### **REGULAR TOWN BOARD MEETING**

### **SEPTEMBER 9, 2015**

The Pleasant Valley Town Board held their regularly scheduled Town Board Meeting on Wednesday, September 9, 2015 at 7:00PM, at Town Hall, 1554 Main Street, Pleasant Valley.

Steve Albrecht	Councilman
Mark Figliozzi	Councilman
Steve Latino	Councilman
Lisa Milicaj	Councilwoman
Carol Campbell	Supervisor
	Mark Figliozzi Steve Latino Lisa Milicaj

PRESIDING OFFICER: Carol Campbell, Supervisor

**RECORDING SECRETARY:** Margaret Hart, Town Clerk

### **MONTHLY REPORTS:**

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

### TOWN BOARD COMMITTEE REPORTS:

<u>Public Safety Report</u> – Councilman Albrecht stated that he helped the maintenance men with the mulch at the Helen Aldrich playground.

<u>Personnel Committee Report</u> – Supervisor Campbell noted that she spoke with John McNair and he should be back to work in September for Special Prosecutor night. Supervisor Campbell spoke about hiring a 4<sup>th</sup> part-time constable to help cover Special Prosecutor night and DA night, having the Sheriff's to help cover for John McNair being out has cost the Town \$635.00 for three nights.

The Town Board discussed the option of maybe hiring another constable to cover sick days and vacations.

Councilman Figliozzi noted that he and Councilman Latino will interview the candidate who is interested in becoming the part-time constable.

Councilwoman Milicaj would like to keep using the Sheriff's during court nights.

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

<u>Buildings Committee Report</u> – Councilwoman Milicaj would like to see the walkway in front of Town Hall fixed.

Supervisor Campbell noted that the Mill Site Building will be open during Pleasant Valley Weekend.

<u>Recreation Committee Report</u> – Supervisor Campbell read the recreation report (filed with the minutes). Supervisor Campbell noted that the dedication of Bower Park playground will be held on September 26, 2015.

<u>Technology Committee Report</u> – Councilman Figliozzi noted that the re-cabling in the Assessor, Planning & Zoning and Court offices will take place within 30-60 days.

<u>Insurance Committee Report</u>- Councilwoman Milicaj has called the Town insurance agent regarding some issues and is waiting for a call back.

<u>Time Warner Committee Report</u> – Councilman Figliozzi stated that he is waiting to hear back from Time Warner so a meeting can be set up to discuss the proposed agreement.

Zoning Code Review – Councilwoman Milicaj noted that she has received a note from Zoning Administrator, Mike White regarding re-zoning a parcel of land in Washington Hollow.

### **ORAL/COMMITTEE REPORT/COUNTY LEGISLATORS:**

County Legislator, Don Sagliano stated that the County has applied for a federal aviation grant for the Dutchess County Airport.

Don also spoke about that there is community block grant money available for Towns.

### OPEN THE MEETING TO THE PUBLIC FOR AGENDA ITEMS ONLY:

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

### NEW BUSINESS:

<u>Item # 1 – Setting Public Hearing Date Regarding Proposed New Horizons Group Home/129 West Road:</u> Supervisor Campbell read the following resolution:

### TOWN OF PLEASANT VALLEY TOWN BOARD

### **TOWN BOARD RESOLUTION NO.: 146/2015**

### RE: SETTING A PUBLIC HEARING REGARDING PROPOSED NEW HORIZONS INDIVIDUALIZED RESIDENTIAL ALTERNATIVE AT 129 WEST ROAD

WHEREAS, the Town of Pleasant Valley received a notice on August 26, 2015 from New Horizons Resources, Inc., 123 West Road, Pleasant Valley, New York 12569, which is a letter of intent to develop a home as an individual residential alternative at 129 West Road, Pleasant Valley, New York 12569, Parcel Grid #6363-02-534714, for two adult men with developmental disabilities; and

WHEREAS, the Town Board of the Town of Pleasant Valley has forty days pursuant to §41.34 of the New York State Mental Hygiene Law to approve the site recommended by the sponsoring agency, suggest one or more suitable sites within its jurisdiction, which could accommodate such a facility; or object to the establishment of the above mention facility or kind described by the sponsoring agency because to do so would result in such a concentration of community residential facilities for the disabled in the municipality or in the area in proximity to the site selected, that the nature and character of the areas within the municipality would be substantially altered; and

WHEREAS, pursuant to New York State Mental Hygiene Law §41.34(c)(2) the Town is authorized to conduct a Public Hearing before making such a determination; and

