

TOWN BOARD MEETING
December 14, 2006 - 7:00 PM

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

PUBLIC COMMENT - AGENDA ITEMS ONLY

Sharon Kroeger thanked the Town Board for creating a committee to look into Outdoor Wood-burning Furnaces. She suggested that "best burn practices" be collected and distributed.

NORTH EAST COMMUNITY CENTER PRESENTATION ON THE "TAP" VAN

Although Jenny Hansell did not show up for the scheduled presentation, Supervisor Reagon said that she had met with Jenny and that the North East Community Center had received a large donation from the Foundation for Community Health.

CLAIMS THROUGH THE END OF THE YEAR, BOOKKEEPER AUTHORIZATION

Supervisor Reagon explained that it was necessary for the Town Board to vote to authorize the bookkeeper to pay claims through December 31, 2006.

ALLOW BOOKKEEPER TO ENCUMBER CLAIMS SO THEY WILL BE RECORDED IN 2006.

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.

OLD AMENIA LANDFILL - REPORT

Supervisor Reagon reported:

- Friday (tomorrow) there will be a pre-bid conference and mandatory walk-through of the landfill site.
- Kimberlea Rea has finished the RFP (Request For Proposal) which appears on the Town website. Firms will be asked to do a very technical bid and to separate out their "best design for future use".
- Schedule: Feb. 1 bids due.
Feb. 8, 5:00 p.m. Town Board executive session to consider bids.
Feb. 15 (approx.) award bid.
- DEC (Department of Environmental Conservation) must approve and sign off on the proposal.

- The Town will enter into an agreement with the successful bidder who will get contractors to do the actual work.
- Clean-up process may begin by this spring.
- The Town of Sharon Conn. is responsible for the ongoing maintenance and monitoring of the site, but they cannot be compelled by the State of New York. The Town of Sharon feels uncomfortable with Amenia selecting the bidder and Sharon paying the bill. (Maintenance could last up to 30 years.) As a result, Town of Amenia and Town of Sharon attorneys will craft a sidebar agreement.

OLD AMENIA LANDFILL - APPOINT PROJECT MANAGER FOR CLEANUP

Supervisor Reagon noted that under the EQBA (Environmental Quality Bond Act) process, the Town is required to have a project manager to make sure the landfill clean-up work is being done by the contractors in a timely and efficient manner. The project manager will be responsible for the critical process of submitting the MAPs (Municipal Applications for Payment) in a timely fashion. Kimberlea Rea recommends McGoey, Hauser, & Edsall (MHE) consulting engineers to act as the eyes and ears of the Town.

The Town has received a letter from MHE authorizing them (MHE) to prepare a formal agreement. The Town Board would have to approve this agreement for a project manager. MHE does not bid on the clean-up work. They will submit the MAPs to the State (with vouchers) which is a very technical process. Kimberlea Rea was unable to recommend a second choice for project manager, although professional services such as this do not require more than one bidder.

Councilman Euvrard questioned how much MHE would cost, to which Supervisor Reagon replied that another firm would probably have similar charges. Councilman Euvrard pointed out that \$160 an hour including travel time was quite high. Pat Hines is an associate who would work with us for a lower rate.

Councilman Euvrard said it looked like the Town Board was rushing things with such a tight time line for the bid process. Supervisor Reagon explained that the time line was not so tight as it appeared because the companies (potential bidders) have known about this project since the State sent out the "Record of Decision". Kimberlea Rea had told the companies about the project and they knew a pre-bid conference would be held. Furthermore, the RFP says the Town does not have to accept any bid if none is acceptable. There are several "outs" for the Town.

Supervisor Reagon then moved to authorize the Supervisor to sign the letter asking MHE to prepare a formal agreement, subject to a reference check. Michael Hayes noted that the letter looked OK to him but the words "acceptance subject to execution of a formal agreement" will be added above the signature.

AUTHORIZE SUPERVISOR TO SIGN AMENDED LETTER FROM MHE, SUBJECT TO REFERENCE CHECK

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

MOTION CARRIED 3 to 0 with 1 ABSTENTION.

TRANSFER FUNDS FROM FUND BALANCE

Supervisor Reagon read Resolution #55 of 2006 which called for the transfer of funds from Fund Balance (A00-911) or Contingency (A00-01-1900-430) to reconcile all lines overdrawn in the General Fund as of December 31, 2006.

