

**UNION VALE TOWN BOARD MINUTES
2015**

APRIL 21, 2016

TOWN HALL 249 DUNCAN ROAD LAGRANGEVILLE NY

7:30 PM

Members present: Supervisor Patricia Tompkins
Town Board: John Welsh, Steven Frazier, David
McMorris, Corrina Kelley

The meeting was opened with the flag salute.

**RESOLUTION APPROVING THE ESTABLISHMENT OF THE BRUZGUL
HEIGHTS DRAINAGE DISTRICT**

Councilwoman Kelley offered a motion to dispense with reading the following resolution as all members of the Town Board and the Town Clerk has copies prior to the meeting and copies were available to the public to adopt the following resolution to establish the Bruzugul Heights Drainage District. The motion to dispense with reading the resolution was seconded by Councilman Frazier and passed with a unanimous vote

Councilman Welsh stated that he felt that there had been ample opportunity for public comment and he moved that the public hearing be closed and move forward with the adoption of the resolution. Supervisor Tompkins seconded the motion.

At a regular meeting of the Town Board of the Town of Union Vale, Dutchess County, New York, held at Town Hall, 249 Duncan Road, LaGrangeville, New York, on the 7th day of April, 2016, at 7:30 P.M.

The meeting was called to order by Patricia Tompkins, Supervisor, and upon roll being called, the following were present:

PRESENT:	Supervisor	-	Patricia Tompkins
	Council Members	-	John Welsh Steve Frazier Dave McMorris Corrina Kelley

The following Order was introduced by Councilwoman Kelley and seconded by Councilman Frazier.

WHEREAS, a written Petition of RRC HOLDINGS, INC., BENJAMIN P. ZIMMERLI, KIMBERLY L. ZIMMERLI and ALEXANDER SERROUKAS, dated October 12, 2015, and executed by Antonio Rodrigues as President of RRC Holdings, Inc., Benjamin P. Zimmerli, Kimberly L. Zimmerli and Alexander Serroukas, Petitioners and Owners of the taxable real property in said proposed Drainage District as shown upon the latest completed assessment roll of the Town of Union Vale, has been duly presented to the Town Board of the Town of Union Vale, Dutchess County, New York, in relation to the establishment of a Drainage District to be known as the "BRUZGUL HEIGHTS DRAINAGE DISTRICT", pursuant to Article 12 of Town Law, which Petition, together with a Map, Plan and Report have been filed in the Office of the Town Clerk and are available for public inspection; and

WHEREAS, said Map, Plan and Report include a map showing the boundaries of the proposed Drainage District and a report of the proposed method of operation thereof, and was prepared in a manner and such detail and in accordance with the requirements of Article 12 of Town Law, and was prepared by Lawrence J. Paggi, P.E., P.C., competent engineers duly licensed by the State of New York; and

WHEREAS, the properties to be included within the BRUZGUL HEIGHTS DRAINAGE DISTRICT, consist of those properties described in Schedule "A" attached hereto and hereby incorporated herein; and

WHEREAS, the improvements proposed in said district consist of the construction, installation and maintenance of a drainage system and related improvements to serve the properties within said district in accordance with certain plans incorporated in the Map, Plan and Report dated May 29, 2015, last revised September 24, 2015, and which is hereby

approved and adopted by this Town Board and is now on file in the Office of the Town Clerk; and

WHEREAS, RRC Holdings, Inc. is the Owner of the Bruzgul Heights Subdivision and shall construct said drainage system at its own expense and once the drainage facilities required for the subdivision have been properly constructed to the satisfaction of the Town, the drainage facilities shall be transferred to the Town of Union Vale and/or the BRUZGUL HEIGHTS DRAINAGE DISTRICT, without any cost to the Town, and all costs and expenses occasioned by the creation of this District shall be borne by RRC Holdings, Inc.; and

WHEREAS, RRC Holdings, Inc. shall install all improvements referenced in the Map, Plan and Report and dedicate same to the District upon completion thereof; and

