

TOWN BOARD MEETING
December 14, 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
Councilman Russell	Present
Supervisor Reagon	Present

PUBLIC COMMENTS - AGENDA ITEMS ONLY

None.

CABLEVISION FRANCHISE AGREEMENT PUBLIC HEARING - RESCHEDULE

Supervisor Reagon announced that the Public Hearing on the Cablevision franchise agreement, originally scheduled for December 13 when a snow storm occurred, needed to be rescheduled. The Town Board will receive a new copy of the franchise agreement which will incorporate a few changes made by Attorney Michael Hayes.

RESCHEDULE CABLEVISION FRANCHISE AGREEMENT PUBLIC HEARING TO JAN. 17, 2008
AND AUTHORIZE ADVERTISING

MOTION: C/Euvrard
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.

BUDGET TRANSFER - PUBLIC ACCESS PERSONAL SERVICES

Supervisor Reagon read Resolution # 49 of 2007 which corrected the error that resulted in Gary Bonds being paid from the public access building line rather than the public access personal services line. The resolution calls for transferring \$4,000 from public access personal services line to public access building line.

RESOLUTION # 49 OF 2007: BUDGET TRANSFER FROM PUBLIC ACCESS PERSONAL
SERVICES TO PUBLIC ACCESS BUILDING LINE OF \$4,000

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.

BUDGET TRANSFER - RECONCILE GENERAL FUND LINES

Supervisor Reagon read Resolution # 50 of 2007 to transfer funds to reconcile General Fund lines. The resolution also authorized the bookkeeper to

pay all claims against the Town that are received between now and December 31, 2007.

RESOLUTION # 50 OF 2007: BUDGET TRANSFER - RECONCILE GENERAL FUND LINES

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

MOTION CARRIED 4 to 0 with 1 abstention.

MORTGAGE TAX RECEIVED

Supervisor Reagon announced that mortgage tax money had been received from the County in the amount of \$ 94,786.20. As of today the balance in the General Fund is \$ 199,615.

BUDGET TRANSFER BETWEEN HIGHWAY LINES

Supervisor Reagon read Resolution # 51 of 2007 which moves \$ 7,000 from Highway Machinery Contractual Expenses line to Snow Removal Contractual Expenses. This was needed because the recent ice storms required additional sand and salt.

RESOLUTION # 51 OF 2007: BUDGET TRANSFER BETWEEN HIGHWAY LINES

MOTION: S/Reagon
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.

MECHANIC STREET SIDEWALK PROJECT BOND

Supervisor Reagon read Resolution # 52 of 2007 which is the bond resolution for the Mechanic Street Sidewalk project. The maximum amount of the bond is \$200,000 with a maximum maturity of 5 years. The probable usefulness of the project is 10 years. This resolution authorizes the capital project and its financing. The publication of the Notice of Estoppel gives people 20 days to object, before the money can actually be borrowed.

RESOLUTION # 52 OF 2007: BOND FOR MECHANIC STREET SIDEWALK PROJECT - \$200,000

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

MOTION CARRIED 5 to 0.

HIGHWAY GRADER BOND

Supervisor Reagon read Resolution # 53 of 2007 which is the bond resolution for the new highway grader. In response to Councilman Euvrard's objection to bonding at this time, the Supervisor explained that "bundling" the three bonds (highway grader, Mechanic Street sidewalks, water meter project) would save on the cost of bond counsel and may allow the Town to get a better interest rate. Bond maturity for the highway grader is not to exceed 5 years.

RESOLUTION # 53 OF 2007: BOND FOR HIGHWAY GRADER - \$150,000

MOTION: S/Reagon
SECOND: C/Doyle
ROLL CALL: C/Perotti - NO C/Doyle - AYE
C/Euvrard - NO C/Russell - AYE
S/Reagon - AYE
MOTION CARRIED 3 to 2.

WATER METER PROJECT - SET PUBLIC HEARING DATE

Supervisor Reagon asked incoming Supervisor Euvrard if he would like to schedule the Public Hearing for the water meter project for January 17, 2008 at 6:30. The Public Hearing notice will be provided by Douglas E. Goodfriend, attorney for bond counsel. The water meter project will cost about \$195,000 with the Town borrowing up to \$100,000.

Supervisor Reagon confirmed that the debt service and principal payment are included in the budget for next year for all three anticipated bonds.

WATER METER PROJECT - SET PUBLIC HEARING FOR JAN. 17, 2008 AT 6:30

MOTION: S/Reagon
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.

