

PUBLIC HEARING
REGULAR TOWN BOARD MEETING

JUNE 14, 2017

The Pleasant Valley Town Board held a Public Hearing and their regularly scheduled Town Board Meeting on Wednesday, June 14, 2017 at 7:00PM, 1554 Main Street, Pleasant Valley.

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

PRESIDING OFFICER: Mark Figliozi, Supervisor

RECORDING SECRETARY: Margaret Hart, Town Clerk

MINUTES: of 04/05/2017 Workshop Meeting
 04/12/2017 Regular Town Board Meeting
 04/24/2017 Special Town Board Meeting

Motion by Councilman Albrecht, seconded by Councilman Becker the Town Board approved the above minutes, carried.

PUBLIC HEARING:

PURPOSE: "SOLAR ENERGY SYSTEM PAYMENT IN LIEU OF TAXES/"PILOT PROGRAM":

Motion by Supervisor Figliozi, seconded by Councilman Nicholson the Town Board re-opened the Public Hearing for public comment, carried.

No comments heard from the public.

CLOSE THE MEETING TO THE PUBLIC:

All resident having had ample time to speak a motion by Councilman Albrecht, seconded by Councilman Becker the Town Board closed the Public Hearing, carried.

PUBLIC HEARING:

PURPOSE: "SPECIAL USE PERMIT AND SITE PLAN APPROVAL":

Motion by Supervisor Figliozi, Councilman Nicholson the Town Board re-opened the Public Hearing, carried.

Steve Kish – Cary Road – ZBA member stated that it was put in the comprehensive plan for the Zoning Board to grant final approval for a special use permit and site plan approval. Mr. Kish isn't in favor of the process of only going in front of the Planning Board.

Supervisor Figliozi stated that Dutchess County Planning gave a positive recommendation to the Town for this change.

CLOSE THE MEETING TO THE PUBLIC:

All residents having had ample time to speak a motion by Supervisor Figliozi, seconded by Councilman Albrecht the Town Board closed the Public Hearing, carried.

PUBLIC HEARING:

PURPOSE: "REPEALING CHAPTER 46 DRIVEWAY AND HIGHWAY WORK PERMITS":

Motion by Supervisor Figliozi, seconded by Councilman Nicholson the Town Board re-opened the Public Hearing, carried.

John Dunn, ZBA Chairman – stated that appeals come to the Zoning Board and now an appeal for a driveway is now going to go in front of the Town Board, Mr. Dunn doesn't think it makes a lot of sense for the Town Board to do the appeals. Mr. Dunn stated the Zoning Board has handled appeals for a very long time and is not in favor of the Town Board taking it over.

Steve Kish – Cary Road – ZBA member stated that when a resident comes in front of the ZBA they sworn in and it is a legal judgement, will the residents still have to do this when they appear in front of the Town Board. Mr. Kish asked what would happen to the comprehensive plan with this change.

CLOSE THE MEETING TO THE PUBLIC:

All residents having had ample time to speak a motion by Councilman Albrecht, seconded by Councilwoman Gross the Town Board closed the Public Hearing, carried.

REGULAR TOWN BOARD MEETING:

MONTHLY REPORTS:

1. Town Clerk Monthly Report
2. Refuse Monthly Report
3. Assessor Monthly Report
4. Building, Zoning, Planning and Fire Department Report
5. Recreation Monthly Report
6. Above Ground Storage Monthly Report
7. Monthly Trial Balance Report

CORRESPONDENCE:

All correspondence is on file in the Town Clerk's Office.

TOWN BOARD COMMITTEE REPORTS:

Public Safety Committee Report – Councilman Albrecht asked when the work on Hurley Road would begin. Supervisor Figliozi stated that the project will begin in 2018.

Councilman Nicholson spoke about that there is garbage around the Mill Site that needs to be picked up.

Personnel Committee Report – Councilman Nicholson noted that the personnel committee needs to interview for an Assessor.

Refuse/Highway Committee Report – Supervisor Figliozi noted that the Highway Department has started the mowing of Town roads and had to do some road clean-up after the last storm.

Recreation Committee Report – Supervisor Figliozi spoke about the work that was done at Field #2. The recreation report is filed with the minutes.

Insurance Committee Report – Supervisor Figliozi spoke about how the Town is looking into another carrier to use as a supplement for retirees who are eligible for Medicare.

