

UNION VALE TOWN BOARD MEETING SEPTEMBER 16, 2021

UNION VALE TOWN HALL 7:30 PM

PRESENT: Supervisor Maas

Town Council: Kevin McGivney, Steven Frazier, John Welsh

Kevin Durland- Absent

Town Clerk: Andrea Casey

Highway Superintendent: Ed Kading

Town Attorney: Jeff Battistoni

Call to Order and Salute to the Flag at 7:30PM A moment of silence for the 13 Americans killed in Afghanistan.

Motion to Approve Minutes

Councilman Welsh made a motion to approve the July 15th meeting minutes as written seconded by Councilman McGivney and all were unanimously in favor.

*Special Presentation on Land Use Regulations & Cannabis. Presenter: **Brandee Nelson, PE, LEED, AP, Vice President at Tighe & Bond***

Supervisor Report

- Town Board members have received the list of warrants/abstracts; cash receipts, escrow reports, Building Dept. report, performance vs budget report and lists of all deposits made in both the General Fund and Highway Fund.
 - Cash Flow: 104% of cash in and 89% of expenses for the month of August
 - General Fund: \$3,877,327 and Highway Fund: \$321,625 Total: \$4,198,952. Will be having conversations with the Board to determine how these funds can be used towards capital projects.
 - For the 2022 Budget, wants the Board focus on revenue and look at tentative budget number
 - Historically the Town has brought in more money in revenue rather than by taxes, taxes have been flat for at least 4 years. Some departments are services and do not produce revenue such a court but most fund themselves or create revenue. Will be further reviewed during budget process
 - The Board has been provided with cash audits and no management letter is needed due to no issues

Correspondence:

*Resident wrote about NRI documents and sent comments to CAC “stunningly detailed and comprehensive ...”

*Resident wrote a letter of support for the reforestation and a pledge of \$200

*President of the Seniors thank you note on behalf of the Senior Club for serving them lunch

*Letter from the Division of Budget regarding the American Rescue Plan explaining that non-responsive municipalities will have their funds redistributed among the responsive municipalities resulting in Union Vale receiving an extra \$1,920.89 totaling \$472,408.83 by the summer of 2022

*St. Paulies Textile Shed has now been placed at the Recycling Center, this was a switch from the other metal clothing bins. St. Paulies accepts clothing, shoes, purses, blankets, stuffed animals etc. They redistribute these to other countries, keeping them out of landfills, and will pay Union Vale .08 cents a pound, no contract and these funds can towards site maintenance. They will pick up weekly.

*Tymor Trail Map – Girl Scout Clara Sudloff created a new, beautiful and Tymor Park Trail Map available for distribution.

Board Member Reports

Councilman Welsh – has been researching cannabis legislation a huge change for the State and Union Vale. He pointed out that property owners may lease their land to others who obtain licenses which may have an impact and spoke about the cannabis farm order in LaGrange and the unpleasant odor. There will be more to learn to adjust to this change from NYS.

Councilman McGivney –Encourages everyone to attend Oktoberfest this weekend.

Councilman Frazier –Also mentioned Oktoberfest, an annual event everyone has fun and it will be the first we have done it since COVID isolation and encourages everyone to attend.

Highway Report

Superintendent Kading spoke about a major issue with the back barn building at the Highway Garage. It was constructed in 1995 and the roof trusses have failed. The roof and ceiling inside have settled and all items have been evacuated. He working with the supplier of this kit building to get a sense of warranty a few contacts will be supplying quotes for repairs, towns adjusting insurance company will be out tomorrow and town engineer came out Tuesday, it appears the trusses have dry rotted not moisture rotted and why that would happen. If the insurance does not cover everything, there may be substantial repair bills due to replacing possibly all of the trusses. This would then cause the entire roof structure to be removed and replaced. Once ordered the trusses can take up to 4-6 weeks to arrive, local business can supply in 8-10 weeks. This building houses all the plowing equipment and is an essential part of the Highway garage and must be taken care of. This issue was discovered the Tuesday after Labor Day and Ed is hopeful the manufacturer can assist. There have been several heavy rain storms and much of the road shoulders have been lost, lost a pipe on Duncan Road which was repaired in time for the Balloon Fest. Catch basins on Cooper Drive are totally plugged, they used high pressure water did not work, will try with a auger, much flooding over the Town due to the intensity of the rain, not the failure of the towns drainage systems. Repairs on roads and trucks are ongoing.

