

CLERMONT TOWN BOARD

APRIL 2, 2007

The Clermont Town Board held its regular meeting on Monday, April 2, 2007. Present were Supervisor Banks, Councilman Harned, Councilwoman Lent, Councilman Staats and Councilman Nolan. Also present were: Bruce Unson, Robert Desmond, Charles Larsen, Larry Saulpaugh, Dianne O'Neal, Ray Tousey, Carol Livellara, Judith Neary, Elizabeth Mahar, John Myers, Paul Doherty, Rebecca Sethi, Richard Roth, The Independent, Bruce Naramore, Susan Potts, Ruth Hammer and Mr. and Mrs. Votava.

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

Councilman Nolan would like the last sentence on Page 3 - Highway Garage in the March minutes stricken, if Councilman Harned has no objection to removing it.

Councilman Staats seconded. All in favor. So carried. Councilman Harned motion to accept the minutes of March 5, 2007 as amended, Councilman Nolan seconded. All in favor. So carried.

Supervisor Banks introduced Bruce Naramore of the Clermont Historic Site. Mr. Naramore addressed the board about the plans for this year and how it relates to the 2009 Hudson-Fulton Champlain Quadricentennial Commemoration. This year is the 200th anniversary of the steamboat known as 'Clermont'. This year's events kick off on May 4th at Clermont State Historic Park with the Steamboat exhibition "Bobs' Folly: Inventing America's First Practical Steamboat". On June 1 and 2 a Steamboat Bicentennial symposium hosted by Bard College will be held. The Livingston Family Reunion is held the last week of July, This will be the 6th Livingston Family reunion and their hope is to have descendents of the Fultons also. Hudson River Steamboat Days will be held two days in August the 18th and 19th. There are plans for special school programs with activity packets integrating the story of the steamboat. The Commission has asked the bordering County's to designate a local representative and would like to encourage the town to begin working with the Historic site on a joint program. Charlie Larsen (Correction: S/B Chris Nolan) suggested a possible link with the Village Green BBQ and the events planned at the State Park with a possible historic display at the Community House. The date for barbecue is August 11th. In 2006 there were 104,000 visitors to the park and it is expected that there will be more publicity this year because of the steamboat celebration. The Columbia County Tourism office will be focusing on the celebration. Supervisor Banks asked about the plans for the dock at the Historic Site. The Friends of Clermont have raised more money for a feasibility study on the dock. State would request grant from Federal government.

Councilman Nolan asked if there is a consensus or thought of how to follow up with this. This can be discussed at a later meeting.

CORRESPONDENCE:

- Supervisor Banks reported receiving \$63,835.71 Sales tax for fourth quarter of 2006.
- Town Clerks Report for March, 2007- Checks in the amounts of \$794.88 General Fund and \$225.00 Trust and Agency – A motion was made by Councilman Staats,

seconded by Councilman Harned to accept the Clerk's report for March. All in favor. So carried.

