

**REGULAR TOWN BOARD MEETING**

**MAY 13, 2015**

The Pleasant Valley Town Board held their regularly scheduled Town Board Meeting on Wednesday, May 13, 2015 at 7:00PM, at Town Hall, 1554 Main Street, Pleasant Valley.

<b><u>PRESENT:</u></b>	Steve Albrecht	Councilman
	Mark Figliozi	Councilman
	Steve Latino	Councilman
	Lisa Milicaj	Councilwoman
	Carol Campbell	Supervisor

<b><u>MINUTES:</u></b>	of	02/11/2015	Public Hearing/Regular Town Board Meeting
		03/04/2015	Workshop Meeting
		03/11/2015	Regular Town Board Meeting
		04/29/2015	Special Town Board Meeting

**MONTHLY REPORTS:**

1. Town Clerk Monthly Report
2. Refuse Monthly Report
3. Building, Zoning, Planning and Fire Department Monthly Report
4. Assessor's Monthly Report
5. Recreation Monthly Report
6. Monthly Trial Balance Report

**TOWN BOARD COMMITTEE REPORTS:**

Public Safety Committee Report- Councilman Albrecht noted that the sidewalk in front of the Mill Site is fixed.

Personnel Committee Report – Councilman Latino spoke about paid time off or make up time for part-time employees. Councilman Latino also spoke about paying the part-time employees for snow days or if the Town Hall is closed for any emergency.

Councilman Latino noted that he has called Dutchess County Personnel to see if this can be done.

Refuse Committee Report – Councilman Figliozi read the Highway Report (filed with the minutes).

Supervisor Campbell noted that the compactor is now open on Monday's until Labor Day.

Buildings Committee Report – Councilwoman Milicaj stated that she would like to see the sidewalk in front of Town Hall by the front door fixed.

Councilman Figliozi noted that the Town Engineer should take a look at it.

Recreation Committee Report – Supervisor Campbell read the recreation report (filed with the minutes).

Supervisor Campbell noted that the plaque for Bower Park is going to cost more than what was budgeted for, so money will have to be moved to offset the cost.

Councilman Albrecht noted the Pleasant Valley Stone has donated a stone for the plaque to be mounted on.

Technology Committee Report – Councilman Figliozzi spoke about the phone change over and what the cost would be to put in an air conditioning unit in the server room.

Insurance Committee Report – Councilwoman Milicaj noted that she has e-mailed the Town’s insurance agent regarding coverage for the Town’s ballfields and parks. Councilwoman Milicaj stated she wouldn’t advise the Town to insure every piece of equipment that is in our parks.

Supervisor Campbell noted that the Town has a lot of parks and we keep getting damage reports for the damage that is done to the Towns parks and playgrounds.

Councilwoman Milicaj noted that Friends of Pleasant Valley Weekend should have insurance for the weekend.

Time Warner Committee Report – Councilman Figliozzi noted that he has scheduled a meeting to review the proposal with the Town Attorney, so the Town will be able to present the proposal to Time Warner.

Zoning Code Committee Report – Councilman Figliozzi noted that he and Councilwoman Milicaj are looking at the chapter regarding signs and they are looking at the Route 44 corridor.

**OPEN THE MEETING TO THE PUBLIC FOR 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.

Gail Rau – Brown Road – wanted to thank the Town Board for supplying the dumpster for the Library’s book sale.

Roland Ghedini – Arbor Hill Drive – stated that the vandalism at the parks should be taken care of with cameras.

Janet Gross – Creek Road – stated that the people who are doing the damage to the parks should be held accountable.

**CLOSE THE MEETING TO THE PUBLIC:**

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

**NEW BUSINESS:**

Item # 1 – Stormwater Management Program 2014 Annual Report:

Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**

**TOWN BOARD RESOLUTION NO.: 104/2015**

**RE: STORMWATER MANAGEMENT PROGRAM 2014 ANNUAL REPORT**

WHEREAS, the Town of Pleasant Valley is required to file an annual MS4 Report; and

WHEREAS, the Town of Pleasant Valley has retained the services of Stormwater Management Consultants, Inc., for the purposes of assisting the Town in preparation of this annual report; and

WHEREAS, the Town of Pleasant Valley conducted a public meeting on May 13, 2015 to consider the report prepared by Stormwater Management Consultants, Inc., for the period ending March 10, 2014 through March 9, 2015; now, therefore, be it

RESOLVED, that the Town Supervisor be and hereby is authorized and directed to execute the certification for the MS4 Report for the period ending March 9, 2015; and, be it further

RESOLVED, that the Town Supervisor and Stormwater Management Consultants, Inc. are hereby directed to file the report with the New York State Department of Environmental Conservation; and, be it further

RESOLVED, that a copy of the report shall be filed in the Town Clerk's office where it shall be available for public inspection and that an electronic copy of the report shall be posted on the Town of Pleasant Valley website.

MOTIONED BY: Councilman Figliozi

SECONDED BY: Councilman Latino

DATED: May 13, 2015

<b>ROLL CALL:</b>	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Figliozi	X	
Councilman Latino	X	
Councilwoman Milicaj		X

Supervisor Campbell

X

Carried.

