

## **UNION VALE TOWN BOARD MEETING AUGUST 20, 2020**

**VIA ZOOM VIDEO CONFERENCE 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**

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

### **MOTION TO APPROVE MINUTES**

Councilman Welsh made a motion to approve the July 16, 2020 Town Board Meeting minutes as written, which was seconded by Councilman Frazier and all were unanimously in favor.

### **Town Supervisors Report**

The Town Board members have received the list of warrants/abstracts; cash receipts, escrow reports, Building Dept. report and lists of all deposits made in both the General Fund and Highway Fund. The cash flow was \$245,000 in which is 92% of budget. In looking at the comparison with this time last year, Supervisor Maas stated the Town is 32% lower in revenue. She is just starting the budget process and will send out the schedule to the public as the Town Board already has a copy. As she gets more numbers in she will keep everyone informed about the year end performance and impact to the budget. She would like to make sure the public knows that in the months of September, October, and November, the work sessions will be noticed to allow the board to take action if needed. There will also be 2 additional public hearings in September and October to allow residents to give feedback. The budget will be approved November 19, 2020. The tentative budget will be prepared and available at the end of September for everyone to review. Supervisor Maas also spoke about the vast correspondence from residents with Optimum issues and getting resolutions to ongoing issues. She will send these concerns to a new government representative to review and Supervisor Maas also hopes to review the contract for the upcoming renewal. This will be discussed later as more information becomes available.

The CAC (Conservation Advisory Council) will be holding a “Food for Thought” event on Saturday, October 3<sup>rd</sup> from 6:00pm to 9:00pm showing 2 films: ‘A Living River’ and ‘Farmscape Ecology’ by Jon Bowermaster.

### **Board Member Reports**

*Councilman Welsh* wanted to follow up on the 2020 census. He reminded residents how critical it is to be counted. According to the government, not everyone has registered, it’s every 10 years and it’s very important for critical data for law makers, teachers and many others that provide daily products and support to Union Vale and the surrounding community. If you haven’t responded you can call 844-330-2020 or go online: 2020census.gov, all information is kept confidential.

*Councilman Durland* – Thanked Highway Superintendent Ed Kading for all his hard work cleaning roads during the storm.

*Councilman McGivney* – Also commended Superintendent Kading and his crew on their efforts. He mentioned with a storm like this it begs each of us to be more prepared for widespread power outages and loss of communication and would like to have more conversations about it to help teach people what to prepare for, and how to plan.

*Councilman Frazier* – Thanked Superintendent Kading and crew for keeping the roads open and the Parks crew for cleaning up all the storm debris.

### **Highway**

Superintendent Kading reported that one employee had left prior to the storm, so only a crew of 3 men took care of the storm damage and he was very impressed with their hard work. At the time of the storm they were also contracted to do another large-scale project at the highway garage, so storm cleanup will continue after the machinery rented is returned and the project completed. Phase 1 of their aggregate pile project was completed yesterday, 2 weeks ahead of schedule. They will be beginning phase 2 to crush piles of stone for use in the Town. Upcoming road projects are: Quinlan & Still Road shouldering budget dependent, they will continue as time and money allows. The Highway Department is trying to eliminate all steel

pipes that are decaying, as of now only 12 remain. Mallory Road will be closed for about a day for a large project. Superintendent Kading noted the vandalism on road signs and when this situation is resolved they will replace all signs.

### **Town Clerk Report**

Town Clerk Casey congratulated Elisabeth Pancio from her retirement as Deputy Town Clerk and wished her the best and thank her for her years of service. Kathi Wellman-Babon will be taking her place. DEC sporting license are on sale however, the new platform is not yet operational in Union Vale. Please call and your name will be added to a list for callbacks when the system is functioning.

### **Public Comment on Agenda Items**

Glenn Morrison- spoke about the annexation processes and asks that a cost vs benefit analysis be done that is easy to understand.

