

TOWN BOARD MEETING
October 19, 2006 - 7:00 PM

The meeting was called to order by Supervisor Reagon at 7:00 p.m. She announced that Town Attorney Michael Hayes will be unable to attend.

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

- Pat Nelligan - The United States is at war because of oil and our dependence on foreign oil. Anything we can do to decrease this dependence should be encouraged. Alternative fuels (e.g. outdoor wood-burning furnaces (OWF)) should not be regulated.
- Anthony Battista - wants a ban on outdoor wood-burning stoves for health reasons. Everyone needs to abide by common rules. Pollutants in the air carry carcinogens and will make you sick. If a property is 10 acres in size, then a wood-burning furnace would be all right.
- David Alexander - agrees with Anthony Battista. We got rid of cigarette smoking for a reason; similar logic applies to outdoor wood-burning furnaces. When a person buys a piece of property, do they think they can do just anything on their property? Mr. Rogers has 3.3 acres and could move his outdoor furnace. His is just an indoor furnace put in a shack.
- Sharon Kroeger - went to a Planning and Zoning conference in Saratoga last week where outdoor wood boilers were a big issue. There were some proposed bills in the New York State legislature that did not pass. Conference attendees were planners and some of them had outdoor boilers. Towns have leeway to regulate through various means: zoning, site plan reviews, annoyance laws, etc. Outdoor wood-burning furnaces can be regulated through set backs, chimney height, lot size and so on. Perhaps a study committee could be formed with such people as Julian Strauss who has had an outdoor furnace for a long time. There are benefits to OWF when used properly.

REVALUATION

Supervisor Reagon reported that assessor Ron Gazzoli has been meeting with consultant John Watch to review all the revaluation notices (impact notices) before they go out in the middle of November. They will go out via first class

mail. Councilwoman Doyle asked if the information presented by George Mudge had been looked into, and Supervisor Reagon replied that it had. Councilwoman Doyle noted that she would like the opinion of the Town Attorney regarding the letter from George Mudge. Why were only 16 out of 29 required items (according to the website) included in the mailer?

OUTDOOR WOOD-BURNING FURNACES: SET PUBLIC HEARING ON LOCAL LAW

Supervisor Reagon reviewed the process to create a local law: if a Public Hearing is scheduled, the law can be changed after that. Public comment can be allowed for some time, including written comments after the Public Hearing. The Town could decide to have no regulation, or go back to a ban, after the Public Hearing. The Public Hearing will let us gather more information. It can be continued if we need more time to deliberate. Outdoor wood furnaces are a public health issue and part of Town Board responsibility. The Public Hearing does not bind us to a course of action.

Supervisor Reagon continued that she did not think it is right to not deal with an issue just because it is difficult. We should face it because OWF are a real issue. For too long, this Town did not deal with difficult issues.

Councilman Euvrard voiced his strong objection to a ban on OWF. This issue should be regulated under New York State building codes, because they have more information. Councilwoman Doyle agreed that this is a very complex issue on which the Town Board does not have expertise. The CAC and some private owners have weighed in, but if the State isn't prepared to decide on this then how can the Town be prepared to do so?

SCHEDULE PUBLIC HEARING FOR OUTDOOR WOOD-BURNING FURNACES LOCAL LAW FOR NOV. 16

MOTION: S/Reagon
SECOND: C/Russell
ROLL CALL: C/Perotti - AYE C/Doyle - AYE
C/Euvrard - NO C/Russell - AYE
S/Reagon - AYE
MOTION CARRIED 4 to 1.

ROAD NAME CHANGE

Supervisor Reagon read the resolution to change the name of a short leg of DC Route 105 (located between NYS Route 22 and the fork of DC Route 105) to South Sinpatch Road. This change was requested by the DC Department of Emergency Response 911 Addressing Office.

RESOLUTION #53 OF 2006: SOUTH SINPATCH ROAD NAME CHANGE

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.

OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS)

Councilwoman Doyle explained that this is a matching grant for about \$1100 which could be used for the dance program.

AUTHORIZE SUPERVISOR TO SIGN CONTRACT WITH OCFS FOR 2007 FUNDING

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.

DUTCHESS COUNTY HOSPITALS AND NEW YORK CITY MEDICAL STATISTICAL AREA

Supervisor Reagon read the resolution to support the continued classification of Dutchess County hospitals in the New York City Medical Statistical Area (MSA). This classification, which has resulted in approximately \$24 million annually in Medicare reimbursement, is scheduled to expire in 2007.