Item # 2 – Introducing Local Law X of 2015 Amending the Town’s Zoning Map:  
Supervisor Campbell read the following resolutions:

**TOWN OF PLEASANT VALLEY TOWN BOARD**  
**TOWN BOARD RESOLUTION NO.: 105/2015**

**RE: INTRODUCING LOCAL LAW NO. X OF 2015 AMENDING THE TOWN’S ZONING MAP FOR THE PURPOSE OF REZONING PROPERTIES TO THE MIXED USE COMMERCIAL (MC) DISTRICT AND TO HIGHER DENSITY RESIDENTIAL (HDR) DISTRICT**

WHEREAS, the Town Board of the Town of Pleasant Valley pursuant to a petition submitted by Guardian Self Storage East LLC, Hans Redl LLC and Herbert H. Redl dated April 14, 2015 is considering the adoption of Local Law No. X of 2015 to amend the Town zoning map for the purpose of rezoning a properties to the Mixed Use Commercial (MC) zoning district and Higher Density Residential (HDR) zoning district; and

WHEREAS, for the purpose of Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as “SEQRA”) and pursuant to Chapter 98 of the Town Code, the proposed action is adoption of the proposed Local Law, the adoption of a resolution amending the Town’s Comprehensive Plan is subject to SEQRA and is an Type I Action pursuant to SEQRA; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby introduces for consideration of its adoption proposed Local Law No. X of 2015 and hereby schedules a public hearing regarding proposed Local Law at 7:00 p.m. on the 8<sup>th</sup> of July, 2015 and the Town Clerk is hereby directed to post and publish as required by law; and be it further

RESOLVED, that the Town Board hereby directs the Town Clerk to circulate this resolution, proposed Local Law No. X of 2015, supporting documentation and the public hearing notice to the Town Clerk of each abutting municipality, the Town of Pleasant Valley Planning Board for review and recommendation pursuant to Section 98-101 of the Zoning Law, the Dutchess County Department of Planning and Development for advisory review in accordance with Section 239 of General Municipal Law

and the New York State Department of Transportation.

MOTIONED BY: Councilman Figliozzi

SECONDED BY: Councilwoman Milicaj

**DATED:** May 13, 2015

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

Carried.

**TOWN OF PLEASANT VALLEY  
LOCAL LAW NO. X OF THE YEAR 2015**

Re: **A LOCAL LAW OF THE TOWN OF PLEASANT VALLEY, NEW YORK AMENDING THE TOWN'S ZONING MAP FOR THE PURPOSE OF REZONING PROPERTIES TO THE MIXED USE COMMERCIAL (MC) DISTRICT AND TO HIGHER DENSITY RESIDENTIAL (HDR) DISTRICT**

**BE IT ENACTED** by the Town Board of the Town of Pleasant Valley as follows:

**Section I: Title.**

This Local Law shall be known and cited as Town of Pleasant Valley as “A Local Law Amending the Town’s Zoning Map for the Purpose of Rezoning Properties to the Mixed Use Commercial (MC) District and to Higher Density Residential (HDR) District”.

**Section II: Legislative Intent.**

This Local Law is determined to be an exercise of the police powers of the Town to protect the public health, safety and welfare of its residents. The Town Board believes that it is reasonable and appropriate to amend the Zoning Map associated with Chapter 98 of the Town Code. This local law is intended to implement the Town’s Comprehensive Plan as amended.

**Section III: Changing of Zoning District Designation of Parcel.**

<b>Tax Parcel Number</b>	<b>Subject Property Address</b>	<b>Owner’s Name and Address</b>	<b>Existing Zoning District</b>	<b>New Zoning District</b>
6463-02-528844	5 Mill Lane	Guardian Self Storage East LLC 80 Washington Street Poughkeepsie, NY 12601	MDR	MC
6463-02-619797	59 Mill Lane	Hans Redl LLC 80 Washington Street Poughkeepsie, NY 12601	MC, OI, RA	MC, HDR
6463-02-701916	Route 44	Hans Redl LLC 80 Washington Street Poughkeepsie, NY 12601	OI	MC
6463-02-530819	11 Mill Lane	James Moseley and Bertha Moseley 11 Mill Lane Pleasant Valley, NY 12569	MDR	MC

**Section IV:      Amendment to the Zoning Map of Chapter 98, Zoning of the Town of Pleasant Valley**

The Zoning Map of the Town of Pleasant Valley is hereby amended to graphically show the changed zoning of the parcels listed in Section III above.

**Section V:      Ratification, Re-adoption and Confirmation**

Except as specifically modified by the amendments contained herein, the Zoning Law of the Town of Pleasant Valley as adopted by Local Law No. 8 of 2009 and amended from time to time thereafter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

**Section VI:      Severability.**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section VII: Effective Date.**

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**TOWN OF PLEASANT VALLEY TOWN BOARD  
TOWN BOARD RESOLUTION NO.: 106/2015**

**RE: INTRODUCING AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN IN CONNECTION WITH REZONING PROPERTIES TO THE MIXED USE COMMERCIAL (MC) DISTRICT AND HIGHER DENSITY RESIDENTIAL (HDR) DISTRICT**

WHEREAS, the Town Board of the Town of Pleasant Valley pursuant to a petition submitted by Guardian Self Storage East LLC, Hans Redl LLC and Herbert H. Redl dated April 14, 2015 is considering the adoption of Local Law No. X of 2015 to amend the Town zoning map for the purpose of rezoning a properties to the Mixed Use Commercial (MC) zoning district and Higher Density Residential (HDR) zoning district; and

