

CLERMONT TOWN BOARD
JUNE 2, 2008

The Clermont Town Board held its regular meeting on Monday, June 2, 2008. Those in attendance were Supervisor Staats, Councilwoman O'Neal, Councilman Jones, Councilwoman Lent and Councilman Nolan. There were 31 residents present. Also present were Town Attorney Andrew Howard, Donald Fraser, Clermont State Historic Site Manager, Tracie Rozhon, President Friends of Clermont and Richard Wambach, Community Network.

Supervisor Staats opened the meeting with a salute to the flag.

The minutes of the May meeting were forwarded to the board. Councilman Jones noted a correction in the May 21st minutes on page 1 to correct the acreage to be merged from 4.50 acres to 3.75 acres and the former Germantown Telephone property from 5 acres to 5.53 acres. A motion was made to approve the minutes of the May 5th meeting and the May 21st special meeting with correction as noted by Councilwoman O'Neal, seconded by Councilman Nolan. All in favor. So carried.

TOWN CLERKS REPORT: A check for the General Fund was presented for \$585.76, General Fund – Miscellaneous Income - \$325.82 and Trust and Agency \$112.50. A motion was made to accept the Clerk's report by Councilwoman Lent, seconded by Councilman Nolan. All in favor. So carried.

CORRESPONDENCE:

1. Solid Waste Department is holding free appliance collections during the month of July.
2. Stissing Mountain Middle/High School open house on June 4, 2008, Public Hearing on school budget on June 4th, Budget Information night at Cold Spring Elementary school on June 12th, Seymour Smith Expo Day on June 17th, School Budget revote on June 17th.
3. Planning and Zoning Schools – July 17 - SUNY New Paltz; July 23 – Queensbury; July 31 – Geneseo; August 7 – Clinton.
4. Senator Stephen Saland letter thanking the Board for our letter and resolution in regards to Collateral Source Bill S4164/A2989.
5. Letter from Peter Fingar regarding town garage project and his concern about tax increases and suggesting shared services with other Towns.

Supervisor Staats read statement he prepared, regarding articles, which appeared in a Republican Newsletter, the Watchful Eagle citing needed work which needs to be done on the Town Hall, St. Luke's Church and the Community House. Also, use of reserved funds set aside by previous boards to be used for projects such as the garage and continued tax collection when these funds were in reserve. Supervisor Staats also acknowledged Supervisor William Bank's service to the Town and suggested that the new highway garage dedicated in memory of him. Also, if there is a ball field, dedicating it to Alan Saulpaugh for his generosity over the years. He also commended

Councilwoman Lent for her article in the Watchful Eagle on the referendum process for the proposed Highway Garage.

COMMITTEE REPORTS:

- **INSURANCE:** Councilwoman Lent reported on the building appraisals done by NYMIR. Councilman Jones and Councilwoman Lent recommend increasing the coverage's on the buildings as we presently are insured lower than the appraisal. Currently the deductible is \$500, but by increasing the deductible it may balance out the increase in coverage. Councilwoman Lent would like to request a quote from Fingar Insurance.
- **HIGHWAY GARAGE:** The principle concern of the residents seems to be the location, so Councilman Jones has prepared a statement on choosing the Route 6 location and at the same time, keeping the cost down. The site selected is approved by DEC for a commercial project, such as the highway garage. The proposed site for the garage would be approximately 600 feet from Route 6. The driveway from Route 6 would be laid out so as to leave room for a little league field and placed so as not to impact the neighbors. To further minimize impact, shrubs would be planted along the road. The building itself would be approximately 50,000 square feet and 1000 feet from the other town buildings. There has been some discussion of purchasing a site near the firehouse on Route 9, owned by Dianne O'Neal, however, this was never formally proposed by the Town Board. Councilwoman O'Neal disclosed that she does own the property being discussed and has not decided on a price, and is only just considering the proposal. Councilman Jones presented a cost analysis of both properties, citing saving money by using the former Hettling land as opposed to purchasing land and use of materials removed from garage site for driveway. Councilman Nolan prepared a draft budget format to track expenses for the garage. ~~Basic~~ Prevailing wage figures for operator time for the highway department employees should be included in the analysis. There was discussion regarding shared services and Councilwoman Lent brought up whether it is prudent for the highway trucks to run back and forth to Germantown or Livingston for sand during a winter storm. Our Highway Superintendent is responsible for the health and welfare of the community and we must make an effort to get a new garage. Bob Elliott asked why the Highway Superintendent does not attend the meetings. It was noted that he did attend several meetings in past months.
- **CLERMONT HISTORIC SITE:** Councilman Nolan introduced Donald Fraser, Site Manager for the Clermont Historic Site and Tracie Rozhan, President of the Friends of Clermont. Mr. Fraser spoke about getting the community involved at the historic site. He encouraged residents to contact him with any questions or suggestions. It was suggested that the trails are in need of work and they are looking at working on the hiking trails with the Boy Scouts. The Friends of Clermont, as reported by Ms. Rozhan, are working on restoring the dock at the river and two cottages on the property. The Sylvan Cottage, which will be included on the tour with the main house, and Clermont Cottage as a reference library and exhibition space and additions to the gift shop. It was also mentioned that the local fee for entrance to the park on