WHEREAS, the improvements to be constructed for the BRUZGUL HEIGHTS DRAINAGE DISTRICT shall be such facilities and related appurtenances, including but not limited to, a dry detention pond, two (2) bioretention areas, two (2) bioretention sedimentation basins, two (2) bioretention pre-treatment swales, three (3) outlet control structures, a stormwater manhole, 338 linear feet of 18" HDPE, 181 linear feet of 8" HDPE, rip rap swale, grass swales and drainage swale, two (2) hardened Stormwater Management Practice Access Roads, Fencing and Gates; and

WHEREAS, the maintenance of all drainage easements and incidental improvements and expenses in connection therewith is more fully described in the Map, Plan and Report, herein further described; and

WHEREAS, the estimated costs to the BRUZGUL HEIGHTS DRAINAGE DISTRICT for the first-year budget will be approximately Five Thousand Six Hundred Twenty-Five Dollars (\$5,625.00) which divided equally among the seven (7) lots will result in a cost of Eight Hundred Three 57/100 Dollars (\$803.57) per lot; and

WHEREAS, following the aforementioned construction and dedication of the improvements to the Town, the cost for and for maintaining the District shall be assessed, levied and collected from the several lots and parcels of land within said District in proportion to the benefit which each lot and parcel of land in said District shall derive there from as set forth in the Map, Plan and Report; and

WHEREAS, maximum estimated costs of said improvements to the Town is zero (\$0.00); and

WHEREAS, there are no hook-up fees proposed to the typical property in the BRUZGUL HEIGHTS DRAINAGE DISTRICT; and

WHEREAS, a detailed explanation of the manner by which the computations for the estimated first-year costs to the typical property in the BRUZGUL HEIGHTS DRAINAGE DISTRICT is contained within the aforesaid Map, Plan and Report which has been filed in the Office of the Town Clerk where the same is available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, the Town Board determines that the creation of this Drainage District is a Type II action as defined in 6 NYCRR 617.5 and in Chapter 120 of the Code of the Town of Union Vale and, accordingly, the Town Board hereby expressly determines that this action is not an action that requires review pursuant to the provisions of the New York State Environmental Quality Review Act (SEQRA)

or pursuant to Chapter 120 of the Code of the Town of Union Vale or pursuant to 6 NYCRR Part 617; and

WHEREAS, an Order Calling Public Hearing was duly adopted by the Town Board on March 3, 2016, reciting a description of the boundaries of said proposed Drainage District, the improvements proposed, the estimated costs, a detailed explanation of the manner by which the computations for the first-year costs to the typical property, the fact that said Map, Plan and Report was on file in the Office of the Town Clerk for public

inspection and specifying the 7th day of April, 2016, at 7:30 o'clock P.M., local time, at Town Hall, 249 Duncan Road, LaGrangeville, New York, in said Town, as the time and place where said Town Board would meet for the purpose of holding a public hearing to consider the establishment of the BRUZGUL HEIGHTS DRAINAGE DISTRICT, and said Map, Plan and Report filed in relation thereto, and to hear all persons interested in the subject thereof; and

WHEREAS, notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by Section 193 of the Town Law, and proof of publication and posting have been duly presented to the Town Board; and

WHEREAS, said public hearing was duly held at the time and place in said Order as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, the Town Board has duly considered said Petition and Map, Plan and Report and the evidence given at said public hearing; and

WHEREAS, said Town Board has adopted a Resolution on this date making the findings and determinations required pursuant to Section 194(1) of the Town Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Union Vale, Dutchess County, New York as follows in accordance with the provision of Section 194(2) of the Town Law:

1. The recitations above set forth are incorporated in this Order as if fully set forth and adopted herein.
2. The establishment of the BRUZGUL HEIGHTS DRAINAGE DISTRICT in the Town of Union Vale, Dutchess County, New York, to be bounded and described as hereafter set forth, and the improvements proposed therefore, all as more fully described in the Map, Plan and Report herein described, is hereby approved. The maximum estimated costs of said improvements to the Town is zero (\$0.00).
3. Said Drainage District shall be bounded and described as set forth in Schedule "A" attached hereto and hereby made a part hereof.
4. The Town Clerk shall file a certified copy of this Resolution in the Office of the Clerk of the County of Dutchess, which is the County in which the said Town of Union Vale is located, and another certified copy in the Office of the State Department of Audit and Control, within ten (10) days after the adoption of this Resolution, pursuant to Section 195 of the Town Law.
5. This Resolution shall take effect immediately.