WHEREAS, the Town Board of the Town of Pleasant Valley believes it is in the best interest of the Town, its residents and the sponsoring agency to conduct a Public Hearing to address any questions or concerns with respect to any use of the subject property; now, therefore, be it

RESOLVED, that a Public Hearing regarding the notice of intent by New Horizons Resources, Inc. to establish an individualized residential alternative facility at 129 West Road, Pleasant, Valley, New York 12569, will be held on the 23<sup>rd</sup> day of September, 2015 at 7:00 PM at the Town Hall located at 1554 Main Street, Pleasant Valley, New York 12569; and, be it further

RESOLVED, that the Town Clerk shall post and publish the Notice of Public Hearing accordingly.

MOTIONED BY: Councilman Figliozzi SECONDED BY: Councilman Latino

DATED: September 9, 2015		
ROLL CALL:	AYE	NAY
Councilman Albrecht	Х	
Councilman Figliozzi	Х	

Councilman Latino	Х
Councilwoman Milicaj	Х
Supervisor Campbell	Х
Carried.	

<u>Item # 2 – Schedule Special Town Board Meeting:</u> Supervisor Campbell read the following resolution:

### TOWN OF PLEASANT VALLEY TOWN BOARD

### **TOWN BOARD RESOLUTION NO.: 147/2015**

### RE: SCHEDULING A SPECIAL MEETI

RESOLVED, that a special Town Board meeting is hereby scheduled for September 23, 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 September 23, 2015, at 7:00 p.m. at Town Hall, as well as post the special meeting notice on the Town's website.

> MOTIONED BY: Councilman Albrecht SECONDED BY: Councilman Latino

DATED: September 9, 2015		
ROLL CALL:	AYE	NAY
Councilman Albrecht	Х	
Councilman Figliozzi	Х	
Councilman Latino	Х	
Councilwoman Milicaj	Х	
Supervisor Campbell	Х	
Carried.		

Item # 3 – Authorize Request for Proposal for Ambulance Services:

Discussion:

Councilman Figliozzi stated that he has concerns regarding the hours, he would like to see hours added for emergencies.

Supervisor Campbell spoke about the billing problems with the seniors. Supervisor Campbell noted that some Town's put money aside to help offset the cost to those residents who's insurance doesn't cover the afterhours cost.

Councilman Figliozzi has concerns about response time, and maybe having the ambulance service help with back filling.

Councilwoman Milicaj stated that she has no problem with the Town helping offset the cost of an ambulance bill.

Councilman Latino asked if the Town can legally put money aside to offset a bill.

Town Attorney, Scott Volkman stated that the Town can't put tax payers money aside to pay for someone else bill.

Ken Wallace, Rescue Squad Member stated that the rescue squad is always looking for volunteers and they are always training their current members. The rescue squad would like to keep its volunteers.

Supervisor Campbell stated that the Town Board should take a little more time to work on the RFP.

Motion by Councilman Albrecht, seconded by Councilman Figliozzi to table resolution 148/2015 until the September 23, 2015 Special Town Board Meeting (resolution filed with the minutes),

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

Carried.

<u>Item # 4 – Authorizing the Highway Superintendent to Execute Online Auction Contract for Sale of Used</u> <u>Equipment:</u>

Supervisor Campbell read the following resolution:

### TOWN OF PLEASANT VALLEY TOWN BOARD

### **TOWN BOARD RESOLUTION NO.: 149/2015**

# **RE:** AUTHORIZATION TO SELL SURPLUS TOWN HIGHWAY DEPARTMENT EQUIPMENT

WHEREAS, Highway Superintendent, Kurt Gardner, advised the Town Board by memorandum dated September 2, 2015 of his intent to sell surplus Town Highway Department equipment and vehicles pursuant to New York State Highway Law § 142(5); and

WHEREAS, the Highway Superintendent, Kurt Gardner has proposed to sell the equipment at auction and has proposed a contract with Auction International, Inc., an international online auction service with substantial experience selling surplus municipal vehicles and equipment and which does not charge sellers commission and although no reserve is set, the Town, as seller, has the right to reject all bids; and

WHEREAS, there are three trucks Highway Superintendent identified to sell as surplus equipment as follows:

- A 1990 international 2500 series 6-wheel dump truck with a combination dump/sander body and a 12-foot plow and wing.
- A 1990 international 2500 series 10-wheel dump truck with a combination dump/sander body and a 12-foot plow and wing.
- 3. A 1994 international 4800 series 6-wheel dump truck 4x4 with a combination dump/sander body and a 12-foot plow and wing.

