

PUBLIC HEARING
REGULAR TOWN BOARD MEETING
JUNE 10, 2015

The Pleasant Valley Town Board held their regularly scheduled Town Board Meeting on Wednesday, June 10, 2015 at 7:00PM at Town Hall, 1554 Main Street, Pleasant Valley.

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

PRESIDING OFFICER: Carol Campbell, Supervisor

RECORDING SECRETARY: Margaret Hart, Town Clerk

COMMENDATION FOR ROGER LEE

Supervisor Campbell stated that at tonight's meeting the Town Board will honoring retired Building Inspector, Roger Lee for his years of dedication and hard work as the Building Inspector for the Town of Pleasant Valley.

Also present to honor Roger Lee for his dedication to the Town of Pleasant Valley are previous Town Supervisors Mr. Jeff Battistoni and Mr. Carl Tomik.

Town Clerk, Margaret Hart read a letter written by previous Town Supervisor, Mrs. Penny Hickman honoring Roger for his dedication to the Town of Pleasant Valley. The letter was than presented to Roger.

The Pleasant Valley Town Board presented Roger Lee with a Commendation for his years served as the Building Inspector for the Town of Pleasant Valley.

PUBLIC HEARING:

PURPOSE: "A Local Law to change the residency requirements for the office of Town Building Inspector":

OPEN THE MEETING TO THE PUBLIC:

Motion by Councilman Albrecht, seconded by Councilman Latino the Town Board opened the Public Hearing to the Public, carried.

No comments heard.

All residents having had ample opportunity to speak the Town Board closed the Public Hearing to the public, motion by Councilman Albrecht, seconded by Councilman Latino, carried.

PUBLIC HEARING:

PURPOSE: “Amending the Town’s Zoning Map for the Purpose of Rezoning a Property in the Mixed Use Commercial (MC) District and Amending the Town’s Comprehensive Plan in Connection with Rezoning to the Mixed Use Commercial (MC) District:

OPEN THE MEETING TO THE PUBLIC:

Motion by Councilwoman Milicaj, seconded by Councilman Figliozi the Town Board opened the Public Hearing to the public, carried,

No comments heard.

All residents having had ample opportunity to speak the Town Board closed the Public Hearing to the public, motion by Councilman Albrecht, seconded by Councilman Latino, carried.

Town Attorney, Scott Volkman did note that the Town Board received a positive recommendation from the Town Planning Board.

REGULAR TOWN BOARD MEETING:

MINUTES: of 04/01/2015 Public Informational Meeting Time Warner & Workshop Mtg.
05/20/2015 Special Town Board Meeting.

Motion by Councilman Figliozi, seconded by Councilwoman Milicaj the Town Board approved the above minutes, carried.

MONTHLY REPORTS:

1. Town Clerk Monthly Report
2. Refuse Monthly Report
3. Aboveground Storage Tank Report
4. Building, Zoning, Planning and Fire Report Monthly Report

5. Assessor's Monthly Report
6. Recreation Monthly Report
7. Monthly Trail Balance Report

TOWN BOARD COMMITTEE REPORTS:

Public Safety Committee Report- Councilman Albrecht noted that the handicap ramp at the Mill Site will be fixed.

Personnel Committee Report – Councilman Latino spoke about the part time employees making up hours when they take time off. Councilman Latino noted that he and Councilman Figliozzi are meeting with the department heads to review Dutchess County Personnel's recommendations.

Refuse/Highway Committee Report – Councilman Figliozzi read the Highway report (filed with the minutes).

Building's Committee Report – Councilwoman Milicaj has concerns regarding the brick wall at the Mill Site with the graffiti on the wall.

Supervisor Campbell noted that a special product has been purchased for the removal on the graffiti.

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

Technology Committee Report- Councilman Figliozzi noted that he is looking into purchasing an air conditioner for the server room. Councilman Figliozzi also noted that the Town Clerk's computer hard drive crashed.

Insurance Committee Report- Councilwoman Milicaj spoke about the insurance for Pleasant Valley weekend and spoke about the Town's insurance.

