

TOWN BOARD MEETING
January 18, 2007 - 6:00 PM

The meeting was called to order by Supervisor Reagon at 6:00 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	Present
Councilman Russell	Present
Supervisor Reagon	Present

ADJOURN TO EXECUTIVE SESSION

Supervisor Reagon moved that the Board go into executive session to discuss matters pertaining to the Amenia Landfill Settlement in anticipation of litigation:

MOTION:	S/Reagon		
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.

RETURN TO REGULAR MEETING

At 7:00 the Board voted to close the executive session and enter the public session:

MOTION:	C/Euvrard		
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.

PUBLIC COMMENTS - AGENDA ITEMS ONLY

None.

OLD AMENIA LANDFILL CLEANUP PROCESS

Kimberlea Rea gave a presentation on the Old Amenia Landfill cleanup process which included the following remarks:

- Mandatory pre-bid meeting was held on December 15.
- Proposals are due February 1. These are proposals for professional services, not just "bids".
- Proposals will include remedial design for cleanup, construction oversight, yearly operation/maintenance monitoring cost estimate, design concepts for re-use and redevelopment of the property.
- Re-use of the property may include passive recreation such as pavilion, playing fields, hiking trails, parking lot, wildlife viewing access, etc.

- Landfill must be cleaned up first, before re-use is done. Remedial design will provide for future re-use which must be approved by DEC and the State Department of Health.
- Town Board will review proposals in February, with possible participation from Town of Sharon first selectman Malcolm Brown.
- After selection is made, announcement will be made and contract negotiations will begin. DEC will scrutinize the contract since they will be paying 75% of the costs.
- Consultant will do the design remedy which must be approved by DEC.
- Mid-summer: put out the bid (RFP) for actual construction of remedy. Construction firms will apply to build the superfund cap.
- Time-frame: MH&E (McGoey, Hauser and Edsall) or other project manager will be able to address time frame questions. The design phase may start in March with work beginning in the summer, perhaps dredging of the wetlands.
- The Project Manager (e.g., MH&E) should be part of the proposal review. They will act as the eyes and ears of the Town and have the Town's interest at heart.
- Project Manager will be responsible for the MAPS (Municipal Applications for Payment). The EQBA formula is very complicated and technical proficiency is required.
- The Record of Decision (ROD) stated that the landfill groundwater could not be used for drinking.
- Of the 26 acres that the Town has purchased, only 10 is landfill, added Supervisor Reagon.
- Councilman Euvrard asked if MH&E travel time charge was negotiable. He objected to paying the hourly rate for travel to and from New Windsor, as stated in the standard fee schedule. The hourly rate for the principal (Mr. McGoey) is \$ 163 per hour; for the associate (Pat Hines, e.g.) it is \$ 128 per hour.

HIRE MCGOEY, HAUSER AND EDSALL (MH&E) AS OLD AMENIA LANDFILL PROJECT MANAGER

Supervisor Reagon noted that other towns that have used MH&E (for example, Newburgh, New Windsor, and Wallkill) gave them rave reviews.

HIRE MCGOEY, HAUSER AND EDSALL AS OLD AMENIA LANDFILL PROJECT MANAGER

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.

WATER DISTRICT EXPANSION AND NEW WATER TOWER, SET PUBLIC HEARING

Supervisor Reagon summarized the order that had been read in full at the Town Board meeting last week. The order calls for setting the Public Hearing date for Thursday February 15 at 6:00 before the Town Board meeting. Although DEC has not yet approved well 4A (which effects the water district expansion), the Public Hearing can be set anyway in anticipation of the DEC ruling. The Order also states that the Town Engineer's (John Lazarony) January 4 memo (a detailed explanation of how the estimated costs identified in the Order were calculated) should be made available to the public.

ADOPT AN ORDER TO SET THE PUBLIC HEARING FOR THE WATER DISTRICT EXPANSION AND NEW WATER TOWER FOR FEBRUARY 15 AT 6:00.

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.

AUTHORIZE MAILING TO WATER DISTRICT MEMBERS

Councilman Euvrard said that the water committee had requested that the 300 members of the water district be given a mailed notification of the Public Hearing on the water district expansion and the new water tower. Councilwoman Doyle suggested that the Supervisor review the mailing before it went out and that the mailing include information about the submission of written comments.

