

## **UNION VALE TOWN BOARD MEETING**

**November 3, 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 at 7:00 PM with the flag salute.

### **PUBLIC COMMENTS ON AGENDA ITEMS**

None

### **MOTION TO ENTER EXECUTIVE SESSION**

Supervisor Tompkins made a motion to enter into executive session to discuss legal matters. The motion was seconded by Councilman McMorris and the Board was unanimously in favor.

### **MOTION TO EXIT EXECUTIVE SESSION**

At 7:50 PM Supervisor Tompkins made a motion to exit executive session and resume the regularly scheduled meeting. The motion was seconded by Councilman Welsh and all were in favor.

### **REPORTS OF SUPERVISOR & COUNCIL**

Supervisor Tompkins happily announced that the Route 55 detour has been reopened. Supervisor Tompkins also reported that she received 3 quotes for generators for the Town Hall. Councilman Frazier said there were a lot of inconsistencies in what was being bid such as the KW ranges. Mr. Frazier spoke to the Town Engineer who said he would be able to furnish a spec. sheet to compare what was needed vs price. Supervisor Tompkins offered that the electricians came to the building to determine their quote based on what they thought our needs were. Councilman Frazier said all the bids should be for the same job. There were further questions on what was to be run while on generator power and it was decided it should run the water, furnace, lights, finance computer all essential needs, not the entire building. Supervisor Tompkins agreed to have Councilman Frazier request the spec sheet from our Town Engineer so that the bids could all be comparative.

### **MOTION TO APPROVE MILES OF HOPE RENTAL**

Supervisor Tompkins stated that although the Park and Rec. Department can make these decisions, however because the entire fee was being waived, she would like the approval of the entire Board. Councilman Welsh agreed that in the past the fee had been waived and would like to continue to waive it as it is such a worthwhile cause. Supervisor Tompkins made the motion the fee be waived for Miles Of Hope rental charge and Councilman Welsh seconded the motion. All were in agreement.

Supervisor Tompkins reported that the Town had applied to the SAM Grant for 50K and they received word this week that the Town would be awarded the money. Councilman Welsh said although that is true, they still need to provide more information to finalize everything however, the money will be forthcoming and due to the seasonal restrains on paving, the project will begin next year. He also thanked Supervisor Tompkins and Bookkeeper Ryan Courtien for making sure they made the deadline for the application.

### **MOTION TO APPROVE RABBIT TRAPPING**

Supervisor Tompkins stated she received an email from Amy Bloomfield who was asking for the Town's permission to trap two rabbits to transport to the Bronx Zoo for samples, this was allowed last year and she wanted to seek permission for this year.

Councilman Welsh made a motion to allow Amy Bloomfield to trap and study rabbits from Tymor Park. This motion was seconded by Councilwoman Kelley and all were in favor.

Supervisor Tompkins informed the Town that they do have a contract with NYMIR for our risk and liability insurance. They gave us an American Flag which will be kept as a second as the one on the flag pole is not in need of retirement. She also mentioned that the Town will undergo an audit beginning with a Risk Assessment next week. Lastly, town resident Mike Senkier and she had been speaking about getting a more suitable Meeting Room table. Mike gave a presentation with his layout and designs along with two price packages that reflect two options. The design has better visibility for council and to see one another. Councilman Frazier was concerned about how far it would fill the room impeding on audience space. It was determined that carboard templates can be cut to size to provide a more visible account.

The Board decided to obtain 3 quotes and vote on it as soon as these were received.

Councilman Welsh reported that the Library Steering Committee was working on their Town wide survey. The deadline was the 31<sup>st</sup> however you may still bring it in during the next few days. They are still working on obtaining information from the Mid-Hudson Library System and their next meeting is December 8<sup>th</sup>.

Councilwoman Kelley reported that she learned a lot from the accounting seminar she attended on Government Accounting in Wappinger's Falls, NY. It was eye opening and a helpful review from some of the classes she attended in Albany earlier in the year. She also mentioned this was a great networking event as well.

Councilman McMorris said there will be a Veterans Appreciation Day at the FDR Library. The Department of Veterans Affairs will be there. They assist in VA care, Health Insurance, there will be a military medal presentation and any Dutchess County Veterans will be able to obtain a favor cards. Councilman McMorris also said that he had a meeting this week with Jason Lieberman of LEM Developers for the property on Route 55 to see the possibility of those being solar fields. Mr. Lieberman will review the electric bills to see about any savings. It also came up about the contract the Town has with Viridian who may or may not be overcharging us for electricity, he will also run it past the town attorney regarding that as well.

Councilman Frazier met with Assemblyman Kiran Lalor about the prevailing wage law to express his concerns about the cost to the Town specifically regarding outside contractors. Councilman Frazier said Mr. Lalor is hoping to get some support of other Assemblymen and advised it will take some time but is looking to get it in front of the Assembly.