MECHANIC STREET SIDEWALK PROJECT -ACCEPT BID SPEC

Supervisor Reagon reported that the bid spec had been reviewed by Attorney to the Town Michael Hayes whose concerns were minor and simple to change. Grant Writer Michael Hagerty noted a couple minor changes related to requirements to send the bid spec to women- and minority-owned businesses. The successful bidder must also agree to EEO compliance. The Supervisor then moved to accept the bid spec as modified and authorize advertising and posting:

MECHANIC STREET SIDEWALK PROJECT -ACCEPT BID SPEC AND AUTHORIZE PUBLICATION

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.

GRANTS UPDATE

Grant writer Michael Hagerty reported:

- Qualities Communities grant claim for \$11,200 for Harry Dodson's work has been approved.
- Shared Services grant application has been completed and filed in Albany.
- For 2007, claims have been approved for \$57,000.

HAMLET CONCEPT PLAN

Supervisor Reagon informed everyone that the hamlet plan prepared by Harry Dodson was available via a link from the Town website, both the text and the maps. People are invited to provide input on the plan by early January either to the Town Board or to Harry Dodson directly. After comments are in, Harry will re-do the plan in January in order to keep his schedule. Councilwoman

Doyle noted that the Commissioner of Dutchess County Planning and Development (Roger Akeley) was impressed with Amenia's planning efforts. He said that Amenia is far ahead of most other towns in the County.

TOWN CLERK OFFICE PROCEDURE MANUAL

Town Clerk Gail Herмосilla has prepared a Procedure Manual which documents most of the procedures followed in the Town Clerk and Tax Collector office. This manual was presented to the Town Board.

MINUTES

After some discussion, the following Town Board minutes were approved:

APPROVE MINUTES OF JUNE 21, 2007

MOTION: S/Reagon
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.

APPROVE MINUTES OF OCTOBER 30, 2007

MOTION: C/Euvrard
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.

APPROVE MINUTES OF NOVEMBER 1, 2007

MOTION: C/Euvrard
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.

APPROVE MINUTES OF NOVEMBER 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.

APPROVE AMENDED MINUTES OF DECEMBER 6, 2007

MOTION: C/Euvrard
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.

COMMITTEE REPORTS:

WASTEWATER COMMITTEE

Darlene Reimer reported that the committee is scheduled to meet with Harry Dodson next week. The committee usually meets on Monday.

DEPARTMENT REPORTS: none.

TOWN BOARD COMMENTS

Councilman Euvrard thanked outgoing councilman Roger Russell for his four years of dedicated service. He also praised outgoing Town Clerk Gail Hermosilla for the changes and professionalism that she brought to the office of Town Clerk. Finally, Councilman Euvrard thanked outgoing Supervisor Reagon for her two years of service. The audience showed their appreciation for Supervisor Reagon with a standing ovation.

Councilwoman Doyle reported:

- Thank you to everyone who helped with the dance program final recital especially Dawn Marie Klingner, the Amenia Fire Company, Joel Freer (Amenia Elementary principal), Lori Werner, and Mary Hoak.
- Thank you to everyone who helped with the Holiday of Lights celebration: Pat Goodacre, Nancy Richards, Feathers `n Fur 4H Club, Amenia Enhancement Committee, Richard Allen (trees), Amenia library, Girl Scouts, Amenia Presbyterian Church, Rev. Durkin, Bank of Millbrook, Four Brothers, Tractor Supply, Video Forum, Cub Scout troop 29, Nancy Luther, and others.

SUPERVISOR REPORT

Supervisor Janet Reagon reflected on the past two years:

Supervisor's Report

When I assumed office in January, 2006, I stated that two of my goals were to move the Old Amenia Landfill cleanup forward and to pass the Comprehensive Plan Update and new Zoning Law. These have both been achieved.

The Old Amenia Landfill project has begun; you may see workers there this month surveying the extent of the contamination in the pond and wetland. After that investigation has been completed, the town's contractor, C.T. Male, will complete the remedial design for the cleanup. After that investigation has been approved by the New York State Department of Environmental Conservation, the work will be put out to bid and the cleanup will begin. It is still anticipated that this will be completed by 2009. The cost of the cleanup is 75% reimbursable by the state. The industrial generators of the contamination have put their 30% of the state cost (amounting to over \$1.13 million) into an account that the Town of Amenia has been able to use to pay for the expenses of the remedial design. Thanks to prudent investing, the interest earned on this money to date is over \$31,000. The Town Board agree unanimously that this beautiful, 28-acre property will eventually become a park and nature preserve that both residents and visitors may enjoy for years to come.