AUTHORIZE MAILING TO WATER DISTRICT MEMBERS ABOUT THE PUBLIC HEARING

MOTION: C/Euvrard
SECOND: S/Reagon
ROLL CALL: C/Perotti - AYE C/Doyle - AYE
C/Euvrard - AYE C/Russell - AYE
S/Reagon - AYE
MOTION CARRIED 5 to 0.

APPOINT CPIC SECRETARY

Supervisor Reagon moved to appoint Lisa M. Cope as CPIC secretary and substitute secretary for Planning Board and ZBA. Lisa Cope currently works for the Town of North East Planning and Zoning.

APPOINT LISA M. COPE AS CPIC SECRETARY AND SUBSTITUTE SECRETARY FOR PLANNING BOARD AND ZBA

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.

APPOINT BACK-UP SUBSTITUTE SECRETARY

Supervisor Reagon moved to appoint Tina Powell-Weidig as substitute secretary for CPIC and back-up substitute secretary for Planning Board and ZBA.

APPOINT TINA POWELL-WEIDIG AS BACK-UP SUBSTITUTE SECRETARY FOR CPIC, PLANNING BOARD, AND ZBA

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.

TOWN HALL RENTAL, TRANSFER FUNDS FOR PAYMENT

Supervisor Reagon reported that the Town has underpaid the rent on town hall offices since 2004. Although the contract with the Amenia Fire Company

stipulated an increase in rent, it was not implemented. As a result, back rent is due for the years 2004, 2005, and 2006. Furthermore, the 2007 rent is more than was budgeted for (\$22,000 budgeted, \$28,940 owed). Since the budget cannot be amended in January, Resolution # 2 of 2007 calls for the transfer of \$ 19,752 from Contingency (A00-01-1900-430) to Rental of Buildings (A00-01-1620-440).

2004 underpayment	\$ 3,000
2005 underpayment	\$ 4,250
2006 underpayment	\$ 5,562
2007 under-budgeted	<u>\$ 6,940</u>
	\$ 19,752

RESOLUTION # 2 OF 2007: TRANSFER FUNDS FOR RENTAL OF TOWN HALL ROOMS

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.

MECHANIC STREET SIDEWALK PROJECT

Attorney to the Town Michael Hayes explained the situation with the grant. The grant is being administered by the NYS Department of Parks who require that a town prove ownership of all land that will be used for a sidewalk. However, since this particular grant originated with Greenway and was just "inherited" by NYS Department of Parks, an exception may be possible. In fact, Yonkers had a similar grant application that they were able to work out without outright ownership by the Town of all the land.

The next step is for the Town to close on the purchase of two slivers of land from Judge Manning. After that, Michael Hayes will send an "opinion of title" letter to NYS Parks. Affidavits about the Mechanic Street sidewalks, how long they have been in use, etc. may be required. In response to a question from Councilman Euvrard, Councilwoman Doyle confirmed that \$100,000 had been budgeted for the project which will cost \$200,000 total. The Town has already paid Mark Morrison \$ 10,000 which included in-kind service.

Brad Barkley of the Dutchess County Department of Public Works suggested a 33-foot right-of-way needed to get the sidewalk up to the rail trail. It is this last piece of property that the Town does not officially own.

GRANTS UPDATE

- Dance Program: Councilwoman Doyle noted that the final report for the dance program had been done. A DVD of the final dance performance will be made available to parents as soon as some technical difficulties are overcome.
- Access to natural areas: Supervisor Reagon reported that Kimberlea Rea had located a DEC grant (up to \$15,000) to make natural areas more accessible. Perhaps this can be used at the site of the Old Amenia Landfill, after cleanup.
- CDBG (Community Development Block Grant): Although the Town has verbal approval for the Lake Amenia Road Bridge project, nothing in writing has been received.

LAKE AMENIA ROAD BRIDGE PROJECT

Supervisor Reagon read a letter from Highway Superintendent Stan Whitehead stating that price quotes had been requested for the Lake Amenia Road bridge

project from four different engineering firms. Since there is no urgency, the Town Board will wait until the quotes come in to decide, rather than authorizing the Highway Superintendent to select an engineer.

