

**UNION VALE TOWN BOARD MEETING DECEMBER 18, 2019 TOWN HALL  
249 DUNCAN ROAD LAGRANGEVILLE, NY 7:30PM**

**PRESENT: Supervisor Maas**

**Council: Steven Frazier, Corrina Kelley, John Welsh**

**Town Clerk: Andrea Casey**

**Town Attorney: Jeff Battistoni**

**Absent: Councilman McMorris**

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Call to Order and Salute to the Flag

**MOTION TO APPROVE THE MINUTES**

Supervisor Maas made a motion to approve the minutes of the November 20<sup>th</sup>, 2019 meeting on email after necessary adjustments are made which was seconded by Councilman Welsh all were in favor of this decision.

**Town Supervisor Report** – Supervisor Maas commented that the Cash Flow Report, Abstracts/Warrants, Escrow Report, deposits and Building Report along with all other financials have been distributed to the members of the Board. In terms of the cash flow report the Town is at 89% of expenditures. CHIPS and mortgage tax revenue was also received. The MS4 audit was completed and turned in with a favorable outcome. There were no recommended actions however a small list of items we did not turn in were Highway Maintenance log related but overall, she and the Engineer were pleased with the findings.

**Board Member Reports**

Councilman Welsh thanked Councilwoman Kelley and Councilman McMorris for their 4 years of dedication to the Town.

Councilman Frazier also thanked both Councilmembers and thanked them for their enthusiasm and courage to step up and do the job. Councilman Frazier also commented on the severity and difficulty of keeping the roads clear and safe in the last two storms and thanked the Union Vale Highway Department for their efforts. He cautioned all residents to be certain to not move snow from their driveway into the roads. Councilwoman Kelley spoke about two emails from residents. The first regarding the holiday light display and safety concerns. The second email read was regarding the library services for the Town and how vital it can be to a community.

**Town Highway Superintendent Report:**

No report was submitted. Supervisor Maas mentioned that the 5-Year Highway maintenance plan included Bloomer and Robinwood for resurfacing and neither were completed this year therefore these will be on 2020. Councilman Welsh hopes the new Highway Superintendent does review the maintenance plan as it was determined by a report from the State, not by the actual inspection of the roads by a Highway Superintendent.

**Town Clerk Report**

Clerk Casey reported that this time of year is largely consumed by Recycling Permit sales which have been going well and residents have been taking advantage of the online permit sales

**Public Comments on Agenda Items**

NONE

**Board, Committee, Commission & Council Reports:**

CAC - Recycling Center Survey – being handed out now for ideas on composting, toy exchange and other items. Guest Speaker: Nate Naardi-Cyrus, Land Use Specialist, Hudson Valley Estuary reports into the DEC and spoke about land use and mapping and services which Ackie Busch will report more on this next month.

**Events: Grand Illumination on 12/7** – big success! Very successful and community orientated. As always Santa made a visit and in addition to the regular festivities there was a fire pit outside for the children while they waited for the lights to illuminate the park.

**Opinion about Code Section 210-24 (“Glare”)**

Attorney Battistoni spoke about this section relating to the Holiday Light Display regarding glare and heat. The code does not define “holiday light” nor is there any express regulation in the code of Holiday Lighting Displays. However, some have chapters on outside holiday lighting some detailed, most not and this is not in the Union Vale Code. None had specific provisions specifically for holiday lights or holiday decorations. He further commented on the definition of

the word “use”. There was also nothing regarding case law on this topic in New York State. Overall Attorney Batistoni feels this falls under a Code Enforcement and his impression is that our C.E.O. has looked into various issues with this in the past and has never cited a violation.

#### **Wood Chips on Rt 55, Bruzugul Road – Update**

The homeowner came in to discuss any issues immediately and came to an agreement with the Code Enforcement Officer. The owner has since flattened the piles which have improved visibility considerably. Supervisor Maas thanked the homeowner for his quick and helpful response.

