

UNION VALE TOWN BOARD EMERGENCY MEETING JUNE 10, 2025

249 DUNCAN ROAD, UNION VALE, NEW YORK

UNION VALE TOWN HALL 10:00 AM

PRESENT: Supervisor Steve Frazier

Town Council: Kevin Harrington, John Welsh

Absent: Councilman Durland, Councilman McGivney

Town Clerk: Andrea Casey

Supervisor Frazier explained the purpose of the emergency meeting is to address a specific request by the State Legislature for additional details on the cell phone tower resolution that has been approved several times prior.

Supervisor Frazier called the meeting to order at 10:00am and a salute to the flag

He apologized for the late notice but they are on a strict deadline from New York State.

**RESOLUTION NO. 47 OF 2025 AUTHORIZING HOME RULE REQUEST TO
AUTHORIZE THE TOWN OF UNION VALE TO ALIENATE AND DISCONTINUE
USE OF CERTAIN PARKLANDS (see attached)**

Supervisor Frazier further advised that the State requested further detail on the driveway going to the cell tower facility and which required this resolution to be amended and to be passed again.

Motion to Adjourn At 10:07 AM Councilman Welsh made a motion to adjourn the meeting which was seconded by Councilman Harrington and all were unanimously in favor.

Respectfully Submitted,



Andrea Casey, Town Clerk



**TOWN OF UNION VALE TOWN BOARD
RESOLUTION NO. 47 OF 2025**

**RESOLUTION AUTHORIZING HOME RULE REQUEST TO AUTHORIZE
THE TOWN OF UNION VALE TO ALIENATE AND DISCONTINUE USE OF
CERTAIN PARKLANDS**

WHEREAS, by Resolution No. 23 of 2025, adopted by the Town of Union Vale Town Board on March 19, 2025, the Town Board authorized the submission of a Home Rule Request to authorize the Town of Union Vale to alienate and discontinue the use of certain Parklands; and

WHEREAS, the request was forwarded to the New York State Assembly and the New York State Senate; and

WHEREAS, the New York State Legislature amended the language of the Bills and provided new Bill numbers, specifically Assembly Bill No. A5851-A and Senate Bill No. S5224-A; and

WHEREAS, by Resolution No. 40 of 2025, adopted by the Town of Union Vale Town Board on May 7, 2025, the Town Board authorized the submission of a Home Rule Request containing the amended Assembly and Senate Bills; and

WHEREAS, the request with the amended Bills has been forwarded to the New York State Assembly and the New York State Senate; and

WHEREAS, the New York State Legislature further amended some of the language to include an access driveway as depicted on the site plan, a copy of which is annexed hereto, and provided new Bill numbers, specifically Assembly Bill No. A5851-B and Senate Bill No. S5224-B; and

WHEREAS, the Town Board of the Town of Union Vale believes that leasing space on Town lands for telecommunications purposes would enhance the general prosperity and economic welfare of the residents of the Town of Union Vale; and

WHEREAS, the Town desires to alienate and discontinue the use of certain parklands and lease at fair market value to Homeland Towers, LLC for a term not to exceed 30 years for the purpose of operating a radio transmission tower facility; and

WHEREAS, the lands to be alienated consists of an approximate .121 acre parcel to be leased for the tower placement and an approximate .129 acre parcel for an easement to provide access to the tower and the access driveway which are described in detail and annexed hereto and made a part hereof; and

WHEREAS, pursuant to Assembly Bill A5851-B and Senate Bill S5224-B, the proposed legislation has been submitted to the New York State Legislature for the purposes of adopting the enabling legislation to permit the Town of Union Vale to alienate and discontinue the use of certain parklands and lease at fair market value to Homeland Towers, LLC for a term not to exceed 30 years for the purpose of operating a radio transmission tower facility; and

WHEREAS, the revenues generated from said leasing would be used solely for the acquisition of new parklands and/or towards capital improvements to existing parkland and recreational facilities.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town Board of the Town of Union Vale hereby issues this Home Rule Request, effective June 10, 2025, in support and passage of Assembly Bill A5851-B and Senate Bill S5224-B.
3. The Town Clerk is hereby authorized to transmit a Home Rule Request form and a certified copy of this Resolution to the Home Rule Counsel of the New York State Legislature requesting the introduction and adoption of the aforementioned Bills.

