

Town Board Regular Meeting Minutes

May 13, 2024, 7:03 – 9:00 PM

Hybrid Meeting: In person at Town Hall and via ZOOM

Present:

Supervisor Brenda Adams
Councilperson Ginny Nightingale
Councilperson David Patzwahl
Councilperson William Powers

Excused:

Councilperson Brian Lifsec

Also in Attendance:

Town Clerk Joshua Weisbuch
Highway Superintendent Stephen van Tassel

Audience: 2 plus 0 online

Moment of Silence

Pledge of Allegiance

APPROVALS

Minutes April 08 & April 22, 2024

Supervisor Adams called for a motion to approve both of the April minutes. Councilperson Nightingale made a motion to approve, seconded by Councilperson Powers. 4 AYES - Motion carried.

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

Bills

After some discussion, Supervisor Adams explained that she questioned a highway bill that was under warranty; she asked Councilperson Patzwahl to look into it. Supervisor Adams called for a motion to approve the bills with the understanding the warranty issue will be resolved appropriately one way or another before paying the bill. Councilperson Nightingale made a motion to approve, seconded by Councilperson Powers. 4 AYES - Motion carried.

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

YTD Financials

Supervisor Adams called for a motion to accept the financials. Councilperson Patzwahl made a motion to accept, seconded by Councilperson Nightingale. 4 AYES - Motion carried.

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

SUPERVISOR MONTHLY REPORT read by Town Clerk Josh Weisbuch

TOWN CLERK REVENUES	\$171.42
HIGHWAY FUND	\$594,731.29
HIGHWAY FUND CAPITAL	\$32,335.50
LIGHTING DISTRICTS	\$5,905.45
AMBULANCE AND FIRE	\$300.07
DISTRICTS	
BUILDING INSPECTOR	
PLANNING BOARD	\$300.00
RECREATION	\$3,498.70
COURT REVENUES	\$3797.00 *
ZONING BOARD OF	
APPEALS	
TAX COLLECTOR	

* Fines & Forfeitures - Deposited April, 17th 2024

RESOLUTIONS & MOTIONS

Resolution 75 of 2024 to move funds for ARPA purchases / *still tabled awaiting completion of generator installation*

Resolution 76 of 2024 inter-fund transfer for Highway Department

Year-to-date, there have been unexpected machinery repairs that may exceed 2024 budget projections. Because small sales of equipment and scrap have resulted in additional, unbudgeted revenues, Highway Superintendent Van Tassel has requested these revenues be allocated to the Machinery account to offset unbudgeted expenses. Supervisor Adams requested authorization to make the following inter-fund transfer:

Transfer from Highway Minor Sales account 2650	\$ 962.81
Transfer from Highway Sale of Equipment account 2655	\$3058.39
Transfer to: Highway Machinery account 5130.4	\$4021.20

Supervisor Adams called for a motion to authorize the transfer. Councilperson Patzwahl made a motion to authorize, seconded by Councilperson Nightingale. 4 AYES - Motion carried.

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

Resolution 77 of 2024 to approve health insurance renewal

The Town Board renews its health and dental insurance annually June 1st of each year. The board annually reviews a number of plans considering overall benefits, price, and access to local medical service providers. Because the board would like to provide continuity of access and current level of benefits but must also manage higher premium costs and deductibles, the following recommendation are made for 2023-2024 plan year:

- MVP HMO HDHP Bronze 9 (HSA) medical plan, a 12% premium increase from 2023-24
- Delta Dental, no premium increase from 2023-24
- Town coverage of deductibles: Cap at 50% (reduction from 2022-2023). The town coverage is up front funding
- Carryover of unused HRA funds: Unused funds may not be carried over from prior plan year (existing fund balances can be used until fully expended or employee is no longer employed by the Town), consistent with last year's policy
- New hires: eligible employees shall make a 10% contribution to their medical and dental plan premiums, consistent with prior year.

Supervisor Adams asked for any comments or questions. The increase was discussed. The vision plan will be presented next month. She then called for a motion to approve the renewal. Councilperson Patzwahl made a motion to accept and approve, seconded by Councilperson Powers. 4 AYES - Motion carried.

