

Town Board Regular Meeting Minutes:

August 12, 2024, 7:15 – 9:30 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:

Deputy Town Clerk Heather O’Grady
Highway Superintendent Stephen Van Tassel
Emergency Logistics Officer Elijah Falkner

Audience: 3 plus 2 online

Moment of Silence

Thoughts on the passing of Ben Tullar and Charlotte Fennell

Pledge of Allegiance

Supervisor Adams thanked Deputy Town Clerk Heather O’Grady for substituting for Town Clerk Joshua Weisbuch.

APPROVALS

Minutes July 15

Supervisor Adams asked if there were any corrections or comments. Report on ZBA wording could be improved by adding “create.” She then asked for any more comments or corrections. There were none. Supervisor Adams called for a motion to approve the Minutes as amended. Councilperson Lifsec made a motion to approve the minutes seconded by Councilperson Nightingale. 4 AYES - Motion carried.

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

Bills

Supervisor Adams asked if everyone had a chance to look at the bills and if there were any questions. There were no questions or comments. Councilperson Patzwahl made a motion to approve and pay, 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 asked if everyone had a chance to review the financials and if there were any questions. She added a comment about the 2nd Q sales tax check going into the highway account in the amount of \$116,664.76. Councilperson Patzwahl had a few questions about expense levels at this point in the year. He asked if the CHIPS money had come in: not yet. Other points had to do with the Assessor's line amount of \$390.00 and the attorney fee running a little high for this time of year. He asked about the Traffic Control charge of about \$1,000.00; it was for maps and signs and had been discussed at the July meeting. The building inspector expense was identified as the annual software fee. Supervisor Adams then asked for a motion to accept the financials. Councilperson Patzwahl made a motion to accept, seconded by Councilperson Powers. 5 AYES - Motion carried.

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

RESOLUTIONS & MOTIONS

Resolution #99, of 2024 to execute 2024 Inter-municipal Agreement (MOU) by and between Columbia County and the Town of Canaan for Human Resources training

Supervisor Adams explained why the town needs to provide resources for training and the procedure for having the training provided by the county. Municipalities in New York State are permitted and indeed mandated under both New York State and Federal law to train its employees on matters including but not limited to workplace violence. Columbia County by and through its Human Resources Offices provides mandated training for its employees. The Canaan Town Board has determined that it is in the public interest to enter into an agreement with Columbia County Human Resources Offices for the training of its employees. Supervisor Adams asked that the Town Board authorize her to sign the attached inter-municipal agreement to provide in person training per the terms of the attached agreement. Councilperson Nightingale made a motion to authorize, 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.

It was added that there is an online training option for those employees who prefer online training or are unable to attend the September 9th training at the Town Hall.

Resolution #100 of 2024 Adoption of Town of Canaan Climate Adaptation & Resiliency Plan

A question from the audience was allowed about where the plan is available to read online. It was explained that the plan is posted on the town website.

The Town of Canaan pledged to take part in the NYS DEC Climate Smart Communities Certification Program that includes the preparation of a Vulnerability Assessment and Climate Adaptation Plan. The Climate Smart Task Force, comprised of community volunteers, collaborated with Cornell Cooperative Extension in the development of documents, reviewed drafts, and provided valuable feedback on iterations that resulted in a final draft. The Climate Smart Task Force provided an opportunity for public input and comment on the report. Supervisor Adams explained the process thus far and asked if anyone thinks there should be further discussion. There was some discussion about this and the amount of work it will be to put the plan into action. It was suggested that the plan should be moved forward at a manageable pace. Supervisor Adams added that it is easier to recruit volunteers when there is a defined project, and that the priorities need to be decided collaboratively. In addition, free technical assistance was made available to support the development of the plan (PE7 Action: Climate Vulnerability Assessment and PE7 Action: Climate Adaptation Plan) from Cornell Cooperative Extension on behalf of the Capital District Regional Planning Commission (CDRPC) through a NYS DEC Climate Smart Communities Coordinator Services contract. Supervisor Adams asked that the Town Board hereby adopt the Town of Canaan Climate Change Adaptation and Resiliency Plan. Councilperson Powers made a motion to adopt Resolution 100, 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.

