

## **UNION VALE TOWN BOARD MEETING OCTOBER 21, 2021**

**UNION VALE TOWN HALL 7:30 PM**

**PRESENT: Supervisor Betsy Maas**

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

**Town Clerk: Andrea Casey**

**Highway Superintendent: Ed Kading**

**Town Attorney: Jeff Battistoni -Absent**

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Call to Order and Salute to the Flag at 7:29 PM

A moment of silence for our beloved Sheriff Butch Anderson, the Pine Plains Firefighter, and our own farmer Ray Vail.

Councilman Welsh spoke about Ray Vail's huge impact on Union Vale and the agricultural world.

### **Motion to Approve Minutes**

Councilman Welsh made a motion to approve the August 19<sup>th</sup> September 16<sup>th</sup> 2021 meeting minutes as written seconded by Councilman Frazier and all were unanimously in favor.

### **Supervisor Report**

- 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.
- Cash Flow: 107% of goal and 89% of expenses for the month of September due to CHIPS
- The budget presentation will be next month, voting tonight for preliminary budget to become preliminary
- Tax Assessor, Robert Taft is leaving Union Vale to work for Town of Pawling. Town of LaGrange sent a letter to terminate the 2006 CAP (Coordinated Assessment Plan)

### **Correspondence:**

- Letter from Comp Alliance announcing Union Vale qualified for the safe work award for policy year 2020 and received a check for \$2177.00 and brings premiums down
- Comptrollers Office sent their physical stress scores, Union Vale's score is 0 and environmental stress is 10.0 which is among the lowest
- Received a credit check from Chemung Supply \$5,947.20 for plastic pipe returned
- Received a check from St. Paulie's Textiles \$222.77 for Recycling Center line
- Union Vale Fire District has paid the \$3000 annual amt for snow plowing for both fire houses
- DCGAA festival was Saturday and selectively rented the park to them which brings revenue into the park
- 10-digit phone dialing goes into effect October 24<sup>th</sup>

### **Board Member Reports**

*Councilman Welsh* – reported on the Solar Ribbon Cutting Ceremony noting it was informative, uplifting and nice to see a project like this developed. It will not only offset the cost of electric but, the real benefit is leasing the property, which has be idle for years, for a sizeable amount each month over the term of the lease to offset taxes.

*Councilman Frazier* – mentioned that a few days ago Governor Hochul passed an executive order mandating public meeting agendas be made available to the public 24 hours in advance of the meeting and also noted that the Town has local code in effect since 2016 that requires it be made available a week in advance and remarked it notable this is coming from a State level.

*Councilman McGivney* – said to keep those instrumental people in our thoughts, Sheriff Butch Anderson, Ray Vail and the firefighter in Pine Plains.

*Councilman Durland*- Nothing at this time.

### **Highway Report**

Superintendent Kading updated everyone on the barn repair on the Highway Equipment Barn that needed an emergency repair due to 4 broken trusses.

- Heating system has been removed by heating provider Crown Gas,
- Received 3 proposals on removing the electric and fixtures, he chose the least expensive which was \$15,000 less, and the work has been done to take the electric down

- Dutchess Overhead Doors disassembled the doors, and one was removed completely and tarped off to keep intruders out.
- Highway crew removed the insulation, ceiling, and vapor barrier- all done in house
- Materials have been ordered 4-6 weeks out and we can award a contractor tonight.
- One truck is in the shop getting repaired, could turn into an expensive project, waiting to hear from mechanic shop could be between 8-10K.
- Boom mower, the reaches over guardrails, needs repair, waiting on parts
- Large tree on Mack road took out some of the lane, restored and fully open, all gravel roads have been raked as part of the fall maintenance plan. Plans to blow ditch lines to keep it open for snow melt in the spring. Contractor will hopefully show up next week to clean ditches and catch basins on Cunningham

**Town Clerk Report** - Clerk Casey reported Document Shredding day is scheduled for Wednesday, November 24<sup>th</sup>. Everyone is welcome to bring up to 4 file boxes to Town Hall for the event. The time will be posted on the town website either the Monday or Tuesday prior.

