

Town Board Regular Meeting Minutes:

June 10, 2024, 7:01 – 8:59 pm

Hybrid Meeting: In person at Town Hall and via ZOOM

Present:

Supervisor Brenda Adams

Councilperson Brian Lifsec

Councilperson Ginny Nightingale

Councilperson David Patzwahl

Councilperson William Powers

Also in Attendance:

Town Clerk Joshua Weisbuch

Highway Superintendent Stephen Van Tassel

Audience: 16 / 0 online

Supervisor Adams called the meeting to order and welcomed the public.

Moment of Silence

Pledge of Allegiance

APPROVALS

Minutes May 13

Supervisor Adams asked for any comments or corrections. A typo in the public safety sentence was identified. Supervisor Adams called for a motion to approve the Minutes as amended to correct the typo. Councilperson Patzwahl made a motion to approve the minutes of May 13, seconded by Councilperson Nightingale. 5 AYES - Motion carried.

Supervisor Brenda Adams – yes;

Councilperson Brian Lifsec – yes;

Councilperson Ginny Nightingale – yes;

Councilperson David Patzwahl – yes; and

Councilperson William Powers – yes.

Bills

A point was made about a charge from the transfer station for two tons that is not associated with a permit number. Supervisor Adams said it will be looked into and addressed. She called for a motion to approve the bills with the understanding the charge will be clarified. Councilperson Lifsec made a motion to approve, seconded by Councilperson Nightingale. 5 AYES - Motion carried.

Supervisor Brenda Adams – yes;

Councilperson Brian Lifsec – 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 Lifsec made a motion to accept, seconded by Councilperson Patzwahl. 5 AYES - Motion carried.

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

RESOLUTIONS & MOTIONS

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

Supervisor Adams explained the status of the generator. The electrician's installation was certified.

Resolution 81 of 2024 to amend the Highway 284 agreement to reflect increased CHIPS funding Highway Superintendent Van Tassel went over the details of the changes. (See his attached report). A brief discussion ensued. Supervisor Adams called for a motion to amend the 284 agreement. Councilperson Patzwahl made a motion to approve Resolution 81 of 2024 as updated, seconded by Councilperson Powers. 5 AYES - Motion carried.

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

Resolution 82 of 2024 to approve vision plan

Supervisor Adams briefly explained the plan, benefits, and costs are unchanged from last year, and then she called for a motion to approve the vision plan. Councilperson Nightingale made a motion to approve, seconded by Councilperson Powers. 5 AYES - Motion carried.

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

Resolution 83 of 2024 to approve -inter-fund transfer for assessor consultant payment

Supervisor Adams explained the budget neutral transfer of funds (\$1,000) and then called for a motion to approve. Councilperson Lifsec made a motion to approve the inter-fund transfer, seconded by Councilperson Nightingale. 5 AYES - Motion carried.

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

Resolution 84 of 2024 to approve an inter-fund transfer for Community Day expenses
Supervisor Adams called for a motion to fund additional expenses to make up for the gap not covered by in-kind donations and cost increases from last year. Councilperson Powers made a motion to approve, seconded by Councilperson Nightingale. 5 AYES - Motion carried.

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

Resolution 85 of 2024 to approve an inter-fund transfer for HW work at beach for swim program
The town Swim Program takes place each year at the Adams Point Beach, and the beach requires annual maintenance in the form of spreading new sand to repair winter damage/erosion. The Highway Department provided labor and equipment for the replacement sand to be spread. NYS regulations require that the Highway Department be reimbursed for providing labor and equipment outside of their regular duties. Supervisor Adams called for a motion to authorize her to make the inter-fund transfer. Councilperson Patzwahl made a motion to approve the inter-fund transfer, with praise for the work done, and the motion was seconded by Councilperson Lifsec. 5 AYES - Motion carried.

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

Resolution 86 of 2024 to authorize health insurance administrator for MVP plan
MVP has requested that the Town Board provide a Certificate of Resolution for its 2024-2025 plan renewal to include the form of the amended and restated Welfare Benefit Plan, effective June, 01, 2024. It was presented to the meeting. Supervisor Adams explained that the town resolution followed the exact wording of the MVP requirement. Supervisor Adams called for a motion to appoint the town supervisor as administrator and to certify the plan. Councilperson Nightingale made the motion, seconded by Councilperson Powers. 5 AYES - Motion carried.

