Regular Town Board Meeting

March 11, 2015

The Pleasant Valley Town Board held their regularly scheduled meeting on Wednesday, March 11, 2015 at 7:00PM at Town Hall, 1554 Main Street, Pleasant Valley.

PRESENT: Steve Albrecht Councilman

Mark Figliozzi Councilman

Steve Latino Councilman (Arrived at 7:25)

Lisa Milicaj Councilwoman
Carol Campbell Supervisor

PRESIDING OFFICER: Carol Campbell, Supervisor

RECORDING SECRETARY: Margaret Hart, Town Clerk

MONTHLY REPORTS:

- 1. Town Clerk Monthly Report
- 2. Refuse Monthly Report
- 3. Building, Zoning, Planning & Fire Monthly Report
- 4. Assessor's Monthly Report
- 5. Recreation Monthly Report
- 6. Aboveground Storage Monthly Report
- 7. Monthly Trial Balance Report

TOWN BOARD COMMITTEE REPORTS:

<u>Public Safety Report</u> – Councilman Albrecht noted that most of the sidewalks are clear of snow and ice. Councilwoman Milicaj noted that the sidewalk in front of the Mill Site is a sheet of ice and snow. <u>Personnel Report</u> – Councilman Figliozzi noted that the Town Board has received Building Inspector, Roger Lee's letter of resignation.

Supervisor Campbell noted that she is in the process of writing a letter to Roger's daughter to see when the best time for Roger to come to a Town Board Meeting so the Town Board can recognize Roger for his years of service to the Town of Pleasant Valley.

<u>Refuse/Highway Report</u>- Councilman Figliozzi read Highway Superintendent, Butch Gardner's report (filed with the minutes).

Supervisor Campbell thanked the Highway Department for the great job they have done keeping the roads clear of snow this year.

<u>Legislative Report</u> - Supervisor Campbell spoke about staying under the 2% tax cap and how the Town has filed the proper paper work with the State. Supervisor Campbell noted that the Town Board will have to find more ways to save money.

<u>Recreation Report</u> – Supervisor Campbell noted that she and Councilman Albrecht met with the Recreation Director and had discussion regarding Huck Finn Days. Supervisor Campbell noted that no agreement has been met with the Salt Point Rod and Gun Club regarding Huck Finn Days.

<u>Technology Report</u> – Councilman Figliozzi reviewed with the Town Board regarding upgrading the recreation office phone. Councilman Figliozzi noted that he was given a proposal from Time Warner for how much it would cost the Town to upgrade the phone and phone lines which is going to be a cost savings to the Town.

Councilman Figliozzi also reviewed the municity software grant with Hyde Park with the Town Board.

Supervisor Campbell noted that there was a virus on the computers in the Bookkeepers office and Sullivan data handle it right away and was able to solve the problem.

<u>Time Warner Report - Councilman Figliozzi</u> noted that the Town Board will set the date for a public informational meeting for the renewal of the franchise agreement with Time Warner.

<u>Insurance Report</u> – Councilwoman Milicaj reviewed with the Town Board about increasing the insurance and making it a blanket coverage for Supervisor, Tax Collector and Town Clerk. Councilwoman Milicaj will contact the Town's insurance agent to review this with him.

Zoning Code Review Report – Councilwoman Milicaj noted that she and Councilman Figliozzi met and went over the big concerns that have been brought up on a regular basis which was the signs. Councilwoman Milicaj asked if the Town Board could give some information on the signs Supervisor Campbell noted that she doesn't have a problem with the zoning code but has a concern about the time frame that it would take to update the zoning code and where will it leave the section on signs. Supervisor Campbell feels signs should be the first priority.

Councilwoman Milicaj hopes to have summation to the Town Board in about 60 days.

The Town Board had much discussion regarding the updating of the zoning code.

Personnel Report – Councilman Latino noted that he is working on updating the employee handbook.

