

CLERMONT TOWN BOARD

JANUARY 7, 2008

The Clermont Town Board held its regular meeting on Monday, January 7, 2008. Those present were Supervisor Raymond Staats, Councilwoman Dianne O'Neal, Councilman Richard Jones and Councilwoman Carol Lent. Councilman Chris Nolan was absent. Others present were Charles Larsen, Peter Fingar, Bram Moreinis, Elizabeth Mahar, Judith Neary, Jennifer Staats, Susan Rifenburgh, Ray Tousey, Bruce Unson, Robert Desmond, Andy Howard, Town Attorney, Tammy Connolly, Dennis Palazzo, Desiree Webber, Dagmar Payne, Richard Roth of the Independent, Larry Saulpaugh, Paul Doherty, Billy Cole, Ruth Hammer and Greg Fingar.

Supervisor Staats opened the meeting with the salute to the flag. He welcomed Town Attorney Andy Howard and new board members Dianne O'Neal and Richard Jones. Minutes of the December 28, 2007 were read and approved on a motion made by Richard Jones and seconded by Carol Lent. All in favor. So carried.

Resolution #39-08, which approved the closing of the Fire District bank account and transfer of \$3.60 to the Fire District at the January 3, 2008 meeting, was signed. Resolution #40-08 to correct the an error in the budget to transfer \$2000.00 from Museums A7450.2 to Historian A7510.2 and \$750.00 from A7450.4 to Historian A7510.4 was approved on a motion made by Councilwoman Lent, seconded by Councilman Jones. All in favor. So carried.

WRITTEN COMMUNICATIONS:

1. Town Clerks Report for December 2007 – General Fund Check in the amount of \$153.98, Trust and Agency fund check in the amount of \$345.10. A motion was made to approve the Town Clerks Report by Councilwoman Lent, seconded by Councilwoman O'Neal. All in favor. So carried.
2. Building Inspectors Report for 2007 as follows:
 - Building Permit Applications – 50
 - Single Family Dwellings – 9
 - Additions/Alterations – 13
 - Accessory Structures/decks, pools, etc. –26
 - ZBA Referrals – 4
 - Certificates of Occupancy – 63
 - C.O. Search Pre-date Letters – 50
 - Courtesy Letters – 2
 - Written Complaints – 3
 - Order to Remedy Violations – 11
 - FEMA Report – 1
 - Appearance Tickets – 2
 - Education Courses – County/State – 3
 - FOIL Requests – 2

COMMITTEE REPORTS AND UPDATES:

1. Insurance – Councilwoman Lent reported that Fingar Insurance will have a NYMIR representative come out within 30 days to reevaluate the buildings and price out the changes to the policy.
2. At the Supervisors request, Councilwoman Lent applied to the Columbia County Historical Society for \$500.00 grant. Should hear by January 15th if we will receive something.
3. Councilwoman Lent reported on the Academy windows – Marilyn Kaplan of Preservation Architecture will come down because the State is looking for a more comprehensive plan. The State has the window specs. The State leans toward repairing, but there are windows, which need replacement. Will have a proposal for February from Marilyn Kaplan. She will contact Councilwoman O’Neal and Supervisor Staats.
4. Keep Farming Grant will start at the end of February. The Glynwood Center will contact Councilwoman Lent.
5. Brownsfield- C. T. Male will be here on January 21st to answer the boards questions on the draft report to DEC.
6. History and Archives Committee – Councilwoman O’Neal is the chairwoman of the committee and volunteers are needed for this committee. A notice will be placed in the paper. Sign up with the Town Clerk if interested.
7. Emergency Preparedness Plan – Councilwoman O’Neal is updating this document. She will meet with Fire Chief Saulpaugh and George Davis will chair a committee within the committee on the medical aspect of the plan. Copies of the plan need to be sent to Bill Black, County Emergency Services Coordinator, James Van Duesen, Fire Coordinator, County 911, Clermont Fire Chief and Clermont Fire District.

OLD BUSINESS:

1. Plexiglas was installed in the windows at the Community House temporarily until the windows are repaired.
2. The highway pickup truck, a 2002 Ford, is in service.
3. Our town attorney was asked to review the deed restrictions of the twenty-acre parcel prior to our meeting with C.T. Male and will report later in this meeting.

NEW BUSINESS:

1. Kirk Moline and Steve Bieber of C.T. Male will meet with the Town Board at a special meeting on Monday, January 21st at 7:00 P.M. to discuss the draft analysis plan on the Brownfields.
2. Bram Moreinis made a presentation to the board on the current town web site and the suggestion of forming a committee to oversee various aspects of the redesign. Judith Neary asked if we are keeping old website or getting a new website. Bob Desmond – Let’s manage the town, not put so much effort into the website. Supervisor Staats agrees to appoint a committee to update the website. Councilman Jones noted that the presentation is right on target. Councilman O’Neal likes the idea.

