

**UNION VALE TOWN BOARD MEETING JULY 15, 2021  
VIA ZOOM VIDEO CONFERENCE 7:30 PM**

**PRESENT: Supervisor Maas**

**Town Council: Kevin Durland, Kevin McGivney, Steven Frazier, John Welsh**

**Town Clerk: Andrea Casey**

**Highway Superintendent: Ed Kading**

**Town Attorney: Jeff Battistoni**

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Call to Order and Salute to the Flag at 7:30PM

Moment of Silence for George Schwartz also known as ‘the hotdog man from Route 55’. Supervisor Maas read the obituary as a tribute to this Union Vale icon. He will be missed by many. Councilman Welsh remarked he was a great ambassador and welcomed everyone as they drove into Union Vale and was appreciated by everyone that passed by.

**Motion to Approve Minutes**

Councilman Welsh made a motion to approve the May 20<sup>th</sup> and June 17<sup>th</sup> seconded by Councilman Durland and all were unanimously in favor.

*Special Presentation: Mark DeBald, Transportation Program Administrator, Dutchess County Transportation Council on “Moving Dutchess Forward”*

**MOTION FOR EXECUTIVE SESSION**

Councilman Welsh made a motion to enter executive session at 8:02 PM for the purpose of discussing potential litigation. This was seconded by Councilman Durland and all were unanimously in favor.

**MOTION TO EXIT EXECUTIVE SESSION**

At 8:15 PM Councilman Welsh made a motion to exit executive session which was seconded by Councilman Durland and all were unanimously in favor. Supervisor Maas noted no action was taken.

**Supervisor Report**

- Cash Flow up 103% on income for June, spent 117% due to expected highway bill but we are doing extremely well on the revenue side with summer camp
- General Fund Balance: \$3835,590 Highway Fund Balance: \$369,071
- 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.
- Facility rentals were up 113% for the month
- After school program stopped early than expected
- Equestrian center is up 392% vs budget
- Recycling at 109% of goal
- Building permits 133% of goal
- Mortgage Tax 187% of goal
- Summer camps at 119% of goal
- All materials were sent out for cash audits today: Building, Justice, Tax Collector and Town Clerk will keep posted when returned
- Working with dept heads soliciting numbers on projects that are important but not high priority as the infrastructure projects
- Met with telephone system support we are lacking and get proposal
- Met with video/ media company to improve presentation of town board meetings
- Storms last week had little issues with Central Hudson but did have problems with optimum, encourages all to report issues, power outage did affect some with a cell tower outage
- Have been promised a contact at Verizon to call for assistance, will have more optimum communication channels

- Looking at constable training, checking out new organizations and new programs will report on results

### **Board Member Reports**

*Councilman McGivney* spoke about the storm last week and hopes residents are prepared with water, generators, as he and others were out of power for about 3 days and can be routine for summer storms.

*Councilman Welsh* reviewed NRI prepared by the CAC, he noted it was informative and interesting. He wanted to thank them for their efforts, it is a good resource for PB, TB and others in the Town.

*Councilman Durland* – nothing at this time

*Councilman Frazier* – noted the Fire Advisory Board met and there will be a report later in the meeting.

### **Highway Report**

Highway Superintendent Ed Keding reported on how the recent storm impacted Union Vale. The rainstorm allowed the Highway Crew to check pipes and found North Smith needs a replacement / repair. A few roads washed out including Wilcox, parts of Bloomer, Seeley, West Clove Mountain, which were all fixed and passable this afternoon. As of July 6<sup>th</sup> 2021 they are back to a crew of 4 men. They will be working on catch basins, sink hole on blueberry added drainage and patched, mowing and fixing potholes. Please do not hesitate to call with all issues

### **Town Clerk Report**

Town Clerk Casey reported that she has been working with the Supervisor on a potential new telephone system and media services. She also reported her office had received many calls on orphaned fawns. She explained that mothers do leave them unattended for most of the day so they are not abandoned even though it appears that way. It is important not to touch the deer unless they are truly in distress and then please call your local DEC office for assistance.

### **Fire Advisory Committee**

Councilman Frazier reported that he and the committee did a site visit to the solar field on Route 55. They met with a representative from solar field who pointed out phone numbers available in the event of an electric hazard within the site. The biggest complaint is the appearance, the grass had not been cut and was about 3 feet high, it does appear a brush hog has been through as of tonight. It has not been trimmed neatly and he does not believe that is what was expected by the Town in terms of maintenance. The Code Enforcement Officer also suggested the Town Board put together some maintenance requirements. There was also excess construction material which appears to have been removed. Although there was nothing extreme, they do suggest the appearance issue be further discussed.