ORAL/COMMITTEE REPORT:

County Legislator, Don Sagliano spoke regarding the replacement of the bridge at the corner of Sherow Road and North Avenue noting that the County has run into a problem with the DEC and the cost of the project has gone from 1.2 million to 2.6 million. Legislator Sagliano also noted that the County also has the Hurley Road projection back on the drawing board, they will be in contact with the Town's Highway Superintendent. Legislator Sagliano noted that the County adopted a resolution to have an agreement with Mid-Hudson Regional Hospital of Westchester to have a mobile crisis center available 24 hours/365 days for mental issues.

OPEN THE MEETING TO THE PUBLIC AGENDA ITEMS ONLY:

Motion by Councilman Albrecht, seconded by Councilwoman Milicaj the Town Board opened the meeting to the public for agenda items only, carried.

<u>Don Sagliano – Ryan's Run</u> – asked about the tax cap where the Town would have to save 1% of the tax levy over several years what is the actual dollar amount of the tax levy that the Town has to create the savings for?

Don Sagliano stated that Councilman Figliozzi has already come up with a savings of \$3,500.00 for the Town.

Supervisor Campbell stated that yes that is correct and the Town has also saved money on changing the Towns insurance.

Don Sagliano noted that our local government are very important.

<u>Bill Kern – Masten Road</u> – asked about the phone issue.

Councilman Figliozzi reviewed with Bill the problems that they are having with the phones.

NEW BUSINESS:

<u>Item # 1 – Employing Planning Board Engineering Services:</u>

Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 78/2015

RE: EMPLOYING PLANNING BOARD ENGINEERING SERVICES

BE IT RESOLVED, that Morris Associates, P.L.L.C., is hereby appointed as Engineers for the Planning Board of the Town of Pleasant Valley for 2015 in accordance with the proposal dated December 23, 2014 to be paid from available escrow funds; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute the engagement agreement accordingly as referenced herein.

MOTIONED BY: Councilman Figliozzi

SECONDED BY: Councilman Latino

DATED: March 11, 2015

ROLL CALL: AYE NAY

Councilman Albrecht X

Councilman Figilozzi	x	
Councilman Latino	x	
Councilwoman Milicaj		x
Supervisor Campbell	x	
Diagrapian		

Discussion:

Councilman Latino is thankful for Councilman Figliozzi working with Morris Associates and going over the costs that are being incurred by the residents.

Supervisor Campbell noted that she has spoken with Planning Board Chairwoman, Rebecca Seaman regarding the Planning Board reviewing the bills submitted by the Engineer.

Planning Board Chairwoman, Rebecca Seaman noted that it is a good idea to review the bills.

Councilman Figliozzi noted the Planning Board Engineer should not be re-designing a project if the resident has already had their own engineer draw up plans.

Councilman Latino asked what steps would be put in place to protect the residents from being over billed, there has to be more communication with the Planning Board and the Engineer.

CARRIED.

<u>Item # 2 – Appointment of 2015 Town of Pleasant Valley Summer Camp Staff:</u> Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD **TOWN BOARD RESOLUTION NO.: 79/2015**

RE: APPOINTMENT OF 2015 TOWN OF PLEASANT VALLEY SUMMER CAMP STAFF

WHEREAS, the Town of Pleasant Valley intends to operate various summer camp programs open to its residents and members of the public; and

WHEREAS, there are vacancies on the Town of Pleasant Valley 2015 summer camp staff for the positions of Off Site Health Director, Designated Health Director, Day Camp Director and Assistant Day Camp Director; and

WHEREAS, Frank Ludwig has expressed interest in being appointed as the Off Site Health Director, Cassidy Scharff has expressed an interest in being appointed as Designated Health Director, Stephanie Brockway has expressed interest in being appointed as Day Camp Director and Lynn Conners has expressed interest in being appointed as Assistant Day Camp Director; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley does hereby designate and appoint Frank Ludwig as Off Site Health Director, Cassidy Scharff as Designated Health

Director, Stephanie Brockway as Day Camp Director and Lynn Conners as Assistant Day Camp Director for the 2015 Town of Pleasant Valley summer camp at the rates established by Resolution No. 12/2015 and the 2015 adopted Town budget.