WHEREAS, the subject properties are located at 5 Mill Lane, 59 Mill Lane, Route 44 and 11 Mill Lane in the Town of Pleasant Valley and is designated as parcel #6463-02-528844, #6463-02-619797, #6463-02-701916 and #6463-02-530819 on the Town's tax maps (the "Subject Property"); and

WHEREAS, the Town Board is also considering the following analogous amendments to the Town's Comprehensive Plan: The Town of Pleasant Valley 2009 Comprehensive Plan designated as "graphic #2- district maps", and it proposed to be amended so as to change the designation of the Subject Property, parcel # 6463-02-528844 from the Medium Density Residential (MDR) to Mixed Use Commercial (MC); and

WHEREAS, the Town Board is also considering the following analogous amendments to the Town's Comprehensive Plan: The Town of Pleasant Valley 2009 Comprehensive Plan designated as "graphic #2- district maps", and it proposed to be amended so as to change the designation of the Subject Property, parcel #6463-02-619797 from the Mixed Use Commercial (MC), Office/Industrial (OI) and Rural Agricultural (RA) to Mixed Use Commercial (MC) and Higher Density Residential (HDR); and

WHEREAS, the Town Board is also considering the following analogous amendments to the Town's Comprehensive Plan: The Town of Pleasant Valley 2009 Comprehensive Plan designated as "graphic #2- district maps", and it proposed to be amended so as to change the designation of the Subject Property, parcel #6463-02-701916 from the Office/Industrial (OI) to Mixed Use Commercial (MC); and

WHEREAS, the Town Board is also considering the following analogous amendments to the Town's Comprehensive Plan: The Town of Pleasant Valley 2009 Comprehensive Plan designated as "graphic #2- district maps", and it proposed to be amended so as to change the designation of the

Subject Property, parcel #6463-02-530819 from the Medium Density Residential (MDR) to Mixed Use Commercial (MC); and

WHEREAS, the language in the Comprehensive Plan defines “Rural Residential” as follows: “this category bridges the gap between the Conservation district along the eastern portion of town, and areas to the west that have experienced continued growth and development over the last decade. The area encompasses numerous DEC and NWI wetlands, as well as sections within the 100-year floodplain of the Wappinger Creek and tributaries. According to the 2007 Municipal Aquifer Report, the soils in this area are predominately Type C and Type C/D, meaning that slower aquifer recharge rates necessitate an appropriate change in development potential in order to protect water quality and quantity.”; and

WHEREAS, the language in the Comprehensive Plan defines “Office/Industrial” (O/I) as follows: “Two large areas that were zoned for light industry and now in this category. The largest district includes the electric substation at the western entrance to the Pleasant Valley hamlet, as well as two existing industrial uses and a large vacant property at the intersection of West Road and Salt Point Turnpike. The second district is between Mill Lane and Rossway Road in the south-central part of Town. This second district is comprised primarily of a single parcel. Due to the proximity to the Town center and the location along a major transportation corridor, this area may provide unique opportunity for economic expansion in the Town. This parcel should not be developed in sections, but rather as part of a comprehensive plan for the area.”; and

WHEREAS, the O/I language would have to be amended to remove references to the second district; and

WHEREAS, the language in the Comprehensive Plan defines “Mixed Use Commercial” as follows: “this category includes the Route 44 corridor in an area between Mill Lane and Rossway Road and several parcels along the south side of Route 44 just east of the Taconic State Parkway, all of which are currently part of the Neighborhood Commercial District. The purpose of this category is to allow for a variety of mixed uses, but in a contained area that eliminates the possibility of contiguous strip development. Development and redevelopment in these areas will involve improved site design, landscaping, and architecture, in an effort to “retrofit the strip” (as recommended in the Greenway Guides)”; and

WHEREAS, portions of the Subject Properties are currently on the dividing line or in close proximity to the MC zoning districts and the definition of the MC district specifically refers to property

between Mill Lane and Rossway Road, so there is no need for any specific language amendments as it pertains to the Comprehensive Plan so to allow the use of portions of the Subject Properties for Mixed Use Commercial purposes; and

WHEREAS, the language in the Comprehensive Plan defines “Higher Density Residential” as follows: “this category describes the mostly developed southwest section near the Town of Poughkeepsie line, south of the substation and wetland, and north of Wappinger Creek. It contains the parcels along the ridgelines of Clark and Timothy Heights, as well as the properties lining Bower Road and Route 44. Most of this area is already zoned for higher density residential development. Because of its existing density and location near the Wappinger Creek, Route 44 Corridor and Pleasant Valley hamlet, this area should be included in any future consideration of a central utilities district. While this plan recommends maintaining the essential residential character of this area with housing set back from a roadway lined with street trees to form an entrance transition to the hamlet of Pleasant Valley, other compatible low traffic volume uses would also be appropriate under special permit conditions (for example and not limited to accessory apartments and multi-family housing options, family day care, bed and breakfast establishments, professional offices and home occupations.) Existing spot or strip highway business uses, both here and in other non-commercial areas along Route 44, should be allowed to exist and treated under the nonconforming provisions of the zoning law”; and

