

Town of Canaan, New York

Town Board Special Meeting

December 11, 2023; 6:00 – 6:46 pm

In person at the Town Hall

Present

Supervisor Brenda Adams

Councilperson: Alan Miller

Councilperson Ginny Nightingale

Councilperson David Patzwahl

Councilperson William Powers

Also in attendance:

Attorney Andy Howard (via Zoom)

Audience: no one

Written notice was provided to town board members via email, notice was posted on the town website, and notice was posted on town notice boards at the Town Hall downstairs and upstairs.

Supervisor Adams requested a motion for an Executive Session pursuant to Open Meetings Law, section 105, sub-section f, to discuss a personnel matter.

Councilperson Nightingale made a motion, seconded by Councilperson Powers to move to Executive Session. 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.

Councilperson Nightingale made a motion, seconded by Councilperson Powers to close the Executive Session and return to 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.

No decisions were made or actions taken in the Executive Session.

Councilperson Patzwahl made a motion, seconded by Councilperson Powers to adjourn the meeting at 6:46. 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 of Canaan, New York

Town Board Regular Meeting Minutes:

December 11, 2023, 7:05 – 8:05 pm

Hybrid Meeting: In person at Town Hall and via ZOOM

Moment of Silence

Pledge of Allegiance

Present

Supervisor Brenda Adams

Councilperson: Alan Miller

Councilperson Ginny Nightingale

Councilperson David Patzwahl

Councilperson William Powers

Also in Attendance:

Town Clerk Joshua Weisbuch

Highway Superintendent Stephen Van Tassel

Audience: (2 in audience, 4 online)

APPROVALS

MOTION: November Minutes

Supervisor Adams called for an approval of the November Minutes. Councilperson Nightingale made a motion, seconded by Councilperson Powers to approve the minutes from the November 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: November bills

Supervisor Adams called for an approval of the November bills. Councilperson Patzwahl made a motion, seconded by Miller to approve the 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 / EOY clean-up / retirement payment made

Supervisor Adams reported that a few items will need to be cleaned up as part of the end of the year financials related to unexpected expenditures or higher costs. She noted the 2024 retirement payment had been made this month. She asked for any questions. There were none. She asked the board to consider an end of the year meeting should it be required. Supervisor Adams called for an approval of the financials. Councilperson Powers made a motion, seconded by Councilperson Nightingale to approve the financials. 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 Joshua Weisbuch

TOWN CLERK REVENUES	\$ 494.56
HIGHWAY FUND	\$ 293,281.48
HIGHWAY FUND CAPITAL	\$ 32,333.35
LIGHTING DISTRICTS	\$ 504.17
AMBULANCE AND FIRE DISTRICTS	\$ 300.00
BUILDING INSPECTOR	\$
PLANNING BOARD	\$ 300.00
RECREATION	\$ 3,498.55
COURT REVENUES	\$ 10,514.00*
ZONING BOARD OF APPEALS	\$
TAX COLLECTOR	\$

- October’s Fines & Forfeitures - Deposited November, 16th 2023

Supervisor Adams explained that the town is not making the contribution to the Highway Fund capital account this year, but funds will be carried over to 2024 for the repair of the Highway Department’s roof. There were no questions about the report.

RESOLUTIONS & MOTIONS

RESOLUTION 106 of 2023 to approve Local Law # 7, updated Town Road Specifications

Supervisor Adams called for a motion to approve the updated Town Road Specifications. There was a public hearing on November 13th. Councilperson Patzwahl made a motion, seconded by Councilperson Nightingale to approve. 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 107 of 2023 to approve the Columbia Greene Humane Society contract (1 year)

Supervisor Adams called for an approval of the contract with the CGHS to provide dog rescue services, which is renewed annually. The terms are the same except for a small increase in the daily boarding fee. Councilperson Nightingale made a motion, seconded by Councilperson Miller to approve the contract with the Columbia Greene Humane Society. It was noted that only one dog had been restrained this year. 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 108 of 2023 to approve the interim appointment of the Tax Collector for 2024

A mandatory public referendum was held on November 7th, 2023 to re-establish the office of Tax Collector independent of the Town Clerk's office. The Tax Collector's office will be on the ballot for the next election cycle in November of 2024. Supervisor Adams asked the board to appoint Heather O'Grady as Tax Collector at this month's meeting, effective January 1, 2024, for the purpose of having the tax bills printed correctly (deadline for corrections is this week) and to ensure she will have the necessary training. Supervisor Adams called for a motion to approve the interim appointment. Councilperson Miller made a motion, seconded by Councilperson Powers to approve the appointment. 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 109 of 2023 to approve the appointment of Will Powers to the CC Climate Smart Task Force

Supervisor Adams explained the background for the decision; the Board of Supervisors revised the Columbia County Climate Smart Task Force has membership to consist of one representative from each municipality, as of January 1, 2024. Councilperson Powers, as town board liaison to the Canaan Climate Smart Task Force, is uniquely qualified to serve on this committee. Supervisor Adams called for a motion that Councilperson Powers be appointed, effective January 1, 2024, to the Columbia County Climate Smart Task Force for a term of two (2) years ending December 31, 2025. Councilperson Miller made a motion, seconded by Councilperson Nightingale to approve the appointment. 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.