COMMITTEE REPORTS:

ENHANCEMENT COMMITTEE

Councilwoman Doyle outlined the 2007 projects:

- April 14 Cleanup Downtown Amenia Day, in partnership with CAC and the World Peace Prayer Society who have a truck which can be used to pick up trash.
- Dumping Ordinance. Certain spots in Town are notorious dumping sites. Without an ordinance, we cannot post "no dumping" signs nor can we impose fines. The committee may pursue an ordinance.
- Planting Day - Saturday of Memorial Day weekend.
- July Garden Tour.
- Fall planting of bulbs.
- December: small Christmas trees in barrels, priced at \$ 5 per tree this year.
- Borden Park trees and plantings.
- Mechanic Street trees.
- Lower Powderhouse parking lot. There is a list of things that needs to be done to make this parking lot usable and accessible from the rail trail. The Highway Department needs to work with engineers to get a design, although Stan Whitehead thinks the rail trail ramp can be built using current highway budget funds. It would be ideal to have this parking lot ready for the summer rail trail users.

OUTDOOR WOODBURNING FURNACE COMMITTEE

Councilman Russell announced that the first meeting of this group is scheduled for Wednesday January 24 at 6:00 at town hall. Information packets have been sent to everyone who expressed an interest in joining the committee, although committee meetings are open to the public.

CONSERVATION ADVISORY COUNCIL (CAC)

CAC is involved in:

- Hudsonia biodiversity maps have been examined.
- New members are sought.
- Spring cleanup planned (with Enhancement Committee)
- CPIC meeting on February 3 will be attended.
- Conservation Advisory Council will look into becoming a Board with increased responsibilities and authority.

HUDSONIA MAPS

Supervisor Reagon has investigated the cost for preserving the four large Hudsonia maps that the Town has been given. The cost to laminate with foam core backing would be about \$138 per map, plus \$75 shipping (total for all 4 maps). David Reagon has volunteered to make a wooden frame for the habitat map. Councilwoman Doyle suggested that the money for this could come from the Supplies budget line.

AUTHORIZE LAMINATION AND FOAM CORE FOR 4 HUDSONIA MAPS

MOTION: C/Doyle
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.

COMPREHENSIVE PLAN REPORT

Supervisor Reagon said that 50 copies of this draft plan have been received from AKRF consultants which they recommend we sell for \$25 each. Copies will be available at the Library and the Town Clerk office for the public to review, in preparation for the February 3 public meeting at 9:00 a.m. at the Amenia Elementary School.

Councilman Euvrard noted that page 15 of the report called for the closure of the Wassaic Development Center which currently employs 500 people. He questioned if it is appropriate for a town to make such a statement.

INTERNET SAFETY

- Monday, January 22 at 6:30: Internet Safety presentation at Eugene Brooks Middle School.
- Thursday, January 25 at 7:00: brainstorming session at the United Presbyterian Church in Amenia.

WATER DEPARTMENT

Gary Bonds reported:

- Working with Mike Haggerty on archives grant.
- Water committee has met and has concerns about the expansion of the water district.
- Existing water tank was painted on the inside in 1999 at a cost of \$17,000. Lead paint is used in the tank. Lead and copper testing is done in ten locations of the town every few years.
- Well #1 (the troubled well) has been producing about 20 gallons a minute (formerly 60 gallons a minute). This well will provide a good back-up to the other wells.
- Total output from all four wells is 108 gallons a minute or 28,000 gallons a day.

PUBLIC ACCESS (CHANNEL 22)

Gary Bonds reported:

- Smithfield is now getting Channel 22 Cablevision. Supervisor Reagon welcomed the Smithfield viewers. Eight miles of new wire have been installed this year.
- In negotiations with Cablevision for a new franchise agreement since the current one expires in November 2007. Gary Bonds is also doing a needs assessment with Marshall Miles to try to get some decent equipment as part of the new agreement.

TOWN CLERK REPORT

Town Clerk Gail Hermosilla gave the attached report.

MINUTES

Councilman Euvrard complained that the minutes of the Town Board meeting of November 3, 2006 were too brief. Supervisor Reagon pointed out that this was

a special budget meeting and that the budget document served as the detailed record of the results of the meeting. To fully document all the discussion leading up to the budget might be misleading and a source of controversy. Councilwoman Doyle suggested that the budget could be attached to the minutes to provide the detail. She also praised the Town Board Minutes Approval Chart which the Town Clerk keeps as a record of the status of the minutes of each of the many Town Board meetings.

