

UNION VALE TOWN BOARD MEETING

October 6, 2016

TOWN HALL 249 DUNCAN ROAD LAGRANGEVILLE 7:00 PM

Present: Supervisor Patricia Tompkins

Council: Councilman John Welsh, Councilman David McMorris, Councilmen Steven Frazier, Councilwoman Corrina Kelley

The meeting was opened with the flag salute.

MOTION TO ACCEPT TOWN CLERK RETIREMENT

Supervisor Tompkins opened the meeting at 7:03 pm and made a request to change the order of the meeting. She asked Councilman Welsh to begin by reading the letter of retirement of Town Clerk, Mary Lou DeForest and made a motion to accept it. Councilman Frazier seconded the motion. Supervisor Tompkins added that it is accepted with regrets and that everyone will miss her a great deal.

RESOLUTION ACCEPTING TOWN CLERK'S RESIGNATION

The following Resolution was offered by Councilman Welsh, seconded by Supervisor Tompkins, to wit:

WHEREAS, the Town Board of the Town of Union Vale hereby accepts the resignation of Mary Lou DeForest from the position of Town Clerk, effective September 29, 2016.

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

Supervisor Tompkins	Aye
Councilman Welsh	Aye
Councilwoman Kelley	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

RESOLUTION APPOINTING ANDREA CASEY TO FILL TOWN CLERK VACANCY

The following Resolution was offered by Councilman McMorris, seconded by Councilwoman Kelley, to wit:

WHEREAS, Town Clerk, Mary Lou DeForest, has submitted her letter of resignation and has retired from her position of Town of Union Vale Town Clerk and a vacancy currently exists.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby appoints Andrea Casey to the position of Town of Union Vale Town Clerk effective October 6, 2016 through December 31, 2017.

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

Supervisor Tompkins	Aye
Councilwoman Kelley	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye
Councilman Welsh	Abstain

Justice Paul Pancio swore newly appointed Town Clerk Andrea Casey into her role. Mrs. Casey then appointed Elisabeth Pancio as her Deputy and swore her into her oath of office.

At 7:10 PM Supervisor Tompkins opened the Public Hearing for the Dutchess County Community Development Block Grant Program for handicap accessibility at Tymor Park. She then asked Councilman Welsh to give some background on this grant. He explained that Dutchess County has grant money available, typically handed down from the Federal Government which the County administers with the intent to help small towns upgrade locations. This allows the Town to make handicap facilities more accessible to everyone with a disability or impairment, either temporary or permanent, and allows them to gain access to the building or the parking lot or any area in need of better access. The town has been successful in the past in obtaining grants for the rear and front entrance of the senior center making them now handicap accessible. It also came up that there are not enough handicap parking spaces at the Park because of the parking set up in place and due to the fact that the parking lot is all gravel which is not conducive to walkers or wheelchairs, this is something that needs attention. Because of this, the Town would like to add 6 more handicap parking spaces with a walkway that will be smooth and create a 'drop off' zone so that residents in need will have a smooth transition from the parking area into the building.

Councilman Welsh stated that this is an expensive proposition and is something that the Town needs assistance to complete as it will be very beneficial. A number of residents asked Councilman Welsh to read their comments on the matter as they are not able to drive at night. Karin Mina, a longtime resident believes by adding more handicap spaces at Tymor Park especially by the senior center it would encourage more people to attend the Friday Senior meetings and Tuesday exercise sessions. Elizabeth Albrecht commented that the office area which is a key area where residents can conduct matters with the Town Park is not handicap accessible and has a very high step which was originally the old barn door which is an awkward entrance and has a very rough surface and is sloped the wrong way. Upgrading this area and adding a drop off zone would be very beneficial to everyone. Jane Hildebrand, President of the Union Vale Seniors and member of the senior center believes having the drop off zone, more parking spaces and better access to the office area which allows access to the senior center both entrance and exit would very much help the seniors that come on Fridays which would allow for more of them to come. Lastly, Gloria Meier another longtime resident mentioned many who come to the actives have walkers and have trouble getting in and out with the current set up, she stated it would be very helpful if there was a smoother easier access path to the senior center and handicap parking would even make it better as there is only 1 or 2 now which get filled up fast. She also remarked that his room is used for election day and other events throughout the year. Councilman Welsh said that along with these occasions it is used daily by the Park staff and residents. He invites any member of the public who is present tonight to comment on this matter:

