

TOWN OF WASHINGTON
TOWN BOARD
Minutes
August 11, 2022

The Town Board of the Town of Washington held their regular meeting on Thursday, August 11, 2022, at the Washington Town Hall. The meeting was called to order at 6:00 PM by Supervisor Gary Ciferri with the following present: Councilperson Robert Audia, Michael Murphy, Joseph Rochfort and Leslie Heaney, Town Clerk Mary Alex and Highway Superintendent Joseph Spagnola.

Also in attendance were Board of Ethics Members Laura Allen, Pamela Scott and Elizabeth Shequine, Village of Millbrook Mayor Tim Collopy, Conservation Advisory Commission Chairperson Margaret Schneible and Howard Schuman.

Councilman Murphy introduced the Members of the Board of Ethics. Councilman Murphy said the committee was put together to review and upgrade the Code of Ethics and we were lucky enough to have Laura, Pam and Betsy. Pam Scott acted as Chair of the committee and explained what they did. Chairperson Scott the starting point was to review the existing Code of Ethics which was adopted in 2012. They reviewed the current model on the website of the New York State Office of the State Comptroller, read Law Review articles, corresponded with the Town of Rhinebeck and the New York State Association of Towns. The Board concluded the current Town Code was good but needed to be aligned with the state model code. In addition, enforcement efforts were missing, as was a clear recusal process. They spent time with Jeff Battistoni and Mike Murphy. We were all partners working through this. Councilman Murphy said, collectively we had a lot of background on municipal and corporate levels. What has been presented to the Town Board will serve as a model for other towns.

Councilman Murphy asked what is the next step? Attorney Battistoni said this has been an excellent Board. They did a lot of work to seek information. The next step would be for the Town Board to adopt the Code of Ethics via a local law. A Resolution of Introduction would need to be prepared for the September meeting, with a notice of Public Hearing for October. At that time the local law can be adopted or revised.

Councilwoman Heaney said the Board of Ethics has been so thorough and she thanked the women for their work. Councilwoman Heaney had a question regarding the Matters of Discretion, Section 11. Chairman Scott said a municipal officer or employee doesn't have discretion. if they have a choice of a or b, but choose a for their personal gain the Board of Ethics have choices how they can rule, especially for an application before the Planning Board.

It was asked how long a person has to wait before they can appear before a board on which they served? The proposed Code says two (2) years. There is no definitive recommended number of years. This number came from the NYS model code. The committee made a decision based on the size of the community and the limitations of businesses. It is not meant to be a restraint on someone's livelihood.

Judge Shequine said training is one of the things that was contemplated. There are some portions of the Code of Ethics that might be uncomfortable to people. The Code of Ethics applies to all elected officials, employees and volunteers associated with the Town. The Board suggests there are several training sessions for the boards, committees and employees. Everyone is in agreement that training should be held. Chairman Scott said there is a deck prepared by the Association of Towns. We can supplement that with bullets specific to the Town of Washington. Councilwoman Heaney suggested that if the AOT has time, we could do it jointly.

Attorney Battistoni said Section 21 reads that the Town has a three (3) member Board of Ethics. NYS General Municipal Law allows one member who is a town officer and this is not something the Town may change. Elizabeth Shequine is an elected Town Justice. Pamela Scott is a member of the Conservation Advisory Commission. Laura Allen is the one member who is clearly not a town officer. Cannot get a clear answer whether a CAC member is or is not a town officer. Ms. Scott said if we have an issue, and we had a process, if it was challenged, it could be a mess. Chairman Scott advised the Town could add two more members, than 3 members would be members of the community and not a town officer. The Town Board agreed that it should be 5 people and requested Attorney Battistoni make that change. The Board determined that anyone that has questions or suggested changes should send them to Town Clerk Alex by August 25th. After that date, Attorney Battistoni will move forward with the Resolution of Introduction.

The Board thanked the committee members for their hard work and dedication in bringing forward an excellent, well thought out Code of Ethics.

