

**UNION VALE TOWN BOARD MEETING MARCH 2, 2017
TOWN HALL 249 DUNCAN ROAD LAGRANGEVILLE NY 7:00 PM**

PRESENT: Supervisor Tompkins

Councilmen: Steven Frazier, John Welsh

Absent: Councilmembers Corrina Kelley, David McMorris

THE MEETING WAS OPENED WITH THE FLAG SALUTE.

PUBLIC COMMENTS ON AGENDA ITEMS

None

REPORTS OF COUNCIL AND SUPERVISOR

Supervisor Tompkins met with two realtors regarding the Route 55 property. Mrs. Tompkins also met with Assessor, Robert Taft, and he advised that an assessment be done to help determine sale price which the purchaser will need as well.

Central Hudson contacted the Town Hall to let everyone know they will be trimming trees in the right of way of the roads in the Town. On Tuesday, February 28, 2017 there was a workplace in-service on workplace violence, harassment and distracted driving. About half of the Town employees attended. All other employees will be making it up by March 15. Contact Mary Pearson to set up this required training.

Councilman Welsh added that he attended the training on a voluntary basis and reported it was worthwhile and Mr. Curlen from NYMIR did a thorough job. On Sunday, the Beekman Library invited Mr. Welsh to their annual meeting where their financial report was given and they described other events they hold for the entire community which is always increasing. It opened his eyes on all they do beyond books for the community and stated is a worthwhile facility, he thanks the Library Board for inviting members of the Town of Union Vale to attend.

Councilman Frazier attended the Library meeting as well and had a different opinion. He attended the Association of Towns Meeting which he will soon furnish a report however, Mr. Frazier spoke with consulting engineers on the Furnace Pond dam and bridge problem and he will follow up with them and was advised of grants that would provide assistance. He also spoke with Councilman McMorris at the conference regarding the replacement of the playground equipment of Godfrey Park as they have received complaints in the past of neglect and would like to work with Councilman McMorris and Jake Gosnell on this matter. Councilman Frazier is also hoping there is a fund that will help cover costs that are in these areas specifically for Park improvements, which will not be an additional expense for the taxpayers.

Supervisor Tompkins advised that Mary Pearson has been working hard on the rejuvenation and had her say a few words towards the project. Mrs. Pearson agreed that Godfrey is neglected and is hoping to bring it up to speed as it is a 13-acre park. She is speaking with residents and community members to get their feedback on what would best suit the area so that it can be properly enjoyed.

Supervisor Tompkins stated the emergency contact sheets have been handed out and the purpose is only to have the named individual contacted in the event of an injury. For those that have refused to fill them out, she urged to please do so and get them back as soon as possible.

DISCUSSION ON EMPLOYEE HANDBOOK/INJURY REPORT FORM

Supervisor Tompkins stated that she, Ryan Courtien and Mary Pearson had begun the process of updating the handbook and asked if the fellow members had input from their findings.

Councilman Welsh reported that any corrections that he was going to suggest had already been corrected by Mary Pearson in the second draft and wanted to commend her on a job well done. Councilman Welsh questioned if the proper legal term should be employee manual or handbook. He thought it was well written and laid out in a clear straightforward manner that outline issues and how they would be addressed. Supervisor Tompkins said she did not receive any notes from Councilwoman Kelley but Councilman McMorris phoned in his changes as he was away, and she relayed the updates. Councilman McMorris suggested 1.4.1 "Head Constable" added to the Department Head section. He also asked that an exception be put in writing that only Constables are allowed to carry weapons. He would also like added that an 'Injury Waiver' must be signed by the individual for refusing medical treatment. Councilman Welsh suggested they change the

wording to “law enforcement” rather than just limit to just Constables. Supervisor Tompkins said since this is only the handbook for employees we would not have to specify a general law enforcement term and Councilman Welsh agreed.

Councilman Frazier has concerns in area 2.7.2 “Per se Violations” regarding immediate termination, he feels a lot of those are vague and open to interpretation.