The Comprehensive Plan Update and the New Zoning Law were passed on July 19, 2007 by a three-two majority of the Town Board. Patrick Nelligan filed an Article 78 against the Town, alleging that proper procedure under the State Environmental Quality Review Act was not followed. The Town's answer has been filed, and we can expect the decision early in 2008. It is a shame that so many of the Town's resources have been spent defending a plan that has been recognized throughout the county as an extraordinary achievement, embodying sound principles of planning and environmental protection. The New Zoning Law gives the Planning Board the tools to make developers preserve open space, provide affordable housing, and contribute to the town's welfare.

Recognizing that the Comprehensive Plan Update did not provide a detailed plan for the Amenia Hamlet, the Town Board hired Harry Dodson, a highly respected planner well-versed in traditional neighborhood design, to take an in-depth look at the hamlet. His draft report has been received and after getting our feedback, he will give his final report to the Town Board. I hope that the new Town Board will accept the report and take the steps necessary to add the Hamlet Plan to the Comprehensive Plan Update. I also recommend that Joel Russell be retained to write the new Zoning code that will be necessary to implement it. If that is done, it will give the Planning Board more authority to make sure that the concepts of traditional neighborhood design are enforced, with walkable communities, parking in the rear of businesses, mixed commercial and residential properties, and a strengthened hamlet.

There have been many other achievements during these last two years, including moving along some grant projects, like the Mechanic Street sidewalk, the Lake Amenia Bridge, and the historical signs for Wassaic's Borden Park. We have a signed contract for each of those projects, and as the work is completed, the Town will be reimbursed for some or all of the expenses. Some money has been realized already; the rest should come in 2008. We also made significant progress toward upgrading Wassaic Park with the purchase of new playground equipment. Mark Morrison donated his expertise, private citizens and foundations donated over \$15,000, and many individuals and the Highway Department contributed their labor to make it possible. I hope that the improvements will continue in the spring, so that the second phase of the project can be completed.

I am leaving the town in a sound financial position. We still expect some grant money to be received for the Comprehensive Plan, Borden, Park, and Mechanic Street before the end of the year; more will be coming for the Hamlet Plan after it is complete. It is important to remember that the town budget is a forecast, or a blueprint, and it is impossible to project expenses a year in advance for each and every line. Unless it is in a dedicated fund, all of the town's unexpended money becomes the fund balance at the beginning of the next year. The cash position of the town is favorable, and thanks to my efforts, we are now set up in a shared municipal investment program (NY CLASS) which should guarantee that the town's money is earning interest until it is needed. After crunching the numbers, the county has fixed our 2008 tax increase at 1.75%.

The key to the town's future growth is an affordable sewer system. I hope that the new Town Board will set this as its major objective and work toward getting it in place. This is another way the new zoning works for the town; it encourages developers to partner with the town in achieving needed improvements. Amenia has a positive relationship with county and state officials, and I hope that works to the town's benefit in the years to come in obtaining grants, and in utilizing their support and expertise to achieve our goals. I also hope that the dialogue that was begun with OMRDD continues; the future plans for the Taconic DDSO are emphatically the town's business.

The negativity of the election season should be put behind us. Citizens of Amenia agree on more than they disagree, and I hope that all Town Board members understand that you represent all the people, not just those who voted for you.

I am proud of what we have accomplished, and I am very grateful to the many citizens who worked so hard to make things better. I salute Roger for his four years of service to the Town. I would like to say a special thank you to the staff here at Town Hall for their dedication, flexibility, senses of humor, and professionalism. Without you, the Town could not function. Thank you – it has been a great two years!

PUBLIC COMMENTS

- Mark Doyle remarked that so many good things have happened in the Town in recent years. These could not have happened without Supervisor Reagon working 40 hours a week, every week. The time has

come for Amenia to have a professional town manager. It has been a joy to work with Supervisor Reagon.

- Bob Reimer thanked the voters who supported him in the recent election. He also expressed admiration for the work of Supervisor Reagon.
- Sharon Unger observed that the entire Town owes Councilman Russell and Supervisor Reagon a debt of gratitude.
- Elizabeth Whaley agreed that the Town has accomplished much in the last five years, and it has been done properly with a Master Plan and new Zoning Law in place before development took place.
- Betty Rooney announced that the Amenia Historical Society has two books for sale: (1) Amenia Cookbook for \$10; (2) the baseball book from August 2007 for \$10. Both are available at Rooney Design

ADJOURN

The motion to adjourn to pay claims was unanimous at 8:00 p.m.

Respectfully submitted,

Gail Hermosilla,
Amenia Town Clerk

Emailed to Victoria Perotti and others: 3/31/08

Gail home PC:\C:\Gail\Town Clerk\ minutes\2007-12-14.doc, 3/31/08