Elfriede Tillman- Miss Tillman stated that she is speaking for herself and resident Jane Geisler who could not be present. They have supported all the grants over the years as well as this one. Both agree that handicap parking and a drop off zone would make parking and use of the Tymor Park facilities much easier for the elderly and disabled residents. More parking spaces are essential due to the lack of spaces in place now and would be a great benefit for the whole town.

There were no further comments from the public.

Supervisor Tompkins added that she and Councilman Welsh had been speaking with Anne Taylor of Dutchess County Planning and they were able to visit the site and send transportation employees to follow up. Everything is coming together and they are hoping to gain the grant money to improve our town and services. She would like to thank Councilman Welsh and those involved who have worked hard to apply for this.

Councilman Welsh made a motion to apply for the Dutchess County Community Development Block Grant and Councilman McMorris seconded the motion. All Town Board members voted unanimously in favor of applying for the grant.

Councilman Frazier added although he saw the sketch from the County he thinks that instead of a drop off zone he would prefer making the entire front of the building handicap parking spaces which would help to add spaces and also decrease the foot traffic across the road to the Senior Center. Supervisor Tompkins and Councilman Frazier agreed this could be a talking point to move forward as this was only a proposal from the County and those involved can meet and discuss this further as the project is laid out.

MOTION TO CLOSE PUBLIC HEARING

Supervisor Tompkins made a motion to close the Public Hearing which was seconded by Councilman McMorris. All Board Members were in favor.

Supervisor Tompkins invited Bill Humphrey from Dutchess County Agent services to speak about the medical insurance for the Town. As health insurance has become complex over the years, his services make understanding and working with the Town selected plan much easier for those enrolled. He noted that our health insurance premiums have gone up 19.5% with CDPHP which is right in line with the other companies' rates. The only other company even close is MVP which is not worth switching to in his opinion as there is no benefit. His recommendation is to keep the plan we have and offer a second plan with the same company. The second plan would be for those individuals who do not go to the doctor on a routine basis thereby making it more affordable for the Town and gives people options and choices. Mr. Humphrey would be available, if chosen, to be at the open enrollment meetings to talk to employees about which plan is better suited for their needs. The second recommendation is to offer a voluntary Dental plan with no cost to the Town though CDPHP. There would only be a need for 5 members to join. This can be mixed and matched even if there is no need to purchase the medical coverage from the Town for the employee. On January 1, 2017 employees will be contributing to their health coverage therefor his third recommendation would be to set up a Section 125 plan which allows the payroll deductions to be made pre-tax which needs to be implemented by the end of the year. His services are available to the employees as well as the family members on the covered plan. Mr. Humphrey also will act as the administrator to add or remove people from the plan. There is absolutely no cost to the Town, any fees are paid for by the insurance carrier. Any other information is included in the packets which is available in the Town Clerk's office.

Councilwoman Kelley asked when the plan would take effect. Mr. Humphrey replied December 1, 2016 as that is when the existing plan expires however, January 1, 2017 is when the employee contributions will

begin. Supervisor Tompkins wanted to make it clear that Mr. Humphrey's services will at no cost to the Town, the Insurance plan pays this directly and Mr. Humphry assists our employees with their medical insurance questions.

A member of the audience inquired on how this would affect the retirees' insurance. Mr. Humphery explained this specific instance of a spouse of a former employee who was 91 would still be on the supplemental plan and his services would change nothing.