Supervisor Maas read the following email from resident, Corrina Kelley: “To Supervisor Maas and Town Board Members, I want to be clear about the discussion to annex properties owned by the town of Union Vale under the jurisdiction of Beekman. This exact discussion came up very briefly during our work on the cell tower project. At that time I was very much in agreement that fore thought needed to be put into annexing these properties much earlier. I was also in agreement that it could be a topic and effort moving forward when the cell tower project was finalized. The economic climate has changed immensely over the past 12 to 18 months. The most obvious change is the coronavirus pandemic and its impact on our economy. Supervisor Maas has referred countless times to the loss of revenue and the need to make budget cuts. The land annexation project is a process. It is an undertaking that will require time and investment of legal funds. At the present time town board members need to be cautious and discerning in spending funds. First and foremost, services to the town residents need to be addressed before optional spending is undertaken. I am in complete agreement that the land annexation project should be slated for further research and discussion by the board. However, it is a question of timing. It would not be fiscally responsible of the town board to spend tax dollars on dreams that may never come to fruition as opposed to fiscal dollars spent on the present needs of the town residents. Thank you for your consideration.”

Supervisor Maas noted that when Mrs. Kelley was on the Board there was much about the process that was unknown and through the Town Attorney’s research it seems the process is a Town Board Resolution, certification of the value of the property and a public hearing. This process is much simpler than previously thought.

### **Building Department: PERIOD OF: July/ August, 2020**

1. The “Bocker” home has been demoed and removed and is in compliance.
2. Code amendment for expired permits has been completed and has been submitted to the board for review.
3. Covid 19 safety procedures with inspections are being followed with applicants and during site visits.
4. Home sales are up considerably and inspections for the req. Municipal searches have kept this office extremely busy.
5. Building permits being issued are up as well and are reflected in the monthly income statements.
6. The Town solar project located on Rt 55 has been submitted and application review will begin once plans have been received.
7. I will be out of the office from August 24-28<sup>th</sup> for scheduled vacation. I will be accepting emails via phone for projects from applicants / residents etc..

#### **Work outline as follows:**

- |                             |        |                              |        |                            |        |
|-----------------------------|--------|------------------------------|--------|----------------------------|--------|
| 8. Inspections preformed    | : # 91 | Complaints received          | : # 3  | Complaints acted on        | : # 3  |
| 9. Violation Notices issued | : # 4  | Violation abated             | : # 3  | Appearance tickets issues: | # 0    |
| 10. Building Permits issued | : # 28 | Residents meetings           | : # 20 | Fire call outs             | : 0    |
| 11. Old Permit C/O’s issued | : # 11 | Cert. Occupancy/Compliance # | 18     | Plan review hrs.           | : # 19 |
| 12. Municipal Searches      | : # 10 |                              |        |                            |        |

### **Parks**

Councilman Frazier read the report submitted by Park Manager, Jake Gosnell.

The Kiddie pool has been drained, scrubbed and flushed as well as the large pool performing routine maintenance on the pumps. The Court has been set up for all COVID protocols. Furnace Pond Dam “drawn down” project is underway so the engineers can evaluate the gate valves. The clean up from the tropical storm in August is still ongoing and fields are being groomed and maintained. Mr. Gosnell has been working with an Eagle Scout for his project of fishing line clean up stations. There has also been a great applicant pool for the Afterschool Program Director.

### **Building Permits Code Change**

Duration of permit. Building permits shall become invalid unless the authorized work is commenced within six months following the date of issuance. Building permits shall expire 12 months after the date of issuance. A building permit, including one which has become invalid or

which has expired pursuant to this subsection, may be renewed or extended once for 12 months from the date of expiration or invalidity upon application by the permit holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer. On written application to the Code Enforcement Officer and referral to the Town Board, it may, on a showing of demonstrated hardship and payment of the application fee, authorize a further renewal or extension of a building permit for such term as it may specify.

Councilman Durland explained the need for the process and the changes, in that there were no limits. The new measures include, 1-year extension, hardship, and removing the fee schedule out of the town code and placing it into the master fee schedule to be approved annually. Councilman Frazier inquired as to what would happen if the applicant did not complete their project after the 1-year extension but, there was no hardship. Councilman Durland responded that the applicant would begin the permit process from the beginning.