Councilperson William Powers expressed his thanks and that he is looking forward to the opportunity.

RESOLUTION 110 of 2023 to waive the fee for the Red Rock Monument subdivision

Supervisor Adams explained the reasons why the Planning Board Chairman has requested permission to waive the subdivision fee for this project as being in the interest of the public good; the partners the donation are paying for any/all other costs related to the transaction, including but not limited to surveys, title searches, legal fees, etc. Supervisor Adams called for an approval to waive the fee. Councilperson Patzwahl made a motion, seconded by Councilperson Miller to approve the fee waiver. 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 111 of 2023 to execute 2024 Shared Services Agreement with Columbia County Department of Management Information services (MIS)

Supervisor Adams explained that the Columbia County Department of Management of Information Services (MIS) provides certain computer related services to municipalities at an hourly fee of \$70 per an annual agreement. Supervisor Adams called for a motion for the Town Board to continue this relationship with the county and to authorize her to sign a one- year agreement to provide computer related services for the year 2024. Councilperson Nightingale made a motion, seconded by Supervisor Adams to approve the Shared services Agreement. 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: The November Audit incomplete / outside bookkeeper hired to reconcile the accounts (Resolution 105 / December 6th Special Meeting)

Supervisor Adams reviewed the details. The work will not include the 2022 DEC files, audit of those files with the Deputy Clerk is complete. Although the newly hired bookkeeper will do her best to complete the work by the end of the year, the time line is open-ended as the scope of work is unclear.

Generator quotes (2 in progress, 1 decline to bid)

Supervisor Adams said there is one quote in hand with a second one in process, a third vendor (Valley Energy) declined to give a quote. There should be two quotes ready by the next meeting from Andrus and B & D Electric in Ghent.

Review ongoing virtual or hybrid meeting considerations and mask policy

Keep everything the same was decided without objections.

Report From Town Historian Dodie Gearing (See attached)

Dodie Gearing submitted her annual report. She made a special mention about the historical importance of the Dewitt Brown Cemetery that is on private property that includes 12 Revolutionary War soldiers who are buried there. The location has not disclosed to the public as access is on private lands. The graves of one of the founding fathers of Canaan is located in this cemetery which is located at the confluence of Chatham and Canaan.

She made several announcements including an upcoming Hanging of the Greens, with carol singing, at the Canaan Historical Society, Thursday at 5-6 pm, and a December 17th Cookie Swap at The Society of new Concord Meeting House. She shared historical notes about the ongoing discoveries of her work, news from the D.A.R., and upcoming information about the Gifford family. She expressed her appreciation for being the Town Historian. Supervisor Adams thanked Town Historian Gearing for submitting the annual report and her excellent work.

BOARD DISCUSSION

NYS Grub Chuk Rd land donation / first meeting scheduled this week to learn about plans for development.

Broadband grant update / CCI submitted additional information / awaiting USDA acceptance

Request for private road (Fern Hill Road) donation to Town /pending approval of town road specification. As of tonight the road spec was approved and the land owner will be contacted re: the updated specifications.

Sexual Harassment training due before end of year / notices / link distribution out
There has been about a 55% training rate. There will be additional follow through this week in an effort to get all staff and key volunteers trained and compliant.

Vandenberg / Vanderburgh Road name request / *winter project / responses coming in*
Town Historian Gearing shared that she is working on getting more definitive information. Supervisor Adams requested that the information be in writing. Some discussion ensued. The accuracy of the name is important for use of GPS deliveries. The hope is to have the definitive spelling of the name be decided by March or April of 2024.

Planning / ZBA report / Ginny

The Planning Board is still working with the Mobil Station. There was discussion as to whether the next meeting was December 15 or 18. Councilperson Nightingale will clarify the date of the meeting. Supervisor Adams added that Planning Board is looking for a Planning Board Clerk. The ZBA did not meet.

Climate Smart Task Force / Will

Councilperson Powers shared that the big this this week is the survey for Columbia County Climate Change Adaptation and Resilience Plan (CARP). About 17 people came to a recent

meeting to discuss the town's vision statement and there was a lively debate. This is the second of two surveys. The link to the survey, put out by Cornell Cooperative Extension and others is on the town website.

Public Safety / David

Next year's Traffic Safety schedule is documented in the minutes. He gave the schedule to Supervisor Adams.

Transfer Station / David

Waste was plus ten tons in September, and in October plus 12.53 tons, both volumes over where they were last year. Not sure why there is so much growth per month of late. Nevertheless, the amounts are seven tons *under* where they were last year. Councilperson Patzwahl expects the numbers to be about the same in 2023 as in 2022. He questions the data somewhat – some numbers are suspiciously identical. Because the numbers are used for budgeting purposes, accuracy is important. He will look into the records.