Supervisor Adams thanked the Climate Smart Task Force, Highway Department, Canaan Fire Company, Chatham Rescue Squad and other community groups for their participation.

Resolution #101 of 2024 Transfer of Funds to HRA accounts

Supervisor Adams explained that the Canaan Town Board replenishes the Health Reimbursement Account on an “as needed” basis. There is a low balance in the account which needs to be replenished. Supervisor Adams asked that a transfer of \$20,000 to the HRA account, allocating \$10,000 to the General Fund and \$10,000 to the Highway Fund, be approved. Councilperson Lifsec made a motion to approve 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.

Resolution #102 of 2024 Authorizing the Approval of a Collective Bargaining Agreement Between the Town of Canaan and Teamsters Local 294 for Highway Department Employees
Supervisor Adams announced this will be tabled until after the executive session.

Resolution #103 of 2024 Pro Housing Communities Pledge

Supervisor Adams opened Resolution #103 to a robust discussion. The town submitted a letter of intent to undertake the Housing Communities Pledge in the spring and has subsequently submitted all supporting documentation with the exception of a board resolution. Councilperson Patzwahl expressed concerns about the taking the pledge; he queried why the town would want to increase housing density given its limited infrastructure (individual well and septic systems). He thinks zoning laws could be changed to allow for growth, without putting stress on infrastructure and creating neighbor conflicts. He asked about “supportive housing” which was explained by Supervisor Adams and Councilperson Nightingale. Councilperson Nightingale further explained that the five points of the pledge are aspirational. She asked if the town wants to be part of the solution and receive state grants or go it alone, which does not seem to be working, especially as to having a solution to the affordable housing problem that is nation-wide. Supervisor Adams explained that any proposed housing project would need to conform to the existing housing code in the opinion of the town attorney. A committee formed for the purpose of this work would be an advisory committee; changes to or additional local laws remain the responsibility of the town board. Further discussion ensued with input from Councilperson Lifsec, explaining the pledge is not a policy document. Agreeing to the pledge would make the town eligible for grant funds. If changes to the zoning laws are proposed, there would be a vetting process by the town board including a public hearing. Board members expressed that they understood the concerns of Councilperson Patzwahl. The funding is less important than addressing the needs of the community; young people cannot afford to live here and older people who have lived in Canaan for a long time find it difficult to maintain and sustain larger homes but there are no smaller homes or apartments for them to stay in Canaan. It is important to have residents who live and work in Canaan to serve as volunteers in the fire company for example, and other community jobs are hard to fill because of the challenges in housing. Supervisor Adams suggested the possibility of folding the housing advisory process/committee into the strategic planning committee rather than having a separate housing committee.

The consensus was to move ahead with a vote on the resolution. Supervisor Adams called for a motion to approve the resolution. Councilperson Nightingale made a motion to approve, seconded by Councilperson Lifsec. 4 AYES - Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Brian Lifsec – yes;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – no; and
Councilperson William Powers – yes.

Resolution #104 of 2024 Adoption of 2024 Updated Emergency Management Plan

Supervisor Adams invited Emergency Logistics Officer Elijah Falkner the author of the updated plan to speak. The Town of Canaan’s Emergency Management Plan, last amended in 2003, is required to be regularly updated and staffed at all times. Falkner explained the update details, clarifying the plan is both a guideline and a process. The town will hold annual trainings of the volunteers who

staff the plan. The plan has been reviewed with certain updates proposed and reviewed with local agencies. The approved plan will be further reviewed by state and federal agencies. Supervisor Adams requested that the updated plan be approved by the Town Board with authorization for her to file the plan with the appropriate agencies, to staff the plan, and to schedule annual training for staff / appointed volunteers. In addition to the updated plan, the town will suggest that residents sign up for real time alerts (**NYALERT**) to their phones or computers. The plan has been reviewed by the three local fire companies, and it was requested by Councilperson Lifsec that a final copy with edits go back to the fire company. A question was asked if there is a central directory with contact information of volunteers and staff. There is, but this will be private for security reasons. The plan will be public, but the contact list will be private. Supervisor Adams called for a motion to adopt the updated plan. Councilperson Nightingale made a motion to adopt the Plan, seconded by Councilperson Powers. 4 AYES - Motion carried.

