

TOWN OF AMENIA
Public Hearings and Regular Board Meeting
Thursday, August 21, 2008
Amenia Town Hall

Supervisor Euvrard called **Public Hearings** to order at 7:00 pm.

Salute to the flag was conducted.

Emergency Exits at right of town board meeting table and at rear of meeting room.

PRESENT: Councilman Pelkey
Councilwoman Perotti
Councilman Cayea
Councilwoman Doyle
Supervisor Euvrard

**PUBLIC HEARING for LOCAL LAW NO. 1 -Amending Chapter 109 Taxation, Article II
Veterans Exemption Increase**

Supervisor Euvrard read notice of public hearing on Proposed Local Law No. 1 of 2008, Amending Chapter 109 (Taxation), Article II (Veterans Exemption) of the Code of the Town of Amenia, by increasing the maximum amount of the alternative veterans exemptions available pursuant to Section 485A of the Real Property Tax Law.

NO PUBLIC COMMENT

MOTION by Supervisor Euvrard, SECONDED by Councilman Cayea to**CLOSE** Public Hearing for **Proposed Local Law No. 1** at 7:02pm.

ROLL:	Councilman Pelkey	Aye
	Councilwoman Doyle	Aye
	Councilman Cayea	Aye
	Councilwoman Perotti	Aye
	Supervisor Euvrard	Aye

MOTION CARRIED

**PUBLIC HEARING for LOCAL LAW NO. 2-Amending Chapter 109 Taxation, Article II
Veterans Exemption Add Cold War veterans**

Supervisor Euvrard read notice of public hearing on Proposed Local Law No. 2 of 2008, Amending Chapter 109 (Taxation), Article II (Veterans Exemption) of the Code of the Town of Amenia, by adding a section providing Cold War veterans with the real property tax exemption authorized by Section 485A of the Real Property Tax Law.

NO PUBLIC COMMENT

Town of Amenia August 21, 2008 Page 1 of 11

MOTION by Supervisor Euvrard, SECONDED by Councilwoman Perotti to**CLOSE** Public Hearing

for **Proposed Local Law No. 2** at 7:04pm.

ROLL:	Councilman Pelkey	Aye
	Councilwoman Perotti	Aye
	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Supervisor Euvrard	Aye

MOTION CARRIED

PUBLIC HEARING for LOCAL LAW NO. 3– Amending Chapter 109 Taxation, Article III Business Investment Exemption

Supervisor Euvrard read notice of public hearing on Proposed Local Law No. 3 of 2008, Amending the Town of Amenia Town Code by Amending Chapter 109 (Taxation), Article III, “Business Investment Exemption”, by adding a new Section 109-7, “Industrial and Commercial Incentive Board”.

PUBLIC COMMENT

Darlene Reimer was interested in time frame of establishing the Board. Supervisor Euvrard stated that the Town of Amenia is requesting volunteers for a five-member board through a press release in the Millerton News.

MOTION by Supervisor Euvrard, SECONDED by Councilman Pelkey to**CLOSE** Public Hearing for **Proposed Local Law No. 3** at 7:09pm.

ROLL:	Councilwoman Perotti	Aye
	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Councilman Pelkey	Aye
	Supervisor Euvrard	Aye

Supervisor Euvrard called the **Regular Board Meeting** to order at 7:10 pm.

ROLL:	Councilwoman Perotti	Aye
	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Councilman Pelkey	Aye
	Supervisor Euvrard	Aye

NO PUBLIC COMMENTS

**RESOLUTION #25 of 2008 – Local Law No. 1 – Amending Chapter 109, Taxation Article II
Veterans Exemption Increase**

Supervisor Wayne Euvrard, seconded by Councilwoman Perotti, introduced the following local law, to be known as Local Law No. 1 of 2008, entitled “A Local Law of Amending Chapter 109 (Taxation) Article II (Veterans Exemption) of the Code of the Town of Amenia, by increasing the maximum amount of the alternative veterans exemptions available pursuant to section 458-a of the Real Property Tax Law.”