; now, therefore, be it

RESOLVED, that Highway Superintendent Kurt Gardner is authorized to sell the surplus Town Highway Department equipment in accordance with Highway Law § 142(5) with Auctions International, Inc. 11167 Big Tree Road, East Aurora, New York 14052 and to execute the "Online Auction Contract – Agreement for Sale of Government Assets" by Online Auction International, Inc. in substantially the same form as annexed hereto; and be it further

RESOLVED, that the Highway Superintendent and Town Supervisor are hereby authorized to execute any and all documents, including Department of Motor Vehicle forms and Bills of Sale necessary to transfer the above vehicles to the successful bidder.

> MOTIONED BY: Councilman Figliozzi SECONDED BY: Councilman Latino

DATED: September 9, 2015

ROLL CALL:	AYE	NAY
Councilman Albrecht	Х	
Councilman Figliozzi	Х	
Councilman Latino	Х	
Councilwoman Milicaj	Х	
Supervisor Campbell	Х	
Carried.		

<u>Item # 5 – Authorize the Purchase of Highway Equipment:</u> Supervisor Campbell read the following resolution:

### TOWN OF PLEASANT VALLEY TOWN BOARD

### **TOWN BOARD RESOLUTION NO.: 150/2015**

### **RE:** AUTHORIZING THE PURCHASE OF MACHINERY EQUIPMENT AND VEHICLES FOR CONSTRUCTION AND MAINTENANCE FOR THE HIGHWAY DEPARTMENT

WHEREAS, the Highway Superintendent has duly recommended the purchase of the following equipment for use by the Town of Pleasant Valley Highway Department pursuant to the provisions of Section 142 of the Highway Law:

1. One 2014 International Model 4300M7 SBA 4x4 (MR065)) cab and chassis with Trux system with chipper body, sander, steel dump body/electric tarp and 10' plow with spreader and five year extended service contract.

WHEREAS, the equipment is available pursuant to an Onondaga County contract #7823 as authorized by General Municipal Law § 103 (3) from Ben Funk Inc.; now, therefore, be it

RESOLVED, that pursuant to Section 142 of the Highway Law, the Highway Superintendent is hereby authorized to purchase, in accordance with the provisions of Article 5-A of the General Municipal Law, the machinery, equipment and vehicles as specified herein from the following:

Ben Funk Inc., 3609 U.S. Route 9, Hudson, New York 12534 at a maximum price of \$164,100.00, including preliminary costs and costs and expenses incidental thereto, to be delivered to the Town of Pleasant Valley Highway Garage and to be delivered as soon as it becomes available from the dealer; and be it further

RESOLVED, that terms of the payment will be as follows:

 the use of a portion of the Town of Pleasant Valley Highway Equipment Reserve Fund in the amount not to exceed \$164,100, subject to permissive referendum; and be it further

RESOLVED, that the Contract of Purchase for the items purchased shall be duly executed by the Superintendent of Highways and the vendor. When the Contract has been duly executed and approved, the Highway Superintendent is authorized to complete the purchase upon delivery of the items purchased in accordance with the terms of the Resolution and the Contract and to pay or have paid the above amounts specified to be paid by the proceeds of the Highway Equipment Reserve Fund as specified herein, and that the Town Supervisor and the Town Bookkeeper are hereby authorized and directed to establish a capital account for purposes of acquisition of the highway equipment and that the amounts as specified herein are hereby appropriated therefore.

> MOTIONED BY: Councilman Albrecht SECONDED BY: Councilwoman Milicaj

DATED: September 9, 2015

ROLL CALL:	AYE	NAY
Councilman Albrecht	Х	
Councilman Figliozzi	Х	
Councilman Latino	Х	
Councilwoman Milicaj	Х	
Supervisor Campbell	Х	
Carried.		

Supervisor Campbell would like to have the Highway Superintendent to have a statement for the Town Board stating that this truck satisfies as to what he has in his 2016 Budget.

Highway Superintendent, Kurt Gardner stated yes that this satisfies for one (1) truck but we put in for two (2).

