

**UNION VALE TOWN BOARD MEETING****November 17, 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 COMMENT ON AGENDA ITEMS**

None

**REPORTS OF SUPERVISOR COUNCIL**

*Supervisor Tompkins* announced that the Town is undergoing a Risk Assessment which will determine if a full audit is needed. The last audit was done during the year 2000-2001, the State advised this process is usually this is done every 10 years. She would also like to thank everyone for their time and effort to make the 2017 budget.

*Councilman Welsh* said he had been working on getting the remainder of the information needed for the SAM grant so that the parking lot may be redone next spring. Although the approval has been granted the money will be given when the paperwork is finalized which should be next week.

*Councilman McMorris* said he has been working with the Solar company. They determined that the land on Route 55 was not suitable for a solar farm for their purposes because 200 Megawatt was needed. They are still hoping to assist in other capacities. Therefore, the land cannot be leased for this project. Another idea may be to piggyback on the Arlington School District Solar Project. Supervisor Tompkins said she would like to do something profitable with the land sooner than later.

*Councilman Frazier* agreed that something does need to be done with the land but has concerns tying up the very desirable commercial property with a solar field and hopes they can find something that would generate more Town revenue. He would like to see this placed back on the market for sale with a commercial agent so that it may be put back on the tax roll.

**DEPARTMENT REPORTS****PARKS:**

Jake Gosnell implemented an evaluation program which is going very well and is something that they will be doing regularly. The Bio netting was installed on the hill behind the baseball field. He reported it looks great and he would like to thank Brian Scoralick once again for all of his help on that project. He fixed the step leading into the office door down at the park. It was uneven and caused problems multiple times in the past. They removed what was there and put in one nice pad that is level and even. He is hopeful this will prevent any future problems. He has been working closely with Jessica Dickinson and the rec team to implement some new policies and tighten things up that should benefit the whole town. He has also reached out to NYMIR and talked with them concerning a few things in the park and also about trainings for the staff down at the park. Lastly, John Cox, our latest Eagle Scout is going to be building some ADA compliant picnic tables. As of the Spring the Town will have accessible picnic tables at the park.

**RECREATION**

Jessica Dickinson reported Dinner with Santa is FULL! She wanted to remind those already registered - Saturday, Dec 3 at 3:30pm. The food will be catered by Robos Deli and everyone is encouraged to attend the Holiday Lighting Ceremony at 6:30pm. They completed the recreation budget and she thought the overall process was great, very time consuming yet friendly & compromising via good communication. Her 2017 goals include Realistic savings, Rising program quality and Resident accessibility. She also would like the Board to look forward to Recreation Software – ease of access, credit card payments, household management, pool pricing changes – everyone’s input has been taken seriously. As always, they have an open door policy and residents are encouraged to make appointments or drop by Recreation Office (Hours: 9am-1pm, later appointments can be made upon request). Communication is vital between residents and the Recreation Director ALL year long and Ms. Dickinson encourages everyone to please stay actively engaged & curious about all the parks can offer. Councilman Frazier asked if the pool pricing changes would help bridge the gap and Ms. Dickinson replied that although they are working towards sustainability, they are slowly moving closer to close the gap.

**DOG CONTROL**

Supervisor Tompkins mentioned that she called Mary Jean when she spotted a loose pig and commented that she was very responsive and helpful. October Report: 1 dog found, taken to SPCA, later claimed by owner and an additional dog was picked up and brought to the SPCA.

**RECYCLING**

No Report

**HIGHWAY**

The department trimmed dead and dangerous trees on Verbank Club, Mallory, Old Camby, Mack and Oswego and Jennifer Hill. They also cleaned and reshaped some ditches on Mallory, South Smith, Oswego and Still Road. They repaired 2 basins on the newer part of Meadow Ridge. They weed whacked 1000 feet of guiderails. They serviced the freightliner and excavator and replaced the door handle on truck #7. Meadow Ridge was paved November 16<sup>th</sup> with 870 tons and today they spent doing the driveway aprons by hand.