Town Clerk Report

Clerk Casey reported that both local laws #1 and #2 for Best Value and change in residency requirement for Deputy Town Clerk have been sent to NYS. She also commented on the new St. Paulies Textile shed, noting it was a much better opening for deposits than the former bins and how neat and orderly it looked.

Public Comment

Molly McMorris, Resident, Girl Scout Ambassador and Senior at Millbrook Highschool. She spoke about her Girl Scout Gold project proposal. The specific community event that brought her to this idea was the placement and removal of the flags on the graves of Veterans and through this event she visited Verbank Cemetery. The Gold Award project she has chosen is the beautification of the Verbank Cemetery. Her goals are to repair and paint the fence and gatehouse, install planting boxes at the entrance and adding a compost area as well as a garbage collection area. She will be looking for volunteers to donate paint or other building supplies as well as scheduled days for people to come assist. She asks for the Town Boards support by way of advertising and potential logistical concerns should they arise. For more information please contact Molly at (845) 677-0894 or Mollysgoldaward@gmail.com

Board & Committee Reports

CAC/ Reforestation Project

Julia Hogencamp, resident and Girl Scout working on her Silver Award met with Supervisor Maas regarding the reforestation of the Town. This sustainable project will combat the trees lost ever year due to hazards, storms or disease. She and a team of Girl Scouts will be planting trees along with other members of the community, all are welcome to come and join Saturday, September 18 at 9:00 am at Town Hall please for email trees4tymor@gmail.com. She thanked members of the Town Staff, CAC and Brian Scoralick, Executive Director at DC Soil & Water. She reported that as of right now they have collected approximately \$500 and will pay for 119 trees which was the goal.

Parks Report

Councilman Frazier read this report on behalf of Park Manager Jake Gosnell.

- Tennis courts have been resurfaced.
- Oktoberfest is planned for this Sunday, many events and games and the usual German festivities
- Girl Scout project trees planted all around Union Vale, Tymor and Godfrey Park
- Basketball Courts at Godfrey Park have been lined and sealed
- Balloon fest was great a event on Labor Day weekend hosted by the Chamber of Commerce
- Rain and grass is growing constantly

Recreation Report

Councilman McGivney read this report on behalf of Recreation Director Alison Croke.

- Successful TGTT turn out after summer camp
- Pool closed on Labor Day
- Now focusing on the After School Program, registration is open online
- Preparation for next year Summer camp

Oktoberfest Details

Supervisor Maas informed the Board that 2 Constables will be assisting the Park Staff for event parking. Admissions will now accept pre-payment; 50 people have pre-registered. There will be 2 wrist bands, yellow over 21 and orange, under 21 and have paid admission. The NFL room will be set up again and everyone will be assigned a job as well as handing out the prizes for the games. They need to discuss the number of drink tickets that are given to the Band which can be decided the day of.

Supervisor Maas would like to thank the NYS State Police and Dan McMorris for the presence at the Balloon Fest and the Town Constables for assisting in all the help they provided during the event. She would also like to thank Vicky and Dennis Dunning for being a sponsor of the Oktoberfest and have donated shirts for the prizes and for their help with Summer Camp shirts as well. Lastly, she thanked the Frank Castella and the Dutchess County Chamber of Commerce for their well organized and fun event. Councilman Frazier added he too thought it was very organized and appreciated the back up plan for parking to protect our fields due to the excessive water that week.

Furnace Pond Dam Engineering Update

They have been unable to do the boring test due to the excessive water this year, last rain storm the dam did its job and the water flowed exactly where it should. Engineers are trying to come up with other ideas that are not as costly. They will keep working and keep everyone posted.

Solar

Supervisor Maas reported they went live today, September 16th due to various issues. Important thing for residents to know although power is generated today, it will take 30-60 days for the 10% discount to appear.

Councilman Welsh mentioned all residents will benefit from the offset of tax revenue from the solar farm leasing the Town land

Public Comment

Glenn Morrison – spoke about his frustration with general transparency recent example has to do with FOIL. He has 2 questions for the Town:

1. What can the Town do to ensure full transparency?
2. What can the Town do to ensure things to do not get deleted going forward?

