

**UNION VALE TOWN BOARD MEETING JUNE 15, 2017
TOWN HALL 249 DUNCAN ROAD LAGRANGEVILLE NY 7:00 PM**

PRESENT: Supervisor Tompkins

Councilmembers: Steven Frazier, John Welsh, Corrina Kelley, David McMorris

THE MEETING WAS OPENED WITH THE FLAG SALUTE.

At 7:01PM Supervisor Tompkins opened the meeting.

PUBLIC COMMENTS ON AGENDA ITEMS

None

REPORTS OF SUPERVISOR & COUNCIL

Supervisor Tompkins thanked everyone involved in Community Day, the Union Vale Business Association and for those that donated to the fireworks display. Supervisor Tompkins also spoke about the audit process currently underway for the Town financial. Quinlan gas approached the Town with bids for \$1.50/ gallon for the prepay plan, with this several other quotes obtained to compare. The state contract is .99/ a gallon which looks to be the most competitive quote and next meeting would like to further peruse this. Supervisor Tompkins also spoke about the DCRRA Household Hazardous Waste Disposal on June 24th. After several rainstorms, the Supervisor noted the lack of gutters and the damage from the uncontrolled runoff and erosion.

Councilman Welsh agreed that the runoff is causing rust on the doors which will need repair. He also stated that Community day was success and thanked everyone involved. Marcus Molinaro sent a letter about bridge replacement funding from the Federal Government, he will speak to Richard Wisseman about this as well as Jake Gosnell for our park bridge. He thanked Jessica Dickinson on her training for fire prevention in camp and drill along with emergency preparation. It is an effective and aggressive program that makes everyone aware and prepared in the event of an emergency.

Councilwoman Kelley also thanked everyone for their efforts on Community Day and applauded everyone's involvement. She also discussed her week with different webinars especially form the comptroller's Office.

Councilman McMorris spoke today with David Bennis with BlueRock Energy and the possibility of renewing with approval for 7.2 cents for 12 months at 17 months 7.0 cents and two years for 7.12 cents. These will change, so now is the time to discuss. It will not be renewed until signed.

Councilman Frazier also commented on community day and what a great event it was. He attended a meeting with Kiernan Lalor regarding the prevailing wage law which costs the town more money and he is working on correcting this.

FINANCE REPORT

April Report: A-Fund Revenue \$115,800.44 D-Fund Revenue \$115.94 A-Fund Expenditures \$114,837.31 D-Fund Expenditures \$26,423.44

May Report: A-Fund Revenue \$164,092.97 D-Fund Revenue \$6,128.60 A-Fund Expenditures \$118,491.30 D-Fund Expenditures \$58,271.27

The Town Board approved financing focused on the remediation project. He will now look into planning this as the estimated expenses have been received for the remediation and insulation from the Head Grounds Keeper. Mr. Courtien also asked for resolutions for budget transfers for items such as the generator and the assessment of Route 55 property.

DOG CONTROL

May: 2 Lost dogs, 4 found dogs, 3 dog complaints one of which ended up in Court.

CODE ENFORCEMENT

May 2017

1. The installation of the Emergency Generator has been completed and waiting on the grounds crew to finish grading.
2. A workshop meeting was held last week to discuss establishing a new policy for escrow tracking etc. I will be receipting initial checks as instructed until further notice. All parties are immediately notified when checks are received by this office.
3. The new policy for interior searches for Municipal searches is going smoothly. Again, please stress to the community if in fact they are contemplating selling their home to come into the building department to review their files to discuss any discrepancies that they may have on their parcel.

Work outline as follows:

Inspections preformed : # 67 Complaints received : # 3 Complaints acted on: # 3
 Violation Notices issued : # 4 Violation abated : # 4 Appearance tickets issues: # 0
 Building Permits issued : # 18 Residents meetings : # 21 Fire call outs : 0
 Old Permit C/O's issued : #11 Cert. Occupancy/Compliance #31 Plan review hrs. : # 12
 Municipal Searches : # 5
 Verification for income of building permits & municipal searches to be provided by bookkeeper.

