town receives that information back, Clean Energy will help to evaluate. Councilwoman Lee contacted Joe Pallone's office today (9/13/18) to get a status of the RFP. She was informed his office has received the request and that there is a window of 90 days to respond but they will strive to get it to the town before that. She let Joe know there is funding available, but it is time sensitive, anything he could do would be appreciated. Councilwoman Lee also spoke with Joe Palone regarding and LED light that was ordered over a month ago across from the Colonial Arms complex on Route 23. According to Mr. Palone this should be completed within the next couple of weeks.

Councilwoman Lee was contacted by Jeff Liano of the New York State Power Authority in regards to implementing the Smart Street Lighting NY Program. They could provide technical help on the design, construction and maintenance when upgrading to LED. He also explained there is financing available. Councilwoman Lee attended the Webinar on Water Infrastructure Improvement Act and NYS Intermunicipal Water Infrastructure Grants Program on August 14th. Unfortunately, the deadline for this grant was September 7th. Received phone calls concerning the appearance of the Hamlet Park. According to the complaint it appears uncared for with overgrown rose bushes, weeds growing up in the monuments, etc. She inquired on an update of the Park Beautification committee.

Met with Dave Fingar from Mid-Hudson Cable on Tuesday, August 21st. No licenses have been issued to date. Met with Building Inspector Jay Trapp to check on the DASNY Grant which the Town was awarded to make improvements in the Town Park. There were a couple of questions that needed to be answered before proceeding.

On a more positive note, Columbia Greene Community College was ranked one of the Best Community Colleges in the Country. Councilwoman Lee continued she attended the launch event of the Subaru University Automotive Program now being offered at Columbia Greene where potentially after successfully completing a two-year degree graduates can earn around \$60,000-\$70,000 a year. Judge Brandon clarified that earning power is achieved after around 5 years not upon graduation.

Councilman Hook – Attended the Planning Board meeting. Assisted Superintendent LaMont and Dog Control Officer Conklin on resident calls. Checked in with the Town Office staff, Assessors Office and Building inspector daily. Helped with the Mellenville/Philmont Food Pantry. Councilman Hook also explained, at the direction of Supervisor Weigelt, he spearheaded a zoning committee to work on zoning laws that no longer make sense or need clarification. Joining him in this committee will be Councilwoman Lee, Members of the Planning Board, William Michael and Jock Winch, as well as members of the Zoning Board, Dave Graziano and Roger Case. This committee plans to meet very soon to begin discussions on events and venues, AirBnb's and the Town's 5-acre zoning law.

Supervisor Weigelt interjected to inform everyone the County also appointed a committee to look into regulating B&B's since this is such a growing industry. It is recognized there are not enough hotels and motels to support the growing tourist trade. Attorney Fitzsimmons clarified the County

appointed the committee to review implementing a tax and will still look to the individual Towns to regulate the B&B's through their zoning laws.

Councilman Hook reported the Village of Philmont is not interested in a Court shared service.

End of Reports.

Motion to accept Draft January to December 2018, Draft August 31, 2018 and Draft January to December 2017 financial statements was made by Councilman Hook, seconded by Councilwoman Lee. Carried.

In other business:

Attorney Fitzsimmons explained the Town is ready to move forward to adopt into the Zoning Law a Planned Development District. The Town is awaiting the final version of the public law from the engineer's office. The Town will proceed at the October Town Board meeting with setting the public hearing and declaring intent for SEQRA.

Attorney Fitzsimmons continued he has spoken with Ken Flood, who the county appointed to assist the Town with the Shaw Bridge Grant the Town received. Bonnie Nightingale Buckley is the new State contact from the Office of Parks, Recreation and Historic Preservation, we will be working with. The Town needs to pass a resolution accepting the Opinion of Counsel that the Town is the owner of Shaw Bridge. This is a necessary action because there is no official deed to the bridge. It was turned over to the County at some point in the Town's history with the provision the Town is responsible for maintenance. At a County Board of Supervisor's meeting they resolved to transfer any and all titles and interest of the Shaw Bridge to the Town of Claverack in exchange for helping the Town administer the grant to restore the bridge. By notifying the State of this Opinion of Counsel this will inhibit claims of ownership of the bridge and the road that traverses it and allows the Town the ability to restore the Shaw Bridge legally.

