

TOWN BOARD MEETING  
April 19, 2007 - 7:00 PM  
TOWN HALL

The meeting was called to order by Supervisor Reagon at 7:00 p.m.  
Salute to the Flag was conducted.

Emergency Exits were pointed out by the Supervisor.

Roll Call:

Councilwoman Perotti	Absent
Councilman Euvrard	Present
Councilwoman Doyle	Present
Councilman Russell	Present
Supervisor Reagon	Present

OPEN PUBLIC HEARING ON WATER DISTRICT EXPANSION AND NEW WATER TOWER

Supervisor Reagon moved to open the Public Hearing:

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

MOTION CARRIED 4 to 0.

PUBLIC HEARING COMMENTS

- Bill Carroll asked if the Town Board had reviewed the water committee minutes. The water committee is concerned about Syms 19 new homes and the impact on well 4A. If a new well is needed, Syms should contribute to it. We are losing the well behind the barber shop which is currently producing only 20 gallons a minute. We need another well besides 4A.

Morris Associates, not the Town, should be held responsible for the well 4A article 78 against the Town. Morris Assoc. did not adequately do the work for the Town. Supervisor Reagon explained that the problem was with NYS DEC not Morris Assoc. who had obtained a wetlands permit. John Lazarony said that the DEC maps indicated the well was in a buffer area, not a wetlands area.

- Pat Nelligan noted that well 4A was applied for on an emergency basis for the existing water district. To accommodate proposed development in the area (Syms, Silo Ridge, Keane Stud) we should get another well and the developers should pay for it.

ADJOURN THE PUBLIC HEARING

There being no further public comment, it was moved to adjourn the Public Hearing until June 14, 2007:

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

MOTION CARRIED 4 to 0.

OPEN THE TOWN BOARD MEETING

Councilwoman Doyle moved to open the regular Town Board meeting at 7:10 p.m.:

MOTION: C/Doyle  
SECOND: C/Russell  
ROLL CALL: C/Perotti - absent C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 4 to 0.

PUBLIC COMMENTS - AGENDA ITEMS ONLY

- Tom Werner thanked everyone who helped with the flood disaster in Wassaic. The effort was well coordinated. Tom also praised the tax assessor Ron Gazzoli for his long hours of labor.
- Pat Nelligan asked if the new light on the well 4A pump house would replace the street light. Gary Bonds replied that it would.

EMERGENCY FLOODING SITUATION

Supervisor Reagon read the "Report on the Emergency Flooding Situation" [attached] which detailed the actions and events of April 16, 2007 through April 18. Special thanks were given to Lana Anguin-Cohen and the other members of the emergency response committee. The Town will consider another clean-up day for the Wassaic flood victims.

WELL 4A: LEAD AGENCY AND DETERMINATION OF SIGNIFICANCE

John Lazarony mentioned that the impact on the wetlands of well 4A would be mitigated in several ways: (1) the disturbed areas will be fixed; (2) the parking area will be reduced; (3) a stockade fence will be built around the pump house to reduce noise.

Supervisor Reagon read Resolution #15 of 2007 adopting a negative declaration for new well 4A and declaring the Town Board the lead agency for this SEQRA action.

RESOLUTION #15 OF 2007: FOR WELL 4A TOWN BOARD IS LEAD AGENCY AND NEGATIVE DECLARATION IS ADOPTED.

MOTION: C/Euvrard  
SECOND: S/Reagon  
ROLL CALL: C/Perotti - absent C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 4 to 0.

SUMMER LAWN MOWING

Four bids were opened:

- Tri-County Lawn for \$22,000.
- Harlem Valley Lawn Care for \$8,675.
- Northwest Lawn for \$10,300.
- ATL Services for \$8,000.

AWARD MOWING BID TO ATL SERVICES FOR \$8,000.

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

MOTION CARRIED 4 to 0.

INTERVIEW DATES FOR ETHICS COMMITTEE AND RECREATION POSITIONS

It was decided to interview candidates for the Recreation Maintenance Worker on Tuesday April 24 starting at 6:00 p.m. Ethics Committee interviews will be held on Monday April 30 at 6:00. The interviews will be set up by the Town Clerk office.