MOTION TO APPOINT DUTCHESS COUNTY AGENT FOR HEALTH INS. BROKER

Supervisor Tompkins made a motion to select William Humphrey of Dutchess County Agent as the Town of Union Vale insurance broker. Councilwoman Kelley seconded the motion. The other council members were comfortable with this decision and happy to have a responsive agent going forward.

REPORTS OF SUPERVISOR

Supervisor Tompkins began by saying what a great success Oktoberfest was including the great weather. She was very pleased to see the large number of people that came out but would like to apologize for the longer lines for beer and food. She is already working with the Parks & Rec staff to make changes for next year but would love to keep all the same vendors. She would like to thank everyone that worked and volunteered for their dedication. Lastly Ms. Tompkins said she sent an email to Matt from Halmar regarding the Route 55 bridge closure. She then read his response which stated they will be doing the final work and inspections and hope to have everything open by October 14th or 15th and will keep the Town informed on any further delays. She thanked him for the update and Councilman Welsh agreed it is nice to know the details of work left to be done.

Councilman Welsh stated his was already given during the Public Hearing on the CDB grant.

Councilwoman Kelley added that on November 1-3rd there is a government accounting school being offered in Wappinger's Falls and she would like to attend especially in light of passing the budget at the cost of \$85. Supervisor Tompkins asked if the other council would like to attend and Councilman McMorris said he would also like to attend.

MOTION TO PAY FOR ACCOUNTING SCHOOL

Supervisor Tompkins made a motion to pay for Councilwoman Kelley and Councilman McMorris to attend the 3-day accounting school. Councilman Welsh seconded the motion and all were in agreement.

Councilman McMorris reported that many of the Constables attended the Article 35 training offered in Beekman. The class was \$25/person which came out of their funds and he appreciated the officers giving their time up to reinforce their training provided by the Town. He also spoke about the meeting with Jason Liberman from LAM Development, regarding a solar plan he had with Supervisor Tompkins and our Code Enforcement Officer. He spoke about a project involving several towns in Dutchess County. There is no cost to look into this and Mr. Liberman will be in touch as to a cost savings amount by switching to solar and using solar farms. He will continue to stay up to date on this and offered that NYSEDA gave him a list to obtain RFP's from to continue development on our own Town property. He also may be getting a proposal for the acreage the Town owns on Route 55 so the land may be of use.

Supervisor Tomkins invited Councilman McMorris to speak with Mr. Liberman and although the vast information at times was overwhelming she is happy to hear what he has to say and how he can save the Town money.

Councilman Frazier forwarded information he received on a grant regarding improving court security and parking lot lighting. Councilman McMorris said they hired Jay Grasso to do this and believes it is the same program. Councilman Frazier said he had also been working with assemblyman Kiran Lalor on changes to the prevailing wage law. It no longer fits with what they are trying to do in municipalities. The state is regulating the amount of revenue they are permitted to collect while at the same time forcing them to pay union scale wages on all contracted jobs. He found this drastically increases the cost in comparison to those without prevailing minimum wage. He also discovered smaller contractors will not even bid jobs due to the amount of paperwork involved with this law.

Councilman Welsh wanted to add that the Library Steering Committee has post cards mailed out which the residents should be receiving and encourages everyone to respond, everyone that does not have computer access may pick up a hardcopy in the Town Clerk's office.

Supervisor Tompkins mentioned that her email has not been working for the past 3 days and to resend any correspondence to be sure that she receives it.