On a motion made by Councilperson Audia and seconded by Councilman Murphy, the Board authorized Constable James Brownell permission to assist other municipalities on an as needed basis. The vote was as follows:

Supervisor Ciferri:	Aye
Councilman Audia:	Aye
Councilman Murphy:	Aye
Councilman Rochfort:	Absent
Councilwoman Heaney:	Aye

On a motion made by Councilman Audia and seconded by Councilwoman Heaney the Town Board authorized Constable James Brownell to attend the Initial Firearms Training, provided by The Town of Rochester, in October, at a cost of \$550. The vote was as follows:

Supervisor Ciferri:	Aye
Councilman Audia:	Aye
Councilman Murphy:	Aye
Councilman Rochfort:	Absent
Councilwoman Heaney:	Aye

Supervisor Ciferri welcomed Mayor Tim Collopy to the meeting and asked if there was anything he wished to address. Mayor Collopy said he is working on a draft resolution from the Village allowing for people with property in the town to be able to hook into the Village sewer system. While assessing the request by a town resident, he reviewed the number of people who could come forth and determined there are 40 additional properties, abutting the sewer line. There would be a special fee structure, consistent with village fees. The property owner would need Board of Health approval. VRI would need to review the request and authorize the approval. Mayor Collopy asked what does the town want? He would like to see funds available in case the highway department needs to open the road and make repairs to the road. The area would go up County House Road to the Infirmary, Halcyon Road, Maple Hill Drive. He asked does the town want them to go before the Planning Board and also provide an escrow for the highway department.

Supervisor Ciferri asked Councilwoman Heaney to get input from the Planning Board. Mayor Collopy noted the next Village Board meeting is September 11 and if needed he could push it off for a month.

Councilman Rochfort said assuming VRI doing the hookups, he would prefer not to see little patches all the way down a road. He would hope the work could be coordinated. Councilman Audia asked for a list of properties that could hook into the sewer system.

Councilman Battistoni said the town might need to amend the Town Zoning Code to give the Planning Board the authority to do this. He suggested that perhaps give it to Building Inspector or Highway Superintendent, so you do not need to amend the code. You can amend his job description. Mayor Collopy will wait to hear from the Town before moving forward.

Highway Superintendent Spagnola spoke regarding Killearn Road. Weather permitting, next week, Colliers will mark out where they intend to bore and the following week, they will be doing the boring samples.

Highway Superintendent said the two new trucks have been ordered. One will be here next Friday. The second one is expected January – March 2023. There is a supply chain delay for a

transfer case. Before putting the trucks into service, they have to be outfitted for the plow setup.

The Highway Department has finished Oil and Stone work for the year except for sweeping. Bangall Road and Overlook Road will be swept at the convenience of the contractor. The Town helped the Village of Millbrook with Linden Ct. and Nine Partners La.

The Highway Department is loaning a tractor to the town pool. Mechanic Erts has serviced the parks lawnmower and Kubota tractor.

Mowing continues on town roads. Highway Superintendent Spagnola said the department has a bunch of old trucks, plows, etc. to get rid of. One truck, #16, can be auctioned. The Town Board can take a run through of the equipment before they dispose of everything. He would like to get rid of everything sooner rather than later.

Councilman Audia said he wishes to thank Joe publicly for helping at the park. They have mowed around the reservoir, which was a great improvement. Mechanic Erts serviced machinery which hasn't been done in years. He was thankful for their help. In the future, the mower should be serviced on an annual basis. Mower will go to Reardon Briggs every winter, so it will be ready for spring.

The Town Board scheduled a Special Meeting to discuss Comprehensive Plan Review recommendations, for Thursday, September 1, 2022, at 5:30 PM, at the Washington Town Hall. A legal notice will be placed with the Poughkeepsie Journal and the information will be added to the Town website.

Town Clerk Alex advised the Board that the Revenue and Expense report has been distributed to them by Bookkeeper Petrone. Monthly reports were received from Building Department, Bookkeeper, Justice Court and Town Clerk.

Town Clerk Alex advised the Board that the Town received a letter from the New York State and Local Retirement System that the Standard Workday Reporting resolution sent to them for Town Clerk Alex and Highway Superintendent Spagnola needed to be revised to reflect the Record of Activities results, not what the bookkeeper reports to New York State.

On a motion made by Councilman Audia and seconded by Councilman Murphy the following resolution was offered:

RESOLUTION PERTAINING TO THE STANDARD WORKDAY REPORTING

WHEREAS, elected officials Highway Superintendent Joseph Spagnola and Town Clerk Mary Alex are required to submit a record of days worked to the Town; and

WHEREAS, both individuals submitted hours worked for a ninety-day period; and
WHEREAS, the information was incorrectly entered on the NYS Form RS2417-A; and
WHEREAS, the New York State and Local Retirement Systems notified the Town that Form RS2417-A needs to be corrected and resubmitted by August 31, 2022; and

WHEREAS, the Standard Work Day for the Highway Superintendent and Town Clerk are six hours per day; and

WHEREAS, following the formula required by New York State, the Record of Activities for Highway Superintendent Spagnola should read 34.98; and

WHEREAS, following the formula required by New York State, the Record of Activities for Town Clerk Alex should read 25.34; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Washington does hereby authorize form RS 2417-A dated prepared on August 11, 2022 to be submitted to NYSLRS with the Record of Activities for Highway Superintendent Spagnola to read 34.98; and

BE IT FURTHER RESOLVED that the Record of Activities for Town Clerk Alex read 25.34.

