

TOWN BOARD MEETING  
October 20, 2005 - 7:00 PM

The meeting was called to order by Supervisor Hundt at 7:00 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

SNOW REMOVAL BIDS

Supervisor Hundt opened the two bids:

Northwest Lawn	\$11,932
Voorhees Tree and Grounds Service	\$13,000

These bids are for removal of up to 80 inches of snow.

After that, the charge is \$45 an hour.

ACCEPT LOW BID FROM NORTHWEST LAWN FOR SNOW REMOVAL

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.

HIGHWAY BIDS

Highway Superintendent Stan Whitehead read the bids he recommended from those that had been received. (see attached "Bid Results for the period of 10/20/05 - 10/19/06".)

ACCEPT BIDS FOR HIGHWAY DEPARTMENT SUPPLIES AS RECOMMENDED

MOTION: C/Devine

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.

ALLEN SAND & GRAVEL PROPOSED ACQUISITION

There was a lengthy discussion concerning the pros and cons of acquisition of the Allen Sand & Gravel property.

SALT SHED/GARAGE PRESENTATION

Dan Wheeler of D.F. Wheeler Engineers made a presentation which included a description of the type of salt shed that could be built at the site of the current town garage.

ADJOURN TO EXECUTIVE SESSION

Supervisor Hundt moved that the Board go into executive session to discuss personnel issues and the Allen Sand & Gravel acquisition

contract:

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.

RETURN TO REGULAR MEETING

At 9:45 the Board adjourned the executive session and returned to the regular meeting:

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.

USE OF TOWN VEHICLES

[discussion]

CABLEVISION CHANNEL 22 CONTENT AUTHORIZATION

Supervisor Hundt noted that a policy was needed to govern the content of material aired on Cablevision Channel 22. Recently a question came up regarding the airing of taped ads for political candidates. This controversial situation highlighted the need for a new policy. The proposed new policy would require Gary Bonds to ask the supervisor for approval before airing material, except for Public Service announcements. The supervisor will consult with the rest of the Board as needed.

AUTHORIZE SUPERVISOR TO APPROVE CHANNEL 22 MATERIAL

MOTION: C/Doyle  
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.

RESOLUTION # 30 OF 2005 - ADDRESSING PRIVATE ROAD

Supervisor Hundt read the resolution recognizing Farm View Drive as a private 911 address. It was noted that private street signs should be white with green letters and contain the word 'private'.

RESOLUTION # 30 OF 2005 - RECOGNIZE FARM VIEW DRIVE AS PRIVATE ROAD

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.

RESOLUTION # 31 OF 2005 - D.C. YOUTH BUREAU GRANT FOR 2006

Councilwoman Doyle explained the resolution which requests grant money of \$1,093 to be used for the Amenia dance program. The

resolution authorizes the supervisor to apply for the grant.

RESOLUTION # 31 OF 2005 - D.C. YOUTH BUREAU GRANT FOR 2006

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.

RESOLUTION # 32 OF 2005 - SALT SHED CAPITAL PROJECT

Resolution was tabled.

RESOLUTION # 33 OF 2005 - WATER DISTRICT RESERVE FUND

Resolution was tabled.

RESOLUTION # 34 OF 2005 - APPOINT A MARRIAGE OFFICER

The resolution was read which appoints Gail Herмосilla to be a marriage officer in the Town of Amenia for a term of four years. In response to comments by Councilman Devine, Attorney Michael Hayes noted that the former Town Clerk Julia Bouffard had also been appointed as a marriage officer.

RESOLUTION # 34 OF 2005 - APPOINT GAIL HERMOSILLA AS MARRIAGE OFFICER

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.

TOWN DECLARATION OF A STATE OF EMERGENCY

Supervisor Hundt commended the town, especially the Highway Department, for the excellent job during the recent state of emergency. She then gave a description of the events leading up to the declaration of a state of emergency and the follow-up actions proposed. The town has taken all steps necessary to apply for FEMA money. Stan Whitehead estimated that the emergency cost the town \$86,400.

NOISE ORDINANCE

Amenia's current noise ordinance has no enforcement piece. It contains phrases like "unnecessary noise" and "unreasonably loud" which are too vague. Attorney Michael Hayes explained the procedure which includes drafting a local law and holding a public hearing.

BUDGET SCHEDULE

Supervisor Hundt said that the town board will meet on October 25 to finalize the budget.