The foregoing was put to a vote which resulted as follows:

Patricia Tompkins, Supervisor	Voting	Aye
John Welsh, Council Member	Voting	Aye
Steve Frazier, Council Member	Voting	Aye
Dave McMorris, Council Member	Voting	Aye
Corrina Kelley, Council Member	Voting	Aye

Dated: April 7, 2016

The Resolution is hereby declared duly adopted.

Mary Lou Deforest, Town Clerk

Councilman Welsh asked if the town budget would go up due to this drainage district and Mr. Courtien stated that the budget would go up but the district costs would be paid by the residents of the district.

Supervisor Tompkins mentioned that she was able to get the excessed equipment on the auction web site and the Town was able to sell everything and took in \$12,875.00. Mrs. Tompkins met with the Library Steering Committee last night they came up with some good ideas. She met with Alan Bell, Supervisor of LaGrange, Wanda Livignia-Bentley and Councilman Frazier regarding the Bruzgul Heights sub-division.

OPEN MEETING TO COMMENT ON AGENDA ITEMS

There were no comments on agenda items and the meeting was opened to the regular order of business.

DUTCHESS COUNTY COMMUNITY ACTION AGENCY

Elizabeth Spira, CEO of the Dutchess County Community Action Agency was present and gave an overview of the many services offered to County residents by the agency such as emergency fuel, food pantries, employment assistance and retired and senior volunteer programs, serving over 1600 households.

NYSERDA SOLAR PRESENTATION

Hugo Jule from New York Energy Research & Development Authority gave a power point presentation regarding solar power and had informational pamphlets available.

Supervisor Tompkins read a letter from Town Engineer Larry Paggi in response to Joseph Kelley's letter regarding the Bruzgul Heights sub-division. The letter is on file in the Town Clerk's Office.

ULTRA VIOLET SYSTEM INSTALLATION – TOWN HALL

The ultra violet system for the Town Hall is scheduled for installation on April 26th.

IRON FURNACE LIQUOR LICENSE RENEWAL REQUEST

The Town received an email from the law firm of Corbally, Gartland and Rappleyea, the attorneys representing The Iron Furnace asking the Town Board to approve their request to waive the thirty-day requirement for an application for on premises alcoholic beverage license. Councilman Welsh remarked that there were so few businesses located in Union Vale that he felt that the Town should honor their request and offered the motion to approve their request. The motion was seconded by Councilman McMorris and passed with a unanimous vote with Councilman Frazier asking that the request be forwarded to the Town Attorney for his approval.

MEMORIAL DAY FLAGS

The Town of Washington asked the Town of Union Vale to contribute to the cost of the flags that they will be putting on the Veterans graves for Memorial Day. Councilman McMorris offered a motion to contribute \$463.00 toward the cost of the flags for Memorial Day. The motion was seconded by Councilman Frazier and passed with a unanimous vote.

Councilman Welsh reported that the Town has applied for a grant from the County for additional handicap accessibility at Tymor Park but unfortunately the grant was denied. Mr. Welsh mentioned that the vehicle used by the Code Enforcement Officer and Constables inspection was three weeks overdue and dirty inside and out. Supervisor Tompkins stated that she would like a log kept on every piece of town owned equipment.

Councilman McMorris mentioned that Constable George Treadwell was making up a log book for the Constables. Mr. McMorris also mentioned that he attended a meeting on parks with Rob Mattes and Mr. Mattes will report on that meeting. Mr. McMorris also wrote up policy and procedures for the Budget Advisory Committee which he copied to the Town Board and it is posted on the Web site. Members of this committee should be Town residents but not Town employees.