Supervisor Brenda Adams – yes;
Councilperson Brian Lifsec – no;
Councilperson Ginny Nightingale – yes;
Councilperson David Patzwahl – yes; and
Councilperson William Powers – yes.

Supervisor Adams confirmed Councilperson Lifsec's No vote was related to his request that the plan to go back to the fire companies before approval. She stated the fire companies' remarks were incorporated into this version of the plan and believes the revisions were already sent to the fire companies. Supervisor Adams thanked Emergency Logistics Officer Falkner for his work and continued commitment.

OLD BUSINESS

Broadband grant update / review continues / additional documentation submitted

Supervisor Adams explained Consolidated has submitted the most recent request for information and she has reason to believe this is the last piece. She expects to receive a letter that the application is complete and approved for funding. As soon as Consolidated has the approval, they will start the build out.

Routes 295 & 22; Routes 295 and CR5 / request bumped to Poughkeepsie office / no meeting to date

Supervisor Adams has been unable to secure a meeting time but will try again this week.

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

Ethics Committee resignation / meeting with Ethics Board

Supervisor Adams said that a candidate has been suggested for a future appointment to fill the vacancy. We are also waiting to hear from the Ethics Board about amendments to the current ethics law.

Pro Housing application / next steps / Resolution 103

This was already taken care of in the earlier discussion at the meeting (see above Resolutions).

Vandenburg Rd – intersection safety

Supervisor Adams said the name is now corrected on the road sign and the change has been submitted to the appropriate local agencies. The Highway Department cleared brush (see Highway Report below) to improve sight lines at the intersection, followed shortly thereafter by NYS who further extended the sight lines. The town is looking into a mechanical means to notify people traveling in both directions on 295 of traffic from Vandenburg Road, specifically higher visibility signage. Any signage would be the responsibility of NYS. Councilperson Patzwahl will follow up with residents about replacing the mirror. Supervisor Adams would like to see NYS install caution and yield signs with LED lights and solar panels, like ones employed in Berkshire County.

Implementation of Local Law #3

Supervisor Adams would like to work with Councilperson Patzwahl on the next steps to prepare for the coming year.

Transition of Accounting Services

Robert Patterson has been hired as the new accountant. Smith Watson supplied the July financials but Patterson will take over from there. It has been a smooth transition.

Grants for Stoddard Field Park Masterplan & Town Swim Program submitted

Waiting now for results.

Purple Heart Ceremony / special thanks to Dodie Gearing

The third annual commemoration service took place at Flat Brook Cemetery. The families that attended were grateful for the town's commitment to its veterans. Supervisor Adams will send a thank you to Dodie Gearing and requested that board members let her know we appreciate and are grateful for her work organizing the service.

ADU grant cycle open

Almost two-million-dollar grant received by Columbia County – divided into about 14 grants across Columbia County. Information will be in the next newsletter for those interested in applying.

BOARD DISCUSSION

Planning / ZBA Report / Ginny

No Planning Board meeting this month. The ZBA had an application for the building of a shed by Queechy Lake – looking at the set-backs. The public hearing will be in the evening on August 27th. They would like something in writing from DEC and are waiting for it.

Climate Smart Task Force / Will

Thanks for the CARP resolution. The plan is to determine the feasible projects going forward at the August 20th meeting to meet deadlines, make progress and get points and funding. Compliments were given about the garden.

Public Safety / David

Met July 25th. BRIDGE New York funding is available. Application deadline is in about six weeks.