Jean Moore - spoke about her dissatisfaction with the lack of library contract with MHLS. She presented a document to the Town Board with 13 items made up of questions and comments about the Library Situation. She also included a chart showing the 2% increase over the next 10 years.

Tillman- furthered the comments and points by Jean Moore. She also asked about how much money has been collected by the residents committee who has been fundraising for the new library.

Supervisor Maas noted that at the end of the Library Steering Committee's findings, they recommended they pay the 4 libraries for card holders only. Many questions were raised but there are many inaccuracies and Supervisor Maas promised they would have a meeting and respond as it is a complicated issue with much misinformation.

Resolutions & Motions

PROPOSED LOCAL LAW # 3 - 2021

A LOCAL LAW TO OPT OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-SITE CONSUMPTION SITES AS AUTHORIZED UNDER NYS CANNABIS LAW ARTICLE 4 (See Resolutions)

Executive Session

Councilman Welsh made a motion to enter executive session for the purpose of discussing potential litigation which was seconded by Councilman Frazier, all unanimously in favor.

At 9:23 Councilman Welsh made a motion to exit executive session which was seconded by Supervisor Maas who noted, no decisions were made. Everyone was unanimously in favor.

Motion to Pay Bills Councilman Welsh made a motion to approve budget adjustments, warrants, & pay bills which was seconded by Councilman Frazier and all were unanimously in favor.

MOTION TO ADJOURN At 9:26 PM Councilman Welsh made a motion to adjourn which was seconded by Councilman Frazier and all were unanimously in favor.

Respectfully Submitted,

A handwritten signature in black ink that reads "Andrea Casey". The signature is written in a cursive, flowing style.

Andrea Casey, Town Clerk

**TOWN OF UNION VALE
PROPOSED LOCAL LAW # 3 - 2021**

**A LOCAL LAW TO OPT OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES
AND ON-SITE CONSUMPTION SITES AS AUTHORIZED UNDER NYS CANNABIS
LAW ARTICLE 4**

BE IT ENACTED BY the Town Board of the Town of Union Vale as follows:

Section 1. Legislative Intent

It is the intent of this local law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Union Vale that would otherwise be allowed under Cannabis Law Article 4.

Section 2. Authority

This local law is adopted pursuant to Cannabis Law Section 131 which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the town and is subject to permissive referendum, the procedure for which is governed by Municipal Home Rule Law Section 24.

Section 3. Local Opt-Out

The Town Board of the Town of Union Vale hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town's jurisdiction.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, individual, firm or corporation, or circumstance, shall be held by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Permissive Referendum/Referendum on Petition

This local law is subject to permissive referendum on petition in accordance with Cannabis Law Section 131 and the procedure outlined in Municipal Home Rule Law Section 24.

Section 6. Effective Date

This local law shall take effect immediately upon filing with the NYS Secretary of State.

Supervisor Maas advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this local law. Councilman Welsh offered the following Resolution which was seconded by Councilman Frazier, who moved its adoption:

WHEREAS, on September 16, 2021, Councilman Welsh has introduced this local law for the Town of Union Vale, to be known as Local Law No. 3 of 2021, entitled A LOCAL LAW TO OPT OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-SITE CONSUMPTION SITES AS AUTHORIZED UNDER NYS CANNABIS LAW ARTICLE 4.

BE IT RESOLVED, that a public hearing be held in relation to this proposed local law at which hearing persons in interest shall have an opportunity to be heard, to be held at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 on October 21, 2021, at 7:00 p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Union Vale, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Union Vale will hold a public hearing at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 on October 21, 2021, at 7:00 o'clock p.m. prevailing time, on Local Law No. 3 of 2021, a local law of the Town of Union Vale, Dutchess County, New York, whereby the Town opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town's jurisdiction, as authorized by Cannabis Law Section 131.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 between the hours of 8:30 a.m. and 4:00 p.m. on all business days between

the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid.

The preceding Resolution was offered by Councilman Welsh, who moved its adoption, seconded by Councilman Frazier.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Councilman Durland	Absent
Councilman Frazier	Aye
Councilman McGivney	Aye
Councilman Welsh	Aye
Supervisor Maas	Aye

DATED: Union Vale, New York
September 16, 2021



ANDREA CASEY, TOWN CLERK