DISCUSSIONS- OVERVIEW OF TENTATIVE BUDGET

Bookkeeper Ryan Courtien presented a projected view of the 2017 tentative budget. As per law the budget was given to the Town Clerks office Friday, September 30th 2016. There was a meeting October 5th 2016 to distribute the 2017 tentative budget to the Town Board, it was no more than a 3-minute meeting simply to meet the State requirement. Mr. Courtien discussed important points about the budget explaining how it is laid out and where the numbers were derived from. He suggests that after this meeting the Town Board go over the budget to addresses any immediate questions so that small details can be answered out however, the October 20th meeting will be when it is voted from tentative to preliminary and it will be discussed in detail and a Public Hearing will be set for November 3rd. Upon this, the budget will need to be adopted by November 17th. He then explained each of the funds planned revenue and expenses and as of now there is no plan to use any of the Town's fund balance. Mr. Courtien further explained the proposed tentative budget.

The Board thanked Mr. Courtien for his work.

DISUSSION ON NYMIR GENERAL INSURANCE

Supervisor Tompkins stated Councilman McMorris distributed the information on this about 2 weeks prior. Councilman McMorris explained that the New York State Municipal Insurance Reciprocal company is for our Liability Insurance. One feature that he found to be very appealing was the courses that we had to pay for in the past such as "Violence in the Workplace" and others were not included in the policy whereas there are many offered by NYMIR that are all included in the policy at no additional cost. These are mandated by the State and have to be given by the Town. The benefits in total are nearly double to what our prior carrier was offering and the cost is approximately \$5,000 less. They offer courses and seminars in the form of webinars and events in every department of our municipality. At this time Owen McKain our current company has yet to send us a proposal and the one offered by NYMIR must be voted on to take effect October 25, 2016. After much research done by he and Supervisor Tompkins they concluded the benefits of using NYMIR greatly outweigh that of our carrier Trident. He has attended a course already with Jake Gosnell and found it to be very comprehensive, defensive driving is also included in their list of included courses.

Supervisor Tompkins noted that this agency has accounts with many of the surrounding towns.

MOTION TO SELECT NYMIR/SPAIN AGENCY AS OUR RISK INSURANCE

Councilman McMorris made a motion to select NYMIR as our risk insurance carrier which was seconded by Supervisor Tompkins. Councilman Welsh agreed stating he cannot find any fault and it seems like a very comprehensive plan. Councilman Frazier added it is the company he works with at his job. All were in favor of selecting NYMIR/ Spain Agency as our carrier.

DISUCSSION ON CONSTABLE UNIFORMS

Councilman McMorris stated that the Constables had discussed this policy with him in detail. The items to note in this new policy is that all officers will be wearing the same uniform, there will be a color change as well. The only items the Town will provide are shirts, pants, hat, and he recommends a jacket as well. He spoke about this during the budget meetings and estimated a one-time cost of about \$2000.00 for the uniforms. Mr. McMorris inquired about a grant for body armor and Councilman Welsh said he believed it expired this past August. Two vests are needed at this time and Councilman Welsh offered to explore another grant for this. Supervisor Tompkins noted it was presented by Constable DeGuisto a retired NYC Police Officer and he always looks presentable.

MOTION TO ACCEPT CONSTABLE GENERAL UNIFORM POLICY

Councilman McMorris offered a motion to accept the Constable General Uniform Policy which was seconded by Councilman Welsh. All were in favor of this adoption.

**RESOLUTION ADOPTING A DETERMINATION OF NON-SIGNIFICANCE
PURSUANT TO NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT
(SEQRA)**

The following Resolution was offered by Councilman Welsh, seconded by Supervisor Tompkins, to wit:

ADOPTION OF CHAPTER 210 OF THE TOWN CODE OF THE TOWN OF UNION VALE ENTITLED, "SOLAR PANEL LAW"

WHEREAS, the Town Board of the Town of Union Vale has determined that health, safety and welfare of the general public will be better protected by the adoption of regulations to regulate the installation of solar panel systems, all as set forth in proposed Local Law 3 of 2016.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale, as lead agency, hereby determines that the adoption of Local Law No. 3 of 2016 is a Type II action under SEQRA and further determines that no significant adverse environmental impacts will result from the adoption of said Local Law and that no further action is required under the SEQRA.