EMERGENCY SERVICES MEETING - FOOD

Supervisor Reagon asked the Town Board if she could spend about \$20 on food for the meeting scheduled for April 25 at 7:00. By consensus, the Board agreed.

STRAWBERRY FAIR PERMIT FEE

WAIVE GATHERING PERMIT FEE FOR THE STRAWBERRY FAIR ON JUNE 9.

MOTION: S/Reagon  
SECOND: C/Doyle  
ROLL CALL: C/Perotti - absent C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 4 to 0.

GRANTS UPDATE

Supervisor Reagon reported on several grants:

- Quality Communities grant.
- Mechanic Street sidewalks grant: sidewalk easement document has been sent to Judge Manning and the bank.
- Dance program expenditures must be documented with check #, amount and payee.

MINUTES

The following minutes of Town Board meetings were approved:

APPROVE MINUTES OF FEBRUARY 8, 2007

MOTION: C/Euvrard  
SECOND: C/Russell  
ROLL CALL: C/Perotti - absent C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 4 to 0.

APPROVE MINUTES OF FEBRUARY 15, 2007

MOTION: C/Euvrard  
SECOND: C/Russell  
ROLL CALL: C/Perotti - absent C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 4 to 0.

APPROVE MINUTES OF MARCH 7, 2007

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

MOTION CARRIED 4 to 0.

APPROVE MINUTES OF MARCH 15, 2007

MOTION: C/Doyle  
SECOND: C/Russell  
ROLL CALL: C/Perotti - absent C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 4 to 0.

APPROVE AMENDED MINUTES OF MARCH 22, 2007 MEETING AT 3:00 P.M.

MOTION: S/Reagon  
SECOND: C/Doyle  
ROLL CALL: C/Perotti - absent C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 4 to 0.

APPROVE AMENDED MINUTES OF MARCH 22, 2007 MEETING AT 7:00 P.M.

MOTION: S/Reagon  
SECOND: C/Euvrard  
ROLL CALL: C/Perotti - absent C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 4 to 0.

It was decided to defer approval of the minutes of the April 12, 2007 Town Board meeting.

SELL SCRAP METAL

Councilwoman Doyle reported that the Transfer Station has three large piles of scrap metal collected on Town Clean-up Day. Bijoux Transport is willing to buy this scrap metal for about \$130 a gross ton, with no charge for loading or transport.

SELL SCRAP METAL TO BIJOUX TRANSPORT FOR ABOUT \$130 PER TON.

MOTION: C/Doyle  
SECOND: S/Reagon  
ROLL CALL: C/Perotti - absent C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 4 to 0.

COMMITTEE REPORTS:

CAC - CONSERVATION ADVISORY COUNCIL

- Elizabeth Whaley read a letter from the chair of the CAC about the failed culvert on the Allen property and its role in the Wassaic flooding. DEC requires a permit to build a culvert over a protected stream.
- All members of the CAC support the proposed Comprehensive Plan.
- CAC with Trout Unlimited helpers participated in Town Clean-up Day and focused on Borden Park, Sinpatch Road, and Route 22.
- Saturday April 21 at 9:30 will be tree planting at Still Point Farm.

- Sunday April 29 at 1:00 to 3:00 will be a research walk with D.C. Ecology and IES (Institute for Ecosystem Studies).

#### RECREATION COMMISSION

Tom Werner reported:

- There is no over-time in the Rec budget, so Rec employees must be careful not to exceed hours assigned.
- Rec Commission has not seen any bills this year. Isn't there supposed to be a procedure for this? Supervisor Reagon explained that only the Town bookkeeper can pay bills. However, the Rec Commission can check these bills at any time.
- Wassaic Park is spotless and the swings are working.
- All ball fields at Borden Park are in use.

#### ENHANCEMENT COMMITTEE

Vicki Doyle reported:

- Municipal parking lot at Lower Powderhouse Road needs to have scrappy trees removed.
- A black hills spruce (8-10 feet tall) will be planted in the raised park area across from the Lantern in the Wassaic hamlet. This is a slow growing tree for which there is private funding.
- Planting Day is Saturday May 26 at 10:00 to 12:00. 80 barrels to be planted.

#### DEPARTMENT REPORTS:

#### TOWN CLERK REPORT

Town Clerk Gail Hermosilla gave the attached status report.