Councilwoman Kelley mentioned that Betsy Maas is Chairing the Library Steering Committee which meets on the second Tuesday of the month. Ms. Kelley mentioned that perhaps the Town Board would like to set up a time to meet with her.

Councilman Frazier mentioned that he went with the Supervisor Tompkins to the Bruzgul Heights subdivision and they noted some safety concerns. The developer has asked for a bond reduction but until these concerns are addressed the bond reduction request has been rescinded. Mr. Frazier also mentioned that the LED light conversion program from Central Hudson has been approved and Central Hudson will at the next meeting to speak regarding the survey of the Town properties and explain what the costs would be and what the energy savings would be.

TOWN CLERK REPORT

Conservation Licenses - \$387.36, Dog Neutering Fund - \$78.00, Marriage Licenses - \$0, Recycle/Compact Fees - \$8,200.30, Recreation Fees - \$66,347.00, Town Fees - \$763.39

HIGHWAY REPORT

Highway Superintendent Richard Wisseman reported that his department did the following work in March and April: The tree work on Cooper Drive and O'Brien Hill Road was completed. Brush was mowed on Verbank Club Road and Brush Hill Road with the boom mower. The cul-de sacs were all cleaned from the winter snow removal. Two dead trees were removed two dead trees on Walsh Road and 3 on Wisseman Road. Swept all the roads with the loader and used Easy Street Cleaners to sweep and remove the sand from all of the developments. Removed sod and dirt at the intersection of North Smith and Tompkins Road to improve site visibility. Cleaned the ditch at the same intersection on the opposite side of the road. Picked up several orange bags that were left from town residents doing spring cleanup. Repaired two catch basins on Grange Vale Road. Had seven trucks inspected. Had a full service done on the chipper and had the roller serviced. Cleaned all the trucks after the last snow. Pulled the sander off truck #3 and put the dump body back on it. Replaced two cracked wheels on truck #3. Sanded all the wheels and painted them as well. Got the wheels free from the town of South East. Replaced 3 signs and installed 4 new ones. Replaced the strobe light on Truck #1. Mr. Wisseman spoke about residents leaving brush at the Highway Garage to be burned. There is no burning until May 15th and he can't burn leaves or chips. There is a sign as to what can be burned. He Thanked everyone who helped with roadside cleanup. Supervisor Tompkins asked Mr. Wisseman about signage at the Fountains to control speeding.

HIGHWAY PURCHASE OF USED PIPE

Mr. Wisseman mentioned that he had an opportunity to purchase aluminized arch pipe 16' by 24' by 5' from the Town of Poughkeepsie Highway Department. The pipe is in good condition and he can use it on Cutler Lane or at the bridge in Tymor. He needs approval to pay Chemung \$2,500 to have them take the pipe apart and bring the pipe from Poughkeepsie to the Highway Garage. Councilman Frazier offered a motion to authorize Mr. Wisseman to purchase this pipe. The motion was seconded by Councilman McMorris and passed with a unanimous vote of the Town Board.

FINANCE REPORT

Ryan Courtein reported that General Fund Revenues were \$00,000.00 and General Fund Expenses - \$41,570.47, Highway Fund Expenses - \$27,185.63 and Highway Revenues - \$00,000.00.

HIGHWAY SUPERINTENDENTS CLAM BAKE

Richard Wisseman mentioned that the annual Highway Superintendents clam bake was scheduled for September 8, 2016. Councilman McMorris offered a motion to authorize the Highway Superintendents the use of Tymor Park for the event. The motion was seconded by Councilman Frazier and passed unanimously. Mr. Wisseman extended an invitation to the clambake to the members of the Town Board. Councilman Frazier mentioned that this picnic was an opportunity for the County Highway Superintendents and workers to meet and stay on top of new products and developments. This picnic is funded independently with no cost to Union Vale.

CODE ENFORCEMENT OFFICE REPORT

18 Building Permits issued, 11 Resident/applicant meetings, Violation Notices issued – 2, Violations abated – 2, 39 Inspections performed, 2 Complaints received, 2 acted on, 18 Certificates of Occupancy, 17 hours of plan review, 5 Municipal searches and 21 Old Certificates of Occupancy/Compliance issued, 1 Fire call out for a total of \$625.00 taken in for March.