OPEN THE MEETING TO THE PUBLIC FOR AGENDA ITEMS ONLY:

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

Rolando Gehdni – Arbor Hill Drive – thanked the Town Board for sending the agenda to him each month.

CLOSE THE MEETING TO THE PUBLIC:

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

NEW BUSINESS:

Item # 1 – Award Contract for Professional Consulting Services/Redl Park:
Supervisor Figliozzi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 120/2017

**RE: AWARDING CONTRACT TO PVE, LLC FOR PROFESSIONAL CONSULTING SERVICES FOR
 MASTER PLANNING SERVICES FOR REDL PARK**

WHEREAS, the Town of Pleasant Valley is in need of the preparation of a phased Master Plan for Redl Park, a 30-acre site at the intersection of NYS Route 115 and West Road in the Town of Pleasant Valley, Dutchess County, New York;

WHEREAS, the Town of Pleasant Valley is in receipt of a proposal from PVE, LLC dated June 6, 2017 to provide landscape architectural services for the preparation of a phased Master Plan for Redl Park; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby awards a contract for consulting services in regard to the preparation of a phased Master Plan for Redl Park as specified in the proposal from PVE, LLC dated June 6, 2017 in an amount not to exceed \$4,975.00; and, be it further

RESOLVED, that the Town Supervisor is hereby authorized to execute such contract with PVE, LLC as soon as practicable hereafter.

MOTIONED BY: Councilman Becker

SECONDED BY: Councilman Nicholson

DATED: June 14, 2017

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Becker	X	
Councilwoman Gross	X	

Councilman Nicholson X

Supervisor Figliozi X

Carried.

Item # 2 – Amending Order and Resolutions for Unsafe Structure on 194 Davis Road:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 121/2017

**RE: AMENDING ORDER AND RESOLUTION 176/2015, 184/2015, 48/2016 AND 51/2016 ORDERING
THE REMOVAL OF STRUCTURE LOCATED AT 194 DAVIS ROAD, SALT POINT, NY**

WHEREAS, the Town Board of the Town of Pleasant Valley has heretofore ordered a removal of an unsafe structure located at 194 Davis Road, Salt Point, NY; and

WHEREAS, after review of additional plans, specifications and inspections of the subject property and negotiations regarding the repair and rehabilitation or demolition of the subject property, the owner of the property has consented to the demolition of the improvements and has determined to proceed to remove the improvements on their own accord; and

WHEREAS, the owner of the property has or has caused an application for a demolition permit to be submitted to the Town of Pleasant Valley Zoning Administrator; and

WHEREAS, the Zoning Administrator has approved the demolition plans and issued a demolition permit dated June 9, 2017, and demolition has commenced; now, therefore, be it

RESOLVED, at the request of the property owner, the aforesaid Order dated November 10, 2015, is amended as follows: if said property owner, on or before July 9, 2017, completes the demolition authorized by said demolition permit then, in that event, the previous Order shall hereby be rescinded; and be it further

RESOLVED, in the event the timeline is not met, time being of the essence, then said prior Order will remain in full force and effect and the Town Board shall provide for the demolition of the subject property and to assess all expenses thereof, including legal expenses against the land onto which it is located.

MOTIONED BY: Councilwoman Gross

SECONDED BY: Councilman Albrecht

DATED: June 14, 2017

ROLL CALL: AYE NAY

Councilman Albrecht X

Councilman Becker X

Councilwoman Gross	X
Councilman Nicholson	X
Supervisor Figliozi	X

Carried.

DISCUSSION:

Councilman Albrecht asked if there is going to be seeding done and is there going to be a hole.

Supervisor Figliozi said there will be no hole left.

Councilman Nicholson is concerned about the debris being left.

Supervisor Figliozi stated that there are dumpsters being brought in.

Item # 3 – Amending Town Board Resolution No. 112/2017 Re: Summer Camp Staff Appointment:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 122/2017

**RE: AMENDING TOWN BOARD RESOLUTION NO. 112/2017 REGARDING APPOINTMENT OF 2017
TOWN OF PLEASANT VALLEY SUMMER CAMP STAFF**

WHEREAS, the Town Board adopted Resolution No. 112/2017, appointing the 2017 Town of Pleasant Valley Summer Camp Staff; and

WHEREAS, the Recreation Director has recommended a revision to that Resolution by adding a Counselor to the Counselor Waiting List; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley does hereby appoint the following 2017 Summer Camp Staff:

Counselor Waiting List

Kevin Prunty

; and be it further

RESOLVED, the salary for said position shall be as established by Resolution No. 15/2017; and be it further

RESOLVED, that Resolution No. 112/2017 shall otherwise remain in full force and effect.

