

**UNION VALE TOWN BOARD MEETING JUNE 17, 2021
249 DUNCAN ROAD LAGRANGEVILLE, NY 12540 7:30 PM**

PRESENT: Supervisor Maas

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

Town Clerk: Andrea Casey

Highway Superintendent: Ed Kading

Town Attorney: Jeff Battistoni - Absent

Call to Order and Salute to the Flag at 7:30PM

Motion to Approve Minutes – Tabled until July 15, 2021

Special Presentation: *John Dullaghan, Director, Governmental Affairs, Altice USA*

Supervisor Report

- 105% budget for month of May 120% spending due to large highway bills for the 284 will be refunded though CHIPS
- General Fund Balance is \$3,835,959
- Highway Fund Balance is \$976,689.00
- 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.
- Recycling center is doing well
- Summer camp up 269% over what was budgeted, over 18% for the year
- Pool fees 940% over budget due to contract with swimming team who is renting it in evenings and mornings
- Pool party for permit holders is June 25th
- Building Permits for May are 167% of budget
- American Rescue Plan funding has decreased from the original 510,00 because the US Treasury decided to use preliminary 2019 census numbers instead of 2020. 2 forms were sent that Supervisor Maas signed. Will know more after July 16th

Board Member Reports

Councilman Welsh has been investigating if justification exists to change the ruling on number of unlicensed vehicle and he feels it does. Had a worthwhile fieldtrip to Peckham Industries.

Councilman McGivney spoke about the cable and advised to look at Verizon Fios even though it is not in the area we will get more attention to show there is a market as another option perhaps long term. He is unsure if the 5G will contain the speed that the fiber provides which depends on the proximity to the transmitter.

Councilman Durland – nothing at this time

Councilman Frazier – nothing at this time

Highway Report

Superintendent Kading stated they finished all major annual work with paving and resurfacing, Oil and chip seal was done and he did receive complaints due to misunderstanding he equated it to sealing a blacktop driveway. They have been fixing catch basis, pot hole repairs, trying to mow but both tractors are down and are in the process of repairing those. Mr. Kading also inquired about moving forward with replacing the shop windows. Please call if there are any road issues.

Town Clerk Report

Clerk Casey had nothing to report at this time

CAC Report

Conservation Advisory Council Member, Rachel Peterson spoke about the CAC programs and the events such as ‘Food for Thought’ and the success of this and the different speakers they have featured over the years.

Parks, Recreation & Summer Camp

Park Manager Jake Gosnell spoke about summer camp, it begins June 28th and is sold out and waiting lists for every session. Tennis courts are prepped for refinishing, lots of pool work and prepping seasonal power washing for building exteriors. All posts and marques will be repainted and grass is constantly in need of mowing. Multiple events going on and at the Equestrian Center.

Furnace Pond Dam

Engineers took sediment samples and they came back extremely clean which is good news and will get report next week. The boring test will be conducted after further drainage of the pond.

Dutchess County’s Workers Comp Plan

Supervisor Maas recapped the issues and stated there will be a discussion next week with the Town Attorney.

Flags & Pole on Rt. 55 - Plan for Installation

Councilman Durland stated they will be erecting a 35foot flag pole with a 6x10 flag and should be here in 4 weeks.

Union Vale Library Planning

The committee is waiting on the 501c3 designation. They had a meeting with the Albany Library Development staff. They discussed location, plans, budgeting. The committee would like to have bi-monthly work sessions with the consultants and many conversations with residents on the architecture and design with high tech café atmosphere. Three large corporations in the area have said they would be interested in helping set up a library. In the future the committee would like to ask if the Town can speed up the process while they are out fundraising, can they town bond the issue and the 501c3 pay the town back quarterly. They fully expect to raise the estimated total and expect to constantly pay the town back. This will be discussed as the project develops.