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

Resolution 78 of 2024 to approve revised Harassment, Discrimination and Workplace Violence policies

The Town of Canaan is required to periodically update its policies to align with current state and/or federal requirements. State and federal standards for Harassment, Discrimination, and Workplace Violence continue to evolve and changes to town policies are now required to bring town policies in alignment with those requirements. Updated policies are required for 2024 training purposes. Supervisor Adams would like the Town of Canaan to adopt the attached Harassment, Discrimination and Workplace Violence policies, which are the same as the Columbia County policies, to provide and maintain a work environment free from unlawful discrimination or harassment and to provide a safe and secure workplace while complying with applicable legal standards. She explained the benefits of having uniform and consistent policies county-wide. Supervisor Adams called for a motion to adopt the revised policies. Councilperson Nightingale made a motion to adopt the policy, seconded by Councilperson Powers. 4 AYES - Motion carried.

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

Resolution 79 of 2024 to amend budget for receipt of grant funds

Supervisor Adams called for a motion to amend the budget in light of the additional grant funds coming in. (See attached spreadsheet) Councilperson Patzwahl made a motion to amend the budget for receipt of the grant funds, seconded by Councilperson Powers. 4 AYES - Motion carried.

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

Resolution 80 of 2024 to amend budget for increased CHIPS funding
(See attached Spreadsheet) Supervisor Adams called for a motion to increase the budget to reflect the additional 2024 CHIPS funding per the award letter of April 30, 2024. Councilperson Nightingale made a motion to amend the budget, seconded by Councilperson Powers. 4 AYES - Motion carried.

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

Motion to move Local Law # 2 of 2024 Appointment of Tax Collector to a public hearing on June 10th. Supervisor Adams called for a motion to schedule the local law for a public hearing. Councilperson Nightingale made a motion to move the proposed law to a hearing, seconded by Councilperson Powers. 4 AYES - Motion carried.

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

Motion to approve purchase order for table microphones for meeting room \$220 / installation 1 to 2 hrs. /total purchase not to exceed \$360
Supervisor Adams called for a motion to approve. Councilperson Nightingale made a motion to approve, seconded by Councilperson Powers. 4 AYES - Motion carried.

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

Motion to approve tree removal at NW corner of Town Hall property / Jordan Tree Service & Highway Department / total service not to exceed \$1500

Supervisor Adams reached out to three vendors on the town approved vendor list and two responded to a request for pricing. The Supervisor recommends the lowest bid and asked for a motion to approve the dead tree removal with the tree to be cut down by Jordan Tree Service and the removal to be provide by the Highway Department. Councilperson Patzwahl made a motion to approve for a fee not to exceed \$1,500, seconded by Councilperson Nightingale. 4 AYES - Motion carried.

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

Motion to reimburse Assessor for balance of 2024 reevaluate contractor’s work / \$3000 (balance of contract)

Supervisor Adams explained the reval contractor was unable to complete his scope of work and the assessor completed the work. Supervisor Adams called for a motion to reimburse the assessor. Councilperson Powers made a motion to approve, seconded by Councilperson Patzwahl. 4 AYES - Motion carried.

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

OLD BUSINESS

2023 Financial report filed (annual filing)

2023 ARPA report filed (annual filing)

2024 CC civil service report filed (biennial filing or upon request)

Supervisor Adams reported that all the reports have been completed and filed.

Generator & propane tank installation / scheduled for week of May 12th

The Town Hall & Highway Garage generators will be up and running as of this week.

Broadband grant update / final review underway / action requested of state & federal officials

Supervisor Adams reported that a USDA project manager had reached out to the project team which is a sign of progress. Outreach to federal and state elected officials seems to have helped.

SR 22 & 295, SR295, CR5 & Post Rd meeting with state / request bumped to Poughkeepsie office

Correspondence has been going on for eight months and there have been no results. Supervisor Adams has been applying pressure through emails and calls; she is hopeful there will be movement toward finding a solution to reduce the dangers at these intersections. There have been two recent accidents at SR 295 & CR5.