#### **PUBLIC HEARING ON 2017 BUDGET**

At 8:23PM Supervisor Tompkins made a motion to open the Public Hearing on the 2017 Budget. This motion was seconded by Councilwoman Kelley and all were in agreement.

#### **PUBLIC COMMENT**

*Carlos Mina-* Asked if the budget would be going up or down. Supervisor Tompkins replied it is scheduled to be reduced 6.6% at this time. Mr. Mina said he was surprised it was so little because it was campaigned that the budget went up 51%. Councilman McMorris said they were just getting started and Councilwoman Kelley stated this just trimmed the fat, no services and no jobs were cut as a result. Mr. Mina then asked if it would be better to invest the extra money in the infrastructure and have a flat rate as there are many problems such as the shingles and the rental buildings down at the park as well as the blacktop at the Recycling Center which could be very costly. Supervisor Tompkins stated they are applying to many grants this year to keep costs down. Mr. Mina stated how acting sooner than later could save money in terms of the extent of repairs to park buildings. Supervisor Tompkins said they could add money in for building repairs. Mr. Mina mentioned all the work they had done inside the barns and stated if the roof is bad it would have all be done for nothing. He also made a point that all town services require a user fee to be paid and he noted in the budget that the MHLS would be receiving around 72K and was wondering if a pass obtained at the Town Hall, for example, would subsidize the cost. Councilwoman Kelley stated that was illegal because it is a Public Library and would violate the law to charge users. The only exception being if we were outside the Library System unlike our Town where we sit in the middle of regions that fall under their jurisdiction such as using a Library in another County.

Councilman Welsh added that having a lower budget is commendable however, this may be an issue for long term implications. He is concerned they would be doing a disservice to the residents as the State oversees the process and limits the amount the budget can be increased. The current rate is .68% next year it can fluctuate. If the budget were to decrease 6.6% it could potentially take up to 7 years to recoup our current status staying within the cap. This would work as long as it corresponds with the Towns 5-year Capital Improvement Plan however he has concerns it would not. There are the areas he would like to see money invested into the infrastructure of the Town:

Highway Salt Shed

Retaining Wall and Blacktop at the Recycling Center

Parking Lot in Park estimated costs are 240K but the grant would only cover 100K

The rental houses and barn roof

Insulating the Highway Garage and adding thermal pane to the windows as they are from the 1930's

Decking in front of Barn at Park as well as the drainage issue in the front of the Barn

Ramp in Park's Parking lot that was not included in scope of CDBG Grant

Bridges in Town especially the one located in the Park needs to be addressed

The Dam Project

Money for the Solar Project at the Recycling Center

His question for the Bookkeeper is, if the Town reduces the budget 6.6% how will that affect their 5-year Capital Spending Plan.

Mr. Courtien said it is a correct assumption that of course the less money the Town takes in, the less money there is to spend. The estimates of planned expenditures and expense are a simply estimates so it would be up to the Town Board to include any money for these projects

Councilman Welsh feels that it would be better to make it a 'flat' budget therefore not raising or discounting taxes because they money will be needed for Capital Projects. There is also a concern that if they need to exceed the tax cap in the future, resident will not get a rebate from the State therefore it will be costlier in the long run. Mr. Courtien advised Councilman Welsh that the Rebate program was not applicable this year although, it was in the past which means there is no State benefit for not complying.

Supervisor Tompkins added the whole idea of lowering taxes was to stop the bleeding as she felt the residents and taxpayers had suffered enough in the past few years as the taxes had increased. It is time to 'tighten our belts' and give back to the tax payer by not cutting services and apply for grants. There is 130K in the contingency fund as well.

Councilman Welsh said he noted that however, if all the projects he proposed were added up, 130K would not cover more than a small fraction of the total costs. He realizes all these cannot be done in 1 year which is why he asked about the 5-year Capital Spending Plan which is historically done by the Supervisor. Supervisor Tompkins said she had not completed one yet but will look if one exists and create one if necessary.

Supervisor Tompkins asked Councilman Welsh what he would like to add into the budget as a project for next year that needed to be addressed. One item in particular is the retaining wall at the Recycling Center and the blacktop. Supervisor Tompkins said when asked the Recycling Coordinator stated it was not a concern for the 2017 year.

