

PUBLIC HEARING
REGULAR TOWN BOARD MEETING
JULY 8, 2015

The Pleasant Valley Town Board held a Public Hearing and their regularly scheduled Town Board Meeting on Wednesday, July 8, 2015 at 7:00PM at Town Hall, 1554 Main Street, Pleasant Valley.

PRESENT: 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

PUBLIC HEARING:

Supervisor Campbell noted that she was in receipt of the Affidavit of Publication by the Poughkeepsie Journal dated June 20, 2015 and the Affidavit of Posting by the Town Clerk dated June 18, 2015.

OPEN THE MEETING TO THE PUBLIC:

Motion by Councilman Figliozi, seconded by Councilman Latino the Town Board opened the meeting to the public, carried.

Frank Redl, Jr. – gave an overview of what his family would like to do with the parcels on Mill Lane and along Route 44. The Redl’s have filed a petition with the Town Board to re-zone the property on Mill Lane and Route 44 (filed in the Town Clerk’s Office).

Mr. Redl is requesting that the Town Board adjourn the Public Hearing at this time. Mr. Redl noted that there are no plans at this time to develop the properties they would like to just re-zone the property. Mr. Redl would like to hear what the residents have to say.

Robert Tompkins – Millbrook – would like Mr. Redl to elaborate more about the properties.

Frank Redl – spoke more about the properties.

Mary Jane LeKanides – Rossway Road – would like to see low density in residential and do commercial along Route 44.

Meta Plotnik – Route 44 –(Chairwoman of CAC) feels that the parcel should be divided into 2 acre parcels for houses instead of putting in apartments.

Frank DeRazmo- Mill Lane – would like to see the property that was purchased by the Redl's on Mill Lane stay residential.

Tammy Lois – Drake Road – asked what about high density.

Zoning Administrator, Mike White explained what high density means; example cluster buildings, multi-family dwelling, average acreage would be ½ acre per lot.

Manny Ashong – Albrecht Lane – has heard that they would like to put apartments in. Hopes the plan will be denied.

Lauren Sidoti – Rossway Road – doesn't think Rossway Road can handle the traffic, is opposed to the subdivision.

James Teed – Drake Road – stated that a mailing should have been sent to the residents informing them of this meeting. Mr. Teed also questioned about water and where the sewage would be going.

Arthur Champlin – Rossway Road – asked what the plan is for the properties.

Zoning Administrator, Mike White stated at this time there is no plan.

Ed LeKanides – Rossway Road – stated have a plan first than apply for the re-zoning.

Supervisor Campbell – noted that this is the first time the applicant has filed for the re-zoning.

Mike White noted that the residents have made a good point as to have a plan and then apply for the re-zoning.

Jean Curlee – Stream Lane – agrees that there should be a plan so the residents can see what is being proposed for the propertie.

Suzanne Horn – Route 44 – spoke about the re-zoning.

Kay Sanderholm – Netherwood Road – (CAC Member) asked about an access road on Mill Lane.

Supervisor Campbell noted that the Town Board would not be closing t Public Hearing tonight it will be adjourned. Supervisor Campbell stated that if residents have any further questions they can put them in writing and submit them to the Town Clerk.

Frank Redl – asked for copies of any letters that are turned into the Town Clerk.

Councilwoman Milicaj noted that the Town Board has had residents coming before them interested in re-zoning some lots here in Town. Councilwoman Milicaj noted that she and Councilman Figliozi have been meeting regarding updating the zoning code.

Frank Redl – noted that he and his family would look at all the comments that were said tonight and get back to the Town Board as to what their next step would be.

Bob Arthurs – Route 44- not in favor of the re-zoning.

Motion by Councilwoman Milicaj, seconded by Councilman Latino the Town Board adjourned the Public Hearing without date, carried.

REGULAR TOWN BOARD MEETING:

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 Tank Report
7. Monthly Trial Balance Reports

TOWN BOARD COMMITTEE REPORTS:

Public Safety Committee Report- Councilwoman Milicaj noted that graffiti is becoming a problem here in Town.

Councilman Albrecht noted that the sidewalk in front of the Mill Site is repaired.

Supervisor Campbell noted that she is working on getting quotes to update the cameras at the Mill Site.

Personnel Committee Report- Councilman Latino noted that he Councilman Figliozzi have met with the department heads to discuss part-time employees getting paid time off.

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

Buildings Committee Report- Councilman Albrecht spoke about the graffiti at the pavilion at the rec park.

Supervisor Campbell noted that there was cabinetry work done at the Recreation Office at Helen Aldrich Park.

Recreation Committee Report – Supervisor Campbell stated that summer camp has started. (recreation report filed with the minutes).