Town Code Discussion - Number of Unlicensed Motor Vehicles on Premises

Supervisor Maas summarized the issue. Councilman Welsh added although not a wide spread problem, there is enough of a justification that enough people have unlicensed vehicles on their property.

Supervisor Maas read from the town code which states “2 or more inoperative or unlicensed motor vehicles...” therefore, due to the language of this code no action or resolution is needed.

Town Board Report on Tour of Peckham Industries’ Wingdale Facility 6/17

Councilman Frazier said he was impressed with the operation and commented on their efforts to be good neighbors and minimize the impact on the environment. Councilman Frazier agreed and added there are some unfortunate myths and misconceptions about where they are working and after the tour it was clear they are only on their property in the Town of Dover. They are working on their mountain of rock that is around 185 acres, which contains a valuable material ingredient that is used in paving on all major interstates as well as town roads. Councilman McGivney noted how knowledgeable and forthcoming they were as well as being community oriented. They have encouraged anyone else with questions to call or ask for a tour. Supervisor Maas added residents can sign up for the blast notifications through their website. Soon they will be moving their blasting from the land that faces away from Union Vale. Overall everyone was impressed with tour and facility.

Hudson Valley Balloon Festival Sept. 3, 4 & 5

Supervisor Maas said this will be an incredible event with expansion from last year due to the COVID restrictions being lifted. They have also added firework displays for all 3 nights. The Chamber will be at a meeting to discuss more details as the event approaches.

Resolution # 21-28 to Approve *Farriers Forge* as New Driveway Name for 911 List (See Resolutions)

Councilman Frazier inquired if this was already approved by Dutchess County 911. Supervisor Maas noted this will work the same way as Shady Knolls Way and said the County gives input

after approval. There was further discussion on the order of submittal. Councilman Frazier elected to not vote until he had further information. Supervisor Maas added if something needs to be changed, they will gladly do that at a future meeting.

**Resolution #21-29 to Approve Adding “Best Value” to Procurement Policy
(See Resolutions)**

**Resolution #21-30 to Change Residency Requirements for Deputy Town Clerk
(See Resolutions)**

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 Comment

Elfriede Tillman- asked about the new solar farm and when it will go live

Tillman- asked about the new solar farm and when it will go live

Eileen Pucci- remains confused about the cost plan for Union Vale to have their own library when we can use the surrounding libraries with less expense

MOTION TO ADJOURN

At 10:08 PM Councilman Welsh made a motion to adjourn which was seconded by Councilman Durland and all were unanimously in favor.

Respectfully Submitted,



Andrea Casey, Town Clerk

TOWN OF UNION VALE

RESOLUTION # 21-28 ROAD DESIGNATIONS FOR INCLUSION
IN 911 DATABASE

WHEREAS, Dutchess County’s Department of Emergency Response assists local municipalities’ first responders prepare for and respond to emergencies; and

WHEREAS, the Department of Emergency Response enters all names of roads into their 911 database after receiving a Resolution from the local Town Board requesting that a road be added to such database enabling the appropriate response; and

WHEREAS, it has been requested that a road in the town of Union Vale be added and it is **Farriers Forge** for 3028 Rt. 82 (#1), 3030 Rt. 82 (#3), and 3036 Rt. 82 (#9); and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Union Vale hereby adopts the name as listed above as either a private road name or heretofore unlisted road name in said Town; and be it further

RESOLVED, that the Town board specifically states that the private road designation shall in no way be construed to impose any liability or maintenance obligations on the Town but only to provide a means of identifying said private road for emergency response purposes.

The preceding resolution was offered by Councilman Frazier, who moved its adoption, seconded by Councilman Welsh.

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

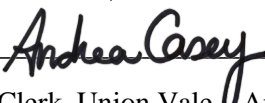
Councilman Frazier	No Vote
Councilman Durland	Aye
Councilman McGivney	Aye
Councilman Welsh	Aye
Supervisor Maas	Aye

DATED: Union Vale, New York

June 17, 2021

Ayes 4 Noes 0 Resolution No. 21-28

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 June 17, 2021.



