

**Union Vale Public Hearing: Firefighter and Ambulance Workers Property Tax Exemption**  
**MARCH 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, Perry Gusikoff, John Welsh**  
**Town Clerk: Andrea Casey**  
**Town Attorney: Attorney Jeff Battistoni**

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Supervisor Maas opened the public hearing at 7:02 PM

Supervisor Maas gave a background on the need for this local law.

There were no comments from the Public

Councilman welsh stated is surprised the state is finally recognizing this small but impacting benefit they absolutely need volunteers and this will help.

As there were no comments from the public Supervisor Maas closed the public hearing at 7:06PM

Respectfully Submitted,

Andrea Casey, Town Clerk

draft

**UNION VALE TOWN BOARD MEETING MARCH 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, Perry Gusikoff, John Welsh**

**Highway Superintendent Ed Kading (Absent)**

**Town Clerk: Andrea Casey**

**Town Attorney: Attorney Jeff Battistoni**

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

**Motion Approve Minutes:** Councilman Welsh made a motion to approve the February 15, 2023 meeting minutes, seconded by Councilman Gusikoff and all were unanimously in favor.

**Special Presentations:**

**Habitat for Humanity** – April 15th, *3rd Annual Donation Day at the Recycling Center* (open for everyone)

**Angels of Light** – April 22nd, Announcing *Angels of Light Run for Barri*

**Godfrey Park Resident Playground Committee** – *Final* Playground Design Presentation

The resident committee ended up choosing Miracle due to their willingness to work with the Town and Committee

Supervisor Maas Made a motion to vote on the Godfrey Park Resolution now which was seconded by Councilman Gusikoff and all were unanimously in favor.

**Motion to Approve Miracle Playground Design and Quote for Godfrey Park as part of our Reimbursable MIG Grant Received by Dutchess County**

Supervisor Maas made a motion to approve Miracle Playground which was seconded by Councilman Durland and all were unanimously in favor.

**Supervisor Report**

- Thanked Dick Thurston, Wappingers Town Supervisor, for inviting Union Vale to the St. Patrick's Day Parade
- Thanked the Highway & Parks Department for their many hours worked keeping the Town Roads and lots clear at the Fire Houses
- General Fund: \$4,859,739 Highway Fund: \$1,162,195 Total Cash \$6,021,933.00
- The Town Investments are with NYClass, they are only investing in Treasury no longer than 60 days so the Town will not have any problems associated with yield curve or interest rates.
- Tax Collection up to 86%
- Received a check from the Solar Company for \$41,303.00
- Received PEG Grant from Altice (Public Education Community Grant) for \$17,000
- Set up cash audits, must submit by next week, will be reviewed by Ted Eglitt, CPA
- Has AOT Material for the entire Town Board from her and Councilman Gusikoff's attendance and also offers a QR Code for all material in a digital format
- Justice Court roundtable from Comptroller DiNapoli's Office and Sue Serino's
- Franchise Renewal Agreement from Altice was approved by the Public Service Commission, the 10-year renewal agreement date is January 24, 2023
- Oral arguments on cell tower case were held yesterday for Beekman Vs Union Vale, sounds like it went well but nothing has been communicated on a decision as of yet, Attorney Battistoni thinks it will be the decision from the appeal division should be the final

**Town Board Reports**

*Councilman Welsh* working with lawyers on annexation and answering correspondence

*Councilman Durland*- nothing at this time

*Councilman McGivney*- commended the Highway and Parks Departments for keeping the roads clear and hopes everyone has power

*Councilman Gusikoff* – aside from his training through Association of Towns, he also thanked both departments for their work in the storm

## **Highway**

Superintendent Kading was unable to attend due to the snow storm. Supervisor Maas noted that he wanted to thank the department for their hard work this storm.

## **Town Clerk**

Clerk Casey Shredding day will be scheduled soon which will be posted on the Website. Hoping for later in the summer.

**Public Comment Agenda Items:** None

## **Union Vale Library Trustees - Amy Watkins**

Dr. Watkins, President, stated they have been meeting twice a month had Library and attended 2 trainings with the MHLS Executive Director, Rebekkah Smith Aldrich who is pleased with their progress. They have also posted for library coordinator position and encourage anyone with any prior experience to apply by emailing [trustees@uvlibrary.org](mailto:trustees@uvlibrary.org). This will transition into Library Director when they are chartered. They are currently working on the charter application since completing the bylaws. Would like to peruse 'opening day collection' which they need to consult with experts to compile this. They are also working on the mission statement based on what residents have expressed they want out of this library.