<u>Item # 6 – Authorize Funding for Purchase of Highway Truck:</u> Supervisor Campbell read the following resolution:

### TOWN OF PLEASANT VALLEY TOWN BOARD

### **TOWN BOARD RESOLUTION NO.: 151/2015**

### RE: AUTHORIZING THE TOWN BOARD OF THE TOWN OF PLEASANT VALLEY, DUTCHESS COUNTY, NEW YORK TO EXPEND \$164,100 OF FUNDS FROM THE "HIGHWAY EQUIPMENT RESERVE FUND OF THE TOWN OF PLEASANT VALLEY," DUTCHESS COUNTY, NEW YORK, TO PAY FOR THE COST OF MACHINERY, EQUIPMENT AND VEHICLES FOR THE TOWN OF PLEASANT VALLEY HIGHWAY DEPARTMENT AND EXPENSES INCIDENTAL THERETO SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the Town has authorized the acquisition of machinery, equipment and vehicles for use by the Town of Pleasant Valley Highway Department by Resolution No. 150/2015; and

WHEREAS, the Town Board of the Town of Pleasant Valley has heretofore established a Capital Reserve Fund pursuant to Section 6-c of the General Municipal Law of the State of New York by Resolution 36/99; and

WHEREAS, all conditions precedent to the financing of the capital project heretofore described, including compliance with the provisions of the State Environmental Quality Review Act have been performed; and

WHEREAS, it has been determined that the probable usefulness of the aforesaid specific object and purpose is fifteen (15) years pursuant to Subdivision 11(c) of paragraph (a) of Section 11.00 of the Local Finance Law; and

WHEREAS, it is anticipated that an amount not to exceed \$164,100 of the total anticipated project cost will be financed by the use of the "Highway Equipment Reserve Fund of the Town of Pleasant Valley" a capital reserve heretofore established pursuant to Section 6-c of General Municipal Law; now, therefore, be it

RESOLVED, that the Town Supervisor of the Town of Pleasant Valley be and hereby is authorized and directed to transfer from the "Highway Equipment Reserve Fund of the Town of Pleasant Valley" to an appropriate capital project expense item an amount not to exceed \$164,100 of the principal and accumulated interest in said "Highway Equipment Reserve Fund of the Town of Pleasant Valley" to pay for the cost of acquisition of the aforementioned machinery, equipment and vehicles and expenses incidental thereto; and be it further

RESOLVED, that this Resolution is subject to permissive referendum.

### MOTIONED BY: Councilman Figliozzi SECONDED BY: Councilman Albrecht

DATED: September 9, 2015		
ROLL CALL:	AYE	NAY
Councilman Albrecht	Х	
Councilman Figliozzi	Х	
Councilman Latino	Х	
Councilwoman Milicaj	Х	
Supervisor Campbell	Х	
Carried.		

<u>Item # 7 – Amending the 2015 Adopted Town Budget:</u> Supervisor Campbell read the following resolution:

### TOWN OF PLEASANT VALLEY TOWN BOARD

### **TOWN BOARD RESOLUTION NO.: 152/2015**

### **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:**

A.3089

Total

Increase		
Account		Amount
A.1420.451	Intervenor Funding	\$ 9,584.16
A.1460.400	Record Shredding	\$ 315.00
A.1620.429	Mill Site Railing Repair	\$ 2,150.00
Total		\$12,049.16
<u>Decrease</u>		
Account		Amount
A.1410.413	Town Clerk School	\$ 300.00
A.1410.499	Miscellaneous	\$ 15.00
Total		\$ 315.00
Revenue:		
Increase		
Account		Amount
A.2680	Insurance Recovery	\$ 2,150.00

State Aid

MOTIONED BY: Councilman Figliozzi SECONDED BY: Councilman Albrecht

\$ 9,584.16

\$11,734.16

DATED: September 9, 2015

ROLL CALL:	AYE	<u>NAY</u>
Councilman Albrecht	Х	
Councilman Figliozzi	Х	
Councilman Latino	Х	
Councilwoman Milicaj	Х	
Supervisor Campbell Carried.	x	

<u>Item # 8A – Authorizing Transfer to the Highway Equipment Reserve Fund:</u> Supervisor Campbell read the following resolution:

### TOWN OF PLEASANT VALLEY TOWN BOARD

#### **TOWN BOARD RESOLUTION NO.: 153/2015**

### **RE: AUTHORIZING TRANSFER TO THE HIGHWAY EQUIPMENT RESERVE FUND**

WHEREAS, as the Town Board of the Town of Pleasant Valley has previously authorized the use of the Highway Equipment Reserve Fund to purchase certain machinery and equipment pursuant to Resolution No. 85/2014; and

WHEREAS, that appropriation was subject to permissive referendum and no petition was filed; and

WHEREAS, the Highway Superintendent has completed the purchase contract for said equipment and has taken delivery thereof; now therefore be it

RESOLVED, the Town Board hereby authorizes \$16,154.89 to be transferred from the Highway Equipment Reserve Fund to the 2015 adopted Highway Budget expense line DA.5130.200 to pay for part of the cost of the machinery and equipment.