**TOWN CLERK**

Conservation License				\$21.34
Certified Copies				\$120.00
Copy Machine				\$1.75
Marriage License				\$17.50
Recreation Programs				\$3,268.71
After School Program				\$3,935.00
Equestrian Center				\$0.00
Concession Stand				\$0.00
Swim Passes				\$0.00
Facility Rentals				\$2,425.00
Special Events				\$90.00
Recycle/Compact				\$6,391.00
Refuse Bin				\$989.75
Dog License				\$265.00
<b>Total Fees Remitted to the Supervisor: November 17, 2016</b>				<b>\$17,525.05</b>

**ZONING BOARD OF APPEALS**

No money was taken in for the month of October

**PLANNING BOARD**

October 2016- Clove Baker Property \$500 for subdivision application fee. Scott Excavating for Special Use Permit \$250 collected. Total collected for October \$750.

**CODE ENFORCEMENT**

No Report

**CONSTABLE**

The report is on file in the Town Clerk's office.

**MEDIA**

No report

**BOOKKEEPER**

October Report: A-Fund Revenue: \$96,089.72 A-Fund Expenditures \$129,422.12. D-Fund Revenue \$0.00 D-Fund Expenditures \$131,213.91. The remainder of his time was taken doing the budget and risk assessment. Supervisor Tompkins added the process in which bills need to be paid being with 3 signatures by the Council then Mr. Courtien may cut the check. Supervisor Tompkins made a point to explain the checks being late are not a result of Mr. Courtien.

**DISCUSSION ON VERIDIAN**

Supervisor Tompkins said we had received a contract from Veridian who would like us to re-sign a contract with them. It is up to the Board if they would like to re-sign or go back to Central Hudson as an electricity provider. Councilman McMorris stated that in July the charges from Veridian were 7.9 to 8.9 cents per KW/H whereas at his home, he was paying 5.2 cents and would prefer going back to Central Hudson. He estimates by switching they would save several thousand dollars OR staying with Veridian and contracting a lower rate. There was further discussion on how much could be saved per the cents per KW/HR per all the facilities we own that need power to operate. Councilman Frazier asked that this item be tabled to explore other options and get comparative rates for savings for Veridian. Supervisor Tompkins agreed next meeting they can make a decision after exploring all options for who can provide

the lowest rates. Councilman McMorris said a solar option can also reduce costs although this is not an immediate solution. Another item he asked to consider is that any cancelation of the Veridian contract after renewal may open up to penalties for early termination. Councilman Frazier asked if we do not sign if it reverts back to Central Hudson. Councilman McMorris replied that it will revert back to Central Hudson. Councilman Frazier agreed that tabling it would be the best solution since it provides no penalty at this time.

#### **DISCUSSION ON 2017 BUDGET**

Bookkeeper Courtien gave a presentation on the 2017 budget as it stands now in the process. The last update on the fund balance is that if all the revenue and expenditures were as predicted, it would bring the balance between \$629,000 to \$329,000. The estimate now at the end of 2016 would be \$980,000 which may end up being less due to certain outstanding projects. At this time, all lines in the "Adopted Budget" are filled in but are not yet final and the Board may feel free to make changes before the final adoption. He then went through each line in the budget that had changes from last meeting and explained any additions, combinations on other budget lines or decreases and the reasons behind each. Councilman Frazier had a question on line A1010 for "Land Use Secretary" which was moved from 8010, that if each Board (Planning/Zoning) appoints this person how this would work. He said at this present time this is not an issue as it is the same person fulfilling both roles but, he was looking towards the future if this ever changed how the budget line would be affected. Councilman Welsh and Mr. Courtien stated it would be fine to pay two different individuals from the same budget line or a transfer would also be appropriate. The money is the same, it was simply combined to one budget line. Due to New York State's recent visit and request for a full audit which would need to be done by a CPA Mr. Courtien added a line in 1320 for an estimated cost of \$7,000.00 for those expenses. There were no further questions on the A Fund so Mr. Courtien moved onto the D-Fund and any changes, additions or combinations that were made reflected in this portion of the budget. Councilman Frazier questioned if the 30,000 deducted from sand and salt could be added with an additional \$30,000 totaling \$60,000 to the equipment line in 5130 to replace a truck with 200,000 miles that has reached the end of its usable life. He further stated that this would be an opportunity to upgrade a piece of equipment without financing and without putting an additional tax burden on the budget. After speaking with the Highway Superintendent, this truck would be used for road repairs, signs and other infrastructure and snow removal. Supervisor Tompkins stated we just received a truck for the Highway that she was unsure of how to pay for. Councilman Frazier stated that this was requested last year. Supervisor Tompkins further explained that a brand new truck was ordered by the Highway Superintendent and delivered and she was not sure how they were to pay for it as it was done, in her opinion, inappropriately without approval from the Town Board and believes that will be the truck for next year if they can figure out a plan. Councilman Frazier said that he had a resolution that would solve this and would like to point out that these are two entirely different vehicles although there is still a need for a replacement of an existing vehicle that is worn out. Supervisor Tompkins asked how many vehicles the Highway Department already has. Councilman Welsh offered a guess of about 8 or 9. Councilman Frazier said this new vehicle would be in lieu of larger vehicles thereby saving mileage and wear on the larger more expensive trucks.