RESOLUTION #54 OF 2006: SUPPORT KEEPING D.C. HOSPITALS IN NEW YORK CITY MEDICAL STATISTICAL AREA

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.

AWARD HIGHWAY BIDS FOR 2007

Highway Superintendent Stan Whitehead went through the bid awards for year 2007 (attached).

AWARD HIGHWAY BIDS AS PROPOSED BY HIGHWAY SUPERINTENDENT

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.

HIGHWAY DEPARTMENT REPORT

Stan Whitehead reported:

- Working on paving Cascade Mountain Road.
- Working on trees.
- Storage shed should be completed by end of next week.
- Supervisor Reagon asked that the Old Amenia Landfill property be "posted" since it is a hazardous waste site.

HIGHWAY GRANT

Supervisor Reagon announced that Amenia has been awarded a multi-modal transportation grant of \$100,000 for 2007, because of the October 2005 flood and damage. This money can be used for any transportation project that is needed.

WATER TOWER/EXPANSION OF WATER DISTRICT

Supervisor Reagon reported that she had met with Syms about "closing the loop" between the end of the proposed water district line and the current district line. With the new water tower and no booster pumps, it may not be necessary to close the loop. Gary Bonds responded that he preferred to close the loop for several reasons one of which is the build up of chlorine at the end of the line if you don't close the loop. The County Board of Health would have

to weigh in on this one. If we don't get the new well on-line, Syms will not get water.

Supervisor Reagon cautioned that the DEC and the Board of Health may insist on district-wide water meters. With meters, you can pinpoint leaks and usage goes down. Gary Bonds is seeking a grant for \$75,000 from the state archives group who are interested in "digital record keeping". Meters will cost about \$300 per household but the homeowner should not have to pay. Syms homes will be build to handle water meters but they will not be installed yet because we have not decided what type of meter to use.

WATER COMMITTEE REPORT

Gary Bonds reported that the water committee met on October 16:

- Syms project (Amelia Hills development): will there be an adequate supply of water for the new homes?
- Benefits of the proposed water tower were discussed especially better water pressure for homes with low pressure.
- Final hook-up to water tower (from water district): committee felt that Syms should pay all the costs, but all options should be explored.
- Visual impact of the new water tower which will be 50% higher than the old tank.
- Water pressure in town is up to 90 pounds now; with the new tank it will go up 20 pounds to 110 pounds. Pressure reducers may be needed in certain homes.

COURTROOM TABLE

Supervisor Reagon noted that the large wooden courtroom table may be replaced by a bench for the judge. The current table is bulky and takes up a lot of space.

GRANTS

Supervisor Reagon reviewed the status of several grants:

- a. Multi-modal grant.
- b. Mechanic St. sidewalks grant. Metes and bounds being prepared. Contract sent to Mike Hayes. A memo of understanding to the county is needed to say that the sidewalk will go onto state property where the county has a right-of-way.
- c. Sidewalks to Fresh Town and Beekman Park. Our grant was ranked number 4 on a list of 8, and only the top 3 get funded. People were encouraged to write letters to the Governor.
- d. Berkshire Taconic Community Foundation: we asked for \$3,000 for handicap accessible playground equipment.

ASSOCIATION OF TOWNS CONFERENCE

Supervisor Reagon reminded everyone on the Town Board to register for this training conference.

APPROVAL OF MINUTES

The approval of minutes was deferred and the Town Clerk was asked to email a copy of the draft minutes from August 17 to all Town Board members.

COMMITTEE REPORTS:

CPIC

Vicki Doyle indicated that CPIC is in need of a secretary to do the minutes. An announcement will be put on Channel 22 and the Town website.

Supervisor Reagon said that CPIC work was going well and, after a Public Hearing, the document will be turned over to the Town Board who is "lead agency". This should happen in early 2007.

DEPARTMENT REPORTS:

ZONING OFFICER

Nancy Brusie reported that Fresh Town façade work has begun including a clock tower. An amended site plan permit will be issued. The zoning administrator is working on 6 or 7 cleanup cases several of which will be appealed.

TOWN CLERK

Town Clerk Gail Hermosilla presented the monthly Town Clerk status report (attached).

TOWN BOARD COMMENTS

Vicki Doyle reported that 750 bulbs were planted at Fountain Square and along route 22. Amenia Elementary School still needs to be done. Thanks to everyone who helped with the planting.