The state sends out a road inventory every spring. The Vandenburg Road name change needs to be reported so that CHIPs funding will be available. It could possibly be sent in early but best to do it when they send the list. Highway Superintendent Van Tassel is "on it." An elderly resident by Frisbee Street complained about some gravel on a curve by the roadbed that was confusing and had a near accident. Reflective sign to define the curve would be a solution. Next meeting is September 26th.

Transfer Station / David

Up in tonnage again. Over 62.25 tons higher than last year at this time. Discussion ensued. About 10 tons looks like it is from people cleaning out garages and construction-related, not household garbage. People have been calling in reporting abuses. Supervisor Adams reported that she spoke with County Waste about the new local law; they are insured for Canaan to have an employee on site to monitor stickers.

Emergency Management Plan update / draft plan submitted to board for August approval

This has been discussed (see above Resolution #104).

STR /Occupancy Tax & registration moving forward

The Columbia County Board of Supervisors is expected to vote Wednesday night to hire an agency to collect and manage data for the collection of taxes and to collect the taxes. The tax bill is on the governor's desk and expected to go into effect in January 1, 2025. Councilperson Nightingale and Supervisor Adams are working on a town Short Term Rental law that will deal with land use issues.

ARPA projects discussion

Supervisor Adams would like to arrange a time to meet with individual board members to go over assigned projects in order to get the lists and project numbers together for review and decision.

Union discussion updates

Supervisor Adams said the offer will be discussed in Executive Session and voted on when they return to the meeting.

CC & Town of Canaan Hazard Mitigation plan update

Eligibility for FEMA funds depend on the plan being updated. There will be a meeting of the local committee on August 15th for the next and final assignment, with that submission the town update will be on schedule for a fall completion.

Strategic Plan Update / Brenda

There was a workshop meeting before the board meeting tonight. The plan needs to be updated and rewritten; the next step will be to identify a consultant to help us to plan how best to approach the process and guide the committee through the process.

Budget notices sent to departments & vendors

All department heads and vendors have been sent requests to send in their numbers.

EMC opening / call for volunteer

There was a resignation from the Environmental Management Council (EMC). The council meets monthly in Hudson and has a representative from every town in the county. Supervisor Adams will request information from the county Planning Department as to the duties of EMC members.

ASSESSOR'S REPORT (sent via email)

Supervisor Adams asked if all had received the report. They had. Supervisor Adams further shared that a tax abatement company based in Long Island has reached many people in our area; our assessor has an extra burden this year because of the number of cases presented through this company.

HIGHWAY REPORT / Highway Superintendent Stephen Van Tassel

Summary:

- Grading and ditching and Pothole filling on various roads.
- Tree cutting/trimming on Vandenburg Rd is almost complete.
- Culvert pipe and guiderail efforts. Met up with TCBR (Town & County Bridge and Rail) a vendor that reset a long stretch on Frisbee St. I am gathering estimates for further work especially at locations are where we recently installed new culverts and trees that acted as a natural barrier were removed.
- In doing tree trimming on Vandenburg Rd, to improve the line of sight at the intersection, NYSDOT showed up a week later to also trim back the bank off State Route 295. They went considerably higher than we did. They have a 15 ft right of way
- Columbia County Highway has started prepping County Route 5 for their upcoming paving project this year. They have completed a mill and fill on both sides of the road, starting at the thruway bridge and ending at Gifford Rd. We managed to acquire a good amount of millings from the job. I will keep everyone posted on the work.
- We are preparing for the shop roof project, planning to start August 19th.
- With the help of the Town of Austerlitz Highway Superintendent, we completed some dust control on a few different roads around town. I learned how he spreads calcium chloride flake, which is more economical than the liquid calcium chloride.
- After learning NYSDOT does not have a running list of speed limits approved and permitted for Towns, Counties and or State Roads, I have started to create an inventory list of all the speed limits in Canaan. This list will include road name, speed in MPH, number of signs posted, paved/gravel, and type of speed limit (linear speed, area speed, minimum/maximum, town speed limit). Beebe Pond Road came up.
- Some neighboring towns have posted speed limits on their gravel roads. I am communicating to learn more to help determine what we in Canaan could do.
- John Deere Tractor on schedule for delivery October 4th.
- CHIPS have been submitted and the funds will be received in September.