- Supervisor Banks submitted the Budget and Revenue year-to-date reports to the board. There are some corrections, which have to be made. Councilman Nolan thanked Supervisor Banks for the report saying it will be helpful. The annual report was incorrect and had to be sent back to the accountant.
- Columbia County Solid Waste will hold Household Hazardous Waste Day on May 19 from 8AM to 12 PM on Route 23, Greenport at the Highway Garage. Information will be posted on the bulletin board.
- Roll Off containers are available from Columbia County Solid Waste. Check the Columbia County website for information.
- Supervisor Banks has requested \$4000 from Assemblyman Peter Lopez. Councilwoman Lent is seeking \$10,000 from Senator Saland's office: \$4400 for John Fieser for window repair, \$5600 for storm windows. She has been told she will receive all \$10,000. The estimate by John Fieser does not include sash. Councilman Nolan objects to the procedure of asking taxpayers to pay for the same thing three times, it appears that same application was sent to three politicians. He disagrees completely and wants it noted in the minutes.
- Rodney Morrison engineer for the LRC Group which is developing Mountain View Farm on County Route 6 is seeking the boards comments on a potential transfer of 5.5 or 5.7 acres of land to the town in lieu of a road connection on the south side of County Route 6. The property consists of 45 acres on north piece, 20 acres on the south. At the planning board meetings and a recent site visit, they have discussed how to connect both parcels with adjoining landowners for the possibility of a road network at a later time. The north site can be connected to the Minkowitz property but the south site is a challenge because of the wetland buffer. From the owner's point of view the land can stay with the parcel or go to the town. It was also discussed about a pedestrian connection through the Minkowitz property. The applicant is looking for input. As a matter of record, the area had been filled with refuse from the packing plant. Testing has been done and there is nothing hazardous, and he does not want it perceived now or later that they are trying to push this land off on someone. Councilwoman Lent mentioned about a potential trail down Route 6 to the historic site. In order to have a trail along the road; you would need an easement across homeowner's property. If the applicant were to keep the property it would be placed in a conservation easement. Construction of a trail in wetlands needs to go through the DEC permit process. Supervisor Banks doesn't think he would consider taking this property, that we should keep trails along road. Councilwoman Lent will contact someone to see how it is done. Councilman Nolan just worked on a trail along a road with easements from landowners. Councilman Harned agrees with Supervisor Banks, as we have twenty acres we are dealing with now. If property is undeveloped it will be placed in a conservation easement by the developer. Ray Tousey asked what would be the down side of accepting the property even though it is a wetland, assuming that it tests okay? Dianne O'Neal suggested that it could be potentially

interesting to the town. The planning board has come up with a suggestion to consider, the concept being to keep it from getting developed.

Councilman Harned asked Larry Saulpaugh if the applicant would be held up if we don't decide this now? The Planning Board is reviewing all aspects.

- Paul Doherty of Red Wing Properties brought in a small version of map showing proposed trails in his development on Turkey Hill Road. The majority of trails are in Milan and Red Hook and the proposed trail in Clermont would connect with them.
- Councilman Harned read a letter from the Association of Towns: Legislation to provide tax incentives for local town officials and volunteer firefighters is pending in the US Congress. Seeking survey info.
- Supervisor Banks has received letters from other towns in support of the Collateral Source bill which will prevent double dipping by public employees plaintiffs. A motion was made by Councilman Nolan to accept, seconded by Councilman Harned. All in favor. So carried. A letter will be written in support.
- CT Male Letter of 2/22/07 – Contract budget increase of \$21,000 to DEC. Mutually decided to hold off until remedial work was done. Completed site work. Requested increase to \$127,000 from DEC, total \$139,700 new contract amount. There may be a special meeting as early as this month. CT Male is waiting on DEC. Councilman Nolan asked if this will increase the town portion by \$3500 because of increase to state contract? Yes, it will. Councilman Harned has spoken to C.T. Male and they do not have all the information that they need from DEC for any remediation plan. Councilwoman Lent has been working with Superintendent Potts on locations of private wells.
- The Clerk read resolution # 05-07 for Training of Planning Board members and Zoning Board of Appeals members. Councilman Nolan motioned to approve this resolution, seconded by Councilman Staats. All in favor. So carried.
- Councilman Nolan attended a seminar by Pace University Law School at Columbia Greene Community College on 3/24/07. There were a significant number from Germantown and Livingston planning board and zoning board, but no one from Clermont. Would the town board want to entertain asking the Germantown Planning board to come to a meeting and discuss their plans on their Comprehensive Plan? It was noted that our members are planning to attend a later seminar.
- Councilman Harned read a letter from the Town of Red Hook- Public hearing to be held on 4/10/07 7:25 P.M. at Town hall amending administration and enforcement of the zoning law.
- Water test has been done on Community House and Town Hall wells: Both wells failed. The hand dug well behind the Community House cannot be used for public water supply. Councilwoman Lent is working with D.F. Wheeler, Jim Potts and the Health Department. We will have to dig a new well. Canaan Fellowship has been notified and the Clerk will notify anyone who uses Community House not to drink water. Councilwoman Lent will need to get three prices because it will most likely exceed the three thousand-dollar level for capping off old wells and digging a new well.

- Councilman Nolan went to NYC for Association of Towns conference. Supervisor Banks asked if there were any decisions on the election machines but there has been none. It seems we will be using the same machines for this upcoming election.