Councilwoman Milicaj asked about the check list for recreation for the Town's parks which is being required by the Town's insurance carrier.

Supervisor Campbell stated that Recreation Director, Sandy Coe was encouraged to do a check list for all the Town's Parks. Supervisor Campbell not sure if the check list is mandatory.

Councilman Latino explained that this is part of tonight's agenda. Town Board would be introducing an amendment to Local Law 5 of 2001 regarding Officers and Employees which is a concern for some of the

employees being responsible of doing the inspection of Town parks and if there is a problem found after the inspection has been done would the employee be held responsible.

Councilwoman Milicaj noted that the Town Board needs to find out if it is mandatory, if so she would like to see the recreation director do the check list.

Councilman Latino would like to see it done to protect the residence and the Town.

Technology Committee Report- Councilman Figliozi spoke about the phone change over for Town Hall.

Time Warner Cable Committee Report- Councilman Figliozi noted that he and the Town Attorney have had several phone conferences with Time Warner, still working with them regarding several issues.

Zoning Code Review Report – Councilwoman Milicaj noted that a meeting has been schedule with Zoning Administrator, Mike White, Planning Board Chair, Rebecca Seaman and ZBA Chair, John Dunn to review proposed changes to the code.

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

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

Bill Kern – Masten Road- asked about the Town Board upgrading the lights at Cady Park for Pleasant Valley Weekend.

Supervisor Campbell noted that the back section of the park is not very well lit.

Town Attorney, Scott Volkman noted that there is a process that needs to be followed, the lights would have to be gifted to the Town and then the Town would have to accept the gift.

Bill Kern - noted that the lights would be a gift. The lights would go onto the existing polls and they would look similar to what is on the poles already.

Councilman Figliozi doesn't have an issue with the lights especially if there is a safety issue.

Attorney Volkman would it be possible to a motion light and are we sure the lights would solve the safety issue.

Chris Hart – Smith Road – stated that the gift of lights would be great for the Town.

CLOSE THE MEETING TO THE PUBLIC:

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

NEW BUSINESS:

Item # 1 – Authorizing the Town of Pleasant Valley to Execute the Amendment to the Existing CDBG Agreement:

Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 137/2015

RE: AUTHORIZING THE TOWN OF PLEASANT VALLEY TO EXECUTE THE AMENDMENT TO THE EXISTING COOPERATION AGREEMENT DATED JUNE 29, 2000 WITH THE COUNTY OF DUTCHESS FOR THE PURPOSE OF UNDERTAKING COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PROGRAMS PURSUANT TO TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, AND TITLE II OF THE NATIONAL AFFORDABLE HOUSING ACT OF 1990, AS AMENDED

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 existing Cooperation Agreement must be amended as specified in Schedule A attached; and

WHEREAS, by Town Board Resolution No. 136/2015 the Board agreed to renew the existing Cooperation Agreement for 2016-2018 in accordance with Paragraph 3 of the Cooperation Agreement by executing a requalification ballot; and

WHEREAS, the Town Board deems it to be in the public interest to enter into an amendment to the Cooperation Agreement, Schedule “A” attached; now, therefore, be it

RESOLVED, that Town Supervisor be and hereby is authorized to execute the Cooperation Agreement Amendment between the Municipality and the County of Dutchess 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 Albrecht

SECONDED BY: Councilman Figliozzi

DATED: July 8, 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 # 2 – Amending the 2015 Adopted Town Budget:
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 138/2015

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, 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

Account		Amount
A.1410.415	Town Clerk Supplies	\$ 300.00
A.5010.415	Highway Supplies	\$1,000.00
A.7140.458	Huck Finn Day	\$ 143.00
A.8010.413	Zoning School	\$ 1.61
Total		\$1,444.61

Decrease

Account	Amount
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A.1410.413	Town Clerk School	\$ 300.00
A.5010.200	Highway Equipment	\$1,000.00
A.7140.454	Youth Soccer	\$ 143.00
A.8010.200	Zoning Equipment	\$ 1.61
Total		\$1,444.61

MOTIONED BY: Councilman Figliozi

SECONDED BY: Councilman Latino

DATED: July 8, 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 – Authorizing Recreation Department 2015 Counselor In Training Program Grant:
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 139/2015

RE: AUTHORIZING RECREATION DEPARTMENT 2015 COUNSELOR IN TRAINING PROGRAM GRANT

WHEREAS, the Town of Pleasant Valley and the County of Dutchess are parties to an Agreement dated November 12, 2014 to provide a Counselor in Training Program; and

WHEREAS, the Town of Pleasant Valley Recreation Department has made an application for the Town of Pleasant Valley Recreation Department 2015 Counselor in Training Program to the Dutchess County Department of Community and Family Services, which administers funding from the New York State Office of Children and Family Services; and