Thanks were offered for the many responses to call outs this month.

PUBLIC DISCUSSION

A resident named Jeanne Birch in the audience had several points and comments.

- She wondered about changing the time slot in board meetings for Public Comment. She thought it would be better to have public comment before votes on motions & resolutions and wondered how to go about proposing the change. Supervisor Adams explained that having public comment earlier on business issues would make the meetings run long. She also pointed out that the agenda is posted on the website ahead of the meetings and residents can send in comments and questions ahead of the meetings. Ms. Birch asserted the agenda does not have much information and wondered if the resolutions could also be available before the meeting. Supervisor Adams responded that going forward they would try to have the resolutions published with the agenda on the website.
- She suggested that when there is something that affects everyone in the town that an email go out and that there be a public hearing. Discussion about what ways input can be heard from the town residents was touched upon again. A specific point about the pledge in Resolution #103 being only aspirational was discussed and clarified. It was noted the Town Board is elected to conduct town business and that decisions that rise to the level of public hearings are defined by the state and followed by the town.
- She had a question about who receives grant money under the Pro Housing program– the town or an individual. It was explained that program grants have different types of eligibility, the recipient depends on the program / grant. It was noted the town is not a housing developer.
- She brought up the housing affordability issue and suggested tax reductions for residents as an avenue to improve affordability. Supervisor Adams explained why taxation reductions would not be the answer. Adams also pointed out that Canaan and Columbia County have a higher percentage of retired people that could be disadvantaged with tax changes.
- She expressed concerns about rolling the affordable housing planning committee into the strategic plan committee.
- She expressed concerns about having lighted signs.
- She made a final suggestion to have a night time camera at the Transfer Station.

All Ms. Birch's concerns were taken seriously and the supervisor and board members shared their thoughts respectfully.

Lauree Hickok noted the sound and images on the Zoom were "degraded" this month. She otherwise thanked the board for all their hard work. She sent all a thousand pats on the back.

Supervisor Adams determined there were no more questions or comments and called for a motion for the Executive Session to begin. Councilperson Nightingale made a motion to go into Executive Session at 8:48 pm, 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.

The recording was suspended.

EXECUTIVE SESSION (contractual issue & potential litigation issue)

Executive Session ended at 9:26 pm. Recording resumed.

Supervisor Adams reported that no decisions were made in Executive Session. She returned the meeting to Resolution #102.

Resolution #102 of 2024 Authorizing the Approval of a Collective Bargaining Agreement Between the Town of Canaan and Teamsters Local 294 for Highway Department Employees

The Town of Canaan has negotiated a Collective Bargaining Agreement with Teamsters Local 294, Canaan Highway Department affiliated with the International Brotherhood of Teamsters, AFL-CIO, with a term of September 1, 2024-December 31, 2026. Among other provisions, the contract provides for a multi-year contract term of September 01, 2024 through December 31, 2026. The Town Board hereby approves the necessary funding for the implementation of the provisions of the Collective Bargaining Agreement and the Supervisor of the Town of Canaan is hereby authorized to sign the Collective Bargaining Agreement between the Town of Canaan and Teamsters Local 294, Canaan Highway Department, and to take all necessary steps to implement the terms of same. Supervisor Adams asked if there was any further discussion on the resolution; there was none. She called for a motion to approve the resolution. 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.

MOTION TO ADJOURN

Supervisor Adams called for a motion to adjourn. Councilperson Patzwahl made a motion to adjourn at 9:30 pm, 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.

NEXT MEETING

Regular Meeting September 9, 2024 at 7 PM

Respectfully submitted,
Rebecca Nebesar
Deputy Clerk 2