Wayne Euvrard complimented the Chamber of Commerce on a good Business Expo. He also voiced his dissatisfaction with the budget process especially in the handling of the departmental work sheets. Supervisor Reagon responded that she had checked with the Association of Town attorney who assured her that the budget officer can make changes to departmental worksheet requests after talking to the department head. Councilman Euvrard said that the Association of Town's attorney was wrong.

SUPERVISOR'S REPORT

ANNOUNCEMENTS

- Youth Bureau grant deadline is December 30.
- IES presentation "The Lost Amazon" will be held Thursday Nov. 2 at 4:00 at IES auditorium on Route 44A.
- Harlem Valley Walks walking program kicks off Thursday Nov. 2 at 6:00 at Webutuck High School.
- Turkey Food Drive dance Friday November 10 from 6:00 to 11:00 at Silo Ridge, \$16 per person.
- Chocolate party on Saturday Nov. 4 at 6:30 at South Amenia Church, \$5 per person.
- Smithfield Church turkey dinner Friday Nov. 10.
- Veteran's Day event in Fountain Square on Nov. 11 at 11:00.
- Holiday of Lights meeting Nov. 4 at 10:00.

PUBLIC COMMENTS

- Nancy Brusie - for the Association of Town training, do hourly employees get paid? Councilman Euvrard replied "no, they never put in for the time."
- Dawn Marie Klingner - look at the vouchers from the Feb. 2006 training to see if hourly staff got paid while at the Association of Town session.
- Anthony Battista - if outdoor wood burning furnaces are not controlled, property values will go down. In winter, smoke doesn't rise and dissipate because cold air keeps it close to the ground. People with inclinations to respiratory problems will have severe problems down the road.
- Mark Rogers - my outdoor wood burning furnace complies with every request the Town has made of me.

ADJOURN

The motion to adjourn was unanimous at 9:15 p.m.

Respectfully submitted,

Gail Hermosilla,
Amenia Town Clerk

Approved by Town Board: 12/14/06
Draft to Town Board: 12-05-06

C:\Town Board\minutes\2006-10-19.doc, 12/15/06
Gail home PC:\C:\Gail\Town Clerk\ minutes\2006-10-19.doc, 12/04/06

Town Clerk Monthly Status Report for September 2006
Presented at Town Board meeting in October.

Regular Monthly Activity:

Legal notices:			
Public Hearing	0		
Bids/job openings	0		
Transfer Station:			
Transfer station permits	7		
Bulk permits	17		
Coupon books	153		
Licenses sold:			
Bingo/games of chance	2		
Dog	4		
Hunting/fishing	0		
Permits issued:			
Burning	50	Fireworks	0
Handicap Parking	11	Gathering	0
Peddler	0	Junkyard	0
Trailer park	0		
Vital Statistics:			
Marriage licenses	6	Birth certificate copies	0
Marriage certified copies	3		
Death certificates copies	5		
Miscellaneous:			
FOILS received	1		
Zoning books sold	3		
Photocopies, misc.	160		

As a result of this activity, we gave the Supervisor \$ 4,001.36 for last month.

Town Clerk Office Reconstruction

The Town Clerk office reconstruction is coming along fine. The new furniture arrived today and looks great! We should be moved into the office within the next week or so. At that time, we invite everyone to “come on down” and see our lovely new space. The “silver lining” to the Town Clerk office accident was the opportunity to sort through all our old files, in order to re-assemble the office. As part of this process, Patty and I have identified archival records that do not need to be stored on-site. We will be requesting a line item in next year’s budget to pay for the off-site storage of these records. Hopefully, the cost will be less than \$200 a year for climate-controlled storage.

Fishing/Hunting licenses

We are still not able to issue hunting or fishing licenses. There is a list in town hall and also on channel 22 of places to purchase these licenses. We will get our DEC computer set up to issue licenses as soon as possible after we return to our permanent office.

Dibbles and bulbs

The Town Clerk office has been busy distributing the spring bulbs as part of the “Amenia Does the Blues” project. So far we have distributed 300 bags of 100 bulbs each, or 30,000 bulbs. More bulbs are arriving next week so there will be plenty for everyone. If you have already planted your bulbs and would like a few more, just stop by. If you haven’t planted yours yet, What are you waiting for? If you have borrowed a “dibble” for planting the bulbs, please return it because others are waiting for them. This is all part of the project to turn Amenia blue in the springtime as a tribute to our departed loved ones, especially Dolores Holland, the 2006 Amenia Citizen of the Year.

Gail Hermosilla, Town Clerk S:\Town Clerk\ToBeBackedUp\TownClerk\status reports, monthly\2006-09 Town Clerk Status Report for September.doc, 10/19/06