

UNION VALE TOWN BOARD MEETING NOVEMBER 15, 2023

249 DUNCAN ROAD, UNION VALE, NEW YORK

UNION VALE TOWN HALL 7:30 PM

PRESENT: Supervisor Betsy Maas

Town Council: Kevin Durland, Kevin McGivney, John Welsh

Highway Superintendent Ed Kading

Town Clerk: Andrea Casey

Town Attorney: Attorney Jeff Battistoni

Absent- Perry Gusikoff

Supervisor Maas called the meeting to Order to Order and Salute to the Flag at 7:05PM.

Motion Approve Minutes: Councilman Welsh made a motion to approve the October 18th, 2023 Meeting Minutes seconded by Councilman Durland and all were unanimously in favor.

Supervisors Report

- 2024 Budget adjustments overview (attached)
- Cash Flow: 11% over goal for revenue & 98% of expenditures
- DC Sheriff letter containing contractual fees schedule, only if services are used
- DC Transportation Council road report for pavement condition review for 2022, only road in Union Vale was a section of Pleasant Ridge that was rated in poor condition
- Copies of the budget are online and available, total town budget is \$1,927,809.00, the Town taxable assessed value is: \$626 million. General tax fund is flat, the Highway fund is flat.

Town Board Reports

Councilman McGivney thanked the residents for electing him for another 4-year term and promised to represent them to the best of his ability.

Councilman Welsh reviewing the 2024 budget and keeping current on all the details.

Councilman Durland also reviewing the 2024 budget and thought it is a very good budget.

Highway Report

Superintendent Kading reported that the bid packets for the 2024 Highway Materials Bid have been published. He is currently working on the 5-year plan and will be complete by December 1. They are also removing dangerous trees, cleaning ditches, prepping plow trucks and other fall maintenance items. He and Supervisor Maas spoke of FEMA calls and repair to West Clove Mountain Bridge. Superintendent Kading was concerned the estimate of \$300,000 may not be high enough based on the style and material but understands it is a preliminary estimate. No word on the salt shed grant.

Town Clerk Report

Clerk Casey reported that Recycling Center passes will be on sale soon. Town Resident, Bill Pope, is hosting a toy drive requesting new, unwrapped gifts which can be brought to Town Hall. Assembly Beephan, is hosting a coat drive which can also be dropped off until December 10th.

Public Comment on Agenda Items

Jean Moore, Darren Road, spoke about the ballot proposition and the high costs of having a town library. She asks the Town Board to table the signing of the library lease until the new Supervisors take office. (The entire correspondence is on file in the Town Clerk's Office)

Union Vale Library – Amy Watkins, President, Board of Trustees

Dr. Watkins reported that they are at the end of the charting process and is anxious to have the lease signed as this is the final piece. She also spoke about the activities they are currently offering and the collaboration between the library and the Recreation office. Another initiative is to cater to the Union Vale Senior Group and plan things for them as well as parents and young children. The Library Director has also been working with the other directors in the community to build programs and to collaborate and not compete. Books and shelving and a barcoding system will also be implemented in the near future.

Conservation Advisory Council (CAC) will report next month

Parks Report 11/15/23 Submitted by Vincent Germano

Our team continues to work on improvements to the #2 rental house. We have worked on receiving multiple quotes on a replacement boiler as well as repairing the waste pipe in the basement so that the town may make a well-informed decision, the team had nearly finished repainting each room, and are looking for a new fridge due to replace the older model that has started to slightly malfunction. Our seasonal bathrooms across park grounds have been closed for the season due to the weather getting colder as we near winter-time, and will be reopened when the warm weather returns. Construction at Godfrey park is nearing completion, and thanks to Ed Kading and the Highway Department for loaning proper equipment, our team has been able to form the mulch into more manageable mounds for a future community build to finish spreading throughout the playground area. The crew has begun setting up the holiday lights in preparation for the annual Grand Illumination event dated for Saturday December 2nd. Our team is looking forward to once again being a part of this town tradition.

Motion to Accept Quote

Councilman Welsh made a motion to accept a quote from Martin Mechanical in the amount of \$7,800 for a 5500 BTU boiler replacement. Councilman Durland seconded the motion all were unanimously in favor.

Recreation, submitted by Recreation Director Maggie Collins

Last month we hosted another successful Adult Paint and Sip at Tymor Park. Participants enjoyed making their own Fall themed masterpiece and having fun with family and friends. Future Adult Paint and Sip events will be posted on our social media pages and the Parks and Recreation website once they are open for registration. Our TGTT program has been in full swing this Fall season, and we enjoyed having elementary students at the park for our various themed Full and Half days. Registration is open for our Friendsgiving Party on Wednesday November 22nd, as well as future dates leading into the end of December and the New Year. Our team has begun preliminary planning for our annual Grand Illumination event, set for Saturday December 2nd from 4:30pm-6pm. We look forward to kicking off the Holiday season with fun crafts, warm drinks and snacks, a visit from Santa, and turning on the lights all throughout Tymor Park.