**CAC-** Chair, Josh Redinger again announced the Town has been approved for being a climate smart community. Moving forward they would like to work with tangible conservation. They worked with PB Chair to create an NRI checklist for new developments. Meeting with other CAC's from Dutchess County having a roundtable. Also meeting with Dutchess Land Conservancy for educational purposes to explore any overlapping goals. Met with DEC to discuss the idea of a 'Habitat Map'. This maps every sqft of the Town and locate the actual ecosystem where you walk. The fee is \$100,000 this would be helpful for an open space plan, DEC no longer fully funds these, towns that have done this have used private donors and non-profits in hopes they will assist with funding. This would be helpful with union vale's rural character and unique topography and wetlands. Gray Willow is the only new emerging invasive species. CAC will do a presentation on Japanese Barberry which harbors deer ticks and promote tick borne illness.

## **Building Department – George Kolb**

*Discussion – Definitions and Fees in Town Code – “Junk”, “Rubbish” & “Debris” (Town Code Chapters 188, 161 & 151-4,)*

*Discussion – Permits & Guidelines for Short Term Residential Rental Units*

Code Enforcement Officer, George Kolb spoke about the definition of Property maintenance code as part of town codes town can consider adopting something like that, wants to work with attorney to come up with language to make him able to enforce it. He requests the Board to look at fines for littering

Attorney Battistoni advised that some Towns have maintenance codes as part of their town code and limit such things as outside storage in front yards or screening to hide from view. He suggests the town adopt something like this. There was further discussion on this topic.

## **Discussion – Permits & Guidelines for Short Term Residential Rental Units Bill**

This bill is pending in NY did get a 2<sup>nd</sup> sponsor, on states mandating regulating short term rentals, if towns have something in place it should bypass the states regulation. George Kolb suggested a 1-year permit. One area to address is parking, if there is issue, has come up in other towns as well. The town will have a self-inspection check that mainly covers safety and trash disposal in the form of a paper that will be turned into either Building Dept or the Town Clerk's office for our local registry. Right now, Union Vale is reported to have 12.

## **Parks Report**

Jake Gosnell, Park Manager spoke about the ball field usage. He has not seen a rental in the 7 years he has been park manager. After measuring, he stated he could fit 2 full size soccer fields, even a Gaelic field and line it for other spaces and potential renter the Dutchess GAA. If this happened, the baseball fields would have to go. Need a topographical survey, trying to figure costs. Bob Oswald, Expert Resident, offered to donate the survey. Once a design has been created they would have to consider the cost especially adding in fill and drainage.

**Recreation, submitted by Recreation Director Maggie Collins**

Summer Camp registration has filled up quickly this past month; Traditional Camp is full with few seats left in Kids Camp and Teen Leadership Camp. We are excited to meet old and new friends this upcoming Summer! Last Friday we enjoyed our TGTT St. Patrick's Day Party. Students K-5th enjoyed time outside on our trails and playground equipment, as well as themed games and activities with friends! We are gearing up for our Spring Break Full TGTT days, and registration is up on the Parks and Recreation website. Last month we had an amazing turn out for our Paint and Sip event. Patrons were able to exercise their creative skills and follow along with our instructor, all while enjoying a relaxing time with friends and family. We thank everyone who came out to enjoy the evening, and registration is up for our Spring Paint and Sip set on April 21st. We will be offering an Adult Baking Workshop on March 25th at 11AM, specializing in Frosting and Decorating Basics. Patrons can register to observe how to make buttercream frosting and use various tools to decorate baked goods. The workshop will be led by a Culinary Institute of America Baking and Pastry Alum. Registration and further information can be found on the Parks and Recreation website and seating is limited. Park Manager Jake Gosnell added the trail race registration is live and on the website.

**Constable Report Submitted by George Treadwell, CIC**

Constable Monthly Report for February 2023: Constables patrolled approximately 505 miles of town roads including all properties filling the Explorer with 18.8 gallons of gasoline. The (3) town court dates totaled 38 cases on the dockets with 16 actual appearances, 7 cases plead not guilty by mail and 3 cases were dismissed for failure to prosecute (officer did not show to court). There were no issues to report. Constables had no issues to report during daily patrols this month.

**Animal Control, submitted by ACO Mary Jean Calvi**

February 2023 Animal Control Report: During the month of February there were 2 loose dogs and one mutual aid assistance to a neighboring town. Supervisor Maas reported that the rabid fox was believed to be deceased.

**Motion to Amend Schedule A for 2023 Salaries**

Councilman Welsh made a motion to accept the changes on Schedule A for the 2023 Salaries with regard to aquatics and summer camp which was seconded by Councilman Gusikoff and all were unanimously in favor. (Schedule A attached)

**Discussion - Volunteer Firefighters & Ambulance Workers Property Tax Exemption**

Supervisor Maas noted that she did receive an email from resident Jake Jakuba is in full support Councilman Welsh reiterated that he is glad the State is focusing on first responders and encouraging volunteers in the fire and ambulance service.