WHEREAS, notwithstanding the fact that parcel #6463-02-619797 is located in the O/I zone, it is also designated on the Town of Pleasant Valley Centers and Greenspaces Plan as a major Greenspace parcel in excess of 25 acres as designated in “graphic #2 – Centers and Greenspaces Plan”, notwithstanding the fact that O/I allows 70% maximum impervious coverage while HDR allows 30% maximum impervious coverage per the schedule of bulk and area regulations of the Town Zoning Code; and

WHEREAS, the language of the Comprehensive Plan defining “Higher Density Residential” will have to be amended to include the property in the south-eastern part of Town between Mill Lane and Rossway Road; and

WHEREAS, for the purpose of Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as “SEQRA”) and pursuant to Chapter 98 of the Town Code, the proposed action is adoption of the proposed Local Law, the adoption of a resolution amending the Town’s Comprehensive Plan is subject to SEQRA and in this case is a Type I Action pursuant to SEQRA; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby introduces for consideration the Comprehensive Plan amendment specified above; and be it further

RESOLVED, that at 7:00 p.m. on the 8th of July, 2015 the Town Board intends to hold a Public Hearing in regards to the proposed amendment to the Town of Pleasant Valley Comprehensive Plan and the Town Clerk is hereby directed to publish the notice of public hearing; and be it further

RESOLVED, that the Town Board hereby directs the Town Clerk to circulate this resolution, proposed Local Law No. X of 2015, supporting documentation and the public hearing notice to the Town Clerk of each abutting municipality, the Town of Pleasant Valley Planning Board for review and recommendation pursuant to Section 98-101 of the Zoning Law and Town Law § 272-a, the Dutchess County Department of Planning and Development for advisory review in accordance with Section 239 of General Municipal Law and the New York State Department of Transportation.

MOTIONED BY: Councilman Figliozzi

SECONDED BY: Councilman Albrecht

DATED: May 13, 2015

Discussion:

Councilwoman Milicaj asked who wrote this resolution it feels like the Planning Board Chair wrote it.

Town Attorney, Scott Volkman noted that he wrote the resolution and used the language from the comprehensive plan.

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

Carried.

Item # 3 – Appointment of 2015 Summer Camp Staff:

Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**

**TOWN BOARD RESOLUTION NO.: 107/2015**

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

RESOLVED, that the Town Board of the Town of Pleasant Valley, hereby appoints the following 2015 Summer Camp Staff:

Program Director - Joanne Massi

Counselors

Angel Abreu  
Julie Battistoni  
Melanie Battistoni  
Amanda Fastiggi  
Michael Koenitzer  
Kallie Mariana  
Julia Orlando  
Brenden Wisnewski

Jonathan Hutcher

Alyssa Murray

Victoria Scharff

Counselor Waiting List

Christina Berino  
Melissa DosSantos  
Paige Fanelli  
Nikolas Linnane  
Mathew Medhna  
Kristen Molina  
Megan Roe  
Natalie Wood

AND BE IT FURTHER RESOLVED, that the salary for said positions shall be as heretofore established by Resolution 12/2015.

MOTIONED BY: Councilman Figliozzi

SECONDED BY: Councilman Latino

DATED: May 13, 2015

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

Carried.

Item # 4 – LaPuerta Azul Liquor License Application/30 Day Waiver:  
Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**

**TOWN BOARD RESOLUTION NO.: 108/2015**

**RE: LA PUERTA AZUL, 2510 ROUTE 44 - LIQUOR LICENSE APPLICATION**

WHEREAS, Refaat Abououkal as President of Raffi & BA, Inc. submitted a Notice of Intent to file a new application for an On-Premises Alcoholic Beverage License for “liquor, wine and beer” to be sold at 2510 Route 44, Salt Point, New York; and

WHEREAS, pursuant to the applicable provisions of the Alcohol and Beverage Control Law Section 64, Subdivision 2(a), the Town has been notified of their intent to file an application for a liquor license with the New York State Liquor Authority; and

WHEREAS, a thirty (30) day hold before said application can be filed is mandated by New York Alcohol and Beverage Control Law, however, this time period may be waived by the municipality; and

WHEREAS, the Town Board wishes to assist the applicant in expediting the application process so as to allow a new business to achieve the greatest level of success by advancing this approval process; now, therefore be it

RESOLVED, that to the extent permitted by the New York State Liquor Authority, the Town Board hereby waives the requirement that written notice of the application be given to the Town at least thirty (30) days prior to submitting this application; and be it further

RESOLVED, that the Town Clerk is hereby authorized to issue a letter to the applicant and to the New York State Liquor Authority to confirm the Town's receipt of the Notice of Intent to file for the liquor license and a waiver of the thirty (30) day hold on the processing of said application.

MOTIONED BY: Councilwoman Milicaj

SECONDED BY: Councilman Figliozi

DATED: May 13, 2015

**ROLL CALL:**

AYE

NAY

Councilman Albrecht

X

Councilman Figliozi

X

Councilman Latino	X
Councilwoman Milicaj	X
Supervisor Campbell	X

Carried.

