

UNION VALE TOWN BOARD MEETING DECEMBER 15, 2016

TOWN HALL 249 DUNCAN ROAD LAGRANGEVILLE, NEW YORK 12540 7:00 PM

PRESENT: Supervisor Tompkins

Councilmen: John Welsh, Steven Frazier, David McMorris, Corrina Kelley

The meeting was opened with the flag salute.

PUBLIC COMMENTS ON AGENDA ITEMS

None

REPORTS OF SUPERVISORS AND COUNCIL

Supervisor Tompkins read the "Stop DWT" correspondence letter from Dutchess County Executive Marcus Molanario for the Holiday season. At this time, she would like to appoint Mary Pearson as her confidential secretary effective December 1, 2016. Ms. Pearson has already been of assistance filing and organizing the Supervisors office.

Supervisor Tompkins then addressed a concern about Highway truck purchase made by Councilman Frazier. She found the excerpt from the Highway Law Book and read it aloud to the members of the meeting as to correct the problem going forward. She read "All purchases of equipment, tools and other implements by the town superintendent must be approved by the board. Machinery, tools implements, gravel stone and snow fence may not be purchased without approval of the town board. The town superintendent of highways must obtain the approval of the town board in order to purchase a new tire for a town truck. Town superintendent may not, without consent of the town board, purchase equipment, tools and other implements. Approval of town board must be secured for purchase of highway machinery by town superintendent. A town superintendent may not purchase equipment to be used in the town highway garage without the approval of the town board."

Lastly, she discussed the banking needs of the Town. The Town Clerk and Bookkeeper have accounts with Bank of Millbrook which is 13.9 miles away and she would like to allow these positions and any others to bank at Key Bank (3 miles away) which is many miles closer and equal in service. This would not only be a cost saving measure but a time saving as well. Councilman Welsh agreed with this idea.

Councilman Welsh said he has been doing research with Furnace Pond Dam. The federal government is in process to provide grant assistance to Towns like ours in the future. He hopes this is something the Town can take advantage of to help minimize the costs associated with repairing the structure.

Councilman McMorris reported he had been speaking with David Bennis and also LEM developers about energy savings. He also received an email from George Kolb to remind the residents to clean their chimneys as to prevent fires.

RECYCLING

Tip of the Month: Recycling your Holiday wrapping paper. The Transfer Station will be closed on Christmas Day and New Year's Day. Mr. St. Onge reported the 2017 permits are available for sale and must be displayed by January 15th. He and Mr. Courtien visited a solar field in Rockland County in October and reported on their savings and how they managed the project. Ours could be up to 4 acres generating 700 KW and it will take much time and effort to research to gain access and begin the process of collecting data. This process may take up to 2 years for a Municipality. He asked the Board if this is a project that he should pursue. Councilman Welsh said this is definitely worth perusing as noted by the money in savings and zero out of pocket costs. This land cannot be used for anything else as the former landfill is underneath that portion of the land. He will continue to update the Board as he gains information on this. The EPA estimated if this was something the Town took on by themselves it would cost up to 1.6 million dollars. By using a third party, they would cover all the costs associated with it and the Town would enter into a power purchase agreement to share the revenue that was generated. In October, he applied for an electronic waste assistance grant through DEC and received it in the amount of \$745 which will subsidize the cost of recycling electronic items.

DEC called and said there may be money available for the landfill cap extension. The Town began the project in 2007 and most construction was done in 2012. This grant would help by reimbursing the Town up to 50% of what was already spent on that project which totaled around \$973,000. The \$665,000 that was spent is the total cost of construction on the project and with this grant, DEC assured Mr. St. Onge the Town would receive half. The remaining \$308,000.00 that was spent will only be a partial reimbursement for things such as legal fees, engineer and bonding fees. There are

205 checks associated with the \$973,000.00 which needs to be located to prove the funds were spent. The funds may be available as early as this summer so Mr. St. Onge plans to begin next week.

PARKS

Jake Gosnell reported that a lot of time was spent prepping 2 Tymor Park Road for the rental. The ice skating rinks will be up soon and there will be a few changes that will need to be done as per our liability insurance carrier such as signage. Mr. Gosnell will discuss this further after the rinks are operational. He also added that dinner with Santa went well including the lighting ceremony and they are preparing for the 2017 season.

RECREATION

Jessica Dickinson said they have been busy prepping for 2017. They will have a new portal next year which will allow easier to access program registration. Summer Camp registration will begin February 1st and credit card payments will be acceptable this year. She has also supplied the Board with statistics on programs. She would like to extend a thank you to all the residents who have been communicating with the Rec. Department as they appreciate all feedback.