2.7.2 Per Se Violations: The actions listed in this section will generally be regarded as just cause for immediate termination of employment. This list is illustrative and is not intended to limit the Town’s right to impose discipline in other appropriate cases.

Supervisor Tomkins said that this refers back to 2.7.1, which states if you continue to violate something you have been spoken to about, you may be terminated.

Councilman Frazier said he was not sure if it read correctly, he was concerned as the list is open for interpretation. Councilman Frazier stated that if these are just cause for immediate termination then they should not be left for interpretation and would like it very specific.

Specifically, if an employee is intoxicated how is the town measuring this if we do not own a breathalyzer. Supervisor Tompkins stated they have means to have the testing done. Councilman Frazier stated he would like that identified in the handbook. He also has concerns on what is a weapon and what classifies as a tool. Supervisor Tompkins stated that pocket knives are not included.

Councilman Welsh said this is a guideline and it is in place for employees to have an expectation of behavior at work. Councilman Welsh and Supervisor Tompkins agreed because the words “generally regarded as just cause” are in place meaning that research would take place before a termination was effective which would happen in all situations. Councilman Frazier said that the need for an investigation is not clearly mentioned in the handbook. Mary Pearson mentioned Section 2.6 is the corrective action and due process. Supervisor Tompkins suggested that 2.7.3 refer back to 2.6 for the procedure for disciplinary action.

There was further discussion on what language supersedes which. It was suggested that Councilman Frazier speak to our attorney to clarify his concerns and determine appropriate language. Supervisor Tompkins asked if the word “immediate” was removed if that would help clarify, Councilman Welsh agreed and Councilman Frazier agreed but still asked that it be run past the attorney for final approval.

Councilman Frazier also pointed out that the emergency contact sheet was not mentioned in the handbook as being mandatory and a waiver should be optional if the employee wishes to not have anyone informed. It was noted that this should be included in the final draft of the handbook. It was determined that once the handbook is completed employees will receive it and have 30 days to review and sign off that they understood the material.

The Town Board had no changes to the Driver Fleet Manual.

RESOLUTION #17-24 APPROVING TYMOR FOREST TRAIL MAP AND RULES

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

WHEREAS, the Town Board of the Town of Union Vale has reviewed the Tymor Forest Trail Map and Rules; and

WHEREAS, the Town Board desires to adopt and approve the Tymor Forest Trail Map and Rules.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby approves and adopts the Tymor Forest Trail Map and Rules; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Union Vale authorizes the approved Tymor Forest Trail Map and Rules to be posted at Tymor Park and a copy be kept 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:

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| Councilman Welsh | Aye |
| Supervisor Tompkins | Aye |
| Councilman Frazier | Aye |

Councilwoman Kelley Absent
Councilman McMorris Absent

RESOLUTION #17-25 TO ADOPT REVISED EMPLOYEE HANDBOOK AND DRIVERS GUIDELINES

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

WHEREAS, the Town of Union Vale has reviewed its Employee Handbook and Driver's Guidelines; and

WHEREAS, the Town Board of the Town of Union Vale desires to adopt and approve a revised Employee Handbook and Driver's Guidelines for Town of Union Vale employees and elected officials.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby adopts and approves the revised Town of Union Vale Employee Handbook and Driver's Guidelines; and

BE IT FURTHER RESOLVED, that a copy of the revised adopted Employee Handbook and Driver's Guidelines 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
Supervisor Tompkins Aye
Councilman Frazier Aye*
Councilwoman Kelley Absent
Councilman McMorris Absent

Supervisor Tompkins made a motion that this be adopted after the changes were made. *Councilman Frazier was unclear that the two manuals were combined for approval in the one resolution and rescinded his vote to a "Nay". He voted to allow the Drivers Guidelines to be passed however, he would like to wait for the amendments to the handbook before approval. The motion failed to pass the handbook failed with 2 "Aye" 1 "Nay" and 2 members absent.

Councilman Welsh made a motion to amend Resolution #17-25 to remove any language regarding the Employee Handbook and specify only the Drivers Guidelines. The motion was seconded by Supervisor Tompkins and all were in agreement.