Constable Report Submitted by George Treadwell, CIC

Below is the Constable Report for October 2023:

Constables patrolled approximately 568 miles of town roads including all properties filling the explorer with 25.2 gallons of gasoline. The (3) town court dates totaled 22 cases on the dockets with 9 actual appearances and 4 cases responded by mail or phone. There were no issues to report. Constables reported the following during patrols:

*10/5 - Spoke with both parties of a noise complaint. No further action required and no additional complaints reported.

*10/25 - Appearance ticket issued for littering on town roads.

Animal Control, submitted by ACO, Mary Jean Calvi October 2023 During the month of October there was one found dog, re-united with her owner, no lost dogs and no complaints.

Godfrey Park Playground – update

Supervisor Maas reported that the Parks Department has been spreading the mulch, looking forward to community build this weekend weather dependent.

AED Training Supervisor Maas noted Nuvance Health trained staff on CPR and AED's and did an excellent job teaching the staff and giving them the knowledge to perform CPR and use the AED's in the event of an emergency.

Union Vale Library Lease – Final piece required for submission of Charter package to NY Board of Regents Last piece of chartering process

Supervisor Maas stated this is a requirement for the chartering process after that, it will be submitted. The numbers that will be raised by donations, will be the numbers that renovate the space, and the annual amount would be about \$227,000 in an operating budget which could be the same for the next 10 years whereas we were told the contract fee would be going up until we were paying what they were paying which could be a lot more. For a long-term financial perspective, it should be good but a library adds a lot more value to the community. In addition,

Libraries receive grant funding opportunities that recreation departments do not. Lastly, it was the one item Ralph Connor wanted in the Park and never got which was written on a note to Don Wisseman.

Cell Tower – Litigation decided in Union Vale’s Favor – Supervisor Maas recapped the history regarding the cell tower that was planned to be placed in Tymor Park in 2019. After court proceedings, it was decided in Union Vale’s favor.

Dutchess County Chamber of Commerce Balloon Festival Balloon Festival – The town will be extending contract for the same deal from last year.

“Parental Leave” – Addition to Employee Handbook, Section 4.5.1

Supervisor Maas noted after a second employee needing this it was decided it should be included in the employee handbook. Councilman Welsh read this section aloud.

Motion to Approve the Preliminary Budget as the 2024 Adopted Budget

Councilman Welsh made a motion to approve the 2024 budget including all changes that were made until this point. This was seconded by Councilman Durland and all were unanimously in favor.

Resolution to Approve Union Vale Library Lease (Resolution 23-33 see attached)

Resolution to Authorize Supervisor to sign previously approved Cell Tower lease (Resolution 23-34 see attached)

Councilman McGivney asked this to be tabled since today was the first he received the lease and pointed out this is a 40-year lease and pointed out the percentage. He also noted that there is nothing mentioned about the removal of the Tower. Further discussion on this topic ensued.

Approve Budget Adjustments, Transfers, Warrants, Pay Bills

Councilman Welsh made a motion to pay the bills and which was seconded by Supervisor Maas and all were unanimously in favor.

Public Comment Town Issues

Eileen Pucci, spoke about pool hours and access to the pool and was dissatisfied due to swim lessons. She also spoke about the Balloon Festival, and was glad to hear the Park will be open for resident use. She also asked there be a deep discount for Town Residents on admission passes. She commented the Beekman Library programs were elaborate and varied and spoke about those offered for adult programming that Beekman has always offered.

Motion to Adjourn At 8:38 PM 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 TOWN BOARD RESOLUTION NO. 33-2023:
APPROVING THE LEASE FOR THE UNION VALE PUBLIC LIBRARY**

The following Resolution was offered by Councilman Durland and seconded by Councilman Welsh:

WHEREAS, on the 20th day of July, 2022 the Town Board of the Town of Union Vale, adopted Resolution number 31-2022 authorizing the establishment of a public library in the Town of Union Vale as well as the appointment of Library Trustees; and

WHEREAS, the Union Vale Public Library will be applying for a Charter and needs an executed lease as part of a complete application; and

WHEREAS, the Town Board hereby classifies this matter as a Type II action for purposes of SEQRA pursuant to 22 NYCRR 617.5 as continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Union Vale, hereby approves the form lease and authorizes the Supervisor to execute it in substantially the same form as attached hereto; and be it further

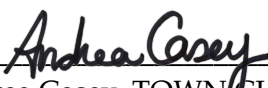
RESOLVED, that the adoption of this Resolution is subject to permissive referendum and the Town Clerk is directed to publish a notice pursuant to the requirements NYS Town Law Sections 90 and 91 that such Resolution was adopted subject to a permissive referendum.

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	Absent
Councilman McGivney	Nay
Councilman Welsh	Aye
Supervisor Maas	Aye

DATED: Union Vale, New York
November 15, 2023

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 November 15, 2023.