RESOLUTION #55 OF 2006: TRANSFER FUNDS FROM FUND BALANCE OR CONTINGENCY TO RECONCILE LINES OVERDRAWN AS OF YEAR END

MOTION: S/Reagon
SECOND: C/Perotti
ROLL CALL: C/Perotti - NO C/Doyle - absent
C/Euvrard - NO C/Russell - AYE
S/Reagon - AYE

MOTION FAILED 2 TO 2.

ADVERTISE FOR BIDS FOR TOWN CARTING

Supervisor Reagon announced that the Town needs to advertise and solicit bids for a carting service for the Transfer Station. Michael Hayes said that the Town could follow Town Law section 103 (standard competitive bid procedure) or section 120W which has more procedure requirements. Is there a formal description of the work? "Probably not", replied Lana Anguin-Cohen. Supervisor Reagon noted that we could continue with the current carter until this was worked out.

ADVERTISE FOR BIDS FOR TOWN CARTING

MOTION: C/Russell
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.

GRANTS REPORT

Town grant writer Mike Haggerty gave this report:

- CDBG (Community Development Block Grant) recommended the Lake Amenia Road bridge replacement according to the county website. This is a non-matching \$100,000 grant although \$150,000 was requested. Supervisor Reagon asked if the Multi-modal grant from Senator Leibell could be used to pay part of the Lake Amenia Road bridge project. This money cannot be used for the Town's share of a matching grant, but the CDBG is non-matching.
- Quality Communities Grant: getting the RFPs is a big step forward.
- Mechanic Street project: advertise for RFPs.
- FreshTown grant: Although our grant application was ranked #4, only the top 3 were funded.
- Mike Haggerty attended a SARA conference on records management. There are two grants (due Feb. 1) for which the Town may be eligible: one for water meters (digital record keeping) and one for records retention. Councilwoman Perotti commented that if we could put our Town records on CDs, 10,000 pages would fit on 1 CD and could be backed-up and indexed.

HIGHWAY DEPARTMENT PLANS FOR 2007

Town Highway Superintendent Stan Whitehead listed his priorities for 2007:

1. Lake Amenia Road bridge repair/replacement. Morris Assoc estimates this project at \$183,000.
2. seal town roads.
3. blacktop Cascade Mountain Road.

TOWN GARAGE ELECTRICAL SYSTEM

The electrical wiring in the Town Garage is very poor and in need of repair. Four quotes have been received, of which Andy Carberry of Sharon Connecticut is the lowest bidder at \$3,348.

TOWN GARAGE ELECTRICAL SYSTEM: ACCEPT LOW BID OF \$3,348

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

MOTION CARRIED 4 to 0.

HIGHWAY DEPARTMENT NEW TRUCK

Highway Superintendent Stan Whitehead said that he needed to place the order for a new truck, the money for which is included in the 2007 adopted budget. The new truck will be a 10-wheel dump truck with sander and wing.

AUTHORIZE HIGHWAY DEPARTMENT TO ORDER NEW TRUCK, NOT TO EXCEED \$186,000

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

MOTION CARRIED 4 to 0.

MECHANIC STREET SIDEWALK PROJECT

Mike Haggerty reported that a draft of the RFP for this project has been submitted to Michael Hayes. The estimated cost is \$200,000. All work for the RFP will be done on Town property so the Town needs to demonstrate ownership of the land, including the land where the current sidewalk is located. This may be the first time the NYS Department of Parks has funded a sidewalk project so there may be a few things to work out.

OUTDOOR WOOD-BURNING FURNACES - ADVISORY COMMITTEE

Supervisor Janet Reagon suggested that the Town Board create an advisory committee to study outdoor wood-burning furnaces (OWF). The committee would be comprised of 5 to 7 members who would consult with Mike Segelken (building and fire inspector), review the draft local law regulating OWF, and report back to the Town Board with their recommendations, hopefully by the February meeting. Mike Segelken and Roger Russell would be *ex officio* members of the committee. An announcement would be put on the Town website and channel 22 inviting residents to notify the Town Clerk of their interest to serve on the committee.

