

UNION VALE TOWN BOARD MEETING JUNE 18, 2020

VIA ZOOM VIDEO CONFERENCE 7:30 PM

PRESENT: Supervisor Maas

Town Council: Kevin Durland, Kevin McGivney, Steven Frazier

Absent: Councilman John Welsh

Town Clerk: Andrea Casey

Highway Superintendent: Ed Kading

Town Attorney: Jeff Battistoni - Absent

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

The May 21st, 2020 Town Board meeting minutes will be voted on the next Town Board meeting.

SUPERVISORS REPORT

Supervisor Maas reported:

1. Cash flow Report: for the first time ever, we had a negative amount of cash flow in the month of May. Although in 2019 we averaged monthly revenue in the amount of \$158,000 to \$159,000 per month, in May we refunded \$105,540 in Recreation Department Fees so we were negative by \$89K. Total refunds to date are \$111,062 for Rec programs.
2. Total Cash balances at the end of May were: \$3,179,920 in the General Fund and \$933,159 in the Highway Fund.
3. Town Tax penalties are a little over \$9,000 and the remaining uncollected taxes have been turned over to the County as of June 1.
4. To date, we are on spending \$12,000 in unemployment insurance payouts and expecting more.
5. Consistent with our practice, the Councilmen have received the list of warrants/abstracts, cash receipts, escrow report, Building Dept. report and lists of all deposits made in both the General Fund and Highway Fund.
6. We are being extremely cautious to not make any purchases except those that are absolutely necessary. For example, we are buying Plexiglas, hand sanitizer stations, etc. in order to re-open on July 1st. We hope to get these COVID related expenses reimbursed by FEMA, but oddly, we might not spend enough to qualify.
7. Town Updates-
 - a. Iron Furnace "Pay it Forward Program" has been working out very well. They are now fixing 30 meals. 2 x weekly and we deliver them to our seniors, many of whom are housebound, recovering from or suffering from an illness. If you have a neighbor who you think could benefit, please us or Maura at the Iron Furnace their names.
 - b. Good news - Union Vale won the Article 78 lawsuit that the Town of Beekman filed against us over the cell tower. The case was dismissed and all their assertions were denied.

County Updates:

8. Phase III - Tuesday June 23rd

For the Business Community:

- a. Our business community needs to go to "NYForward" website and Read, "Affirm" (by clicking on a website to actually affirm) and then print the Safety Plan Template, fill it in for your business then keep a copy on file in case you asked for it. Implement the Safety Plan.
- b. Important Notice: Dutchess County Office for the Aging is searching for a food service establishment to bid on providing lunches for twelve senior picnics. Go on the Dept of Aging website and fill out a Price Quote to be considered.
9. Of note, garage sales are now permitted - with 10-person maximum at any one time, face coverings and hand sanitizer being made available.
10. Tymor Park Playgrounds are open! This is a Town by Town decision
11. Three car based fireworks displays being held by the County with Iheart radio playing music in the background. Date: July 4th Independence Day! Locations: Dutchess Stadium, Dutchess Fairgrounds in Rhinebeck and Silo Ridge in Amenia.

BOARD MEMBER REPORTS

Councilman Durland had nothing new to report.

Councilman Frazier had nothing new to report.

Councilman McGivney reminded residents to support the local business, especially the local restaurants.

Councilman Welsh was absent.

HIGHWAY REPORT

Superintendent Kading reported that the Highway Department finished all major road work for this year. All roads are paved, oiled and chipped as well as the roads that were paved last year. As he received many questions regarding the oil and chipping, he described it is similar to an asphalt driveway. This layer considered a wear layer to help preserve the seal and asphalt beneath to insure the longevity of the roads. The roads that were paved in the last 10 years will be sealed based on budgeting.

The Highway Crew has completed the first pass on roadside mowing and scheduled to do it again the week after next. Road sweeping began today, this was delayed to ensure all major road work was done prior. Potholes and shouldering were done this month as well with special attention to the recently paved roads, this helps to increase longevity as well. The salt shed is in dire need of a roof and Superintendent Kading has received 1 bid so far, 2 others are interested but there is a backlog due to the COVID shut down. Superintendent Kading auctioned off a few of the much older equipment totaling near \$10,000. With the auction ending tomorrow evening he hopeful to use this revenue towards projects next year. Supervisor Maas noted the Consolidated Local Street and Highway Improvement Program (CHIPS) reimbursement has been submitted for \$101,000 and the Town is hopeful to receive this money and that the program will be fully funded. She also applauded Superintended Kading for completing all the road repaving projects early so that they were able to submit for the CHIPS program immediately.

TOWN CLERK REPORT

Town Clerk Casey reported that a new American Flag has been ordered for “On the Green” as the former is in need of being retired. The recycling permit totals are 427 Resident and 344 Non-Resident, it is not too late to purchase one to use for the remainder of the year. Please call Town Hall if there is anyone in need of a hot meal being delivered 2x a week through the Iron Furnace ‘Pay it Forward Program’.

Parks Report

Councilman Frazier read the Park Report as reported by Park Manager Jake Gosnell which is on file.