MOTIONED BY: Councilman Figliozzi			
	SECONDI	ED BY: Councilman	Albrecht
DATED: March 11, 2015			
ROLL CALL:	AYE	NAY	
Councilman Albrecht	X		
Councilman Figliozzi	X		
Councilman Latino	X		
Councilwoman Milicaj	X		
Supervisor Campbell CARRIED.	X		
Item # 3 – Authorizing Request for Proposals	for Lawn Car	e and Maintenance S	ervices in Various
Locations in the Town of Pleasant Valley:			
Supervisor Campbell read the following resol	ution:		
TOWN OF PLEA	SANT VALLE	Y TOWN BOARD	
TOWN BOARD	RESOLUTIO	N NO.: 80/2015	
RE: AUTHORIZING REQUEST FOR PROPOSITIONS IN THE TOWN OF PLEAS		VN CARE AND MAINT	ENANCE SERVICES IN
WHEREAS, the Town of Pleasant Vall maintenance services for certain specified lootherefore, be it			
RESOLVED, that the Town Board here	eby authorize	s the Town Clerk to s	olicit proposals for
qualified lawn care and maintenance contrac	•		
Town of Pleasant Valley for 2015, which such than March 30, 2015 at 12:00 p.m.	n proposals ar	e to be returned to th	ne Town Clerk no later
	MOTIONE	D BY: Councilman Fig	gliozzi
	SECONDE	D BY: Councilman All	orecht
DATED: March 11, 2015			
ROLL CALL:	<u>AYE</u>	NAY	
Councilman Albrecht	x_		
Councilman Figliozzi	X		
Councilman Latino	X		
Councilwoman Milicaj	X		
Supervisor Campbell	Χ		

CARRIED.

<u>Item # 4 – Advertise for Various Vacancies on the Town of Pleasant Valley Planning Board, Zoning Board of Appeals, Recreation Committee and the Agriculture and Farmland Committee:</u>
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD TOWN BOARD RESOLUTION NO.: 81/2015

RE: SOLICITING INTEREST FOR VARIOUS VACANCIES ON THE TOWN OF PLEASANT VALLEY PLANNING BOARD, ZONING BOARD OF APPEALS, THE RECREATION COMMITTEE AND THE AGRICULTURE AND FARMLAND COMMITTEE

WHEREAS, there are vacancies on the Town of Pleasant Valley Planning Board including alternates, Zoning Board of Appeals alternates, the Recreation Committee and the Agriculture and Farmland Committee; and

WHEREAS, the Town Board is interested in soliciting those interested residents in the Town of Pleasant Valley to serve on these Boards; now, therefore, be it

RESOLVED, that the Town Clerk is hereby authorized to post notice on the Town of Pleasant Valley website requesting that interested individuals submit letters on their interest and background to the Town Clerk.

	MOTIONED BY: Councilman Albrecht SECONDED BY: Councilwoman Milicaj	
DATED: March 11, 2015		
ROLL CALL:	<u>AYE</u>	NAY
Councilman Albrecht	X	
Councilman Figliozzi	X	
Councilman Latino	x	
Councilwoman Milicaj	x_	
Supervisor Campbell	X	
Carried.	<u> </u>	

<u>Item # 5 – Memorialization Urging the United States Congress to Prohibit the United States Postal</u>
<u>Service from Closing and Consolidating the Mail Processing Center Located in Newburgh, New York:</u>
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD TOWN BOARD RESOLUTION NO.: 82/2015

RE: MEMORIALIZATION - URGING THE UNITED STATES CONGRESS TO PROHIBIT THE UNITED STATES POSTAL SERVICE FROM CLOSING AND CONSOLIDATING THE MAIL PROCESSING CENTER LOCATED IN NEWBURGH, NEW YORK

WHEREAS, the United States Postal Service plans to close or consolidate the Mid-Hudson Mail Processing and Distribution Center located in Newburgh, New York; and