#### **MOTION TO APPROVE PICK-UP TRUCK**

Councilman Frazier made a motion to approve the purchase of a pick-up truck with a utility type body for \$60,000.00. Councilman Welsh seconded the motion but further clarified this was for the budget line, not the actual truck.

Councilman Welsh	Yes
Councilwoman Kelley	Nay
Supervisor Tompkins	Nay
Councilman McMorris	Abstain- Mr. McMorris stated he would like to see the truck and documentation.
Councilman Frazier	Yes

The motion failed to carry with a 2 to 2 vote and 1 abstention.

#### **DISCUSSION ON PICK-UP**

Councilman McMorris stated tonight was the first he was hearing about the need for this truck and would like to see more information regarding it as it was not mentioned prior, or in any five-year purchasing plan. Councilman Frazier offered this had been presented last year during the budget process in addition to the other truck that was already received. Councilman McMorris further stated that all purchasing plans should be made in advance of the lifespan of the current vehicles so when they reach their replacement age, a new plan will have already been established.

#### **DISCUSSION ON GENERATOR FOR TOWN HALL**

Supervisor Tompkins stated that they received 3 bids for the generator for the Town Hall and would like to vote on the best choice. This would ensure the heat would run in the event of a power outage and

prevent the building from water freeze damage and would allow the Town Clerk's office to operate, the finance office and the water. The quotes provided were submitted by professional electricians based on their determinations of what needed to be installed to provide the needs of the building.

Councilman Frazier asked if these were the quotes from the last meeting and Supervisor Tompkins replied yes. Councilman Frazier stated at the last meeting they approved the engineer to write specs for requirements so that they could easily compare the 3 choices and choose the best and most cost-effective option. Although they are all "Generack" brand, he noted they are all different size generators and the Engineer would be able to let us know what the kilowatt requirements were for this size project.

Supervisor Tompkins offered that Mr. Paggi said two of the quotes were in the parameters of what was needed. There was further discussion on the need for an engineer or choosing from the bids submitted. Councilman Frazier stated that standard practice for a job this size is to have an engineer draw up specifications, then submit it to the public so bids on similar types of equipment can be reviewed. The discussion continued since it had been talked about since February, unfortunately there are no grants available at this time so 3 quotes were obtained. The bids that were submitted contain KW needs that vary. Councilwoman Kelley agreed that this item could be tabled so the specifications from the Engineer could be included. Tom Jacobellis, attorney, said based on the Town's procurement policy and the cost involved, this will result in a formal bid proposal including printing the invitation in a publication. Existing bids must be resubmitted by those that have already in order to be included and must be as a sealed bid. Councilman Welsh asked that a date be set before the end of December.

#### **MOTION TO PLACE AD IN POUGHKEEPSIE JOURNAL**

Councilman Welsh made a motion to place an ad for an invitation to bid with specifications provided by the engineer to be placed in the Poughkeepsie Journal for a generator for the Town Hall. The motion was seconded by Councilman Frazier and all were in favor.

#### **MOTION FOR RECESS**

Supervisor Tompkins made a motion to go into a 5-minute recess. This was seconded by Councilman Welsh and all were in favor.

#### **MOTION TO RETURN FROM RECESS**

Supervisor Tompkins made a motion to return from the recess and resume the regularly scheduled meeting. This was seconded by Councilman Welsh and all were in favor.