BE IT ENACTED by the Town Board of the Town of Amenia as follows:

Section 1. Chapter 109, “Taxation”, Article II, “Veterans Exemption” is amended to read as follows:

1. Effective as of the tentative roll for 2009, the maximum alternative veterans exemptions permitted by section 458-a of the Real Property Tax Law are hereby increased as follows:

- (a) The maximum exemption permitted by section 458-a (2) (a) is hereby increased to \$27,000.
- (b) The maximum exemption permitted by section 458-a (2) (b) is hereby increased to \$18,000.
- (c) The maximum exemption permitted by section 458-a (2) (c) is hereby increased to \$90,000.

Section 2. The local law shall take effect immediately upon filing with this state’s Secretary of State.

The foregoing resolution was voted upon with all councilmen voting as follows:
ADOPTED VOTE:

ROLL:	Supervisor Euvrard	Aye
	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Councilman Pelkey	Aye
	Councilwoman Perotti	Aye

**RESOLUTION #26 of 2008 – Local Law No. 2 – Amending Chapter 109, Taxation Article II
Veterans Exemption Add Cold War veterans**

Supervisor Wayne Euvrard, seconded by Councilman Cayea, introduced the following local law, to be known as Local Law No. 2 of 2008, entitled “A Local Law Amending Chapter 109 (Taxation), Article II (Veterans Exemption) of the Code of the Town of Amenia, by adding a section providing Cold War veterans with the real property tax exemption authorized by section 458-a of the Real Property Tax Law.”

BE IT ENACTED by the Town Board of the Town of Amenia as follows:

Section 1. Chapter 109, “Taxation” Article II, “Veterans Exemption” is amended by adding the following:

2. Effective as of the tentative roll for 2009, the Cold War veterans exemption from real property taxes that is allowed pursuant to section 458-b of the Real Property Tax Law is established in the Town of Amenia as follows:

(a) Qualifying residential property eligible for an exemption pursuant to section 458-b (2) (a) of the Real Property Tax Law shall be entitled to receive an exemption of fifteen percent (15%) of the assessed value of such property; provided however that such exemption shall not exceed \$12,000, or the product of \$12,000 multiplied by the latest state equalization rate for the Town of Amenia, whichever is less.

(b) Qualifying residential property that is eligible for the additional Cold War Veteran’s disability rating real property tax exemption authorized by section 458-b (2) (b) of the Real Property Tax Law shall be entitled to receive the full amount of that additional exemption.

Section 2. The local law shall take effect immediately upon filing with this state’s Secretary of State.

The foregoing resolution was voted upon with all councilmen voting as follows:
ADOPTED VOTE:

ROLL:	Supervisor Euvrard	Aye
	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Councilman Pelkey	Aye
	Councilwoman Perotti	Aye

Town of Amenia August 21, 2008 Page 4 of 11

**RESOLUTION #27 of 2008 - Local Law No. 3 - Amending Chapter 109, Taxation Article III
Business Investment Exemption**

Supervisor Wayne Euvrard, seconded by Councilwoman Doyle, introduced the following local law, to be known as Local Law No. 3 of 2008, entitled “A Local Law Amending the Town of Amenia

Town Code by Amending Chapter 109, "Taxation" Article III, "Business Investment Exemption", by Adding a New Section 109-7, "Industrial and Commercial Incentive Board".

BE IT ENACTED by the Town Board of the Town of Amenia as follows:

Section 1. Section 109-7 of the Town of Amenia Town Code is hereby added to read as follows:

Section 109-7. Industrial and Commercial Incentive Board.

(a) Purpose. This local law is enacted for the purpose of establishing an Industrial and Commercial Incentive Board pursuant to Real Property Tax Law section 485-(b). The Town Board has determined that this Article should be refined to insure that the Limited Business Investment Tax Credit is being offered only to those types of business located in geographic area that are consistent with the purpose of Real Property Tax Law section 485-b and with the Town's planning objectives. The Town Board has further determined that an Industrial and Commercial Incentive Board should be established and directed to present the Town Board with a plan identifying the types of business that should be offered the Limited Business Investment Tax Credit, and the geographic areas within the Town where the Limited Business Investment Tax Credit should be offered.