WHEREAS, the closure of this facility will likely result in the delay of all classes of mail delivery and would negatively impact the residents of the Town of Pleasant Valley in Dutchess County as well as the entire Mid-Hudson Region; and

WHEREAS, the delay in mail delivery would negatively affect residents and local businesses thereby harming our community; and

WHEREAS, it has been suggested that a closure would result in a degradation of "service standards" that could result in the virtual elimination of overnight delivery of first class mail; and

WHEREAS, the closure of the Mid-Hudson Mail Processing and Distribution Center is not in the best interest of the public; and

WHEREAS, Federal law provides that, "The Postal Services shall have as its basic function the obligation to provide postal services to bind the Nation together through personal, educational, literary and business correspondence of the people. It shall provide prompt, reliable and efficient services to patrons in all areas and shall render postal services to all communities, "[39 U.S. Code Section 101(a)]; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby requests and urges the United States Congress to stop the proposal to close or consolidate the Mid-Hudson Mail Processing and Distribution Center; and be it further

RESOLVED, that the Town Clerk of the Town of Pleasant Valley is hereby directed to forward certified copies of this Resolution to United States Senators Chuck Schumer and Kirsten Gillibrand, Congressman Christopher Gibson and United States Postal Service Post Master General Megan Brennan.

	MOTIONED BY: Councilman SECONDED BY: Councilman	
DATED: March 11, 2015		
ROLL CALL:	<u>AYE</u>	NAY
Councilman Albrecht	X	
Councilman Figliozzi	X	
Councilman Latino	X	
Councilwoman Milicaj	X	
Supervisor Campbell	X	
Carried		

Discussion: Councilman Latino noted that the closing of the plant would cost people their jobs

<u>Item # 6 – Set Date for Public Hearing Regarding Time Warner Cable Franchise Renewal Agreement:</u> Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD TOWN BOARD RESOLUTION NO.: 83/2015

RE: SETTING A PUBLIC HEARING REGARDING TIME WARNER CABLE FRANCHISE RENEWAL AGREEMENT

WHEREAS, the Town of Pleasant Valley is a party to a franchise agreement with Time Warner Cable to provide cable service via a cable system within the Town of Pleasant Valley; and

WHEREAS, the Town is considering a renewal of the cable franchise agreement in accordance with the Federal Regulations, the applicable provisions of the New York State Public Service Law and the rules and regulations of the Public Service Commission; and

WHEREAS, the Town Board has established a Cable Television Committee to ascertain and identify the Town's cable related needs; and

WHEREAS, the Town Board intends to establish its cable related community needs with respect to cable service in order to negotiate a renewal agreement; and

WHEREAS, the Cable Committee and the Town Board of the Town of Pleasant Valley is desirous of obtaining public input with respect to the following issues: past performance; equipment and facilities; franchise fee; public, educational and governmental access; service to schools and public buildings; right-of-way management and safety; consumer protection; and accountability standards and procedures; now, therefore, be it

RESOLVED, the Town Board shall conduct a public hearing to obtain public input on the aforementioned issues on April 1, 2015 at 7:00 p.m. at Pleasant Valley Town Hall, 1554 Main Street, Pleasant Valley, New York; and

RESOLVED, that the Town intends to establish a definitive record with respect to any issues or concerns and it is requested that communications be submitted in writing to the Town Clerk on or before April 1, 2015.