ANIMAL CONTROL

During the month of November, there were 3 lost dogs and 3 found dogs, one of which was taken to DCSPCA shelter and later claimed by his owner. There was one written, registered complaint.

BOOKKEEPER

A Fund Revenue: \$86,555.59 A Fund Expenditures: \$199,005.19. There was no D Fund Revenue. D Fund Expenditures: \$96,578.47. Mr. Courtien will be meeting with the departments next week to address the budget lines changing and how to correctly code things going forward.

HIGHWAY

Reports for November and December: Meadow Ridge was paved in addition to blacktopped driveway aprons on that road as well. Additionally, they replaced old Meadow Ridge signs. They cleaned up downed trees and brush from the first snow storm. They filled pot holes on Verbank Club Road. "Road Closed" signs were installed on West Clove Mountain Road and they placed a stop sign at the intersection of that road and North Parliman. The department also installed a new stop sign at the Verbank Village and Milewood intersection. Took the dump body off truck 3 and put the sander on it. Fixed the 4-wheel drive on truck #2, removed and replaced the air valves in trucks #2 and #3 and put the wings on the trucks, installed the sander in truck #10. Brought the freightliner to Campbell for some warranty work, installed sander lights and had a radio installed on the new dodge. Burnt some of the brush pile and had salt delivered from Dutchess County.

Final price on the Meadow Ridge for pipe, basins, item 4, black top, and machinery rental is \$160,000. That's \$45,000 under budget without the \$25,000 buffer.

Mr. Wisseman pointed out that if there was any question on why it took so long it was mainly because of the underground utilities. 95% of the electric, cable and phone lines were installed directly over top of all the culvert pipes. It was a slow process to find them with the excavator without doing damage then hand digging around a lot of it. The guys then made up a system to secure the wires away from the pipe installation with ropes and digging bars. We also had several miscellaneous repairs and small jobs throughout the rest of the town and on top of that we were hit with thunder and lightning storms.

Town Clerk Report

A1255	Conserve. License				\$569.00
A1255	Certified Copies				\$170.00
A1255	Copy Machine				\$0.00
A1255	Marriage License				\$40.00
A2001	Rec. Programs				\$1,866.20
A2001	After School Prog.				\$4,034.00
A2001	Equestrian Center				\$20.00
A2012	Concession Stand				\$0.00
A2025	Swim Passes				\$0.00
A2035	Facility Rentals				\$60.00
A2089	Special Events				\$0.00
A2130	Recycle/Compact				\$6,321.88
A2130	Refuse Bin				\$380.00
A2544	Dog License				\$270.50
	Total				\$13,731.58

After all fees were paid, \$13,136.42 was turned in to the Supervisor.

Zoning Board of Appeals

November 2016 Total Collected \$243.18

11/30/2016	5397	Robert Rutledge	Legal Notice/certified letters	\$97.56
11/30/2016	1210	Clove Valley Stock Farm	Legal Notice/certified letters	\$64.02
11/30/2016	2212	Thomas Plass	Legal Notice/certified letters	\$81.60

Planning Board

November 2016 Total Collected \$4,000.00

11/9/2016	274	Clove Valley Baker Property	Escrow Deposit (Rec'd by Town Clerk)	\$3,750.00
11/23/2016	528	Janet Prince	Site Plan Fee	\$250.00

Code Enforcement

November:

1. Lix Axelson our new planner has attended her first P/B meeting and has been conversing with my office on all issues concerning applications.
2. Based on information from the past several MS4 meeting it appears that several un-funded mandates will coming down from the E.P.A. through the D.E.C. for items that will need to be implemented in the 2017 annual report and inspection format.
3. As previously discussed, the board should consider repairing the town constable/code enforcement vehicle that was damaged several months ago. Please inform me of the status for repair of the vehicle.

Inspections performed : # 73 Complaints received : # 7 Complaints acted on : # 7
 Violation Notices issued : # 6 Violation abated : # 5 Appearance tickets issues: # 2
 Building Permits issued : # 15 Residents meetings : # 18 Fire call outs : #1
 Old Permit C/O's issued : # 18 Cert. Occupancy/Compliance #23 Plan review hrs. : # 16
 Municipal Searches : # 4

CONSTABLE

On file in the Town Clerks Office.

MOTION TO REPAIR CONSTABLE VEHICLE

Councilman Frazier made a motion to have the Constable Vehicle repaired before the end of 2016 which was seconded by Councilman McMorris upon the arrival of the second bid. All Board Members were in favor of this decision.

MEDIA

Ryan Peterman reported they are still working on obtaining the transmitter. Cablevision is determining if they will provide the equipment as part of our contract or, if it must be purchased. He recommends it be purchased from a third party. The YouTube channel and replay on the town channel has been working as of late. He asked that if the channel is not working to call the Town Hall so he can be notified to correct the issues. He is also working on problems with the current computer and has been on contact with the IT Company and is looking to purchase an update model in 2017.