(b) Creation. The Town Board hereby creates the Industrial and Commercial Incentive Board. The Industrial and Commercial Incentive Board shall be comprised of five (5) members.

(c) Term. Members of the Industrial and Commercial Incentive Board shall serve at the pleasure of the Town Board. Members shall select their own Chairperson, and establish such administrative policies and procedures as shall be necessary to effectuate the purposes of Real Property Tax Law section 485-b and this Article.

(c) Powers. The Industrial and Commercial Incentive Board shall have all the powers and duties set forth in Real Property Tax Law section 485-b.

(d) Draft Plan. The Industrial and Commercial Incentive Board shall present the Town Board with a draft plan containing the information required by Real Property Tax Law section 485-b (9) (b), including without limitation recommendations as to the types of business that should be offered the Limited Business Investment Tax Credit, and recommendations as to the geographic areas within the Town where the Limited Business Investment Tax Credit should be offered.

(e) Final Plan. After consultation with the Town Board regarding the draft plan, the Industrial and Commercial Incentive Board shall make any revisions it deems appropriate to that plan before presenting the Town Board with a final plan complying with the provisions of Real Property Tax Law section 485-b (9) (b) and this Article.

Town of Amenia August 21, 2008 Page 5 of 11

RESOLUTION #27 of 2008 – Local Law No. 3 – Article III Business Investment Exemption(cont'd)

(f) Implementation. Upon receipt of the Final Plan, the Town Board may, but shall not be required to, adopt a local law implementing the recommendations contained in the Final Plan identifying the types of business that should be offered the Limited Business Investment Tax Credit, and the geographic areas within the Town where the Limited Business Investment Tax Credit should be offered.

(g) Amendments. The final plan shall be subject to periodic review as determined by the Town Board. Upon specific request of the Town Board, the Industrial and Commercial Incentive Board shall present the Town Board with a draft amended plan complying with the provisions of Real Property Tax Law

section 485-b (9) (b) and this Article.

Section 2. The local law shall take effect immediately upon filing with this states Secretary of State.

The foregoing resolution was voted upon with all councilmen voting as follows:
ADOPTED VOTE:

ROLL:	Supervisor Euvrard	Aye
	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Councilman Pelkey	Aye
	Councilwoman Perotti	Aye

DEPARTMENT REPORTS

Highway Department – Stanley Whitehead announced that bid specifications for box culverts for Tower Hill Road, Cascade Road, and Folan Road are completed.

MOTION by Supervisor Euvrard, SECONDED by Councilwoman Perotti, to AUTHORIZE the Highway Department to Advertise Bids for **box culverts** for **Tower Hill Road, Cascade Road,** and **Folan Road** to be received by September 10, 2008. Bid opening will be at 10:30am on September 10, 2008, with award of bid at September 11, 2008 Business Workshop Meeting.

ROLL:	Councilwoman Doyle	Aye
	Councilman Cayea	Aye
	Councilwoman Perotti	Aye
	Councilman Pelkey	Aye
	Supervisor Euvrard	Aye

MOTION CARRIED

Town Clerk

Maureen Bonds reported meeting with Linda Bull, NYS Archives Regional Director, and Michael Hayes, Grant Writer. Town of Amenia will be re-applying for NYS Record Retention Grant for 2009; to be written by Town Clerk and Grant Writer.

Suggested update of town local laws to official General Code. Town Clerk's office is copying local laws from year 2000 to present, and has requested cost estimate from General Code to update these documents. Suggested that cost be considered in 2009 General Budget.

Town of Amenia August 21, 2008 Page 6 of 11

Town Clerk (cont'd)

Season **Hunting Licenses** are on sale at the Town Clerk's office. Season begins November 15, 2008.

Grants – Update

Michael Hagerty reviewed process for re-applying for **NYS Archives Record Retention Grant.**

Reviewed status of pending and completed grants.