#### TOWN BOARD COMMENTS

- Supervisor Reagon reported that bank accounts have been opened with \$1.136 million from the industrial generators of the Old Amenia Landfill Cleanup settlement. One account is a 6-month CD at 5.15% interest and the other is a money market earning 4.15%. This money can be used first so the Town will not have to borrow money until 2008 with repayment beginning in 2009.

Supervisor Reagon will be meeting with OMRDD (Office of Mental Retardation and Developmental Disabilities) on April 26.

Supervisor Reagon is attending the Land Use Leadership Alliance training program with Betty Rooney and Darlene Reimer.

- Councilwoman Doyle reminded everyone of the Dutchess Land Conservancy breakfast on Monday April 23 at 7:30 a.m.

#### PUBLIC COMMENTS

- Evelyn O'Connell voiced her opposition to the proposed Comprehensive Plan. She favors commercial development on the west side of Route 22 north of the hamlet of Amenia. There are 900 new homes proposed but no new commercial areas to support them.
- Darlene Reimer noted that the HM (Hamlet Mixed-use) zone can have commercial development with a footprint up to 10,000 square feet. There is a lot more commercial space available (under the proposed new zoning

law) than people realize. Darlene also clarified the term "auto-oriented business" means a business that you must drive to get to. It does not refer to businesses that deal with automobiles.

- Ellen Walsh asked who was going to meet with OMRDD in Albany. Supervisor Reagon said that she (Reagon), Roger Russell, George Fenn and Mark Doyle were planning to attend. Councilman Euvrard said he may be interested.
- Neila Cardus congratulated the Town on their handling of the recent flood in Wassaic. She then noted that the Comprehensive Plan EAF was not yet on the Amenia website and Supervisor Reagon replied that the EAF had not yet been received from AKRF.
- Pat Nelligan asked that the Public Hearing on the new Comprehensive Plan be delayed. Would the hearing handle both the Comprehensive Plan and the new Zoning Amendment? Supervisor Reagon responded that both would be handled together.
- Elizabeth Whaley noted that the CAC is working on a wetlands inventory and that part of the Perotti property (west side of Route 22) is a wetland. During the recent storm, the wetlands were doing what they are supposed to do, absorbing excess water.
- Bill Carroll mentioned that his car was vandalized the same evening as Allan Shope's (in the Town Hall parking lot). Bill is offering a \$500 reward for information.
- Bob Reimer related that he had made a real estate offer to Jack and Linda Gregory to purchase their property by a customer who wanted to keep the land open. The customer was willing to pay three times the value of the property. Pine Plains has gone from no zoning to complete zoning in less than a year.

ADJOURN TO EXECUTIVE SESSION

Councilman Euvrard moved that the Board go into executive session to discuss personnel matters:

MOTION: C/Euvrard

SECOND: C/Doyle

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

MOTION CARRIED 4 to 0.

RETURN TO REGULAR MEETING AND ADJOURN

The motion to close the executive session, to return to public meeting and to adjourn was unanimous.

Respectfully submitted,

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Gail Hermosilla,  
Amenia Town Clerk

Approved by Town Board: 5/17/07

Draft to Town Board: 5/13/07 (email), paper to Wayne

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Gail home PC:\C:\Gail\Town Clerk\ minutes\2007-04-19 PH water district expansion.doc,  
5/12/07

Town Clerk Monthly Status Report for March 2007  
Presented at Town Board meeting in April 2007

Regular Monthly Activity:

Legal notices:			
Public Hearing	1	(OWF)	
Bids advertised	1	(mowing)	
Positions advertised:			
Jobs, paid	5		
Jobs, volunteer	3		
Transfer Station:			
Transfer station permits	18		
Bulk permits	8		
Coupon books	116		
Licenses sold:			
Bingo/games of chance	0		
Dog	15		
Hunting/fishing	0		
Permits issued:			
Burning	35	Fireworks	0
Handicap Parking	7	Gathering	0
Peddler	0	Junkyard	0
Trailer park	0		
Vital Statistics:			
Marriage licenses	1	Birth certificate copies	0
Marriage certified copies	0		
Death certificates copies	1		
Miscellaneous:			
FOILS received	10		
Zoning books sold	9		
Photocopies, misc.	149		

As a result of this activity, we gave the Supervisor \$ 3,411.36 for last month.

