

UNION VALE TOWN BOARD MEETING **APRIL 7, 2016**
TOWN HALL 249 DUNCAN ROAD LAGRANGEVILLE NY 7:30 PM

PRESENT: Supervisor Patricia Tompkins
Councilmen: Steven Frazier, John Welsh, David McMorris and
Corrina Kelley

The meeting was opened with the flag salute.

BRUZGUL HEIGHTS PUBLIC HEARING

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 Supervisor Patricia Tompkins and seconded by Councilwoman Corinna Kelley.

WHEREAS, the 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, having been duly presented to the Town Board of the Town of Union Vale, requesting that a Drainage District to be known as the “BRUZGUL HEIGHTS DRAINAGE DISTRICT” which is more particularly described in the attached Map, Plan and Report of the BRUZGUL HEIGHTS DRAINAGE DISTRICT dated May 29, 2015, last revised September 24, 2015, prepared by Lawrence J. Paggi, PE, PC; and

WHEREAS, the Petitioners are the owners of 100% of the property contained in the proposed Drainage District; 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 aforementioned Map, Plan and Report has been prepared in a manner and in such detail that this Town Board has determined that said Map, Plan and Report is in accordance with the requirements of Article 12 of the Town Law; 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, 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, the Map, Plan and Report, including an estimate of costs has been prepared in such manner and detail as has heretofore been determined by the Town Board of the Town of Union Vale, Dutchess County, New York relating to the establishment of the proposed Drainage District of the Town of Union Vale, Dutchess County, New York to be known as the BRUZGUL HEIGHTS DRAINAGE DISTRICT; 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, 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, 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, it is now desired to call a Public Hearing on the establishment of the BRUZGUL HEIGHTS DRAINAGE DISTRICT pursuant to Section 209-d of the Town Law.

NOW, THEREFORE, BE IT ORDERED, that the Town Board of the Town of Union Vale, Dutchess County, New York as follows:

1. Recitations Incorporated. The recitations above set forth are incorporated in this Order as if fully set forth and adopted herein.
2. Public Hearing. The Town Board hereby determines that a meeting of the Town Board of the Town of Union Vale, Dutchess County, New York, shall be held at

the Town Hall, 249 Duncan Road, LaGrangeville, New York, in said Town, on the 7th day of April, 2016 at 7:30 P.M., for the purpose of holding a Public Hearing to consider the establishment of the BRUZGUL HEIGHTS DRAINAGE DISTRICT described herein and to consider the Map, Plan and Report dated May 29, 2015, last revised September 24, 2015, filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or authorized by law.

3. Publication and Posting. The Town Clerk is hereby authorized and directed to cause a copy of this Order to be published once in the Poughkeepsie Journal, the official newspaper of the Town, the first publication thereof to be not less than ten (10) nor more than twenty (20) days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to Subdivision 6 of Section 30 of the Town Law and to send, by first class mail, a copy thereof to each owner of taxable real property within the proposed BRUZGUL HEIGHTS DRAINAGE DISTRICT, as shown upon the latest completed assessment roll of the Town.

4. This Order shall take effect immediately.

MOTION TO HOLD PUBLIC HEARING OPEN UNTIL APRIL 21, 2016

Councilman Welsh offered a motion to hold the Public Hearing open until the next meeting, April 21, 2016. The motion was seconded by Councilman David McMorris. The foregoing was put to a vote which resulted as follows:

Patricia Tompkins, Supervisor	Voting	Aye
John Welsh, Council Member	Voting	Aye
Steven Frazier, Councilman	Voting	Aye
David McMorris, Council Member	Voting	Aye
Corinna Kelley, Council Member	Voting	Aye

Joseph Kelley asked if there would be any cost to the Town residents as a result of the drainage district being established and Town Engineer Larry Paggi answered that the cost would be levied on the residents of Bruzugul Heights. Mr. Paggi also said that there would be a fence around the holding pond, a split rail fence with wire mesh backing.

OPEN MEETING TO DISCUSSION ON AGENDA ITEMS

Joseph Kelley made comments regarding the scheduled work to be done on Meadow Ridge Lane and gave the Town Board members a "Scope of Work Review" he had prepared.

As there were no further comments from the public the regular order of business was resumed.

