

Town of Canaan, New York

Public Hearing on Local Law #6 of 2023 September 11, 2023: 7:06 pm to 7:09 pm

Present

Supervisor Brenda Adams
Councilperson: Alan Miller
Councilperson Ginny Nightingale
Councilperson David Patzwahl
Councilperson William Powers

Also in Attendance:

Town Clerk Joshua Weisbuch

Audience: (2 in audience, 1 online)

Public Hearing

The Town Clerk read the published legal notice for Local Law #6 of the Town of Canaan that would provide real property tax exemptions for volunteer firefighters and ambulance workers pursuant to section 466-a of the real property tax law. Local law #6 of 2023 amends local law #3 of 2023. (See attached Local Law #6). Supervisor Adams asked if there were any comments from the audience or from those on Zoom. There were no comments. As there were no comments the Supervisor requested a motion to adjourn the Public Hearing.

Motion to close Public Hearing at 7:09 pm

Councilperson Patzwahl made a motion seconded by Councilperson Nightingale to close the public hearing. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

Town Board Regular Meeting Minutes: September 11, 2023: 7:10 pm to 8:24 pm

Hybrid Meeting: In Person at Town Hall and via ZOOM

Present

Supervisor Brenda Adams
Councilperson: Alan Miller
Councilperson Ginny Nightingale

Councilperson David Patzwahl
Councilperson William Powers

Excused:

Highway Superintendent Stephen Van Tassel

Also in Attendance:

Town Clerk Joshua Weisbuch

Audience: (2 in audience, 1 online)

Moment of Silence flags at half-mast / 22nd anniversary of Patriot Day / remembrance of 9/11 attacks

Pledge of Allegiance

Proclamation East Chatham Volunteer Fire Company

Councilperson Nightingale read a proclamation to express the town's appreciation and support for the services provided by the men and women of the East Chatham Fire Company on the celebration of their 90th anniversary.

APPROVALS

MOTION: August Minutes

A clarification regarding the increase of household waste, year over year, was made. Supervisor Adams called for an approval of the August Minutes as amended. Councilperson Nightingale made a motion, seconded by Councilperson Miller to approve the minutes from the July Town Board Meeting. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

MOTION: August Bills

After minimal discussion including a point about the revised 2023 library bill, Councilperson Miller made a motion, seconded by Councilperson Nightingale to approve the August 2023 bills. 5 AYES - Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

MOTION: YTD Financials

After discussion about the need to report dog licenses independent of other clerk fees, Supervisor Adams called for a motion to accept the financials. Councilperson Patzwahl made a motion, seconded by Councilperson Miller to accept the financials as presented. 5 AYES - Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

SUPERVISOR’S REPORT / read by Town Clerk Josh Weisbuch

TOWN CLERK REVENUES	\$ 446.59
HIGHWAY FUND	\$ 293,281.48
HIGHWAY FUND CAPITAL	\$ \$32,333.08
LIGHTING DISTRICTS	\$ 867.28
AMBULANCE AND FIRE DISTRICTS	\$ 300.00
BUILDING INSPECTOR	\$
PLANNING BOARD	\$ 300.00
RECREATION	\$ 3,498.55
COURT REVENUES	\$ 6733.00*
* Court June Payments:	
Judges Ambrosio \$3650 & Judge Schaefer \$3083.00 Deposited in August	
ZONING BOARD OF APPEALS	\$
TAX COLLECTOR	\$

RESOLUTIONS & MOTIONS

RESOLUTION 91 of 2023: Budget amendment – unbudgeted revenues

The Town Board would like to update its budget to reflect unanticipated revenues; be it resolved that the Canaan Town Board authorize the Supervisor to make the following adjustments to the 2023 budget:

Other Transport (EV Charging income)	\$250	GF 1789
Donations (Community Solar income)	\$800	GF 2705A
Miscellaneous income	\$750	GF 2770

Councilperson Nightingale made a motion, seconded by Councilperson Patzwahl to approve Resolution 91 of 2023 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes;

Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

RESOLUTION 92 of 2023: Inter-fund transfer – PB training overrun

The Planning Board Chairperson requested specific training for the 2023 Planning Board training agenda to include a refresher course on site plan approvals, site plan amendments and site plan coordination with other agencies. The training, including a review of town laws on site plans, was provided at a higher than budgeted cost, and such cost included a video to be used for future reference.