Prior to the passing of the Resolution Councilwoman Lee inquired from Ian Nitchke, Claverack resident and author of the Shaw Bridge Grant application, questions regarding the application. She inquired if a full and final copy of the grant application was on file with the Town Clerk. Mr. Nitchke informed the Board he provided them with a draft copy 2 weeks prior to the deadline and believed he sent the final application but was asked to send this again as there are multiple copies on file and all say Draft. Councilwoman Lee also inquired about the Company Open Space and asked Mr. Nitchke to clarify their role in the grant process. Mr. Nitchke responded Open Space is an organization through which the not-for profit group Claverack Pathways is able to receive funds for the Shaw Bridge restoration and provide donors with a tax break for their donations. A fiscal sponsor with strict guidelines and through their Claverack Pathways record monetary gifts to the project. Councilwoman Lee clarified that Open Space is a tool, Mr. Nitchke agreed, stating they are not-for profit with resources available for use. Councilman Hook inquired if there was a cost to the Town for use of Open Space? Mr. Nitchke responded that a small percentage of the funds received goes to the organization. Depending on the type of funding it could be 5-6%. Councilman Hook reminded Mr. Nitchke that these are details the Town Board needs to know up front and not after the fact. Attorney Fitzsimmons also reminded Mr. Nitchke, no work will begin on the Shaw Bridge until all matching funds have been received. Supervisor Weigelt seconded that this project is not being funded by the Town's taxpayers and even in-kind services will not begin until all necessary funds have been received.

Resolution that the Town of Claverack is authorized and directed to accept grant funds not to exceed \$170,00.00 for the project described in the grant application was made by Councilwoman Lee, seconded by Councilman Hook. Carried.

Attorney Fitzsimmons continued that an Environmental Assessment Review for the project must be completed. After speaking with the Town's Engineer, it would be easier to complete the Short Environmental Assessment Form. After reading through Part 2 the Town Board agreed that all the proposed questions the answers are No.

Motion to move for Negative Declaration of SEQRA was made by Councilman Keeler, seconded by Councilman Hook. Carried.

Supervisor Weigelt informed the Board that he has spoken to the Town's Accounting Firm to draft a preliminary 2019 Budget. The Town Board will review their finding at the regularly scheduled Town Board workshop, September 24, 2018.

Motion to approve park fee waiver for the Claverack Dutch Reformed Church was made by Councilman Hook, seconded by Councilwoman Lee. Carried.

Supervisor Weigelt continued that in conjunction with the Shaw Bridge Grant the Town received a \$25,000 matching funds grant to study recreational waterfront uses. The Town is looking into whether or not they will accept this grant.

Supervisor Weigelt also remarked the Town of Claverack Court, in particular, Judge Brandon, is called upon to hear arraignments in the middle of the night, with a predominant number coming from other jurisdictions. Supervisor Weigelt commended Judge Brandon on his dedication as Judge but also inquired with Attorney Fitzsimmons of any ways to make other Towns' Judges perform their own hearings. Supervisor Weigelt will look into this at the County level.

There being no other business the meeting open to the public:

A resident inquired of the Town Board's method when it comes increases in the Town's budget. Supervisor Weigelt informed the residents that some costs are fixed and go up every year but there are other line items the Board will need to decide if there should be an increase or decrease depending on need. Councilman Hook reminded approximately \$300,000 has been reduced from the Highway department's budget in the last couple of years.

Stephanie Sussman, a Town resident discussed with the Board the Town's zoning law in regards to political and election signs.

Another resident, new to the Town, asked about the proposed Planned Development District and how it relates to the Comprehensive Plan. She was reminded the structure of the PDD gives the Town Board more control over open spaces and community areas to be more in line with the Comprehensive Plan. The area the PDD could be potentially implemented is already a Highway Commercial Zone. Councilman Keller reminded the meetings to draft the law were attended by members of the Town's Planning and Zoning Boards for their input as well.

Residents discussed with the Board the County's proposed reconstruction project of County Route 18, Fish & Game Road. Supervisor Weigelt reminded everyone this is a County road and the Town has no jurisdiction over their actions. Residents are concerned over the width that has been proposed and how

this will negatively impact their property. Supervisor Weigelt informed them of who they should speak with at the County and offered to support them when the issue arises.

There was discussion regarding a possible fishing site for residents in Mellenville.

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

Attorney Fitzsimmons informed the Board he received a call from the Trustees of the Martindale Cemetery located at the corner of County Route 11 and State Route 23. The current Trustees are elderly and have looked for someone to take their place with no success. Attorney Fitzsimmons informed the Board any abandoned cemetery falls to the purview of the Town. He told the Board he will contact the State Cemetery Board to set up a meeting to see how to proceed.

General A bills, totaling \$26,469.28, were audited and ordered paid from their accounts.

General B bills, totaling \$5,436.46, were audited and ordered paid from their accounts.

Highway DB bills, totaling \$77,272.84, were audited and ordered paid from their accounts.

Water District A bills, totaling \$5,003.35, were audited and ordered paid from their accounts.

There were no Highway DA bills.

There being no further business to be brought before the Board, on motion by Councilman Hook, seconded by Supervisor Weigelt, meeting adjourned at 9:35 p.m.

Date: _____

Supervisor: _____

Councilwoman Cashen: _____

Councilman Hook: _____

Councilman Keeler: _____

Councilwoman Lee: _____

Deputy Town Clerk: _____