MOTIONED BY: Councilman Nicholson

SECONDED BY: Councilwoman Gross

DATED: June 14, 2017

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

Carried.

Item # 4A – Amending Chapter 98 of the Code of the Town of Pleasant Valley Entitled “Solar Energy Systems” SEQRA:

Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 123/2017

RE: STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REGARDING THE ADOPTION OF AN AMENDMENT TO CHAPTER 98 OF THE CODE OF THE TOWN OF PLEASANT VALLEY TO ADD A NEW SECTION 98 ENTITLED “SOLAR ENERGY SYSTEMS”

WHEREAS, the Town Board of the Town of Pleasant Valley is considering amending Chapter 98 of the Code of the Town of Pleasant Valley to add a new Section 98 entitled “Solar Energy Systems”; 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 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 March 8, 2017, April 12, 2017, May 10, 2017 and June 14, 2017 on the proposed amendment, at which time all parties who desired to be heard in connection with the proposed amendment and environmental significance were heard; and

WHEREAS, the Town Board by Resolution dated February 23, 2017 made a determination that the proposed action is a Type I action pursuant to SEQRA, pursuant to 6 NYCRR 617.4 and 617.5; and

WHEREAS, the Town Board determined that the proposed Local Law is an action for which there are no other Involved Agencies and that the Town Board is therefore, by default, the Lead Agency for this action; now, therefore, be it

RESOLVED, that upon review of the Part I, and completion of Part II and Part III, of the Full 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 Full 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: Councilman Becker

SECONDED BY: Supervisor Figliozi

DATED: June 14, 2017

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

Carried.

Item # 4B – Adopting Local Law No. 2 of the Year 2017 “Entitled Solar Energy”:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 124/2017

RE: ADOPTING LOCAL LAW NO. 2 OF THE YEAR 2017, “A LOCAL LAW OF THE TOWN OF PLEASANT VALLEY, DUTCHESS COUNTY, NEW YORK TO AMEND CHAPTER 98, ZONING, OF THE PLEASANT VALLEY TOWN CODE TO ADD A NEW SECTION 98 - ENTITLED SOLAR ENERGY SYSTEMS”

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Pleasant Valley introducing proposed Local Law No. X of the Year 2017, entitled “A Local Law of the Town of Pleasant Valley, Dutchess County, New York to Amend Chapter 98, Zoning, of the Pleasant Valley Town Code to Add a New Section 98 – entitled Solar Energy Systems”.; 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 March 8, 2017, April 12, 2017 and May 10, 2017, 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, said Local Law was circulated for purposes of SEQRA and for advisory opinions to the Dutchess County Department of Planning and Development and the Town of Pleasant Valley Planning Board; and

WHEREAS, the environmental significance of the law has been reviewed and the Town Board has adopted a Negative Declaration in respect thereto; 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; and

WHEREAS, the memorandum dated March 29, 2017 from the Dutchess County Department of Planning and Development stated they had no comments and noted it was a matter of local concern; and

WHEREAS, the Town of Pleasant Valley Planning Board in a memo dated March 16, 2017 issued a favorable recommendation; and

WHEREAS, said Local Law has been on the desks of the members of the Town Board of the Town of Pleasant Valley for at least seven (7) days exclusive of Sunday prior to the adoption of this Resolution; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby adopts Local Law No. 2 of the Year 2017 entitled "A Local Law of the Town of Pleasant Valley, Dutchess County, New York to Amend Chapter 98, Zoning, of the Pleasant Valley Town Code to Add a New Section 98 – Entitled Solar Energy Systems", a copy of which is attached hereto and made a part hereof.

MOTIONED BY: Councilman Becker

SECONDED BY: Councilwoman Gross

DATED: June 14, 2017

ROLL CALL:

AYE

NAY

Councilman Albrecht

X

Councilman Becker	X
Councilwoman Gross	X
Councilman Nicholson	X
Supervisor Figliozi	X

Carried.

Item # 5 – Solar Tax Exemption/PILOT Program:

Motion by Supervisor Figliozi, seconded by Councilman Nicholson the Town Board tabled the Solar Tax Exemption/PILOT Program at this time, carried.