#### **Annexing Five Tymor Park Parcels**

Supervisor Maas mentioned there will be an upcoming public hearing for this. There was no further discussion at this time.

#### **Union Vale Solar on Rt. 55**

The permits were received today and DEC must be notified 5 days prior so pictures may be taken prior to construction beginning.

#### **Town Planner – Agreement Signed**

The agreement with the Town of LaGrange was signed to share their Town Planner with Union Vale, as needed.

**Disaster Preparedness Plan** – Councilman Frazier explained he is doing a side by side comparison of the template and what is in place, noting issues along with suggestions. This will be complete for the workshop session for further review. Supervisor Maas also offered to send the Hyde Park plan to review for Councilman Frazier to also take into consideration.

#### **Furnace Pond Dam**

Supervisor Maas discussed being responsible dam owners and working with the DEC but wanted to point out the worst-case scenario, which would be removing the dam. It is over 100 years old and the engineers might find the maintenance may be cost prohibitive but there could also be more than one solution depending on the analysis. This will be an ongoing conversation as information is collected.

#### **2020 Census**

Councilman Welsh covered this earlier in his report.

#### **Joint Municipal Agricultural & Farmland Protection Planning Grant**

Supervisor Maas mentioned that the Town of LaGrange has invited Union Vale to participate with them. This will go hand in hand with the maps the CAC has been preparing for the Natural Resource Inventory. The Board will be passing a resolution on this topic tonight.

#### **Discussion – After School & Full Day Program for Families (ASP/TGTT)**

Due to the uncertainty of the plan for children returning to school the ASP/TGTT staff has put together a program to help working parents. The IT providers will be able to add more WIFI access points to allow for many children to be online during the day without issues.

Councilman Welsh read the Special Announcement on how to help working parents and parents with schooling their children. This will help facilitate the virtual learning while being supervised and assisted during the day and a chance to take breaks outside.

#### **New Parks & Recreation Operations Manual- Completed**

The Parks and Recreation Operations Manual will be ready; the staff needs to add the ASP/TGTT portion.

#### **Annual Town Audit (2019 books)**

Ted Eglit, CPA as already completed the cash audits done earlier in the year and has all the material for the Supervisors Books which will be completed in September.

### **The Horse Source**

Loretta Ryan has taken over the publication of the Horse Source which was done prior by former Equestrian Center Director, Elizabeth Albrecht.

### **RESOLUTION # 20-30 AUTHORIZING A CHANGE IN BUILDING DEPARTMENT SECTION OF TOWN CODE REGARDING THE FEE SCHEDULE AND PERMIT EXTENSIONS (See Resolutions)**

### **RESOLUTION # 20-31 AUTHORIZING AN APPLICATION FOR 2020 MUNICIPAL AGRICULTURE AND FARMLAND PROTECTION PLANNING GRANT AGM01-MAFPP-2019-00009 (See Resolutions)**

Discussion – Councilman Frazier questioned the language matching the \$10,000 figure as it was unclear. Supervisor Maas noted that the true price they were matching was half which was \$5,000.00 which would be in-kind ie: personnel, printing or other extras. The cash portion would total \$1,250.00 as required by the grant.

### **RESOLUTION # 20-32 TO REQUEST THE BEEKMAN TOWN BOARD'S PARTICIPATION IN THE ANNEXATION PROCESS OF FIVE PARCELS OF LAND IN TYMOR PARK THAT RESIDE IN THE TOWN OF BEEKMAN (See Resolutions)**

### **RESOLUTION # 20-33 TO REQUEST CERTIFICATION OF FACTS PERTAINING TO THE FIVE TYMOR PARK PARCELS IN THE TOWN OF BEEKMAN OWNED BY THE TOWN OF UNION VALE (See Resolutions)**

### **MOTION FOR BUDGET AND BANK TRANSFERS**

Supervisor Maas made a motion to transfer \$12,000 in auction proceeds for the abandoned equipment from the Highway Account to the General Fund Account. Councilman Welsh seconded the motion and all were unanimously in favor.