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

Resolution 87 of 2024 to approve the spelling of Vanden(er)/burg(erg) Road
Councilperson Nightingale was asked to report the findings of the Vandenberg Road subcommittee that included Councilpersons Nightingale and Patzwahl and Town Historian Dodie Gearing. She read a prepared report that included the recommendation that the road be spelled “Vandenburg Road”. After Councilperson Nightingale spoke, Supervisor Adams called for public comment. Five Canaan residents spoke in approval of the name choice; no one spoke in opposition. It was pointed out that although the sign itself and old maps have a different spelling(s), newer maps and many official documents already use the “Vandenburg” spelling. Public safety organizations, such as fire companies, rescue squads, utility companies, and the use of GPS devices for deliveries and driving instructions, rely on a consistent use and spelling of road names. Supervisor Adams called for a motion to approve the committee’s recommendation for the spelling as “Vandenburg Road”. Councilperson Patzwahl made a motion to approve, seconded by Councilperson Lifsec. 5 AYES - Motion carried.

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

After the vote, the audience clapped. Supervisor Adams commented to happy laughter, “your government in action.”

Resolution 88 of 2024 to approve an agreement with APBA for purchase of 2024 beach passes from APBA

Supervisor Adams explained there is a safety issue associated with residents and non-residents using the DEC boat launch for unmonitored swimming. The town has limited options to address the safety issue as it is not a party to the contract between the owner of the property and DEC, and it has no standing to monitor swimming at the site. The town would like to provide additional swimming access to town residents via free town passes to Adams Point Beach, for the nine weeks beginning July 01, July 08, July 15, July 22, July 29, August 05, August 12, August 19 and August 26 at a cost not to exceed \$1500. It was pointed out that children are free. Supervisor Adams called for a motion to approve the agreement with Adams Point Beach Association. Councilperson Lifsec made a motion to authorize, seconded by Councilperson Nightingale. 5 AYES - Motion carried.

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

Resolution 89 of 2024 to appoint a new member to Climate Smart Task Force

Supervisor Adams reported that Victoria Mills had expressed an interest in filling a vacancy on the task force; her resume was in the board correspondence. Supervisor Adams called for a motion to appoint Victoria Mills to the vacancy with a term that expires December 31, 2024. Councilperson Powers made a motion to appoint, seconded by Councilperson Patzwahl. 5 AYES - Motion carried.

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

Motion: to change July meeting date from July 8 to July 15

Supervisor Adams, after giving reasons (national holiday the week before, many people taking the week, insufficient time to prepare) for the date change, acknowledged the change would need to be coordinated with the Planning Board. After a short discussion, the supervisor called for a motion to change the meeting date to July 15 at 7pm. Councilperson Nightingale made a motion to change the date, seconded by Supervisor Adams. 5 AYES - Motion carried.

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

Motion: to move Local Law # 3 of 2024 to a Public Hearing on July 15

Supervisor Adams introduced the discussion that ensued about household and C & D waste at the transfer station. There was a question about the 2-yard limit in point A9. Councilperson Patzwahl addressed the concern, explaining the 2-yards refers to household trash, the equivalent of two contractor bags that each hold about three or four kitchen bags. The law would allow the town to charge a sticker fee, to charge for over 1-ton limit on C & D permits, and to hire an employee to monitor the site. The law point A9 will be clarified to state the equivalent of “two 50-gallon contractor bags” per car. There were no other changes suggested. Supervisor Adams called for a motion to move Local Law #3 of 2024 as amended to a public hearing on July 15. Councilperson Patzwahl made a motion, seconded by Councilperson Powers. 5 AYES - Motion carried.

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

Motion: to apply for a Stoddard Field Park Planning grant and to approve a park survey for Community Day

Supervisor Adams explained that given a number of requests for park improvements it would be a great idea to apply for a planning grant to guide those and future changes. She has identified a volunteer community member, with grant experience, who is willing to work with the town and to take the lead on an application. The supervisor also requested approval of a park survey for Community Day. The survey would be used to gather more stakeholder information to inform the grant. She called for a motion to approve both the grant application and the survey. Councilperson Powers made a motion to approve both, seconded by Councilperson Nightingale. 5 AYES - Motion carried.

