

REGULAR TOWN BOARD MEETING
TOWN HALL
March 15, 2007 - 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	Present
Councilman Russell	Present
Supervisor Reagon	Present

OPEN PUBLIC HEARING ON WATER DISTRICT EXPANSION AND NEW WATER TOWER

Supervisor Reagon moved to open the Public Hearing:

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.

PUBLIC HEARING COMMENTS

Supervisor Reagon announced that there was no new information on the status of well 4A, so there was no need to continue the Public Hearing at this time. However, written comments will continue to be accepted.

Pat Nelligan asked why the Town Board had started the process if all the information was not available. Supervisor Reagon responded that the Board thought the missing information would be forthcoming shortly. Pat Nelligan noted that originally well 4A was supposed to be a replacement for failing well #1 and for the use of the current water district, not the proposed expanded district. To expand the district, you should expand the water supply first.

ADJOURN THE PUBLIC HEARING

There being no further public comment, it was moved to adjourn the Public Hearing until April 19 at 6:00:

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.

OPEN THE TOWN BOARD MEETING

Supervisor Reagon moved to open the regular Town Board 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.

SUPERVISOR STATEMENT

Supervisor Reagon read a prepared statement concerning public comment related to the draft Comprehensive Plan. Since 2004, the CPIC committee has held over 150 meetings all of which were open to the public. Additionally, five public information sessions were held. The Town Board will do the SEQR process for both the Comprehensive Plan and the Zoning Laws, which includes more public comment opportunities. Written comments will be accepted until the May timeframe.

When public comment on these plans are heard, speakers will observe a 3-minute time limit with each speaker given only one chance to speak at a particular meeting. There will not be a repeat of the disorderly conduct exhibited at last week's Town Board business meeting. The audience must remain respectful. Speakers will be asked to refer to a page number and line number when making comments, to facilitate the public following along. Public comments are always welcome but order must be maintained.

PUBLIC COMMENTS - AGENDA ITEMS ONLY

- Stephen Perotti, Lone Pine Farm, across from Freshtown:
 - a. Did the Town accept \$5,000 from Mr. Levin after his property was re-zoned? No, the committee did not give Mr. Levin the proposed rezoning that he had requested; his property got rezoned as RA. All gifts to the Town must be unrestricted. The \$5,000 was used to underwrite the publication of the draft Comprehensive Plan and Zoning ordinances, allowing the public to purchase these documents for only five dollars, much less than the publication costs.
 - b. Did the Supervisor improperly write a letter to the Governor? Supervisor Reagon replied that a February 7 letter to the Governor was given to all Town Board members, none of whom voiced an objection at the time, including Councilman Euvrard. Nor was any objection voiced by the state lawmakers representing Amenia, Assemblyman Molinaro and Senator Leibell.
 - c. Was Freshtown Plaza adjacent property rezoned? No.
 - d. My family owns 18 acres across from Freshtown that we want rezoned to commercial.

- Frankie O'Connell reminded the Town Board that they had promised to hire a planner. The draft Comprehensive Plan should not be accepted at this time.

- Glenn Caldarelli mentioned a March 12 letter that attack the Taconic DDSO and the unionized work force there. Supervisor Reagon replied that the Town Board cannot control what an individual writes.

- Tim Osborne said that the Imagine Amenia website makes reference to sexual predators and DDSO. There is no plan to bring inmates to DDSO.

- Tara Osborne expressed her frustration that the CPIC committee did not show more compassion for the DDSO disabled population (in the January draft of the Comprehensive Plan). The DDSO buildings referred to in the draft are on Alan Shope's property and are not used by the DDSO.
- Pat Nelligan pointed out that the intention to declare lead agency status on the water district expansion was already voted on in October 2006. However, the notices of intent were not circulated at that time. On the issue of the Comprehensive Plan, Pat Nelligan asked the Town Board how they could accept a plan they had just received. He asked that they postpone the vote to accept.
- Stephen Bracey expressed concern that the room for the March 22 meeting on the draft Comprehensive Plan may not be large enough to accommodate all the citizens who wish to speak.

ETHICAL QUESTION OF TOWN BOARD MEMBERS VOTING TO ACCEPT COMPREHENSIVE PLAN

Attorney to the Town Michael Hayes observed:

- Is the conflict of interest actual or is there an "appearance" of conflict?
- Can some benefit accrue to the Town Board member or family?
- Once a question of conflict of interest is raised, the process allows three options:
 1. the Town Board member can recuse him/herself;
 2. the Town Board member can decline to recuse;
 3. the matter can be referred to the town ethics committee either (a) by the officer; or (b) by the Town Board.
- If a referral to the town ethics committee is made, who will be their counsel? Can Michael Hayes do it or does the Town Board require an outside advisor so the public will have sufficient trust in the process and outcome?
- Councilwoman Doyle added that the county ethics board can be consulted if no local ethics committee exists.