Andrea Casey, TOWN CLERK

**TOWN OF UNION VALE TOWN BOARD RESOLUTION NO.34-2023:
AUTHORIZING SUPERVISOR TO EXECUTE AND FILE ALL DOCUMENTS AND
TAKE ALL ACTIONS REASONABLY NECESSARY TO COMPLETE THE PROCESS
FOR THE CELL TOWER AT 43 DeFOREST LANE**

The following Resolution was offered by Councilman Welsh and seconded by Councilman Durland:

WHEREAS, on April 18, 2019, the Town Board of the Town of Union Vale adopted Resolutions numbered 19-23, 19-24 and 19-25 related to approving an Option and Ground Lease with related SEQRA matters regarding an application by Homeland Towers, LLC for the installation and maintenance of a telecommunications tower and related equipment on property with a street address of 43 DeForest Lane and identified as tax map parcel 132200-6659-00-960870-0000; and

WHEREAS, on June 6, 2019 the Town Board of the Town of Union Vale adopted Resolutions numbered 19-27, 19-28 and 19-29 approving an application by Homeland Towers, LLC for the installation and maintenance of said telecommunications tower and related equipment on said property; and

WHEREAS, by NOTICE OF PETITION dated August 16, 2019, the Town of Beekman commenced an Article 78 proceeding against the Town Board of the Town of Union Vale seeking to nullify and invalidate all Resolutions and approvals granted by the Town of Union Vale related to the installation and maintenance of the said telecommunications tower and related equipment, with such proceeding being identified by Index No. 2019-53354; and

WHEREAS, by DECISION AND ORDER dated May 11, 2020 and entered on May 12, 2020, the Supreme Court of the State of New York, County of Dutchess, ordered, adjudged and declared that all such Resolutions were valid and of full legal effect, not made in violation of lawful procedure or affected by errors of law, and not arbitrary or capricious and thus dismissed the action or proceeding in all respects; and

WHEREAS, by NOTICE OF APPEAL dated June 9, 2020, the TOWN OF BEEKMAN appealed the said Decision and Order to the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department; and

WHEREAS, by DECISION & ORDER dated September 20, 2023 and entered on September 23, 2023, the Appellate Division of the Supreme Court of the State of New York,

Second Judicial Department, affirmed the Judgment of the Supreme Court, Dutchess County, dated May 11, 2020, holding that the petition was properly denied and dismissed, and declaring that the Resolutions were valid; and

WHEREAS, the deadline for the Town of Beekman to file a further appeal in this matter has passed without any further appeal having been filed; and

WHEREAS, the Town Board of the Town of Union Vale thus intends to proceed with approvals previously granted and complete the parkland alienation process, and further intends to authorize the Supervisor to execute and file any and all documents and take all actions reasonably necessary to effectuate such approvals and complete the parkland alienation process; and

WHEREAS, the Town Board hereby ratifies its prior SEQRA determinations and classifies this current matter as a Type II action for purposes of SEQRA pursuant to 22 NYCRR 617.5 as continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Union Vale, hereby authorizes the Supervisor to execute and file any and all documents and take all actions reasonably necessary to effectuate such approvals and complete the parkland alienation process.

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	DATED: Union Vale, New York November 15, 2023
Councilman Gusikoff	Absent	
Councilman McGivney	Nay	
Councilman Welsh	Aye	
Supervisor Maas	Aye	

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 November 15, 2023.



Andrea Casey, TOWN CLERK

SUMMARY OF CHANGES TO THE BUDGET SINCE TENTATIVE BUDGET

Expenses		Tentative	Preliminary	Change	
A1910.4	Insurance	82,359	80,445	(1,914)	cyber insurance update
A1310.1	Finance PS	51,500	53,045	1,545	finance 3%
A9030.8	SS/Medicare	86,309	86,671	362	finance and parks payroll changes
A9060.8	Health Insurance	199,732	211,546	11,814	health ins for new parks staff
A7110.1	Parks PS	250,945	254,137	3,192	new parks staff
Revenues					
A1120	Sales Tax Revenue	285,000	300,000	(15,000)	
				<u>(0)</u>	
	Fire District Budget	967,677	1,567,680	600,003	

Expenses		Preliminary	Adopted	Change	
A9040.8	Workers Comp - General	28,020	23,492	(4,528)	received updated quote
A1680.4	Central Processing	37,625	37,725	100	increase for tax software
A1620.4	Town Buildings	91,546	95,974	4,428	increase for electricity costs
D9040.8	Workers Comp - Highway	16,575	13,214	(3,361)	received updated quote
D5110.4	General Repairs	348,066	351,427	3,361	
Revenues					
A1081	Other Pmts in Lieu of Taxes	-	10,400	(10,400)	reclassify PILOT payment
A1081	Rental of Real Property	89,400	79,000	10,400	reclassify PILOT payment
				<u>-</u>	

11/15/2023