

UNION VALE TOWN BOARD MEETING FEBRUARY 16, 2022

UNION VALE TOWN HALL 7:30 PM

PRESENT: Supervisor Betsy Maas

Town Council: Kevin Durland, Perry Gusikoff, Kevin McGivney, John Welsh

Town Clerk: Andrea Casey

Highway Superintendent: Ed Kading

Town Attorney: Jeff Battistoni

Supervisor Maas called the meeting to Order and Salute to the Flag at 7:30 PM

Motion Approve Minutes: Councilman Welsh made a motion to approve the January 19, 2022 meeting minutes, seconded by Councilman Durland and all were unanimously in favor.

Motion to Enter Executive Session

Councilman Welsh made a motion to enter executive session at 7:30 PM which was seconded by Councilman Gusikoff and all were unanimously in favor.

Motion to Exit Executive Session

Councilman Welsh made a motion to exit executive session at 8:07 PM which was seconded by Councilman Gusikoff and all were unanimously in favor.

Supervisor Maas asked for a moment of silence for residents Nancy Ann Costa and Avinash Harrindranauth who passed away recently.

Supervisor Report

- January 2022: at 98% of revenue goal and 103% expense goal, due to propane costs and emergency highway roof repair
- Cash Balances General Fund: \$1,784,703.00 & Highway Fund: \$258,047.00 reserve account at \$140,676.00
- 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.
- Town has been participating in these climate smart programs with Michelle Gluck's assistance from Cornell Cooperative Extension who will present next month on climate smart planning
- Town is also participating in CAPI Dutchess (Climate Action Planning Institute) partnership with 7-8 towns and Dutchess County that will enable more access to grants
- A library services coordinator was hired who will assist with the online portal
- 2020 Census numbers: 4,558 people and 1,587 households

Board Member Reports

Councilman Gusikoff- Reported on his work to place cameras in strategic locations, such as the boathouse, on W. Clove Mountain Road where garbage dumped and Tompkins Road. This is an inexpensive way to track and patrol to keep vandalism and littering to a minimum.

Councilman McGivney nothing this month

Councilman Durland nothing this month

Councilman Welsh reported he has been reading up on the moratorium plan and familiarizing himself with insights on both sides and how it affects developers and government.

Highway Report

Superintendent Kading reported that citations will be given out for parking on town roadways during snow season. The Highway crew has started tree removal and have hired a crew to do that. The Highway Barn work is about 85% complete and the new roof has been installed. They are awaiting the contractor to reinstall the doors and the entire project should be finished end of next week. Superintendent Kading also spoke about the 2004 highway truck with only 25,000 miles on it in need of replacing the wiring harness that controls the transmission and the electronic control module for the transmission due to salt corrosion over the years. This is estimated to cost around \$8,400.00 to \$8,500.00 however the price of a new truck is around \$250,000.00 so it is worth it. His opinion is to repair the truck due to the low mileage. Another 2016 Dodge needs an electronic control module but the frame is good, it was painted last year.

Motion to Repair Highway Truck

Councilman Welsh made a motion to repair the 2004 International Highway Truck for up to \$9,000.00 at Juniors Diesel. This was seconded by Councilman Durland and all were unanimously in favor.

Town Clerk Report

Town Clerk Casey reported that there will be a free rabies clinic offered by Dutchess County SPCA on Saturday, February 19th from 8-12th. Please make sure to pre-register.

Public Comments – None

Board, Committee, Commission & Council Reports

Conservation Advisory Council Report

Submitted by Lisa Martell, Secretary & Jen Rubbo, Chair: The Conservation advisory /Climate Smart Community committee has been hard at work planning new projects for 2022.