Item # 5 – Authorizing Retention of Bowitch & Coffey LLC Regarding Cricket Valley Public Service Commission Proceedings:

Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**

**TOWN BOARD RESOLUTION NO.: 109/2015**

**RE: AUTHORIZING RETENTION OF BOWITCH & COFFEY LLC WITH REGARD TO THE CRICKET VALLEY PUBLIC SERVICE COMMISSION PROCEEDING**

WHEREAS, pursuant to Resolution No. 103/2015 the Town Board expressed its intention to retain the services of Gary S. Bowitch, Esq. of Bowitch & Coffey LLC to represent the Town with respect to the Cricket Valley Transmission Line proceeding pending before the Public Service Commission pursuant to Public Service Law, Article VII; and

WHEREAS, in response to the Town Board's intent Bowitch & Coffey LLC has provided an engagement agreement dated May 8, 2015 confirming that the Town of Pleasant Valley's contribution will be in the amount of \$5,000; and

WHEREAS, the fee shall be split with the Town of LaGrange as it pertains to this matter in an amount no greater than \$5,000; and

WHEREAS, Bowitch & Coffey LLC has advised the Town Board that they represent the Town of LaGrange in the Article VII proceeding along with the Pleasant Valley Concerned Citizens and advised that all parties agree that there is no current conflict in Bowitch & Coffey LLC representing Pleasant Valley Concerned Citizens in the proceeding and they have requested a waiver of any potential conflict of interest; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby agrees to retain the

services of Bowitch and Coffey LLC in accordance with the engagement agreement dated May 8, 2015; and be it further

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby waives any potential conflict of interest in the proceeding; and be it further

RESOLVED, that the Town Supervisor be and is hereby directed to execute the engagement letter dated May 8, 2015.

MOTIONED BY: Councilman Latino

SECONDED BY: Councilman Figliozi

DATED: May 13, 2015

<b>ROLL CALL:</b>	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Figliozi	X	
Councilman Latino	X	
Councilwoman Milicaj		X
Supervisor Campbell	X	

Carried.

Item # 6 – Amending Resolution No. 108/2014 Authorizing Purchase of Appreciation Plaque for Bower Park Playground:

Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**

**TOWN BOARD RESOLUTION NO.: 110/2015**

**RE: AMENDING RESOLUTION NO. 108/2014 AUTHORIZING PURCHASE OF APPRECIATION PLAQUE FOR BOWER PARK PLAYGROUND**

WHEREAS, the Town Board of the Town of Pleasant Valley pursuant to Resolution No. 108/2014 authorized the acquisition of a plaque to be installed at Bower Park; and

WHEREAS, the Town Board previously authorized the plaque at a cost not to exceed \$350; and

WHEREAS, it has been determined that the total cost of the plaque will actually be \$627; now, therefore, be it

RESOLVED, that Town Board Resolution No. 108/2014 is amended with respect to authorizing a cost of the plaque not to exceed \$630.

MOTIONED BY: Councilman Figliozzi

SECONDED BY: Councilman Albrecht

DATED: May 13, 2015

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

Carried.

Item # 7 – A Local Law of the Town of Pleasant Valley regarding the Change in Residency Requirements for the Office of Town Building Inspector:

Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**

**TOWN BOARD RESOLUTION NO.: 111/2015**

**RE: A LOCAL LAW OF THE TOWN OF PLEASANT VALLEY, NEW YORK, TO CHANGE THE RESIDENCY REQUIREMENTS FOR THE OFFICE OF TOWN BUILDING INSPECTOR**

WHEREAS, by this Resolution the Town Board introduces the proposed Local Law to be known as Local Law No. X of 2015, to change the residency requirements for the office of Town Building Inspector; and

WHEREAS, applicable provisions of the Town Law and the Public Officers Law require that the office of Town Building Inspector be filled by a person who is an elector of the Town of Pleasant Valley; now, therefore be it

RESOLVED, that the Town Board has determined that it would be in the best interest of the Town of Pleasant Valley to enact a local law superseding the requirements of the provisions of Town Law and the Public Officers law to allow the Town Board to appoint a person to the office of Town Building Inspector who does not reside in the Town of Pleasant Valley; and be it further

RESOLVED, that the Town Board schedules a Public Hearing on the proposed Local Law No. X of 2015 for June 10, 2015 at 7:00 p.m. and directs the Town Clerk to provide notice thereof, in the official newspaper of the Town and to post the Notice of Public Hearing accordingly.

MOTIONED BY: Councilman Figliozzi

SECONDED BY: Councilman Latino

DATED: May 13, 2015

**ROLL CALL:**

AYE

NAY

Councilman Albrecht

X

Councilman Figliozi	X
Councilman Latino	X
Councilwoman Milicaj	X
Supervisor Campbell Carried.	X

**TOWN OF PLEASANT VALLEY**

**LOCAL LAW NO. X OF THE YEAR 2015**

Re: **A LOCAL LAW OF THE TOWN OF PLEASANT VALLEY, NEW YORK TO CHANGE THE RESIDENCY REQUIREMENTS FOR THE OFFICE OF TOWN BUILDING INSPECTOR**

**BE IT ENACTED** by the Town Board of the Town of Pleasant Valley as follows:

**Section I: Title.**

This Local Law shall be known and cited as Town of Pleasant Valley as “A local law to change the residency requirements for the office of Town Building Inspector.”