Time Warner Cable Report- Councilman Figliozzi noted that he and Town Attorney, Scott Volkman will be having a conference call with Time Warner.

Zoning Code Review – Councilman Figliozzi and Councilwoman Milicaj will be meeting with Mike White and Rebecca Seaman to discuss the proposed changes to the zoning code.

ORAL/COMMITTEE REPORTS:

County Legislature, Don Sagliano was unable to attend the meeting. Supervisor Campbell read his report.

OPEN THE MEETING TO THE PUBLIC (AGENDA ITEMS ONLY):

Motion by Councilman Figliozzi, seconded by Councilman Latino the Town Board opened the meeting to the public for agenda items only, carried.

No comments heard.

CLOSE THE MEETING TO THE PUBLIC:

Motion by Councilman Figliozzi, seconded by Councilwoman Milicaj the Town Board closed the meeting for agenda items only, carried.

Item # 1 – Adopt Local Law X of 2015 re: Residency Requirements for Building Inspector:
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 122/2015

RE: ADOPTING LOCAL LAW X OF 2015, ENTITLED "A LOCAL LAW TO CHANGE THE RESIDENCY REQUIREMENTS FOR THE OFFICE OF TOWN BUILDING INSPECTOR"

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Pleasant Valley introducing proposed Local Law X of 2015, entitled "A Local Law to change the residency requirements for the office of Town Building Inspector"; and

WHEREAS, the Public Hearing was duly advertised in the Poughkeepsie Journal, the official newspaper of the Town; and

WHEREAS, the Public Hearing was held on June 10, 2015, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law or any part thereof; and

WHEREAS, the Town Board determined that the proposed Local Law was not subject to Environmental Review; and

WHEREAS, the Town Board of the Town of Pleasant Valley after due deliberation finds that it is in the best interest of the Town to adopt said Local Law; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby adopts Local Law X of 2015 entitled "A Local Law to change the residency requirements for the office of Town Building Inspector", a copy of which is attached hereto and made a part hereof.

MOTIONED BY: Councilman Figliozzi

SECONDED BY: Councilman Latino

DATED: June 10, 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.

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 # 2 – Appointment of Building Inspector I (pt):
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 123/2015

RE: APPOINTMENT OF BUILDING INSPECTOR I (pt)

WHEREAS, there now exists a vacancy in the position of part time Building Inspector I, which is considered an non-competitive position pursuant to the Rules of the Classified Civil Service of Dutchess County; and

WHEREAS, the Town Board has heretofore appointed Karl Pfister to the position of Building Inspector I on December 3, 2014 by Resolution No. 160/2014 and February 11, 2015 by Resolution No. 68/2015; and

WHEREAS, the Town Board is desirous of appointing Karl Pfister to the position of Building Inspector I conditioned upon providing proof of all required certifications for Town Building Inspector I; and

WHEREAS, the Town Board has adopted Local Law X of 2015 by Resolution No. 122/2015 authorizing the appointment of a Building Inspector who is not an elector of the Town of Pleasant Valley; and

WHEREAS, the Town Board requests that the Dutchess County Department of Personnel extend the temporary appointment of Karl Pfister until such time as the Local Law amending the residency requirement is filed in the office of New York Secretary of State upon which said appointment will be deemed permanent; now, therefore, be it

RESOLVED, that the Town Board hereby appoints Karl Pfister as Building Inspector I (pt) on a permanent basis; and be it further

RESOLVED, that the Town Supervisor and Bookkeeper are hereby authorized and directed to file any and all documents with the Dutchess County Personnel Department to effectuate the terms of this resolution.

MOTIONED BY: Councilman Figliozi
SECONDED BY: Councilman Latino

DATED: June 10, 2015

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

Carried.