Domestic Partner registry update /pending changes to proposed local law with County Attorney Supervisor Adams explained the county attorney has looked at the proposed law and is making adjustments. She is looking at the impact of the Dutchess County law, what the numbers are and the financial impact, if any, for the county. Supervisor Adams proposed a registry to Columbia County in response to local constituent concerns. Discussion ensued. Families have come to her with requests for registration as domestic partners. Not having a registry can impact access to insurance and medical care, which can be especially difficult for families for whom insurance costs are a hardship or where there is conflict between extended families and the domestic partners. There is growing support for the registry at the county level.

Maintenance @TH issue: aging chimney repair

Supervisor Adams explained there were two fire calls to the town hall due to the aging chimney. The lining between the two walls is starting to crumble and fall inside the chimney, preventing the chimney from venting properly. Smoke sets off the alarm. The chimney was cleaned and stabilized and deemed safe for use. The Supervisor is seeking quotes for repair or replacement of the chimney liner.

Election update: Proposition 5 passed

Supervisor Adams reported with the passage of Proposition 5, there will be a 2024 reduction in salary for the Town Clerk to reflect the split of the duties of the Town Clerk to three parts: Town Clerk, Tax Collector and Deputy Clerk 2. The vote was close and determined after a manual count.

BAR request / change of date for 2024 / working on plan with Chairperson Deres

Supervisor Adams explained there cannot be a change of date for the BAR review without a local law to change the day/date. The Town Assessor met with Supervisor Adams who shared the information from that meeting. Adams will meet with the chairperson to enlist his help to identify an existing member who can chair the meeting in his absence. Some discussion ensued, and the competence and efforts of the assessor's preparation for the BAR review were praised as were the competencies of this deep and experienced review committee.

Climate Adaptation & Vulnerability Planning Survey: open online until 12/24, hard copies downstairs.

Supervisor Adams explained the greater number of responses we have, the more informed our plan will be.

December Newsletter mailed (mailing list now 448 households)
The circulation is growing.

Supervisor Adams asked the board for any other topics for discussion. There were none.

ASSESSOR'S REPORT: see attached

Some discussion about how robust the market still is in Canaan. Supervisor Adams shared that the Assessor said things are under control with the revaluation, but there is a lot to do in the next three weeks.

HIGHWAY REPORT: read by Stephen Van Tassel – Full Report Attached.

Summary:

- During Thanksgiving week and last night, the crew did snow plowing that took all night.
- New guiderails have been installed on Beebe Pond, Cemetery Road and Maple Drive, all in time for winter.
- DOT has hired some contractors to start working on fixing the faded Canaan signs on Route 295.
- All the sand is in for this upcoming winter with more salt possible, if needed.
- Two of the “Beebe” Pond Road name signs have been delivered and two more will be ordered next year to correct the road name spelling (Beebe is singular, not possessive ie not Beebe’s)
- We plan on assisting the fire department with another dry hydrant clean out when the weather is warmer.
- CSX informed the Highway Department that we have a financial responsibility for use of their railroad crossings, as well as installing curbing along the roads parallel to their signals. I questioned why they believe it is our responsibility and expressed we are not set up to execute a project like this, either financially or with equipment.
- We installed a Beaver Deceiver at Stoddard Park, identical to the one on Old Queechy Road.
- We received our Annual Certification of Local Highway Mileage, which is used to calculate how much CHIPS funding we will receive. I will be going over the list to find out what has been paid. The deadline is January 16th 2024.
- The last CHIPS reimbursement check should be here. NYS payment deadline is December 14th.
- I am almost done filling out the superintendent’s public profile, planning to have it published in January 2024.
- One of our crewmembers at the Highway Department, Anthony Barnes’s last day was December 8th. The open position job posting is being publicized. There are two candidates as of this meeting.

There was further information discussed about the Beaver Deceiver. The board thanked Highway Supervisor Van Tassel for the report and his work on snow clearing.

PUBLIC DISCUSSION

Question: about the Firefighter Tax Exemption form. Supervisor Adams explained that the exemption was updated / passed in Canaan earlier this year and the rates are the same as Columbia County's exemption.

Supervisor Adams brought up whether there could be an end-of-the-year meeting to pay bills and do clean up, or encumber until early January, which is allowable.

It was decided to schedule a tentative meeting on December 26th if there are any bills that need attention.

Who can access the firefighter tax deduction? East Chatham Fire Company President Dodie Gearing and Supervisor Adams briefly clarified the details, such as having a minimum of 2 years active service as an EMS or firefighter. People can search for forms online NY State volunteer tax exemption form. Discussion ensued about the jobs – its benefits and difficulties.

MOTION to Adjourn

Supervisor Adams called for a motion to adjourn. Councilperson Nightingale made a motion, seconded by Councilperson Powers to adjourn at 8:05. 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 made two reminder announcements:

- Hanging of the Greens at the Town Hall Thursday December 14th, 5-6 pm
- Carols at the Canaan Congregational Church at Saturday December 16th, 4 pm

There was a thank you for his service and applause to retiring Councilperson Alan Miller, and welcome applause for new Councilperson Brian Lifsec.

Next meeting: Tentative End of Year Meeting December 26
Organizational meeting January 8, 2024

Respectfully submitted,
Rebecca Nebesar
Deputy Clerk II