The vote was as follows:

Supervisor Ciferri:	Aye
Councilman Audia:	Aye
Councilman Murphy:	Aye
Councilman Rochfort:	Absent
Councilwoman Heaney:	Aye

Town Clerk Alex advised that the Consolidated Funding Grant for updates to the Comprehensive Plan was submitted on the New York State Grant Portal on July 25th. Town Clerk Alex thanked Councilwoman Heaney for collaborating with her on the application, especially since she was traveling during the application period. The Town applied for \$200,000.00. Grant awards are to be made in September, which aligns with the time period the Town expects to move forward with Comp Plan amendments.

Town Clerk Alex said she wanted to thank Mike and Bob for all that they have done at the Town Park these past several weeks. With their help, the pool and summer camp have continued to operate smoothly.

On a motion made by Councilman Murphy and seconded by Councilman Audia, the Town Board approved the following Lifeguard bonuses. They were made based on years of service, hours worked and performance of the guards. The Town is appreciative of the efforts put forth by the lifeguards as they managed the pool and park this summer.

Name	Years Worked	X \$70.00	Hours & Performance	Total
Jackson Coleman	1	\$70.00	\$73.00	\$143.00
Kellen Fenrich	4	\$280.00	\$144	\$424.00
Liam Flaherty	5	\$350.00	\$468.00	\$818.00
Jamison Fountain	1	\$70.00	\$92.00	\$162.00
Hayden Fox	5	\$350.00	\$96.00	\$446.00
Natalie Fox	2	\$140.00	\$68.00	\$208.00
Dominic Lapine	2	\$140.00	\$72.00	\$212.00
Claire Martel	6	\$420.00	\$162.00	\$582.00
Emily Meyer	1	\$70.00	\$74.00	\$144.00
Kathleen Meyer	4	\$280.00	\$60.00	\$340.00
Ryan Murphy	5	\$350.00	\$94.00	\$444.00
Harleigh Pickles	1	\$70.00	\$68.00	\$138.00
David Sager	4	\$280.00	\$87.00	\$367.00
Emma Sager	6	\$420.00	\$38.00	\$458.00
Sadie Wilson	1	\$70.00	\$44.00	\$114.00
		\$3,360.00	\$1,640.00	\$5,000.00

The vote was as follows:

Supervisor Ciferri: Aye
Councilman Audia: Aye
Councilman Murphy: Aye
Councilman Rochfort: Absent
Councilwoman Heaney: Aye

Councilman Audia said that the Town had a bid opening on Wednesday, August 10 for generators at the Town Hall and Highway Garage. JP Woods and Berlinghoff both provided bids.

Berlinghoff aka BCI Generator Sales & Service:

Town Hall: \$34,945.09

Highway Garage: \$15,490.25

J.P. Woods, Inc.:

Town Hall: \$53,264.00

Highway Garage: \$54,116.00

Councilman Audia said that he needs to speak with both vendors because there is such a difference in their bids. Councilman Audia requested that Bookkeeper Petrone provide him with the amount the Town has budgeted for this project. Councilman Audia will make a recommendation to the Board after speaking with vendors.

Councilman Audia advised the Board that the handicap ramp at the Town Hall had collapsed in the corner. He appreciates the work done by Building Inspector James Finley for the time he spent to repair it and make it usable. They learned that when it was built, it was put together with screws and nails, no stainless steel was used. We salt it, which has degraded the materials. Two contractors will be looking at it to provide recommendations on repairs, so we can budget accordingly.

Councilman Audia said he would like to go to bid for a plumber to be available for various projects at the Town facilities. He will collaborate with Town Clerk Alex for the Request for Proposals.

Councilman Audia reported that Ted Ialongo, Park Caretaker appears to be a good fit for the position. He is energetic and dug right in. Tom Fiore spent time with him to show him around and explain different processes to him. Mr. Fiore is on call to help when needed. The park and pool are a huge asset to the community and Councilman Audia said we need to take a good look at how to use it and maintain it. He is working with Councilman Murphy to put together a committee to take a good look at the facility to discuss upgrades, improvements and how best to utilize it in the future.