Transfer station program changes / proposal for a Local Law to set a fee schedule & reasonable permit fee

Councilperson Patzwahl reported concerns about sticker non-compliance and excess C & D

dumping. He recommends charging a small fee such as \$25 for the stickers to provide funds to hire someone to check stickers; that would also alleviate aggravation of staff on site. As to C & D, paying for excess over the one-ton limit on dumping is also recommended. Supervisor Adams shared that she solicited an opinion from the attorney and the town can collect payment for the difference between the amount of C&D allowed by the town as free and the actual amount. Next steps would be a new Local Law to charge a permit fee to offset administrations costs and a fee for excess tonnage. The board all agreed that the fees would be a good idea. If the new law is passed the fees will be charged beginning right away. There was discussion about how discourteous some residents are toward Sparky and other transfer station staff and how regular town supervision will hopefully reduce those types of interactions. The goal is to preserve the town contract and create a safer and more compliant environment at the station. In addition, communicating with residents about ways to reduce waste is a goal. Recycling was discussed, as were the amount of waste and how plastics are not always recycled and end up in landfills. It was suggested the Town Newsletter have something about recycling and encourage people to come to the public hearing in July.

CHIPS funding / revised 284 agreement request

Thanks were expressed to the Highway department and to Highway Superintendent Van Tassel for going to Albany and advocating for CHIPS funding.

Review ongoing virtual or hybrid meeting considerations and mask policy

The policies will stay in place. Councilperson Patzwahl suggested the meeting policy become permanent. Supervisor Adams noted that voluntary masking is separate from virtual/hybrid meetings.

MOTION to establish virtual/hybrid board meetings as permanent

Councilperson Patzwahl made a motion that the town establish virtual/hybrid board meetings as permanent, seconded by Councilperson Nightingale. 4 AYES - Motion carried.

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

BOARD DISCUSSION

Vandenberg / Vanderburgh Road name request / winter project / public response period closed

Supervisor Adams summarized the state of the name research. As a sidebar she reported that she had identified a 2002 Resolution 66 approved the spelling of 12 roads that included Vanderburgh Road and “Beebes” Pond Road. The hope is to have a recommendation to the board regarding the final name in June.

Planning / ZBA report / Ginny

Subdivision approved by the Planning Board and a variance for a set-back was approved by the ZBA.

Climate Smart Task Force / Will

Upcoming event is Community Gardening Day May 18, 10-3

The Committee is working on a multitude of projects, including disaster preparedness and the electric car community campaign – four cars is a goal. There will be an information booth on June 15th at Canaan Community Day

Public Safety / David

Next meeting is May 23 at 7 PM; he will bring up the 22/295 & 295/CR5/Post Roads issues.

Transfer Station / David

Already discussed (see above)

Status of Oaths & Annual Financial Disclosures / Town Clerk

Town Clerk Weisbuch reported that good progress is being made. He did not have the information for the meeting but will share the spreadsheet.

Community Day Planning / June 15th date confirmed / volunteers needed

Sign-up is going well, there will be a food truck, ice cream truck, food and music. Volunteers are needed for before, during and after the event.

Community Gardening Day (May 18) all invited for park clean-up & maintenance

Already mentioned above.

Citizen Preparedness course meeting held / about 35 attendees

Supervisor Adams reported the course was very interesting. In addition, back packs with useful supplies and information were given out.

Health insurance renewals / subject to HW union conversation

Already covered with resolutions.

Emergency Management Plan update / met with fire chiefs April 17th / draft plan being further updated

There will be a draft in June, it is hoped. There needs to be some clarification as to which parts of the plan are public versus which parts are protected for security reasons.

STR /Occupancy Tax & registration moving forward @ county / Home Rule law to Senate &

The tax bill is moving forward – drafted, numbered and approved by the County Board of Supervisors.

The Occupancy Tax and registration will be the county's responsibility. The town's responsibility will be a Short Term Rental Law and registration that addresses land use, health, and safety issues. The county will offer an inter-municipal agreement to share registration information and to reduce the costs of identifying and managing the registration database. There are currently 79 short-term rental units in Canaan, up from last year. The county will hire a firm to manage the registration and taxation process; the town will also need to hire a firm for the local regulatory piece. A decision on the taxation legislation is expected from the NYS Senate and Assembly before end of June 2024 session.