CONSTABLE REPORT

Constables patrolled approximately 745 miles of town roads for the month filling the Explorer with 28.7 gallons of gas. NYS Inspection and 3,000-mile service performed on Explorer. The (3) court dates totaled 112 cases on the dockets with 54 actual appearances. There were no incidents to report.

Constables reported the following during patrols:

- *Upstairs door above rec office left unlocked with alarm not set. 5/1
- *Outside stage lights left on and upper soccer field gate unlocked. 5/2
- *Duncan Rd gate to park opened after park was locked re-closed 5/3
- *Equestrian Ctr. gate unlocked, upstairs door above rec. office unlocked w/alarm set, leak in ladies bathroom near baseball/soccer field Jake called to find shut off valve 5/4
- *Upper soccer field gate unlocked 5/6
- *Town Hall back door found unlocked upon arrival w/alarm set 5/8
- *Outdoor stage lights on.5/13
- * Sr. Citizen door unlocked with alarm on accidental activation of alarm, pool building door left unlocked w/ lights on 5/15
- *Rear door to Sr Citizen Room unlocked with alarm set. 5/17
- *After school office lights left on, Sr. Citizen alarm not set w/door locked 5/20
- *Town Hall front door unlocked w/alarm not set, Court room door open w/lights on, Lime Mill gate unlocked 5/25
- *Sr Citizen room alarm not set, empty bottle of wine found in parking lot disposed of in trash 5/27

PLANNING BOARD

DATE RECEIVED	CHECK #		NATURE OF PAYMENT	AMOUNT
5/10/2017	609	Tanna & Scott Kiniry	Escrow Deposit - 2nd	\$2,000.00
5/17/2017	1097	Clove Valley Baker Prop	Escrow Deposit - additional	\$4,000.00
		<i>Total Application Fees:</i>	<i>\$0.00</i>	
		<i>Total Escrow:</i>	<i>\$6,000.00</i>	
		<i>Total Miscellaneous:</i>	<i>\$0.00</i>	
TOTAL				\$6,000.00

NOTE Highlighted Blue payments were received by Building Inspector, George Kolb, forwarded to finance by George Kolb and copy of receipt received by Land Use Secretary.

ZONING BOARD

DATE RECEIVED	CHECK #	PAID BY	NATURE OF PAYMENT	AMOUNT
5/30/2017	8821	Scott Eecavating	Variance Application Fee	\$250.00
		<i>Total Misc.:</i>	<i>\$0.00</i>	
		<i>Total Application Fee:</i>	<i>\$250.00</i>	
TOTAL				\$250.00

PARKS

Jake Gosnell reported that the abatement project is finally finished he wants to thank Larry from Quest for consulting and ACA who did the removal. Belfort will be in Monday to fix the water damage that happened in January. This will all be finished before Camp starts which is good news. With the rain, they have been delayed in outdoor painting and mowing. The Highway Department lent some equipment to remove downed trees from the Storm. Mr. Gosnell also did much research with the pesticide policy. He also thanked his team for their help in Community Day. Councilman Welsh asked if the Building Inspector had been involved in any step in the remediation project. Mr. Gosnell said he approached Mr. Kolb at the beginning and was told the State would handle any permits but will check in with him to get his input once the work is finished due to his expertise.

RECREATION

Jessica Dickinson could not attend so this was read on her behalf “Thank you to everyone for a wonderful community day. Special thanks to our staff, the historical society, Tom Farmer and the scholarship team, all the vendors, our youth entrepreneurs, Arlington Jazz, Ryan Dutcher, our wonderful DJ, and families that came out to support our new trail dedication among MANY more. We also may have to rent the sumo ring for a rematch next year! We've been very busy with a few weeknights and a full Saturday of staff training and team building. We have a great, solid team this season. Looking forward to a safe and fun summer!

