

TOWN BOARD MEETING  
June 21, 2007 - 6:30 PM  
TOWN HALL

The meeting was called to order by Supervisor Reagon at 6:30 p.m.

Salute to the Flag was conducted.

Emergency Exits were pointed out by the Supervisor.

Roll Call:

Councilwoman Perotti	Present
Councilman Euvrard	Present
Councilwoman Doyle	Present (late)
Councilman Russell	Present
Supervisor Reagon	Present

ADJOURN TO EXECUTIVE SESSION

Supervisor Reagon moved that the Board go into executive session to consider personnel matters related to the Assessor's Office:

MOTION:	S/Reagon		
SECOND:	C/Perotti		
ROLL CALL:	C/Perotti	- AYE	C/Doyle - absent
	C/Euvrard	- AYE	C/Russell - AYE
	S/Reagon	- AYE	

MOTION CARRIED 4 to 0.

RETURN TO REGULAR MEETING

At 7:10 p.m. the Board voted to close the executive session and enter the public session:

MOTION:	C/Perotti		
SECOND:	C/Euvrard		
ROLL CALL:	C/Perotti	- AYE	C/Doyle - AYE
	C/Euvrard	- AYE	C/Russell - AYE
	S/Reagon	- AYE	

MOTION CARRIED 5 to 0.

PUBLIC COMMENT - AGENDA ITEMS ONLY

- Sharon Kroeger read a prepared statement about the issue of conflict of interest and voting on the Comprehensive Plan. No Town Board member would have a conflict of interest if his or her spouse volunteered on a Town committee, as long as personal profit is not involved. In the case of Councilwoman Perotti, her son Steven Perotti has spoken out at least four times regarding the Comprehensive Plan and zoning on the west side of Route 22 (north of the hamlet of Amenia), property owned by Steven Perotti's family. Since Councilwoman Perotti is no longer married to Steven's father, presumably there would be no personal profit on her part and, therefore, no conflict of interest if she voted on the Comprehensive Plan.
- Harold Noah addressed the issue of the renewal of the helipad permit for Bel-Aire Farm near County Route 86 and State Route 44. Although the neighbors do not object to the helipad in general, they would like the

Town to add some conditions of operation to the permit, for example, hours of operation, number of take-offs and landings, operations log, etc.

REVALUATION PROJECT

Assessor Ron Gazzoli reported:

- Thanks to everyone for their cooperation during the revaluation process.
- Only two grievances were received on Grievance Day.
- Supervisor Reagon congratulated the Assessor on his successful Revaluation process, due in no small part to his insistence on getting data early in the cycle and also to his open door policy for property owners.

TRANSFER STATION ATTENDANT

Supervisor Reagon announced that Jack Rooney had resigned from his position as Transfer Station Operator effective July 1. As a result, an interim person is needed until the Town can hire a replacement:

APPOINT ROGER RUSSELL AS INTERIM TRANSFER STATION OPERATOR

MOTION: C/Euvrard

SECOND: C/Doyle

ROLL CALL: C/Perotti - AYE                      C/Doyle - AYE  
                  C/Euvrard - AYE                      C/Russell - recuse  
                  S/Reagon - AYE

MOTION CARRIED 4 to 0.

A reception will be held on Thursday July 19 at 6:00 to honor Jack Rooney for his many years of service to the Town.

HELIPAD APPLICATION FROM BEL-AIRE FARM

Supervisor Reagon said that the Bel-Aire Farm helipad permit approval would be held open for 30 days to allow for public comment. Attorney Michael Hayes gave his opinion that the Town could not add restrictions to an existing permit if that permit were grandfathered in. The use at the time of grandfathering is the use that is permitted to continue into the future. Likewise, the operation of the helipad cannot be expanded, for the same reason.

COMPREHENSIVE PLAN UPDATE AND NEW ZONING LAW - NEGATIVE DECLARATION

Attorney Michael Hayes explained the process whereby both the Comprehensive Plan Update and the new Zoning Law are subject to SEQRA review. Once the EAF (Environmental Assessment Form) is completed, the next step is to make the declaration of significance. A Negative Declaration means that no significant adverse environmental impacts are indicated. A Positive Declaration means that there may be one or more significant adverse environmental impacts. If a Positive Declaration is made, then a DEIS (Draft Environmental Impact Statement) is required and a more thorough SEQRA review must be done.