Item # 3 – Reardon Briggs Re-Zoning/Route 44:
Supervisor Campbell read the following resolutions:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 124/2015

RE: STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REGARDING THE ADOPTION OF AN AMENDMENT TO COMPREHENSIVE PLAN AND ZONING MAP REZONING A PROPERTY TO A MIXED USE COMMERCIAL (MC) DISTRICT

WHEREAS, the Town Board of the Town of Pleasant Valley adopted a new Zoning Law and map by Local Law 8 of 2009 that has been amended from time to time and the 2009 Comprehensive Plan; and

WHEREAS, the Town Board of the Town of Pleasant Valley is now considering amendments to the Comprehensive Plan and to Chapter 98 of the code of the Town of Pleasant Valley entitled “zoning”; and

WHEREAS, the environmental review (SEQRA) does not contain any specific proposal for a project and is for the purposes of adoption of general amendments to the Town of Pleasant Valley Comprehensive Plan and the Town Zoning regulations only; and

WHEREAS, the Town Board did submit the proposed amendments to the Dutchess County Department of Planning and Development and the Town of Pleasant Valley Planning Board; and

WHEREAS, the Town Board held a Public Hearing on June 10, 2015 on the proposed amendments, at which time all parties who desired to be heard in connection with the proposed amendments and environmental significance were heard; and

WHEREAS, the Town Board by Resolution dated April 8, 2015 made a determination that the proposed action is an unlisted action pursuant to SEQRA, pursuant to 6 NYCRR 617.4 and 617.5; and

WHEREAS, the Town Board determined that the Town Board is the only involved agency and therefore a coordinated review is not required; now, therefore, be it

RESOLVED, that upon review of the Part I, and completion of Part II and Part III, of the Short

Form Environmental Assessment Form, the Town Board officially makes a determination of non-significance in that the proposed action is not expected to result in significant adverse impact on the environment and therefore the preparation of a Draft Environmental Impact Statement is not necessary; and be it further

RESOLVED, that this determination shall be considered a negative declaration for the purposes of Article 8 of the Environmental Conservation Law for the reasons set forth in the attached Short Environmental Assessment Form with respect to this project, a copy of which is in said files which shall be maintained in the office of the Town Clerk; and be it further

RESOLVED, that the Town Supervisor is hereby authorized to sign the Short Environmental Assessment Form and accompanying Negative Declaration and determination of non-significance with respect to the project in substantially the same form as annexed hereto and the Town Clerk is directed to maintain a file for this determination.

MOTIONED BY: Councilwoman Milicaj

SECONDED BY: Councilman Albrecht

DATED: June 10, 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.

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 125/2015

RE: ADOPTING AMENDMENTS TO THE TOWN OF PLEASANT VALLEY COMPREHENSIVE PLAN IN CONNECTION TO REZONING A PROPERTY TO THE MIXED USE COMMERCIAL (MC) DISTRICT

WHEREAS, the Town Board of the Town of Pleasant Valley is considering the adoption of proposed Local Law X of 2015 which would amend the Town's zoning map for the purpose of rezoning a property to the Mixed Use Commercial (MC) District; and

WHEREAS, the subject property is located at Route 44 in the Town of Pleasant Valley and is designated as parcel #134400-6564-02-605917 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 from the Hamlet Residential (HR) to Mixed Use Commercial (MC); 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, 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 which is subject to SEQRA and is an Unlisted Action pursuant to SEQRA; and

WHEREAS, in accordance with applicable provisions of the Town Law, the Town of Pleasant Valley Zoning Law and the General Municipal Law the proposed amendment to the Comprehensive Plan and zoning maps were referred to the Town of Pleasant Valley Planning Board for its advisory opinion and to the Dutchess County Department of Planning and Development; and

WHEREAS, in response to said referral the Dutchess County Department of Planning and Development replied stating it was matter of local concern; and

WHEREAS, in response to said referral the Town of Pleasant Valley Planning Board gave a favorable recommendation; and

WHEREAS, on June 10, 2015 the Town Board held a Public Hearing on the proposed amendment to the Comprehensive Plan and zoning map and the environmental impacts as stated therein at which time all those interested were deemed to have been heard; now, therefore, be it

RESOLVED, that the 2009 Comprehensive Plan designated as graphic #2 of the district maps is amended so as to change the description of the subject property from the Hamlet Residential (HR) to the Mixed Use Commercial (MC) District.