INTRODUCED Supervisor Frazier

SECONDED Councilman Welsh

The foregoing resolution was put to a vote which resulted as follows:

Supervisor Frazier	Aye
Councilmember Durland	Absent
Councilmember Harrington	Aye
Councilmember McGivney	Absent
Councilmember Welsh	Aye

Dated: Union Vale, New York
June 10, 2025



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 Supervisor Frazier seconded by Councilman Welsh and adopted at the meeting of the Town Board, held on June 10th, 2025.



Andrea Casey, Town Clerk

STATE OF NEW YORK

5851--B

2025-2026 Regular Sessions

IN ASSEMBLY

February 24, 2025

Introduced by M. of A. BEEPHAN -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT in relation to authorizing the town of Union Vale, county of Dutchess, to alienate and discontinue the use of certain parklands

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. (a) Subject to the provisions of this act, the town of
2 Union Vale, in the county of Dutchess, acting by and through its govern-
3 ing body, and upon such terms and conditions as determined by such body,
4 is hereby authorized to discontinue as parklands and to lease at fair
5 market value to Homeland Towers, LLC for a term not to exceed thirty
6 years the lands more particularly described in section two of this act
7 for the placement and operation of a wireless communication tower. In
8 addition, the town of Union Vale, in the county of Dutchess, acting by
9 and through its town board is hereby authorized to convey an easement to
10 Homeland Towers, LLC over certain municipally owned parklands described
11 in section three of this act, to install and maintain an access road for
12 the purposes described in section three of this act, provided that the
13 thoroughfare shall be publicly accessible and able to be used for park
14 purposes.

15 (b) All proceeds from such lease shall be used for capital improve-
16 ments to existing park and recreation facilities and/or for the acquisi-
17 tion of additional park and recreational facilities, and the town of
18 Union Vale shall dedicate an amount equal to or greater than the fair
19 market value of the easement interests being conveyed by section one of
20 this act for capital improvements to existing park and recreational
21 facilities and/or for the acquisition of additional park and recreation-
22 al facilities.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD09606-04-5



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A. 5851--B

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§ 2. The parklands authorized by section one of this act to be leased are more particularly described as follows:

LEASE AREA A -

Said Lease Area A located East of Deforest Lane in the Town of Beekman, County of Dutchess, New York, located within the land conveyed by Jean McKinney Connor by deed and recorded in the Dutchess County Clerk's Office on February 4, 1974 in book 1377 of deeds at page 66 and are more particularly described as follows:

Beginning at the Northwesterly Corner of Lease Area A herein described; said point being S. 46° 54' 51" E, 395.94 feet from a north-west corner of the parent parcel to the place and point of beginning;

Thence S 80° 09' 23" W for 75 feet to a point; Thence S 09° 05' 97" E for 70 feet to a point; Thence N 80° 09' 23" E for 75 feet to a point; Thence N 09° 05' 97" W for 70 feet to the point of beginning.

Parcel Contains: 5,250.00 square feet (0.120 acre) more or less of land

§ 3. The easement to be conveyed by section one of this act is more particularly described as follows:

EASEMENT AREA A -

BEEKMAN II 43 DEFOREST LANE, BEEKMAN, NY

A 12-foot-wide by 470-foot easement for vehicular and pedestrian access to Lease Area A and for utilities to service the structures in Lease Area A along the existing roadway which runs from Deforest Lane to the Lease Area A located within the land conveyed by Jean McKinney Connor by deed and recorded in the Dutchess County Clerk's Office on February 4, 1974 in book 1377 of Deeds at page 66, said easement area being described as follows:

Beginning at a point on the west bounds of Lease Area A, said point being N 09°50'37" E a distance of 26.86 feet from the southwest corner of said Lease Area; running thence westerly along the southerly bounds of said Access Drive the following nine courses and distances:

1) on a curve to the left, with a radius of 10.00 feet, an arc length of 15.71 feet and a Delta angle of 89°59'46";

2) N 80°09'23" W 11.41 feet to a point, thence;

3) on a curve to the left, with a radius of 94.00 feet, an arc length of 9.52 feet and a Delta angle of 05°48'13";

4) N 85°57'35" W 101.13 feet to a point, thence;

5) on a curve to the left, with a radius of 150.00 feet, an arc length of 49.82 feet and a Delta angle of 19°01'44";

6) S 75°00'40" W 165.12 feet to a point, thence;

7) on a curve to the left, with a radius of 33.08 feet, an arc length of 25.82 feet and a Delta angle of 44°43'07";

8) S 30°17'21" W 39.62 feet to a point, thence;

9) on a curve to the right, with a radius of 77.45 feet, an arc length of 49.96 feet and a Delta angle of 36°57'24";

To a point on the easterly edge of Deforest Lane; running thence N 14°04'26" W along the easterly edge of DeForest Lane a distance of 12.09 feet to a point; continuing thence easterly along the northerly bounds of said Access Drive the following nine courses and distances:

1) on a curve to the left, with a radius of 65.45 feet, an arc length of 40.85 feet and a Delta angle of 35°45'39";

2) N 30°17'21" E 39.16 feet to a point, thence;

3) on a curve to the right, with a radius of 45.08 feet, an arc length of 35.18 feet and a Delta angle of 44°43'13";

4) N 75°00'38" E 165.12 feet to a point, thence;



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A. 5851--B

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1 5) on a curve to the right, with a radius of 162.00 feet, an arc
 2 length of 53.80 feet and a Delta angle of 19°01'44";
 3 6) S 85°57'35" E 101.13 feet to a point, thence;
 4 7) on a curve to the right, with a radius of 106.00 feet, an arc
 5 length of 10.74 feet and a Delta angle of 05°48'13";
 6 8) S 80°09'23" E 11.41 feet to a point, thence;
 7 9) on a curve to the left, with a radius of 10.00 feet, an arc length
 8 of 15.71 feet and a Delta angle of 90°00'00";
 9 To a point on the west bounds of said Lease Area; running thence South
 10 09°50'37" West along the west bounds of said Lease Area a distance of
 11 32.00 feet to the point of beginning;
 12 Parcel Contains: 5,621.637 square feet (0.129 acre) more or less of
 13 land
 14 § 4. Should the leased lands described in section two of this act
 15 cease to be used for the purposes described in section one of this act,
 16 the lease shall terminate and those lands shall revert to the town of
 17 Union Vale for public park and recreational purposes, and the easement
 18 described in section three of this act for access shall also revert and
 19 be extinguished. At the time of such reversion, the removal of such
 20 wireless communication tower and the access road shall take place and
 21 the property shall be returned to its previous state, consistent with
 22 park and recreational purposes.
 23 § 5. In the event that the town of Union Vale received any funding
 24 support or assistance from the federal government for the purchase,
 25 maintenance or improvement of the parklands set forth in sections two
 26 and three of this act, the discontinuance and alienation of such park-
 27 land authorized by the provisions of this act shall not occur until the
 28 town of Union Vale has complied with any federal requirements pertaining
 29 to the alienation or conversion of parkland, including satisfying the
 30 secretary of the interior that the alienation or conversion complies
 31 with all conditions which the secretary of the interior deems necessary
 32 to assure the substitution of other lands shall be equivalent in fair
 33 market value and usefulness to the lands being alienated or converted.
 34 § 6. This act shall take effect immediately.



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WWW.ALLPOINTSTECH.COM

PHONE: (860)-663-1697
FAX: (860)-663-0935

APT FILING NUMBER: NY283870

LE-1

SCALE: AS NOTED

DRAWN BY: ELZ

DATE: 03/19/2019

CHECKED BY: RCB



HOMELAND TOWERS, LLC
9 HARMONY STREET
2nd FLOOR
DANBURY, CT 06810

HOMELAND TOWERS:
NY090

BEEKMAN II
43 DEFOREST LANE
BEEKMAN, NY 12540



1
LE-1

SITE PLAN

SCALE: 1" = 200'-0"

-REV1: 03/20/19: CLIENT REVISIONS: RCB

-REV2: 03/28/19: CLIENT REVISIONS: RCB

NOTE: EXACT LOCATION AND ORIENTATION OF PROPOSED LEASE AREA PENDING SITE SURVEY & FURTHER ENGINEERING REVIEW AND ANALYSIS. PROPOSED UTILITY ROUTING AND R.O.W. EXTENTS TO BE DETERMINED BY LOCAL UTILITY PROVIDERS.