Town Clerk, Union Vale Andrea Casey

**TOWN OF UNION VALE
PROPOSED LOCAL LAW # 2 - 2021**

**A LOCAL LAW AUTHORIZING A CHANGE IN THE RESIDENCY REQUIREMENT FOR
DEPUTY TOWN CLERK**

§ 72-1. Findings.

The Town Clerk has indicated to the Town Board that although she would like to fill the position of Deputy Town Clerk with residents of the Town, she can sometimes have difficulty doing so. Accordingly, the Town Clerk has asked the Town Board to pass a local law that will grant her the authority to hire an individual to fill the position of Deputy Town Clerk with an individual who does not reside in the Town so that the position does not remain vacant. The Town Board has determined that it is in the best interest of the Town to open this position to a wider pool of applicants so that the position can be filled expeditiously when open.

§ 72-2. Statutory authority.

This article is adopted pursuant to Municipal Home Rule Law § 10(1)(ii)(a)(l) that grants to local governments the authority to enact local laws regarding the qualifications of local officers. Furthermore, this article recognizes that the State Legislature amended Public Officers Law § 3 by adding a new Subdivision (24) expanding the residency requirements for any appointed public office in the Town of Greenburgh, Westchester County, thereby rendering Public Officers Law a special law with respect to any appointed town officer [see N.Y. Op. Atty. Gen. (Inf.) No. 91-37].

§ 72-3. Supersession of state law.

This article shall supersede Town Law § 23(1) in its application to the office of Deputy Town Clerk for the Town of Union Vale.

§ 72-5. Residency requirements for Deputy Town Clerk.

The person holding the office of Deputy Town Clerk in the Town of Union Vale need not be a resident nor an elector of the Town of Union Vale; provided, however, that such person shall reside in the county in which such town is located or an adjoining county within the State of New York.

A. Effective Date

This Local Law shall take effect upon adoption by the Town Board and file date of NYS Secretary of State in accordance applicable provisions of law, and specifically Article 3, §27 of Municipal Home Rule Law.

Supervisor Maas advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law. She offered the following resolution which was seconded by Councilman Welsh, who moved its adoption:

WHEREAS, on June 17, 2021, Supervisor Maas has introduced this local law for the Town of Union Vale, to be known as Local Law No. 2 of 2021, entitled A LOCAL LAW AUTHORIZING A CHANGE IN THE RESIDENCY REQUIREMENT FOR DEPUTY TOWN CLERK.

BE IT RESOLVED, that a public hearing be held in relation a local law to authorizing the Town Clerk to hire an individual as Deputy Town Clerk who resides outside of the Town of Union Vale as authorized by state law as set forth in the form notice, hereinafter provided, at which hearing parties in interest shall have an opportunity to be heard, to be held at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 on July 15th, 2021, at 7:00 p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Union Vale, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Union Vale will hold a public hearing at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 on June 17, 2021, at 7:00 o'clock p.m. prevailing time, on Local Law No. 1 of 2021, a local law of the Town of Union Vale, Dutchess County, New York, authorizing the Town Clerk to hire an individual as Deputy Town Clerk who resides outside of the Town of Union Vale.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road,

LaGrangeville, New York 12540 between the hours of 9:30 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Union Vale, New York
June 17th, 2021



ANDREA CASEY
TOWN CLERK

The preceding resolution was offered by Supervisor Maas, who moved its adoption, seconded by Councilman Welsh.