Camps are filling up fast, session 2 of traditional camp is full! See website for camp & TGTT options for when school is out. Register for all programs online at unionvalerec.com CAMP BEGINS JUNE 26th! 3rd annual homeschool day on Wednesday was a success! Participants did nature hikes on the trails, group games, art, disc golf, swam in the pool and had an ice cream social to end a great year. Senior citizens had a fantastic trip to see Mamma Mia in Westchester on Friday. They were escorted down on a party bus and the driver was exceptional!

Pool is open now each weekend and will open 7 days a week beginning June 26th. Hours on weekends are 11am-6pm.

Last day of school is a half day on June 21st. We will open the pool and concession stand for EVERYONE for a special last day pool party between 1-3pm. Daily passes must be purchased at concession stand. \$3/kids & seniors, \$5/residents \$7/non-residents”

RECYCLING

Tom St. Onge described his financial status at the Recycling Center. Last year a profit of \$2400 was made. As of January, the County has raised their prices as well as Royal Carting. The Town is recycling at a much larger rate which will increase the number of hauls and therefore, increase the prices. DEC grant money in the amount of \$313,150.00 has moved from the DEC office in Albany to a financial company and he will get an update on when the Town will resolve this. Mr. Gosnell, Councilman McMorris and he attended a class regarding solar energy and learned much and will update the Town. He donated the small shed to the Scholarship Committee who will renovate it and use it for the deposit cans for their efforts.

MEDIA

Ryan Peterman reported that he has a viable meeting scheduling software in place that will replay the meetings every 3 hours. He will install the next microphones after he solders the wiring for them. He also has much video and picture from Community Day that he will prepare for the Town channel during the week.

HIGHWAY

Report for May & June 2017: Cleaned office & breakroom. Made a steel hand roller for black top patching. Got truck #3 back from the repair shop and built a chip box for truck #3 as well. Cleaned, lubricated and removed the sander then installed the dump body and chip box. Removed the tow hitch from the old chip truck and installed it on truck #3. Picked the roller up from summit bobcat. Dutchess Dodge replaced the oil pan & fixed 3 different recalls on truck #10 – 2011 Dodge 4500. Started patching potholes and repairing curbs where needed. Cleaned the ditches on West Clove Mountain Road & Deer Pond. Met with the Town Engineer on Deer Pond to discuss other options for road repair. Removed a large and dangerous tree on West Clove Mountain Road. Responded to trees down on road ways that came down in passed storms. While the tree work was going on Mr. Wisseman picked up 28 vodka bottles and other various litter debris up and down a large section of West Clove Mountain Road. Started mowing road side brush and grass. Burned the brush pile and cleaned and organized around the yard.

TAX COLLECTOR

May 2017: Collected \$131,912.95 Commissioner of Finance: \$363,780.28 Penalties Collected: \$4,939.87 & given to Supervisor. Postage & handling Fees: \$73.00.

Notes: Edna Bonk wrote: “My final report! Sadness, but also looking forward to retirement. It’s been a fantastic ride. The people at Town Hall have been great and I’ll miss each and every one!” The supervisor noted that Peter Bonk had made a replica of the Town Hall for all to enjoy.

TOWN CLERK

CODE

AMOUNT

A1255	Conservation License				\$172.00
A1255	Certified Copies				\$230.00
A1255	Copy Machine				\$10.50
A1255	Marriage License				\$40.00
A2001	Summer Camps				\$77,478.50
A2001	After School / TGTT				\$6,639.00
A2001	Equestrian Center				\$440.00
A2001	Facility Rentals				\$50.00
A2001	Other Rec. Revenues				\$245.00
A2012	Concession Stand				\$0.00
A2025	Swim Passes				\$5,715.00
A2089	Special Events				\$0.00
A2130	Recycle/Compact				\$7,330.00
A2130	Refuse Bin				\$927.40
A2544	Spayed / Neutered				\$345.00
A2544	Un-spayed/ Unneutered				\$62.00
					\$99,684.40

Amount paid to Revenue Accounting Unit for Conservation Licenses	\$134.17
Amount paid to State Health Department for Marriage Licenses	Total taken in for the month \$22.50
Amount paid to NYS Dept. of Agriculture and Markets for neutering fees	\$58.00
	<u>\$99,469.73</u>

The town clerk also mentioned information about the annual shredding day.