, ,		MOTIONED BY: Councilwoman Milicaj SECONDED BY: Councilman Latino	
DATED: March 11, 2015			
ROLL CALL:	<u>AYE</u>	NAY	
Councilman Albrecht	X		
Councilman Figliozzi	x		
Councilman Latino	x		
Councilwoman Milicaj	X		
Supervisor Campbell	X		
CADDIED			

<u>Item #7 – Authorizing Execution of the Agreement with New York State Department of Motor Vehicles:</u> Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD TOWN BOARD RESOLUTION NO.: 84/2015

RE: AUTHORIZING EXECUTION OF THE AGREEMENT WITH NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES

WHEREAS, the New York State Department of Motor Vehicle's ("DMV") has expressed a desire to enter into a renewal Agreement with the Town of Pleasant Valley for use of a Hearing Room for the period of January 1, 2015 to December 31, 2015; now, therefore be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby authorizes a renewal Agreement with the DMV allowing their use of the Hearing Room in substantially the same form as annexed hereto; and be it further

RESOLVED, that the Town Supervisor be and hereby is authorized and directed to execute such Agreement as approved by the Attorney to the Town.

MOTIONED BY: Councilman Albrecht SECONDED BY: Councilman Figliozzi

DATED: March 11, 2015

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Figliozzi	X	
Councilman Latino	X	
Councilwoman Milicaj	X	
Supervisor Campbell	X	
CARRIED.		

<u>Item # 8 - Amending the 2015 Adopted Town Budget/General:</u>

Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD TOWN BOARD RESOLUTION NO.: 85/2015

RE: AMENDING THE 2015 ADOPTED TOWN BUDGET

WHEREAS, the Town Board of the Town of Pleasant Valley has expenditures for the 2015 Adopted Budget line items that will exceed the amount available in such Budget lines; and

WHEREAS, it is necessary to amend the 2015 Adopted Budget to meet these expenses; and

WHEREAS, the Town of Pleasant Valley has funds available in other lines and needs to transfer such funds to provide for such expenditures; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby authorizes, empowers and directs the Town Supervisor to amend the 2015 Adopted Budget as follows:

Appropriations:

<u>Increase</u>

Account	Department	Amount
A.1110.200	Court Equipment	\$ 26.95
A.1460.400	Records Management Supplies	\$ 38.00
A.8010.413	Zoning Adm. School	\$600.00
Total		\$664.95

<u>Decrease</u>

Account	Department	Amount
A.1110.499	Court Miscellaneous	\$ 26.95
A.1410.415	Town Clerk Supplies	\$ 38.00
A.1990.400	Contingency	\$600.00

Total \$664.95

MOTIONED BY: Councilman Figliozzi SECONDED BY: Councilman Latino

DATED: March 11, 2015

ROLL CALL: AYE NAY

Councilman Albrecht __X_ ____

Councilman Figliozzi __X_ ____

Councilman Latino _____X

Councilwoman Milicaj ______ X__

Supervisor Campbell _____X

CARRIED.

<u>Item # 9 – Amending the 2015 Adopted Town Budget/Highway:</u>

Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 86/2015

RE: AMENDING THE 2015 ADOPTED TOWN BUDGET- HIGHWAY

WHEREAS, the Town Board of the Town of Pleasant Valley has expenditures for the 2015 Adopted Highway Budget line items that will exceed the amount available in such Budget lines; and

WHEREAS, the Town of Pleasant Valley has received revenues from insurance recoveries and needs to increase the equipment repair expense line to incorporate such funds to provide for such increases; and

WHEREAS, it is necessary to amend the 2015 Adopted Budget to meet these expenses to reflect additional revenue; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby authorizes, empowers and directs the Town Supervisor to amend the 2015 Adopted Budget as follows:

Revenue:

<u>Increase</u>

AccountDepartmentAmountDA.2680Insurance Recoveries\$9,575.11

Total \$9,575.11

Appropriations

DA.5130.483	Equipment Repairs	\$9,575.11
Total		\$9,575.11
	MOTIONED BY: Councilm SECONDED BY: Councilm	•
DATED: March 11, 2015 ROLL CALL: Councilman Albrecht Councilman Figliozzi Councilman Latino Councilwoman Milicaj Supervisor Campbell CARRIED.	<u>AYE</u> XXXXX	<u>NAY</u>

Department

Amount

Councilman Latino asked what the insurance was for.

Account

Councilman Figliozzi noted it was from an accident from last year.