CREATE AN ADVISORY COMMITTEE TO STUDY OUTDOOR WOOD-BURNING FURNACES

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

C/Euvrard - AYE C/Russell - AYE
S/Reagon - AYE
MOTION CARRIED 4 to 0.

APPROVE MILES SETTLEMENT

Attorney to the Town Michael Hayes explained the proposed settlement to resolve the long-standing Miles litigation. The defendants have agreed to accept the terms of the settlement, so now the Town must do the same.

RESOLUTION #56 OF 2006 - AUTHORIZE SUPERVISOR REAGON AND JUDGE DOLAN TO EXECUTE THE AGGREEMENT

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

INTERVIEW SCHEDULE FOR OPEN BOARD POSITIONS

Town Clerk Gail Hermosilla was asked to set up appointments to interview candidates for the open board positions (Planning Board, Zoning Board of Appeals). The interviews are to be scheduled for Tuesday January 9 starting at 6:00 p.m. and running for 20 minutes each. No interviews will be held for the CPIC secretary position until January when the CPIC committee has had time to determine if they really need a secretary so late in the process.

JANUARY SCHEDULE

January 4	Thursday	7:00	Re-organization meeting
January 8	Monday	?	CPIC meeting, last one before Public Hearing
January 11	Thursday	7:00	Town Board workshop meeting
January 18	Thursday	7:00	Town Board regular meeting (may be preceded at 6:00 by Public Hearing on new water tower and water district expansion)
February 1			landfill clean-up bids due
February 3	Saturday	9:00 a.m.	Public Hearing on Comprehensive Plan Update
February 8	Thursday	5:00 - 7:00	Town Board executive session on landfill bids.
February 15	Thursday	7:00	Award landfill bid at regular T.B. meeting.

MINUTES

The minutes of the Town Board meetings of September 14 and October 19, 2006 were approved:

APPROVE AMENDED MINUTES OF SEPTEMBER 14, 2006

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

C/Euvrard - AYE C/Russell - AYE
S/Reagon - AYE
MOTION CARRIED 4 to 0.

APPROVE MINUTES OF OCTOBER 19, 2006

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

Approval of the minutes of the Town Board meeting on October 5, 2006 were deferred until Councilman Euvrard and Town Clerk Gail Herмосilla could discuss the inclusion of Councilman Euvrard's remarks that were made at that meeting but were not included in the draft minutes presented to the Town Board.

DEPARTMENT REPORTS:

BUILDING INSPECTOR OFFICE

Mike Segelken thanked Alan Shope for purchasing Sabo's trailer park and David Marshall for clearing the site of debris. He also reassured the Town Board that he had been working the "normal" number of hours for both fire inspector and building inspector, and had not exceeded the amount budgeted for the salary for those lines.

ZONING OFFICE

Nancy Brusie reported that the Miles case has been resolved and the Berlinghoff case is under way. Also, the red car that had been parked long-term in the Town parking lot beside the library has been removed. In response to Michael Hayes' question if he should continue looking into parking lot regulations (now that the immediate problem has been solved), the Town Board said 'no'.

WATER DEPARTMENT

Gary Bonds reported:

- "Dancing with the Stars" was a wonderful performance and Gary was able to video tape most of it. Unfortunately the first 15 minutes of the tape went bad, but Gary is working with Marshall Miles to recover it if possible.
- Gary attended a state archives meeting in preparation for a grant submission due on February 1.
- A major water leak was discovered today resulting in the loss of 45,000 gallons of water. The location of the break was between Midway and Delango roads. Although it was a good steel pipe, it was sitting in stone.
- DEC: all paperwork needed for approval of well 4A was submitted to DEC on December 1.
- Syms (Amenia Hills Development): It has been resolved where the new development will tap into the Town water system. The Town will not "close the loop" since we have other open loops, e.g. on O'Handley Drive. All Syms wanted was for the Town to bring the water to the edge of his property, and that is what we will do. The Town will put in 175 feet of 8-inch steel pipe going north from the current

water tank, at a cost of about \$15,000 if done as a self-help project. Syms must take the water to the houses and bring it out to Depot Hill Road. When Syms goes across the street (Depot Hill Road) for his other development, we may close the loop at that time. Michael Hayes commented that the \$15,000 may be able to be "charged back" to the new home owners.

