

TOWN BOARD MEETING
June 16, 2005 - 7:00 PM

The meeting was called to order by Supervisor Hundt at 7:05 p.m.

Salute to the Flag was conducted.

Emergency Exits were pointed out by the Supervisor.

Roll Call:

Councilman Devine	Present
Councilman Russell	Present
Councilwoman Doyle	Present
Councilman Carroll	Present
Supervisor Hundt	Present

RAIL TRAIL PARKING LOT

Supervisor Hundt reported that the permits from NYS DOT (Department of Transportation) for a new Rail Trail parking lot (at the foot of Powderhouse Road) have been reviewed by the town attorney and the town insurance agent, both of whom are happy with the final draft. The insurance agent Byron Barnes also suggested signs about littering which will require follow-up. Councilman Carroll has been in contact with the county about this project. Entrance and exit routes from the parking lot must be delineated. Also, access from the Rail Trail may require a drainage pipe which Stan Whitehead can provide.

The permit runs month-to-month with an automatic renewal. Either party can terminate the permit on 30-day notice without cause. Supervisor Hundt moved to authorize the Supervisor to sign the permit with the State DOT for the Rail Trail parking lot.

AUTHORIZE SUPERVISOR TO SIGN PERMIT WITH STATE FOR RAIL TRAIL PARKING LOT

MOTION: S/Hundt
SECOND: C/Carroll
ROLL CALL: C/Carroll - AYE C/Devine - AYE
 C/Doyle - AYE C/Russell - AYE
 S/Hundt - AYE

MOTION CARRIED 5 to 0.

Councilman Carroll invited community members to volunteer to help clean up brush, plant grass and do other tasks to make the new parking lot more attractive.

RECREATION MASTER PLAN CONTRACT

The revised draft of the Recreation Master Plan contract arrived today. According to Michael Hayes, all the changes he suggested have been incorporated including:

1. increase the number of public meetings from 3 to 4;
2. specify an end date of January 1, 2006;
3. payment schedule for the \$8500 fee will be: 20% down payment at contract signing, 70% over 6 months, and 10% held until the town board is satisfied with the resulting Recreation Master Plan.

Supervisor Hundt then asked Peter Clair (Recreation Commission chair) if the contract was OK with him and Peter said that it was. Councilman Carroll then

moved to have the supervisor sign the contract with John Ryan for the Recreation Master Plan.

AUTHORIZE SUPERVISOR TO SIGN CONTRACT FOR RECREATION MASTER PLAN

MOTION: C/Carroll
SECOND: C/Russell
ROLL CALL: C/Carroll - AYE C/Devine - AYE
 C/Doyle - AYE C/Russell - AYE
 S/Hundt - AYE
MOTION CARRIED 5 to 0.

VOLUNTEER RESCUE SQUAD, BUDGETING

Supervisor Hundt conveyed the bad news from Bob Boyles that he has been losing volunteers and that Amenia will be forced to go to a paid ambulance service soon. This will be a big budget item for next year, perhaps as much as \$200,000 to \$300,000 a year. Recently there was an accident on Delavergne Hill and there was no one who could respond.

Councilman Carroll suggested that the Supervisor write a letter to county and state legislators asking for their help. It is a state regulation that EMTs receive 180 hours of training although the cost is reimbursed if you complete the program. To get more volunteers, perhaps the town can offer an incentive, such as a tax break. Councilwoman Doyle noted that we cannot give tax breaks, but we could offer state retirement benefits or health insurance, the latter having already been requested by the volunteers. Councilman Russell remarked that incentives would be far less expensive than the alternative of a paid squad. Supervisor Hundt emphasized that the town board must research any avenue available. This problem was singled out at the Association of Towns meeting in New York City as the biggest thing facing towns in the near future.

MOTION TO GO INTO EXECUTIVE SESSION

In order to discuss the grant writer appointment, the board went into executive session:

MOTION: S/Hundt
SECOND: C/Doyle
ROLL CALL: C/Carroll - AYE C/Devine - AYE
 C/Doyle - AYE C/Russell - AYE
 S/Hundt - AYE
MOTION CARRIED 5 to 0.