#### **Recreation – Fees**

The Camp staff have been looking into attracting more families by offering a trial discount for a specific time period and ask the Board’s permission to offer this on an experimental basis.

#### **MOTION TO DISCOUNT CAMP FOR 1 MONTH**

Supervisor Maas made a motion to permit the Recreation staff to sell early at the discount recommended rate from Jan 1, 2020-Jan 31, 2020. This was seconded by Councilman Welsh and all were in favor.

**Resident, Mr. Don Baird donates 4 works by Artist, Katia Gushue** to the Town of Union Vale Town Hall which was generously given by Mr. Baird.

Resolutions & Motions: (See Resolutions)

19-37 Allocations of Highway Fund Balance

19-38 Encumbering Funds for Committed Park Expenses

19-39 Acceptance of Generous Gift of Art

#### **MOTION TO PAY BILLS**

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

#### **Public Comment on Town Issues**

Glen Morrison Bloomer Road, was surprised the light display was not on the agenda given the prior correspondence. He had spoken to Town approved electrical inspectors and someone from the NYS as he described the display but did not reference the location. He also spoke about the illumination and asked when the community will get answers to these questions.

Jean Moore, Darren Road- spoke about the correspondence regarding the library fees from MHLS and Supervisor Betsy Maas. Ms. Moore equated library use to pool use as both are money loss however enhance the community. She asks that all these conversations happen while the residents still have use of the library.

Anne Melious Bloomer Road- she appreciates the savings of taxpayer money however; she would like to have full use of the library services and understands that proportionally it is a lot of the budget, but she uses the services every day and would like uninterrupted services.

Mimi Tannen, Camby Road, supports that Union Vale supports the library and understands all have been working hard. However, she would like to see the contract signed and would like uninterrupted services and feels \$15 per capita is not a large expense. She feels the metrics being used is the per capita use and feels it is fair as it is half what the other Towns are paying.

Sue Kilcrease, Darren Road- thanked Councilman McMorris and Councilwoman Kelley for their service. She does implore the Board to ensure uninterrupted service. What happened to the 78,000 dollars that was budgeted? She also inquired about the letter that was sent to Millbrook.

Diane Morrison, Bloomer Road- would like to echo the sentiments of others and feels Union Vale needs to have library services and although she appreciates the negation process but feels it is important to have continued use of library services

Ed Kasche, Darren Road, is glad this is being discussed more openly and feels the light display can be looked at many different ways, from the homeowner, from the neighbors and from a liability perspective. He feels through correspondence that communications have been disingenuous and is concerned about the points he has made. He asks that the Board be decent and look at it from others’ perspectives.

Iliana Nilsen, Camby Road, asks that the Board consider the library usage.

Tillman – spoke about luminosity and public access through a driveway. She also spoke about the Library funding, the money is in the budget, the money should be used accordingly and she feels the Town needs full access to the library and is time to do it and do it correctly.

Charles Hansen, Cooper Drive- implores the Board the pay the money for the Mid-Hudson Library Board, he understands he has access to borrow books but he uses it for audio books, movies and other items which are not part of the state mandated use. He encourages the Board to provide to the residents the \$16 enhanced option for the services that covers.

Next Scheduled Meetings:

- January 2- 2020 Organizational Meeting & Town Board Work Session
- January 4- Coffee & Doughnuts at Town Hall – Swearing-in Ceremony for Elected Officials. ***Come and Meet New Town Board Members & Highway Superintendent (9:00 – 11:00 a.m.)!***
- January 16 - Town Board Regular Agenda Meeting (7:30 pm)

**MOTION TO ADJOURN**

At 8:35pm Councilman Welsh 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 NO. 38 of 2019:

19-38 2019 ENCUMBERING FUNDS FOR UNPAID COMMITMENTS FROM 2019

Supervisor Maas proposed the following Resolution, which was seconded by Councilman Welsh.