#### **DISCUSSION ON GENERATOR**

Councilman Frazier wanted to ask if there was a need for remote monitoring which would send a signal the generator had gone into a failure and 4-hour classroom training for staff. Supervisor Tompkins and Councilman Frazier agreed to include the training class in the bid as well.

#### **MOTION FOR TRAINING IN GENERATOR PROPOSAL**

Councilman Frazier made a motion to include the 4-hour classroom training for staff in the bid proposal for the generator for the town hall and to exclude the option for remote monitoring. Councilman McMorris seconded the motion and all were in favor.

Supervisor Tompkins asked to make a small change to the budget regarding highway equipment. She asked that \$12,500.00 be added to the budget line for Highway Equipment. The purpose would be to repeat the process over the next few years to save for this type of an expense so, when the time comes to purchase a vehicle or piece of equipment, the money will have already been saved. Mr. Courtien added that in discussion with the Supervisor to add a new budget page in the D-Fund 9710 line for \$12,500.00 which would allow line 9710.6 for the principal payment and 9710.7 for the interest payment on a BAN. Mr. Courtien also pointed out that this is an appropriation, not authorization, the Board will still have to vote on the authorization of the purchasing of a truck in addition to a lease agreement or BAN or whatever is the most appropriate practice. Mr. Jacobellis restated as the same with the bids for the generator, the Highway Superintendent would need 3 bids and a resolution to specify financing, purchase price and how it will be paid for.

#### **MOTION TO ADD TRUCK FUNDING**

Supervisor Tompkins made a motion to add budget line D9710.6 for \$12,000.00 and budget line D9710.7 for \$1,800.00 and to allocate \$13,800 from D-fund fund balance to be used to offset the cost.

Councilwoman Kelley seconded the motion.

Discussion: Councilman Frazier asked about the money allocated for the financing and said the point he made earlier was to purchase a vehicle without finance charges to therefor not impacting the tax payer. There was further discussion to resolve the issue.

Roll Call Vote:

Councilman Welsh     Aye

Councilwoman Kelley   Aye

Supervisor Tompkins Aye  
Councilman McMorris Aye  
Councilman Frazier Aye, but has concerns about financing something beyond its useable life

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF UNION VALE  
ADOPTING THE ANNUAL TOWN BUDGET FOR THE FISCAL YEAR 2017**

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

**WHEREAS**, the Town Board of the Town of Union Vale, has met and considered the tentative budget, as well as the preliminary budget for the fiscal year beginning January 1, 2017;

**WHEREAS**, the Town Board of the Town of Dover conducted a public hearing on the 3<sup>rd</sup> day of November, 2016 at Town Hall, 249 Duncan Road, Lagrangeville, New York, at which time the Union Vale Town Board did meet and review such preliminary budget as compiled, and accepted public comment for or against any items contained therein, as required by New York State Town Law §108.

**NOW, THEREFORE BE IT RESOLVED**, that pursuant to Town Law §109, the preliminary budget as changed, altered and revised and is hereby adopted as the annual budget of the Town of Union Vale for the fiscal year beginning on January 1, 2017 and the same be entered in the minutes of the Town Board.

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 REFERRAL TO PLANNING BOARD FOR 280-(A)  
REPORT**

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

**WHEREAS**, the Town Board of the Town of Union Vale has received a request from Clove Baker Property, LLC for a subdivision designation pursuant to 280- (a)(4) of the New York Town open development law; and

**WHEREAS**, the New York State Town Law 280-(a) requires that the Town Board refer an open development request to the town planning board for a report.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Union Vale hereby refers the subdivision application of Clove Baker Property, LLC to the Town of Union Vale Planning Board for a report on the potential for an open development at 2130 Clove Road, Lagrangeville, New York 12540 pursuant to 280-(a) of New York State Town Law.