As the cost was above the budgeted cost, be it resolved, that the Town Board authorize the Supervisor to make the attached, budget neutral, inter-fund transfer.

Transfer from: General Fund account 8020.1	\$200.00
Transfer to: General Fund account 8020.4	\$200.00

Councilperson Nightingale made a motion, seconded by Councilperson Miller to approve Resolution 92 of 2023. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

RESOLUTION 93 of 2023: to approve LL #6 of 2023 – amending LL #3 of 2023

A public hearing was duly noticed and held on September 11th, 2023 on Local Law #6, which provides Real Property tax exemptions for volunteer firefighters and ambulance workers. Be it resolved that the Town Board of the Town of Canaan, on the 11th day of September, 2023, does hereby enact and adopt Local Law #6 of 2023, amending Local Law #3 of 2023, of the Town of Canaan. This local law shall take effect on January 1, 2024 and shall apply to taxable status dates occurring on or after such date.

Councilperson Miller made a motion, seconded by Councilperson Nightingale to approve Resolution 93 of 2023. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

RESOLUTION 94 of 2023: to appoint Tanya Ward to the Recreation Committee

The Recreation Committee requested the addition of a third member to begin planning for the 2024 season. Be it resolved that Tanya Ward be appointed, effective immediately, to the Town of Canaan Recreation Committee for the remainder of 2023. Councilperson Nightingale made a motion, seconded by Councilperson Powers to approve Resolution 94 of 2023. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

RESOLUTION 95 of 2023: Inter-fund transfer – Park & Town Hall maintenance

In light of the unusually heavy rains this summer, additional, unbudgeted, maintenance projects have been recommended for 2023. The tennis and basketball courts need to be power washed to remove leaf mold bacteria that is damaging the paint, and the Town Hall handicap ramp needs to be power washed and re-stained to prevent buckling. The town maintenance person will provide this work. The estimate to provide this work, labor and materials is not to exceed \$2,250,

Be it resolved that the Town Board authorize the Supervisor to make the attached inter-fund transfer.

Transfer from General Fund Contingency account 1990.4	\$1,450.00
Transfer to: General Fund Building account 1620.4	\$1,450.00

Councilperson Miller made a motion, seconded by Councilperson Powers to approve Resolution 95 of 2023. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

RESOLUTION 96 of 2023: Interfund transfer – HW vehicle repair

A highway vehicle was damaged, an insurance claim was filed, and an insurance check for the repair was issued. The repair funds were deposited in the insurance recovery account and need to be moved to the machinery account to pay for the repair. Be it resolved that the Town Board authorizes the Supervisor to make the attached inter-fund transfer.

Transfer from Highway Insurance Recovery account 2680	\$12,348.07
Transfer to: Highway Machinery account 5130.4	\$12,348.07

Councilperson Nightingale made a motion, seconded by Councilperson Patzwahl to approve Resolution 96 of 2023. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

RESOLUTION 97 of 2023: 2024 Assessment Revaluation

Supervisor Adams explained the last full town assessment revaluation was in 2018 with a NYS recommendation that it be done every 3 to 4 years. The town board rescheduled its reval in 2022 and 2023, hoping the “hot” covid sales market would cool down. In reality, high sales prices have maintained or continued to increase in value.

The Town Board agrees to embark on an assessment improvement process in 2023-24 that will result in an equitable 2024 assessment roll. Be it resolved that the Town Board agrees to allocate sufficient resources for town staff and services to complete said Revaluation of its Assessment Roll at full-market value. Be it further resolved that the Town Board requests that the New York State Office of Real Property Tax Services and the Columbia County Real Property Tax Service Agency provide such assistance typically afforded such projects to the Town Assessor, and be it further resolved, that the Town Board authorizes and directs the Town Assessor to send a certified copy of this Resolution to the New York State Office of Real Property Tax Services and the Columbia County Real Property Tax Service Agency and authorizes and directs the Town Supervisor, Town Assessor and/or Town Clerk to take such other and further actions as may be necessary to effectuate the terms of this Resolution.