RESOLUTION #17-26 TO APPROVE PROPOSAL ON REJUVENATION OF GODFREY PARK

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

WHEREAS, a proposal to rejuvenate Godfrey Park in the Town of Union Vale has been presented to the Town Board of the Town of Union Vale; and

WHEREAS, the Town Board of the Town of Union Vale has reviewed the rejuvenation plan for Godfrey Park.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby approved the proposal for the rejuvenation of Godfrey Park.

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

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| Supervisor Tompkins | Aye |
| Councilman Frazier | Aye |
| Councilwoman Kelley | Absent |
| Councilman McMorris | Absent |

Councilman Welsh wanted to thank to Mary and those that helped her to develop this, as it is needed and he is looking forward to implementation. Councilman Frazier has no problem with what is being proposed but would like to reopen this discussion when Councilman McMorris is present as there have been resident complaints in the past due to the lack of resources and he believes they are in a position to change that.

RESOLUTION #17-27 TO DESIGNATE OPEN DEVELOPMENT AREA FOR 2130 CLOVE SUBDIVISION

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

WHEREAS, the Arthur Demoulas has submitted an application for subdivision to the Union Vale Planning Board to subdivide Parcel Grid No.s 6861-00-199211 and 370133 into three lots with one lot proposed to have no frontage, but which would have access to a public road via a private driveway; and

WHEREAS, in order to create a parcel without frontage and to approve the subdivision, Mr. Demoulas is required to an obtain Open Development Area designation via 280-a of Town Law, which would permit the creation of a lot without frontage on a public road and would allow the subdivision to approve; and

WHEREAS, the Town Board has received the application for approval of the Open Development Area and a referral from Planning Board which recommended the grant of the Open Development Area.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby approves the grant of the Open Development Area for the 2130 Clove Subdivision located at 2130 Clove Road, Lagrangeville, NY.

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

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

Councilman Frazier asked if this would require a public hearing, Supervisor Tompkins replied that the Planning Board already held the public hearing.

RESOLUTION #17-28 AUTHORIZING ADVERTISEMENT FOR SEALED BIDS

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

WHEREAS, the Barn Building at Tymor Park sustained damage to the ceiling from a sprinkler malfunction; and

WHEREAS, the Town of Union Vale desires to obtain sealed bids for the proper removal of the ceiling material at the Barn Building at Tymor Park.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby authorizes the advertisement of sealed bids for the removal of the ceiling materials at the Barn Building at Tymor Park; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Union Vale hereby authorizes and directs the Town Clerk to advertise for sealed bids in the official newspaper of the Town of Union Vale.

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

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

Supervisor Tompkins stated this was passed last meeting however to maximize competition this will be re-run to gain more bidders which she estimates until March 30th.

RESOLUTION #17-29 Separate Employee Handbook and Driver & Fleet Safety Approval

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

WHEREAS, the Town Board of the Town of Union Vale made amendments to the Employee Handbook,

WHEREAS, there were no changes to the Drivers Guidelines,

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby removes the language from Resolution# 17-27 of mention of the Employee Handbook until the aforementioned amendments have been made and looks to approve the Employee Handbook at the March 16th 2017 Town Board Meeting.

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

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

PUBLIC COMMENT ON NON-AGENDA ITEMS

Betsy Maas – wanted to confirm the time of the Library Steering Committee presentation and suggested April 6th would be plausible. She also wanted to seek permission to email those who provided email addresses to the meeting date so they may attend. Supervisor Tompkins suggested it be put on the town website and TV. Supervisor Tompkins stated Stephanie Harrison from the Millbrook library had asked to provide information and links to the town website for the library's that serve Union Vale. Town Clerk Casey said when she receives the information she will forward to the town board for final approval.

MOTION TO ADJOURN

Councilman Welsh made a motion to adjourn at 7:47PM, Supervisor Tompkins seconded the motion and all were unanimously in favor.

Respectfully Submitted,

Andrea Casey

Town Clerk