LEAD AGENCY FOR WATER DISTRICT EXPANSION AND NEW WATER TOWER

Michael Hayes clarified the situation concerning lead agency status. In fall 2006 the Town Board voted their intent to be lead agency for the new water tower, but not the water district expansion. Also, the "notice of intent" was never circulated. The EAF (Environmental Assessment Form) and full documentation must be sent out with the "notice of intent".

DECLARE INTENT TO BE LEAD AGENCY FOR THE WATER DISTRICT EXPANSION AND NEW WATER TOWER.

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

CIRCULATE NOTICES OF INTENT TO BE LEAD AGENCY FOR THE WATER DISTRICT EXPANSION AND NEW WATER TOWER.

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.

COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE (CPIC) REPORT

Mark Doyle CPIC chair reported:

- The Master Plan Committee started in 2002 under Harry Clark, followed by the Comprehensive Plan Implementation Committee in 2004.
- Joel Russell was hired as a consultant for the Master Plan and the revised zoning law which is appended to the Comprehensive Plan Update.
- AKRF was hired to help document the SEQR process.
- Public comment has driven the prioritization of issues.
- Maps: all members worked on the maps and followed the action amendments to the Master Plan. Digital maps were done by D.C. Planning.
- Zoning map changes were done by CPIC according to a formula. Requests for development rights were weighed against cultural and environmental concerns.
- One error on the map is that the small Sartori property north of Freshtown should be zoned highway commercial.
- Zoning on the east side of Route 22 across from Freshtown has not been changed.
- Recent issues needing resolution include:
 - a. Hamlet-wide development plan may include both sides of Route 22 up to Mygatt Road. Infrastructure would be needed.
 - b. Zoning book page 17 says that TND (Traditional Neighborhood Design) may be created.
- Taconic DDSO: the language has been changed in the March draft Comprehensive Plan Update to ask for state cooperation and not to have inmates housed there. The idea of the DDSO closure (mentioned in the January 2007 version of the draft) came from a 1990's state plan to eventually close the DDSO. CPIC members believed that the closure plan was still accurate and valid. Civil confinement was also mentioned in several Poughkeepsie Journal articles. This regrettable misunderstanding will hopefully be avoided in the future with better communication.

Mark Doyle then officially turned the March 2007 draft Comprehensive Plan over to the Town Board "with pride". Thanks were expressed to town hall staff, AKRF, and Joel Russell among others for their contributions.

MARK DOYLE STATEMENT

Mark Doyle took the opportunity to respond to public statements made against him and his family. Since coming to Stanfordville in 1989, Mark has served as President of the Farm Bureau, member of the Cornell Cooperative Extension, member of the Amenia Chamber of Commerce, among other service positions. In 1991 Mark moved to Wassaic to become director of Listening Rock

Farm. In 2004 the farm venture ceased and Mark was dismissed by owner Alan Shope. Alan Shope has stated his opposition to the draft Comprehensive Plan and Ten Mill River transit hub. Any implication that Mark or his family have benefited by his involvement in the CPIC process is unreasonable and untrue.

ACCEPT CPIC REPORT

Supervisor Reagon stated that the new March 2007 draft Comprehensive Plan would be put on the town website; a few copies will be available in town hall for residents to make copies of pages of interest. There will be no mass printing of this version since the Town Board may make changes. If CPIC committee members could attend the Town Board meetings where the draft is discussed, it would be very helpful to get answers and clarifications immediately.

The next meeting to discuss the draft will be a Special Town Board meeting on Thursday March 22 at 7:00. The location may be the Wassaic firehouse since it seats 150 people.

ACCEPT MARCH 2007 DRAFT COMPREHENSIVE PLAN AND ZONING LAWS FROM CPIC

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

APPOINT RECREATION DIRECTOR

Supervisor Reagon explained that the Recreation Commission had suggested that the job duties of Recreation Director be divided into two positions, with no increase in the total salary line. Dutchess County has approved the job description for the new position of recreation maintenance mechanic.

APPOINT KATHLEEN KELLY AS RECREATION DIRECTOR

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.