Councilman Euvrard questioned if "closing the loop" was that costly. Gary Bonds replied that it was costly because it required 280 feet of piping done by the developer and another 215 feet done by the Town.

TOWN CLERK REPORT

Town Clerk Gail Hermosilla gave the attached report.

TOWN BOARD COMMENTS

Councilman Euvrard:

Councilman Euvrard voiced his disapproval that Supervisor Janet Reagon had charged the Town for a dinner that included several consultants plus her husband (chair of CAC). Supervisor Reagon responded that meals are a proper charge if there is immediate business to be conducted, according to the attorney at the Association of Towns, whom the Supervisor consulted. The meeting in question started at 2:30 in the afternoon and ended at 5:30. Since the next meeting was scheduled at 7:00 and there were still things to discuss, it made sense to have a working dinner to decide the scope of what AKRF would do and what Joel Russell would do. Also, a time schedule for the project was discussed.

Councilman Euvrard responded that the policy cited (by the Supervisor) applies only to "municipal officers and employees of the town". Michael Hayes clarified that one does not have to be elected to be considered a "municipal officer", for example, the chairs of committees such as CAC and CPIC are municipal officers. Councilman Euvrard persisted in his opinion that this dinner expense should have been approved by the Town Board.

Supervisor Reagon congratulated June Kaufman on a successful dance program for 60 children. The Harlem Valley Walks walking program will be suspended for the winter holiday while school is in recess.

PUBLIC COMMENTS

- Orpha Thomas commented on the TAP bus service. Seniors need to get to Poughkeepsie. Pat Kelsey recently had a full bus to go to Danbury. Supervisor Reagon commented that since the Town of North East wrote the grant for the TAP bus, they must administer it. Councilman Euvrard has also received complaints about the TAP van not showing up, although Jenny Hansell assured him that 90% of the time, the van shows up.
- Arlene Iuliano commented on the Old Amenia Landfill settlement and voiced her full confidence in Kimberlea Rea. Arlene also agreed with those Town Board members who had voted against the transfer of funds to reconcile overdrawn lines in the General Fund.
- Charlotte Murphy asked how the Cablevision negotiations were coming along. Supervisor Reagon replied that two meetings had been held so far and that Marshall Miles has been a great help in pointing out

things the Town should ask for in the new contract. Charlotte mentioned that Litchfield County (Conn.) is considering getting another provider because they are so unhappy with Cablevision.

ADJOURN

The motion to adjourn was unanimous at 9:50 p.m.

Respectfully submitted,



Gail Hermosilla,
Amenia Town Clerk

Approved by Town Board: 2-15-07

Draft to Town Board: 1-30-07

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Town Clerk Monthly Status Report for November 2006
Presented December 14, 2006

Regular Monthly Activity:

Legal notices:

Public Hearing	1		
Bids/job openings	5	volunteer,	7 paid

Transfer Station:

Transfer station permits	63		
Bulk permits	16		
Coupon books	188		

Licenses sold:

Bingo/games of chance	0		
Dog	4		
Hunting/fishing	0		

Permits issued:

Burning	38	Fireworks	0
Handicap Parking	9	Gathering	0
Peddler	0	Junkyard	0
Trailer park	0		

Vital Statistics:

Marriage licenses	2	Birth certificate copies	0
Marriage certified copies	2		
Death certificates copies	10		

Miscellaneous:

FOILS received	0		
Zoning books sold	1		
Photocopies, misc.	51		

As a result of this activity, we gave the Supervisor \$ 6,672.05 for last month.

Transfer Station

As some of the regular users of the Transfer Station may have noticed, Jack Rooney is now using a computer list to verify that a person's Transfer Station permit is up-to-date. I want to thank everyone who came immediately up to the Town Clerk office to renew their permit. Jack and I have been working together closely to improve all the paper work procedures associated with the Transfer Station. We have developed an excellent tracking system for coupons sold, and are now working on the permits. We are always open to suggestions for improvements as we go through this process.

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 after the first of the year.

Dibbles and bulbs

If you have borrowed a "dibble" for planting the bulbs, please return it as soon as possible. We may need them for next year's planting!

Thank you,
Gail Hermosilla, Town Clerk

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