Change of accounting firm / rfp

Supervisor Adams would like to reach out to firms in Columbia County to determine which firms

would be interested, able and available to do the work, and to give notice of the plan to change firms to the current firm. There is a need to move quickly. Now that the annual report has been completed, it is time to move on it.

ARPA prospective projects discussion

Supervisor Adams would like to have a follow-up discussion in June so that a budget and priorities can be set. Playground equipment upgrades to commercial use standards and revisions of the grounds plan were discussed. A master plan for the park is needed.

First Mortgage Tax first town check approved of @\$37K or 90% budgeted for year

ASSESSOR'S REPORT: sent via email / one request / see motions (attached)

HIGHWAY REPORT: Highway Superintendent / one request / see Resolution 76

New information: Someone on the crew was pinned in a vehicle and got medical attention.

Summary of report:

Activities:

- Spring grading and sweeping have begun.
- We've started to remove plow gear off the trucks, they will be cleaned and undercoated before they are stored away.
- Salt contracts have been submitted and filed.
- Columbia County 911 is temporarily storing at the Town Garage a mobile office building for a new radio tower. It was moved out today. It will improve communications.
- Valuable, useful millings from City of Hudson's roadwork are being given to Canaan. Canaan has to pay for the trucking and labor cost.
- Columbia County Highway let us borrow their screener which we used to screen our millings to make room for the unscreened millings to be stockpiled.
- I have been notified that Truck #1, the 2023 Chevy, has a recall on its tailgate. The back-up camera does not work. Chevy does not have a fix yet but I call periodically to stay up to date for when they do, so we can have it fixed.
- Truck #8, the 2006 International repair job is unfinished but we are still able to fulfill our tasks until the truck is repaired. The mechanics apologized for the delay.
- The beaver deceiver pipe at the town park was plugged once again. We hope our repair will help prevent future plugging.
- Last week I meet with Jerimiah Stone from Trout Unlimited to discuss and view about a dozen locations that could qualify as stream restoration projects, with a focus on obstructions to water flow. They would supply funding and in most cases the highway department involved would provide the labor/installation. We will make a running list that will go back to the stream restoration designer for further observation. Van Tassel will share the list with the Board.
- New signage around town: four new "Beebe Pond Rd" name signs; two new "Fallen Rock Zone ¼ Mile Ahead" signs on Peaceful Valley Rd on either side of the rock cut. I contacted the Director of Columbia County 911 inquiring about their road name list for Canaan to make sure our road names are aligned with theirs —Beebe Pond Rd had been misspelled. (In discussion:

Supervisor Adams would like to standardize the spelling of Beebe Pond Road once and for all in June.)

- The salt shed roof: the sub-contractor Robco Construction did not have much information pertaining to the warranty status. They will be sending over an estimate while we look more into the warranty status. I provided Councilperson Patzwahl with copies of what I could find pertaining to this matter. (Discussion revealed there is a family illness at Robco slowing things down. There is a 30-year warranty and we are 13 years in. Labor and parts should be covered.)
- The double bay lean-tos on the left side of the garage built in addition in the 1980s have been becoming unstable for many years now. We believe the recent high wind storms have shifted the building in multiple areas. As a precaution, we have started to move equipment and valuables out from under it. I have contacted two contractors for some estimates for some additional lean-tos on the side of the pole barn. (In discussion: a site visit and assessment is called for.)
- The center drain in the middle of the Highway Garage has been backing up for many years. We assume a “tank” of some kind, original to the building, is at the end of the garage under the lean-tos. The tank has no access cover, so it cannot be pumped. We now clean out the center drain to prevent total blockage to the tank; this is also why we do not wash inside. Over the years, DEC has requested restoration of this system. I have found an estimate containing a removal on the tank but not one for the install of a new one which would need an oil water separator within it. Optima Environmental Services says before they can supply an estimate, they recommend we have our ducks in a row with DEC and an engineer before moving forward. (Result of discussion: this problem will be incorporated into the site visit.)