MOTIONED BY: Councilman Figliozzi SECONDED BY: Councilman Albrecht

DATED: September 9, 2015

ROLL CALL:	AYE	NAY
Councilman Albrecht	Х	
Councilman Figliozzi	Х	

Councilman Latino	Х
Councilwoman Milicaj	Х
Supervisor Campbell	Х
Carried.	

<u>Item # 8B – Amending the 2015 Adopted Town Highway Budget:</u> Supervisor Campbell read the following resolution:

### TOWN OF PLEASANT VALLEY TOWN BOARD

### TOWN BOARD RESOLUTION NO.: 154/2015

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

WHEREAS, the Town Board of the Town of Pleasant Valley has expenditures for the

Highway 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 Highway 2015 Adopted Budget as follows:

### **Appropriations:**

Increase		
Account		Amount
DA.5130.200	Equipment	\$146,154.89
Total		\$146,154.89

### **Decrease**

Account		Amount
DA.5110.483	Sealer/Oil/Stone	\$ 40,000.00
DA.9730.600	Debt Service Principal	\$ 88,900.00
DA.9730.700	Debt Service Interest	\$ 1,100.00
Total		\$130,000.00
Revenue:		
Increase		
Account		Amount

MOTIONED BY: Councilman Figliozzi SECONDED BY: Councilman Latino

DATED: September 9, 2015		
ROLL CALL:	AYE	NAY
Councilman Albrecht	Х	
Councilman Figliozzi	Х	
Councilman Latino	Х	
Councilwoman Milicaj	Х	
Supervisor Campbell	Х	
Carried.		

<u>Item # 9 – Authorizing Payment of Abstract No. 9 of 2015:</u> Supervisor Campbell read the following resolution:

### TOWN OF PLEASANT VALLEY TOWN BOARD

**TOWN BOARD RESOLUTION NO.: 155/2015** 

### **RE: AUTHORIZING PAYMENT OF ABSTRACT NO. 9 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 9 of 2015	General Fund Claims	\$ 63,471.03
2. Abstract 9 of 2015	Highway Fund Claims	\$259,571.54

MOTIONED BY: Councilman Figliozzi SECONDED BY: Councilman Latino

DATED: September 9, 2015

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

<u>Item # 10 – Set Dates for Budget Meetings:</u>

The Town Board set the following days for Budget Meeting for the 2016 Budget:

Wednesday, September 30, 2015	6:30PM
Friday, October 2, 2015	6:30PM
Wednesday, October 7, 2015	6:30PM
Thursday, October 8, 2015	6:00PM
Friday, October 16, 2015	6:30PM
Tuesday, October 20, 2015	6:30PM
Wednesday, October 21, 2015	6:30PM
Wednesday, October 28, 2015	6:30PM

All meetings are open to the public.

### **OPEN THE MEETING TO THE PUBLIC:**

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

Barbara Eylers – Krom Drive- asked why it so hard for Dr. Sims to get a sign for office along Route 44.

Councilwoman Milicaj noted that the Town Board is in the process of reviewing the sign ordinance.

Mrs. Eylers also spoke about the ambulance service for the Town. Mrs. Eylers noted that her family called for an ambulance in the middle of the night and waited 30 minutes for an ambulance and there was no response.

Chief Broas noted that the person who was to be on the ambulance was sick and no ambulance responded to the call.

Dan McRitchie, Pleasant Valley Agency – asked the Town Board if they applied for additional coverage for Pleasant Valley Weekend. Dan noted that the primary coverage the Town has doesn't cover the rides and fireworks.

Dan McRithcie and the Town Board had much discussion regarding the Town's insurance coverage.

<u>Janet Gross – Creek Road</u> – spoke about the cost of having the court constables and noted that the Sheriffs are qualified men and woman to cover court nights.

Supervisor Campbell stated that the Town would have to look at the coverage more closely.

Councilwoman Milicaj and Councilman Latino spoke more about the insurance coverage for Pleasant Valley Weekend.

### **CLOSE THE MEETING TO THE PUBLIC:**

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

### **SUPERVISOR'S COMMENTS:**

Supervisor Campbell noted that they are starting to set up for Pleasant Valley Weekend.

#### ADJOURN:

Motion by Councilman Albrecht, seconded by Councilman Figliozzi the Town Board adjourned the meeting at 8:35PM, carried.

Respectfully Submitted,

## Margaret Hart

Margaret Hart, Town Clerk