Supervisor Maas commented that after the contractors finish, they will leave. The Town has asked 4-5 times to have the area mowed although it has not to our satisfaction. They are focused on their tests with Central Hudson and the regular full-time team who will be responsible will then be deployed. She was also concerned about the fencing, she understood an 80 foot setback 50 foot on the right and left therefore leaving enough room for a fire truck to gain access. Councilman Frazier replied the fencing could be moved to get a vehicle inside however, obstructions such as the conduit is a foot off the ground and is in the pathway around the perimeter and so a truck cannot access either way. There is an access from other the far end where the panels are. The representative advised if there is a fire the fire dept stay outside the fence due to electrician hazard inside. Fire Chief also agreed only time to enter is if there is a rescue situation.

Supervisor Maas questioned how do you mow under panels? Councilman Frazier replied specialty mowers or with hand equipment. He also did some research and the parameters on limit of height wants to discuss at next work session as items in the code are very vague State right of way, 20 feet of high grass between that and the fence line. It is understood that permission may be needed from the State.

### **Park Report**

Councilman Durland read the park report. Camp is in full swing and is sold out and everyone has been doing a great job with the new safety procedures. They have had multiple meetings with the DC Chamber of Commerce to prepare for the balloon fest. The pool is getting much use

from swim lessons and the Dolphins swim team. There are still more music in the park, equestrian center events and more to come. The full report is on file in the Town Clerk's Office.

**Equestrian Center**

Director, Loretta Ryan, spoke about the Horse Pull and the other events the EC has hosted throughout the year. She also spoke about the recognition Rich Albrecht received for all the years of service of he and Betty Albrecht have given to the Town. If anyone wants to contact Loretta or volunteer their time please visit the Town site under 'Equestrian Center'.

**Furnace Pond Dam**

The Town Board has received the most recent report on the sediment samples. John Metzger is going to help the draw down process as there has been so much rain this summer making this more difficult than last year. The next part in the process will be the boring test.

**Solar**

Supervisor Maas stated they will be operable soon and is optimistic it will look as the town anticipated.

**Workers Compensation**

Supervisor Maas noted they have not heard a response as of yet.

**Flag pole**

Councilman Durland is hopeful for the install in August he is also trying to organize a volunteer group to assist. Councilman McGivney inquired about secure lighting, Supervisor Maas is waiting on answer, and wants to combine the opening of the filed with ribbon cutting and flag raising. Councilman Frazier noted there is an old light post that is from the former town hall and although nostalgic, should be removed from the site.

**Town Code Discussion on Unlicensed Vehicles**

Supervisor Maas noted that there may have been a misinterpreting with the Town Code. Code Enforcement Officer, George Kolb along with the Town Board, thought 2 unlicensed vehicles were prohibited. After review, the code reads: it shall further be unlawful pursuant to this chapter and section 302.8 of the property maintenance code of the State of New York for any person to park, keep or store outdoors on any premises two or more inoperative or unlicensed motor vehicles. Meaning, you may have 1 inoperative or unlicensed motor vehicle.

**NYS Local Retirement System**

After a NYS Retirement audit, an internal audit, they have asked the Town to correct some of the outliers by Town Board Resolution which is typically done annually. This will be done in resolution #21-31 this evening.

Resolution of Adoption # 21-29: Local Law #1: "Best Value"

Resolution to Adoption # 21-30: Local Law #2: Change Residency Requirements for Deputy Town Clerk (Tabled until August 5<sup>th</sup> 2021)

Resolution # 21-31 Approving Standard Work Days for NYSLRS

**Motion to Pay Bills**

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

**Public Comments - None**

**MOTION TO ADJOURN**

At 9:08 PM Councilman Welsh made a motion to adjourn which was seconded by Councilman Durland and all were unanimously in favor.