**Section II: Legislative Intent.**

The intent of this law is to allow the Town Board the option to appoint as Building Inspector for the Town of Pleasant Valley a person who is not an elector of the Town of Pleasant Valley.

**Section III: Authority.**

This Local Law is enacted pursuant to § 10 of the Municipal Home Rule Law.

**Section IV: Eligibility of the Town of Pleasant Valley Building Inspector.**

Chapter 17 of the Town of Pleasant Valley Code entitled “Officers & Employees” shall be amended by adding a new Article III entitled “Town Building Inspector” as follows:

The provisions of the Town Law and § 3 of the Public Officers Law and any other special law requiring a person to be a resident or elector of a political subdivision or a municipal corporation of the state for which he or she shall be chosen or within which his or her official functions are required to be exercised are waived to the extent that such provision shall not prevent a person from holding the office of Town Building Inspector provided that such person is a resident of the County of Dutchess.

**Section V: Supersession**

This local law is enacted pursuant to the provisions of Municipal Home Rule Law §10 Subdivision 1, Paragraphs (ii)d(3), (ii) a(12) and (ii)a(14), and does supersede any provisions of the Town Law and § 3 of the Public Officers Law and any other law inconsistent with the provisions hereof.”

**Section VI: Severability.**

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section VII: Effective Date.**

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**Item # 8 – Additions to Town’s Insurance Policies:**

This item was pulled from the agenda.

**Item # 9 – Appointment to the Fire Advisory Board:**

This item was pulled from the agenda and will be revisited next month.

**Item # 10 – Resolution Authorizing the Settlement of Tax Certiorari/Pleasant Valley Shopping Center:**

Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**

**TOWN BOARD RESOLUTION NO.: 112/2015**

**RE: RESOLUTION AUTHORIZING THE SETTLEMENT OF THE TAX CERTIORARI PROCEEDING REGARDING PLEASANT VALLEY SHOPPING LP**

**WHEREAS**, there is now pending in the Dutchess County Supreme Court a tax certiorari proceeding commenced in 2013 and 2014 by Pleasant Valley Shopping LP, regarding premises located at 1-5 Maggiacomo Lane, Grid # 6363-02-890562-0000, seeking a reduction in the 2013 and 2014 assessments for those respective tax rolls; and

**WHEREAS**, the Town Assessor and the Town Attorney have recommended a settlement on these tax review proceedings; now, therefore be it

**RESOLVED**, that the Town Board of the Town of Pleasant Valley hereby approves a settlement on behalf of the Town of Pleasant Valley of the tax review proceedings for the years 2013 and 2014, as it pertains to Grid # 6363-02-890562-0000 as follows:

<b>Year</b>	<b>Original Total Assessment</b>	<b>Revised Total Assessment</b>	<b>Reduction</b>
2013	\$3,150,000	\$3,150,000	-0-
2014	\$3,150,000	\$2,700,000	\$450,000

; and be it further

**RESOLVED**, that the Town Supervisor, Town Assessor and Scott L. Volkman, Attorney to the Town of Pleasant Valley, are hereby authorized to take all action necessary and appropriate to effectuate the terms of this Resolution.

MOTIONED BY: Councilman Albrecht

SECONDED BY: Councilman Latino

DATED: May 13, 2015

<b>ROLL CALL:</b>	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Figliozi	X	
Councilman Latino	X	
Councilwoman Milicaj	X	
Supervisor Campbell	X	

Carried.

Item # 11 – Award of Telecommunications Service Contract to Time Warner Cable for Phone Service:  
Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**

**TOWN BOARD RESOLUTION NO.: 113/2015**

**RE: AUTHORIZING AWARD OF TELECOMMUNICATIONS SERVICE CONTRACT TO TIME WARNER CABLE FOR PHONE SERVICE**

WHEREAS, the Town of Pleasant Valley has considered various solutions to the telecommunications needs of the Town including soliciting proposals and having received and considered two proposals for a telecommunications service contract for phone service in the Town of Pleasant Valley including Town Hall, Highway, Mill Site and Recreation; and

WHEREAS, in accordance with Towns adopted procurement policy, the Town is authorized to obtain goods and services off of NYS Bid from the Office of General Services; and

WHEREAS, Time Warner Cable holds a state bid for telecommunications services, bearing OGS contract #PS3596; and

WHEREAS, the Time Warner Cable proposal for services is for less than the available NYS bid;  
now, therefore, be it

RESOLVED, that the Town Supervisor is hereby authorized to enter into a Telecommunications Service Contract with Time Warner Cable for phone service in the Town of Pleasant Valley in accordance with NYS OGS contract #PS3596 as modified therein by Time Warner Cable order #5646786 and #5570413 .

MOTIONED BY: Councilman Figliozi

SECONDED BY: Councilwoman Milicaj

DATED: May 13, 2015

<b>ROLL CALL:</b>	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Figliozi	X	
Councilman Latino	X	
Councilwoman Milicaj	X	
Supervisor Campbell	X	

Carried.