Councilman Welsh stated although the Park has been a wonderful gift it poses a large maintenance expense especially the Barn roof which has never been replaced only patched. He once again stated a flat budget would allow them to save for these projects. Bookkeeper Courtien said he had spoken to the Park Director about these costs such as the decking which had been budgeted for and could be done in house to save money. An item for something as large as the roof would need to be its own line on the budget. Councilman Frazier noted that a project as large as that would in his estimate be close to at least 100K possibly more. He also feels that he is in favor of meeting the tax cap however is concerned with taking a deep reduction this year that the Town will pay for that in years to come with future tax caps. He would like to see money set aside for these projects so the Town assets do not deteriorate due to lack of funding. All the projects Councilman Welsh mentioned were on his list as well and the biggest expense may be the bridge in Tymor and Furnace Pond Dam especially in lieu of an email he received today regarding MS4 requirements being increased possibly translating to hundreds of thousands of dollars at each location. He feels it would be more responsible to make it a flat budget going forward.

Bookkeeper Courtien pointed out that the departments reviewed and returned their portions of the budget as a flat budget. The reduction comes from prior years for example when 200K was budgeted only 150K was actually expended resulting in overestimating the expenditures and underestimating the revenues. This is simply a more accurate portrayal of actual expenses. Councilwoman Kelley added that the Fund Balance may be able to cover some of the larger projects the Town would like to complete and be more proactive. Because of the increase in the tax levy she stated the residents have already paid for these projects and would like to extend the savings this year. She would like to look at how the Fund Balance can be used for the Capital Spending plan going forward.

Mr. Courtien advised that you could include money in the budget and use an allocated portion of Fund Balance as well and still complete the project and decrease taxes however it would just decrease the Fund Balance. Once again Councilman Welsh stated that this budget is a great short term budget but may cause increases in upcoming years. Last year's winter being mild made a minimal expense for salt and plowing, fuel prices have been lower and stable for the last few months, road work was minimal this year as well. As a Town Board everyone should be looking at the long term needs and spending to maintain a flat budget to continue that trend over the upcoming years.

Councilman Frazier added that Grant money is good however there is no guarantee and once the item has been constructed with grant money, it is up to the Town to maintain that. Again, he stated it would be more responsible to make it a flat budget and would like to make a point that the Town has never thrown money away and did not like the term used that there was "bleeding" in the past as Town money was never wasted. Supervisor Tompkins reiterated that the taxpayer deserves a break this year and noted the budget could have been cut even more but was not.

Councilman Welsh said a lot of the items that the Town saved on such as the health insurance contribution were a one-time gain but next year it will be harder to save money and do what the Town needs to do. Councilwoman Kelley said she agreed there would probably not be a 6.6% decrease again next year and the budget was compiled of data from not only last year but the prior 4 years as well. The comptroller said they would send the trends for the next 5 years so that a middle ground could be determined.

Councilman McMorris said it is a priority to determine what the 5-year plan is so that each budget is planned accordingly and everyone is aware of the proposed upcoming expenditures which is recommended by the Association of Towns. Although these plans may only be 30%-40% accurate it gives a much clearer picture. Right now as he sees it, there is no plan especially for the Highway Trucks.

Again, Councilman Welsh stated because this budget was not made with a 5-year plan in place he would advise leaning towards a flat budget.

Supervisor Tompkins invited Councilman Welsh and the Board to come up with some ideas and numbers of additions to the budget for the next meeting to solve some of these issues.

*Betsy Maas*- asked if the budget goes down 6.6% how much does that actually go down for the residents, basically what is the savings?

Bookkeeper Courtien said most of the taxes are school taxes which make up roughly 70%-75%, the remain 25%-30% would be broken down to County, Town and Fire District taxes. For example, if you paid \$5,000 in taxes total, therefore approximately \$500-\$600 would be your Town Tax bill therefore your savings would be around \$30 to \$40. Supervisor Tompkins stated that amount may not be a lot of savings for some people it might be a lot for seniors and those on fixed incomes. Ms. Maas noted that the danger being of going down this year \$60 may equate to a possibility of taxes increasing \$150 in the near future. There was further discussion on the benefits vs problems of a decrease or flat budget.

Councilwoman Kelley stated having a healthy fund balance and using it appropriately can help offset the cost of an increase in the budget. Councilman Welsh agreed stating that some of the money that is currently there was schedule to use for project that were budgeted however not completed such as the Highway Garage insulation which was scheduled to be done this year in 2016. Councilman Welsh agreed with Councilwoman Kelley that this project could be done this year. In speaking with the Highway Superintendent there was 20K put in for a fence which was scheduled for the insulation. Mr. Courtien recommended that 20K be used from Fund Balance and keep the 20K in the budget for the fence needed at the Highway Garage, being that this comes from the 'A' fund, there is no need for approval from the Highway Superintendent although he should be on board with what is decided. Bookkeeper Courtien also explained how to access the Tax Levy information and how the taxes are determined from this. He also spoke about using the contingency fund and advised there is a max percentage that can be used.

Councilman Frazier said if the Town can meet the Tax Cap they should because there will be more regulations and State Mandates which means more money and it would be much harder to recoup that money rather than leaving it alone.