MOTION TO RETURN TO REGULAR MEETING

At 7:40 the board returned to the regular meeting:

MOTION: S/Hundt
SECOND: C/Russell
ROLL CALL: C/Carroll - AYE C/Devine - AYE
 C/Doyle - AYE C/Russell - AYE
 S/Hundt - AYE
MOTION CARRIED 5 to 0.

GRANT WRITER: APPOINT MIKE HAGERTY

Councilwoman Doyle moved to hire Mike Hagerty at \$25 an hour for 20 hours a month. Councilman Carroll remarked that he read in the Harlem Valley Times

today that Mike Hagerty was upset with him (C/Carroll) because Councilman Carroll had called Mike Hagerty's boss for a job reference.

HIRE MIKE HAGERTY AS PART-TIME GRANT WRITER

MOTION: C/Doyle
SECOND: C/Russell
ROLL CALL: C/Carroll - abstain C/Devine - NAY
C/Doyle - AYE C/Russell - AYE
S/Hundt - AYE
MOTION CARRIED: 3 to 1 with 1 abstention.

LOCAL LAW #2 OUTDOOR STORAGE AND JUNK VEHICLES

Michael Hayes said that there have been no changes to the draft law since the last public hearing. The next step is the SEQRA process which involves two documents, which Michael Hayes read to the town board:

1. short SEQRA form
2. negative declaration if the town board indicates there are no significant environmental impacts.

After some discussion, Supervisor Hundt moved to adopt the law.

ADOPT LOCAL LAW # 2 OF 2005 FOR OUTDOOR STORAGE AND JUNK VEHICLES

MOTION: S/Hundt
SECOND: C/Devine
ROLL CALL: C/Carroll - AYE C/Devine - AYE
C/Doyle - AYE C/Russell - AYE
S/Hundt - AYE
MOTION CARRIED 5 to 0.

WASSAIC SIDEWALKS

Supervisor Hundt reported for the Highway Department that 10 yards of concrete (equivalent to 240 feet of sidewalk) have been poured in Wassaic. They hope to complete the project by late July.

SALT SHED SOIL TEST

This Tuesday Morris Assoc will do the soil tests for the salt shed and the town garage, with the results expected by July.

WASSAIC STREET LIGHTS - ADVERTIZE FOR BIDS

Councilman Carroll has met with NYSEG about the Wassaic street lights, however the lights cannot be ordered until we get the specifications from Pete Setaro. Councilman Carroll moved to authorize that the Town Clerk put out the bid notice as soon as the specifications arrive.

AUTHORIZE TOWN CLERK TO ADVERTIZE FOR BIDS FOR WASSAIC STREET LIGHTS

MOTION: C/Carroll
SECOND: C/Russell
ROLL CALL: C/Carroll - AYE C/Devine - AYE
C/Doyle - AYE C/Russell - AYE
S/Hundt - AYE
MOTION CARRIED 5 to 0.

RESTRICTION OF CELLULAR ONE INCOME TO RECREATION CAPITAL IMPROVEMENTS

Councilman Russell offered a resolution restricting 90% of the monthly income from Cellular One (including monies already on account) to the Recreation Capital Improvements Fund. The remaining 10% (including monies already on account) to be used to fund town recreation activities as needed. The monthly income from Cellular One is \$1,040.28. [Income from Verizon goes into the town general fund.]

RESOLUTION # 19 OF 2005: RESTRICTION OF CELLULAR ONE INCOME TO RECREATION CAPITAL IMPROVEMENTS

MOTION: S/Hundt
SECOND: C/Russell
ROLL CALL: C/Carroll - AYE C/Devine - AYE
C/Doyle - AYE C/Russell - AYE
S/Hundt - AYE
MOTION CARRIED 5 to 0.

SYMS DEPOT HILL DEVELOPMENT - WATER DISTRICT ENGINEER

The applicant for the Depot Hill Development (Richard Syms) has requested water be provided by the town, either as a new water district or as an addition to the existing water district. Gary Bonds of the town water department suggested that an engineer from Morris Assoc help the town with this issue. Michael Hayes added that the applicant (Syms) will reimburse the town for Morris Assoc fees. Supervisor Hundt then read the resolution which authorizes hiring Morris Assoc upon receipt of verification that the applicant will reimburse the town for this expense.

