

Town of Jackson Town Board Meeting December 28, 2018

<These minutes are subject to Town Board approval>

The Town Board of the Town of Jackson met on December 28, 2018 at 1:00 pm at the Town Hall for the year-end meeting.

PRESENT:

- Jay Skellie..... Supervisor
- Mike Nolan..... Councilman
- Travis Rea..... Councilman
- Carol Rich..... Councilwoman
- Edward Rouse..... Councilman
- Sean Carney.....Highway Superintendent (absent)
- Tammy Skellie-Gilbert..... Town Clerk
- Donna Nolan..... Budget Officer
- Sharon Dunn.....CARES
- Noel Hanf.....Planning Board Chair
- Jean McLenithan.....Assessor Chair
- Mark Mahoney.....Planning Board

Also Present: Tine Hughes, Sue Jacobson, Jim & Barbara Maguire, David Skulnick, Mary Talmadge

4-H Clubs – In mid-October 2018 a 4-H Club requested to use the Town Hall for meetings on Sunday afternoons. At that time another 4-H Club had already been using the building on Sunday afternoons. At the November Town Board meeting, the Board discussed whether or not to continue to allow 4-H Clubs to meet at the Town Hall given that, as of November 1st, the Town Clerk’s office was now located there. At that time the council members left the final decision to the Supervisor.

In early December, the Supervisor decided that since the vast majority of cabinets in the Town Hall weren’t able to be locked, he felt the 4-H Clubs should make plans to meet elsewhere beginning in 2019. Additionally, there was concerned about more people having keys to the building (the current club borrows a key from an appointed town official before each meeting). After the clubs were notified of the Supervisor’s decision, the one club who currently uses the building requested that the decision be reconsidered and repealed. The club leaders agreed to attend the December 28th meeting to talk with the entire Board.

Mark Mahoney reminded the Board members that all 4-H Leaders have completed background checks and that Cornell Cooperative Extension will provide a Certificate of Insurance. Jean McLenithan stated that the Town Hall should be open to anyone or any group.

The Supervisor stated that the Town had just purchased a secure safe to hold most of the sensitive documents thereby minimizing previous security concerns. He also stated there will be some basic ground rules:

- Club leaders will need to obtain a key from a Town official prior to each meeting;
- Club leaders must communicate with one another about each clubs' meeting schedule, THEN notify the Town Clerk; and finally,
- When leaving the building, the clubs need to leave the space as they found it; turn the heat down to 55 degrees, leave bathroom door open, turn off all lights and lock up.

In the end the Board agreed to allow both clubs to meet at the Town Hall effective immediately.

Concerns on Sullivan Way – Several residents owning property on Sullivan Way were present to discuss issues they've been having for about seven months with the tenants at 515 Sullivan Way (owned by DML Corporation). The initial concerns were

- The tenants are dog owners who state the dogs are service dogs, however, the neighbors feel their training techniques belie that.
- The dogs do not have any insignia that identify them as service dogs which under the American Disabilities Act – ADA- is not required.
- The tenants don't have their dogs on a leash or harness while walking [with them] around the neighborhood, and periodically as part of the training, allow the dogs to run behind one of the tenants while driving a motorized scooter.
- The tenants allowed their dogs to run at-large without supervision.
- One resident's dog was circled by two of the tenant's dogs in a threatening matter, however no direct contract was made.
- One of the tenants said he could command his service dog to attack a neighbor if he felt threatened. This comment was made after one resident had made a few attempts to request that the service dogs be place on a leash.

More recently, the neighbors are upset that the tenants at 515 Sullivan Way are purchasing calves to slaughter and hang at the property which is only an 80x70 ft. parcel. The carcasses are used to feed their dogs. The neighbors feel that the properties in that area are too close to one another to have to witness the killing of calves and seeing them hung.

When these issues began last spring, the Town Clerk sent a letter to the tenants dated June 28, 2018, welcoming the tenants to Jackson. The letter included a variety of information specific to people who have recently moved to Jackson. Knowing they had dogs, she also included Jackson's Dog Law. The tenants licensed their dogs as service dogs on July 9, 2018. They provided a copy of their registrations with *USA Service Dog Registry*. This organization provides services to those who have service and therapy dogs, and emotional support animals with identification items, clarification of laws (i.e. American Disabilities Act), and guidance dealing with various public situations (i.e. flying on a plane with a service dog). *USA Service Dog Registry* does not require proof that a dog has been trained as a service dog. It states on their website:

We ask you to acknowledge that you have a disability that qualifies you for a service dog or emotional support animal under the interpretation of the ADA, ACAA, FHA. Please do not take advantage of this powerful service.

Under the ADA, a service dog, in general, is not required to have any insignia that identifies it as a service dog.