Supervisor Maas also mentioned the camp operations manual will be done by Camp Director Shelly Knight and revised for the 2021 season. TGTT will run the last week in August depending on the COVID metrics and demand from families.

Building Report

Councilman Durland read Code Enforcement Officer, George Kolb’s, report for the month of May which is on file.

Supervisor Maas mentioned that George Kolb has done a terrific job managing his department and servicing the residents now, and especially during COVID.

East Light Partners Solar Development

The construction project on Route 55 will begin in August.

Reopening of Town Government

All departments have been through the list of details to ensure a safe and proper plan including all of Town hall and Town Court. The plan is to open July 1, 2020 and encourage residents to make appointments as needed. Supervisor Maas is hopeful by the July the meeting they will be able to permit residents to attend while sitting 6-feet apart.

Building Permits & Land use

The Building Permits and Land Applications are in need of having term limits or in a manner that motivates residents and contractors not to continually renew multiple times. The Code Enforcement Officer is requesting assistance in changing the current pay schedule to help reduce the renewal rate. The current situation reflects that a permit is purchased at an initial price then, after a 1-year expiration period, there is a 50% reduction in price. One of the ideas to help reduce this was to not offer a 50% reduction in price for renewal, have 1 available renewal and remove

the discount. If the project still exceeds the deadline, the permit process would have to be started again.

Councilman Durland spoke for his experience as former Planning Board Chair and stated when projects are done start to finish this allows the Board to be updated on the project and stay current.

Councilman Frazier would like to do more research but agrees with the conversation that has gone on thus far. In Supervisor Maas's discussion earlier with Councilman Welsh, he felt if there were truly a hardship, the applicant would have to come before the Town Board to obtain permission for a renewal. Councilman McGivney agrees that a price increase as opposed to a reduction would be appropriate to help motivate the applicants to complete their project in a timely fashion. There was further discussion on this topic to obtain a clear idea of the issues and how to resolve them.

Resolution #20-25 Resolution Authorizing Waiving Local Law to Permit Outdoor Dining by Food Service Establishments (See Resolutions)

Supervisor Maas/ Councilman Durland

MOTION TO AMEND RESOLUTION #20-25

Councilman Frazier made a motion to amend Resolution #20-25 by adding the language Whereas, the Town Board of the Town of Union Vale agrees to waive adherence to the local law entitled "Site Plan and Approval" (Town Code Section 210-61) "and waive the option to impose any and all fees in order to fully support the economic recovery of each of the Town's food service establishments....." which was seconded by Councilman McGivney and all were unanimously in favor.

MOTION TO PAY BILLS

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

EXECUTIVE SESSION

Supervisor Maas moved to enter executive session for the purpose of discussing potential litigation involving an issue with Dutchess County, she noted, no action will be taken. At 8:59 PM the Town Board concluded executive session to resume the regular meeting.

MOTION TO ADJOURN At 9:00 pm Councilman Durland made a motion to adjourn which was seconded by Councilman Frazier and all were unanimously in favor.

Respectfully Submitted,

Andrea Casey

Town Clerk

TOWN OF UNION VALE TOWN BOARD

RESOLUTION # 20-25:

**RESOLUTION AUTHORIZING WAIVING LOCAL LAW TO PERMIT OUTDOOR
DINING BY FOOD SERVICE ESTABLISHMENTS**

Supervisor Maas introduced the following resolution, which was seconded by Councilman Durland, as follows:

WHEREAS, New York Executive Law Section 24, authorizes the Chief Executive to promulgate Local Emergency Orders upon a finding that the public safety is imperiled by the event of a public emergency or in the event of reasonable apprehension of immediate danger thereof, to protect life and property and to bring an emergency situation under control; and

WHEREAS, a State of Emergency was hereby declared in the County of Dutchess effective on March 13, 2020, by Emergency Executive Order No. 2 of 2020 due to a case of COVID-19 being confirmed in the County, and

WHEREAS, County Executive Marc Molinaro, “in order to support the reopening of food service establishments”, and “subject to Federal, State, and Constitutional statutory and regulatory limitations, as well as State and County health and sanitary laws, rules, and regulations” ordered that all cities, towns, and villages within the territorial limits of the County of Dutchess may reopen food service establishments without regard to the strict adherence to local land use laws, rules, and regulations subject to the terms and conditions as determined by each individual city, town and village; and

WHEREAS, the Town Board of the Town of Union Vale agrees to waive adherence to the local law entitled “Site Plan Review and Approval” (Town Code Section 210-61) and waive the option to impose any and all fees in order to fully support the economic recovery of each of the Town’s food service establishments and to enable each of them to open and operate outdoor spaces without delay;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby declares support for the Local Emergency Order # 12 that took effect on June 9, 2020 and will remain in effect until removed by the County Executive or the Town Board Union Vale.

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

Councilman Frazier	<u>Aye</u>
Councilman Durland	<u>Aye</u>
Councilman McGivney	<u>Aye</u>
Councilman Welsh	<u>Absent</u>
Supervisor Maas	<u>Aye</u>

DATED: Union Vale, New York

June 18, 2020

Andrea Casey

Andrea Casey, TOWN CLERK