MOTIONED BY: Councilwoman Milicaj

SECONDED BY: Councilman Figliozzi

DATED: June 10, 2015

ROLL CALL:

AYE

NAY

Councilman Albrecht

X

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

Carried.

Item # 4 – Introducing Local Law X of 2015 Amending Chapter 98 re: Signs & State Environmental Quality Review Act in regard to Amending Chapter 98 Entitled “Zoning” Chapter 98-46 Signs:
Supervisor Campbell read the following resolutions:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 127/2015

RE: INTRODUCING LOCAL LAW NO. X OF 2015 AMENDING CHAPTER 98 OF THE CODE OF THE TOWN OF PLEASANT VALLEY ENTITLED “ZONING ARTICLE IV SUPPLEMENTARY REGULATIONS CHAPTER 98-46 SIGNS”

WHEREAS, the Town Board of the Town of Pleasant Valley pursuant to a recommendation by the Zoning Administrator is considering the adoption of Local Law No. X of 2015 to amend the Code of the Town of Pleasant Valley entitled “Zoning Article IV Supplementary Regulations, Section 98-46 Signs; 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 is subject to SEQRA and is an Unlisted 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 12th of August, 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 Figliozi

SECONDED BY: Councilman Latino

DATED: June 10, 2015

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Figliozi	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 CHAPTER 98 OF THE CODE OF THE TOWN OF PLEASANT VALLEY ENTITLED "ZONING: ARTICLE IV - SUPPLEMENTARY REGULATIONS CHAPTER 98-46 SIGNS"**

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 Local Law “Amending Chapter 98 of the Code of the Town of Pleasant Valley entitled “Zoning, Article IV Supplementary Regulations, Section 98-46 Signs,” amending Local Law No. 8 of 2009, as amended”.

Section II: Legislative Intent.

This Local Law is intended to address certain practical issues and concerns of the Zoning Administrator and Planning Board as they apply current sign regulations.

Section III: Amendment to the Code:

The following Sections to Chapter 98 “Zoning”, Section 98-46 entitled “Signs” shall be amended as follows:

“Section 98-46 B - Definitions

OPEN SIGN – A window sign which states “open”, and which can be internally illuminated.

GAS STATION PRICING SIGN – A sign for gas dispensing stations, service stations and gas market stations designed to allow for the display of the various sign pricing requirement’s pursuant to County and State laws. Such pricing numbering and lettering may be internally illuminated.

Section 98-46 F – Prohibited Signs

(7) Internally illuminated signs, including neon signs, except as permitted in Subsection I (1) and in Subsections I (1) (g) and in Subsection I (3).

Section 98-46 I (1) - Permanent signs within all other districts.

(g) Open sign. Commercial establishments may be allowed to have none sign which states "OPEN" provided the lettering does not exceed 10 inches in height by 7 inches in width and is placed only in the window of the establishment. Illumination shall be in accordance with subsection J (2) (e) [1]. The total size of the sign base and mounting shall not exceed 36 inches in length by 18 inches in width.

Section 98-46 I (1) (g) shall become Section 98-46 I (1) (h)

(h) For subdivisions, mobile home park, or condominium, townhouse, or apartment complexes, one nonilluminated monument sign containing an area of not more than eight square feet and located not more than five feet above ground level at its highest point, identifying the subdivision, mobile home park, or complex, may be displayed. Such sign shall be set back at least 10 feet from the edge of the pavement of any public road and shall not obstruct safe sight lines.

Section 98-46 I – Permanent signs within all other districts.

(3) Gas Station Pricing Sign.

(a) The maximum height of this sign shall not exceed 15 ft., including the sign structure and the planter base.

(b) The maximum width of this sign shall not exceed 7 ft. This width will include the full sign structure but would not include the planter base.

(c) The maximum number of words for this sign, in accordance with the wording descriptions stated elsewhere in this Section, shall be limited of fifteen (15). This number does not include the pricing numbers.