- We were awarded a \$5000 grant for a project that will reduce energy usage in the town and have chosen to use this money to build a composting toilet for the Equestrian Center. In the next month we will be working on the design so that materials can be purchased and installation can begin.
- We are exploring the possibility of a pollinator garden and possibly beehives at the solar panel site. Local apiarists please come forward to share your expertise!
- Now that our Natural Resources Inventory is completed we are looking to incorporate its' use into town planning decisions.
- Our food for thought programs for 2022 are shaping up nicely! On Oct 2nd (Oct 3rd rain date) the Mid-Hudson Astronomical Association will lead a stargazing night at Tymor Park. The fall date makes it possible to stargaze early in the evening so this will be a great event for families. We are also looking into a Birds of Prey demonstration - details TBA.

Departmental Reports

Parks

Park Manager, Jake Gosnell, just wrapped up the Full moon Hike which was a successful 2-mile hike. Among regular maintenance, they also repainted the Court room. Mr. Gosnell spoke further about 2 trucks with issues in the park fleet. A Ford F-450 dump truck and a 2015 F-350. Both are turbo diesels and due to not doing the hauling that a department such as highway does, they are experiencing many exhaust issues with emissions controls. The Town has spent \$10,000 in the last 4 years on the F-350. They are currently having issues with the F-450 but not until this point as it is used for hauling the lawnmowers to Godfrey so it gets worked a bit harder. The service manager at Ford said what everyone concluded, that diesel is not a good application for a parks dept. Auction prices would be for approximately \$50,000.00 and should be replaced with a gasoline V8. They will leave it open until a quote comes in.

Recreation

Submitted by Recreation Director, Alison Croke: Summer camp registration is open and off to a good start, approximately 50 registrants per each session have registered to date. She and Recreation Assistant, Maggie Collins, have been conducting interviews for summer pool and camp staff. The Valentines Day program for After School was a success and they continue to work on upcoming events such as the egg hunt and TGTT spring break.

Constables Report

Submitted by George Treadwell, Head Constable: Constables patrolled approximately 437 miles of town roads including all town properties filling the Explorer with 32.1 gallons of gasoline. The (3) town court dates totaled 44 cases on the dockets with 29 actual appearances there were no incidents to report.

Constables reported the following during patrols:

- * 1/2 Spoke with vehicle parked on North Clove Rd. between On the Green and Verbank Club Rd. Operator stated she was viewing Christmas lights and would leave.
- * 1/18 (3) youths with vehicle parked on Duncan Rd. sledding after dark, immediately left upon request.
- * 1/28 Spoke with resident on Obrien Hill Rd. regarding 2 vehicles parking on town roads during snow storm impeding plows trying to clear snow and explained town ordinance of no parking on

town roads November 15th through April 15th. Explained ticket will be issued if cars continue to be park on road.

Animal Control

Submitted by ACO, Mary Jean Calvi. December 2021, no incidents but 1 miscellaneous call regarding a trapped cat. January 2022: No lost dogs, no found dogs, 2 dog complaints, 1 follow up to a recent court case and 1 wildlife call.

Bus Safety Program & Court Fines

As this has been discussed in prior meetings, everyone agreed bus safety is a good idea and Supervisor Maas summarized the history. The issue for Union Vale is when a ticket is contested, the cost of a prosecutor is greater than what Union Vale can keep in fines, meaning the OSC keeps 90% of the court fees. Supervisor Maas has concerns that we will need to cover the cost of the prosecutor and ultimately, Union Vale would only get \$40 for every contested ticket which would not be sufficient. The Town Board agreed to aggregate cases 2x yearly projecting the idea of June and December for the purpose of using a prosecutor more efficiently.

NYSERDA Climate Smart Community Award - Update

The Town was awarded the \$5000.00 for being a climate smart community and the town will be going for bigger grants in the future.