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

OLD BUSINESS

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

Three years in progress, the USDA funding awarded to the towns of Ghent, Canaan, New Lebanon and Austerlitz, has not been approved or funds dispersed. Elected officials at the state and national level have intervened to see if they can expedite the process. Once the funding is approved, work should move forward quickly.

Routes 295 & 22; Routes 295 and CR5 / request bumped to Poughkeepsie office

Speed limit reduction requests east and west of SR 295 and 22, and more recently a complaint regarding the SR 295 / County Route 5 and Post Road intersection are still open as is the town request to have a site meeting to review these items. The supervisor was advised the site visit request had been bumped to the Poughkeepsie office, point of contact Gerald Charleston. She has spoken with his office and with him by email and hopes to schedule a meeting soon.

Transfer station program changes / proposal for a Local Law to set a fee schedule & reasonable permit fee / see proposed LL#3 of 2024, revised agreement with vendor to follow

Already discussed.

CHIPS funding / revised 284 agreement request / see Resolution 80

Already covered through Resolution 80 of 2024 (above).

Ethics Committee resignation / meeting with Ethics Board

Jack Leal retired from the Ethics Board earlier this month after many years of service. The current Ethics Board membership is not in compliance with NYS law that requires a member of the board be an elected official or town employee. The town law needs to be revised to reflect this provision and a person or persons identified for the vacancy appointment. The supervisor has reached out to the Ethics Board for suggestions for candidates.

Red Rock monument agreement / expected in July

The Red Rock Historical Society will meet on June 23rd to review a revised draft maintenance agreement with the Town of Canaan. This draft agreement, originally prepared by the RRHS, has been reviewed and amended by the town attorney. Once the amendments are approved, the agreement will come to the Town Board.

Pro Housing application

There was discussion of next steps. The town has submitted a letter of intent and the supervisor would like to move forward with the balance of the requirements to become certified.

Councilperson Nightingale recommended going to the NY State website to better understand the

program and the town commitment; “the resolution is a statement of values”. Councilperson Patzwahl indicated that he had a greater level of comfort with the concept after having spoken with Councilperson Nightingale about current land use provisions around housing in the town zoning laws. Supervisor Adams added that the application requires a new housing construction report that is updated annually. This is a good opportunity to look at the town Zoning Laws, to create a town Housing Committee, and to encourage cooperation and information sharing between the planning board and the zoning board. She asked the board, Do we feel comfortable submitting our housing numbers and zoning laws to New York State? (Note: both are already a matter of public record) Will the process change the character of the town? She further clarified that the application / certification does not require the town to change the zoning laws. There was a question from the audience that Supervisor Adams answered by explaining that there is no commitment on the Town’s part to change zoning, changes if any, are voluntary. But there is a concern to have housing stock available for town residents who work here, and for senior residents who would like to stay in Canaan but move to a smaller home. The intent is to identify and to work on housing challenges at the local level. The town board agreed to move ahead with the submission of the balance of the materials for the certification.

SUPERVISOR’S REPORT / Read by Town Clerk Joshua Weisbuch

TOWN CLERK REVENUES	\$213.98
HIGHWAY FUND	\$532,745.18
HIGHWAY FUND CAPITAL	\$32,335.77
LIGHTING DISTRICTS	\$5,905.45
AMBULANCE AND FIRE DISTRICTS	\$300.00
BUILDING INSPECTOR	
PLANNING BOARD	\$300.00
RECREATION	\$3,498.82
COURT REVENUES	\$6295.00 *
ZONING BOARD OF APPEALS	
TAX COLLECTOR	

Public Hearing Local Law # 2 of 2024 To Change the position of Tax Collector from an Elected to an Appointed position

Councilperson Nightingale and Supervisor Adams explained the reason for the change; the goal is to give the board more of a role in matching skill sets with job requirements ensuring that the town can deliver the requisite services. It was mentioned that some towns have chosen to have a bank handle the tax collection. The board consensus was that it is a good idea to keep the town position but to move from an elected to an appointed position. There were no public comments. Supervisor Adams called for a motion to close the public hearing. Councilperson Nightingale made a motion to close the public hearing, seconded by Councilperson Powers. 5 AYES - Motion carried.