After discussion, Councilperson Miller made a motion, seconded by Councilperson Nightingale to approve Resolution 97 of 2023. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

RESOLUTION 98 of 2023: to update Stoddard Field park sign to reflect smoking ban

Governor Hochul signed legislation banning smoking in municipal or state public parks. The smoking ban includes all combustible tobacco products such as cigarettes, pipes and cigars. The smoking ban needs to be communicated to users of the park and the greater public. Be it resolved that the Town Board authorizes the Supervisor to update and install signage informing the public of said prohibition. Councilperson Miller made a motion, seconded by Councilperson Powers to approve Resolution 98 of 2023. 5 AYES: Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

OLD BUSINESS

Status of Town Clerk 2022 audit / materials remain incomplete / DEC Reports/Reconciliation Hand off to Deputy Clerk

The Town Clerk reported that work through May of 2022 is 90 percent done (about 40% of the audit period and 33% of the outstanding work). The Supervisor noted that, in addition to her other duties, the Deputy Clerk has taken on the DEC account reconciliation (one of the four clerk accounts) for the above 15 month period in an effort to bring the reconciliation to a close. Once accounts are reconciled

and reviewed by the board, amendments to the 2022 and 2023 budget will be necessary to reconcile the accounting.

Review ongoing virtual or hybrid meeting considerations and mask policy

After an update on demand and discussion about masks and tests, the board agreed no change to its hybrid meeting policy and voluntary mask policy. Free masks are available at the Town Clerk's office.

BOARD DISCUSSION

NYS Grub Chuk Rd land donation / next level of information gathering with county engineer & NYS Thruway Authority Information gathering continues, a request for surveys from NYS Thruway has been made as a survey is one of the elements required to prepare a cost estimate. There was discussion about precedents, town road specifications, and potential interest from developers.

Broadband grant update / unserved / underserved lists resolved / lists have gone to CCI contract preparation

A final list has been defined and costs estimated for the CCI contract. The contract is being prepared and once it's signed, the work will proceed. The Canaan portion of funding is approximately \$400K. A special meeting may be required for contract approval purposes in the interest of moving to construction / installation as soon as possible.

Request for private road (Fern Hill Road) donation to Town

The town road specification, which includes the process for accepting private road donations, review is underway.

Planning / ZBA report / Ginny

The Planning Board did not meet last month; the ZBA met, the application for review was incomplete.

Climate Smart Task Force / Will

Phase two of the Stoddard Park ecological restoration is coming up which will include new native shade trees to be planted in the fall. There has been one Climate Adaptation and Resiliency public workshop with another scheduled for the 27th of September. All are welcome to participate as the task force with help from Cornell Cooperative Extension gathers data for the study and report.

Public Safety / David

The committee will meet on Thursday the 28th of September. Speed limit issues on CR 24 and at the intersection of Routes 22 and 295 were further discussed and will be addressed in the meeting.

Transfer Station / David

Some dumps have been over the one-ton limit allowed on the maintenance permit necessitating a conversation with the vendor to confirm the payment process. The town is required to pay the first ton; anything over the first ton should be paid by the resident to the transfer station at the time of the transaction. Other than that, everything is on target and the financials are healthy. Some discussion ensued around complaints about the Town Clerk's decision to check stickers during the power outage without the knowledge or approval of the town board, the process for written documentation about people coming without stickers, and the need for consistent enforcement, and what if any additional steps were allowable to

encourage residents to get stickers and follow the rules.

Maintenance projects, power wash & stain deck, power wash courts & building underway

The courts have been cleaned; the ramp will be done in the next couple of weeks. The wet weather has impacted work.

Rain/ additional mows for cemeteries \$2,333

Councilperson Patzwahl explained the vendor had indicated the need for an additional mow of the cemeteries given the recent heavy rains that have extended the grass growing season. Supervisor Adams and the board expressed their support for the request; the Supervisor will provide a Resolution for the October meeting to fund the additional mow.