**Public Comments on Agenda Items**- None

## **Board & Committee Reports**

**Parks**- Councilman Welsh read the Parks Report on behalf of Park Manager Jake Gosnell. Oktoberfest is over and it was great, thank everyone for barrel race and keep going, thank staff and volunteers. Dutchess GAA had their Irish Fest and he would like to congratulate them on a great event. Friday, Oct 29<sup>th</sup> Halloween Movie Night featuring ‘The Great Pumpkin’ and 2019 ‘Adams Family. The crew is also starting to gear up for Grand Illumination scheduled for Saturday, Dec 4<sup>th</sup>. The grass continues to grow.

**Recreation**- Councilman Durland read the recreation report on behalf of Alison Croke. The ‘Music in the Park’ Event turned out 75 people. The ASP program is in full swing and there have been new participants. They are busy planning for the upcoming Halloween events, movie nights and the Grand Illumination and looking forward to reaching many families.

**Solar Report**– Supervisor Maas noted a reporter from channel 12 reached out and she will be taking pictures and speaking with 2 residents who signed up for the discount and getting their input covered she also noted it was stated the other day at the ribbon cutting the field was powering 1000 houses due to the weather that day.

**Budget**- The budget will be voted on to go from the tentative to the preliminary. There will be a presentation on November 4<sup>th</sup> of the full budget as well as the final budget public hearing.

### **Resolutions and Motions (See Attached)**

Resolution of Adoption Local Law # 3 – Opting Out of Cannabis Dispensaries & Smoking Lounges in Union Vale

Resolution # 31-2021 Authorizing Appointment of Acting Assessor

Resolution Authorizing Acceptance of RABCO Construction Corp. Proposal for Highway Equipment Garage

Superintendent Kading reported he secured a 20-foot storage container, purchased it as they need anyway bought it used from Danbury. The Highway crew took all valuable items from the building to lock in the storage unit.

### **Motion Approving Tentative Budget as Preliminary Budget**

Supervisor Maas made a motion to approve the Tentative Budget as Preliminary Budget which was seconded by Councilman Welsh and all were unanimously in favor.

**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 on Town Issues**

*Jean Moore*, spoke about the potential issues with building a new library and advocated for paying Mid Hudson Library System directly. She noted the highlighted items such as the lengthy timeline, limited access to library services in the interim and issues with continued maintenance costs.

*Lalita Malik*, spoke about how pleased she is with what the Town has done with the NRI, the solar field and things of that nature but she does disagree about the library. She feels having full access to library services until a plan is decided is important. She feels cutting access now is not necessary for those in need of digital services the library offers.

**Motion to Adjourn**

At 8:17PM Supervisor Maas made a motion to adjourn the meeting which was seconded by Councilman Welsh and all were unanimously in favor.

Respectfully Submitted,

Andrea Casey, Town Clerk

**TOWN OF UNION VALE**

**RESOLUTION OF ADOPTION  
LOCAL LAW #3 - 2021**

Councilman Welsh offered the following Resolution, A LOCAL LAW TO OPT OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-SITE CONSUMPTION SITES AS AUTHORIZED UNDER NYS CANNABIS LAW ARTICLE 4, which was seconded by Councilman Frazier, who moved its adoption:

WHEREAS a Local Law was introduced by the Town Board of the Town of Union Vale as Local Law # 3 – 2021 entitled A LOCAL LAW TO OPT OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-SITE CONSUMPTION SITES AS AUTHORIZED UNDER NYS CANNABIS LAW ARTICLE 4; and

WHEREAS, a public hearing in relation to said local law was held on October 21, 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

NOW, THEREFORE, BE IT RESOLVED that the following local law is hereby enacted: TOWN OF UNION VALE LOCAL LAW #3 – 2021 entitled A LOCAL LAW TO OPT OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AND ON-

# SITE CONSUMPTION SITES AS AUTHORIZED UNDER NYS CANNABIS LAW

## ARTICLE 4:

### **Section 1. Legislative Intent**

It is the intent of this local law to opt out of allowing cannabis retail dispensaries and on-site cannabis consumption sites in the Town of Union Vale that would otherwise be allowed under Cannabis Law Article 4.

### **Section 2. Authority**

This local law is adopted pursuant to Cannabis Law Section 131 which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses and/or on-site consumption licenses within the jurisdiction of the town and is subject to permissive referendum, the procedure for which is governed by Municipal Home Rule Law Section 24.

### **Section 3. Local Opt-Out**

The Town Board of the Town of Union Vale hereby opts out of allowing cannabis retail dispensaries and on-site cannabis consumption sites from being established and operated within the Town's jurisdiction.