RESOLUTION # 20 OF 2005: HIRE MORRIS ASSOC AS WATER DISTRICT ENGINEER

MOTION: S/Hundt
SECOND: C/Carroll
ROLL CALL: C/Carroll - AYE C/Devine - AYE
C/Doyle - AYE C/Russell - AYE
S/Hundt - AYE
MOTION CARRIED 5 to 0.

AMENIA FIREMEN'S CARNIVAL

The Amenia Fire Company has requested that the town rescind the open container law for the Firemen's Carnival on June 29 through July 2. They also request authorization for road closures for the Firemen's parade on July 2.

RESOLUTION # 21 OF 2005: FIREMEN'S CARNIVAL - RESCIND OPEN CONTAINER LAW, AUTHORIZE ROAD CLOSURES

MOTION: S/Hundt
SECOND: C/Devine
ROLL CALL: C/Carroll - AYE C/Devine - AYE
C/Doyle - AYE C/Russell - AYE
S/Hundt - AYE
MOTION CARRIED 5 to 0.

SHOPE PROPOSED GIFT

On Monday June 13 the town board did a visit of the site proposed to be donated to the town by Allan Shope. Supervisor Hundt summarized the three levels of proposition:

1. large: 35-40 acres plus 12 buildings, adjacent to the DDSO property;
2. medium: at a different site, 14 acres plus 6 buildings including 3 brick buildings, residences, theatre, and a large building with a gym. The theatre has already had asbestos abatement;
3. small: 14 acres (vegetable gardens) plus 5 buildings.

There is a lot to consider with this proposal and the town will need expert opinions about liability, etc. Shope needs to know if the town board is at all interested in this proposal. Councilman Russell clarified that Shope was looking for a statement of intent not a commitment at this time. The discussion that followed included these points:

- Shope wants to get on with his sale. How does this fit in with the Recreation Master Plan? (Councilwoman Doyle)
- The town should not sign a contract until an environmental assessment has been done. (Michael Hayes)
- What is our ability? It will take an investment on the town's part. The residential buildings could be used for court justice, etc. (C/Doyle)
- Is there any state funding available? The town needs recreation facilities, court house, town hall, etc. What about putting together a committee of citizen volunteers from the building trades, etc. to tell us the possibilities? (S/Hundt)
- There are a lot of unknowns down there. A figure of \$2 to \$5 million was mentioned as the cost to rehabilitate the buildings. (C/Carroll)
- \$2 to \$5 million could be the cost of a new town hall alone. (C/Doyle)
- There is also lead paint. (C/Carroll)
- Volunteers can be employed to review the work of professionals, but the professionals are insured against making a mistake. (Michael Hayes)
- John Ryan should look at the 10 acres behind the brick houses. It is very flat and may be good land for ball fields. If we got the land for free, perhaps we wouldn't have to use the houses. (C/Doyle)
- We should not take any steps until we do a study. (C/Devine)
- Once we complete a study, a contract would be subject to a permissive referendum because there are significant expenses to taxpayers, especially for the environmental fix-up. Morris Assoc would decide whether to do a Phase I study or to go directly to a Phase II if the contamination is obvious. (Michael Hayes)
- The state has sexual predators down there. I have a problem with that. (C/Carroll)
- Discussing future town needs is a good idea because it gives people hope. (C/Devine)
- There is no harm in looking at it. It is a beautiful oak-lined street with parking and brick buildings with slate roofs. (S/Hundt)
- Perhaps Pete Setaro can do an initial site visit. He usually doesn't charge for these things. (C/Doyle)
- Allan Shope also asked for feedback on the 195-acre parcel that he will keep. He envisions 400-600 housing units using clustering and mixed-use concepts in a transit-oriented development. (C/Doyle)
- The train station (Ten Mile River) is at the bottom of the hill about ½ mile away. (C/Carroll)
- The Supervisor could write a letter to Allan Shope saying that we want the town engineer to look at the property. (S/Hundt)

- When you ask permission to look at property, there is usually an agreement to cover insurance, etc. Our office does these all the time. (Michael Hayes)

Councilwoman Doyle mentioned that an environmental report was paid for by Shope privately, but when she asked to see it, Shope's response was vague. We don't own the current town hall so even if we didn't do anything with the buildings right away, it would be nice to own them.