Supervisor Reagon pointed out that the idea is to compare the current zoning and Master Plan environmental impacts to the new zoning and Comprehensive Plan Update environmental impacts, looking at realistic development over the next 20 years. Would the proposed plan help or hurt?

Ashley Ley of AKRF Consultants concurred and said that comparisons could be made for items such as steep slope protection. She then went through the

Notice of Determination of Non-Significance, or a Type 1 action. The Negative Declaration is a recapitulation of the EAF. Ashley read through the "Findings" and noted that the document gives reasons why the findings are true. In part, the document states that the Town Board believes that the new Comprehensive Plan Update and Zoning Law will have a beneficial impact on the Town.

Councilwoman Doyle pointed out that there are only two places in Dutchess County identified as possible Transit-Oriented Development sites. The area near Ten Mile River Station is close to Route 22 and has been built to handle traffic well. CPIC was looking at many criteria; water and sewer were only part of it.

Councilman Euvrard noted that the highway commercial area has been reduced in the proposed plan, and the MCO (Multi-use Conversion Overlay) does not require a special use permit, whereas other zones do. He then read the list of uses allowed in MCO without a special use permit, which include health care center, lodging facility, etc. which are subject to site plan review only. Ashley explained that SEQRA review would be required before a project could get to site plan review. It is common practice (in Master Plans from other towns) to omit "special use" permits as an incentive to developers.

Ashley then reviewed a few other details including the special paragraph added to exempt Silo Ridge as a project already in flight. She also noted that the "conservation analysis" was more detailed here than in the EAF.

Councilman Euvrard asked if a response from DEC is expected. Ashley replied that no response is expected because DEC supports our plan. Michael Hayes added that because this is a Type 1 action, it will be publicized by DEC.

#### GRANTS UPDATE

Grant writer Mike Hagerty reported on the following grants:

- Mechanic Street Sidewalks Grant for \$100,000 from NYS Parks. SEQRA process is finished and the Judge Manning easement issue has been resolved by means of a temporary easement to allow construction to begin. The large sign required by this grant could be placed in the Rail Trail parking lot on the uphill side.
- Boardman Park Grant from NYS Parks: approved contract is done.
- Quality Communities Grant for \$40,000. Claims are being organized now to draw down the money.
- Youth Bureau Grant. Amenia has received the maximum amount.
- Berkshire Taconic Grant due September 1.
- NYS Archives Grant for water meter reading equipment and software.
- Community Development Block Grant for \$100,000 for Lake Amenia Road project.
- Multi-Modal Grant for Lake Amenia Road bridge project for \$100,000. This county grant can be used as a match for the federal grant.
- Supervisor Reagon mentioned that Sharon Hospital's new owners have grant money available.

#### BUDGET AMENDMENTS

Supervisor Reagon noted that two budget amendments are needed:

1. to authorize the expenditure from contingency for flood-related expenses.

2. to create a new budget line for "Old Amenia Landfill" expenditures. Bills for the landfill cleanup should be kept segregated in a special line item to facilitate the process of EQBA reimbursement.

WASSAIC PARK GRANT

Supervisor Reagon read Resolution # 20 of 2007 which authorizes the Supervisor to sign a grant application for the NYS Office of Parks for enhancements to Wassaic Park, in an amount not to exceed \$50,000:

RESOLUTION # 20 OF 2007: AUTHORIZE GRANT APPLICATION FOR WASSAIC PARK

MOTION: S/Reagon  
SECOND: C/Russell  
ROLL CALL: C/Perotti - AYE C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 5 to 0.

WASSAIC PARK CLEANUP DAY

Supervisor Reagon announced that Saturday July 21 would be a day to clean up Wassaic Park, clear the heavy brush, take down the old playground equipment, get ready for the new playground equipment, and improve access to the park. Volunteers should wear heavy gloves.