With the resignation of the Recreation Director, the Town Board is getting a first-hand look at functions that need to be addressed. When a Recreation Director is hired, the Board would like the Recreation Director and Park Caretaker to create a schedule for maintenance at the park.

Councilman Murphy noted the Board needs to determine if they wish to provide a concession stand at the park. They might want to consider bringing in food trucks.

Councilman Audia addressed the concern with an air conditioner leaking into the Records Room and the Planning Board/CAC office. Ford Munderbach, an HVAC contractor was able to take apart the air conditioner, service the machine and replace the filter. The outside unit and freon were fine. Councilman Audia suggested budgeting a replacement AC for a future year.

Councilman Audia continued to communicate with the Village and Livingston Energy regarding electronic charging parking spaces at the Town Hall. The Village did not like the idea of locating them in front of the Town Hall. After Councilman Audia measured the rear parking area, he suggested that the Town place four parking spots/two charging stations in front of the Town Hall between the two large trees. To have four spaces, we need 36 feet. He suggested the parking spots are cut into the grass area from the driveway (closest to the property owned by Edwina Hay.) The spots could be used by anyone, whether they are charging a vehicle or not. Councilman Audia said the Town will ask the Village to assist with the work and the Millbrook

Business Association for assistance with landscaping and expenses. The Town will not make any revenue, Livingston Energy will.

Councilman Murphy reported that the Recreation Director had submitted a letter of resignation, and then was unable to complete her final week with the Town. As we were in the final week of camp, the Assistant Camp Director stepped up and ensured that camp went smoothly. There were 132 registered campers with an average of 100 campers attending each day. Everything went smoothly. With change there is always a chance for opportunities. Rec Comm members have expressed some things they would like to do. They concluded summer camp with an ice cream social one night and a closing ceremony.

Councilman Murphy immediately met with the Waterfront staff. The Town placed Lifeguard Liam Flaherty into a leadership role and he assumed the responsibility of overseeing the pool, scheduling and ensuring the pool operates appropriately. The Town must have at least one lifeguard on site who is eighteen or older. Most of the guards in that age group will be returning to higher education prior to the end of the season. The Town Board has made a decision to shut down the pool effective August 25th. Councilman Murphy said the lifeguards, with their experience, have made it a seamless transition.

Councilman Murphy has been working closely with Bob Audia and they are learning every day about the plant, filtration system for pool and potable water and onboarding of Ted Lalongo. Having access Tom Fiore has been invaluable, as he knows the ins and outs of the park. He is helping speed up Ted's acclimation. Councilman Murphy said one issue we have no control over is the water supply. They have been trying to bring water over from the reservoir. The water level is dropping quickly, yet Councilman Murphy is confident we can make it to the 24th. We closed the valve trying to build up some water supply. Valve is open again. For safety purposes, the Town will drain the pool on August 25th.

The Town was notified by the health department that the Potable water the pump failed the most recent testing. A new pump was installed yesterday. We'd like to get the numbers up .6 or .7.

The Board was informed that there are pavilion rentals through September. The junior lifeguards are being solicited to work pavilion rentals. The Concession Stand has been officially closed for the season. The concession area needs to be cleaned up. The facility is aged out. Cleanliness and equipment are issues. The park committee will be looking at all of the concerns.

Upcoming concerns are working with Ted for laying out the soccer fields, draining the pool, accommodating scheduled pavilion rentals, how to winterize the pool, bathrooms and shower rooms, cleaning the grass from the pool and cosmetic improvements. Once we receive

feedback from the professionals where we get into a major campaign, such as Stanfordville, for a capital campaign.

With a new Recreation Director, the recreation Commission and the committee, the town can determine if there are more modern uses for the park? The main building itself, are there better uses, should we install a sprinkler system? Can we capitalize on our lacrosse field for Lacrosse and Soccer camps? Change is great – really envision what we are doing.

In other business, Councilman Murphy said he is scheduled to attend an in-service seminar at Roosevelt site specific to Short Term Rentals. He will be attending with Jeff Battistoni. He looks forward to learning more on New York States approach to Short term rentals.

Councilwoman Heaney spoke about the Consolidated Fund Application to New York State. We're very optimistic about receiving funding for Phase 2 of the Comprehensive Plan Update and working with the consultant and legal advisor to the committee. Councilwoman Heaney thanked Town Clerk Alex for completing and submitting the application. In addition, she expressed gratitude to Dutchess County Legislator Deirdre Houston and Village of Millbrook Mayor Tim Collopy for their letters of support. The Town will know in September if the project will be funded, which is convenient for our timing.