USE OF TOWN HALL FOR POLITICAL MEETINGS

Supervisor Hundt reported that the NY State Comptroller's office says that it is OK to allow political parties to use town hall facilities if two criteria are met:

1. the town can pre-empt the meeting if needed
2. the town must get fair and adequate rent, not just a nominal fee.

Councilman Devine suggested that a clean-up fee be charged if town hall is not left in the condition it was found. Michael Hayes questioned if there were any lease restrictions to our subletting the space since it is owned by the Fire Company. We should get a written set of proposed regulations.

TOWN CLERK STATUS REPORT

Town Clerk Gail Hermosilla gave a monthly status report (attached).

RECREATION COMMISSION

Recreation Commission Chair Pete Clair announced a tag sale to be held in Wassaic on July 23 from 9:00 to 4:00. The Fire Company will provide parking and traffic control. Upon questioning from Supervisor Hundt, Pete answered that no permits were needed. Pete also reported:

- dugouts: the softball field will be first, then the little league field, then the concession area. Dill's and Anderson will provide materials "at cost" and Palumbo Block made a donation of 600 blocks, valued at \$700. The Highway Department is donating time and equipment and the construction will begin in about 3 weeks. Cement work will be done by Amenia Sand & Gravel. These efforts have shaved about \$2,000 off the cost of the project.
- park rules are needed for dogs and pet clean-up.
- thank you to everyone who has helped on these projects.

CONSERVATION ADVISORY COMMISSION (CAC)

Elizabeth Whaley and Jane Watson gave a report on recent activities of the CAC:

- CAC has attended Planning Board hearings on the Amenia Hills project to report on the bog turtle aspect.
- A Nature Walk is scheduled for Sunday July 10 at 9:00 meeting at Sharon Station Road. There will be a scavenger hunt for the children.
- Beekman Park: the DEC (Department of Environmental Conservation) has ordered the dumping to stop, but the removal process has not been started. That area ("Lake Amenia") is a DEC-regulated wetland where dumping and mowing are not allowed.

- CAC issued an advisory statement to the town board about possible contaminants (road salt, oil, etc.) placed near the town's groundwater source. Jane Watson observed:
 - (a) who directed the Amenia Highway to dump at that site?
 - (b) who directed the state DOT to dump at the site?
 - (c) persons should be held accountable.
 - (d) There are 3 pages of photos from June 15 showing that the area has not been cleaned up one month after the DEC notice.

Supervisor Hundt requested the name of the contact person at DEC so that follow-up could be done.

WASTEWATER

Darlene Reimer reported that Ducks Unlimited will evaluate certain areas including the Silo Ridge 12-14 acres. Ducks Unlimited assists in conservation situations with no charge to the town. There will be a meeting on July 23 at 9:30 a.m. in Town Hall with Silo Ridge and Ducks Unlimited.

TECHNOLOGY COMMITTEE

The Technology Committee will meet on Monday to discuss the \$4500 technology grant received. Councilwoman Doyle mentioned that Peter Riva asked the Town Board who was overseeing the webmaster.

AFFORDABLE HOUSING

Elizabeth Whaley reported that Deborah DeLong from Dutchess County Workforce Housing Coalition and Ann Sailor were speakers at Affordable Housing meetings. A meeting to discuss surveys is set for Monday at 7:00. Supervisor Hundt commented that she had met with another company that was looking at properties for affordable housing.

SUPERVISOR'S REPORT

1. All new business owners in Amenia are invited to a reception preceding the next Town Board meeting on July 21 at 6:00. They will be introduced during the Town Board meeting. This event is co-sponsored by the Amenia Chamber of Commerce.