Councilwoman Lent noted that we have a budget restraint. Councilwoman O'Neal feels that this would be a committee to get ideas to find out what we need to do to improve the site. Councilwoman Lent would like to know if Harry Harned could tell us how many people are using the website. Bob Desmond suggested letting the newly appointed webmaster know that there is going to be a committee.

SUPERVISORS REPORT:

The purpose of this segment is to inform the Town of issues that come up at the County level. He is serving on Agricultural Committee, Tourism, Building and Facilities, Real Property, Computer and Human Services.

PUBLIC COMMENTS:

Those wishing to speak were asked by the Supervisor to state their name and address and he will direct the question to the appropriate board member.

- Dagmar Payne – She did not know that the meeting with C.T.Male was going to be on January 21st. She will be away until February 12, but being an adjoining landowner is interested in the public participation. At this point, there has been no public notification of a hearing by DEC. This is the first meeting with C. T. Male and we will be discussing the deed restrictions later in the meeting. Dagmar has still not received letters as an adjoining landowner and would like to receive them. Councilman Jones said that we have requested C. T. Male to come to this meeting so that questions can be asked.
- Charlie Larsen – His understanding is that DEC will hold the public hearing and nothing will be done until then. There is a forty-five day open period for comment.
- George Davis would like to see a Planning Committee and the resurrection of the Behan Report. Also to consider if Marilyn Kaplan is the right person on the historical plans for the windows.
- Bruce Unson – His church periodically inspects the stained glass windows, suggested inspecting the windows at St. Lukes. Also, the door is difficult to open and the back step needs repair.
- Dennis Palazzo – Has the board thought about auditing the books. Supervisor Staats advised that there will be an audit of the books performed.
- Councilwoman Lent reported that the Church's of Clermont, Germantown, Livingston hold Community luncheons once a month free to the public. This is open to anyone who may need a meal. A notice will be posted
- Website – Supervisor Staats reported that Harry Harned would be starting to update the website.

A motion to approve Trust and Agency abstract #1 in the amount of \$1603.75 was made by Councilwoman O'Neal, seconded by Councilwoman Lent. All in favor. So carried.

A motion to approve General Fund abstract #1 in the amount of \$17,063.81, vouchers #1-14 was made by Councilwoman O'Neal, seconded by Councilwoman Lent. All in favor. So carried.

A motion was made by Councilman Jones, seconded by Councilwoman O'Neal to approve Highway abstract #1, in the amount of \$1,352.17. All in favor. So carried.

Mr. Andy Howard has reviewed the deed with covenants and restrictions on the land conveyed in 2003 by Katharine Hettling with donor agreement and filed at the end of 2005. It is subject to the following conditions:

1. The land can only be used for public purposes with the understanding that a portion shall be used for storage of highway equipment with access to Route 6.
2. That it be called Hettling Park of Clermont and a sign posted.
3. That a perennial garden is planted adjacent to cemetery.

Mr. Howard reviewed the deeds relative to the Germantown Telephone Parcel land conveyed to the Town of Clermont. There is a covenant and restriction, which provides that the land is to be used for open space or for recreation activities. In July 1997, there does not appear to be a placement of that restriction, however, very soon thereafter in November, it was clear that the restriction wasn't on the deed, so the town fulfilled their obligation and placed the restriction on the property.

Deed from Town to Town is legally binding but town placed the restriction and has the ability to modify it. May be a resolution with this condition in it. When a deed of conveyance is made any prior restrictions goes with the deed.

Greg Fingar asked if an access road would be a violation of that use? Mr. Howard thought it probably would be.

Mr. Howard recommended that if this is a potential site or suitable site as an alternative in connection with design, seek out Germantown Telephone and get consent. This would be done in an open manner.

Suggested talking with Germantown Telephone on overall usage of property and talk with Kathy Hettling to clarify and specify. Nature of land is different now than it was then and can be changed by the grantor.

Charlie Larsen state that he was on ZBA when the special permit was granted for switching station. Iroquois Pipeline may have something to say about it because they gave the town the money to buy the land.

Dagmar Payne suggests no ethics get pushed aside and do we really want to mix plow trucks with children by using that access from County Route 6.

There was discussion on the use of ball field on Route 9, which is owned by Saulpaugh's, and in checking there does not appear to be a written agreement for its use. Greg Fingar negotiated agreement with Bruce Bohnsack for the Germantown Telephone parcel so that it could be used for a ballfield.

A motion was made to adjourn by Councilwoman O'Neal, seconded by Councilman Jones at 8:30 P.M.