- Supervisor Brenda Adams – yes;
- Councilperson Brian Lifsec – yes;
- Councilperson Ginny Nightingale – yes;

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

BOARD DISCUSSION / COMMITTEE REPORTS

June newsletter out

Planning / ZBA report / Ginny

No news to report

Climate Smart Task Force / Will

Canaan Community Day is coming together well with new gardens etc. Come!

John Franklin of Red Rock will speak about invasive species.

Public Safety / David

No news to report. Next meeting will be July 18.

Transfer Station / David

High tonnage again May 2024— 16 tons over May 2023; 40 tons so far this year – that is a lot!

Efforts are on-going to address the challenges of excessive dumping, not enough recycling, such as cardboard from on-line purchasing, people not respecting the rules of the site, non-residents using the site, and dumping outside of hours. The town needs better control of the site. The gentleman on site is a transfer station employee with limited duties. He is there to help throw out the bags, not to monitor use and check stickers. As a side issue, the challenges of recycling were discussed including the recent sticker cost increase. Supervisor Adams explained the sticker cost for the CC recycling stickers do not begin to cover the cost of recycling.

Status of Oaths & Annual Financial Disclosures / Town Clerk (written report submitted)

A comment was made about some typos in dates that need to be fixed.

Community Day Planning / June 15th / volunteers needed

Mentioned already. Volunteers are still needed for set-up and clean-up.

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

Looking to have a draft plan for review on July 15th.

STR /Occupancy Tax & registration moving forward @ state / Home Rule law to Senate & Assembly approved / on governor's desk

It looks like there will be an Occupancy Tax Law by the fall.

Change of accounting firm / rfp

Still looking. Some firms do not handle municipal business.

CC Haz Mit plan update

Moving forward according to schedule

Issues reported at Berkshire Travel Lodge

Keeping an eye on the issues, including safety. DSS has been alerted.

Election changes

The governor signed a bill in December of 2023 to eliminate off-year, local elections. The explanation given was to reduce the cost of elections. It's unclear whether the change will reduce costs. There is opposition from many local governments at the town and county level, including a number of law suits.

ARPA projects discussion

Project numbers are coming in.

BAR report

Report submitted by email, no questions or discussion from the board. The board acknowledged the extensive preparation of the Assessor and the hard work of the board in a reval year.

ASSESSOR'S REPORT (See Attached)

Report submitted by email, no questions or discussion from the board.

HIGHWAY REPORT Highway Superintendent Stephen Van Tassel (See attached report)

Summary:

- Several cross pipes replaced on a few roads, generally upsized/lengthened and also changed to plastic to better withstand intense weather conditions, especially in areas likely to flood. Three pipes were replaced on New Concord Rd in preparation for the upcoming paving project this year.
- Adams Point Beach: spread sand in time for Memorial Day. The expenses for labor, equipment rental and other costs will be reflected in this month's bills.
- The tree in front of the Town Hall has been taken down by Jordan Tree Service and the Highway crew.
- Canaan Post Office parking lot improvements done.
- Denooyer Chevrolet parts are still backordered.
- I attended the 77th Annual Highway School in Ithaca, New York which brings together over 700 Superintendents from across New York State, providing classes/seminars, going over budgets, CHIPS, paving principles, PESH inspections and CDL routes.
- Last Thursday David and I had a site visit at the Highway Garage to look at the lean-tos on the side of the building as well as the supposed drywell tank location. We believe a good course of action is to realign the poles within the structure, then try and locate the dry well tank to see what we are dealing with to make a more accurate decision moving forward.
- Next Tuesday June 11th is our annual Safety Training held at the Chatham Fair Grounds. This is an all-day event with many classes including Hazard Recognition, Chain Saw Safety, Defensive Driving, Blind Spots and many more.
- The new generator at the Highway Garage is now hooked up. Ben is supplying us with a new list to put inside the panel box.
- I attended the bi-monthly Traffic Safety Board meeting at the DOT. I expressed the town's concerns about the State Route 295/State Route 22 intersection. They did not have any new information to share, but did ask if we could supply request letter to them so we are all on the same page moving forward.