PHONE SYSTEMS

Supervisor Tompkins spoke about the poor connections and problems in our current phone system. Mr. Peterman received 3 quotes to which he forwarded to for the Town and asked that he speak about the benefits. He advised that Sipstation is his recommendation with a one-time cost of \$105 and a cost of \$263.90 monthly. The one-time cost of \$105 will change as we have 14 phone lines that are not all needed. Councilwoman Kelley asked if this was the system that we own the hardware and host the server. This would also connect all 3 buildings into one system. Supervisor Tompkins asked the Town review the documents and be prepared to vote next meeting.

EMERGENCY CALL OUT PROCEDURE

Supervisor Tompkins said she would like to amend this policy as it is 4 hour minimum and was not originally written correctly.

Attorney Jacobellis said this procedure is covered by the Department of Labor part 142 section 12. Federal, State and Municipal Government is exempt from any minimum call-out pay. The municipality would have to pay for any overtime actually worked, or adopt a policy however seen fit to reward a worker that may come in on a call-out basis unlike the private sector which does comply with the Department of Labor.

Supervisor Tompkins noted there was no mention of a call out in the prior handbook and is in place now to protect the employees. She feels it was taken advantage of already, and she would

like to amend this to a 2 hour call out and it should be used once every 24-hour period. Councilman Frazier said he would like a final draft in the handbook before he votes on it. Supervisor Tompkins offered to have secretary, Mary Pearson, draft this to go over for the next meeting and have it prepared by Monday or Tuesday of next week.

TOOL TENT ROUTE 55

Mr. Mondello approached the Supervisor about the gentleman who wants to lease the vacant property for selling tools out of a tent structure. He also advised and was under the impression the prior board was in favor of this however, neither Councilman Welsh or Councilman McMorris remember this. Supervisor Tompkins asked for feedback from the Board as to if this was feasible for a rental.

Attorney Jacobellis advised that this is not a permanent structure and is in the commercial zone this would be under the jurisdiction of the Town Board for special permit approval. His concerns are once the permit is granted for one person for this type of temporary tent it then opens up the ability for others to apply for things with the precedent set. This is just something for the board to consider as they evaluate each application. Councilman Frazier asked if each could be approved individually and regulated so that each could be considered. Attorney Jacobellis said yes, especially with consideration to the merchandise, that would-be part of the deliberation process for granting the permit. Attorney Jacobellis cautioned that other towns are very strict so they do not open themselves up for allowing a flea market type setting and cited examples. All Board members agreed this would bring in revenue and should be contingent on the sale of the property. Other concerns Attorney Jacobellis mentioned is one of the recommendations from the Comptroller's office which frowns upon towns acting as landlords. Supervisor Tompkins added she asked the auditor about this particular situation and she said because of the commercial zoning there is no issue. Councilman Welsh mentioned that the economics of the situation may not be favorable to the applicant. He cited that the timeline of paying fees to the town and the cost of business it may not be worth the effort even if the Board and the applicant all agree. This will be up to the applicant to determine. Attorney Jacobellis stated the next logical step would be to fill out and application and have it reviewed under SEQRA and have planning and zoning approval before moving forward. Supervisor Tompkins offered to contact the potential lessor and added determining a price would need to be assessed. As the Town owns the property the Town would be liable however there would be a layer of protection through the lessor's business insurance and the Towns insurance.