**WHEREAS**, the Town Board of the Town of Union Vale authorized the Parks Department to install 6 dormer windows in the 11 Tymor Park Road Farm Manager's House and to Complete Phase II and possibly Phase III of the Tymor Park Parking Lot project;

**WHEREAS**, the Parks Department ordered and placed a deposit on windows through Richard Buotte, Contractor, as the low bid provider in the amount of \$7,660; and

**WHEREAS**, the Parks Department has spent \$2,246.38 of the \$50,000 budgeted for the Tymor Park Phase II & III projects;

**NOW THEREFORE, BE IT RESOLVED**, that the Town of Union Vale 2020 Budget shall be amended to provide for encumbrances rolled forward in order to provide for the funding of the aforementioned projects;

<u>FUND:</u>	<u>ENCUMBER:</u>
A7110	\$47,753.62
A7110	\$ 5,183.00

**BE IT FURTHER RESOLVED**, the amounts of these individual encumbrances provided for above are in the 2019 Parks Budget for a specific purpose. If the actual amount of an individual expenditure is lower than the encumbrance, the unspent amount will not be available to cover other expenditures but will be returned to the fund balance for 2019.

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

Supervisor Maas	Aye
Councilman Welsh	Aye
Councilman Frazier	Aye
Councilwoman Kelley	Aye
Councilman McMorris	Absent

The resolution was thereupon declared duly adopted.

DATED: Union Vale, New York

December 18, 2019

*Andrea Casey*

Andrea Casey, TOWN CLERK

draft



TOWN OF UNION VALE TOWN BOARD  
RESOLUTION NO. 37 of 2019:

19-37 2019 ALLOCATIONS OF HIGHWAY FUND BALANCE

Councilman Welsh proposed the following Resolution, which was seconded by Councilman Frazier.

**WHEREAS**, the Town Board of the Town of Union Vale wishes to complete the following budget transfers consistent with actions taken by the Board earlier in 2019:

**Resolved**, that the Town Supervisor is authorized to assign \$68,778.12 of the Highway Fund balance for the purchase of the previously approved, ordered and delivered 2019 Dodge Ram Utility Truck from Robert Green Chrysler, Dodge, Jeep, Dealer.

**Resolved**, that the Town Supervisor is authorized to assign \$25,000 of the Highway Fund Balance to the Highway Capital Reserve Fund to Save for Future Highway Equipment Purchases.

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

Supervisor Maas	Aye
Councilman Welsh	Aye
Councilman Frazier	Aye
Councilwoman Kelley	Aye
Councilman McMorris	Absent

The resolution was thereupon declared duly adopted.

DATED: Union Vale, New York  
December 18, 2019

  
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Andrea Casey, TOWN CLERK



**RESOLUTION # 19-39: RESOLUTION AUTHORIZING ACCEPTANCE OF A GIFT FROM PRIVATE DONOR, DONALD BAIRD OF VERBANK CLUB ROAD**

**WHEREAS**, private donor, Donald Baird, has generously provided an unrestricted gift of four pieces of art created in the Hudson Valley by Artist, Katia Gushue for the Town of Union Vale Town Hall;

**WHEREAS**, specifically these pieces of art consist of a charcoal drawing, works on paper and an oil painting all of which, while created elsewhere look as if they were done in Tymor Park;

**NOW THEREFORE, BE IT RESOLVED**, the Town Board of the Town of Union Vale gratefully accepts this generous gift from Mr. Baird, with pleasure and on behalf of the residents of the Town of Union Vale who will enjoy them for many years to come.

Councilman Frazier introduced the following resolution, which was seconded by Councilman Welsh, as follows:

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

Supervisor Maas	Aye
Councilman Welsh	Aye
Councilman Frazier	Aye
Councilwoman Kelley	Aye
Councilman McMorris	Absent

Ayes 4    Noes 0    Resolution No. 19-39

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 December 18, 2019.

Andrea Casey  
Town Clerk, Union Vale – Andrea Casey