- (d) The pricing numbers may be backlit or internally illuminated; shall not be flashing; and the numbers shall not exceed 10 inches in height x6 inches in width, maximum (with less in height and width being preferable).
- (e) The station top logo sign however may not be internally illuminated without specific approval by the planning board. Illumination shall be in accordance with Subpart J (2) (e) [1] through [5], as applicable.
- (f) The maximum size of the sign structure shall not exceed 90 sf.
- (g) The maximum size of the actual signage of the top logo shall not exceed 20 sf.
- (h) The maximum size of the actual signage for the price numbering and lettering shall not exceed 26 sf.
- (i) All gas station pricing signs shall be placed within a planter base which shall be constructed of field stone; brick; Belgian block; decorative concrete; or other such materials as may be approved by the town planning board. The minimum height of the planter base shall be 18 inches.
- (j) In the event of a request for gas station pricing sign of predeterminate corporate size, which sign is provided or constructed by a petroleum company, and the use of which would require a minor increase of any of the sizing and dimensions stated in this part, the planning board may grant this increase if desired by the planning board, provided that the increase(s) does/do not exceed 20% of any size permitted herein.

Section 98-46 J (2) (e) – Illumination of signs.

[1] Signs shall not be internally illuminated, with the exception of “open” signs as permitted elsewhere in this section, as follows:

[a] Such signs shall state one word – “OPEN”.

[b] Internal illumination shall be red in color; shall be stationary in appearance; and shall not be flashing or come on and off.

[c] Such signs shall be located only in the window of the establishment.

Section 98-46 J (3) - Specific design criteria by sign type.

(e) Window signs with the exception of open signs. Permanent window signs must be painted on or attached directly and permanently to the window.

Section 98-46 J (3) - Specific design criteria by sign type.

(g) Open signs, which shall be in accordance with the stated provisions contained elsewhere in this Section."

Section IV: Numbering for Codification

It is the intention of the Town of Pleasant Valley and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Town of Pleasant Valley; that the sections and subsections of the Local Law may be re-numbered or re-lettered to accomplish such intention; the Codifier shall make no substantive changes to this Local Law; the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and any such rearranging of the numbering and editing shall not affect the validity of the Local law or the provisions of the Code effected thereby.

Section V: Ratification, Readoption 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.: 128/2015

RE: STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) IN REGARD TO AMENDING CHAPTER 98 OF THE CODE OF THE TOWN OF PLEASANT VALLEY ENTITLED "ZONING ARTICLE IV SUPPLEMENTARY REGULATIONS CHAPTER 98-46 SIGNS

WHEREAS, the Town Board of the Town of Pleasant Valley adopted a new Zoning Law and map by Local Law No. 8 of 2009, as amended; and

WHEREAS, the Town is considering changes deemed necessary to the existing text regarding signs as recommended by the Zoning Administrator; and

WHEREAS, the Town Board of the Town of Pleasant Valley is considering amendments to Chapter 98 of the Code of the Town of Pleasant Valley entitled "Zoning"; and

WHEREAS, the environmental review does not concern any specific proposal for a project and is for the purposes of adoption of general amendments to the Town of Pleasant Valley zoning regulations only; and

WHEREAS, Section 239 L & M of the General Municipal Law requires a thirty (30) day review by the Dutchess County Planning Department, and;

WHEREAS, Section 264 and 265 of the Town Law and Section 98-101 of the Town of Pleasant Valley Code requires that public notice be given and a hearing held on matters involving amendments to the Zoning Code; and