Councilman Euvrard also voiced his displeasure that the November 3, 2006 draft minutes were printed double-sided creating a risk that someone would miss the second page if they didn't turn the paper over. Councilwoman Doyle noted that the front page clearly stated "page 1 of 2" so there should be no confusion. Town Clerk Gail Hermosilla stated that it was the policy of the Town Clerk office to use double-sided printing wherever possible to save paper. Councilwoman Doyle added that this also saved taxpayer money. After some discussion, the following minutes were approved:

APPROVE MINUTES OF JANUARY 4, 2007 REORGANIZATION MEETING

MOTION: C/Doyle
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.

APPROVE MINUTES OF OCTOBER 5, 2006 MEETING

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.

APPROVE MINUTES OF NOVEMBER 3, 2006 MEETING

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

EMERGENCY SERVICES

Supervisor Reagon announced that a meeting has been set for Monday February 5 at 1:00 with several local communities including Millerton, Millbrook, and North East to discuss emergency services. Jill Way of Dover will send a copy of the RFP used for emergency services.

"EXECUTIVE SESSION" FOR ZONING BOARD

Councilman Euvrard noted that the Zoning Board minutes stated that they went into "executive session". This is not the correct term and should be replaced by something like "deliberation" meaning that the Board will no longer accept public comment.

PUBLIC COMMENTS

- Betty Rooney observed that Councilman Euvrard was quoted in the weekly paper saying that if someone were not a member of Imagine Amenia they were almost an outcast in this town. The comment was made in reference to the Town Board's appointment of Nina Peek and Leo Blackman to the Planning Board and ZBA respectively. Betty Rooney pointed out that Nina Peek was new in town and could not have been involved with Imagine Amenia. Although the incumbents (Eliot Soroka and Katie Loughlin) deserve credit, when someone with credentials comes along, they should be considered. Experience does not count for everything and good attendance is not a sufficient criterion to stay on a board.
- Susan Gregory praised Town Clerk Gail Herмосilla for doing a great job. Two administrations ago, Susan Gregory dealt with a prior town clerk to get minutes but never got any.
- Myrnie Hoanzl had concerns about the revaluation notices that were recently sent out from the assessor's office. [these concerns had also been expressed in writing to the Supervisor.] The street she lives on (O'Handley Drive) has only 11 homes and yet there were more than a dozen errors on the revaluation notices. Attempts to get her questions answered by the assessor were unsuccessful. If she cannot get the papers and information she needs, how can she be prepared for Grievance Day? The possibility of an apartment in her basement seems to be an issue for the assessor, although she noted that no such apartment exists and there is no CO (Certificate of Occupancy) on the lower level of the house.

INTERNAL AUDITS

The annual internal audits of Town offices are due January 20, 2007, a Saturday. The audit of the Town Clerk office will be done by Councilmen Russell and Doyle on Monday January 22 at 8:00 a.m.

ADJOURN

The motion to adjourn was unanimous at 9:10 p.m.

Respectfully submitted,

Gail Herмосilla,
Amenia Town Clerk

Approved by Town Board: 2-15-07
Draft to Town Board: 1-26-07

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Town Clerk Monthly Status Report for December 2006
Presented January 18, 2007

Regular Monthly Activity:

Legal notices:

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

Transfer Station:

Transfer station permits 31
Bulk permits 16
Coupon books 128

Licenses sold:

Bingo/games of chance 0
Dog 2
Hunting/fishing 0

Permits issued:

Burning	30	Fireworks	0
Handicap Parking	15	Gathering	0
Peddler	0	Junkyard	0
Trailer park	3		

Vital Statistics:

Marriage licenses	1	Birth certificate copies	0
Marriage certified copies	1		
Death certificates copies	20		

Miscellaneous:

FOILS received 0
Zoning books sold 2
Photocopies, misc. 5

As a result of this activity, we gave the Supervisor \$ 4,703.40 for last month.

Tax Collector

This past Tuesday (January 16), the property tax bills were mailed out. If you have a tax escrow account on your home, then the bill was mailed to your financial institution. If you do not have an escrow account and pay your taxes yourself, then the bill should have been sent to you. If you have not received a property tax bill that you were expecting, please call the Town Clerk office at 373-8118 ext. 100.

Scott Beyer has installed the new version of our tax software and we are now able to process tax payments.

Trailer Park

Letters have gone out to the owners of trailer parks for their annual permits.

Dibbles and bulbs

If you have borrowed a "dibble" for planting the bulbs, please return it as soon as possible. These dibbles belong to the Garden Club and may be needed for next year's planting!

Thank you,

Gail Hermosilla, Town Clerk

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