ACCEPT RESIGNATION OF KEN POMEISL

Supervisor Reagon read the letter from Ken Pomeisl resigning from Recreation Director, and moved to accept the letter with regret and appreciation:

ACCEPT RESIGNATION OF KEN POMEISL WITH REGRET AND APPRECIATION

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.

APPOINT RECREATION MAINTENANCE MECHANIC

Councilwoman Doyle related a conversation with Pete Clair (Rec Commission chair) urging the Town Board to retain Ken Pomeisl in the new position of rec

maintenance mechanic. Ken is available during the day and works very well with Stan Whitehead Highway Superintendent. To replace him would be "just plain wrong." Furthermore, Ken has used money from his salary line to purchase extra supplies and fertilizer.

Councilman Euvrard noted that the Recreation Commission had voted 4 to 3 for another candidate, Chris Klingner. Councilman Euvrard asked why we have a Rec Commission if we do not follow their advice. Councilwoman Perotti agreed, adding that the Rec Commission had considered "being available when required" when they made their decision. Councilwoman Doyle pointed out that Ken Pomeisl reports to the Town Board not the Rec Commission. The Rec Commission is an advisory body and is not elected.

APPOINT KEN POMEISL AS RECREATION MAINTENANCE MECHANIC

MOTION: C/Doyle
 SECOND: C/Russell
 ROLL CALL: C/Perotti - NO C/Doyle - AYE
 C/Euvrard - NO C/Russell - AYE
 S/Reagon - AYE
 MOTION CARRIED 3 to 2.

ADVERTISE SUMMER RECREATION JOBS, REC COMMISSION POSITION

Supervisor Reagon indicated that we need to advertise for the summer rec positions: water safety instructor (WSI), assistant summer camp director, and summer camp nurse. These positions must be filled and the Board of Health notified by the end of April. The application deadline will be April 6 with appointments made by April 19. At the same time, we should advertise for the position of Recreation Commission member as Pete Clair's term is expiring in May 2007.

ADVERTISE SUMMER RECREATION JOBS, REC COMMISSION POSITION

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.

NEW BINGO EQUIPMENT, AUTHORIZE PURCHASE

Supervisor Reagon noted that the portable bingo machine used by the senior citizens needs to be replaced:

NEW BINGO EQUIPMENT, AUTHORIZE PURCHASE FOR MAXIMUM OF \$100 PLUS SHIPPING AND HANDLING

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.

OFFICE OF CHILDREN AND FAMILY SERVICES (OCFS)

Supervisor Reagon read Resolution #8 of 2007 authorizing the Supervisor to accept funds from OCFS for the 2007 recreation program:

RESOLUTION # 8 OF 2007: AUTHORIZE SUPERVISOR TO ACCEPT FUNDS FROM OCFS
 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.

CHIPS FUNDING

Supervisor Reagon announced that the highway department had received \$42,607 in CHIPS (Consolidated Highway Improvement Program) funding.

GRANTS UPDATE

Grant writer Michael Hagerty reported on several grants:

- Quality Communities grant has been sent in.
- Mechanic Street sidewalks grant contract is almost ready for Supervisor's signature. Full metes and bounds is not required for existing sidewalks, but merely a letter of explanation. The RFP for the work will be publicly advertised.
- Foundation for Community Health grant may be submitted for defibrillators.
- Coming attractions:
 - a. May - June - NYS Parks grant.
 - b. Transportation Enhancement Program; extend the rail trail to Wassaic; 20% match.
 - c. Greenway grant.
 - d. Oct. - Nov. - Quality Communities grant, available every year.

HUDSON HIGHLANDS

Supervisor Reagon mentioned that she was working with the towns of Dover and North East because all three of us had been omitted from the Hudson Highlands designation, which would enable us to apply for federal funding. In response to a question from Councilman Euvrard about whether the Greenway grant could be used for zoning expenses, Councilwoman Doyle replied that the Town needs to finish our current \$10,000 grant with Greenway before we can apply for another one.

TOWN WEBSITE

Supervisor Reagon reported that the town website is running out of memory. Computer consultant Randy Gibbs has suggested we do something different to get more functionality, better email, etc. for the same price.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

Supervisor Reagon read the proposed Equal Employment Opportunity Policy statement:

ACCEPT THE EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

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.