Item # 12 – Amending the 2015 Adopted Budget/General:  
Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**  
**TOWN BOARD RESOLUTION NO.: 114/2015**

**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:**

**Increase**

<b>Account</b>		<b>Amount</b>
A.1220.200	Bookkeepers chair	\$ 145.00
A.3620.100	Building Inspector Salary	\$ 1,500.00
A.8010.200	Zoning file cabinets	\$ 1,050.00
A.7140.203	Aldrich playground resurfacing	\$23,000.00
A.7110.499	Misc. Bower Park sign	\$ 630.00

**Total** **\$26,325.00**

**Decrease**

<b>Account</b>		<b>Amount</b>
A.1990.400	Contingency	\$ 1,825.00
A.8540.100	MS4 salary	\$ 1,500.00
<b>Total</b>		<b>\$ 3,325.00</b>

**Revenue:**

**Increase**

<b>Account</b>		<b>Amount</b>
A.5031	Transfer in - Contingency	\$23,000.00
<b>Total</b>		<b>\$23,000.00</b>

MOTIONED BY: Councilman Figliozzi

SECONDED BY: Councilman Latino

DATED: May 13, 2015

**ROLL CALL:**

AYE

NAY

Councilman Albrecht	X
Councilman Figliozi	X
Councilman Latino	X
Councilwoman Milicaj	X
Supervisor Campbell	X

Carried.

Item # 15 – Amending the 2015 Adopted Budget/Highway:  
Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**  
**TOWN BOARD RESOLUTION NO.: 115/2015**

**RE: AMENDING THE 2015 ADOPTED TOWN HIGHWAY BUDGET**

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, 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 Highway Budget as follows:

**Appropriations:**

**Increase**

<b>Account</b>		<b>Amount</b>
DA.5112.201	CHIPS	\$20,512.87
DA.9055.800	Disability	\$ 260.65
<b>Total</b>		<b>\$20,773.52</b>

**Decrease**

<b>Account</b>		<b>Amount</b>
DA.9040.800	Workers Compensation	\$ 260.00
<b>Total</b>		<b>\$ 260.00</b>

**Revenue:**

**Increase**

<b>Account</b>	<b>Amount</b>
----------------	---------------

DA.3501	CHIPS Extreme Winter Recovery	\$20,512.87
<b>Total</b>		<b>\$20,512.87</b>

MOTIONED BY: Councilman Figliozi

SECONDED BY: Councilman Albrecht

DATED: May 13, 2015

<b>ROLL CALL:</b>	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Figliozi	X	
Councilman Latino	X	
Councilwoman Milicaj	X	
Supervisor Campbell	X	

Carried.

Item # 14 – Authorizing the Supervisor Certification Pertaining to Joint Government Efficiency Plan Submittal to the New York State Division of Budget:  
Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**

**TOWN BOARD RESOLUTION NO.: 116/2015**

**RE: AUTHORIZING TOWN SUPERVISOR CERTIFICATION PERTAINING TO JOINT GOVERNMENT**

## **EFFICIENCY PLAN SUBMITTAL TO THE NEW YORK STATE DIVISION OF BUDGET**

WHEREAS, the Town of Pleasant Valley duly opted in to the Dutchess County Joint Government Efficiency Plan (GEP) by Resolution No. 95/2015; and

WHEREAS, in order to participate in the Dutchess County Joint Government Efficiency Plan the Town of Pleasant Valley agreed to pre-established due dates and criteria including opting in by April 6, 2015 and provided a draft submission to the County by May 1, 2015 to meet a 1% levy savings for each of the years 2015 – 2017; and

WHEREAS, the Town of Pleasant Valley duly provided the draft submission in a timely manner to the County; and

WHEREAS, the County has a deadline with the New York State Division of Budget to make the joint GEP submittal; and

WHEREAS, as the Town Supervisor is required to make three certifications in the form annexed hereto; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the certifications as required to meet the County's May 15<sup>th</sup> GEP submittal deadline to wit; that full implementation by the end of the local fiscal year beginning in 2017, of the cooperation agreements, mergers, efficiencies and/or shared services that are to be taken by Town of Pleasant Valley will result in the savings set forth in the government efficiency plan; that the Town of Pleasant Valley agrees to undertake its best efforts to fully implement by the end of the local fiscal year beginning in 2017 the cooperation agreements, mergers, efficiencies and/or shared services specified in the plan; that full implementation of the cooperation agreements, mergers, efficiencies and/or shared services as specified for all of the local government units that are signatories to the plan will result in savings of at least one percent of the tax levies for fiscal years beginning in 2014 for all local government units that are signatories to such plan, in each of the fiscal years beginning in 2017, beginning in 2018 and beginning 2019.

MOTIONED BY: Councilman Latino

SECONDED BY: Councilman Figliozzi

DATED: May 13, 2015

<b>ROLL CALL:</b>	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Figliozi	X	
Councilman Latino	X	
Councilwoman Milicaj	X	
Supervisor Campbell	X	

Carried.

Item # 15 – Authorizing a Request for Proposals for Legal Services:

Councilwoman Milicaj noted that she is not in favor of voting on this resolution at this time. Councilwoman Milicaj stated that at this time the Town Attorney is appointed for one (1) year, it needs to be discussed at Workshop Meeting.

The Town Board pulled this resolution at this time.

Supervisor Campbell stated that in her first year as Supervisor wanted to appoint legal services for 6 months.