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. In accordance with Section 617.6(a)(1)(i) of the Title 6 NYCRR, the Town Board determines the above described action is subject to SEQRA.
2. In accordance with Section 617.6(a)(1)(ii) of the Title 6 NYCRR, the Town Board determines that the action does not involve a federal agency.
3. In accordance with Section 617.6(a)(1)(iii) of the Title 6 NYCRR, the Town Board determines that the action does not involve more than one agency.
4. In accordance with Section 617.6(a)(iv) of Title 6 NYCRR the Town Board classifies the above described action as an unlisted action. The Town Board in making such a classification considers Section 617.6 of 6 NYCCRR and determines that the above described action did not fit under any of the categories listed under Type II and 671.4 and 617.5 of 6 NYCRR determines the above described action does not fit in any of the categories listed in the Type I or Type II actions thus reaching the conclusion that it is to be considered an unlisted action.
5. In accordance with Section 617.6(a)(3) of Title 6 NYCRR, the Town Board determines that the above described action will require a short Environmental Assessment Form. The Town Board

officially declares itself to be lead agency pursuant to 6 NYCRR Section 617.6(b) since it is the only agency with approval authority over the Zoning Law, Zoning Map and Subdivision Law.

6. The Town Board shall forward a copy of this resolution and of the Environmental Assessment Form, as well as the proposed laws to the Dutchess County Planning Department for purposes of compliance with Section 239 L&M of the General Municipal Law.
7. The Town Board shall forward a copy of this resolution and of the short Environmental Assessment Form as well as a draft of the proposed local law to the Town of Pleasant Valley Planning Board for an advisory opinion within 45 days of the referral pursuant to Section 98-101(A) of the Town of Pleasant Valley Code; and
8. The Town Board shall, pursuant to Section 98-101(C) forward a copy of this resolution and of the short Environmental Assessment Form, as well as a draft of the proposed local law to the Town Clerk of each of the following Towns: Town of Clinton, Town of Washington, Town of Unionvale, Town of Hyde Park, Town of LaGrange and Town of Poughkeepsie; and
9. Pursuant to Section 264 and 265 of the Town Law and Section 98-101 of the Code the Town Board shall hold a public hearing scheduled for August 12, 2015 at 7:00 p.m. at which time the environmental significance of this local law shall be considered.

MOTIONED BY: Councilman Figliozzi

SECONDED BY: Councilman Latino

DATED: June 10, 2015

ROLL CALL:

AYE

NAY

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

Carried.

Item # 5 – Appointment of Fire Advisory Board:

Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 129/2015

RE: APPOINTMENT TO FIRE ADVISORY BOARD

WHEREAS, due to the resignation of Paul Caltagirone, Chairman (Town Board appointment) there is now a vacancy on the Fire Advisory Board; and

WHEREAS, the Town Board of the Town of Pleasant Valley is desirous of appointing Matt Cady to fill the remainder the unexpired term; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley, does designate and appoint Matt Cady (Town Board) to each serve the remainder of the unexpired one (1) year term on the Fire Advisory Board on behalf of the Town of Pleasant Valley for a term to expire on December 31, 2015; and be it further

RESOLVED, that Matt Cady be and is hereby designated Chairman.

MOTIONED BY: Councilman Figliozi

SECONDED BY: Councilman Latino

DATED: June 10, 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.

Item # 6 – Request for Proposals for Legal Services:
Tabled at this time.

Item # 7 – Appoint of Summer Camp Arts and Crafts Director:
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 130/2015

RE: APPOINTMENT OF 2015 TOWN OF PLEASANT VALLEY SUMMER CAMP ARTS AND CRAFTS DIRECTOR

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

WHEREAS, there is vacancy on the Town of Pleasant Valley 2015 summer camp staff for the positions of Arts & Crafts Director; and

WHEREAS, Angel Abreu has expressed interest in being appointed as the Arts & Crafts Director; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley does hereby designate and appoint Angel Abreu as Arts & Crafts Director for the 2015 Town of Pleasant Valley summer camp at the rates established by Resolution No. 12/2015.

MOTIONED BY: Councilwoman Milicaj

SECONDED BY: Councilman Albrecht

DATED: June 10, 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.