Supervisor Maas made a motion to transfer \$5,747.42 for the F350 that was paid off, from the Contingency Fund (A1990) to Parks (7110.2) which was seconded by Councilman Welsh. All were unanimously in favor.

### **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 Comments Town Issues**

Tillman – Inquired how many kids will be in the ASP going to handle? Supervisor Maas replied the permit is up to 40. She further inquired about UVFD responding to any calls and if someone could supply bear crossing signs for high traffic areas. She also inquired about the Beekman Annexation process. Tillman stated she wants access to the entire library system; it was voted on in the budget to pay MHLS.

Glenn Morrison- spoke about Governor Cuomo's executive order and did not seeing anything about public comments being restricted and spoke further about lack of public input. He also noted he appreciates the agendas have been out prior to the meeting but wishes it be available more than 1 day in advance. Mr. Morrison also spoke about the 3-minute time limit noting this was no the case citing 2017 as an example.

Supervisor Maas responded that it has always been advised, even by Albany that there be a restriction of approximately 2-5 minutes and was set up when she arrived and depending on the amount of people speaking. This helps move the meeting along as this is a legislative process. She noted that in the weekly County calls they urged the Towns to expedite the meeting.

### **MOTION TO ADJOURN**

At 9:12 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

**RESOLUTION # 20-30**

**AUTHORIZING A CHANGE IN BUILDING DEPARTMENT SECTION OF TOWN CODE REGARDING THE FEE SCHEDULE AND PERMIT EXTENSIONS**

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

**BE IT RESOLVED**, that the Town Board of the Town of Union Vale, does hereby set the 17<sup>th</sup> day of September, 2020, at 7:30 p.m. at the Town Hall, Town of Union Vale, 249 Duncan Road, LaGrangeville, New York 12540, as and for the time, date and place of a public hearing to consider local law amendments to Town Code Chapter 105, entitled "Building Construction and Fire Prevention," specifically §105-5. "Building Permits," and to Chapter 128, entitled "Fees, Land Use," specifically §128-4. "Building permits and related matters" . . .; and

**BE IT FURTHER RESOLVED**, that the proposed amendments, with language to be added underscored and language to be deleted ~~stricken through~~, are attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendments and does direct said proposed amendments be spread across the record as if they, in fact, had been read verbatim, and it further requests that the Town Clerk publish notice of the proposed amendments and public hearing; and

**BE IT FURTHER RESOLVED**, that the aforesaid action, which involves the ongoing administration of the Town without new programs or a major reordering of priorities is a Type II Action requiring no SEQRA review; and

**BE IT FURTHER RESOLVED**, that said amendments, if adopted, will take effect immediately upon filing with the Secretary of State.

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

Councilman Durland            Aye

Councilman Frazier            Aye

Councilman McGivney        Aye

Councilman Welsh            Aye

Supervisor Maas            Aye

DATED: Union Vale, New York

August 20<sup>th</sup> , 2020

Andrea Casey

Andrea Casey, TOWN CLERK

Dated: August 20, 2020

Moved: Councilman Durland

Seconded: Councilman Frazier

Ayes: 5            Nays: 0



TOWN OF UNION VALE, NEW YORK  
RESOLUTION # 20-31  
AUTHORIZING AN APPLICATION FOR  
2020 MUNICIPAL AGRICULTURE AND FARMLAND PROTECTION PLANNING  
GRANT  
AGM01-MAFPP-2019-00009

Councilman Welsh offered the following resolution which was seconded by Councilman Durland who moved its adoption:

WHEREAS, the Town of LaGrange is applying to the New York State Department of Agriculture and Markets for a Municipal Agriculture and Farmland Protection Planning Grant for the Town of LaGrange; and

WHEREAS, the grant opportunity allows two municipalities to apply jointly for funding with one municipality designated as the lead municipality for contract purposes; and

WHEREAS, the Town of Union Vale and the Town of LaGrange are adjacent municipalities, sharing the full length of their western and eastern boundaries, respectively, and have several shared services agreements for key personnel who will participate in the preparation of the joint plan, notably the Town Planner; and