Item # 17 – Scheduling a Special Town Board Meeting:

Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**

**TOWN BOARD RESOLUTION NO.: 118/2015**

**RE: SCHEDULING A SPECIAL MEETING**

WHEREAS, the Town of Pleasant Valley needs to schedule a special meeting of the Town Board to consider, among other things, a pending vacancy in the office of the Town Justice due to the resignation of Paul Caltagirone effective May 15, 2015; and

WHEREAS, the meeting shall be open to the public in accordance with applicable State laws; now, therefore, be it

RESOLVED, that the special Town Board meeting is hereby scheduled for May 20, 2015, at 7:00 p.m. at Town Hall; and be it further

RESOLVED, that the Town Board hereby authorizes the Town Clerk to publish and post a Special Meeting Notice advising of the special Town Board meeting on May 20, 2015, at 7:00 p.m. at Town Hall, as well as post the special meeting notice on the Town's website.

MOTIONED BY: Councilwoman Milicaj

SECONDED BY: Councilman Albrecht

DATED: May 13, 2015

<b>ROLL CALL:</b>	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Figliozi	X	
Councilman Latino	X	
Councilwoman Milicaj	X	
Supervisor Campbell	X	

Carried.

Item # 17 – Authorizing Payment for Inter-Municipal Agreement for Shared Services Grant for the Municipality Project:

Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**

**TOWN BOARD RESOLUTION NO.: 119/2015**

**RE: AUTHORIZING SCHEDULED PAYMENTS PURSUANT TO THE INTER-MUNICIPAL AGREEMENT FOR SHARED SERVICES GRANT FOR THE MUNICIPALITY PROJECT**

WHEREAS, the Town of Hyde Park is the lead agency on behalf of twelve participating municipalities, including the Town of Pleasant Valley, to an Inter-Municipal Agreement (IMA) for a

Municipal Consolidation and Shared Services Grant through the Dutchess County Department of Planning and Development for a project known as “Cloud-Based Building, Permitting, Code Enforcement Planning and Zoning Collaboration Software” (more commonly known as MUNICIPALITY software); and

WHEREAS, as lead agency the Town of Hyde Park is administering the grant funds awarded by Dutchess County; and

WHEREAS, upon execution of the IMA the Town of Pleasant Valley’s portion and initial payment for the software was authorized and paid for 25% of the eligible project costs to the Town of Pleasant Valley; and

WHEREAS, a second installment in the amount of 37.5% totaling \$4,269 of the grant is to be authorized by the Town of Pleasant Valley for payment upon successful data conversion and installation of MUNICIPALITY software system including all additional modules; and

WHEREAS, a third and final installment in the amount of 37.5% totaling \$4,269 of the grant is to be authorized by the Town of Pleasant Valley after the MUNICIPALITY software is in satisfactory live operation for at least 30 days; and

WHEREAS, it has been determined by Michael White, Zoning Administrator and Carol A. Campbell, Town Supervisor, that the second and third milestones have occurred and that payment is recommended; now, therefore, be it

RESOLVED, that the Town Supervisor shall authorize payment the second and third installment payments for the MUNICIPALITY project.

MOTIONED BY: Councilman Figliozzi

SECONDED BY: Councilman Latino

DATED: April 8, 2015

<b>ROLL CALL:</b>	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Figliozi	X	
Councilman Latino	X	
Councilwoman Milicaj		X
Supervisor Campbell	X	

Carried.

Item # 18 – Authorizing Payment of Abstract No. 5 of 2015:  
Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD**  
**TOWN BOARD RESOLUTION NO.: 120/2015**

**RE: AUTHORIZING PAYMENT OF ABSTRACT NO. 5 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 5 of 2015	General Fund Claims	\$122,203.78
2. Abstract 5 of 2015	Highway Fund Claims	\$ 49,226.31
3. Abstract 5 of 2015	Consolidated Light	\$ 6,372.89
4. Abstract 5 of 2015	Ambulance	\$ 16,320.00

MOTIONED BY: Councilman Figliozi

SECONDED BY: Councilman Albrecht

DATED: May 13, 2015

<b>ROLL CALL:</b>	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Figliozi	X	
Councilman Latino	X	
Councilwoman Milicaj	X	
Supervisor Campbell	X	

Carried.

**OPEN THE MEETING TO THE PUBLIC:**

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

Highway Superintendent, Butch Gardner stated that the Town didn't supply a dumpster to the Library for their annual book sale, it was provided by a private hauler.

Rolando Ghedini- Arbor Hill Drive – stated to the Town Board that the savings on the phones sounds like a great savings.

**CLOSE THE MEETING TO THE PUBLIC:**

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

**SUPERVISOR'S COMMENTS:**

Supervisor Campbell noted that the employees of Town Hall and six (6) previous Supervisor's came and had a mini retirement party for Building Inspector, Roger Lee.

**EXECUTIVE SESSION:**

Motion by Councilman Figliozi, seconded by Councilman Latino the Town Board entered into Executive Session at 8:36PM under Public Officers Law section 105.1(F) personnel matter, carried.

No action taken.

Motion by Councilman Figliozi, seconded by Councilman Latino the Town Board came out of Executive Session at 9:07PM, carried.

**ADJOURN:**

Motion by Councilman Albrecht, seconded by Councilwoman Milicaj the Town Board adjourned the meeting at 9:08PM, carried.

Respectfully Submitted,

*Margaret Hart*

Margaret Hart, Town Clerk

