

SPECIAL TOWN BOARD MEETING

MARCH 29, 2016

The Pleasant Valley Town Board held a Special Town Board Meeting on Tuesday, March 29, 2016 at 6:00PM at Town Hall, 1554 Main Street, Pleasant Valley.

PRESENT: Steve Albrecht Councilman
 Janet Gross Councilwoman
 Jon Nicholson Councilman
 Mark Figliozi Supervisor

PRESIDING OFFICER: Mark Figliozi, Supervisor

RECORDING SECRETARY: Margaret Hart, Town Clerk

Supervisor Figliozi stated that the open issues with the unsafe structure located at 194 Davis Road will be carried over to the April 6, 2016 Workshop Meeting.

Item # 1 – Establishing an Employee Benefit Accrued Liability Reserve Fund Under § 6-p Of New York State General Municipal Law:

Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 76/2016

RE: ESTABLISHING AN EMPLOYEE BENEFIT ACCRUED LIABILITY RESERVE FUND UNDER § 6-p OF NEW YORK STATE GENERAL MUNICIPAL LAW

WHEREAS, the Town Supervisor, following the Best Practices for Local Government Fiscal Management Guide, recommends the creation of a Reserve Fund to cover the exposure of accrued employee benefits payable to employees on termination of employment whether by retirement or otherwise; now, therefore, be it

RESOLVED, that pursuant to § 6-p of New York State General Municipal Law, as amended, the Town Board does hereby authorize and establish a Reserve Fund to be known as “Employee Benefit Accrued Liability Reserve Fund” in the initial amount of \$35,000.00 with the purpose of this Reserve Fund to accumulate monies to finance the cash payment of the monetary value of accrued and accumulated unused and unpaid sick leave, personal leave, holiday leave, vacation time, time allowances granted in lieu of overtime compensation and any other forms of payment for accrued but unliquidated time earned by municipal employees and payable to municipal employees upon termination of service, whether by retirement or otherwise, as authorized by ordinance, local law, or collective bargaining agreement or section six of the civil service law for which expenditures may be made pursuant to subsection 2 of New York State General Municipal Law § 6-p; and be it further

RESOLVED, that such fund shall be known as the “Employee Benefit Accrued Liability Reserve Fund”; and be it further

RESOLVED, that out of the surplus monies of the General Fund (A.0909) the sum of \$35,000.00 be and hereby is appropriated for the Employee Benefit Accrued Liability Reserve Fund and the Town Supervisor is hereby authorized to direct the Town Bookkeeper to transfer the surplus funds in the sum of \$35,000.00 to the Employee Benefit Accrued Liability Reserve Fund as established herein; and be it further

RESOLVED, that there may be paid into such fund such amounts as may be provided therefore by budgetary appropriations, amounts from any other fund authorized by New York State General Municipal Law by resolution subject to permissive referendum and such other funds as may be legally appropriated; and be it further

RESOLVED, that the Town Supervisor as the Chief Fiscal Officer and the Town Bookkeeper are hereby directed to deposit and secure the monies of this Reserve Fund in a manner provided by § 10 of New York State General Municipal Law. The Chief Fiscal Officer may invest the monies in the Reserve Fund in the manner provided by § 11 of New York State General Municipal Law consistent with the Investment Policy of the Town of Pleasant Valley. Any interest earned or capital gains realized on the monies that are deposited or invested shall accrue to and become part of the Reserve Fund and the Chief Fiscal Officer shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund; and be it further

RESOLVED, that except as otherwise provided by § 6-p of New York State General Municipal Law, expenditures from this Reserve Fund shall be made only for any accrued employee benefit payment due an employee of the Town of Pleasant Valley upon termination of the employees service, provided however, that the Town of Pleasant Valley shall not make an expenditure from such fund for any employee benefit for which the Town of Pleasant Valley has established a Reserve Fund under any other provision of law; be it further

RESOLVED, that except as hereby provided by subsection 7 of § 6-p of New York State General Municipal Law, expenditures from this Fund shall be made solely for the purposes which this Reserve Fund is established. No expenditures shall be made from this Reserve Fund without approval of this Town Board.

MOTIONED BY: Councilman Albrecht

SECONDED BY: Councilman Nicholson

DATED: March 29, 2016

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilwoman Gross	X	
Councilman Nicholson	X	
Supervisor Figliozi	X	

Carried.

Item # 2 – Amending the 2016 Adopted Town Budget/Judgements & Claims:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 77/2016

**RE: AMENDING THE 2016 ADOPTED TOWN BUDGET
(Judgements & Claims A.1930.400)**

WHEREAS, in 2012 \$38,540.00 was received from Federal Emergency Management Agency (“FEMA”), pursuant to duly submitted estimates, to effect repairs to Cady Park after the flood of 2011 and FEMA has been requesting since then confirmation that these repairs have been duly completed; and

WHEREAS, the anticipated repairs were never commenced nor completed and doing so now would cost considerably more than the original FEMA award; and

WHEREAS, in the event the Town does not commence and complete the construction at whatever the cost the Town maybe required to return the money to FEMA; and

WHEREAS, the Town Board of the Town of Pleasant Valley wishes to amend the adopted 2016 budget to cover the potential FEMA reimbursement claim from 2012; and

WHEREAS, there is a need to amend the Judgements and Claims line to cover this unanticipated expense; and

WHEREAS, there are sufficient funds in the unreserved Fund Balance; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby amends the 2016 adopted Town budget as follows:

Appropriations:

Increase

Account	Department	Amount
A.1930.400	Judgements & Claims	\$38,540.00
Total		\$38,540.00

Decrease

Account	Department	Amount
A.0909	Unreserved Fund Balance	\$38,540.00
Total		\$38,540.00

Discussion: Councilwoman Gross asked if the Town had received the money for the fence and it stated that if the fence was not put up where was the money put.