weekends is no longer being charged unless there is a special event-taking place. Councilman Nolan asked if a resolution or motion would be helpful with getting funds?

MOTION: A motion was made by Councilman Jones to support the dock for Clermont State Park by writing a letter of support, seconded by Councilwoman Lent. All in favor. So carried.

- Richard Wambach of Community Network made a presentation on the development of effective forms for the Zoning Board of Appeals and Planning Board and having them available on the town website to be downloaded. He would like to give an estimate to reproduce these forms in two phases, develop and unify the forms, get them on the internet and make a proposal as to how a SARA grant would be obtained. He would suggest holding an exploratory meeting with the Planning Board and Zoning Board of Appeals to see what the needs are.
- Councilman Nolan reported on a letter from Dan Wheeler regarding getting the Highway Regulations and Subdivision Regulations in compliance with each other. There were several subjects addressed in the letter and recommendations for change.
- Town Attorney Andrew Howard discussed bonding of roads, letters of credit and developers building a road in a development, which is in conflict in the regulations.
 1. Bonds: Would be secured by a developer, usually with no time limit and is an obligation that work will be done.
 2. Letters of Credit: The developer is required to carry out work on a certain timetable and the town would be notified immediately if it is lapsing and the town can call the letter if work is not done.
 3. Certificates of Deposit can also be used
 4. Building of road: Developers can also build the road with no permits issued until the road is complete.

Councilman Nolan would like the Zoning Board and Planning board to review Dan's letter and get back to the Town board with recommendations. Dan Wheeler, Andy Howard and Jim Potts will review these recommendations. The town board will be looking at bonding issue and talk to the Highway Superintendent to get his input on Dan Wheeler's letter.

HISTORICAL COMMITTEE: Councilwoman O'Neal found that there is a need for an archaeological survey if there is to be digging around the Community House for regrading and septic work, because of the deed restriction. Office of Parks, Recreation and Historic Preservation requires a site plan showing the area of potential effect. Councilwoman Lent said there should be a report done by John Fieser done several years ago.

OLD BUSINESS:

- Joan DeLaurentis is donating two benches in memory of Don DeLaurentis and Gail DeLaurentis Fenn, which will be placed in front of St. Luke's Church. At some time in the future, if there are walking trails on the former Hettling property, they may be incorporated into the trails.

- County Curbing Issue – Supervisor Staats reported that it is under consideration by the County to reduce the curbing required on county roads. They are looking into making it easier for homeowners.
- Ackerman Development – Andrew Howard reported on the Ackerman Development. He has spoken with residents of the subdivision and the Engineering Company, which holds the certifications. They have not been paid and upon payment will release the certifications. There have been discussions between the engineer and Mr. Ackerman, to reach an agreement. The Town has placed a notice of pendency until the situation is resolved.
- Councilman Nolan asked if anyone is interested in serving on the County Environmental Management Committee to please contact the Supervisor.

NEW BUSINESS:

- BIDS: Bids that were received were opened for Community House window project.
 1. Screaming Eagle Carpentry - John Rowe, Jr. Tivoli, New York
Total of 22 windows, 44 sashes involved for repair, scraping and painting.
\$32,640.00 - does not include purchase of new sashes.
 2. LaTorre Construction Company, John LaTorre, Kingston, New York – Base bid \$24,900. Alternative 1 – second floor, \$23,900; Alternative 2 – nothing; Alternate 3 - \$2,850; Alternate 4 – \$2,850; Alternate 5 - \$2,850; Alternate 6 - \$2,850 and Alternate 7 - \$2,850; Alternate 8 -\$2,850. Note: Alternates 3 through 8 include one over one-sash storm windows. Alternate 9 - \$50.00 per unit for doweling new sashes to match original.
 3. Amidon Builders, Rhinebeck, New York– Base Bid for first floor - \$7,300; Alternate 1 - \$10,700 2nd floor; \$400.00 per window to paint and install Spencer Works concealed hanging windows plus the cost of the window from Spencer Works.
Bids will be clarified on a spreadsheet as to what has been received for next meeting so that all understand.
- ASSESSOR: The Assessor has requested a re-evaluation of the entire town in order to get our assessment rate up to 100%. We are currently at 67%. The cost to the Town would be about \$45,000. Supervisor Staats is not in favor of this. The county is looking at a countywide assessment, so he will see what the decision is on that. The Assessor did recommend appointing two people in town who would be able to take data collection after they have attended training. Anyone who is interested should contact the Supervisor or Town Clerk. Bob Desmond would like the board to encourage the assessor to negotiate with the State to increase our rate.
- FIRE TRUCK ACCESSIBILITY – There are restricted driveways on Woods Road, which was brought to the Supervisors attention by Bruce Unson. These roads should be kept open for fire trucks. It is not a liability for the Town or the Fire District. The Fire Code, Section 502 of the Building and Fire Code has been in place in our zoning ordinance. Plans for single residence and subdivision driveways should go to John Fieser for one residence and for a subdivision to Planning Board and John Fieser for

approval. Bill Munro suggested sending a letter to let people know to keep their roads clear for firetrucks and to number their residence.

- **RESIDENT DEPUTY:** Columbia County Deputy Sheriff Eli Fieser has written to the Supervisor asking for a wireless card for the computer in his patrol unit, enabling Deputy Fieser to run license plates, criminal histories, drivers licenses within the vehicle and various other reports. The estimate that he has received is less than \$60.00 per month, plus the cost of the card. The town could request that Livingston and Germantown share the cost. Councilman Nolan made a motion to proceed with Deputy Fieser's request for a twelve-month period and that we ask Livingston and Germantown to take part. Seconded by Councilwoman O'Neal. All in favor. So carried.
- **HIGHWAY GARAGE:** Supervisor Staats spoke on the options, alternative locations and consolidation of services for the Highway Garage. These options have been researched and he is recommending that the placement of the new garage would be best entering off of Route 6 to the southwest corner of the former Hettling property. The reasons being economical and it is the safest for a driveway entrance. The driveway can be used to access the ball field and playground, which is being considered and will eventually link to the rest of the former Hettling property. At the last meeting, Councilwoman O'Neal was asked to inquire on planning alternatives for the location of the highway garage. She contacted Behan Associates who prepared the Hamlet Plan. The idea would be to gain public input in a neutral fashion on the location of garage. They would provide a phone conference with town board, preparation of materials, development of maps with garage location, meet with town board and hold public workshops. The estimated cost for 27 hours would be \$2,900.00. An Albany firm she contacted would create a computer generated three-dimensional rendering and would superimpose the garage on the proposed site at a cost of approximately \$2500, which would enable the board to view how the garage could be situated on the property.

PUBLIC COMMENT:

- Dagmar Payne asked what has been done in terms of investigation, how much is engineering cost for inspecting shale and why do you need four acres of land for an 8,000 square feet. building? How much to engineer shale or get it certified? Will you have enough usable material? How much for culvert pipe, etc.? She said she is not for or against, but this is not an accurate picture of how much it will cost. What is the expenditure to date for this project?

Responses:

1. Councilman Nolan stated that Dan Wheeler was paid approximately \$3,000 to \$3500 for a draft.
2. Councilman Jones stated that he and Jim Potts dug deep hole tests to ascertain how much shale is there. There is approximately 50,000 square feet of shale. The plan is to take topsoil out and set aside for remediation, clear the area for garage, saving for

remediation, excavate down about 5 feet and take the shale out. Shale, stabilizer cloth and crushed Item #4 stone will be used for the driveway. Excess shale can be used for remediation. The bid from Colaruso's for Item #4 was around \$14,000, the ground stabilizer cloth would run about \$5500, and additional costs for labor of the Highway crew.

3. Supervisor Staats noted that DEC will be inspecting the shale and for expansion purposes, there is a need to have four acres.
4. Councilwoman Lent noted that our shale could be crushed and Item #4 made from it if it is of that quality by a portable crusher.
5. Bram Moreinis participated in the Hamlet plan and one idea was a major road through this property. What has happened with the master plan? Is there a way to calculate an opportunity cost for the land that garage would be on and for land up and down the driveway. The driveway is long, do we have a number of the cost?

Response: Councilman Jones replied that the driveway is 640 feet.

Has the Town Board looked at all the figures for the project?

Response: They have not, as they just received a budget worksheet at this meeting.

Supervisor Staats noted that the Route 6 entrance is much safer than coming out onto Route 9.