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

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE162
WASHINGTON AVENUE, ALBANY, NY 12231

Town of Union Vale, Dutchess County, NY

Local Law No. 3 of 2016

Be it enacted by the Town Board of the Town of Union Vale as follows:

1. LEGISLATIVE INTENT.

The purpose of this Local Law No. 3 of 2016 is to provide for the health, safety and general welfare of the citizens of the Town of Union Vale through the regulation of the installation of solar panel systems.

OF THE TOWN OF UNION VALE

2. AMENDMENT TO TOWN CODE. The Town of Union Vale Town Code is hereby amended by the following:

- (i) Replace Chapter 210-36 as set forth on Schedule A;
- (ii) Add new section (10) to 210-56(B) as set forth on Schedule B;
- (iii) Add new section (g) to 210-56 as set forth on Schedule C; and
- (iii) Amend the District Schedule of Use Regulations as set forth on Schedule D.

3. SEVERABILITY.

The invalidity of any word, section, clause, paragraph, sentence part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect within such part or parts.

4. REPEAL.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

5. EFFECTIVE DATE.

This Local Law shall take effect immediately after it is filed with the Secretary of State as provided in section twenty-seven of the Municipal Home Rule Law.

**RESOLUTION ADOPTING A DETERMINATION OF NON-SIGNIFICANCE
PURSUANT TO NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT
(SEQRA)**

The following Resolution was offered by Councilwoman Kelley, seconded by Supervisor Tompkins, to wit:

**ADOPTION OF CHAPTER 140 OF THE TOWN CODE OF THE TOWN OF UNION VALE
ENTITLED, ILLICIT DISCHARGE TO STORMWATER LAW**

WHEREAS, the Town Board of the Town of Union Vale has determined that health, safety and welfare of the general public will be better protected by the adoption of regulations to regulate and prevent illicit discharges to the municipal storm sewer system, all as set forth in proposed Local Law 4 of 2016.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale, as lead agency, hereby determines that the adoption of Local Law No. 4 of 2016 is a Type II action under SEQRA and further determines that no significant adverse environmental impacts will result from the adoption of said Local Law and that no further action is required under the SEQRA.

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

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE162
WASHINGTON AVENUE, ALBANY, NY 12231

Town of Union Vale, Dutchess County, NY

Local Law No. 4 of 2016

Be it enacted by the Town Board of the Town of Union Vale as follows:

1. LEGISLATIVE INTENT.

The purpose of this Local Law No. 4 of 2016 is to provide for the health, safety and general welfare of the citizens of the Town of Union Vale through the regulation of nonstormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This local law establishes methods for controlling the introduction of pollutants into the MS4 in order to comply with requirements of the SPDES general permit for municipal separate storm sewer systems.

OF THE TOWN OF UNION VALE

2. AMENDMENT TO TOWN CODE. The Town of Union Vale Town Code is hereby amended by the addition of Chapter 140, which is attached hereto.

3. SEVERABILITY.

The invalidity of any word, section, clause, paragraph, sentence part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect within such part or parts.

4. REPEAL.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

5. EFFECTIVE DATE.

This Local Law shall take effect immediately after it is filed with the Secretary of State as provided in section twenty-seven of the Municipal Home Rule Law.

**RESOLUTION AUTHORIZING THE ADOPTION OF LOCAL LAW NO. 4 OF 2016
ENTITLED, "ILLICIT DISCHARGES TO STORM SEWERS LAW"**

The following Resolution was offered by Councilman Welsh, seconded by Supervisor Tompkins, to wit:

WHEREAS, the Town Board of the Town of Union Vale desires to adopt proposed Local Law No. 4 of 2016 in order to amend the Town Code to add new Chapter 140 to regulate non-stormwater discharges to the municipal separate storm sewer system; and