ARBOR DAY GRANT RESOLUTION

Councilman McMorris offered a motion to authorize the Arbor Day Project Grant which was seconded by Councilman Steven Frazier:

WHEREAS, the Town of Union Vale is applying for the New York State Urban Forestry Council for an Arbor Day project grant to be located in Tymor Park, a site located within the territorial jurisdiction of this Town Board; and

WHEREAS, as a requirement of these programs, said applicant must obtain the approval/endorsement of the governing body of the municipality in which the project will be located

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby does approve and endorses the application of Robert Mattes for a grant from the New York State Urban Forestry Council for an Arbor Day Program Community grant project and located within this community.

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

Supervisor Patricia Tompkins	voting	Aye
Councilmen: Steven Frazier	voting	Aye

Councilman John Welsh	voting	Aye
Councilman David McMorris	voting	Aye
Councilwoman Corrina Kelley	voting	Aye

APPROVAL OF 2016 HIGHWAY AGREEMENT TO SPEND FUNDS 284

Councilman Steven Frazier offered a motion to approve the following agreement to spend Town Highway Funds. The motion to second was made by Councilman David McMorris. Councilwoman Kelley stated that she had looked at the pipe that the Highway Superintendent was planning to replace and she didn't think it was necessary to replace it. Larry Paggi answered that the pipe being replaced was galvanized pipe and tended to rust on the bottom and couldn't be seen without taking it up. Councilman Frazier mentioned that this pipe has been there thirty years and it tends to rust out and should be replaced rather than paving over.

RESOLUTION AUTHORIZING APPLICATION OF SECTION HIGHWAY 284 HIGHWAY FUNDS *WHEREAS*, the Town of Union Vale Highway Superintendent has recommended to the Town of Union Vale Town Board the projects and roads that will be subject to Section 284 of the Highway Law monies levied and collected in the Town for the repair and improvement of highways and received from the State for State Aid for the repair and improvement of highways.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby approves at the recommendation of the Town of Union Vale Highway Superintendent the following projects and expenditures of the Section 284 Highway Law, the funds shall be expended as follows:

- (1) GENERAL REPAIRS: The sum of \$100,000.00 shall be set aside to be expended for primary work and general repairs upon forty- five (45) miles of town highways, including sluices, culverts and bridges having span of less than five feet and boardwalks or renewal thereof.
- (2) PERMANENT IMPROVMENTS: The following sums shall be set aside to be expended for the permanent improvement of Town highways:
 - (a) On the road commencing at Meadow Ridge and leading to Marks Way, a distance of .40 miles, there shall be expended not over the sum of \$230,000.00.

Type - Black Top Shim and Overlay
Width of traveled surface - 25 feet
Thickness - 1.5"

Subbase - Black Top/gravel

As well as 20 basins, 2000 feet of drainage, equipment rental, Item 4, 95' X 67' Squash piper, labor, etc.

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

Supervisor Patricia Tompkins	voting	Aye
Councilmen: Steven Frazier	voting	Aye
Councilman John Welsh	voting	Aye
Councilman David McMorris	voting	Aye
Councilwoman Corrina Kelley	voting	Nay

SUPERVISOR'S COMMENTS

Supervisor Tompkins mentioned that she had attended the Senior Citizens' Corned Beef St. Patrick Luncheon prepared by Rob Mattes that was delicious. The Town hosted an Emergency Preparedness meeting that was well attended. She also attended a MS-4 meeting with the Highway Superintendent, George Kolb and Larry Paggi. She met with Cricket Valley Energy Company and was updated regarding the poles they would be putting in. The Town has contracted with Absolute Auctions to sell the excessed

computers, the Dodge Durango, the Dodge pickup and a Kubota tractor. Bids have been coming in for these items.

Councilman Welsh reported that there has been a delay on the start of the work on the bridge on Route 55 due to waiting for permits from DEC and Central Hudson. Also the Recycle Center is experimenting with new policies. There is no more sorting, everything goes down one chute. Mr. Welsh also announced that the Union Vale Fire Company Ladies Auxiliary will be holding a ham dinner on Saturday April 16th from 4 until 7 p.m.

Councilwoman Kelley reported that she had attended a Green Infra-structure meeting that was very informative.

Councilman McMorris attended a meeting regarding dam remediation and there is a possibility that there could be grant money available. He also mentioned that the constables would like more signage in the park regarding that the parks are closed at dusk and that there is no overnight parking allowed in the parks.