WHEREAS, the Dutchess County Director for the Division of Youth Services has recommended to the County Executive that funding up to the amount of \$2,000 for the Counselor in Training Program be approved; and

WHEREAS, final approval of the grant is subject to final approval of the Office of Children and Family Services of the Dutchess County Resource Allocation Plan and New York State Budget funding; and

WHEREAS, this is a matching program and the Town has sufficient funds in the proposed budget for the total program in order to adequately meet the required match; and

WHEREAS, the Town, as a condition of receiving the Grant, will abide by New York State Office of Children and Family Services program guidelines as to the propriety of all expenditures upon which state aid is requested; the program will be operated in compliance with the laws, rules, and regulations, resolutions and codes of the State of New York in the Town of Pleasant Valley; that no youth will be denied the services or facilities of the project because of race, creed, color or sex; and that no fee will be charged for the programs supported by state funds; and

WHEREAS, the County of Dutchess proposed an Amendment and Extension Agreement to the November 14, 2014 agreement for purposes of the 2015 grant amended hereto as Schedule "A"; now, therefore be it

RESOLVED, the Town of Pleasant Valley hereby accepts the 2015 New York State Office of Children and Family Services funding as administered by the Dutchess County Department of Community and Family Services for an amount up to \$2,000; and be it further

RESOLVED, that the Town Supervisor and the Town Recreation Director are hereby authorized to execute any and all documents necessary to effectuate the terms of this resolution including the proposed Amendment and Extension Agreement with Dutchess County in substantially the same form as annexed hereto and to accept the funding when it becomes available.

MOTIONED BY: Councilman Latino

SECONDED BY: Councilman Figliozi

DATED: July 8, 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 # 4 – Introducing Local Law No. X of 2015 Amending Chapter 17 “Officers and Employees , Article 1 Defense and Indemnification”, Being Local Law No. 5 of 2001, as Amended:
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 140/2015

RE: INTRODUCING LOCAL LAW NO. X OF 2015 AMENDING CHAPTER 17 OFFICERS AND EMPLOYEES, ARTICLE 1 DEFENSE AND INDEMNIFICATION, BEING LOCAL LAW NO. 5 OF 2001, AS AMENDED

WHEREAS, the Town Board of the Town of Pleasant Valley is considering the adoption of Local Law No. X of 2015 to amend the Code of the Town of Pleasant Valley entitled “Chapter 17 Officers and Employees, Article I thereof, entitled “Defense and Indemnification”; and

WHEREAS, pursuant to Local Law No. 5 of 2001, the Town of Pleasant Valley adopted a Local Law providing for the defense of employees of the Town; and

WHEREAS, Section 18 of the New York State Public Officers Law allows, at the Town’s discretion, for the indemnification of employees as well; and

WHEREAS, the Town is desirous of providing for the defense and indemnification of employees subject to the provisions of Local Law No. X of 2015; 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 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: July 8, 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 # 5 – Authorizing Payment of Abstract No. 7 of 2015:
Supervisor Campbell read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 141/2015

RE: AUTHORIZING PAYMENT OF ABSTRACT NO. 7 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 7 of 2015	General Fund Claims	\$ 83,454.45
2. Abstract 7 of 2015	Highway Fund Claims	\$ 32,265.36
3. Abstract 7 of 2015	Consolidated Light	\$ 2,973.37

MOTIONED BY: Councilman Albrecht

SECONDED BY: Councilman Figliozi

DATED: July 8, 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.

Councilman Latino questioned if the abstract for special prosecutor reflects June 4, 2015 as being worked since court had to be cancelled due to the fact that the special prosecutor resigned right before court was to begin.

Supervisor Campbell agrees that the resignation was not done the proper way but the Board needs to pay the bill for the day he did work.

The Town Board also went over the bill for Attorney, Dan Duthie who is working with the Town on the proposed high tension power lines.

OPEN THE MEETING TO THE PUBLIC:

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

Rolando Ghedini – Arbor Hill Road – stated that if the Town would put up the lights that would be good for the Town.

Steve Kish – Cary Road – asked if the Town could put up the lights as part of the event.

Don Johnson – Masten Road – asked about the proposed Local Law.

Town Attorney, Scott Volkman reviewed the Local Law.

John Mackey – Pine Hill Road – asked about his foil request.

Town Attorney, Scott Volkman stated that a response has been mailed to his home.

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 Senior Picnic will be held on August 5, 2015 at Cady Park.

ADJOURN:

Motion by Councilman Figliozi, seconded by Councilwoman Milicaj the Town Board adjourned the meeting at 9:20PM, carried.

Respectfully Submitted,

Margaret Hart

Margaret Hart, Town Clerk