STATE OF NEW YORK

5224--B

2025-2026 Regular Sessions

IN SENATE

February 19, 2025

Introduced by Sen. ROLISON -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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The People of the State of New York, represented in Senate and Assembly, do enact as follows:

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2 Union Vale, in the county of Dutchess, acting by and through its govern-
3 ing body, and upon such terms and conditions as determined by such body,
4 is hereby authorized to discontinue as parklands and to lease at fair
5 market value to Homeland Towers, LLC for a term not to exceed thirty
6 years the lands more particularly described in section two of this act
7 for the placement and operation of a wireless communication tower. In
8 addition, the town of Union Vale, in the county of Dutchess, acting by
9 and through its town board is hereby authorized to convey an easement to
10 Homeland Towers, LLC over certain municipally owned parklands described
11 in section three of this act, to install and maintain an access road for
12 the purposes described in section three of this act, provided that the
13 thoroughfare shall be publicly accessible and able to be used for park
14 purposes.

15 (b) All proceeds from such lease shall be used for capital improve-
16 ments to existing park and recreation facilities and/or for the acquisi-
17 tion of additional park and recreational facilities, and the town of
18 Union Vale shall dedicate an amount equal to or greater than the fair
19 market value of the easement interests being conveyed by section one of
20 this act for capital improvements to existing park and recreational
21 facilities and/or for the acquisition of additional park and recreation-
22 al facilities.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
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LBD09606-05-5



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S. 5224--B

2

1 § 2. The parklands authorized by section one of this act to be leased
2 are more particularly described as follows:

3 LEASE AREA A -

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6 Jean McKinney Connor by deed and recorded in the Dutchess County Clerk's
7 Office on February 4, 1974 in book 1377 of deeds at page 66 and are more
8 particularly described as follows:

9 Beginning at the Northwesterly Corner of Lease Area A herein
10 described; said point being S. 46° 54' 51" E, 395.94 feet from a north-
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25 Connor by deed and recorded in the Dutchess County Clerk's Office on
26 February 4, 1974 in book 1377 of Deeds at page 66, said easement area
27 being described as follows:

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29 being N 09°50'37" E a distance of 26.86 feet from the southwest corner
30 of said Lease Area; running thence westerly along the southerly bounds
31 of said Access Drive the following nine courses and distances:

32 1) on a curve to the left, with a radius of 10.00 feet, an arc length
33 of 15.71 feet and a Delta angle of 89°59'46";

34 2) N 80°09'23" W 11.41 feet to a point, thence;

35 3) on a curve to the left, with a radius of 94.00 feet, an arc length
36 of 9.52 feet and a Delta angle of 05°48'13";

37 4) N 85°57'35" W 101.13 feet to a point, thence;

38 5) on a curve to the left, with a radius of 150.00 feet, an arc length
39 of 49.82 feet and a Delta angle of 19°01'44";

40 6) S 75°00'40" W 165.12 feet to a point, thence;

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S. 5224--B

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18 described in section three of this act for access shall also revert and
19 be extinguished. At the time of such reversion, the removal of such
20 wireless communication tower and the access road shall take place and
21 the property shall be returned to its previous state, consistent with
22 park and recreational purposes.

23 § 5. In the event that the town of Union Vale received any funding
24 support or assistance from the federal government for the purchase,
25 maintenance or improvement of the parklands set forth in sections two
26 and three of this act, the discontinuance and alienation of such park-
27 land authorized by the provisions of this act shall not occur until the
28 town of Union Vale has complied with any federal requirements pertaining
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SITE PLAN

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