TAX COLLECTOR REPORT

Edna Bonk, Tax Collector submitted a report that she took in \$123,094.85. \$1,800,000.00 was disbursed to the Commissioner of Finance and \$2,461.59 was paid to the Supervisor for penalties.

PARKS AND RECREATION

Mr. Mattes reported that he created vehicle logs for each vehicle including mowers and utility vehicles. As time allows the staff will continue working on the grove of trees by the baseball fields. Staff trainings were conducted covering PPE, LOTO, Rabies protection, Hazardous Material procedures, and Tick and Mosquito protection. Installed new Disk Golf posts and signs were installed. Rob attended an Events Active Shooter workshop. The main point they stressed was to keep in mind three options for everyone to remember. Run, Hide, Fight. Mr. Mattes attended a Playground Maintenance workshop. The workshop was not what was expected. The first two and a half hours of the three-and-a-half-hour training covered sexual harassment, background checks, liability. The playground portion was interesting, but they did not really go into much maintenance at all. The playground at Tymor Park was inspected for safety issues. One bolt was tightened that had become loose on a hand spinning component. The rest of the playground was in good order. He attended a workshop sponsored by the Hudson River Estuary Program. They are looking for candidates who would like a study done on removing any existing dams on our property in order to create better migratory areas for fish. The study would be free, and include extensive research on the cost to actually remove the dam. The group would put together a packet of information for us to use in grant writing when the next round of grants come out for this type of project. If they chose the town to participate in their program, the town would have to agree that they would move forward with trying to obtain grant funding to remove the dam. Mr. Mattes met with Kim and Sydney Scoralick to discuss opportunities to create/provide more handicapped accessible play areas at both Tymor Park and Godfrey Park. They are interested in getting involved with helping to find funding options and grants for future projects. More information will be coming as ideas are developed. Opened the seasonal bathrooms at Tymor Park. They will now be open daily through mid-October. Godfrey Park bathrooms are not open yet. Moved solar panel for the electric gate at Tymor Park. Fixed a foot bridge crossing the creek in Tymor Park. Began baseball field work and lined the soccer field. Re-stained bleachers at lower baseball fields. Replaced the old door at the tennis courts with a chain link door for better access from the public. Replaced light bulbs in large pavilion due to vandalism. Met with two eagle scout candidates to discuss projects in the park. One scout will be developing a nature trail for the park and the second scout will be building a lean-to for the park. Mr. Mattes will be meeting with George Kolb next week to discuss the lean-to and make sure that we have any required permits prior to the work commencing. Fixed the entry way into Godfrey Park and pruned a number of areas where the walking trails were being choked out with overgrown bushes and trees. We had record numbers at this year's egg hunt. Next year we will be separating the ages into different sections to make sure that each age group has their own area. For the oldest kids we have a special surprise we are working on which might include a bit of egg hunting in the forest. More details to come next year when it is all worked out. We had a number of families come and play at Tymor Park for our first ever Gala of Games. It was an open concept play night where families come and just enjoy the use of the games and equipment we put out. We look forward to offering the event again in the future. TGTT Tomorrow (April 22) and next Friday (April 29) The Fishing Derby is Next Saturday (April

30) and begins at 8:00am. Free to youth 15 years and under. There is an assistant Aquatics Director Position available. If interested please send resume and cover letter to Rob and the resumes are due by Friday, April 28th.

RECYCLING REPORT

Thomas St. Onge gave an update on proper recycling methods. He also mentioned that road cleanup will be conducted this month. The orange bags are available at the Recycling Center, Highway Garage and the Town Hall. The annual document shredding will be done at the Town Hall on Wednesday, April 27th from 9 am until 10 am.

DOG CONTROL REPORT

The Dog Control Officer reported 1 dog found and returned to its owner and two complaints regarding a menacing dog and the owner was issued a warning.