Item # 8 – Renewal Application for Liquor License/Roadhouse:
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 131/2015

RE: KENNETH M. PEABODY D/B/A ROADHOUSE - LIQUOR LICENSE RENEWAL APPLICATION

WHEREAS, Kenneth M. Peabody D/B/A Roadhouse submitted a Notice of Intent to file a renewal application for an On-Premises Alcoholic Beverage License for “liquor, wine and beer” to be sold at 1631 Main Street, Pleasant Valley, New York; and

WHEREAS, pursuant to the applicable provisions of the Alcohol and Beverage Control Law Section 110-b, Subdivision 1(b), the Town has been notified of their intent to file an application for a liquor license renewal 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 the business to achieve the greatest level of success by advancing this approval process so that the current license does not lapse; 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 renewal and a waiver of the thirty (30) day hold on the processing of said application.

MOTIONED BY: Councilwoman Milicaj

SECONDED BY: Councilman Figliozzi

DATED: June 10, 2015

ROLL CALL: AYE NAY

Councilman Albrecht X

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

Carried.

Item # 9 – Authorize Payment of 2014 Voucher out of 2015 General Fund:
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 132/2015

RE: AUTHORIZING PAYMENT OF 2014 VOUCHER OUT OF 2015 GENERAL FUND

WHEREAS, in 2015 Clark Paterson Lee submitted a voucher for fees associated with services rendered during the period of July 11, 2014 through August 22, 2014 as set forth in vouchers dated February 11, 2015; and

WHEREAS, appropriations were not made for payment of said voucher in the 2014 budget and the vouchers were not fully submitted before the close out date for submission for 2014; and

WHEREAS, the expense is otherwise considered a proper Town charge pursuant to Article 8 of the Town Law; and

WHEREAS, the charges reflected by said voucher remain unpaid; and

WHEREAS, the State Comptroller has expressed the opinion that claims for services rendered in an earlier year, may be paid in a later year, if the contracts were valid when made and there is money legally available to be used for such purposes (State Comptroller Opinions 69-686, 81-153, 28-44, 78-608); now, therefore, be it

RESOLVED, that payment from 2015 funds is hereby approved from the general fund account in the amount indicated:

Line Item Number

Account		Amount
A.1440.400	Engineer	\$ 110.00
A.1440.400	Engineer	\$1,375.00

MOTIONED BY: Councilman Latino

SECONDED BY: Councilman Albrecht

DATED: June 10, 2015

ROLL CALL:

AYE

NAY

Councilman Albrecht

X

Councilman Figliozzi

X

Councilman Latino

X

Councilwoman Milicaj

X

Supervisor Campbell

X

Carried.

Item # 10 – Authorizing Payment of 2014 Voucher Out of 2015 Highway Fund:
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 133/2015

RE: AUTHORIZING PAYMENT OF 2014 VOUCHER OUT OF 2015 HIGHWAY FUND

WHEREAS, in 2015 Clark Paterson Lee submitted a voucher for fees associated with services rendered during the period of July 11, 2014 through October 3, 2014 as set forth in vouchers dated February 11, 2015; and

WHEREAS, appropriations were not made for payment of said voucher in the 2014 budget and the vouchers were not fully submitted before the close out date for submission for 2014; and

WHEREAS, the expense is otherwise considered a proper Town charge pursuant to Article 8 of the Town Law; and

WHEREAS, the charges reflected by said voucher remain unpaid; and

WHEREAS, the State Comptroller has expressed the opinion that claims for services rendered in an earlier year, may be paid in a later year, if the contracts were valid when made and there is money legally available to be used for such purposes (State Comptroller Opinions 69-686, 81-153, 28-44, 78-608); now, therefore, be it

RESOLVED, that payment from 2015 funds is hereby approved from the highway fund account in the amount indicated:

Line Item Number

Account		Amount
DA.5110.451	Engineering	\$110.00
DA.5110.451	Engineering	\$165.00

MOTIONED BY: Councilman Latino

SECONDED BY: Councilman Albrecht

DATED: June 10, 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.

Item # 11 – Appointment of Special Prosecutor:

Councilman Latino stated that he would like conduct interviews. The Town Board would like to hold a Special Town Board Meeting on Tuesday, June 16, 2015 at 7:30PM to hold interviews for Special Prosecutor.