MECHANIC STREET SIDEWALKS

Councilwoman Doyle has been working on the contract for this. On July 1, washable paint will be used to mark the proposed sidewalk locations, so attendees at the Firemen's Carnival can easily see where the sidewalks will go and can comment about it. Because this project is subject to NYS SEQRA review, Councilwoman Doyle has filled out the short form of SEQRA. Trees will be planted between the sidewalk and the street from the Rail Trail parking lot to Cozy Corner. The aprons of driveways must also be paved.

Supervisor Hundt read the SEQRA form which included:

- sidewalks will be 5 feet wide;
- Mechanic Street crossing will have a cross walk;
- bridge railing and abutment will be stabilized;
- Greenway permit required (for funding);
- Route 343 is a state road, so this project will stay on town property;
- Judge Manning will provide a perpetual easement.

SEQRA NEGATIVE DECLARATION FOR MECHANIC STREET SIDEWALKS

MOTION: C/Doyle

SECOND: C/Russell
ROLL CALL: C/Carroll - AYE C/Devine - AYE
C/Doyle - AYE C/Russell - AYE
S/Hundt - AYE
MOTION CARRIED 5 to 0.

TOWN BOARD COMMENTS -

C/Russell:

Recreation program registration will be held at Town Hall on Friday June 17 from 5:30 to 6:30.

C/Doyle:

- Fountain Square flowering trees need to be replaced next spring according to Herb Eschbach. The pump for the fountain and the electricity also need to be looked at.
- The Town Historian budgeted money of \$750 was not used. Perhaps that money could be used to help move the Amenia Historical Society, which will cost about \$500.
- Responding to earlier remarks (from another meeting) about a "secret meeting" held with Silo Ridge in November 2004, Councilwoman Doyle was able to find no record of such a meeting. Councilman Carroll said that, to the contrary, a meeting was set up by taxpayers with Silo Ridge to discuss the Allen Sand & Gravel property. Supervisor Hundt stated emphatically that she had attended no such meeting except for a wastewater meeting, and that the "secret meeting" was probably a rumor.

BUDGET REPORT OBTAINED BY COUNCILMAN DEVINE

Councilman Devine requested a meeting with Charlie Meyer to get a budget report from the bookkeeper's computer. The bill for \$400 for this service has arrived and Rose Greer (bookkeeper) is asking where the money should come from, since this was not a budgeted item. Councilman Devine stated his right to request such a print-out after Rose said she could not produce it. Supervisor Hundt said that, according to Rose, she (Rose) never told Jim that she couldn't produce the report. Councilwoman Doyle observed that our retainer to Charlie Meyer should have covered this expense. She then requested a copy of the print-out from Councilman Devine but he declined and said that she could have a copy of the cover page. Councilwoman Doyle questioned whether she would have to FOIL for this information.

Supervisor Hundt observed that \$400 could have been saved if Rose had called Charlie on the phone and had him walk her through the steps to produce the report.

AMENIA HILLS SEPTIC SYSTEM - TED FINK

A question currently before the Planning Board is whether the Amenia Hills subdivision should be clustered. A key factor in this decision is the disposal of sewage. The applicant (Syms) has proposed a community septic system. This creates many questions about legal and engineering issues, financial responsibility, operation and maintenance, and so on. Both attorneys and engineers must be involved.

The Planning Board decided to make a list of all outstanding issues with the two septic types, community and individual. The State and County encourage clustering subdivisions to preserve some open space areas. The Greenway Compact and the Amenia Master Plan also encourage clustering. There are solutions to deal with the problems created when you shrink lot size.

For a community septic, the county wants management by a "responsible management entity". The Health Department, however, does not look favorably upon management by a homeowners' association. In a Common Septic Disposal system, each house has its own septic tank but with one shared leach field. The individual septic tanks must be pumped out regularly. This would be a district-wide responsibility but not a town-wide responsibility. The main responsibility is to pump out the tanks every year or two. Costs can be charged back to the residents of the district. If the system fails, the benefited land owners would have to pay for it. Three years ago the County Wastewater was willing to manage such a system; however, they are no longer able to do so.

A clustered subdivision plan would have three leach fields instead of 19. If clustering depends on a new sewer district, will the Town Board approve? Councilwoman Doyle replied that if the Town Board wants to support clustering then they must be ready to authorize sewer districts.