#### **MOTION TO CLOSE PUBLIC HEARING**

Supervisor Tompkins made a motion to close the Public hearing at 9:10PM which was seconded by Councilwoman Kelley, all were in favor.

#### **DISCUSSION 2017 BUDGET**

Mr. Courtien explained that the Town Board needs to vote on the 2017 Budget by November 20<sup>th</sup>. Changes can still be made up to the 17<sup>th</sup> including the night of the meeting but not after adoption. He further discussed possible changes and how they could affect the 'Adopted' column and tax cap. He encouraged each Board member if they needed to add something to come up with a dollar amount and they would find the most appropriate line to add to the budget.

Councilman Welsh stated there were 3 areas he would like to put aside money for repairs. Those areas were the Furnace Pond Dam project, the bridge in the Park and the retaining wall at the Recycling Center or the Barn Roof. He added that if these are not completed they can be transferred to other projects that should be done in 2017. Supervisor Tompkins stated that Jake Gosnell, Park Director, would like to apply for a grant from DEC for the Dam that can be applied for in January to either repair or remove. Councilman Frazier made a point that without allocating appropriate funding for repair costs, this could mean higher costs in the future.

Mr. Courtien offered that bonds/BAN are a useful tool to spread out long term costs. There was further discussion on a financial plan for the roof on the barn. Mr. Courtien said the only other discussion was his conversation with Health Insurance Broker, Bill Humphrey's, who offered his assistance to consolidate for employees who are Medicare eligible to reduce costs and to expect small changes in this area. After

all the data has been collected regarding any changes or updates, Mr. Courtien will have the final budget for approval ready for next week and have a better estimate of the present fund balance.

Supervisor Tompkins noted that if the money is put back for repairs and projects were completed, this will help going forward.

**DISCUSSION ON ROUTE 55 PROPERTY IN BEEKMAN**

The Town of Union Vale owns approximately 1.33 acres in the Town of Beekman and pays around \$5,000 in taxes on that parcel. Councilman McMorris stated in his research of using that property for a solar field, it was discovered that part cannot be used because it is supplied by NYSEG electric company, not Central Hudson. The budget amount for tax payments is \$7,700.00 however \$6,600 is for the Beekman portion of that parcel. The remaining \$1,100 is for the other parcels and there is an existing agreement for the other land making that part lower however the parcel on Route 55 is zoned commercial which causes it to be taxed at a higher rate. Supervisor Tompkins said it would be in the best interest of the Town if it was sold. Councilman Frazier agreed stating that not only should that portion be sold but the entire 10 acres as well. He suggests the Town aggressively pursue selling this to recoup the tax money and to have it generate tax dollars for the Town. Councilman Welsh added that it is a very desirable lot and it was on the market for some time prior. It was agreed by everyone to do an RFP seeking a commercial realtor. Councilman McMorris asked that this be done next meeting to give the Solar company time to consider a lease after their engineers investigate the lines. Councilman Welsh said it may be worth asking Adams Fairacre Farms as it was heard they might be interested in another location. Councilman Frazier also said that it had been originally zoned for a Town Center and it might be beneficial in attracting a buyer to revisit the zoning.

**DISCUSSION OF PURCHASING SANDER FOR PARKS AND RECREATION**

Mr. Gosnell compiled 3 quotes for the sander and presented it to the Town Board. Trailer King was noted the lowest overall because their bid price also included installation. Councilman Frazier spoke with the Park Director and feels he is going in the right direction with this purchase. Councilman McMorris made a motion to approve the funds of \$4,635.95 from Trailer King who was the lowest bidder. This motion was seconded by Councilman Frazier and all were in favor of this decision.

**RESOLUTION AUTHORIZING PUBLIC NOTICE FOR MATERIAL BIDS FOR 2017**

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

**WHEREAS**, the Town of Union Vale Highway Department Superintendent has prepared a list of material needed for operation of the Town of Union Vale Highway Department for 2017; and

**WHEREAS**, pursuant to Section 103 of the General Municipal Law of the State of New York, which requires that all expenditures for materials which exceed \$20,000.00 be awarded to the lowest responsible bidder; and

**NOW, THEREFORE BE IT RESOLVED**, that the Town Clerk of the Town of Union Vale is hereby directed to publish proper notice for the solicitation of bids in the official newspaper for the Town of Union Vale for the purchase of materials for use of the Town of Union Vale Highway Department 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
Councilman Welsh	Aye
Councilwoman Kelley	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

**PUBLIC COMMENTS ON NON-AGENDA ITEMS**

None

The next meeting is scheduled for November 17<sup>th</sup> at 7:00 PM. Supervisor Tompkins made a motion to adjourn at 9:37 PM and it was seconded by Councilman Frazier and all were in favor.