**Discussion - Expanding Residency Requirements for Constables (Chapters 12.3 & 69.2)**

Supervisor Maas asked if they could just eliminate 'must be an elector of Union Vale' from the language. This would mirror the verbiage from the Deputy Town Clerk and Code Enforcement Officer change in residency requirement.

**Master Fee Schedule – Review Final Updates**

Supervisor Maas explained the changes of increasing pool passes \$25 in the non-resident category. There will be a change from the recreation from the Planning Board for subdivisions now this language matches what the new code says 'per residential lot or dwelling unit'. This is designed to help us maintain the Town Parks.

**Motion to Approve 2023 Master Fee Schedule**

Supervisor Maas made a motion to approve the Master Fee Schedule for 2023 as drafted tonight with changes. This was seconded by Councilman Welsh and all were unanimously in favor.

**Use of Redl Property on RT 82 & N. Clove Road – Request for Advisory Committee Members-** Some residents are thinking of using at as a garden, dog park or hiking

**Union Vale Parcel No. 812049 – Improper Foreclosure by Dutchess County – Next Steps**

Supervisor Maas summarized the issue and noted the issue is no municipality was given any notice. The Town is asking for a determination since the County did not follow their own rules, the listing was incorrect as they did not list the parcel in Union Vale. The family spoke to Supervisor Maas and was hoping the land could become part of Tymor Park. Acting County Executive Bill O'Neill stated he cannot do anything to correct the oversight but the Town is welcome to file an Article 78.

Supervisor Maas added there is a family relation between the County and our form of Van Dewater and Van Dewater therefore they need to abstain and the Town will use another firm.

**25-2023 Resolution Authorizing Firefighter and Ambulance Workers Property Tax Exemption**

**26-2023 Resolution Authorizing Litigation Involving 60.7 acres in Union Vale**

**(Parcel # 812049)**

**27-2023 Resolution to Encumber Funds for 2022 Park Truck and Snow Plow Purchases**

**Public Comment-** Sharon Slocum – what to do with the ball field at Godfrey Park, thinks it was only used twice, has lots of weeds

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

**Motion to Adjourn** At 10:01 PM Councilman Welsh made a motion to adjourn the meeting which was seconded by Councilman Durland and all were unanimously in favor.

Respectfully Submitted,

Andrea Casey, Town Clerk

draft



TOWN OF UNION VALE TOWN BOARD  
RESOLUTION NO. 25 OF 2023:

RESOLUTION CREATING REAL PROPERTY TAX EXEMPTION FOR  
VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS

Councilman Welsh, offered the following Resolution, which was seconded by Councilman Gusikoff, who moved its adoption.

**WHEREAS**, New York State Real Property Tax Law Section 466-a authorizes municipalities to create a real property tax exemption for volunteer firefighters and volunteer ambulance workers to the extent of ten percent (10%) of the assessed value of such volunteer's primary residence within the municipality; and

**WHEREAS**, said exemption may be created by local law, ordinance or resolution after a public hearing: and

**WHEREAS**, the Town of Union Vale Town Board intends to create such exemption within the limits required by RPTL Section 466-a; and

**WHEREAS**, a duly noticed public hearing was held to address this issue on March 15<sup>th</sup>, 2023 at 7:00 p.m. prevailing time at the Town of Union Vale Town Hall;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby classifies this action as a Type II action for SEQRA purposes pursuant to 6 NYCRR 617.5(c)(26) and any other applicable subsection; and be it further

**RESOLVED**, the Town Board hereby creates and provides for a real property tax exemption of ten percent (10%) of the assessed value of the primary residence within the Town of Union Vale for a volunteer firefighter or volunteer ambulance worker who is an owner of said real property and is enrolled member of an incorporated volunteer fire company, fire district or incorporated volunteer ambulance service that serves the Town of Union Vale provided that such volunteer has a minimum of two years of such service; and be it further

**RESOLVED**, the Assessor may rely upon a list as provided to the Town Board on or before January 31<sup>st</sup> of each year by the Board of Fire Commissioners annually which certifies such volunteer's active enrollment and length of service in order to qualify for this exemption annually; and be it further

**RESOLVED**, that the said real property must be used exclusively for residential purposes and, in the event that any portion of such real property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided for in this Resolution; and be it further

**RESOLVED**, that any such enrolled member who accrues more than twenty (20) years of active service and is so certified by the authority having jurisdiction of the incorporated volunteer fire company, fire district or incorporated volunteer ambulance service shall be granted this ten percent (10%) exemption as authorized by this Resolution for the remainder of his or her life as long as his or her primary residence is located within the Town of Union Vale and, further, that this exemption shall continue for the un-remarried surviving spouse of such volunteer.