Item # 6A – Repealing Chapter 46 of the Code of the Town of Pleasant Valley Entitled “Driveway and Highway Work Permits/SEQRA:

Motion by Councilman Nicholson, seconded by Councilwoman Gross the Town Board tabled resolution 125/2017 until the July 12, 2017 Town Board Meeting, carried.

Item # 6B – Adopting Local Law X of 2017 Entitled “Driveway and Highway Work Permits:”

Discussion:

Councilman Becker would like to talk to the Planning Board before the Town Board takes this over.

Town Attorney, Scott Volkman noted that the proposed local law was sent to the Planning Board and they failed to respond within the 45 days so it is deemed favorable.

Councilman Nicholson stated that the Town Board should review the comments from the public.

Town Attorney, Scott Volkman stated that this Local Law is amending Chapter 46 which is Highway Law. Mr. Volkman stated that this is not a zoning matter it is Highway Law. The Town Board will only be issuing the site distance variance, they are not taking anything away from the ZBA and the comprehensive plan did not change and the comprehensive plan had nothing to do with driveways.

Motion by Councilman Nicholson, seconded by Councilman Albrecht the Town Board tabled Resolution #126/2017 until the July 12, 2107 Town Board Meeting, carried.

Item # 7A – Amendment to Chapter 98 of the Code of the Town of Pleasant Valley Entitled “Zoning/Subdivision Special Use Permit and Site Plan Approval”/SEQRA:

Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 127/2017

RE: STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) REGARDING THE ADOPTION OF AN AMENDMENT TO CHAPTER 98 OF THE CODE OF THE TOWN OF PLEASANT VALLEY ENTITLED “ZONING: ARTICLE VI – SUBDIVISION, SPECIAL USE PERMIT AND SITE PLAN APPROVAL”

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: Article VI – Subdivision, Special Use Permit and Site Plan Approval”; 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 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 May 10, 2017 and June 14, 2017 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 12, 2017 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 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 Gross

SECONDED BY: Councilman Becker

DATED: June 14, 2017

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

Carried.

Item #7B – Adopting Local Law 3 of 2017 “Amending Chapter 98 Code of the Town of Pleasant Valley Entitled “Zoning Subdivision Special Use Permit and Site Plan Approval:”

Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 128/2017

RE: ADOPTING LOCAL LAW NO. 3 OF 2017, "AMENDING CHAPTER 98 OF THE CODE OF THE TOWN OF PLEASANT VALLEY ENTITLED 'ZONING: ARTICLE VI – SUBDIVISION, SPECIAL USE PERMIT AND SITE PLAN APPROVAL'"

WHEREAS, a Resolution was duly adopted by the Town Board of the Town of Pleasant Valley introducing proposed Local Law No. X of 2017, "Amending Chapter 98 of the Code of the Town of Pleasant Valley Entitled 'Zoning: Article VI – Subdivision, Special Use Permit and Site Plan Approval'"; 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 May 10, 2017 and June 14, 2017, 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, said Local Law was circulated for purposes of SEQRA and for advisory opinions to the Dutchess County Department of Planning and Development and the Town of Pleasant Valley Planning Board; and

WHEREAS, the environmental significance of the law has been reviewed and the Town Board has adopted a Negative Declaration in respect thereto; 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; and

WHEREAS, the Dutchess County Department of Planning and Development issues a favorable recommendation in a memorandum dated May 8, 2017, stating that the Department supplied the proposed amendment and that it made sense to have the Planning Board review special use permits, because of their responsibility to review site plans, whose approvals are required for the issuance of special use permits; and

WHEREAS, the Town of Pleasant Valley Planning Board has not submitted a report however, pursuant to Town Law § 98-101, the failure to do so is deemed to be a recommendation of approval of the proposed amendment; and

WHEREAS, said Local Law has been on the desks of the members of the Town Board of the Town of Pleasant Valley for at least seven (7) days exclusive of Sunday prior to the adoption of this Resolution; now, therefore, be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby adopts Local Law No. 3 of 2017 "Amending Chapter 98 of the Code of the Town of Pleasant Valley Entitled 'Zoning: Article VI – Subdivision, Special Use Permit and Site Plan Approval'", a copy of which is attached hereto and made a part hereof.

MOTIONED BY: Councilman Nicholson

SECONDED BY: Councilman Becker

DATED: June 14, 2017

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

Carried.