Respectfully Submitted,

Andrea Casey, Town Clerk

**RESOLUTION OF ADOPTION**

WHEREAS a Local Law was introduced by the Town Board of the Town of Union Vale as Local Law # 1 – 2021 entitled A LOCAL LAW AUTHORIZING BEST VALUE COMPETITIVE BIDDING AND PROCURMENT; and

WHEREAS, a public hearing in relation to said local law was held on July 15, 2021 at 7:00 p.m., Prevailing Time; and

WHEREAS, notice of said public hearing was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

WHEREAS, said local law has been on the desks of the members of the Town Board of the Town of Union Vale for at least seven (7) days, exclusive of Sunday; and

WHEREAS, said local law is subject to permissive referendum pursuant to Municipal Home Rule Law Section 24;

NOW, THEREFORE, BE IT RESOLVED that the following local law is hereby enacted: TOWN OF UNION VALE LOCAL LAW # 1 - 2021 entitled A LOCAL LAW AUTHORIZING BEST VALUE COMPETITIVE BIDDING AND PROCURMENT:

Section 1. **The Union Vale Town Code will be modified to add a new Chapter 65 entitled “Best Value Competitive Bidding and Procurement” as follows**

**§ 65-1. Legislative Intent and Purpose**

The intent of this Law is to allow the Town of Union Vale the option to award certain purchase contracts (including contracts for services) subject to competitive bidding under §103 of the General Municipal Law on the basis of a low bid or “best value” as defined in §163 of the New York State Finance Law.

§ 65-2. **Authority**

This local law is enacted pursuant to the New York Municipal Home Rule Law, as authorized pursuant to New York State General Municipal Law §103 and the New York State Finance Law (including §163), and other provisions of law authorizing the Town of Union Vale to enter into contracts and engage in contracting for services.

§ 65-3. **Best Value Competitive Bidding**

A. Award Based on Best Value. The Town Board may award purchase contracts, including contracts for services, on the basis of “best value” as the term is defined in New York State Finance Law §163. All contracts or purchase orders awarded based on best value bidding basis shall require Town Board approval.

B. Applicability. The provisions of this Local Law apply to Town purchase contracts involving an expenditure of more than \$20,000 and Town contracts for services involving an expenditure of more than \$35,000, but exclude purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the New York Labor Law and any other contract that may in the future be excluded under State law from the best value option. If the dollar thresholds of New York General Municipal Law §103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be superseded by such as §103 and this Local Law shall be read as if the numbers are amended to conform to said §103.

C. Standard for Best Value.

1. Goods and services procured and awarded on the basis of best value are those that the Town Board determines optimize quality, cost and efficiency among responsive and responsible bidders, as set forth in the Procurement Policy adopted by the Town and as amended, hereafter and from time-to-time, by the Town Board.

2. Where possible, the determination shall be based on an objective and quantifiable analysis of clearly described and documented criteria as they apply to the rating of bids or offers.

3. The criteria may include, but shall not be limited to, any or all of the following:

- cost of maintenance
- proximity to the contractors or end use

- product life
  - durability
  - product performance criteria
  - quality of craftsmanship
  - warranties
- D. Documentation. Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder the basis for determining best value shall be documented.
- E. Inconsistent Provisions. Any inconsistent provision of the Town Procurement Policy, as adopted prior to the effective date of this Local Law by resolution of the Town Board, or as amended thereafter, shall be deemed superseded by the provisions of this Local Law.

**Section 2. Severability.**

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law. To further this end, the provisions of this Local Law are hereby declared to be severable.

**Section 3. Effective Date**

This Local Law shall take effect upon adoption by the Town Board and file date of NYS Secretary of State in accordance applicable provisions of law, and specifically Article 3, §27 of Municipal Home Rule Law.

AND BE IT FURTHER RESOLVED that the Town Clerk shall only file this local law with the NYS Secretary of State if the period of time for the filing of a petition for permissive referendum expires without such petition having been duly and timely filed, or, in the event such petition is duly and timely filed, without affirmative vote on such referendum authorizing this local law; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to publish notice setting forth the date of adoption of this Resolution, containing an abstract of this Resolution concisely stating the purpose and effect of this Resolution and further specifying that this Resolution was adopted subject to permissive referendum.