Cash Disbursements Journal

At the suggestion of the auditors from the State Comptroller Office, I have instituted a Cash Disbursements Journal for both the Town Clerk account and the Tax account. Additionally, our Bank Reconciliation statements are now being reviewed regularly by the assistant Bookkeeper Scott Beyer. These are just two examples of many procedures that we have developed to improve internal control of the Town Clerk operation. We are also working with the Town Board to improve their oversight of the Town Clerk office.

Procedure Manual

Since my first day as Town Clerk, I have been compiling a 'Procedures Manual' to document the many and varied functions that we perform. Progress on the manual was set back by the accident of July 2006, but I am now working on it again. While it is not exactly the Great American novel, it will be very helpful to have written documentation of our procedures.

Tax Collector

To date, we have collected \$ 2,528,882 in taxes. We have also collected \$2,142 in late fees, all of which goes to the Town. 1,589 tax bills have been paid which means that about 200 bills are still outstanding. Payment made by the end of April will incur only a 4% penalty. After that, additional penalties apply.

Thank you, Gail Hermosilla, Town Clerk

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**Report on the Emergency Flooding Situation  
April 19, 2007**



## **Supervisor Janet M. Reagon**

### Steps Taken to Deal with the Emergency

Monday, April 16, 2007

I was called about the flooding by Stanley Whitehead, Highway Superintendent, at about 7:45 a.m. At 8:15 a.m. I began to put our Emergency Operations Plan into effect, establishing myself as the Emergency Operations Coordinator and the Town Hall as the Emergency Operations Center. Upon conferring with the Fire Chiefs of Wassaic and Amenia, a State of Emergency was declared at 9:00 a.m. Links were immediately established with Dutchess County Emergency Response, and with the American Red Cross. Through the cooperation of the Webutuck Central School District, an emergency shelter was set up at the Amenia Elementary School to house people displaced by the storm. Initially, that was stocked with food and water donated by Freshtown and set up by members of the Amenia Ladies' Auxiliary, but by late afternoon it was manned by Red Cross personnel.

All morning and early afternoon, we urged people in areas at risk for flooding to evacuate their homes, and Sharon Hospital offered to house frail, elderly, or at-risk people who could not stay at the elementary school. By 3 p.m. it began to look like the waters were receding and the worst was over. About 3:45 p.m., I got a call from Chief Robert Boyles, Jr. that the water had come up three feet in fifteen minutes and the fire house and much of the hamlet of Wassaic was flooded. At that point, we ordered an immediate involuntary evacuation of residents of Wassaic. The firemen shut off the electric power to the flooded houses. One family was sheltered over night at AES, other evacuees stayed with friends or family members. One family was sheltered at Sharon Hospital and transported there by Northern Dutchess Paramedics.

Tuesday, April 17, 2007

In the aftermath of the storm, as the flood waters receded, it became evident that Wassaic hamlet had been hard-hit. In the morning, I met with Bill Steinhaus, County Executive, and told him that we had a serious concern for clean drinking water. In cooperation with the Dutchess County Board of Health, we are currently working on plans to facilitate well-testing. Home owners, unfortunately, will have to bear that cost themselves, but as I will explain later, they may be able to get reimbursed for that and other flood-related costs. Mr. Steinhaus gave me a contact number with the State Emergency Management Office (SEMO) and they arranged for a tanker of potable water. That has been available since Tuesday night at the Wassaic Fire House, and any resident of the Town of Amenia whose water supply has been compromised is welcome to bring a container to get some water for drinking or cooking. We will have the tanker until Monday, when the situation will be assessed again. A reminder, you may use your own water if you have boiled it for at least five minutes at a full rolling boil. Make sure that any container used for water has only been used for water.

In consultation with our Highway Superintendent and the Fire Chiefs, we kept the town-wide state of emergency, and the Webutuck School District did not have school on Tuesday. We needed time to assess the road situation and the County Engineer had to assess the safety of the bridges on county roads. I temporarily lifted the state of emergency that evening, because I thought that was necessary in order to have school the next day. The Red Cross closed the shelter in Amenia, and anyone needing emergency shelter was directed to call their office.