MEDIA REPORT

Andrea Casey reported that she found a digital camera on line at the B & H Company to replace the camera currently used for filming Town Board meetings for \$2,299.00 that would be compatible with the equipment in use. This equipment is portable and could be used for other town events. Councilman McMorris offered a motion to authorize the purchase the camera and the motion was seconded by Councilman Frazier and passed with a unanimous vote of the Board. Andrea mentioned that U tube and closed captioning were available on the Town channel at no extra charge and there have been 5100 hits on the web site already this month.

PLANNING BOARD REPORT

Application fees amounting to \$300.00 were collected in March.

ZONING BOARD REPORT

\$250.00 was collected for an area variance application for the month of March.

AUTHORIZE PAYMENT OF BILLS

Councilman Welsh offered a motion to pay the General Fund claims, the Highway Fund vouchers and the Miscellaneous Fund for the month of April. The motion was seconded by Councilman McMorris and passed unanimously.

STORMWATER MANAGEMENT REPORT

Supervisor Tompkins directed the Town Clerk to read in to the record the following legal Notice: Notice is Hereby Given that the Town of Union Vale's Stormwater Management Program 2nd. Annual Report is posted online at the Town of Union Vale's official website. Notice is hereby given that the Town of Union Vale Supervisor and Council members will hear public comments at Town Hall 249 Duncan Road LaGrangeville, New York on May 5, 2016 at 7:30 PM regarding Town of Union Vale's Stormwater Management Program 2nd Annual Report (SWMPAR). The SWMPAR is a requirement of the Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Water Systems (MS4s) GP-0-15-003. The report includes the Municipal Compliance Certification Form and the SWMPAR Tables. A copy of this report is also available for review at the Town Hall.

DC COMMUNITY ACTION PARTNERSHIP PAYMENT

Supervisor Tompkins offered a motion to correct the amount to be given to the Dutchess County Community Action Agency to \$1700.00, the amount in the budget. The motion was seconded by Councilman Frazier. After comments by Councilwoman Kelley regarding the legality of giving this money to the Agency, Councilman Frazier offered a motion to table the matter until the next meeting, May 5, 2016 and forward the matter to the Town Attorney for his opinion. This motion was seconded by Supervisor Tompkins and passed with a unanimous vote.

Councilwoman Kelley read a letter from Jean Moore in response to Wanda Livigni-Bentley who spoke at the April 7th meeting. This letter is on file in the Town Clerk's Office

EXECUTIVE SESSION

Supervisor Tompkins offered a motion to go into executive session to discuss Park matters. The motion was seconded by Councilman Frazier and passed unanimously.

Supervisor Tompkins offered a motion to return from Executive session stating that no decisions were made or votes taken. The motion was seconded by Councilman Frazier and passed.

OPEN MEETING TO COMMENT ON NON AGENDA ITEMS

Supervisor Tompkins opened the meeting to comment on non-agenda items.

Andrea Welsh mentioned that she would like to thank Gerald Bocker for volunteering to video tape the meeting.

There were no further comments and the regular order of business was resumed.

Councilman Frazier stated that but he would like to propose that the agenda be closed a week in advance but that items deemed to be emergency items could be added to the agenda at the beginning of the meeting which would then need a unanimous vote of the Board in order to be added. Councilman McMorris seconded the motion. Councilwoman Kelley said that she agreed with adding items but she felt that a majority vote would be sufficient. Councilman Frazier asked that his motion for a unanimous vote be approved. Councilman Welsh voted no as he feels that majority should rule. Councilpersons Kelley and McMorris also voted nay and Councilman Frazier voted aye. Councilman McMorris offered a motion that emergency items could be added to the agenda the day of the meeting with a majority vote of the Board. Councilpersons Welsh, Kelley and McMorris voted aye for a majority vote and Councilman Frazier voted nay. The motion to add items to the agenda with a majority vote passed.

MOTION TO ADJOURN

Supervisor Tompkins offered a motion to adjourn at 9:32 p.m. The motion was seconded by Councilman Frazier and passed with a unanimous vote of the Town Board.

Respectfully submitted,

Mary Lou DeForest

Mary Lou DeForest, Town Clerk