DEPARTMENT REPORTS:

HIGHWAY DEPARTMENT

Supervisor Reagon read the Highway Department Activity Report from Stan Whitehead:

- Amenia Lake Road bridge project will start the engineering stage soon.
- Dangerous intersection of Route 343 and Yellow City Road - Assemblyman Marc Molinaro has looked at this, as well as the issue of snow removal on state roads in our business district.
- Rail Trail parking lot at Lower Powderhouse - there may be wetland issues in installing the ramp from the rail trail to the parking lot.

ZONING ADMINISTRATOR

Nancy Brusie announced that her office hours are from 1:00 to 3:00 Monday through Thursday, with inspections done from 3:00 to 5:00.

TOWN CLERK REPORT

Town Clerk Gail Hermosilla gave the attached status report.

TOWN BOARD COMMENTS

- Supervisor Reagon reported that Donna Mills had spoken to town employees about a possible dental plan which would be paid by payroll deduction with no cost to the Town.
- Councilwoman Doyle reminded everyone of Town Clean-up day on Saturday April 14. This will include a one-day amnesty for all transfer station permit holders to get rid of any bulk items they may have without paying the usual bulk permit fee. The transfer station will stay open until 3:00 that day. Anyone wishing to volunteer for the town clean-up should meet at town hall at 10:00.
- Councilman Euvrard reported that last week the bookkeeper had complained to him that the assistant bookkeeper had not been helpful. Supervisor Reagon responded that just today the bookkeeper had come to her and praised the assistant bookkeeper's performance as they were able to complete one-and-a-half day's worth of bills in just half a day, working together. The bookkeeper was quite pleased about this.
- Councilman Euvrard reported on a conversation he had at the Association of Towns meeting with Vince of Enhanced Systems. The Town paid \$7500 for that software but has not been able to use it.

PUBLIC COMMENTS

- Dawn Klingner questioned why the Town Board had not followed the recommendation of the Recreation Commission in appointing the Recreation Maintenance Mechanic.
- Tom Werner observed that the Recreation Master Plan is not being followed. In response to his question about the difference between a commission and a committee, Michael Hayes said that the recommendations of both are non-binding.
- Sally Leafé asked the cost of a transfer station permit. \$50 annual fee.

- Myrnie Hoanzl repeated her request (made several times over the last year) that MJW revaluation consultants put the information on the computer. Supervisor Reagon said that she would call MJW tomorrow.
- Pat Nelligan wondered why the "involved agencies" were not listed on the Declaration of Intent to be Lead Agency for the water district expansion and the new water tank. Michael Hayes replied that the involved agencies were listed on the EAF (Environmental Assessment Form). Pat asked if the Dutchess County Water and Wastewater Agency was an involved agency or an interested agency.

ADJOURN TO EXECUTIVE SESSION

At 9:15 p.m. Supervisor Reagon moved that the Board go into executive session to discuss matters pertaining to possible litigation in two cases:

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

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.

AMENIA BALLFIELD CONCESSION STAND LEASE

Supervisor Reagon moved to authorize the Town Clerk to advertise for the lease to the concession stand at the Amenia ballfield at Beekman Park:

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.

ADJOURN

The motion to adjourn was unanimous.

Respectfully submitted,

Gail Hermosilla,
 Amenia Town Clerk

Approved by Town Board: 4/19/07
 Draft to Town Board: 3/19/07. email to all; paper copy to C/Euvrard.

Town Clerk Monthly Status Report for February 2007
Presented at Town Board meeting in March 2007

Regular Monthly Activity:

Legal notices:			
Public Hearing	1		
Bids/job openings			
Transfer Station:			
Transfer station permits	12		
Bulk permits	7		
Coupon books	140		
Licenses sold:			
Bingo/games of chance	0		
Dog	14		
Hunting/fishing	0		
Permits issued:			
Burning	12	Fireworks	0
Handicap Parking	6	Gathering	0
Peddler	0	Junkyard	0
Trailer park	0		
Vital Statistics:			
Marriage licenses	0	Birth certificate copies	0
Marriage certified copies	0		
Death certificates copies	14		
Miscellaneous:			
FOILS received	4		
Zoning books sold	78		
Photocopies, misc.	22		

As a result of this activity, we gave the Supervisor \$ 3,897.11 for last month.

Tax Collector

To date, we have collected \$ 2,461,396.85 in taxes. 1,553 tax bills have been paid which means that about 250 bills are still outstanding. Payment made by the end of March will incur only a 2% penalty. After that, additional penalties apply.

Thank you,
Gail Hermosilla, Town Clerk

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C:\Town Board\minutes\2007-03-15 PH water dist.doc, 4/19/07

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