

CLERMONT TOWN BOARD
FEBRUARY 4, 2008

The Clermont Town Board held its regular meeting on Monday, February 4, 2008 at 7:00 P.M. at the Town Hall. Those present were Supervisor Raymond Staats, Councilwoman Lent, Councilwoman O'Neal and Councilman Chris Nolan. Councilman Richard Jones was absent. Others present were Andrew Howard, Town Attorney, Charles Larsen, Bruce Unson, Susan Rifenburg, Robert Desmond, Paul Doherty, Judith Neary, Elizabeth Mahar, Larry Saulpaugh, Ray Tousey, Natalie Carnesi, Ruth and Stephen Hammer, Peter Fingar, Richard Roth of the Independent, Aldo Dusman, George Davis, Nan Leonard and Harry Harned.

Supervisor Staats asked for a moment of silence in memory of Alan Saulpaugh, a good friend to the Town of Clermont for many years who has donated to the Town and has let us use the ball field for many years.

Supervisor Staats opened the meeting with a salute to the flag. Minutes of the January 21st special town board meeting with C. T. Male were given to the board, and two corrected pages of the organizational meeting resolutions concerning Resolution #8-08 to correct the salary for the dog control officer from \$350.00 per month to \$300.00 per month. A motion was made by Councilman Nolan, seconded by Councilwoman Lent to correct the salary of the dog control officer from \$350.00 to \$300.00. All in favor. So carried.

Supervisor Staats asked for a motion to pass January 3, January 7 meeting minutes and January 21 special board meeting minutes. January 3rd and January 7 minutes were emailed to board members. Councilwoman O'Neal noted a correction on page 2 of the January 21st minutes – where it states that ‘pesticide becomes more prevalent for residential use’, change to problematic. Councilwoman O'Neal asked about Page 1, last paragraph – ‘0 to 2 inches below the root zone’. Need clarification at the meeting with DEC on whether that is correct. A motion was made to accept the January 21st special meeting minutes with correction on page 2 by Councilman Nolan, seconded by Councilwoman Lent. All in favor. So carried. A motion was made by Councilwoman Lent, seconded by Councilwoman O' Neal to accept the January 3rd Organizational Meeting minutes and January 7th regular meeting minutes. All in favor. So carried.

Supervisor Staats reported that Dan Wheeler, our town engineer was in a car accident last Thursday and was supposed to get out of the hospital today. We are wishing him and his family the best and hope for a speedy recovery.

WRITTEN COMMUNICATIONS:

- Town Clerks report: The Town Clerk read the report and submitted a check for the General Fund for \$195.18 and Trust and Agency for \$667.50. A motion was made by Councilman Nolan, seconded by Councilwoman O' Neal to accept. All in favor. So carried.
- American Farmland Trust – Growing New York Farms on February 28, 2008 in Saratoga Springs, a conference to highlight ways that public and private partners can

bolster New York's agricultural economy and protect the land upon which farmers depend.

- Received notification from New York Department of Environmental Conservation that the open period for public comment on the remediation of the twenty acres has opened on February 1st and will end on March 17.
- Rabies Clinics schedule by the Columbia County Health Department is posted on the board.

Andy Howard reported on the Open Meetings law, specifically emails. The Open Meetings law has said that an exchange of correspondence between members of the board does not violate the open meeting's law, it serves as way for the public body to carry out their duties on behalf of the public. It is not a violation to communicate and get viewpoints back but slides toward violation if votes are taken and decisions made. When the majority of the board, on any issue, is gaining consensus on any subject it is a violation. There is more of a problem where instant messaging is being used, it is more instantaneous and more like a meeting. For example: List Serve – to the extent it is not a simultaneous action and everyone will not view the email at the same time. Emails do not have to be archived because they are of a personal nature. If they are emailed to the Town Clerk – they are foitable.

COMMITTEE REPORTS:

- Insurance – Councilwoman Lent reported that NYMIR would come and reassess the buildings for insurance and give us an update.
- Proposal from Marilyn Kaplan – Councilwoman Lent reported that Marilyn Kaplan's fee for the window repair would be \$1925 and \$300 for expenses. Councilwoman Lent reported that it was highly recommended that we use Marilyn Kaplan by the State. Councilwoman O'Neal spoke to Stacey Matson Zuvich from Office of Parks, Recreation and Historic Preservation and she did not tell that to her. According to Councilwoman Lent the state will not fund without an expert. Councilwoman O'Neal said that Marilyn Kaplan's suggestion was to form a citizens committee to look at the windows. Councilwoman O'Neal set up a committee to do this and send a report to Stacey Matson Zuvich and then meet with Marilyn Kaplan. This meeting has been set up for February 12th. Councilwoman Lent stated that some suggestions she has heard was to repair with a barn sash and this is part of the problems we are facing now. The building deserves to be taken care of, as it is a treasure in this town. It was decided to meet with Marilyn Kaplan on February 12th at 7:30 AM. Ask her to attend the February 20th special meeting following the public hearing. If she cannot attend on that evening, we will extend the invitation for the March 3rd regular meeting.
- Planning, Development and Land Use: Councilman Nolan reported they had a meeting last week and will diagram what they discussed about the use of the twenty acres. The public hearing is required to be held during the public comment period and will be held on March 3 at 7:30 P.M.

- Hudson Fulton Champlain Celebration – Councilman Nolan reported that Friends of Clermont has filed a grant application for construction of dock where the original location of steamboat landed. The application was for a study. State Park has asked informally if we would express support for project. The project would be a pedestrian crossover to the dock. Discussed sending a letter from Town that at minimum the fee for entering the park is waived for residents and at maximum do away with the fee to enter the park.
- Councilwoman O’Neal has spoken to Christine from Hudson Valley Greenway. There is \$7500 in unexpended funds from a Greenway grant that must be spent on the Hamlet Plan. It is either because we did not voucher something correctly or we didn’t know we had the funds. Will lose it if not used. Two ways is to submit vouchers for work already done between commencement of grant in August 2004 and end of grant August 15th 2006 or extend the grant in order to expend on current projects. Councilwoman Lent stated that there was a final report sent by Rebecca Sethi so that the money is probably to close the grant.
- Emergency Preparedness Plan – Councilwoman O’Neal thanked Ruth Hammer and Larry Saulpaugh for their help on the plan. Mentioned in the plan is the need for a generator and base radio, and there is neither at the Town Hall. Charles Larsen pointed out that two radios may be needed, one for high band and one for low band. Also discussed were portable generators and the center for emergency plan. Councilman Nolan suggested getting a load projection from NYSERDA for the generator that would be needed to run our buildings.

OLD BUSINESS:

- Website update – Harry Harned has submitted his resignation from the position of webmaster.
- Appointment of webmaster to update and service the website. Supervisor Staats has spoken to Stephen Hammer, and he would be willing to do this on an interim basis. Mr. Hammer suggested using a compact management system, such as the Town of Rhinebeck’s website at rhinebeck-ny.org, which is managed by Druple. Presently the server is through Valstar, which is donated but doesn’t provide the size. Buying an account would cost \$7.00 per month and provide a domain name, unlimited mailboxes. A managed druple host cost \$15.00 per month with a two-year contract. The cost for two years would be \$160.00.
A motion was made by Councilwoman O’Neal to use the blue host site, seconded by Councilman Nolan. All in favor. So carried.
- A motion was made by Councilman Nolan to appoint Stephen Hammer as interim webmaster, seconded by Councilwoman O’Neal. Councilwoman Lent asked if there was any affiliation with Game Face web design. There is not. Councilwoman Lent in favor. All in favor. So carried.
- It was also noted that there should be website committee to decide what should be on the website. The Web Committee should research what to put on the website and a town board member and the town clerk should be on the committee.

- CT Male update – met with Kirk Moline of CT male on Jan. 21st. Mr.Moline answered a lot of questions but deferred to DEC. Meeting with DEC is scheduled for Wednesday, Feb. 6, 2008.

NEW BUSINESS:

- Resolution #41-08 – Agreement with Pine Plains Veterinary Associates for 2008. A motion was made by Councilman Nolan, seconded by Councilwoman O’Neal to enter into the agreement with Pine Plains Veterinary Associates. All in favor. So carried.
- Resolution #42-08 – Lease with Canaan Fellowship for 2008 to use Community House – Supervisor Staats has no interest in removing the Fellowship as tenants. Councilwoman O’Neal would like to meet with them and explain what it is expected from them for the use of the Hall. Resolution tabled. Charles Larsen suggested a contract with them that they must follow. Andy Howard suggested developing a list of building rules for the use of the buildings. Also discussed was the load for second floor. Councilwoman Lent said that historic buildings are not rated by the local fire and building inspector. Any inspection would be done by the state engineer.
- Local Law #1-2008 – Exemption rates for Senior Citizens – current exemption rate is income less than \$15000 – The local law would increase the exemption from less than \$19,000 up to \$24,700.00. Councilman Nolan suggested setting the public hearing for February 20th to establish the exemption for Senior Citizens and Disabled Citizens in order to meet the March 1st deadline. Councilwoman Lent motioned to set the public hearing for Local Law #1 of 2008 Exemption for Senior Citizens and Disabled Citizens for Wednesday, February 20, 2008 at 7:00 P.M. Motion seconded by Councilwoman O’Neal. All in favor. So carried.
- Supervisor Staats received a request from the Germantown Library to purchase a stepping stone for library path for \$150.00. A motion was made by Councilman Nolan, seconded by Councilwoman O’Neal to purchase the stone. All in favor. So carried.
- Councilman Nolan is attending the Association of Towns conference in New York City on February 20th.
- Highway Personnel Policy – would like to add Deputy Highway Supervisor to the Personnel policy to receive \$500.00 semi-annually as agreed at the organizational meeting. A motion was made by Councilman O’Neal, seconded by Councilman Nolan to update the Highway Personnel Policy. All in favor. So carried.
- Intermunicipal Agreement between Clermont, Germantown and Livingston for purchase of a paver has been updated with more detail and the paver has been purchased.
- Received notification of the Chips disbursement for 2008 – dropped 41/2 percent \$1280 less than budgeted for this year.
- Appointments to Committees:
Historical Committee – Dianne O’Neal, Chair; those appointed are Ray Tousey, George Davis, Louise Kalin, Ruth Hammer, Joan Buser, Angela Goetz and Aldo Dusman.

- Planning, Development and Land Use Committee – Chris Nolan, Chair; those appointed to the committee are Dagmar Payne, Tamara Connolly, Bob Desmond and Angela Goetz. A schedule of meetings will be announced at the February 6th meeting.
- A special meeting will be held on Wednesday, February 6th at 5:00 P.M. with DEC and the NYS Health Department regarding the remediation of the twenty-acre parcel.

SUPERVISORS REPORT:

- Supervisor Staats has been looking into the finances of the Town. Currently there is \$292,000 in the Bank of America. They do not charge fees but they do not pay interest on \$60,000, which is in the bank. Looking into moving these funds to First Niagara. The clerk will have to change her bank from Bank of America to First Niagara.
There is over \$700,000.00 in First Niagara Bank in other accounts.
- Fuel Oil – We currently use Main Care Energy through state bid – Would like to hire a private company to deliver our fuel instead of going with County bid, with three bids.
- Report on County committees:
Human Service Comm – no report
Agriculture Committee – no meeting
Real Property Committee – updating Senior Citizen exemption for Real Property Taxes.
Buildings – putting a hold on the court house work
Tourism - Dogs Statues in Hudson
- Closing of the Hudson Prison – County is not in support of this.

PUBLIC COMMENT:

- Robert Desmond – Have there been any more thoughts about what is going to be done on the property? Some of what is being discussed is what would it take to remediate the entire property, can zones be mitigated for different use levels, can materials be used from on site to cut down costs?
- Judith Neary - Joan DeLaurentis wanted to donate a bench to be place in front of the Community House or Church in memory of Gail DeLaurentis.
- Natalie Carnese asked about getting a yield sign changed to a stop sign at Nevis Road where it comes out onto Lasher Road. There have been several accidents and she is concerned with her animals, which are opposite Nevis Road. Supervisor Staats will check with County Highway.

A motion was made by Councilman Nolan, seconded by Councilwoman Lent to approve Trust and Agency abstract #2 in the amount of \$1,269.60. All in favor. So carried.

A motion was made by Councilman Nolan, seconded by Councilwoman Lent to approve Highway abstract #2 in the amount of \$17,310.72. All in favor. So carried.

A motion was made by Councilwoman Lent, seconded by Councilwoman O'Neal to approve General abstract #2, vouchers #15-56 in the amount of \$12991.53. All in favor. So carried.

A motion was made to enter into executive session to discuss personnel matters by Councilwoman O'Neal, seconded by Councilwoman Lent at 9:45 P.M.

A motion was made by Councilwoman Lent, seconded by Councilman Nolan to come out of executive session at 10:00 P.M.

Supervisor Staats introduced a Resolution to increase the Highway Superintendent's salary for 2008 from \$39,000 to \$40,500 retroactively to January 1, 2008. The motion was made by Councilman Nolan, seconded by Councilwoman O'Neal to approve changing the 2008 salary for the Highway Superintendent to \$40,500 retroactively to January 1, 2008. All in favor. So carried.

A motion was made to adjourn by Councilwoman O'Neal, seconded by Councilwoman Lent at 10:05 P.M.

Respectfully submitted,

Mary Helen Shannon, RMC
Town Clerk