

REGULAR TOWN BOARD MEETING  
February 15, 2007 - 6:00 PM  
TOWN HALL

The meeting was called to order by Supervisor Reagon at 6:00 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	late
Councilman Russell	Present
Supervisor Reagon	Present

OPEN PUBLIC HEARING ON WATER DISTRICT EXPANSION AND NEW WATER TOWER

Town Clerk Gail Hermosilla read the Notice of Public Hearing and Councilman Euvrard moved to open the Public Hearing:

MOTION: C/Euvrard  
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.

PUBLIC HEARING COMMENTS

- Robert Cook, member of the ad hoc committee on water district expansion, said that the proposed water district expansion would include 19 new homes at a cost of \$15,000 to the Town. Without adequate water supply being demonstrated, this expansion should not go forward. The proposed new water tower may cause leaks in the old system (if it causes an increase in pressure). The Comprehensive Plan should not be considered before these things are undertaken. Can the fire district handle the new homes? Insurance rates depend on water pressure tests done by the underwriters. Will Amenia pass these tests?
- Robert Cook, speaking as a concerned citizen, noted that he has been a member of the Amenia water district since it was formed in a quick manner under a new state statute. The Town Board has complete control of what happens in the water district and represents the water district, even if the Town Board members are not members of the water district. The current development proposal (Depot Hill, Syms project) is the largest applied for in recent history in Amenia. The developer leaves questions unanswered, such as sewage disposal. For the Town Board to rely only on studies provided by the developer is not wise. This new development could serve as an eviction notice to long-term residents on fixed incomes.
- Pat Nelligan, Amenia water district member, voiced his opinion that the Amenia water district lacks the supply to expand. Well #4A has

not yet been approved [by DEC]. Even so, the NYS Department of Health says they will not approve unless we get additional wells because well #4A is a replacement for failing well #1. The need for this replacement was demonstrated in the 2005 emergency drought.

John Lazarony (engineer) concurs that well #4A was developed to augment well #1. Well #1 had a higher capacity at outset; wells #2 and #3 were abandoned for contamination and capacity issues. Was well #4A drilled to enable the Syms development? If well #4A goes down and we have a drought, what will happen? The water district has no metering or leak detection ability. At a February 22 Planning Board meeting, Keane Stud proposed a 145-unit development. They will need water also.

- May Jones, ad hoc water committee member, lives 98 feet from the water tank. Will there be enough water to service the new homes, considering the extra water usage to water new lawns, etc.? Leaks are likely to occur with increased pressure. Will the pressure be enough for all the new homes?

Pressure Reducing Valves (PRV) cost about \$25 but are expensive to have installed by a plumber. An alternative to the increased pressure (caused by the new water tank) would be to maintain the tank at a level lower than max. Currently many water district members pay for the electricity to run pumps to increase water pressure. Who will pay for the water meters and PRVs? It is not fair for the water district to pay \$15,000 up front. The parcel across Depot Hill from Syms ("Jack's parcel") has not yet been approved for development.

- Betty Rooney read letter from Gail Hermosilla, water district member. If the new development is not clustered, the character of the neighborhood will change from rural to suburban. This could have a negative effect on the Bed & Breakfast business that Gail and her husband run from their home at the top of Depot Hill Road. Furthermore, the proposed new larger water tank will have some visual impact.
- Betty Rooney, Lango Road. About 30 years ago the water pipes on Depot Hill Road were replaced to improve water pressure. Do old small pipes still exist in other parts of town?
- Stephen Kaye, owner of property adjacent to Syms for several thousand feet. A permit from DEC is required to expand the water district. How is the water supply? Mr. Kaye had to drill 650 feet through rock to get two gallons per minute, because most of the water is on the surface. The fire hydrants may not produce enough water.

Visual question: what will the new tank look like? How can we approve something when we don't know what it will look like? New zoning may require clustering. The net effect of all this is that the property may become less attractive to farm.

- Louis Cesa, water district member. Who will pay for the connection from the existing water district to the new homes? the Town? The water district? The new homes? The Town should not pay anything for the connection for the Syms development.
- John Lazarony of Morris Associates replied that the cost of the service connection will be paid by the home owner, if it is on private property. Supervisor Reagon added that the Town has committed to get water meters within two years and has applied for a grant for the software.
- Pat Nelligan observed that \$25,000 a year has been put aside for water district projects and that there is currently \$130,000 in that fund. It will cost about \$90,000 to install the meters. Town Law Article 13 Hearing "SEQRA" was not mentioned in the Public Hearing Notice.

ADJOURN THE PUBLIC HEARING

Supervisor Reagon agreed with many of the speakers who said that until well #4A is up and running, we don't know how much water it will produce. The Town Board cannot vote on the water district expansion until we are sure that we will have enough water. There being no further public comment, it was moved to adjourn the Public Hearing until March 15 at 6:00:

MOTION: C/Doyle  
 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.