On August 9, 2018, the Town Clerk sent another letter to the tenants to address the need to leash, harness or tether the dogs while off the property. The letter included references directly from the *U.S. Department of Justice, Civil Rights Division* relevant to Service Dogs and the *ADA Frequently Asked Questions*. The intent of the letter was to help the tenants understand their rights hoping to improve neighborly relations. The complete letter is on file.

During the Town Board meeting the tenants were present and were able to address their neighbors and the concerns. At the conclusion, the tenants agreed that they would not kill any more calves. Additionally, they stated that a fourth dog that was frequently being harbored on their property is no longer with them. It was a relative's dog that was not intended to stay in Jackson.

RESOLUTION #99-18

A motion by Councilwoman Rich, seconded by Councilman Rea; Resolution passed 5-0, **to approve the December 5, 2018 Town Board minutes as written.**

Councilman Nolan shared that last summer, he was not in favor of the minutes no longer being read aloud at meetings.

RESOLUTION #100-18

A motion by Councilman Nolan, seconded by Councilman Rouse; Resolution passed 5-0, **to read the Town Board minutes at each meeting.**

REPORTS

Highway – No report

Planning Board – Two Planning Board members have resigned effective December 31, 2018 due to a change in their residencies.

RESOLUTION #101-18

A motion by Councilman Rea, seconded by Councilman Nolan; Resolution passed 5-0, **to appoint Amy Maxwell to fill Jamie Nolan's two-year term on the Planning Board effective January 1, 2019 and conclude on December 31, 2020.**

CARES – Sharon Dunn reported that statewide more residents took advantage of assistance provided by agencies such as the Office for the Aging during the Medicare Open Enrollment period. She also shared a program resources booklet that will be available for people to see in the Town Clerk's office.

OLD BUSINESS - None

NEW BUSINESS

Volunteer Dinner – The Town will ask Tina Rowland if she’s interested in preparing the annual Volunteer Dinner in late February/early March.

Supervisor’s Report –

- Washington County recently received a grant to help up to six municipalities complete property assessment re-evaluations (re-vals). The Town of Jackson has not undergone a re-val since 1991 and supported the County’s grant application. Jackson will likely be one of the Town’s selected. At this time, it is unknown what the Town’s contribution might be, when the re-val might begin or how the process will unfold.
- Jean McLenithan shared that the Enhanced STAR exemptions will be changing in 2020. She has not yet received a lot of information from the State.
- The Supervisor received a letter dated December 12, 2018, from the International Brotherhood of Teamsters Local 294. The letter stated that
100% of the Highway Department employees employed by the Town of Jackson have designated the International Brotherhood of Teamsters Local 294 as their sole collective bargaining agent by duly signed authorization cards.

The Town Board was unaware that the employees were communicating with the union.

[NOTE: The Highway Supt. is not included in the “100% of the Highway Department”]

RESOLUTION #102-18

A motion by Councilwoman Rouse, seconded by Councilman Rea; Resolution passed 5-0, **to approve the following budget transfers:**

- **\$29.48 from A1990.4 Contingent to A1410.4 Town Clerk**
- **\$3,281.25 from A1990.4 Contingent to A1420.4 Attorney**
- **\$519.31 from A1990.4 Contingent to A8160.4 Refuse & Garbage**
- **\$28.96 from A1990.4 Contingent to A1330.4 Tax Collection**
- **\$1,381.20 from A1110.4 Justice to A1420.4 Attorney**
- **\$1,898.08 from A5140.1 Brush & Weeds to DA5130.4 Machinery**
- **\$697.79 from DA5140.4 Brush & Weeds to DA5142.4 Snow Removal**
- **\$132.23 from DA5120.1 Bridges to DA5130.4 Snow Removal**
- **\$452.20 from DA9060.8 Health Insurance to A9730.7 Reven. Anticipation Note Interest**
- **\$694.13 from DA5120.1 Bridges to DA5130.1 Machinery**
- **\$1,078.95 from DA5110.4 General Repairs to DA5110.1 General Repairs**
- **\$2,422.97 from DA5110.4 General Repairs to DA5142.1 Snow Removal**
- **\$85.61 from DA5110.4 General Repairs to DA5130.1 Machinery**

RESOLUTION #103-18

A motion by Councilman Nolan, seconded by Councilman Rea; Resolution passed 5-0, **to approve the following budget amendment in the Highway fund:**

- **\$40,000.00 to reflect money received from Glens Falls National Bank & Trust Co. for Revenue Anticipation Note. Money will be shown in DA9730.6**

RESOLUTION #104-18

A motion by Councilwoman Rouse, seconded by Councilman Nolan; Resolution passed 5-0, **to approve payment of the following bills as audited on December 28, 2018, Abstract #12A and authorize the Supervisor to pay said bills from the respective funds:**

FUND	BILL #	AMOUNT
General	152-165	\$7,102.51
Highway	246-253	\$43,725.35

The meeting was adjourned at 2:20 pm.

Respectfully submitted,

Tammy Skellie-Gilbert, RMC
Town Clerk