Supervisor Figliozzi stated that quotes were given to FEMA, but they were never awarded and it is documented that the money went into the General Fund and is part of the unreserved fund balancd.

MOTIONED BY: Councilman Nicholson

SECONDED BY: Councilwoman Gross

DATED: March 29, 2016

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilwoman Gross	X	
Councilman Nicholson	X	
Supervisor Figliozi	X	

Carried.

Item # 3 – Additional Funds to the Capital Project Reserve Fund:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 78/2016

**RE: ADDITIONAL FUNDS TO THE 2016 ADOPTED TOWN BUDGET
(Capital Project Reserve Fund)**

WHEREAS, the Town Board of the Town of Pleasant Valley has heretofore established a Capital Project Reserve Fund pursuant to § 6-c of the General Municipal Law of the State of New York; and

WHEREAS, the fund was established to finance the cost of a “type” of capital improvements including the purchasing, construction, reconstruction, planning, development, and associated expenses related to capital projects and infrastructure; and

WHEREAS, the Town Board recognizes there are numerous deficiencies of the Town's infrastructure and potential projects such as: the salt shed, the court, the Town Hall boilers and Town Hall air conditioners relating to buildings and operations that, due to lack of maintenance and/or planning, are now substandard or will soon require major capital upgrades or replacement; and

WHEREAS, there is a known groundwater contamination issue in the hamlet and with this a need to explore the formation of a water district to provide reliable potable water to preserve the business center; and

WHEREAS, the Town Hall Septic System needs to be replaced and expanded to avoid the routine pumping that occurs due to functional limitations and age of the current SDS; and

WHEREAS, the Town of Pleasant Valley has funds available in other lines and needs to transfer such funds to provide for such potential capital expenditures by increasing the Capital Reserve Fund; 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 2016 Adopted Budget as follows:

Appropriations:

Increase

Account	Department	Amount
A.9950.900	Capital Projects	\$650,000.00
Total		\$650,000.00

Decrease

Account	Department	Amount
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A.0909	Unreserved Fund Balance	\$650,000.00
Total		\$650,000.00

MOTIONED BY: Councilwoman Gross

SECONDED BY: Councilman Nicholson

DATED: March 29, 2016

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilwoman Gross	X	
Councilman Nicholson	X	
Supervisor Figliozi	X	

Carried.

Councilman Albrecht asked if money is being put aside for improvements.

Supervisor Figliozi stated yes.

Supervisor Figliozi stated that he and Highway Superintendent, Butch Gardner attended a meeting at the County regarding buying salt for the winter thru the County. Supervisor Figliozi noted that the County has received 3 bids and one company came in at \$75.00 per ton, which is less than what the Town was quoted for this year.

The Town Board had much discussion regarding this matter.

Item # 4 – Intent with Respect to Dutchess County Road Salt (Crushed) for 2016/2017:

Supervisor Figliozi read the following resolution.

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 79/2016

RE: INTENT WITH RESPECT TO DUTCHESS COUNTY ROAD SALT (CRUSHED) FOR 2016/2017

WHEREAS, Dutchess County issued a bid request for road salt for 2016/2017 and is urging

municipalities to participate; and

WHEREAS, Apalachee Marine of Rochester, New York was the apparent lowest bidder under Dutchess County Office of Central and Information Services Bid #RFB-DCP-15-16 of \$75/ton; and

WHEREAS, in advance of awarding the bid and contracting with Apalachee Marine Dutchess County has requested that interested municipalities express their intent to participate in this bid subject to the award of a formal contract; and

WHEREAS, the Town Supervisor and Highway Superintendent have reviewed the bid with County and other local municipal officials and have recommended to the Town Board that the Town of Pleasant Valley agree to participate in the Dutchess County road salt bid and the anticipated needs for the Town for 2016/2017 is 1,900 tons; now, therefore, be it

RESOLVED, that the Town Supervisor is hereby directed and authorized to confirm with the County of Dutchess, of the Town of Pleasant Valley's intent to participate in this bid and anticipated need for 1,900 tons of crushed road salt from Apalachee Marine of Rochester, New York.

MOTIONED BY: Supervisor Figliozi

SECONDED BY: Councilman Nicholson

DATED: March 29, 2016

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilwoman Gross	X	
Councilman Nicholson	X	
Supervisor Figliozi	X	

Carried.

Councilman Albrecht asked about the progress of the proposed salt shed.

Supervisor Figliozi noted the bids are due in on April 4, 2016.

ADJOURN:

Motion by Councilman Nicholson, seconded by Councilman Albrecht the Town Board adjourned the meeting at 6:22PM, carried.

Respectfully Submitted,

Margaret Hart

Margaret Hart, Town Clerk