CHAIRMEN APPOINTMENTS: ZBA, ENHANCEMENT COMMITTEE, CPIC

Supervisor Hundt read a letter of resignation from Harry Clark who had served for 10 years on the Zoning Board of Appeals (ZBA) most recently as its chair.

APPOINT RUDY ESCHBACH ACTING CHAIR OF ZBA

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.

APPOINT ANDY DURBRIDGE ACTING CHAIR OF ENHANCEMENT COMMITTEE

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.

Upon Darlene Reimer's advice, it was determined that CPIC did not need a new chair.

WATER DISTRICT UPDATE ON WELLS

Supervisor Hundt reported that the Department of Health had approved the site of the new well; we are now waiting for DEC approval. Although all water restrictions have been lifted, there is still concern because usage is too high, about 122,000 gallons per day.

Michael Hayes described the steps needed for the Syms development to become part of the water district:

1. File a petition (already done by Syms).
2. Town Board issues an order describing the maximum amount of water, estimated cost of hook-up, cost of extension to property owners, etc.
3. Public Hearing.
4. Town Board issues a decision based on:
  - a. was petition filed property?
  - b. Are property owners going to benefit?
  - c. Are district boundaries correct?
  - d. Is enlarging the district in the public interest?

Michael Hayes suggested that the Town Board hire a hydrologist/engineer to draft the order (step 2 above) and do the research. Town Board could either create a new water district or extend the old one. Syms will pick up most expenses, especially a new pump to improve pressure. Councilman Devine noted that this may be an opportunity to get our water tower made higher, using the Syms money. Councilwoman Doyle clarified that the cost of the engineer would be fronted by the town and then reimbursed by the Syms.

Gary Bonds observed that John Lazaroni has been hired as an engineer but he is not a hydro-geologist. As the town engineer, Lazaroni will review the work of the Syms engineer. In response to a question from the Supervisor, Gary Bonds replied that he did have a map of the water district borders.

Escrow situation: Michael Hayes stated that the SEQRA process has been completed. Any new fees generated are outside SEQRA. Although there is an outstanding balance in the escrow account, this money may not be usable to us now. Councilman Devine said that the town engineer would recommend a hydro-geologist if we need one. All of this will be charged to Syms, so we need the escrow money. Michael Hayes suggested that we stop all work until there is money in the

excrow account.

COMMITTEE REPORTS

CONSERVATION ADVISORY COUNCIL

Elizabeth Whaley reported on recent CAC activities:

- Water testing of the Wassaic and Webutuck creeks; creeks are OK except for elevated chloride levels.
- Bog turtle wetland at the Syms development will be taken over by a private foundation.
- Response given at the Silo Ridge scoping session.
- David Reagon took a course in biodiversity.
- Elizabeth Whaley did land use training at PACE law school. In other towns, ZBA and Planning Board members are certified in land use. In Amenia, only the CAC attended the training.
- Vassar College is offering a course in groundwater management on October 30.
- Wetlands survey is being worked on and a display will be ready in a few months. Amenia's wetlands held up well during the recent flooding and water is staying within its zones. The flooding caused by the 12 - 19 inches of rain would have been much worse if we didn't have the wetlands.
- CAC endorses the purchase of the Allen property for various reasons including the opportunity to enhance our recycling efforts.
- On the Allen property, there is a state-regulated wetland which cannot be touched and must be surrounded by buffers.

ENHANCEMENT COMMITTEE

Vicki Doyle listed the committee priorities:

1. Greenway grant;
2. Flowers and townscape;
3. municipal parking lot (new one at foot of Powderhouse Rd.;
4. holiday lights;
5. garden tour;
6. clean-up days.

SUPERVISOR'S REPORT

Supervisor Hundt announced that she had received a letter from Dr. Johns (Superintendent of Webutuck School District) saying that the ski club would be saved this year. However, Dr. Johns reminded us that a Joint Recreation Commission is needed among Amenia, Millerton, and North East. Beginning in April of 2006, the school district will not deal with individual municipalities, but only with the Joint Recreation Commission.

TOWN BOARD REPORT - VICKI DOYLE

The Institute for Environmental Studies is holding a free class on landscaping for healthy ecosystems on Tuesday November 15.