### **Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, individual, firm or corporation, or circumstance, shall be held by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which such order or judgment shall be rendered.

### **Section 5. Permissive Referendum/Referendum on Petition**

This local law is subject to permissive referendum on petition in accordance with Cannabis Law Section 131 and the procedure outlined in Municipal Home Rule Law Section 24.

**Section 6. Effective Date**

This local law shall take effect immediately upon filing with the NYS Secretary of State.

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

The following Resolution was offered by Councilman Welsh and seconded by Councilman Durland:

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

DATED: Union Vale, New York  
October 21, 2021

  
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ANDREA CASEY, TOWN CLERK

**TOWN OF UNION VALE  
TOWN BOARD RESOLUTION NO. 32 of 2021  
RE: AUTHORIZING THE APPOINTMENT OF ACTING ASSESSOR**

The following Resolution was offered by Supervisor Maas and seconded by Councilman Durland:

WHEREAS, due to the resignation of the Assessor effective October 22, 2021 there is a vacancy in the position of Assessor; and

WHEREAS, there was an immediate need for a qualified individual to fill that vacancy; and

WHEREAS, Real Property Tax Law § 314 authorizes the appointment of Acting Assessor to serve at the pleasure of the Town Board for a period of up to six months; and

WHEREAS, the Town Board is now desirous of appointing former County Director, Eric Axelsen as Acting Assessor until the New York State Department of Taxation and Finance in Albany approves his credentials and Town Board members have the opportunity to review credentials, and

WHEREAS, the Town Board, can fully appoint Mr. Axelsen to the Assessor position during the Organizational meeting to fulfill the remainder of Robert Taff's term which expires September 30, 2025;

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby approve the appointment of Mr. Eric Axelsen as Acting Assessor; and

BE IT ALSO RESOLVED that the Town Board establishes the salary, at a pro-rated salary as established by the 2021 adopted Town Budget; and be it further

RESOLVED, that the Town Clerk is directed to notify the Dutchess County Director of Real Property Tax Services and the Commissioner of the New York State Department of Taxation and Finance of this appointment; and be it further

RESOLVED, that this resolution shall take effect immediately.

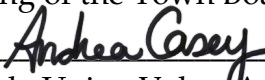
The foregoing Resolution was duly put to a vote which resulted as follows:

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

DATED: Union Vale, New York  
October 21, 2021

  
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ANDREA CASEY, TOWN CLERK

I, Andrea Casey, Town Clerk of the Town of Union Vale DO, HEREBY CERTIFY that the foregoing is a true copy of a resolution offered by Supervisor Maas, seconded by Councilman Durland and adopted at the meeting of the Town Board, held on October 21, 2021.

  
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Town Clerk, Union Vale - Andrea Casey



**TOWN OF UNION VALE**

**RESOLUTION # 33 of 2021:**

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE RABCO**

**CONSTRUCTION CORPORATION'S QUOTE**

The following Resolution was offered by Councilman Frazier and seconded by Councilman Welsh:

**WHEREAS**, Town of Union Vale Highway Equipment Garage roof is in danger of collapsing due to the deterioration of four building trusses which have broken; and

**WHEREAS**, the Town Highway Superintendent has been forced to move much of the Town's most expensive equipment outdoors to avoid suffering any damage from a collapsing roof; and

**WHEREAS**, all Town Board members have visited the Garage and witnessed the damage and are aware of the race against the onset of snow season; and


**WHEREAS**, the Highway Superintendent has secured three construction quotes, one of which is the lowest bid from RABCO Construction Corporation;

**NOW THEREFORE BE IT RESOLVED**, the Town Board, in its determination to proceed quickly authorizes the retention of RABCO Construction Corporation to replace and repair the damage to the Garage and ratifies the Supervisor's determination that this is an emergency situation and speed is of the essence.

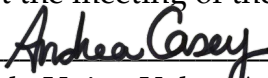
The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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

DATED: Union Vale, New York  
October 21, 2021

  
\_\_\_\_\_  
Andrea Casey, TOWN CLERK

I, Andrea Casey, Town Clerk of the Town of Union Vale DO, HEREBY CERTIFY that the foregoing is a true copy of a resolution offered by Councilman Frazier, seconded by Councilman Welsh and adopted at the meeting of the Town Board, held on October 21, 2021.

  
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Town Clerk, Union Vale – Andrea Casey