Zoning Department

Nancy Brusie, Zoning Administrator, submitted letter to town board addressing issue of **Allen Sand & Gravel** operating a solid waste management facility. Since this use is not allowed under our current zoning code, a **notice of violation** will be issued immediately.

Michael Hayes, Town Attorney, will submit a document to the board for review to identify composting in agricultural use.

COMMITTEE REPORTS

Wastewater Committee

Darlene Reimer, Chair, presented outline drawing of **preliminary** conceptual boundaries of the **Wastewater System**; distributed and reviewed list of recommended steps for completion.

Michael Hayes, Town Attorney, will prepare a Resolution for Memorandum of Understanding (MOU) for all entities involved.

Ms. Reimer read letter of recommendation to Planning Board., addressing requirements by **applicants** as it pertains to Workforce Housing in the Wastewater Treatment System.

COMMENTS

Michael Dignacco, of Millbrook Ventures, reviewed his proposal submitted to the town board in May 2007, offering to build wastewater treatment plant, on one site, at their expense, in lieu of Workforce Housing. Mr.Dignacco stated that Silo Ridge is prepared to **withdraw** their commitment to provide wastewater capacity to the town if the Planning Board requires additional contributions in lieu of the Workforce Housing requirement

Wastewater Committee members, Brad Rebillard, Allison Hale, and Bill Carroll commented.

Recreation Committee

Tom Werner reported that Wassaic Farmer's Market has been very successful.

CAC

Elizabeth Whaley reported upcoming conference being held at Cary Institute in Millbrook.

Town of Amenia August 21, 2008 Page 7 of 11

MOWING CONTRACT – ATL Services

Discussion by town board regarding specific areas not mowed under this contract.

MOTION by Councilwoman Doyle that letter be written to **ATL Services** stating that he is non-compliant with written specifications.

Councilman Cayea and Councilwoman Perotti will review requirements and specifications under ATL Service contract. Supervisor Euvrard will contact ATL Services representative to review responsibilities under this contract.

MOTION **withdrawn** by Councilwoman Doyle to await report at next month's board meeting.

COMMITTEE VACANCIES

Conservation Advisory Council, Recreation Commission and Industrial and Commercial Incentive Board (ICIB). Interviews will be scheduled for September 2008.

**RESOLUTION #21 OF 2008
AUTHORIZATION OF APPLICATION FOR THE JUSTICE COURT ASSISTANCE PROGRAM.**

Supervisor Euvrard made the Motion, seconded by Councilman Cayea that was **ADOPTED – VOTE**

Councilwoman Doyle	Aye
Councilman Cayea	Aye
Councilwoman Perotti	Aye
Councilman Pelkey	Aye
Supervisor Euvrard	Aye

RESOLVED, that the Town of Amenia Town Board authorizes and supports the application for the Justice Court Assistance Program.

**RESOLUTION #22 OF 2008
AUTHORIZE TRANSFER OF FUNDS TO RECONCILE HIGHWAY SNOW REMOVAL LINE**

Supervisor Euvrard made the Motion, seconded by Councilman Cayea that was **ADOPTED - VOTE**

Councilwoman Doyle	Aye
Councilman Cayea	Aye
Councilwoman Perotti	Aye
Councilman Pelkey	Aye
Supervisor Euvrard	Aye

RESOLVED, that the Amenia Town Board authorize a transfer of \$10,000 from DA0-04-5110-400 (General Repairs) to DA0-04-5142-400 (Snow Removal Line).

Town of Amenia August 21, 2008 Page 8 of 11

**RESOLUTION #23 OF 2008
AUTHORIZE TRANSFER OF FUNDS TO RECONCILE GENERAL FUND LINES**

Councilwoman Perotti introduced the Resolution, seconded by Councilman Cayea;

WHEREAS, Line A000-89-060800 (Medical Insurance) and A000-11-310400 (Account Support) incurred unanticipated expense; and

WHEREAS, the Town Board has the authority to transfer funds when necessary; and

WHEREAS, Line A000-89-060800 (Medical Insurance) requires \$3,800 and Line A000-11-310400 (Account Support) requires \$2,005; and

RESOLVED, that the Amenia Town Board authorize a transfer of \$5,805 from A00-01-1900-430 (Contingency) to increase said Lines as noted.