Motion by Councilman Latino, seconded by Councilman Figliozi the Town Board authorized the Town Clerk to advertise for a Special Town Board Meeting to held on Tuesday, June 16, 2015 at 7:30PM to conduct and appoint a Special Prosecutor, carried.

Item # 12 – Authorizing Payment of Abstract No. 6 of 2015:
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 135/2015

RE: AUTHORIZING PAYMENT OF ABSTRACT NO. 6 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 6 of 2015	General Fund Claims	\$61,070.24
2. Abstract 6 of 2015	Highway Fund Claims	\$64,447.19
3. Abstract 6 of 2015	Ambulance	\$ 8,160.00

MOTIONED BY: Councilman Figliozi

SECONDED BY: Councilwoman Milicaj

DATED: June 10, 2015

ROLL CALL:

AYE

NAY

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

Carried.

*Change November Meeting & Year End Meeting:

Motion by Councilman Latino, seconded by Councilman Albrecht the Town Board changed the Regular Town Board Meeting night from November 11, 2015 to November 10, 2015 due to the meeting night falling on Veterans Day, carried.

Motion by Councilman Latino, seconded by Councilman Albrecht the Town Board set the Year-End Meeting to December 23, 2015 at 7:30PM, carried.

Item # 13 – Authorizing the Town of Pleasant Valley to Execute the 2016-2018 Dutchess County Urban County Consortium Requalification Ballot:

Supervisor Campbell read the following resolution:

**TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 136/2015**

**RE: AUTHORIZING THE TOWN OF PLEASANT VALLEY TO EXECUTE THE
2016-2018 DUTCHESS COUNTY URBAN COUNTY CONSORTIUM
REQUALIFICATION BALLOT**

WHEREAS, the Secretary of Housing and Urban Development of the United States is authorized, under the Community Development Block Grant Program (“CDBG”) of Title I of the Housing and Community Development Act of 1974 (“Act”), as amended, and the HOME Investment Partnership Program (“HOME”) of Title II of the National Affordable Housing Act

of 1990, as amended, to make grants to states and other units of general local government to help finance Community Development Programs; and

WHEREAS, the County of Dutchess and the Town of Pleasant Valley (“Cooperating Municipality”) entered into an existing Cooperation Agreement dated June 29, 2000, as amended, to form the Dutchess County Urban County Consortium (“Consortium”) for the purpose of undertaking the CDBG and HOME Programs; and

WHEREAS, the Board deems it to be in the public interest for the Cooperating Municipality to renew the existing Cooperation Agreement for 2016-2018 in accordance with Paragraph 3 of the Cooperation Agreement; now, therefore, be it

RESOLVED, that Town Supervisor be and hereby is authorized to execute 2016-2018 Dutchess County Urban County CDBG Consortium Requalification Ballot for the purposes of undertaking a Community Development Block Program pursuant to Title I of the Housing and Community Development Act of 1974, as amended, and the HOME Investment Partnerships Program of Title II of the National Affordable Housing Act of 1990, as amended.

MOTIONED BY: Councilman Figliozzi

SECONDED BY: Councilman Albrecht

DATED: June 10, 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.

OPEN THE MEETING TO THE PUBLIC:

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

Don Johnson – Masten Road- asked if the funding stops on a project who will responsible for the remainder of the project.

Councilman Figliozzi noted that money is allocated for the project.

Don Johnson – Masten Road – asked about the Planning Board & ZBA Attorney

The Town Attorney and the Town Board had much discussion regarding the appointment of the Attorney for the Planning Board and the ZBA.

John Mackey – Pine Hill Road – asked about if grievance day meeting has to be recorded?

Town Attorney, Scott Volkman noted that he is looking into this matter. Minutes have to be taken, not sure if the meeting has to be tape recorded.

CLOSE THE MEETING TO THE PUBLIC:

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

ADJOURN:

Motion by Councilman Albrecht, seconded by Councilwoman Milicaj the Town Board adjourned the meeting at 9:25PM, carried.

Respectfully Submitted,

Margaret Hart

Margaret Hart, Town Clerk