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
June 17th, 2021



Andrea Casey, TOWN CLERK

**TOWN OF UNION VALE
PROPOSED LOCAL LAW # 1 - 2021**

**A LOCAL LAW AUTHORIZING BEST VALUE COMPETITIVE BIDDING AND
PROCUREMENT**

BE IT ENACTED BY the Town Board of the Town of Union Vale as follows:

Section 1. The Union Vale Town Code is modified to add a new Chapter 65 entitled “Best Value Competitive Bidding and Procurement” as follows

§ 65-1.. Legislative Intent and Purpose

The intent of this Law is to allow the Town of Union Vale the option to award certain purchase contracts (including contracts for services) subject to competitive bidding under §103 of the General Municipal Law on the basis of a low bid or “best value” as defined in §163 of the New York State Finance Law.

§ 65-2.. Authority

This local law is enacted pursuant to the New York Municipal Home Rule Law, as authorized pursuant to New York State General Municipal Law §103 and the New York State Finance Law (including §163), and other provisions of law authorizing the Town of Union Vale to enter into contracts and engage in contracting for services.

§ 65-3.. Best Value Competitive Bidding

- A. Award Based on Best Value. The Town Board may award purchase contracts, including contracts for services, on the basis of “best value” as the term is defined in New York State Finance Law §163. All contracts or purchase orders awarded based on best value bidding basis shall require Town Board approval.

- B. Applicability. The provisions of this Local Law apply to Town purchase contracts involving an expenditure of more than \$20,000 and Town contracts for services involving an expenditure of more than \$35,000, but exclude purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the New York Labor Law and any other contract that may in the future be excluded under State law from the best value option. If the dollar thresholds of New York General Municipal Law §103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be superseded by such as §103 and this Local Law shall be read as if the numbers are amended to conform to said §103.

C. Standard for Best Value.

1. Goods and services procured and awarded on the basis of best value are those that the Town Board determines optimize quality, cost and efficiency among responsive and responsible bidders, as set forth in the Procurement Policy adopted by the Town and as amended, hereafter and from time-to-time, by the Town Board.

2. Where possible, the determination shall be based on an objective and quantifiable analysis of clearly described and documented criteria as they apply to the rating of bids or offers.

3. The criteria may include, but shall not be limited to, any or all of the following:

- cost of maintenance
- proximity to the contractors or end use
- product life
- durability
- product performance criteria
- quality of craftsmanship
- warranties

D. Documentation. Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder the basis for determining best value shall be documented.

E. Inconsistent Provisions. Any inconsistent provision of the Town Procurement Policy, as adopted prior to the effective date of this Local Law by resolution of the Town Board, or as amended thereafter, shall be deemed superseded by the provisions of this Local Law.

Section 2. **Severability.**

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law. To further this end, the provisions of this Local Law are hereby declared to be severable.

Section 3. **Effective Date**

This Local Law shall take effect upon adoption by the Town Board and file date of NYS Secretary of State in accordance applicable provisions of law, and specifically Article 3, §27 of Municipal Home Rule Law.

Supervisor Maas advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law. She offered the following resolution which was seconded by Councilman Welsh, who moved its adoption:

WHEREAS, on June 17, 2021, Supervisor Maas has introduced this local law for the Town of Union Vale, to be known as Local Law No. 1 of 2021, entitled A LOCAL LAW AUTHORIZING BEST VALUE COMPETITIVE BIDDING AND PROCUREMENT.

BE IT RESOLVED, that a public hearing be held in relation a local law to authorizing the Town to award purchase contracts on the basis of best value as authorized by state law as set forth in the form notice, hereinafter provided, at which hearing parties in interest shall have an opportunity to be heard, to be held at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 on July 15th, 2021, at 7:00 p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Union Vale, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

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TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Union Vale, at the Town Hall, 249 Duncan Road, LaGrangeville, New York 12540 between the hours of 9:30 a.m. and 4:00 p.m. on all business days between

the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Union Vale, New York
June 17th, 2021



ANDREA CASEY
TOWN CLERK

The preceding resolution was offered by Supervisor Maas, who moved its adoption, seconded by Councilman Welsh.

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
June 17th, 2021



Andrea Casey, TOWN CLERK