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 SUPERVISOR TO EXECUTE RESIDENTIAL LEASE  
AGREEMENT**

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

**WHEREAS**, the Town of Union Vale currently has a vacancy at 2 Tymor Park, a residential property owned by the Town of Union Vale; and

**WHEREAS**, the Town Board of the Town of Union Vale desires to enter into a written lease agreement with Jessica Dickinson for the rental of the 2 Tymor Park property.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Union Vale hereby authorizes the Town Supervisor to execute a written lease agreement for the rental of 2 Tymor Park with Jessica Dickinson, attached hereto and made a part hereof; and

**BE IT FURTHER RESOLVED**, that a copy of the fully executed written lease agreement 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:

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

### **RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE INTER-MUNICIPAL PILOT PROGRAM AGREEMENT**

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

**WHEREAS**, the Dutchess County Department of Public Works has initiated a Pilot Program for snow removal on county roads done by local municipalities; and

**WHEREAS**, Dutchess County desires to contract with the Town of Union Vale for the control and removal of snow and ice from certain County roads.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Union Vale hereby authorizes the Town Supervisor to execute an Inter-municipal Agreement for Snow Removal and Ice Control Services with Dutchess County for a period covering January 1, 2017 and expiring on April 30, 2017.

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

Discussion: Supervisor Tompkins stated that she, Councilman Frazier and the Highway Superintendent all attended the program. They proposed a new contract that they did not like therefore, they are in negotiation with a new contract however Mr. Wisseman agreed to go through this season on the old contract.

### **HIGHWAY TRUCK PURCHASE**

Supervisor Tompkins wanted to correct a situation where a Highway Truck was ordered and delivered to the Highway Garage with no Town Board approval which was not proper practice. There was only \$60,244.00 in the budget for a truck purchase which was less than the cost of the truck. After discussing it with the Town Board, a lease agreement was brought to her attention however, it was dated for October 2015 and slated to expire in 30 days later. After Supervisor Tompkins spoke to the auditors, the options were to send the truck back and the Town not be responsible for payment thereby, making the individual in possession responsible for all payments and or expenses. After speaking with Councilwoman Kelley, she proposed taking the 60K in the budget and the revenues from selling excess items earlier in the year from the Highway Department to make up the difference.

**RESOLUTION AUTHORIZING BUDGET TRANSFER AND AUTHORIZATION TO PURCHASE HIGHWAY TRUCK**

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

**WHEREAS**, \$60,244.00 was budgeted in the 2016 Highway Budget for the purchase of highway equipment and

**WHEREAS**, the Town of Union Vale Highway Superintendent purchased a 2016 Dodge 5500 Dump truck with plow and sander highway truck in the amount of \$73,569.70; and

**WHEREAS**, the Town Board of the Town of Union Vale needs to amend the 2016 budget to cover the expenses of this purchase by increasing both revenue and expenditures

**NOW, THEREFORE BE IT RESOLVED** that the Town Board of the Town of Union Vale hereby authorizes a budget amendment increasing revenue line D2770 in the amount of \$13,990.00 increasing expenditure line D5130.2 in the amount of \$13,990.

**AND BE IT FURTHER RESOLVED**, that the Town Board of the Town of Union Vale hereby authorizes the purchase of 2016 Dodge 5500 Dump truck with plow and sander highway truck in the amount of 73,569.70 from Robert Green Truck Division to be paid from line D5130.2

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

Discussion: Councilwoman Kelley pointed this was money that was already brought in by the Highway Department. Although it was recommended to send the truck back because it was purchased without approval, which is against practice, to make it right for the taxpayers they came up with this creative way to solve the problem. This will not eliminate any consequences with the Comptroller's office or municipal law of the wrong doing, this is the way the Town Board can correct the financing issue for the taxpayers.

Councilman Frazier stated that he had suggested back when the surplus equipment was sold to return the money to the Highway lines. He also added he suggested what transpired in this resolution in executive session. Supervisor Tompkins recalled Councilman Frazier had suggested to take the money from CHIPS and Mr. Frazier responded that is not what he had said.

**PUBLIC COMMENTS ON NON-AGENDA ITEMS**

None

Supervisor Tompkins wished everyone a Happy Thanksgiving and stated the next meeting will be December 1, 2016.

**MOTION TO ADJOURN**

Supervisor Tompkins made a motion to adjourn at 9:12PM which was seconded by Councilman McMorris. All were in favor.

Respectfully Submitted  
*Andrea Casey*  
Town Clerk