Councilwoman Heaney advises the Planning Board addressed two applications this month. The first was the Wolf/Clark renovation and addition on Verbank Road near a pond and a stream. The applicant would like to renovate with a gabled roof and a new addition. The property is non-conforming. They were previously before the Planning Board and were asked for a more extensive site plan. The revised siteplan is very thorough and showed the stream and buffer line. It addressed where things were located and why they couldn't accommodate an addition in any other place. A question was raised as to did the project exceed the 25% limit for expansion. The Planning Board felt it should go before the ZBA for a referral. Steve Marino was unable to make a report on the wetlands. The Planning Board wants more information before going forward. A Public hearing is scheduled for the September meeting. A Site visit was scheduled for the CAC.

Councilwoman Heaney noted that Architects representing Apollo Fields, the former Johnson estate, submitted an application for a special use permit, as they would like to expand the footprint of the barn for an apartment for the property manager. The application was very thorough. The property is located on North Mabbettsville Road. There is a Victorian house and barn you can see from the road. The property is on 60 acres. As they have refined the application so a wetland permit is needed. County approval is required because the land is on a county road. Dutchess County Board of Health Approval is required for the sewer. The

Millbrook Fire Company needs to approve the truck access. A Public Hearing has been scheduled for September.

Brian Kierans has requested an extension on his application for his property on the corner of Route 44 and North Mabbettsville Road.

Councilwoman Heaney advised that the Planning Board has voted to change their meeting time to 6:30 beginning in October, 2022.

In regards to the Conservation Advisory Commission meeting, Councilwoman Heaney said they opened their August meeting with a brief description of the work being done for a Natural Inventory Map. It includes structural data but no formal report. The CAC would like to add the Hudsonia information and an overlay of vernal pools. NYS DEC data is expected to be available next year. Funds will be needed to complete this project.

The CAC has noted that the Zoning Code online still refers to the old Zoning maps. It has to be fixed, possibly by a local law. Shawn Carroll is a contact person at Dutchess County GIS.

The information for the Town to be registered as a Climate Smart Community has been submitted to New York State by CAC member Pam Scott. By completing this submission, the Town of Washington is now an approved Climate Smart Community. Councilwoman Heaney thanked CAC members Margaret Schneible and Pam Scott for getting that information to the state in an expeditious manner.

Members of the Conservation Advisory Commission will participate in Millbrook Community Day by having a representative located at the Cary Institute tent.

CAC member Howard Schuman reported on the current Planning Board applications to the other CAC members.

Councilwoman Heaney said concerns over the integrity of CAC files located in the basement office have been raised. CAC member Greenwood was seeking historical information on a particular property, at the request of a property owner, and the binder with the information was in disarray. The CAC is concerned that some items could be missing. It happened after Mary, Mike and Margaret were looking for information and before August 3.

Councilwoman discussed the recent updates to the NYS Record retention policies. Councilwoman Heaney would like everyone to be aware of the new changes. It should be made available to everyone as a download to their computers or in a binder.

The Zoning Board of Appeals did not meet in July.

Supervisor Ciferri opened the meeting to Public Participation. No comments were offered.

At 8:05 PM, on a motion made by Councilman Murphy and seconded by Councilman Audia, the Board moved into Executive Session to discuss a Particular Personnel Matter. The vote was as follows:

Supervisor Ciferri: Aye
Councilman Audia: Aye
Councilman Murphy: Aye
Councilman Rochfort: Absent
Councilwoman Heaney: Aye

At 8:29 PM, on a motion made by Councilman Audia and seconded by Councilwoman Heaney, the regular meeting resumed. The vote was as follows:

Supervisor Ciferri: Aye
Councilman Audia: Aye
Councilman Murphy: Aye
Councilman Rochfort: Absent
Councilwoman Heaney: Aye

On a motion made by Councilman Murphy and seconded by Councilwoman Heaney, the following claims were accepted as presented:

Gen Fund A	\$37,430.06
Gen Fund B	\$10,211.96
Highway Fund DB	\$76,462.44
Fund H	\$5,400.00
TOTAL	\$129,504.46

The vote was as follows:

Supervisor Ciferri: Aye
Councilman Audia: Aye
Councilman Murphy: Aye
Councilman Rochfort: Absent
Councilwoman Heaney: Aye

There being no other business, on a motion made by Councilman Audia and seconded by Councilman Murphy the meeting was closed at 9:00 PM. The vote was as follows:

Supervisor Ciferri: Aye
Councilman Audia: Aye
Councilman Murphy: Aye
Councilman Rochfort: Absent

Councilwoman Heaney: Aye

Mary Alex, Town Clerk