Land Use Moratorium to Review Town Center Zone

The Planning Board has shared that they are experiencing trouble with the Town Center Zone and they will take a closer look to help make the Town Center Code more current. In 2 weeks, there will be a resolution of introduction to explain this pause of activity in the TC Zone so the Town Board can examine the code and attempt to remove barriers for property owners while still ensuring the changes are consistent with the goals in the Master Plan. Councilman Welsh stated the fact that we have had so little activity especially with trying to sell the parcel on Route 55. Supervisor Maas further explained that the current code requires developers to select things the Town may not want such as an office park, or shopping center that are no longer needed.

Private Roads and Common Driveways

Supervisor Maas said conversations have occurred regarding private driveways and roads. Everyone agrees these should be up to the standard with town roads. She would like the Fire Advisory Board to weigh in on the specifications such as turning radius, pull off and things of that nature.

Discussion: Establishing a Registry for Bed & Breakfasts/ Airbnbs

A garbage incident occurred that sparked a discussion about having a registry for AIRBNB's. This was thought to include a small permit fee for administrative costs, a master list of owners, fire safety inspections, and communication if there were any issues the owners may want to be aware of. There was further discussion from the Board but they would also like to hear input from the residents.

Master Fee Schedule Changes

1. CIT (Counselor in Training) program is now called the Team Leadership Program and the pricing changed.
2. In the Subdivisions on the bottom of page 2 the Planning Board advised a discrepancy in the minor subdivision section which was corrected to be clearer.

Resolution of Introduction for Tax Assessment.

This is to allow seniors extra time in the event of illness or death with a physician's note and will extend to grievance day.

Motion to Approve 2022 Master Fee Schedule

Supervisor Maas made a motion to approve the master fee schedule as changed and distributed. This was seconded by Councilman Welsh and all were unanimously in favor.

Motion Approving Planner Nan Stolzenburg's Scope of Work for TC Zone

Councilman Gusikoff made a motion to hire Planner, Nan Stolzenburg and authorizes the Supervisor to sign the document. This was seconded by Councilman Durland and all were unanimously in favor.

Motion Approving the Proposal from Library Consultant, Alex Cohen

Councilman Gusikoff made a motion to approve the library consultant and authorize the Supervisor to sign the document. This was seconded by Councilman Welsh and all were unanimously in favor.

Motion Authorizing Settlement Agreement with Dutchess County Workers Compensation Plan

Councilman Gusikoff made a motion to authorize the settlement agreement with Dutchess County Worker's Compensation Plan and authorize the Supervisor to sign the contract. This was seconded by Councilman Welsh and all were unanimously in favor.

Local Law No. 1 of the Year 2022 to amend Chapter 196, Article I, "Senior Citizens Exemption" (See Resolutions)

Local Law #2 A LOCAL LAW AUTHORIZING A CHANGE IN THE RESIDENCY REQUIREMENT FOR PLANNING BOARD MEMBERS AND ALTERNATE MEMBERS (See Resolutions)

Discussion: Councilman McGivney noted there were 4 residents who submitted applications to fill the vacancy, in his opinion there is no need to go forward to have a pool of qualified candidates.

Motion to Pay Bills

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

Public Comment on Town Issues

Elfriede Tillman, inquired about the town getting the reduction for the solar fields. She also asked about Planner Nan Stolzenburg's background.

Glenn Morrison, had a question on the library consultant, what the scope of work, project?

Motion to Adjourn

At 9:17PM Councilman Welsh made a motion to adjourn the meeting which was seconded by Supervisor Maas and all were unanimously in favor.

Respectfully Submitted,



Andrea Casey, Town Clerk

**TOWN OF UNION VALE
PROPOSED LOCAL LAW # 1 OF 2022**

RESOLUTION OF INTRODUCTION

**PERMITTING SENIORS TO FILE TAX EXEMPTIONS UP TO GRIEVANCE DAY
UNDER CERTAIN CIRCUMSTANCES**

The following proposed local law, to be known as Local Law No. 1 of 2022, entitled A LOCAL LAW OF THE TOWN OF UNION VALE, DUTCHESS COUNTY, NEW YORK TO AMEND TOWN CODE CHAPTER 196, ARTICLE I, "SENIOR CITIZENS EXEMPTION" TO ALLOW ANY SENIOR, IN DEFINED CIRCUMSTANCES, TO FILE AN APPLICATION FOR EXEMPTION PURSUANT TO RPTL §467 NOT LATER THAN THE LAST DATE ON WHICH A PETITION WITH RESPECT TO COMPLAINTS OF ASSESSMENT MAY BE FILED:

BE IT ENACTED by the Town Board of the Town of Union Vale that the Town Code is amended to read as follows:

Section 1. Chapter 196, Article I, of the Town Code of the Town of Union Vale is hereby amended to add a new paragraph at the end thereof" reading as follows:

Any person or persons 65 years of age or older may file an application for an exemption pursuant to §467 of the Real Property Tax Law no later than the last date on which a petition with respect to complaints of assessment may be filed, whether such person or persons had previously filed such an application, if the failure to timely file the application resulted from (a) a death of the applicant's spouse, child,

parent, brother or sister or (b) an illness of the applicant or of the applicant's spouse, child, parent, brother or sister, which actually prevented the applicant from filing on a timely basis, as certified by a licensed physician.

Section 2. This local law shall take effect immediately upon filing with this state's Secretary of State.

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

WHEREAS, on February 16, 2022, Councilman Welsh has introduced this local law for the Town of Union Vale, to be known as Local Law No. 1 of 2022, entitled A LOCAL LAW OF THE TOWN OF UNION VALE, DUTCHESS COUNTY, NEW YORK TO AMEND TOWN CODE CHAPTER 196, ARTICLE I, "SENIOR CITIZENS EXEMPTION" TO ALLOW ANY SENIOR, IN DEFINED CIRCUMSTANCES, TO FILE AN EXEMPTION NOT LATER THAN THE LAST DATE ON WHICH A PETITION WITH RESPECT TO COMPLAINTS OF ASSESSMENT MAY BE FILED;

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and residents shall have an opportunity to be heard, to be held at the Town Hall, 249 Duncan Road, LaGrangeville, New York, 12540 (in the Town of Union Vale) on March

16, 2022 at 7:00 o'clock 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 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 (in the Town of Union Vale) on March 16, 2022 at 7:00 o'clock, p.m., on Local Law No. 1 of the Year 2022 to amend Chapter 196, Article I, "Senior Citizens Exemption" to allow any senior, in defined circumstances, to file an application for exemption pursuant to RPTL §467 not later than the last date on which a petition with respect to complaints of assessment may be filed.

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 (in the Town of Union Vale) between the hours of 9:30 a.m. and 4:00 p.m. on all business days (Monday through Thursday) and 9:00 a.m. and 12:00 p.m. on Saturdays between the date of this notice and the date of the public hearing.

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

AND BE IT FURTHER RESOLVED, that the adoption of this proposed Local Law, which relates to ongoing administration of Town affairs with no major reordering of priorities or programs which might affect the environment, is a Type II action requiring no environmental review.

The foregoing Resolution was voted upon with all council members voting as follows:

Councilman Durland	Aye
Councilwoman Gusikoff	Aye
Councilman McGivney	Aye
Councilman Welsh	Aye
Supervisor Maas	Aye

DATED: Union Vale, New York
February 16, 2022



ANDREA CASEY, TOWN CLERK

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 February 16, 2022.



Andrea Casey, TOWN CLERK

Exhibit A

**TOWN OF UNION VALE
PROPOSED LOCAL LAW # 2 – 2022**

**A LOCAL LAW AUTHORIZING A CHANGE IN THE RESIDENCY REQUIREMENT
FOR PLANNING BOARD MEMBERS AND ALTERNATE MEMBERS**

§ -1. Findings.