OPEN THE TOWN BOARD MEETING

Councilwoman Doyle moved to open the regular Town Board meeting at 7:00:

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.

PUBLIC COMMENTS - AGENDA ITEMS ONLY

- Betty Rooney praised the Highway Department for the excellent job on clearing our town roads in the winter.
- Tim Osborne expressed his opinion that the Comprehensive Plan Update statements about sexual predators at Taconic DDSO, were based on rumors. If the DDSO is closed, it will seriously hurt some local businesses. The DDSO has helped this community a lot over the years and new people must be aware of the history of our town.
- Debbie Downey, President of CSEA Local representing workers at DDSO, the largest single employer in Amenia. The Taconic DDSO is the backbone of this community with the employees living and paying property taxes here. The State has no plans to close DDSO.

Supervisor Reagon assured the public that CPIC would change the document and will not call for the DDSO closure. When the CPIC committee started, the State was talking about possibly closing DDSO.

- Neila Cordus, head of the PEF union representing professional workers at Taconic DDSO and 35-year employee of DDSO. Taconic DDSO provides homes for 250 disabled citizens of our town and jobs for 400 employees who live in Amenia. The idea of closing DDSO was "put to bed" six years ago.
- David Gavin, DDSO employee, was astounded by the language of the CPIC report calling for the closure of DDSO.

Supervisor Reagon reminded everyone that all CPIC meetings are open to the public.

#### REVALUATION

Assessor Ron Gazzoli reported:

- The process is going smoothly and on schedule.
- The assessor office is making corrections, fixing typos and miscalculations.
- Complaints made after mid-April must wait for Grievance Day in May (May 22).
- On questioning from Councilwoman Perotti, the Assessor confirmed that the Agriculture data sheets had not yet been resent.
- The data on the website will not be correct until March 1.

#### OUTDOOR WOOD-BURNING FURNACE COMMITTEE

Sharon Kroeger reported that the committee had met and agreed upon four criteria upon which to base their recommendations:

- (1) allow private property owners as much freedom as possible;
- (2) consider public health and safety;
- (3) limit adverse environmental impacts;
- (4) prevent liability suits against the Town in the future.

The committee is recommending a "no burn" period for the summer of 2007 from May 1 to October 1. Councilman Russell indicated that he preferred the "no burn" period to extend until October 15 or November 1 since many residents enjoy the outdoors in October. Councilmen Euvrard and Perotti did not agree, so the date was left at October 1.

Furnaces already in operation should use best practices. The committee meets every 2<sup>nd</sup> Friday of the month and all meetings are open to the public. They are now dealing with grandfathering and general regulation issues. Supervisor Reagon advised that the "no burn" period would require a Local Law, which could be amended later to include other things.

#### GRANTS UPDATE

Supervisor Reagon and Councilwoman Doyle reported:

- Salt Shed: - Natalie Brown of DEC said the Town will be given more time to resolve the salt shed issue. The Amenia grant has been

transferred from federal money to state money, so the federal deadlines no longer apply.

- Mechanic Street sidewalks - Carol Vogel, an attorney at D.C. Department of Public Works, is researching whether a memo of understanding will be enough to satisfy the grant folks (in lieu of complete metes and bounds documentation) concerning the existing sidewalks.
- Rail Trail Parking Lot at base of Lower Powderhouse Road - a site visit was held with Brad Barkley of D. C. Department of Public Works. Pedestrians must use the new 4 - 5-foot wide access to the Rail Trail (not Old Route 22). Truck trailer owners must be notified. Town must clear brush in center of site, put up a split rail fence, plant specimen trees, add picnic tables, but not touch the trees along the road.

MINUTES

The following minutes of Town Board meetings were approved:

APPROVE MINUTES OF NOVEMBER 16, 2006

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 DECEMBER 14, 2006

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 MINUTES OF JANUARY 9, 10, 11, AND 18

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

LEAD AGENCY STATUS FOR TACONIC DDSO NEW INTENSIVE TREATMENT CENTER

The Dormitory Authority of New York has declared their intent to be lead agency for Taconic DDSO New Local Intensive Treatment Center Project. The Town voted not to object; Supervisor Reagon will write the response letter:

TOWN WILL NOT OBJECT TO DORMITORY AUTHORITY OF NEW YORK BEING LEAD AGENCY FOR TACONIC DDSO NEW INTENSIVE TREATMENT CENTER

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.

PRICE CHOPPER

Councilwoman Doyle asked Michael Hayes to clarify the Price Chopper request to build a store north of the hamlet center of Amenia. The attorney said that Price Chopper never submitted a DEIS (Draft Environmental Impact Statement) so their application was never complete. In other words, the Town never had the opportunity to vote on the application because it was effectively withdrawn by the applicant.