APPROVE SETTING DATE FOR TOWN SHREDDING DAY

Councilwoman Kelley offered a motion to authorize the Town Clerk to make arrangements for a Town Shredding Day for April 27, 2016. The motion was seconded by Supervisor Tompkins and passes with a unanimous vote of the Town Board.

MOTION TO CHANGE TIME OF TOWN BOARD MEETING

Supervisor Tompkins offered a motion to start Town Board meetings at 7:00 p. m. rather than 7:30 p. m. The motion was seconded by Councilwoman Kelley and passed with a unanimous vote. This will take effect with the April 21, 2016 meeting.

OPEN MEETING TO DISCUSSION ON NON-AGENDA ITEMS

Lisette Hitsman mentioned that there would be a ham supper at the Union Vale Fire House on Route 82. It will be held from 4:00 p.m. until 7:00 p.m. and will be take out or buffet.

Wanda Livigni-Bentley of the Town of Beekman said that she has chosen to send her son to Union Vale for summer camp and the afterschool as she feels that they are excellent programs. She volunteers at the Halloween parties and Easter egg hunts. She also helped with the playground installation. She feels Tymor is her second home and thanked Rob again for all his hard work.

Mary Anne Delise previously lived in Westchester and has been coming to Union Vale for the past 10 years and now permanently made this her residence. She wanted to thank the Highway Department for the tree cutting work that they did on her property. She was wondering when they are going to come back and clean up the limbs and branches. Councilman Welsh suggested that she should call Highway Superintendent Richard Wisseman directly and Supervisor Tompkins suggested that sometimes he leaves the wood as some residents burn it in their homes. Mrs. Delise also asked if there is anything in the Town Law about tattered flags at places of business and litter disposal on the grounds as she was concerned about was a tattered banner at a place of business on Route 82. Councilman Welsh said if it is obstructing a county road to contact State DOT.

Ryan Lavigni mentioned that he remembered when he was in 1st grade going to Rob Mattes' programs. Over the last 7 or 8 years he has witnessed it grow and is excited to attend survival camp this year. He would like to thank Rob for making this all possible.

Rob Mattes thanked everyone for all their kind words and the employees for doing such great jobs. He also mentioned the Gala of Games event which will be held on April 8, 2016 from 6:00 to 8:00 p.m. and is free.

There were no further comments on non-agenda items and the regular order of business was resumed.

DISCUSS APRIL 21, 2016 AGENDA

Councilwoman Kelley said that a speaker from the Dutchess Community Action Program will speak at the April 21st meeting.

Councilman Frazier mentioned that he is waiting to hear from the company regarding the LED conversion.

Pat Strong from NYSERDA will be present and speak at the meeting.

Supervisor Tompkins received information regarding a Highway Training School June 5th – June 8th that she would like the Highway Superintendent to attend.

Councilman McMorris offered a motion to set up a budget advisory committee and Councilwoman Kelley seconded the motion.

Councilman Frazier stated that he does not think that a budget committee was a good idea, he does not feel that it would be productive.

Councilman Welsh said the Town Board serves as the Budget Committee and mentioned that the meetings were open to the public but he feels a Committee would be overkill.

Councilman McMorris mentioned that he felt it would be a way for people to have more input and would be beneficial for input from residents who were professionals such as CPA's.

Councilwoman Kelley said that she has been impressed how the members on the Library Committee have had great input due to their professional input.

There were no further comments and the vote follows:

Supervisor Patricia Tompkins	voting	Aye
Councilmen Steven Frazier	voting	Nay
Councilman John Welsh	voting	Nay
Councilman David McMorris	voting	Aye
Councilwoman Corrina Kelley	voting	Aye

The motion passed with a three to two vote.

TOWN BOARD MEETING HOUR CHANGE

Supervisor Tompkins stated the next Town Board Meeting will be Thursday, April 21st at 7:00 PM and Councilwoman Kelley added the next Library Steering Committee is set for Thursday April 14th at 7:15 PM.

PUBLIC HEARING DATE – MS-4

A Public Hearing will be set for May 5, 2016 for the annual MS-4 program

MOTION TO ADJOURN

Supervisor Tompkins offered a motion to adjourn at 8:20 p.m. The motion was seconded by Councilman McMorris and passed with a unanimous vote.

Respectfully submitted,

Mary Lou DeForest, Town Clerk