WHEREAS, the Municipal Agriculture and Farmland Protection planning grant opportunity requires applicant municipalities to authorize the submission of the application and must provide a twenty-five percent (25%) match of cash or in-kind services, including a minimum of twenty percent (20%) of that match in cash contribution; and

WHEREAS, for the maximum grant award for a joint plan of fifty thousand (50,000) dollars, each Town shall earmark of the minimum cash contribution of one-thousand two-hundred and fifty (1,250) dollars;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Union Vale does hereby authorize and approve the application for a grant to the New York State Department of Agriculture and Markets for a joint Municipal Agriculture and Farmland

Protection planning grant with the Town of Union Vale with the Town of LaGrange designated as the lead;

FURTHERMORE, BE IT RESOLVED THAT the Town Board of Union Vale authorizes the Town Supervisor of the Town of LaGrange to sign and submit the application on behalf of the two Towns.

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

Councilman Durland                Aye    

Councilman Frazier               Aye    

Councilman McGivney           Aye    

Councilman Welsh                Aye    

Supervisor Maas                  Aye    

**Dated:**     August 20, 2020    

**Moved:**     Councilman Welsh    

**Seconded:**     Councilman Durland    

**Ayes:**     5        **Nays:**     0    

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 Welsh, seconded by Councilman Durland and adopted at the meeting of the Town Board, held on August 20, 2020.

    Andrea Casey      
Town Clerk, Union Vale – Andrea Casey



**RESOLUTION # 20-32**

**TO REQUEST THE BEEKMAN TOWN BOARD'S PARTICIPATION IN THE ANNEXATION PROCESS OF FIVE PARCELS OF LAND IN TYMOR PARK THAT RESIDE IN THE TOWN OF BEEKMAN**

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

**BE IT RESOLVED**, that the Town Board of the Town of Union Vale, would like to invite the Town Board of Beekman to participate jointly with the Town Board of Union Vale in the annexation process of five parcels of Union Vale property that are located within the boundaries of the Town of Beekman; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Union Vale will send a communication to each Beekman Town Board member on Friday, August 21<sup>st</sup> informing them of our intention and invitation.

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

Councilman Durland	Aye
Councilman Frazier	Aye
Councilman McGivney	Aye
Councilman Welsh	Aye
Supervisor Maas	Aye

DATED: Union Vale, New York  
August 20<sup>th</sup>, 2020

Andrea Casey  
Andrea Casey, TOWN CLERK

Dated: August 20, 2020  
Moved: Supervisor Maas  
Seconded: Councilman Welsh  
Ayes: 5 Nays: 0

**RESOLUTION # 20-33**

**TO REQUEST CERTIFICATION OF FACTS PERTAINING TO THE FIVE TYMOR  
PARK PARCELS IN THE TOWN OF BEEKMAN OWNED BY THE TOWN OF  
UNION VALE**

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

**BE IT RESOLVED**, that the Town Board of the Town of Union Vale, requests that the Beekman Tax Assessor certify information about the following five Tymor Park parcels owned by the Town of Union Vale located in the Town of Beekman: 43 DeForest Lane, parcel # 960870, 16.2 acres; Duncan Road Rear, parcel # 016862, 22.2 acres; Duncan Road Rear, parcel # 017944, 10.4 acres; 51 Lime Mill Road, parcel # 394850, 23.2 acres; 177 Dorn Road, parcel # 425738, 4.9 acres; and

**BE IT RESOLVED**, in order to pursue the Annexation process, the Beekman Tax Assessor must certify the following required facts: 1) Ownership of the five parcels; 2) Valuation of all five properties and 3) Inhabitation, all of which will be requested on August 21, 2020.

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

Councilman Durland	Aye
Councilman Frazier	Aye
Councilman McGivney	Aye
Councilman Welsh	Aye
Supervisor Maas	Aye

DATED: Union Vale, New York

August 20<sup>th</sup> , 2020

Andrea Casey

Andrea Casey, TOWN CLERK

Dated: August 20, 2020

Moved: Supervisor Maas

Seconded: Councilman Durland

Ayes: 5 Nays: 0