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

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

DATED: Union Vale, New York  
March 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 Welsh seconded by Councilman Gusikoff, and adopted at the meeting of the Town Board, held on March 15, 2023.

  
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Andrea Casey, TOWN CLERK





TOWN OF UNION VALE TOWN BOARD  
RESOLUTION NO. 26 OF 2023

REGARDING AUTHORIZATION TO COMMENCE AND PROSECUTE LITIGATION  
TO OBTAIN OWNERSHIP OF CERTAIN PREMISES DESCRIBED  
IN THIS RESOLUTION AND TO RETAIN COUNSEL TO REPRESENT THE TOWN IN  
THE LITIGATION

**RESOLUTION**

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

**WHEREAS**, the Town of Union Vale Town Board heretofore adopted Resolution No. 2-2023 on January 25, 2023 requesting Dutchess County to transfer the property described below to the Town of Union Vale; and

**WHEREAS**, Dutchess County has not taken the action requested by the Town of Union Vale to nullify or otherwise cancel the sale of certain premises located in the Town of Union Vale which are the subject of Resolution 22-2023;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board authorizes the commencement and prosecution of litigation by the Town to invalidate or nullify the portion of a certain Deed dated December 8, 2022 from Dutchess County to Joann Bonavenia – the portion located in the Town of Union Vale with Tax Grid No. 135400-6660-00-812049-0000 (the “Property”); and

**BE IT FURTHER RESOLVED**, that the litigation seeks a determination to require Dutchess County to transfer to the Town of Union Vale the Property in exchange for payment by the Town of tax arrearages and related fees and charges; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Union Vale retains the firm of Teahan & Constantino LLP to represent the Town of Union Vale in the aforesaid action and authorizes the firm of Teahan & Constantino LLP to take all necessary or reasonable steps to require Dutchess County to transfer the property to the Town; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Union Vale authorizes payment to the firm of Teahan & Constantino LLP at the Town's regular legal hourly rate together with reimbursement for disbursements; and

**BE IT FURTHER RESOLVED**, that the Town has available funds in unallocated fund balance sufficient to make payment to Dutchess County of the tax arrearages and related fees and charges; and

**BE IT FURTHER RESOLVED**, that it is the intention of the Town to use the Property upon acquiring it for a public purpose, to wit, to expand the public park (Tymor Park) which abuts the Property on the east.

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

Councilwoman Gusikoff       Aye

Councilman McGivney        Nay

Councilman Welsh            Aye

Supervisor Maas             Aye

Ayes            4     Dated: Union Vale, New York  
Noes            1            March 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 March 15, 2023.

  
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Andrea Casey, TOWN CLERK



TOWN OF UNION VALE TOWN BOARD  
RESOLUTION NO. 27 of 2023:

RESOLUTION TO APPROVE ENCUMBERING FUNDS TO PAY FOR NEW PARK  
TRUCK AND SNOW PLOW APPROVED LAST APRIL 20, 2022

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

**WHEREAS**, the Town Board of the Town of Union Vale authorized the Parks Department to purchase a new pick-up truck after getting a confirmed quote from the New York State Office of General Services and a snow plow after getting a confirmed quote from Trailer King in Poughkeepsie, NY;

**WHEREAS**, the Parks Department ordered the truck at a cost of \$40,897.02 and the snow plow at a cost of \$8,695.00 on April 21, 2022; and

**WHEREAS**, in 2022 the Parks Department spent \$ 0 of the \$49,592.02 amount approved for both pieces of equipment due to the delay in delivery of the truck from an expected delivery date of September 2022 to an actual delivery date of February of 2023;

**NOW THEREFORE, BE IT RESOLVED**, that the Town of Union Vale 2023 Budget shall be amended to provide for encumbrances rolled forward in order to provide for the funding of the aforementioned projects;

<u>FUND:</u>	<u>ENCUMBER:</u>
A7110	\$40,897.02
A7110	\$ 8,695.00

**BE IT FURTHER RESOLVED**, the amounts of these individual encumbrances provided for above are in the General Fund and will be transferred to the Parks budget as originally approved for this specific purpose.

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

DATED: Union Vale, New York  
March 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 Gusikoff seconded by Councilman Welsh, and adopted at the meeting of the Town Board, held on March 15th, 2023.

  
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Andrea Casey, TOWN CLERK