ENEGRY PRESENTATION

David Bennis with BlueRock Energy reported on the energy needs for the Town. He has been working with Councilman McMorris on obtaining the data. He is putting together a package to provide better options for energy purchasing. He is not paid by the Town. He advised the town that although the Veridian contract expired they are still paying for energy at a variable rate though Veridian. They must call Central Hudson and ask to have them as their provider to purchase energy through Central Hudson. He will determine the Towns needs and provide a package of information and options to the Board once it is compiled.

DISUCSSIONS ON GENERATOR

Supervisor Tompkins said an ad was placed in the Poughkeepsie Journal. Only one company asked for the documents and no one placed a bid as the needs of the Town were not specified in the document provided by the Engineer. She believes it might be easier to purchase a generator and ask an electrician to hook it up as to make sure the boiler works so heat is provided so the pipes do not freeze. Councilman McMorris said he spoke to a company that did the Fire House, Sheck, and they felt the same way, there was no specific needs listed in the bid document such as size of the building or what needed to be powered by the generator.

The attorney, Mr. Jacobellis, advised that since no bids were received the Town could fall back on the prior proposals or have the Engineers office re-write the bid specs and place it for bid again however, there is no guarantee anyone will place a bid. Supervisor Tompkins noted there was not enough time to do so as the Winter season had arrived.

MOTION TO HIRE JOHN POLAN

Supervisor Tompkins made a motion to hire John Polan of JP Electric Corp. for \$28,940.00 to install the generator in the Town Hall. This was seconded by Councilman Welsh.

Councilman Frazier said since the Town Hall has never had a generator that they should still research what is the best option to meet the needs of the Town Hall.

Councilman McMorris stated everyone was in agreement to ask the Engineers to write the spec sheet and it was not done according to the needs of the Town Hall. Supervisor Tompkins said the prior proposals were all done by local licensed electricians and were done with knowledgeable input and with information from she and Building Inspector George Kolb.

Councilman Welsh noted John Polan bid included running the AC. Supervisor Tompkins agreed that although it was not needed he offered to supply the pad for the generator as well as the installation.

There was a roll call vote:

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

The motion passed with 4 votes and one member abstaining.

DISCUSSION ON BLANKET APPROVAL LSIT

Supervisor Tompkins wanted to open the discussion to add Spain Agency our liability insurance, and Staples office supply. Councilman Frazier agrees that the Spain Agency should be added as they are our insurance company. Nothing has to be decided tonight the attorney advised. This will be finalized at the organizational meeting.

RESOLUTION AUTHORIZING SPONSORSHIP

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

WHEREAS, children of the Town of Union Vale are permitted to play baseball and softball in the LaGrange Youth Baseball and Softball Program; and

WHEREAS, in exchange for allowing children from the Town of Union Vale to participate in LaGrange Youth Baseball and Softball, the Town of Union Vale agrees to be a sponsor of the LaGrange Youth Baseball and Softball.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby authorizes the Town of Union Vale to be a Special Sponsorship Package for LaGrange Youth Baseball and Softball in the amount of \$750.00.

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	Nay
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

This resolution passed with a 4 to 1 vote.

Councilwoman Kelley said LaGrange baseball association is a non-profit and she does not feel it is her right to donate the tax payer's money especially, when there is no benefit to the residents.

Supervisor Tompkins said they provide a service to our Town and Councilman Frazier said it is a productive thing that is a great option for children to spend their time. Councilman McMorris

offered that the way the districts were set up that Union Vale children were set to play for LaGrange.

Councilwoman Kelley would like to clarify that she is in support of local leagues and believes kids should be involved however, the child will not receive any reduction in fees for service as a result of the Town sponsoring the team.

Councilman Frazier stated this is money is for sponsoring the team and the money is used for their operating expenses and the Town is helping with the total package.

RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE DUTCHESS COUNTY PLANNING AGREEMENT

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

WHEREAS, New York State General Municipal Law §239 requires local municipalities to refer applications for certain planning and zoning actions to the Dutchess County Department of Planning and Development for review; and

WHEREAS, New York State General Municipal Law authorizes the County to enter into agreements with local municipalities in order to determine which, if any, of the local municipal actions subject to referral may be deemed strictly matters of local determination and therefore not subject to the referral process; and

WHEREAS, the County is proposing that the following actions be eliminated from the referral and review process:

- (a) administrative amendments; and
- (b) special use permits, use variances and area variances for residential uses; and
- (c) renewals/extensions of site plans or special permits that have no changes from previous approvals.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale authorizes the Town Supervisor to execute an agreement with Dutchess County regarding Dutchess County Department of Planning and Development review; and