<u>Item # 10 – Authorizing Payment of Abstract No. 3 of 2015:</u>

Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD TOWN BOARD RESOLUTION NO.: 87/2015

RE: AUTHORIZING PAYMENT OF ABSTRACT NO. 3 OF 2015

WHEREAS, the Town of Pleasant Valley Town Board has audited the bills presented by the Town Clerk, and an abstract has been compiled; now therefore be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to pay all claims as follows:

1. Abstract 3 of 2015	General Fund Claims	\$ 60,746,01
2. Abstract 3 of 2015	Highway Fund Claims	\$ 100,702.76
3. Abstract 3 of 2014	PV Fire District	\$1,468,582.00
4. Abstract 3 of 2015	Consolidated Light	\$ 3,754.86
5. Abstract 3 of 2015	Ambulance	\$ 8,160.00

MOTIONED BY: Councilman Figliozzi

DATED: March 11, 2015		
ROLL CALL:	<u>AYE</u>	NAY
Councilman Albrecht	X	
Councilman Figliozzi	X	
Councilman Latino	X	
Councilwoman Milicaj	X	
Supervisor Campbell	X	
CARRIED.		

Supervisor Campbell noted that e-mails have been going back and forth regarding supplying a dumpster to the Library. Supervisor Campbell noted that in the past a dumpster has been supplied by the Highway Department. Supervisor Campbell stated that last year the Library held two book sales, the Library was told that for the second book sale the Town could not supply them with a dumpster at the Town's expense but Royal Carting did supply them with a dumpster.

SECONDED BY: Councilman Latino

Supervisor Campbell noted that she had spoken with the Highway Superintendent and he had asked what would the Town Board like to do in regards to supplying the Library with a dumpster for their book sale.

Councilman Figliozzi stated that it was his understanding that the cost to the Town for the dumpster runs between \$350.00-\$500.00 depending on the weight. Councilman Figliozzi would like to know if it is legal for the Town to be supplying the dumpster.

Supervisor Campbell also noted that the Library is not the only organization that a dumpster has been supplied to. Supervisor Campbell would like to see maybe establish a policy.

Councilman Latino asked doesn't the Library fall under the Town's budget.

Much discussion took place regarding the Library budget.

Councilman Figliozzi would like to know if it is legal for the Town to supply the dumpster to Library or any other organization that would request the use of a dumpster.

Town Attorney, Scott Volkman just hearing about this issue he feels that it wouldn't be appropriate, he did ask the Town Board if they would like him to do a formal opinion and get that information back to them.

The Town Board had much discussion regarding this matter.

OPEN THE MEETING TO THE PUBLIC:

Motion by Councilman Albrecht, seconded by Councilwoman Milicaj the Town Board opened the meeting to the public, carried.

<u>Brian Hogan – Whiteford Drive</u>- asked about the 1.2 million difference in the project that Legislator Don Sagliano spoke about, where is the money coming from.

Councilman Figliozzi stated that he would look more into to it.

Rolando Guidieni – Arbor Hill Drive – noted that he feels the Town should support the Library.

<u>Bill Kern – Masten Road</u> – asked what would be the difference if the Library went to dump or used a dumpster.

Councilman Figliozzi noted that if they brought it up in a truck there would still be a tipping charge that the Town would have to pay.

CLOSE THE MEETING TO THE PUBLIC:

Motion by Councilman Albrecht, seconded by Councilwoman Milicaj the Town Board closed the meeting to the public, carried.

EXECUTIVE SESSION:

Motion by Councilman Figliozzi, seconded by Councilman Latino the Town Board entered into Executive Session under Public Officers Law section 105.1 (E) collective negotiations, at 8:39PM, carried.

No action taken

Motion by Councilwoman Milicaj, seconded by Councilman Figliozzi the Town Board came out of Executive Session at 8:55PM, carried.

ADJOURN:

Motion by Councilwoman Milicaj, seconded by Councilman Albrecht the Town Board adjourned the meeting at 9:00PM, carried.

Respectfully Submitted,

Margaret Hart

Margaret Hart, Town Clerk