Many communities are requiring clustering as a "permitted use" and conventional non-clustering as a "special use" permit. Councilwoman Doyle questioned what would happen if the sewer district could not afford to fix a failed community septic system. Michael Hayes said that the district could take advantage of town bonding to spread out the costs. Only if all the owners move out after a catastrophe, would the Town be responsible. Unpaid costs could be assessed to the homeowners.

Ted Fink continued by mentioning that community septic systems have been around as long as septic systems, and the EPA considers them a viable alternative for small flows in rural areas. Some former community septic systems may have suffered from poor design and maintenance. Councilwoman Doyle suggested a resolution that the Town Board would be willing to consider the formation of special sewer districts if the need arises.

Ted Fink noted that there are already some community septic systems in the county including one in LaGrange that has been working for 15 years. The septic system at Dalton Farms is owned by the transportation corporation.

Councilwoman Doyle moved that the Town Board is willing to consider the formation of special sewer districts to encourage clustering.

TOWN BOARD SUPPORTS SPECIAL SEWER DISTRICTS TO ENCOURAGE CLUSTERING

MOTION: C/Doyle

SECOND: S/Hundt

ROLL CALL: C/Carroll - AYE C/Devine - AYE

C/Doyle - AYE C/Russell - AYE

S/Hundt - AYE

MOTION CARRIED 5 to 0.

PUBLIC COMMENT

1. Dave Connors, 14 Powderhouse Road.

Dave has been collecting cars for twenty years and has about 10-20 cars on his property which was zoned commercial at the time of purchase. The zoning officer at that time (Joe Ducillo) told Dave that he would have no problem. Dave is concerned that the new Outdoor Storage and Junk and Abandoned Vehicles law will affect him. Supervisor Hundt advised him to meet with the code enforcement officer Nancy Brusie to discuss the matter.

2. Darlene Reimer.

Three concerns about the Shope property proposal:

- (1) relocating town services away from town center is against the Comprehensive Plan;
- (2) If the property stays in private hands it will aid taxes;
- (3) locating recreational facilities near population density so people can walk to them is better then requiring driving to a more remote location.

ADJOURNMENT

The motion to adjourn was voted for unanimously.

Meeting was adjourned at 10:20 p.m.

Respectfully submitted,

Gail Hermosilla,
Amenia Town Clerk

Approved by Town Board: August 18, 2005
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Town Clerk Monthly Status Report for May 2005
June 16, 2005

Regular Monthly Activity:

Dog licenses	15
Marriage licenses	3
Death certificate copies	2
Zoning books sold	3
Miscellaneous copies	134
Transfer station permits	29
Transfer station coupon books	177
Burning permits issued	40
FOILs received	10
Legal notices sent	3
Handicap parking permits	8

Other activity

Oaths of Office were administered to the members of the Recreation Commission.
Bingo and Games of Chance license given to Amenia Fire Company for carnival June 29-July 2..
Several historical (genealogical) requests were received and relayed to the Town Historian Ken Hoadley.

Public Service Announcements

Working with Gary Bonds and webmaster Fred Shakeshaft, we have developed a procedure to handle public service announcements. Notices of community events can be emailed to the Town Clerk. I will then forward the information to Gary Bonds for Channel 22 and to Fred Shakeshaft for the town website. The procedure seems to be working well.

Website

The approved minutes of Town Board meetings are now available on the website.

Tax Collectors Association

Patty Barron and I attended the annual meeting of the County Tax Collectors Association. One of the new ideas we learned is how to submit our "unpaid taxes list" electronically to the county. This is not only more efficient because it saves time, but it is also more accurate than the manual transmission method.

Notary Public

I have completed and passed the exam for Notary Public. Within about 6 weeks I should get my commission from New York State at which time we can start providing notary service at town hall.

Use of Town Hall by outside groups

I recently received a request from Sharon Hospital to use town hall to hold a meeting. Based on the discussion at last week's Town Board workshop meeting, I told them that we cannot accommodate them at this time.

Saturday Town Clerk hours

The Town Clerk office will be open this Saturday June 18 from 9:00 till noon. We are also available by appointment if you cannot make it to town hall during our regular business hours.

Thank you.

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