PUBLIC COMMENT:

- Rebecca Sethi who chaired the Hamlet Steering Committee asked if there were any plans to implement any of plans laid out in the Behan report and review of the hamlet. Supervisor Banks responded that it will happen, probably by fall.
- John Myers asked about the Agricultural Assessments and what is being done about those that claimed the agricultural exemptions and did not qualify. If there was a problem with an agricultural exemption, then they were notified by letter by Peter Ostrander. Information from Peter Ostrander was sent to our attorney and a decision will be made by our attorney as to how to proceed

OLD BUSINESS:

- Local Law #1 – 2007 changing the Residential Agriculture District from 1 acre to 2 acres. Councilman Harned motion to declare a negative declaration on SEQRA that was presented last month for Town of Clermont rezoning from RA 1 – RA 2, Councilwoman Lent seconded. Councilman Nolan does not believe it was completed properly. A roll call vote on the EAF was as follows:
Councilman Nolan – nay, Councilman Staats, nay, Councilwoman Lent, aye, Councilman Harned, aye, Supervisor Banks, aye. Passed 3 to 2.

Kathryn Levine questioned how there could be no effect on agricultural land, reference page 15 #10 of the EAF. Bob Desmond asked if it is the opinion of the attorney and engineer that SEQRA is complete? Yes it is. Supervisor Banks reiterated that the board is thinking of the health and safety of neighbors by increasing lot size. John Myers noted that a parcel of land should not be less than 5 acres in order for parcel to maintain itself with water. Bob Desmond said that there were members on the committee that did not want change, but after working on committee changed their minds.

Councilman Harned made a motion to accept Local Law #1-2007 recommending changing the Residential Agriculture District from one (1) acre to two (2) acres with the provisions in Section #3 to exempt any party, person or lands for which the following requirements have been satisfied: (1) an application has been previously filed with the Town; (2) all application fees necessary being previously paid, and; (3) the application has been formally deemed complete by the Town of Clermont Planning Board. Councilman Nolan asked for a reread of this section. Councilwoman Lent seconded the motion to accept Local Law #1-2007.

A roll call vote was as follows:

Councilman Staats, nay, Councilwoman Lent, aye, Councilman Harned, aye, Councilman Nolan stated that although he did sign the petition to increase the acreage believing that the issue should be discussed he read a statement regarding

his vote which will be attached for the record. Councilman Nolan, nay, Supervisor Banks, aye stating that the Zoning Review Committee has done a tremendous amount of work on average density, conservation, subdivisions and the immediate task was to look at 1 to 2 acre density change. This has minimal impact on assessments.

Local Law #1-2007 is adopted by a vote of three to two. Councilwoman Lent thanked the ZRC for all their work.

Councilman Harned thinks that we should seriously look at things in Councilman Nolan's statement, but some things, which have been brought up, were to stall. Master plan calls for pushing development into the hamlet and this change will do that.

- Councilwoman Lent has asked Dan Nichols, head engineer to check the Community House for compliance with the fire code.
- Councilman Nolan asked what is happening with the streetlight at 9G and County Route 6. The last that Supervisor Banks heard was that trees would have to be cut down but it was unclear which trees.

A motion was made by Councilman Harned, seconded by Councilwoman Lent to approve the T&A abstract #3, page 1, vouchers #29 - #36 in the amount of \$1433.75. All in favor. So carried.

A motion was made by Councilman Harned, seconded by Councilwoman Lent to approve the Highway abstract #4, Page 1 and 2, vouchers #26 - #40 in the amount of \$7898.71. All in favor. So carried.

A motion was made by Councilman Nolan, seconded by Councilman Harned to approve General abstract #4, pages 1 & 2, vouchers #86 - #115 in the amount of \$94,744.57. All in favor. So carried.

The Easter Egg Hunt will be held on Saturday, 4/7/07 from 12 PM - 2 PM,

Keep Farming Committee Report by Judith Neary - Regional meeting next week. Received 60 food surveys from consumers that were present. Surveys have gone out.

A motion was made to adjourn by Councilwoman Lent, seconded by Councilman Harned at 9:30 P.M. All in favor. So carried.

Respectfully submitted,