RESOLUTION #17-53 AUTHORIZE PAYMENTS

The following Resolution was offered by Councilman Welsh, seconded by Councilwoman Kelley, to wit:

BE IT FURTHER RESOLVED, that the Town Board of the Town of Union Vale hereby authorizes the payment of all General Fund Claims and Highway Fund Vouchers as set forth in the Abstract # 2, 3,4, and 5 of 2017, for February, March, April and May of 2017, which is available in the Town Clerk's office, and authorize the Town Supervisor to make all payments.

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

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

RESOLUTION #17-54 REQUIRING ALL EMPLOYEES TO EXECUTE A CONFLICT OF INTEREST FORM

The following Resolution was offered by Councilwoman Kelley, seconded by Councilman McMorris, to wit:

WHEREAS, the Town of Union Vale is currently under an audit by the New York State Comptroller's Office; and

WHEREAS, it is recommended that all town employees; elected officials and appointed board members fill out on an annual basis a conflict of interest form which will be kept on file in the Town Clerk's Office which fosters transparency and avoids any potential; conflict.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby authorizes the requirement of all town employees; elected officials and appointed board members complete a conflict of interest form on an annual basis in the Town of Union Vale; and

BE IT FURTHER RESOLVED, that the forms shall be kept on file in the Office of the Town Clerk

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

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

Councilwoman Kelley as how it will be distributed annually. Supervisor Tompkins replied that it can be placed in the first paycheck of the year.

RESOLUTION #17-55 AUTHORIZING SUPERVISOR TO SIGN A LEASE RENEWAL FOR 11 TYMOR PARK ROAD & 2 TYMOR PARK ROAD

The following Resolution was offered by Supervisor Tompkins, seconded by Councilwoman Kelley, to wit:

WHEREAS, the lease for 11 Tymor Park expired on May 31, 2016; and the lease on 2 Tymor Park Road

WHEREAS, the current tenant wishes to renew the lease for 11 Tymor Park and 2 Tymor Park Road at the current terms of the prior lease on a month-to-month basis

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby authorizes the Town Supervisor to execute the lease addendum for 11 Tymor Park & 2 Tymor Park Road renewal, which shall extend the terms on a month-to-month basis.

BE IT FURTHER RESOLVED, that a copy of the fully executed lease addendum for 11 Tymor Park & 2 Tymor Park shall be kept on file in the office of the Town Clerk.

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

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Aye

EXECUTIVE SESSION

Councilman Frazier made a motion to enter executive session at 7:54 PM which was seconded by Supervisor Tompkins, all were unanimously in favor. At 7:56 PM Supervisor Tompkins made a motion to exit executive session and stated no money was spent and no decisions were made which was seconded by Councilman Frazier all were unanimously in favor. Councilman Frazier noted that he neglected to remember something and did not need the executive session after all.

RESOLUTION APPROVING WORK DAY SCHEDULE

The following Resolution was offered by Councilman McMorris, seconded by Supervisor Tompkins, to wit:

WHEREAS, the Town of Union Vale has received the hours for the standard work day for elected, appointed and town employees in the Town of Union Vale.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Union Vale hereby adopts and approves the standard work day for its elected, appointed and town employees as attached hereof and made a part hereof; and

BE IT FURTHER RESOLVED, that a copy of the standard work day hours shall be kept on file in the office of the Town Clerk.

Supervisor Tompkins explained by law, 6 is the minimum hour amount and 8 is the maximum. It is a setting regardless of how many hours you are physically at work by title, not person. Every time an employee works 6 hours you are credited with 1 day of retirement. This is more of a technicality to comply with the state. Councilman Frazier asked if he could review the attachment before he votes on this which contains each position and how many hours are allotted per position. Supervisor Tompkins said it can be tabled and she will provide a copy of the information tonight.

RESOLUTION #17-56 PROHIBITING USE OF PESTICIDES ON TOWN OWNED PROPERTIES (Amended)

The following Resolution was offered by Councilman Frazier, seconded by Supervisor Tompkins to wit:

BE IT FURTHER RESOLVED, that the Town Board of the Town of Union Vale hereby prohibits the use of pesticides for the Parks and Recreation Property maintained by the maintenance Department, effective immediately.