Supervisor Maas and Planning Board Chair Cartalemi have advised that when vacancies occur on the Town Planning Board for Members and Alternate Members, it has been difficult to find individuals who meet the State requirement that they be ‘electors’ from Union Vale, and they asked this Board to adopt a Local Law making it possible, under certain conditions, to appoint persons who own residential real property which is at least partially in the Town of Union Vale but do not meet the ‘elector’ requirement for appointment because their primary or secondary dwelling, which is on that real property, is outside the Union Vale Town boundaries. The Town Board has determined that it is in the best interest of the Town to when necessary open these positions to a wider pool of applicants so that the positions can be filled expeditiously when open.

§ -2. Statutory Authority.

This Article is adopted pursuant to Municipal Home Rule Law §10(1)(ii)(a)(1) 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 appointed public offices in the Town of North Salem, Westchester County, thereby rendering Public Officers law §3, a special law with respect to any appointed town officer [see N.Y.Op.Atty.Gen. (Inf.) No. 91-37].

§ -3. Supersession of State Law.

This Chapter 69 shall supersede Town Law §23(1) in its application to the offices of Planning Board Members and Alternate Members for the Town of Union Vale.

§ -4. Residency Requirements for Planning Board Members and Alternate Members.

Although fully qualified electors of the Town of Union Vale will be given first consideration for appointment, persons appointed as Planning Board Members or Alternate Members for the Town of Union Vale need not be electors of the Town of Union Vale if such persons:

- A. Own a parcel of real property (“the Realty”) which is at least partially located in the Town of Union Vale,
- B. Have their primary or secondary dwelling on the Realty, and
- C. Are otherwise fully qualified for the position.

§ -5. Effective Date.

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

RESOLUTION OF INTRODUCTION

Supervisor Maas advised the Town Board that due to difficulties in finding qualified Union Vale residents (voters) to serve on the Planning Board, or as a Planning Board alternates, a Local Law to expand the qualifications for those appointments will be presented. Pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing before adopting this Law. Councilman Durland offered the following Resolution, which was seconded by Councilman Welsh, and moved its adoption:

WHEREAS, on February 16, 2022, Councilman Durland introduced a Local Law for the Town of Union Vale, to be known as Local Law No. 2 of 2022, entitled A LOCAL LAW AUTHORIZING A CHANGE IN THE RESIDENCY REQUIREMENTS FOR PLANNING BOARD MEMBERS AND ALTERNATE MEMBERS, which Local Law shall be incorporated in Town Code Chapter §69, "Residency Requirements", which Chapter shall be renumbered accordingly.

BE IT RESOLVED, that a public hearing be held in relation to authorizing the Town Board, subject to certain conditions, to appoint Union Vale Planning Board Members and Alternate Members, who are not Town of Union Vale electors, a copy of which proposed Local Law is annexed hereto as Exhibit A, 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 March 16, 2022, at 7:00 p.m., prevailing time, and that notice of said Public Hearing shall be posted and 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 (in the Town of Union Vale) on March 16, 2022, at 7:00 o'clock p.m. prevailing time, on proposed Local Law No.2 of 2022, a Local Law of the Town of Union Vale, Dutchess County, New York, authorizing the Town Board to, under certain conditions, appoint Planning Board Members and Alternates Members who are not electors 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
February 16, 2022



ANDREA CASEY
TOWN CLERK

BE IT FURTHER RESOLVED, that the adoption of this proposed Local Law, which relates to ongoing administration of Town affairs with no major reordering of priorities or programs which might affect the environment, is a Type II action requiring no environmental review.

The preceding resolution was offered by Councilman Durland, 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 Durland	Aye
Councilman Gusikoff	Aye
Councilman McGivney	Nay
Councilman Welsh	Aye
Supervisor Maas	Aye

DATED: Union Vale, New York
February 16, 2022



Andrea Casey, Town Clerk

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 Durland, seconded by Councilman Welsh, and adopted at the meeting of the Town Board, held on February 16, 2022.



Andrea Casey, TOWN CLERK
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