ADOPTED - VOTE

:	Councilwoman Doyle	Aye
	Councilman Cayea	Aye
	Councilwoman Perotti	Aye
	Councilman Pelkey	Aye
	Supervisor Euvrard	Aye

**RESOLUTION #24 OF 2008
AUTHORIZE REQUEST FOR SPEED LIMIT STUDY**

Supervisor Euvrard made the Motion, seconded by Councilman Pelkey that was

ADOPTED-VOTE

	Councilwoman Doyle	Aye
	Councilman Cayea	Aye
	Councilwoman Perotti	Aye
	Councilman Pelkey	Aye
	Supervisor Euvrard	Aye

RESOLVED, that the Town of Amenia will request the Department of Transportation, pursuant to Section 1622.2 of the Vehicle and Traffic Law, to establish an area speed restriction of 30 miles per hour on Lake Amenia Road, West Lake Amenia Road, Cascade Mountain Road, Flint Hill Road, and Huckleberry Road.

Town of Amenia August 21, 2008 Page 9 of 11

**RESOLUTION #28 OF 2008
AUTHORIZE THE TOWN BOARD TO ADOPT A WORKFORCE HOUSING LAW AND
APPOINT A HOUSING BOARD TO ADMINISTER THE WORKFORCE HOUSING PROGRAM.**

Supervisor Euvrard introduced the resolution, seconded by Councilwoman Perotti that was

ADOPTED - VOTE

	Councilman Cayea	Aye
	Councilwoman Doyle	Aye
	Councilman Pelkey	Aye
	Councilwoman Perotti	Aye
	Supervisor Euvrard	Aye

RESOLVED, that the Town Board hereby appoint the following individuals to serve as the initial members of the Housing Board for the following initial terms:

Rudy Eschbach	Term expires 12/31/09
Susan Gregory	Term expires 12/31/10
Gail Gamble	Term expires 12/31/11
Diana McFadden	Term expires 12/31/12
Betty Rooney	Term expires 12/31/13
Glen Caldarelli	Term expires 12/31/14
Mary Mahaffey	Term expires 12/31/15

Town Budget– Supervisor Euvrard distributed 2003 to 2008 Budget preparation and actual comparables to town board for their review.

National Metering Services– meter installation deadline and concerns to be discussed further by town board.

SUPERVISOR’S REPORT

Supervisor Euvrard announced upcoming events.

Outreach Program (211) emergency brochures and cards available for citizens.

TOWN BOARD COMMENTS

Councilman Pelkey will obtain quotes to purchase defibrillators for Town of Amenia.

Councilwoman Doyle announced schedule for Amenia Dance Program.

PUBLIC COMMENTS

Kevin Cassone suggested community input be accepted for mowing contract in the future.

Bill Carroll stated that Silo Ridge project would be great savings to town of Amenia.

Sharon Kroeger recommended that speed limit restrictions be limited to 15 miles per hour on some Amenia town roads.

Pete Clair recommended that Amenia embrace the fact that developers are willing to enhance the hamlet.

Brad Rebillard stated that Silo Ridge has been very accommodating with Wastewater issue.

Tracy Salady suggested that Town of Amenia clarify what developers are required to supply and what is being contributed.

Elizabeth Whaley stated that Silo Ridge is building Wastewater facility for themselves, not Amenia.

Susan Gregory is interested in cost per household in the water district for future hook-up.

MOTION by Councilwoman Perotti, seconded by Councilman Cayea, to adjourn meeting at 10:10 pm.
with motion carried unanimously.

Respectfully submitted:

Maureen Bonds
Amenia Town Clerk

Draft to Town Board on September 7, 2008.
Approved by Town Board on September 11, 2008