- A few residents came to me inquiring about a speed limit request on Schillings Crossing Road, explaining it is hazardous to even cross the road with the 55-mph speed limit (unposted). I will contact DOT for some assistance on this matter. [55-mph is a state law on unposted roads, paved and dirt.]

Requests:

- Request to amend the 2024 284 Agreement to incorporate the price increases from our original 284 Agreement in January by \$30,750 totaling to \$190,750. (See attached for payment details.)
- There will be a remainder of \$97,454.51 that would be the down payment (on delivery) for the purchase of the new John Deere tractor. John Deere would start us off with a 3-year (36 Month) installment plan which would begin when the tractor is delivered and contracts are signed, John Deere has also requested letter of interest for both the tractor and attachments. (See attached for the payment and funding details.) David Patzwahl further explained the funding vis-à-vis CHIPS funding – there needs to be a letter of intent to allow the highway supervisor to send a letter of intent to receive the John Deere in a timely fashion to align with CHIPS funding schedules.

MOTION: Letter of intent for tractor purchase

Supervisor Adams called for a motion to authorize Highway Superintendent Van Tassel to send a letter of intent to United Ag & Turf for the purchase of the tractor, cost not to exceed \$226,873.80, financed for 36 months at 0.90% interest, no prepayment penalty, anticipated initial or down payment of \$97,454.51. Initial or down payment appropriated from 2024 CHIPS funding, with the balance of funding from anticipated 2025 CHIPS funding. Councilperson Patzwahl made a motion to authorize the letter, seconded by Councilperson Nightingale. 5 AYES - Motion carried.

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

According to the CHIPS timeline / spreadsheet, Frisbee Street will be the next qualifying road in 2025 from the intersection of Goetz Rd/Frisbee Street to the Chatham Town Line which is approximately 1.8 miles. A project like this would cost around \$120,000-\$160,000. If the town receives the same funding as in the past 4 years, there should be enough to appropriate for the paving and the balance on the tractor.

Highway Superintendent Van Tassel added we are in the third year of a five-year cycle for CHIPS funding, which will put the town roads in good standing. The annual funding amounts are expected to be the same for the remaining funding years of this cycle. Paving plans will be posted on Facebook so residents can be aware.

ADDITIONAL ANNOUNCEMENTS

Supervisor Adams announced that tax collection for 2024 in the Town of Canaan is completed. Going forward, unpaid taxes will be collected by Columbia County for 67 parcels in the amount of \$237,504.

As in recent years, letters will be sent to Canaan high school graduates from the Town Board. Ginny Nightingale is coordinating the lists of graduating seniors from Chatham and New Lebanon High Schools.

PUBLIC DISCUSSION

Town Historian Dodie Gearing made a few announcements:

- A new book will be available at Canaan Community Day: *Town of Canaan NY People Places Things 2024*
- The DeWitt Brown Cemetery was cleaned with the help of local volunteers
- The Purple Heart Ceremony is scheduled for August 7 with Assemblywoman Didi Barrett as guest speaker
- Items in the Historical Society Museum have been digitized by Town Historian Gearing and Sue Connolly: 245 books, 600 pictures; also, a trunk full of exquisite 27 Victorian garments.
- Councilperson Nightingale and Town Historian Gearing are preparing for Canaan Committee Columbia County 250th celebration.
- There will be festivities at the Canaan Historical Society: July 22nd King's District Decoration Day.

There was discussion regarding the Boat Launch and Adams' Point Beach at Queechy Lake: The concern once again is about swimming off the boat launch. Swimming is prohibited at the site but the problem boils down to enforcement.

A member of the audience detailed the danger of the Vandenburg Road/ Route 295 intersection given traffic speed and limited sight lines. Electric vehicles make it difficult to hear oncoming traffic. Discussion ensued. Supervisor Adams advised residents to send a letter to the town board which will generate a conversation with the state. The letter can be added to the existing conversation with NYS about other issues on SR 295. "Everything starts with a letter."

The next step for replacing the Vandenburg Road sign was clarified.

MOTION TO ADJOURN

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

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

NEXT MEETING

Regular Meeting rescheduled for July 15, 2024 at 7 PM

Respectfully submitted,
Rebecca Nebesar
Deputy Clerk 2