TOWN CLERK REPORT

[see attached report]

DUPLICATE TAX BILL FEE - AUTHORIZE PUBLIC HEARING

Attorney Michael Hayes stated that a public hearing would be needed on the new local law to authorize the tax collector to charge a fee for producing duplicate tax bills for financial institutions. The public hearing will be held on November 17 at 7:00 before the regular town board meeting.

DUPLICATE TAX BILL FEE - AUTHORIZE PUBLIC HEARING

MOTION: C/Doyle  
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.

MINUTES

APPROVE MINUTES OF AUGUST 4, SEPTEMBER 15, SEPTEMBER 20

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.

PUBLIC COMMENT

1. Pat Nelligan voiced his opposition to the purchase of the Allen property. He noted that the proposition referred to the hamlet of Amenia as the "Town of Amenia". He further stated that Wassaic would never be part of the sewer district.
2. Wayne Euvrard presented concerns about several line items from the tentative budget:
  - Supervisor salary should not go up because a new supervisor is coming in.
  - Bookkeeper line should not go up because we had to hire a professional to prepare the budget.
  - Old Amenia landfill: where is that in the budget?
  - Harlem Valley Partnership is gone.
  - Cell tower revenue is listed in budget as \$9,000 but it should be \$2,040 per month. Where is the rest of it?
  - Line 8020 Total Planning is \$106,000.
3. Arlene Iuliano commented:
  - All employees should get same cost of living raise.
  - Noise ordinance was worked on in 1996 and 97 but it is very difficult.
  - Town should be reimbursed for money it puts out up front related to the water district.
4. Sharon Kroeger:
  - Town should not assume that the water district should be extended. We need a moratorium on development until the CPIC is completed, at which point the Planning Board will have something to go by. Pine Plains has no zoning but it working on a moratorium.
  - Budget - we have to give credit to Arlene Iuliano for

holding the line on salaries.

5. Darlene Reimer:

- "Town of Amenia" is nomenclature on ballot.
- The Allen property of much more than wastewater.

6. Elizabeth Whaley spoke in favor of the Allen property purchase:

- Citizens need to get the accurate information on the Allen property - it is not a sewage treatment facility. Sewage will not be flowing into Wassaic.
- The Allen property is good for the salt shed, recreation, and other uses.

ADJOURNMENT

The motion to adjourn was unanimous.

Respectfully submitted,

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Gail Hermosilla,  
Amenia Town Clerk

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home COMPAQ: C:\Gail\Town Board\minutes\2005-10-20 TB mtg.doc, 4/19/06

Town Clerk Monthly Status Report for September 2005  
October 20, 2005

Regular Monthly Activity:

Dog licenses	3
Marriage licenses	2
Marriage certified copies	2
Birth certificate copies	0
Death certificate copies	2
Zoning books sold	5
Miscellaneous copies	50
Transfer station permits	1
Bulk permits sold	16
Transfer station coupon books	158
Burning permits issued	0
FOILs received	2
Legal notices/public hearing sent	1
Handicap parking permits	7
Bids advertised (snow)	1

As a result of this activity, we gave the Supervisor \$ 3,929.43 for the month of September.

Other activity

1. The referendum for the bond issue for the Allen Sand & Gravel property was delivered to the Board of Election.

Burning permits

Burning permits (for six months) are again being issued, now that we have had some rain. We want to thank everyone for their cooperation during the period when permits were not being issued. We know it was an inconvenience and we appreciate the cooperation.

Absentee ballots

Application forms for Absentee Ballots can be picked up at Town Hall. We encourage anyone who may be out of town on Election Day, November 8 to request an absentee ballot. Absentee ballots must be postmarked at least 7 days before Election Day, or by November 1 this year.

Transfer Station hours

The transfer station is open three days a week:

Monday and Friday from 7 a.m. to 11 a.m., and Saturday from 7 a.m. to 1:00 p.m. The transfer station accepts personal checks and money orders, but not cash. So, if you are paying for bulk disposal or purchasing garbage coupons by check, you do not need to stop at the Town Clerk office first. However, if you need to purchase an annual permit (which are not sold at the Transfer Station) or to use cash, that must be done at the Town Clerk office.

Election Inspectors

All election inspectors should have received a schedule of classes from the County Board of Elections. The Town Clerk office also has the schedule if you need it.

Recreation surveys

The deadline for the Recreation surveys is Friday, November 11. Survey forms can be picked up and dropped off at the Town Clerk office.

Thank you.