Item # 8A –Accept Recreation Fee For Gina Orchard Subdivision:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 129/2017

RE: ACCEPTING RECREATION FEE FOR THE GINA’S ORCHARD SUBDIVISION

WHEREAS, an application for the approval of a subdivision of 19.94 +/- acres into three lots entitled "Gina’s Orchard Subdivision" located at 191 Gretna Road, was submitted to the Planning Board on February 27, 2015; and

WHEREAS, on January 12, 2017, the Planning Board issued a conditional final subdivision approval; and

WHEREAS, since two new lots are being created, on June 13, 2017, the Planning Board recommended to the Town Board that a recreation fee for two new lots be required; and

WHEREAS, in accordance with the current fee schedule adopted by the Town Board of the Town

of Pleasant Valley, the recreation fee for two lots is \$8,000.00; now, therefore be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby determines that a recreation fee in the amount of \$8,000.00 will be required for the Gina's Orchard Subdivision, which shall be deposited to the trust fund to be used by the Town as authorized by law.

MOTIONED BY: Councilman Albrecht

SECONDED BY: Councilwoman Gross

DATED: June 14, 2017

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

Carried.

Item # 8B – Accept Recreation Fee for Snyder Subdivision:

Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 130/2017

RE: ACCEPTING RECREATION FEE FOR THE SNYDER SUBDIVISION

WHEREAS, an application for the approval of a subdivision of 88.034 acres into two lots entitled "Snyder Subdivision" located at 71 Ruskey Lane was submitted to the Planning Board on November 16, 2016; and

WHEREAS, on March 16, 2017, the Planning Board issued a conditional final subdivision approval; and

WHEREAS, since one new lot is being created, on June 13, 2017, the Planning Board recommended to the Town Board that a recreation fee for one new lot be required; and

WHEREAS, in accordance with the current fee schedule adopted by the Town Board of the Town of Pleasant Valley, the recreation fee for one lot is \$4,000.00; now, therefore be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby determines that a recreation fee in the amount of \$4,000.00 will be required for the Snyder Subdivision, which shall be deposited to the trust fund to be used by the Town as authorized by law.

MOTIONED BY: Councilman Nicholson

SECONDED BY: Councilman Becker

DATED: June 14, 2017

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

Carried.

Item # 9 – Accept the Independent Court Audit for the Fiscal Year Ending December 31, 2106:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 131/2017

RE: ACCEPTING THE INDEPENDENT AUDIT REPORT FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016

WHEREAS, in accordance with the applicable provisions of the Town Law, the Town Board of the Town of Pleasant Valley has heretofore retained the services of Theodore J. Eglit, Jr., CPA, to perform an independent audit of the Town’s finances, including the Justice Court, for the fiscal year ending December 31, 2016; and

WHEREAS, the Town Board received and reviewed the Auditor’s Report as well as the findings and recommendations set forth therein for the Justice Court of the Town of Pleasant Valley dated May 20, 2017; now, therefore be it

RESOLVED, that the Town Board of the Town of Pleasant Valley hereby accepts the independent Auditor’s Report by Thomas J. Eglit, Jr. CPA, dated May 20, 2017 for the fiscal year ending December 31, 2016.

MOTIONED BY: Councilman Nicholson

SECONDED BY: Councilwoman Gross

DATED: June 14, 2017

ROLL CALL:	<u>AYE</u>	<u>NAY</u>
Councilman Albrecht	X	
Councilman Becker	X	

Councilwoman Gross	X
Councilman Nicholson	X
Supervisor Figliozi	X

Carried.

Item # 10 – Extending Temporary Wide Moratorium on Donation Bins in the Town of Pleasant Valley:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 132/2017

RE: EXTENDING TEMPORARY TOWN-WIDE MORATORIUM ON PERMITTING AND PLACEMENT OF DONATION BINS FOR ONE ADDITIONAL THREE MONTH TERM

WHEREAS, on December 14, 2016, by Resolution No. 190/2016, the Town Board adopted Local Law No. 1 of 2017 which imposed a Temporary Town-Wide Moratorium on permitting and placement of donation bins in the Town of Pleasant Valley; and

WHEREAS, Section II A of Local Law No. 1 of 2017 provided for a moratorium term of 180 days from its effective date, subject to review and extension by the Town Board of the Town of Pleasant Valley; and

WHEREAS, Local Law No. 1 of 2017 became effective on January 11, 2017 upon filing with the Secretary of State, and therefore will expire on July 11, 2017; and