WHEREAS, the Town Board of the Town of Union Vale authorized (i) Town Counsel, with the advice of the Building Inspector and Town Engineer, to prepare proposed Chapter 140 of the Town Code entitled, "Illicit Discharges to Storm Sewers Law"; (ii) to initiate the process of environmental review of the proposed Local Law under SEQRA; and (iii) to set a public hearing date on the proposed Local Law for September 15, 2016 at 7:00 p.m., or as soon thereafter as public comment could be heard;

WHEREAS, notice of said public hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of the Town of Union Vale, for the time period required; and

WHEREAS, on September 15, 2016 a public hearing was held at 7:00 p.m. at the Union Vale Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to said Article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board that adoption of said proposed Local Law would not have the potential for a significant negative effect upon the environment and could be processed by other applicable governmental agencies without further regards to SEQRA; and

NOW, THEREFORE BE IT RESOLVED, that in accordance with the authority granted to it pursuant to New York State Constitution, Article 1X, Municipal Home Rule Law Section 2 et seq, the Town Board of the Town of Union Vale hereby adopts said Local Law No. 4 of 2016, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to enter said Local Law No. 4 of 2016 in the minutes of his meeting and in the Local Law Book of the Town of Union Vale; and to give due notice of the adoption of said Local Law No. 4 of 2016 to the Secretary of the State of New York and the Town Clerk and Supervisor, if necessary, are hereby further authorized and directed to take all actions necessary to file Local Law No. 4 of 2016 with the Secretary of State.

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

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

RESOLUTION ADOPTING A DETERMINATION OF NON-SIGNIFICANCE PURSUANT TO NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

The following Resolution was offered by Supervisor Tompkins, seconded by Councilman Welsh, to wit:

ADOPTION OF STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL LAW OF THE TOWN OF UNION VALE

WHEREAS, the Town Board of the Town of Union Vale has determined that health, safety and welfare of the general public will be better protected by the adoption of regulations for stormwater management and erosion and sediment control, all as set forth in proposed Local Law 5 of 2016.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale, as lead agency, hereby determines that the adoption of Local Law No.5 of 2016 is a Type II action under SEQRA and further determines that no significant adverse environmental impacts will result from the adoption of said Local Law and that no further action is required under the SEQRA.

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

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

RESOLUTION AUTHORIZING THE ADOPTION OF LOCAL LAW N O. 5 OF 2016 ENTITLED, "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL LAW"

The following Resolution was offered by Supervisor Tompkins, seconded by Councilman Frazier, to wit:

WHEREAS, the Town Board of the Town of Union Vale desires to adopt proposed Local Law No.5 of 2016 in order to amend the Town Code to repeal existing Chapter 122 and to replace it with new Chapter 190, which provides the Town with the ability to protect its residents and the environment against impacts from construction activities associated with unmitigated stormwater runoff; and

WHEREAS, the Town Board of the Town of Union Vale authorizes (i) Town Counsel, with the advice of the Building Inspector and Town Engineer, to prepare proposed Chapter 190 of the Town Code entitled, "Stormwater Management and Erosion and Sediment Control"; (ii) to initiate the process of environmental review of the proposed Law under SEQRA; and (iii) to set a public hearing date on the proposed Local Law for September 15, 2016 at 7:00 p.m. or as soon thereafter as public comment could be heard;

WHEREAS, notice of said public hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of the Town of Union Vale, for the time period required; and

WHEREAS, on September 15, 2016 a public hearing was held at 7:00 p.m. at the Union Vale Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law; and

WHEREAS, pursuant to Part 617 of the implementing regulations pertaining to said Article 8 State Environmental Quality Review Act (SEQRA) it has been determined by the Town Board that adoption of said proposed Local Law would not have the potential for a significant negative effect upon the environment and could be processed by other applicable governmental agencies without further regards to SEQRA; and

NOW, THEREFORE BE IT RESOLVED, that in accordance with the authority granted to it pursuant to New York State Constitution, Article IX, Municipal Home Rule Law Section 2 et seq, the Town Board of the Town of Union Vale hereby adopts said Local Law No. 5 of 2016, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to enter said Local Law No.,5 of 2016 in the minutes of his meeting and in the Local Law Book of the Town of Union Vale; and to give due notice of the adoption of said Local Law No. 5 of 2016 to the Secretary of the State of New York and the Town Clerk and Supervisor, if necessary, are hereby further authorized and directed to take all actions necessary to file Local Law No. 5 of 2016 with the Secretary of State.