Budget requests from department heads are back, Tentative Budget to Town Clerk by 9/30, Clerk to Town Board by 10/5

Supervisor Adams reported most department heads had complied with the request for information; budget prep is underway with a Tentative Budget due to the Town Clerk by 9/30 and to the Town Board by 10/05.

Schedule Budget Workshop

Supervisor Adams said this will be done at the end of the meeting.

Phone system / WIFI upgrade / park WIFI update

Supervisor Adams reported that she had met with a phone vendor at the Town Hall to prepare a quotation for the replacement of the aging and under-functioning phone system; WIFI upgrades are pending fee clarification from CCI.

Domestic Partner Registry

Supervisor Adams explained that the county is waiting for additional reference information / data from other counties. The hope is to move this legislation forward in the upcoming two months.

Health Insurance Transfer

Supervisor Adams informed the board there will likely be an additional transfer to the HCA account in the neighborhood of \$10K before the end of the year based on a change of plan for one employee and current usage.

NYS Deferred Compensation changes: a new state law, Secure Act 2.0, requires employers to offer both the pre-tax and after-tax ROTH option. We will opt in later this month, notify the payroll company, and report any changes to the NYSLRS. None of these things result in any additional charges to the town.

Equalization Rates as of 2023 tax roll were included in this month's correspondence.

Shade Tree Proposals, the submission deadline has ended, of the two responses only one, New Leaf Tree Services, meets the full specification. New Leaf will be contacted for the work.

Chatham Library budget process

Supervisor Adams said a recent review of 2023 budget overage and conversation with the school district resulted in updated information and a better approach for 2024 budgeting.

ASSESSOR'S REPORT: See Attached

HIGHWAY DEPARTMENT REPORT: read by Councilperson David Patzwahl – Full Report Attached. Summary:

- We have successfully completed the installation of two of the larger culverts that were scheduled for replacement this year.
- The Traffic speed study results from County Route 24 have been received. Barbara Otty from the Columbia County Engineering Department explained this study will now go to NYSDOT for determination of a change in speed.
- We have sent in the last of the CHIPS reimbursement requests and we should receive these checks by 12/14 in the amount of \$49,519.00. The first reimbursement request should in the sum of \$235,901.74 should be here by September 19th.
- Attached is a copy of the updated inventory for 2023.
- The High Band Radios are still on schedule for installation in the trucks and equipment for the end of this month rolling into October.
- We are gearing up to start mixing sand and salt for this upcoming winter, the 2023-2024 salt contracts have just recently passed September 1st giving us the go-ahead to order salt.
- I was called by a contractor from NYSEG to meet with him and Macfarlane Excavation to go over a new entrance on Schillings Crossing Road. This entrance will grant NYSEG access to the High Voltage Power Lines that run over the hills from Schillings to Maple Drive to better maintain the poles and interference caused by fallen trees.
- Working with the Canaan Fire Company we successfully opened the dry hydrant at the Town Park which is used to draft water during a fire and fire drills.

PUBLIC DISCUSSION

A Town resident asked about the process to correct the spelling of a town road name. A lively discussion ensued as the spelling of the road in question seems to elicit strong opinions from different groups of residents who support different spellings.

Next Town Board Meeting / Budget Workshop: Councilperson Patzwahl is unavailable for the next regular town board meeting. It was discussed that a rescheduled Town Board meeting and Budget Workshop meeting could be scheduled on the same date; a proposal was made to schedule them both on Tuesday October 17th at 6:00 PM, pending Alan's availability.

MOTION to Adjourn at 8:24 pm

Supervisor Adams called for a motion to adjourn. Councilperson Nightingale made a motion, seconded by Councilperson Miller to adjourn the meeting. 5 AYES- Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Alan Miller – yes;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

Supervisor Adams closed the meeting with thanks to the Canaan and Red Rock Fire Companies for their help with distributing water and dry ice, providing a place to cool off, charge electronics and general support to residents during the recent power outage.

Next meeting: *October 17, 2023, with Budget Workshop, to be confirmed*

Respectfully submitted,
Rebecca Nebesar
Deputy Clerk II