(Highway Superintendent Van Tassel passed out documentation of CHIPS-funded projects with dates and projected projects. Discussion ensued about needs and projects to use \$190,000.00, that is an update and will come out of the \$288,204.51, (see below). Finances were further discussed. CHIPS funds can reduce the amount the Town of Canaan finances for purchases and paving projects. Councilperson Patzwahl and Highway Superintendent Van Tassel will put together a matrix to clarify the funding – Canaan’s share and money from CHIPS.)

Requests:

- To help deal with some of the unexpected unbudgeted expenses coming out of the DA5130.4 Machinery account I am requesting a Interfund transfer from the DA2770 Miscellaneous account of the whole amount currently within it. (See above Resolution 76 of 2024.)
- 2024 CHIPS numbers are finally out and are higher than our typical budgeted amount, which is \$160,000 this year, approximately \$128,204.51 more, bringing the total number of available CHIPS to \$288,204.51. If we move forward with tractor replacement, we would not have enough funds left over to execute the proposed paving project on our 2024 284 Agreement which would ultimately range around \$190,000. The tractor purchase of \$226,873.80 would leave \$61,331.51 left in the CHIPS funding and I believe we would benefit to roll this balance over to next year because of a few reasons:
 1. The current road condition even being a qualifying road (12 years) will last until next year’s round of CHIPS funding.
 2. We have paved (Re-surfaced) slightly more over the past three years.

3. The use of CHIPS funding to purchase trucks/machinery is becoming a more sought-after method to keep the equipment inventory up-to-date. Currently the town has purchased seven pieces of equipment using CHIPS funding over the past 10 years, which is around \$419,220.82. With eight pieces of equipment being 15 years or older their life expectancies are closing in.

- I have looked into leasing a tractor as a possible substitute to this. Leasing is around \$7,000-\$10,000/month and we would have to schedule to lease one to two months in advance.
- We would need a tractor to sweep the roads “By Law 3 times a year between April 1 – December 1”, Mow/brush cut the roads “By Law between July 15 – August 15”, and with a PTO driven leaf blower we would be able to blow the roads clean of leaves and debris most likely in November making the roads tremendously easier to grade and keep intact during rain seasons preventing leaf dams/wash outs.
- The required time frame for the tractor would range from 5-6 months costing around \$35,000-\$40,000. I do not see that financially or factually possible to accomplish these requirements at hand.

PUBLIC DISCUSSION

- Camera for the transfer station discussed, to record traffic and see license plates. It has not been looked into.
- Thank you for making hybrid meetings permanent.
- Highway Supervisor Van Tassel brought up “one more thing”, a question and safety concern regarding an inlet/outlet and mirror near the Vandenburg road intersection with Route 295. It was noted that the mirror mounts are still in place and the mirror has been the responsibility of the homeowners. Discussion ensued.
- Supervisor Adams added that the middle section of County Route 5 is being repaved by the county. There are several culverts in the hamlet south of the Town Hall which may be an issue. The original plan was to complete the middle section, linking the north and south ends which were paved in previous years. Information now is that repairs will end at Gifford Road and not go all the way to Route 295 this season. Supervisor Adams will look into why the project plan has been revised. There have been complaints about the condition of the roads that the Town of Canaan is not in charge of such as Route 22, Route 5 and Route 295.

EXECUTIVE SESSION: purpose 1) possible litigation, 2) contract discussion

Supervisor Adams called for a motion to adjourn to executive session at 8:57 PM. Councilperson Nightingale made a motion to, seconded by Councilperson Powers. 4 AYES - Motion carried.

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

Supervisor Adams thanked those not involved in the executive session for coming to the meeting tonight.

MOTION to close the executive session and reopen the meeting

Supervisor Adams called for a motion to close the executive session and reopen the meeting at 9:19 PM. Councilperson Nightingale made a motion to close and reopen, seconded by Councilperson Patzwahl. 4 AYES - Motion carried.

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

Supervisor Adams reported for the record that there were no decisions or actions taken in the executive session.

MOTION to adjourn

Supervisor Adams called for a motion to adjourn. Councilperson Nightingale made a motion to adjourn at 9:21 PM, seconded by Councilperson Powers. 4 AYES - Motion carried.

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

NEXT MEETING:

Regular meeting June 10, 2024 at 7 PM

Respectfully submitted,
Rebecca Nebesar,
Deputy Clerk 2