- Lynn Prinz – asked what the building would look like as they have a beautiful view and would hate to see that compromised.

Response: The new building will most likely be a metal garage, but it has not been decided.

She is concerned about property value going down and views of metal building. Will residents have a say on these decisions?

Response: The location will be a board decision, but the financing of the project will be voted on by residents.

- Nan Leonard asked why don't we renovate what is here instead of spending all this money.

Response: The present lot is not big enough for expansion, the salt shed would be larger and completely enclosed and it is best to relocate it further away from residential wells.

Ms. Leonard asked if the old building would be demolished

Response: Councilman Nolan responded that there is a segment in the budget for demolition and disposal of the old garage.

- Bob Desmond – Commended Supervisor Staats for his effort for a resident with the curbing issue.

He commented on the letter from Dan Wheeler and the Zoning Board will be taking a look at the Highway regulations and subdivision regulations. He also stated that there is a need for zoning updates also.

On the letter regarding shared services in respect to the garage, we need to look at what's best for the Town and he does not agree that a shared garage is best for the town. There is a need for a town garage and we should go forward with it and it is a reasonably good location.

He asked if any grants for highway garage have been secured?

Response: Councilman Nolan responded that NYSERDA is coming with a proposal for an energy audit for energy conservation and once it is approved we can secure a grant.

There are other grants

available for highway garage's and if it has a multi-use component, such as used for emergencies or storage for a baseball program there are more avenues for funding.

- John and Pamela Murano asked if removal of material would have an effect on the water table. Councilman Jones stated that it would not.
- Judith Neary stated, in response to Supervisor Staats concerns, that the Watchful Eagle is a party newspaper, not a town newspaper and was only intended for Republicans in town. She also asked why the website had not been updated and this was a big concern for the last two years by residents. There is outdated information on the Community page, which has not been removed.
- Response: The committee dates had not been given to the clerk to post. Committees should set a permanent meeting date so that they can be posted and old data removed.
- Charlie Larsen stated that the Highway Garage is not a new project and has been going on for years and something has to be done.

The Supervisor asked the Clerk to write a letter to Town Resident Robert Zimmerman thanking him for the survey work and discount given to the Town for the survey work.

The Supervisor was notified by John Halterman of K & H Fuel that the Community House burner needs a new combustion chamber. Councilman Jones would like the board to consider using LP gas for the Community House to minimize the heating costs. It was agreed to wait for the NYSERDA audit.

SUPERVISORS REPORT:

- The Clermont Steamboat replica is now being stored in the Community House hallway for lack of a better place. Councilwoman O'Neal has agreed to let it be stored in one of her barns.
- Little League Field – spoke with David Helsley about children playing on the Saulpaugh property hill and he will speak to the coaches about it. Charles Larsen said he has not seen anyone up there recently.
- The Hudson Bush plant sale will be held at Clermont State Park on June 7th. The Flag Day parade in Hudson is on June 14th. The Steak BBQ at Clermont Firehouse on Route 9G is also on June 14th.
- Mortgage Tax – the Supervisor is monitoring very closely. We have received less so far this year than last year.
- Sales Tax - we received more than last year by \$4500.00.
- The Budget and Revenue report was submitted by the Supervisor for May.

ABSTRACTS:

A motion was made by Councilman Nolan, seconded by Councilwoman Lent to approve General fund abstract #6, vouchers #152 - #187 in the amount of \$13,536.27. All in favor. So carried.

A motion was made by Councilman Nolan, seconded by Councilwoman Lent to approve Highway abstract #6, vouchers #61-#71 in the amount of \$5,020.36. All in favor. So carried.

A motion was made by Councilman Nolan, seconded by Councilwoman Lent to approve Trust & Agency abstract #6, vouchers #36- #40 in the amount of \$535.00. All in favor. So carried.

MOTION: Supervisor Staats asked for a motion to forward the subdivision plans to the Planning Board. Councilman Jones made the motion, seconded by Councilwoman Lent. Councilwoman O'Neal recused herself from the vote.

A roll call vote was as follows: Councilman Jones, aye; Councilwoman Lent, aye; Councilman Nolan, aye; Supervisor Staats, aye. Motion carried. 4 ayes, 1 abstention.

Councilwoman Lent thanked the Supervisor for wanting to dedicate the new highway garage to William Banks. Also, that Supervisor Staats does an excellent job and we have gotten feedback from residents, and does not see a need for a facilitator.

Councilwoman Lent made a motion to adjourn at 10:50 P.M, seconded by Councilman Jones. All in favor. So carried.

Respectfully submitted,

Mary Helen Shannon, RMC
Town Clerk