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

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

RESOLUTION ACCEPTING RESIGNATION

The following Resolution was offered by Councilman McMorris, seconded by Councilwoman Kelley, to wit:

WHEREAS, the Town of Union Vale has received a letter of resignation from Loralyn Suneson, from the position of Assessor Clerk and Building Clerk for the Town of Union Vale, effective September 21, 2016.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby accepts the letter of resignation from Loralyn Suneson, effective September 21, 2016.

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

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

RESOLUTION ACCEPTING RESIGNATION OF MEDIA COORDINATOR AND AUTHORIZING REPLACEMENT

The following Resolution was offered by Councilman Frazier, seconded by Councilman McMorris, to wit:

WHEREAS, the Town of Union has received a letter of resignation from Andrea Casey from her position of Media Coordinator effective October 5, 2016; and

WHEREAS, The Town Board of the Town of Union Vale desires to appoint Ryan Peterman to the position of Media Coordinator effective October 6, 2016.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby accepts the resignation of Andrea Casey from the position of Media Coordinator effective October 5, 2016; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Union Vale hereby appoints Ryan Peterman to the position of Media Coordinator effective October 6, 2016.

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

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

RESOLUTION APPOINTING TOWN PLANNER

The following Resolution was offered by Councilman Welsh, seconded by, Councilwoman Kelly as amended to exclude the section that Art Brod and Planners East are authorized to continue as Town Planner on the matter of the Habiague Subdivision application to wit:

WHEREAS, the Town Board of the Town of Union Vale desires to change Town Planners; and

WHEREAS, the Town Board of the Town of Union Vale desires to hire Morris Associates of Poughkeepsie, New York to the position of Town Planning Consultant for the remainder of 2016.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby appoints Morris Associates to the position of Town Planning Consultant for the remainder of 2016 at an hourly rate for a Staff Engineer/Planner of \$105.00 per hour, effective October 6, 2016; and

BE IT FURTHER RESOLVED, that Art Brod and Planners East are authorized to continue as Town Planner on the matter of the Habiague Subdivision application.

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

Councilman Welsh	Nay
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Nay

The amendment passed with a 3 to 2 vote.

Mr. Habiague commented from the audience that “he has a conflict of interest” and stated that “he was a defendant in the suit.” Councilman Welsh inquired who he was referring to and Mr. Habiague replied Art Brod. Councilman Welsh added that he is not here to discuss anything legal and he and Councilman Frazier agreed this is what is prepared by the Town Attorney.

Supervisor Tompkins made a motion to make an amendment to this resolution to table that Art Brod and Planners East are authorized to continue as Town Planner on the matter of the Habiague Subdivision application pending legal advice from the Town Attorney. This was seconded by Councilwoman Kelley.

Roll Call for the Amendment:

Councilman Welsh	Nay
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Nay

The amendment passed with a 3 to 2 vote.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None

MOTION TO ENTER EXECUTIVE SESSION

Councilman Frazier made a motion to go into executive session at 8:54 PM to discuss personnel issues which was seconded by Councilman Welsh and all were in favor.

MOTION TO EXIT EXECUTIVE SESSION

Supervisor Tompkins made a motion to exit executive session at 9:07 PM which was seconded by Councilman Welsh and all were in favor.

The next meeting is scheduled for October 20th, 2016 at 7 PM.

MOTION TO ADJOURN

Councilman McMorris made a motion to adjourn at 9:07 PM which was seconded by Councilman Frazier.