BE IT FURTHER RESOLVED that a copy of the fully executed 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 ACCEPTING 2017 HIGHWAY MATERIAL BID

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

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

WHEREAS, the Town Clerk of the Town of Union Vale has published proper notice for the solicitation of bids in the official newspaper of the Town of Union Vale for the purchase of materials for use of the Town of Union Vale Highway Department for 2017; and

WHEREAS, bids were received by the Town Clerk of the Town of Union Vale; and

WHEREAS, it has been determined that the attached list are the lowest responsible bidders under the General Municipal Law.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby accepts the bids of the following bidders as attached hereto and made part hereof in the amount stated for the materials needed for the operation of the Town of Union Vale Highway Department for the year 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

Supervisor Tompkins wanted to let everyone know that although they accepted the bids the Town is welcome to 'piggy back' off the State and the County bids. This is offered as a safety net. They chose to accept all the bids and the selection will be based on pricing, location and availability.

**Resolution Calling on Town of Union Vale, Residents And
Business Owners to Adopt the "Think Differently" Initiative to Assist Individuals
With Special Needs and Their Families**

Marc Molanaro has requested that the Town pass a resolution to participate in the "Think Differently" campaign, a county-Wide initiative to give persons with disabilities greater access and inclusion to their communities. We are currently involved in projects that will increase accessibility and inclusion to our town, including working with the Inclusive Recreation Resource Center to provide inclusive mentoring to our camp counselors and writing grants to promote inclusion in our parks and recreation programming. Passing this resolution gives recognition to the importance of this work and holds us accountable to continuing it.

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

WHEREAS, the "Think Differently" initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals with varying abilities.

WHEREAS, our state and communities are stronger because of our diversity and differences; and

WHEREAS, according to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

WHEREAS, for some people with special needs, the very things that make them unique can also, keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

WHEREAS, it is important to promote and provide guidance to those with special needs on how to access publicly supported services available to them in the community; and

WHEREAS, it is important to encourage and educate the community and businesses on ways they can make facilities and services more accessible and on how to train staff to welcome and support special needs customers and co-workers; and

WHEREAS, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

WHEREAS, adopting the "Think Differently " initiative is an important statement that our Town officials, business owners and residents can make to show their support for the differently-abled children and adults with special needs, and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Union Vale, residents and business owners to adopt the "Think Differently" initiative so that all are better prepared to communicate with, provide for, and support all individuals of varying abilities.

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

Councilman Welsh thinks is a wonderful resolution and looks forward to passing it.

RESOLUTION 16-012 TO AUTHORIZE PAYMENTS

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

BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby authorizes the payment of all General Fund Claims and Highway Fund Vouchers as set forth in the Abstract #12 of 2016, which is available in the Town Clerk's Office, and authorize the Town Supervisor to make all payments.

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 CHANGE ORDER OF INTERMUNICIPAL AGREEMENT FOR THE HIGHWAY DEPARTMENT

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

WHEREAS, Dutchess County Department of Public Works has requested a change order extension of the Intermunicipal Agreement for the Provision of Snow Removal and Ice Contract Services be executed; and

WHEREAS, the change order shall allow for two (2), one (1) year extensions upon mutual consent of both parties, when the original agreement expires on September 30, 2017.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby authorizes the Town Supervisor to execute the Dutchess County Department of Public Works Change Order for a term change for snow removal and ice control services.

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

Councilman Frazier inquired if they have the option to back out if necessary. Attorney Tom Jacobellis responded that the original is valid until September of 2017 and the Board could then revisit the agreement. This could then be renewed for 2 additional years but must have mutual consent when the agreement expires in September. It was originally for a 5-year term and has been changed to 2, 1 year term, which can be revisited each time.

Councilman McMorris wanted to add that when speaking to David Bennis about the 3-month contract, he might be able to acquire the purchase for 7 cents and if he can get it Councilman McMorris would like to make the recommendation if that is the case they go forward. The Board agreed to wait for his proposal before anything is voted on.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Elfriede Tillman- For years the generator on the grounds was donated and is no longer here. When Supervisor Tompkins brought her own generator down to keep the building from freezing. In 2007 she remembers Tom Farmer facilitated a project to install the generator in the Park making it an available as an emergency center for residents. She further discussed power outages and how they affected the Town.

Supervisor Tompkins stated the next meeting is January 5th 2017, the organizational meeting and wishes everyone a Merry Christmas and Happy Holidays.

MOTION TO ADJOURN

Supervisor Tompkins made a motion to adjourn at 8:11PM which was seconded by Councilman Welsh and all were in favor.