Councilman Welsh offered the following Resolution, which was seconded by Councilman Durland, who moved its adoption:

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

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

DATED: Union Vale, New York  
July 15, 2021

  
\_\_\_\_\_  
ANDREA CASEY, TOWN CLERK

**RESOLUTION # 21-31 RESOLUTION TO REPORT STANDARD WORK DAY HOURS FOR ELECTED, APPOINTED OFFICIALS AND TOWN EMPLOYEES TO NYSLRS**

**WHEREAS**, the Town of Union Vale is required to report standard work days for hourly, salaried, elected and appointed officials to the New York State and Local Retirement System (NYSLRS) based on the record of activities maintained and submitted by these officials to the clerk of this body, and

**WHEREAS**, the Town of Union Vale has received the hours for the standard work day for elected officials, appointed officials, and town employees in the Town of Union Vale, and

**WHEREAS**, the following specifies the standard work days for elected, appointed officials and town employees as received by the Town:

<b>Title</b>	<b>Name</b>	<b>Standard Work Day</b>	<b>Term</b>	<b>Reportable Days</b>	<b>Participates In Time Keeping</b>
Town Clerk	Andrea Casey	6	1/1/2020-12/31/2021	22.06	No
Town Justice	Paul Pancio	6	1/1/2021-12/31/2024	5.34	No
Bookkeeper to the Supervisor	Danielle Carney	6	1/1/2020-12/31/2021	23.11	No
Court Clerk	Krysta Rahemba O'Sullivan	6	1/1/2021-12/31/2024	1.75	No
Court Clerk	Jill Jurina	6	1/1/2018-12/31/2021	4.29	No

<b>Standard Work Days for Town of Union Vale Employees and Elected Officials</b>	
<b>Title</b>	<b>Standard Work Day Hours</b>
Town Clerk	6



**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Union Vale hereby adopts and approves the standard work day for its elected officials, appointed officials, and town employees as included and made a part hereof; and

**BE IT FURTHER RESOLVED,** that a copy of the standard work day hours shall be kept on file in the office of the Town Clerk.

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

Dated: July 15, 2021

Moved: Supervisor Maas

Seconded: Councilmen Welsh

Ayes: 5 Nays: 0

**Draft**

Councilman Frazier
Councilman McGivney
Councilman Durland
Councilman Welsh
Supervisor Maas

	<b>AYE</b>	<b>NAY</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Resolution certified and filed:

Andrea Casey  
Andrea Casey, Town Clerk

July 15, 2021  
Dated



Office of the New York State Comptroller  
 New York State and Local Retirement System  
 Employees' Retirement System  
 Police and Fire Retirement System  
 110 State Street, Albany, New York 12244-0001

# Standard Work Day and Reporting Resolution for Elected and Appointed Officials

**RS 2417-A**  
 (Rev. 8/15)

BE IT RESOLVED, that the Town of Union Vale / 30460 hereby establishes the following standard work days for these titles and  
(Name of Employer) (Location Code)

will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day (Hrs/day) Min. 6 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy-mm/dd/yy)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
<b>Elected Officials</b>								
Town Clerk	6	Andrea Casey	██████	██████	<input type="checkbox"/>	1/1/2020-12/31/2021	22.06	<input type="checkbox"/>
Town Justice	6	Paul Pando	██████	██████	<input type="checkbox"/>	1/1/2021-12/31/2024	5.34	<input type="checkbox"/>
<b>Appointed Officials</b>								
Bookkeeper to Supervisor	6	Danielle Carney	██████	██████	<input type="checkbox"/>	1/1/2020-12/31/2021	23.11	<input type="checkbox"/>
Court Clerk	6	Krysta Rahemba O'Sullivan	██████	██████	<input type="checkbox"/>	1/1/2021-12/31/2024	1.75	<input type="checkbox"/>
Court Clerk	6	Jill Jurina	██████	██████	<input type="checkbox"/>	1/1/2018-12/31/2021	4.29	<input type="checkbox"/>

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, Andrea Casey, secretary/clerk of the governing board of the Town of Union Vale, of the State of New York.  
(Name of secretary or clerk) (Circle one) (Name of Employer)

do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 15<sup>th</sup> day of July, 2021 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Union Vale on this 15<sup>th</sup> day of July, 2021.  
Andrea Casey  
(Signature of the secretary or clerk) (Name of Employer)

Affidavit of Posting: I, Andrea Casey, being duly sworn, deposes and says that the posting of the  
(Name of secretary or clerk)

Resolution began on 7-22-21 and continued for at least 30 days. That the Resolution was available to the public on the  
(Date)

Employer's website at www.unionvaleny.us

Official sign board at \_\_\_\_\_

Main entrance secretary or clerk's office at 249 Duncan Rd. LaGrangeville, NY 12540