WHEREAS, the purpose of the Temporary Town-Wide Moratorium on the permitting and placement of donation bins is to temporarily halt the permitting and placement of donation bins, for a reasonable period of time, to enable the Town to adopt appropriate regulations of donation bins, which are not currently regulated in the Town of Pleasant Valley Zoning Code or Town Code; and

WHEREAS, the new zoning regulations are being drafted and reviewed, and it is anticipated that the revisions will be adopted by October 10, 2017; and

WHEREAS, the Town Board has determined an extension of the moratorium term is warranted and it is in the best interests of the residents and property owners of the Town of Pleasant Valley to extend the provisions of Local Law No. 1 of 2017 for a 90 day term by Resolution pursuant to Section XI thereof; and

WHEREAS, the Town Board may terminate the Moratorium earlier than 90 days provided that a revised Local Law is enacted; now, therefore be it

RESOLVED, the Town Board hereby extends the Temporary Town-Wide Moratorium on permitting and placement of donation bins in the Town of Pleasant Valley established by Local Law No. 1 of 2017 for a 90 day term ending on October 10, 2017 pursuant to Section XI of the Local Law.

MOTIONED BY: Councilman Albrecht

SECONDED BY: Councilwoman Gross

DATED: June 14, 2017

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

Carried.

Item # 11 – Awarding Appraisal Services for Town Hall/R.P. Hubbell:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 133/2017

RE: AUTHORIZING AWARD OF APPRAISAL SERVICES

WHEREAS, the Town of Pleasant Valley owns certain real property in the Town of Pleasant Valley, County of Dutchess, described as parcel grid # 134400-6363-02-775535 located at 1554 Main Street; and

WHEREAS, the Attorney to the Town solicited proposals for appraisal services for the subject property; and

WHEREAS, the Town is in receipt of four (4) proposals; now, therefore, be it

RESOLVED, that the Town Supervisor be and hereby is authorized and directed to execute an engagement agreement and retain the services of R.P. Hubbell and Company, Inc., in the amount of \$2,000 for Option #2 (Appraisal Report) in accordance with the proposal dated June 6, 2017.

MOTIONED BY: Councilman Nicholson

SECONDED BY: Councilman Albrecht

DATED: June 14, 2017

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

Supervisor Figliozi

X

Carried.

Item # 12 – Waiver for Liquor License/Wines & Spirits North Ave.:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 134/2017

RE: PLEASANT VALLEY WINES AND SPIRITS, LLC - LIQUOR LICENSE APPLICATION

WHEREAS, Pleasant Valley Wines and Spirits, LLC submitted a Notice of Intent to file an application for an On-Premises Alcoholic Beverage License for “liquor and wine” to be sold at 13 North Avenue, 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; now, therefore be it

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

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

MOTIONED BY: Councilwoman Gross

SECONDED BY: Councilman Becker

DATED: June 14, 2017

ROLL CALL:

AYE

NAY

Councilman Albrecht

X

Councilman Becker

X

Councilwoman Gross	X
Councilman Nicholson	X
Supervisor Figliozi	X

Carried.

Item # 13A – Budget Amendment/Town Budget:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 135/2017

RE: AMENDING THE 2017 ADOPTED TOWN BUDGET

WHEREAS, the Town Board of the Town of Pleasant Valley has expenditures for the 2017 Adopted Budget Line items that will exceed the amount available in such Budget lines for debt service; and

WHEREAS, it is necessary to amend the 2017 Adopted Budget to meet these expenses; and

WHEREAS, the Town of Pleasant Valley had 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 2017 Adopted Budget as follows:

Appropriations:

Increase

Account	Department	Amount
A.1110.499	Court-Sheriffs	\$4,712.00
A.3410.413	Fire Inspector School	\$ 50.00
A.7140.458	Huck Finn	\$ 25.00
A.7550.400	Flags	\$ 241.00
Total		\$5,028.00

Decrease

Account	Department	Amount
A.1110.413	Court-School	\$1,500.00

A.1990.400	Contingency	\$3,262.00
A.7140.499	Recreation Misc.	\$ 25.00
A.7550.403	PV Clean Up	\$ 241.00
Total		\$5,028.00

MOTIONED BY: Councilman Albrecht

SECONDED BY: Councilwoman Gross

DATED: June 14, 2017

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

Carried.