TOWN JUSTICE COURT GRANT

Supervisor Reagon read Resolution # 21 of 2007 in which the Town Board authorizes and supports the application for the Justice Court Assistance Program. Amenia got \$6,000 last year on this non-matching grant:

RESOLUTION # 21 OF 2007: AUTHORIZE GRANT APPLICATION FOR JUSTICE COURT ASSISTANCE PROGRAM

MOTION: S/Reagon  
SECOND: C/Perotti  
ROLL CALL: C/Perotti - AYE C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 5 to 0.

'ALL HAZARDS' GRANT

Supervisor Reagon participated in a planning meeting with other local towns (Beekman, Pawling, Dover, North East, Pine Plains) to discuss an "All Hazards Grant" application to get a consultant to look at the hazards that the towns have in common, especially flooding. Katie Palmer-House from Dover will write the grant which is due by the end of July.

MINUTES

The following minutes of Town Board meetings were approved:

APPROVE MINUTES OF MARCH 8, 2007

MOTION: S/Reagon  
SECOND: C/Russell  
ROLL CALL: C/Perotti - AYE C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 5 to 0.

COMMITTEE REPORTS:

WASTEWATER COMMITTEE

Darlene Riemer committee chair reported:

- Committee will be meeting every Monday from 5:00 to 6:00.
- Dutchess County Wastewater suggested a map overlay for the proposed sewer district.
- Working with Rich Rennia.
- Comprehensive Plan Update will be consulted to see if the proposed sewer district should be changed based on the new developments, particularly Silo Ridge and Keane Stud.

WATER COMMITTEE

Supervisor Reagon reported that the Town is moving ahead with the water meters. By the end of June we should know if we got the grant for the meter readers and software.

DEPARTMENT REPORTS:

HIGHWAY DEPARTMENT

Stan Whitehead reported:

- Flood-related work almost done.
- Many culverts must be replaced or enlarged, hopefully with FEMA funding. FEMA will give us 18 months to get the culverts done.
- Lake Amenia Road bridge project could be done this year if DEC permits are OKed.
- Municipal parking lot (at base of Powderhouse Road): permits are in the pipeline from DOT, etc. Access from the parking lot to the Rail Trail goes over a little wetland, so a DEC permit will be needed.
- Tree-cutting plan has been approved.

TOWN CLERK REPORT

Town Clerk Gail Hermosilla gave the attached report.

TOWN BOARD COMMENTS

- Councilman Euvrard:
  - o A resolution is needed to spend money from contingency. Supervisor Reagon responded that the resolution would be done.
  - o Last Sunday the Amenia Republican Committee held a meeting at Town Hall that was attended by Supervisor Reagon and Councilwoman Doyle. In response to his comment that this was inappropriate, Supervisor Reagon reminded the Councilman that she and Councilwoman Doyle had been invited to the meeting.
- Councilwoman Doyle:
  - o Attended a grant workshop for D.C. Youth Bureau. Because programs at Webutuck School serve children from North East (as well as

Amenia), perhaps Amenia could have North East's Youth Bureau grant, if they are not using it.

- o Sat. July 14 from 10:00 to 4:00 is the Hidden Gardens of Amenia Tour with 7 gardens including two new gardens added this year. Kildonan and Serevan will provide snacks and lunch will cost only \$5.00.

#### SUPERVISOR'S REPORT

- o Amenia Democratic Committee is having an open meeting on Thursday June 28 at 6:00 in Town Hall when all candidates will be invited to speak for 3 to 5 minutes. Democracy is improved when people are allowed to meet the candidates. This is an educational opportunity.
- o Tuesday June 26 at 6:30 will be a special Town Board meeting.
- o June 23 and 24 the amateur ham radio operators will be at the firehouse with a demonstration. Everyone, especially public officials, are encouraged to stop by.
- o Court fees and fines can be paid by credit card, as of July 1, with a small service charge.
- o Parade will be July 6 at 7:00 p.m.
- o July 14 at 6:00 will be the Simmons Scholarship Dinner.