LAKE AMENIA ROAD CULVERT REPLACEMENT - AWARD BID

Four bids were sought and three responded to the RFP for engineering of the culvert replacement on Lake Amenia Road. The lowest bidder was D.F. Wheeler. The Town has received a CDBG for \$100,000 and an additional \$100,000 from Senator Leibell (Multi-modal Transportation Grant) for this project:

AWARD BID FOR LAKE AMENIA ROAD CULVERT REPLACEMENT ENGINEERING TO D.F. WHEELER ENGINEERS FOR \$13,500

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.

COMMITTEE REPORTS:

CPIC (COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE)

Mark Doyle reported:

- The Public Comment Hearing on February 3 produced many comments. These will be incorporated into the Comprehensive Plan document which will be completed and presented to the Town Board by March 15.
- Regarding DDSO language, CPIC never intended to allude to jobs being lost. Their two concerns were (1) optimal use of the area; and (2) type of residents housed there, specifically higher-risk clients.
- The Master Plan will recommend commercial development on the west side of Route 22 north of hamlet center. Although a comprehensive plan for the hamlet of Amenia must be done, the town-wide Comprehensive Plan should not be contingent on the outcome of the hamlet plan.
- Councilman Euvrard questioned if we needed another planner. Mark Doyle responded that AKRF does town planning. The Town has a Quality Communities Grant to pay for some of this.

HAMLET PLAN RFP

Councilwoman Doyle suggested that the RFP for the hamlet plan could include hamlet design, roads, water and sewer design. Mike Hagerty will be asked to draft the RFP.

TOWN BOARD COMMENTS

- Councilwoman Doyle reminded everyone about the town-wide cleanup scheduled for Saturday April 14. There will a one-day amnesty for permit holders at the Transfer Station to get rid of bulk trash without paying the usual bulk trash disposal fee.
- Team captains are needed for neighborhood cleanups; call Andy Durbridge or David Reagon.
- CAC will cleanup Route 22 and the Enhancement Committee will cleanup the Amenia hamlet center.
- Wassaic Park design meeting will be held at the Wassaic Firehouse on Sunday February 25 at 2:00.
- A Habitat Access grant has been applied for to provide access to the wild brown trout stream from Wassaic Park.
- Councilman Euvrard mentioned that the distribution of paperwork to the Town Board members sometimes goes astray and he does not always receive copies of everything intended to be distributed.
- Supervisor Reagon and attorney Kimberlea Rea are doing a presentation at the Association of Towns meeting in New York City.
- Councilwoman Doyle announced that Betty Rooney had been selected to participate in the Land Use Leadership Alliance and to attend four full days of training in April and May. Some of these sessions are dedicated to affordable housing.

TOWN CLERK REPORT

Town Clerk Gail Herмосilla gave the attached status report.

PUBLIC COMMENT

Myrnie Hoanzl expressed her frustration trying to get correct revaluation information on her property from the Assessor office.

ADJOURN

The motion to adjourn was unanimous at 8:50 p.m.

Respectfully submitted,

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Gail Herмосilla,  
Amenia Town Clerk

Approved by Town Board: 4/19/07  
Draft to Town Board: 3/22/07

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Town Clerk Monthly Status Report for January 2007  
Presented February 15, 2007

Regular Monthly Activity:

Legal notices:			
Public Hearing	1		
Bids/job openings			
Transfer Station:			
Transfer station permits	30		
Bulk permits	9		
Coupon books	162		
Licenses sold:			
Bingo/games of chance	1		
Dog	12		
Hunting/fishing	0		
Permits issued:			
Burning	34	Fireworks	0
Handicap Parking	9	Gathering	1
Peddler	0	Junkyard	0
Trailer park	252		
Vital Statistics:			
Marriage licenses	0	Birth certificate copies	0
Marriage certified copies	2		
Death certificates copies	12		
Miscellaneous:			
FOILS received	2		
Zoning books sold	20		
Photocopies, misc.	8		

As a result of this activity, we gave the Supervisor \$ 7,968.32 for last month.

Tax Collector

On January 16 the property tax bills were mailed out. If you have a tax escrow account on your home, then the bill was mailed to your financial institution. If you do not have an escrow account and pay your taxes yourself, then the bill should have been sent to your home. If you have not received a property tax bill that you were expecting, please call the Town Clerk office at 373-8118 ext. 100.

Cub Scout visit

Last week Gina Butts brought her Cub Scout "wolf pack" for a tour of The Town Clerk Office and the Justice Court. The second graders were very enthusiastic and asked some good questions, especially of Justice Moore. Norman. We are always happy to give these tours to any community group who is interested in learning more about how local government functions.

Senior Trips

The schedule for Senior trips for 2007 is now available. There are yellow copies on the back table. Additional copies are available in the Town Clerk office.

Office Closing

The Town Clerk office will be closed from Monday February 19, re-opening on Thursday February 22. This is to attend the Association of Towns training in New York City.

Thank you, Gail Hermosilla, Town Clerk

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