By afternoon on Tuesday, most residents of Wassaic had returned to their homes, but there were a few houses that could not yet have the power restored. Also, I met with Stan Whitehead on Cascade Road, and saw the damage to the bridge on Folan Road and to Cascade Mountain Road. Stan and his crew are working feverishly to make the roads safe, and making progress, but residents are asked to continue to use extreme caution on town roads. Many roads no longer have shoulders and are narrower because the water eroded the sides.

Wednesday, April 18, 2007

On the advice of Jill Way, Supervisor of Dover, and DC EMS, I declared another State of Emergency which will last until noon on Monday, April 23, 2007, and can be extended if necessary. This allows the Town, particularly the highway department, to hire additional personnel or equipment, and to purchase materials without going through the normal bidding process. We have to get the roads fixed as soon as possible.

Representatives of the fire companies and the Wassaic Rescue Squad met with Ken Davidson of Dutchess County EMS, Sgt. Jeffrey Bridges of NY State Police Emergency Management, and a Representative of SEMO at the Wassaic Fire House to discuss the procedures that will be followed for qualifying for federal aid through FEMA. Later that afternoon, Assemblyman Marc Molinaro, members of his staff, and a representative of Senator Vincent Leibel toured Wassaic hamlet, and then met Stan Whitehead on Cascade Road.

#### Thanks and Appreciation

As bad as this flooding was, we in Amenia should be grateful for the selfless dedication of our volunteers and the way everyone pitched in to help. The men and women of the Wassaic and Amenia Fire Companies hardly stopped long enough to grab a meal or a few hours of sleep before going out to another pump detail. Coordination with my office and with DC EMS was exceptionally smooth, thanks to the cooperation of Chief Boyles of Wassaic, Chief Shawn Howard and Assistant Chief Chris Howard of Amenia. We are still adding up the number of volunteer hours logged in this disaster. Our thanks also to the other fire companies who came to our aid with pumper trucks, volunteers, and supplies.

So far as I know, everyone who needed help received it in a timely way, despite equipment problems and exhaustion. I also want to commend my office staff, who came in early, worked late, and remained professional and courteous to all throughout the ordeal. Thanks to Maureen and Gary Bonds, we were able to get accurate information almost immediately on the TV. I must make special notice of Mike Segelken, who worked as both a Millerton fireman and our building inspector for hours in Wassaic, and went door to door inspecting the flood-damaged buildings with an electrician to try to get the people back in their homes.

#### What Comes Next

From talking with Ken Davidson of DC EMS and our elected officials, it seems probable that the region will be declared a disaster area by the Governor, and that the state will ask the federal government to declare it a federal disaster area. That will make us eligible for FEMA assistance. I and other town officials will be meeting with FEMA representatives some time next week, by which time I need to have figures for them of our losses. There are two kinds of losses, those of individual property owners, and municipal losses suffered by the town. In order to compile those numbers, we need your help.

If you have suffered property damage, you should first consult your insurance company, because the government will only consider qualified expenses that insurance will not cover. Keep a record of their letter to you denying your claim. Also keep records of any expenses you incur, including cleaning, landscaping, service calls for furnaces, replacement of destroyed property, etc. You will need copies of those bills and proof that you paid them.

What we need right now is an estimated total cost of this event for individuals. Please contact my office with your name, telephone number, and a total of the estimated loss that you experienced because of this flood. We do not need to see your bills; we just need an estimate of property damage in town to give to the FEMA representatives.

The total amount of damage in Amenia will be added to totals from the other towns in Dutchess County, and if the total loss for Dutchess County is over \$850,000, we will qualify for help. Once it has been determined that we qualify, we will be given a telephone number for people to call to register with FEMA. Those people who call will be mailed a packet of information on how to apply for assistance. I have asked that they make advisors available to us to help people file their claims correctly. I will make sure that everyone is kept up to date with all the necessary information as soon as I get it. Also, people must be mindful of mold as an ongoing concern. I have made packets of information available on the back table which anyone may take

for himself or anyone else who needs it. There are some cleanup kits from the Red Cross at the Wassaic Fire House, as well.

Should We Have Another Cleanup Day for Flood Victims?