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

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Nay

Councilman Welsh asked if the Highway Department uses Pesticides. Councilman Frazier said he is unsure and further stated pesticides are tools that regulated by the Federal & State Government and that they control a wide variety of pests. He feels this is something that should not have an outright ban and asked that each department determine what their needs are.

Supervisor Tompkins said she agrees with Councilman Frazier for all Town properties however, it is important that the Park take this into consideration as Jake has done his own research on methods that would accomplish this. Mr. Gosnell said he researched this heavily and said as for his department, he can comply with the managing tools with an ecofriendly product. He said for the Parks Department he gives his approval and has already found a replacement of the only chemical they were using prior that is a pesticide.

Councilwoman Kelley said she hopes that in the future that it would be more of a Town initiative and is pleased how Mr. Gosnell approached this.

Supervisor Tompkins made a motion to amend the resolution “for Parks and Recreation Property maintained by the maintenance department” to replace the text of “pesticides on any town owned properties or parks”. Seconded by Councilman McMorris.

Roll Call Vote on Amendment

Councilman Welsh	Aye
Councilwoman Kelley	Aye
Supervisor Tompkins	Aye
Councilman McMorris	Aye
Councilman Frazier	Nay

Councilman Frazier still feels the Parks Department should have the use of these tools at their discretion.

PUBLIC COMMENT NON-AGNEDA ITEMS

Steven Habiague- Spoke about the consultant's fees. He has done research and discovered the Court of Appeals has defined what must be included in a reasonable bill from a consultant. It is expenses or fees that are reasonably necessary for the accomplishment of the regulatory program. This is included in the Town Code and what must be implemented. He suggests for the protection of the town; the consultants should submit bills that include a short description of the issue that is addressed in the bill. The reason that it is necessary is for the regulatory scheme and there should be reference that the work performed was necessary. This should include the description and fee. He used an example of a Boundary Line change to articulate his point. He also mentioned the Supervisor is the treasurer and it is up to them to see that the bills are paid.

Robert Cohen- local bee keeper and farmer wanted to thank the Board for passing this resolution to assist in their efforts. He would also like to offer to assist in documenting our experience either positive or negative. As Mr. Cohen has stopped using pesticides and has had a very favorable outcome with the results and commented that certain animal and insect life has returned that are beneficial for farming. He stated that the only way to change the ecology of the area is to work together and thanked the Board again for their consideration.

Deborah Jarry also thanked everyone for thinking differently and said this is a movement that people are realizing that these chemicals are dangerous to not only the environment, but people and pets as well. It is also contaminating our ground water and also systemically being absorbed into our plants and foods. She also offered to assist in anyway and spoke about plants that we considered invasive are very helpful to pollinators. There are many effective tools that are ecofriendly even for rodent control and other "pests".

Kevin Durland- Chairman of the Planning Board, thanked everyone for the workshop meeting to correct some issues. He would like to further the discussion. Councilman Frazier and Welsh agreed that the email Mr. Durland sent was very viable and to move forward. The more information on the bills, the better. He urges that the Land use secretary have more hours and would like copies of all the bills. He recommends more set hours to accommodate all the applicants rather than by request in the amount of an extra 5 hours a week. Councilman Frazier requests a resolution regarding the addition of hours for the Land Use Secretary. Councilwoman Kelley summed up the issues at hand which were as follows:

- Secretary Availability Hours
- Consultants Setting the escrow fees
- Billing specifics
- Escrow procedures
- Notification to applicants
- Lack of notice of current escrow accounts

There was further discussion on this matter to correct these problems.

David Bennis – of BlueRock Energy offered that he will put together a new pricing package including the pool for the Town to review but, it will be a longer time frame than 3 months beginning in July.

MOTION TO ADJOURN

At 8:35 PM Councilman Welsh made a motion to adjourn which was seconded by Councilman McMorris and all were unanimously in favor.

Respectfully Submitted,
Andrea Casey
Union Vale Town Clerk