#### PUBLIC COMMENTS

- Tom Werner commented on the WICS law.
- Neila Cardus added that the WICS law protects unionized workers.
- Lou Cesa commented that political party issues should not be discussed at Town Board meetings.
- Evelyn O'Connell reminded Supervisor Reagon that she (O'Connell) had requested a meeting concerning Recreation finances. Supervisor Reagon replied that she (Reagon) had already met with Ken Pomeisl and Peter Clair, and that she would be meeting with assistant bookkeeper Scott Beyer soon.
- Elizabeth Whaley thanked Supervisor Reagon for her assistance with the huge sink holes at Castle Gate Park, which the landlord had refused to fix for two months. Once Supervisor Reagon got involved, they were fixed within a week. On a different topic, Elizabeth Whaley commented on recent untrue statements about the tax assessment. Any landowner can seek an exemption for his property. Taconic DDSO pays no Town property tax. Large landowners, like Allan Shope, pay taxes to both the Town and County. These large tax payments can be considered to lessen the tax burden on the rest of the Town.

#### ADJOURN TO EXECUTIVE SESSION

At 9:30p.m. Supervisor Reagon moved that the Board go into executive session to consider personnel matters related to the Bookkeeper's Office:

MOTION: S/Reagon

SECOND: C/Perotti

ROLL CALL: C/Perotti - AYE                      C/Doyle - AYE  
                  C/Euvrard - AYE                      C/Russell - AYE

S/Reagon - AYE  
MOTION CARRIED 5 to 0.

RETURN TO REGULAR MEETING

At 10:15 p.m. the Board voted to close the executive session and adjourn the meeting:

MOTION: C/Doyle  
SECOND: C/Russell  
ROLL CALL: C/Perotti - AYE C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 5 to 0.

ADJOURN

The motion to adjourn was unanimous at 10:15 p.m.

Respectfully submitted,

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Gail Hermosilla,  
Amenia Town Clerk

Approved by Town Board: Dec. 14, 2007  
Draft to Town Board: Dec. 11, 2007 (email); paper to C/Euvrard, Perotti

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12/10/07

## Town Clerk Monthly Status Report for May 2007

Presented at Town Board meeting in June 2007

### Regular Monthly Activity:

Legal notices:			
Public Hearing	1	(Comprehensive Plan)	
Bids advertised			
Positions advertised:			
Jobs, paid	0		
Jobs, volunteer	0		
Transfer Station:			
Transfer station permits	18		
Bulk permits	14		
Coupon books	143		
Licenses sold:			
Bingo/games of chance	1		
Dog	12		
Hunting/fishing	0		
Permits issued:			
Burning	52	Fireworks	0
Handicap Parking	15	Gathering	0
Peddler	1	Junkyard	0
Trailer park	0		
Vital Statistics:			
Marriage licenses	3	Birth certificate copies	0
Marriage certified copies	1		
Death certificates copies	1		
Miscellaneous:			
FOILS received	13		
Zoning books sold	15		
Photocopies, misc.	66		
Tape duplication	0		

As a result of this activity, we gave the Supervisor \$ 4,332.73 for last month.

### Tax Collector

Today I went in to the County Finance department to "settle" our property taxes for this year. Next week, we will be giving the Supervisor a check for approximately \$8,000 which is the penalties, late fees, duplicate tax bill fees, and bank interest earned on the tax account.

### DECALS

DEC is coming tomorrow to install our new DECALS computer so we will be able to start issuing hunting and fishing licenses next week. In preparation for this, we have transmitted to the Supervisor all hunting and fishing license money that was in our DECALS bank account, or \$ 240.65.

### FOILS and tape duplication

When a FOIL is received for an audio or video tape, the Town Clerk has gotten the tape duplicated and charged the requestor when the tape is picked up. This was our old procedure. However, we recently had a situation where \$ 50 worth of duplication fees were paid by the Town, and now the requestor has not come to pick up and pay for the tapes. In the future, we will have to request that payment be made at the time the FOIL is submitted.

Thank you, Gail Hermosilla, Town Clerk

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