Item # 13B – Budget Amendment Highway Budget:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 136/2017

RE: AMENDING THE 2017 ADOPTED TOWN HIGHWAY BUDGET

WHEREAS, the Town Board of the Town of Pleasant Valley has expenditures for the 2017 Adopted Highway Budget Line items that will exceed the amount available in such Budget lines for debt service; and

WHEREAS, it is necessary to amend the 2017 Adopted Highway Budget to meet these expenses; and

WHEREAS, the Town of Pleasant Valley had 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 2017 Adopted Highway Budget as follows:

Appropriations:

Increase

Account	Department	Amount
DA.5112.201	CHIPS	\$26,674.00
Total		\$26,674.00

Revenue:

Account	Department	Amount
DA.3501	CHIPS	\$26,674.00
Total		\$26,674.00

MOTIONED BY: Councilman Albrecht

SECONDED BY: Councilman Becker

DATED: June 14, 2017

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

Carried.

Item # 14 – Authorizing Payment of Abstract No. 6 of 2017:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD
TOWN BOARD RESOLUTION NO.: 137/2017
RE: AUTHORIZING PAYMENT OF ABSTRACT NO. 6 OF 2017

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 2017	General Fund Claims	\$ 95,211.12
2. Abstract 6 of 2017	Highway Fund Claims	\$ 46,815.59
3. Abstract 6 of 2017	Capital Reserve Salt Shed	\$ 3,336.67
4. Abstract 6 of 2017	Con Light	\$ 17,994.00

MOTIONED BY: Councilman Albrecht

SECONDED BY: Councilwoman Gross

DATED: June 14, 2017

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

Carried.

Item # 15 – Authorizing Payment of Abstract No. 6P or 2017:
Supervisor Figliozi read the following resolution:

TOWN OF PLEASANT VALLEY TOWN BOARD

TOWN BOARD RESOLUTION NO.: 138/2017

RE: AUTHORIZING PAYMENT OF ABSTRACT NO. 6P OF 2017

WHEREAS, the Town of Pleasant Valley Town Board has audited the bills presented for consultant escrow fees as specified by Town Code § 82-15, §98-91, etc., 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 6P of 2017 Planning/Zoning Escrow \$7,171.86

MOTIONED BY: Councilman Nicholson

SECONDED BY: Councilman Becker

DATED: June 14, 2017

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

Carried.

SUPERVISOR'S COMMENTS:

Supervisor Figliozi noted that he received a letter from County Executive. Marc Molinaro thanking the Town of Pleasant Valley for adopting a resolution supporting Think Differently programs.

Supervisor Figliozi stated that there is an art exhibit on display in the meeting room, Supervisor's office and Town Clerk's office painted by Paul Molloy who resides in a local New Horizons group home.

Supervisor noted that the summer basketball camp is going to be held at LaGrange Middle School instead of Arlington High School.

Supervisor Figliozi stated that he has received a letter from Herb and Sue Redl stating that they would donate a \$100,000.00 to the Town of Pleasant Valley to be used for construction at Redl Park. (The letter is filed in the Town Clerk's office).

OPEN THE MEETING TO THE PUBLIC:

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

Steve Kish – Cary Road – spoke about that the Town already did a referendum on Redl Park, the Town already has 4 other parks and 2 schools to use for recreation. The Town would have to put in sidewalks.

Supervisor Figliozi stated that a grant was applied for, but the Town was denied the grant. Supervisor Figliozi noted that the Town will apply for a grant through the Dutchess County Council. The park will be kept simple the Town would be able to rent out the pavilion.

Councilman Becker stated that the Town is going the other way with the park plan than the original plan.

Rolando Ghedini – Arbor Hill Drive – stated that he is in favor of the new plan.

Councilwoman Gross has concerns about the security and the maintenance of the park.

Supervisor Figliozi stated that other projects have been done and have been successful at no cost to the Town.

EXECUTIVE SESSION:

Motion by Councilman Nicholson, seconded by Councilwoman Gross the Town Board entered into Executive Session at 8:44PM under Public Officers Law section 105.1(f) Personnel Matter, carried.

No action taken.

Motion by Councilman Becker, seconded by Councilman Nicholson the Town Board came out of Executive Session at 9:38PM, carried.

ADJOURN:

Motion by Councilman Albrecht, seconded by Supervisor Figliozi the Town Board adjourned the meeting at 9:39PM, carried.

Respectfully Submitted,

Margaret Hart

Margaret Hart, Town Clerk

