

TOWN OF AMENIA  
**Regular Board Meeting**  
Thursday, January 15, 2009  
Amenia Town Hall

Supervisor Euvrard called Regular Town Board Meeting 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 COMMENT**

Cheryl Morse, representing daughter, Rebekah Morse, requested review of landlord and Town's responsibilities regarding renters living in hazardous conditions. Repairs are needed, and building inspector has been unable to access building. Cheryl will request appointment to meet with Mike Segelken, Building Inspector.

**DEPARTMENT REPORTS**

**Highway**

Stanley Whitehead reported that new 30 mph speed limit signs have been posted, as authorized.

Responsibility of town sidewalk maintenance. Michael Hayes will send letter to state with cc: Senator Liebell and Assemblyman Molinaro.

Request from ARC to adopt Randall Road (to continue clean-up program). Michael Hayes will research.

**Town Clerk**

Maureen Bonds reported that Town of Amenia 2009 property tax warrant and bills have been received. All bills have been mailed out, and notice published in the Harlem Valley Times.

Public Hearing for Local Law #1 for sub-division regulations has been scheduled for Feb 19th and notice will be published in Feb 12<sup>th</sup> edition of Harlem Valley Times.

Town Clerk's office will be closed on Monday, January 19<sup>th</sup> in observance of Martin Luther King Day.

Income tax credit available to families with annual income less than \$42,000 and individuals with annual income of less than \$16,000. Sponsored by Northeast Community Center in Millerton, NY. Call 518-789-4259 or dial 2-1-1.

## **DEPARTMENT REPORTS (continued)**

### **Building**

New building construction fees effective January 1, 2009.

### **Grants**

Mike Hagerty read letter from Town of Amenia, Supervisor Euvrard to Assemblyman Marcus Molinaro for support of continued Hudson River Greenway Conservation projects.

Presented status of current and pending grants.

### **CABLEVISION**

Michael Hayes, Town Attorney, reported: awaiting final approval from Public Service Commission.

### **SILO RIDGE PROJECT**

Michael Hayes, Town Attorney, reported that Planning Board has adopted the finding statement, and provided explanation of next phase with continuing process. Workforce Housing was also discussed in finding statement.

## **COMMITTEE REPORTS**

### **Wastewater**

Supervisor Euvrard reported that Morris Associates is reviewing map with changes to obtain cost estimates that will be affordable for residents.

### **ICIB**

Members of board proposed using four commercial-rated zones in development of hamlet. Michael Hayes, suggested that ICIB submit a written proposal draft plan, then town board may adopt a required Local Law.

### **Water District Committee**

Establish a base rate fee for residential and commercial usage. Michael Hayes stated that a resolution is required to establish rates.

### **Recreation Commission**

Tom Werner, Chairman, reported committee members appointed at Recreation Re-organization Meeting: Tom Werner-Chair, Kathleen Kelly-Director, Charlene Pollinger-Secretary, Evelyn O'Connell-Treasurer, Chris Klingner-2<sup>nd</sup> Chairman.

Requested that Form 1099 be issued for all contracted employees; voucher system be upheld, under the law, and who has access to Trust account as Recreation is sole custodian.

Advertise for bus bids, dance program director, and maintenance mechanic discussed.

### **Workforce Housing**

Appointments: Sue Gregory-Chair, Diana McPadden-Secretary. Board will need locations of proposed developments.

Dr. Johns (Webutuck School District) invited town board members to facility meeting on January 21<sup>st</sup> to discuss consolidation of schools. Two board members will attend.

**RESOLUTION #2 OF 2009  
AUTHORIZING THE TOWN BOARD OF THE TOWN OF AMENIA TO TRANSFER  
FUNDS TO RECONCILE GENERAL FUND LINES**

WHEREAS, the Town of Amenia had unanticipated expenses during fiscal year 2008; and

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

WHEREAS, the bookkeeper was required to transfer funds at the end of December 2008, after all the bills had been received, to balance budget lines; and

WHEREAS, the following Lines total \$1,356.78 and require the increases noted below:

A00-01-1620-400 [Electrical]	\$141.51
A00-01-1620-405 [Contractual]	360.00
A00-07-8160-100 [Personal Services/Refuse]	595.00
A00-08-9060-800 [Medical]	98.66
DA0-08-9030-800 [Social Security]	161.61

MOTION made by Supervisor Euvrard, SECONDED by Councilwoman Perotti that was ADOPTED – VOTE

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

THEREFORE, BE IT RESOLVED, that Line A00-01-1900-430 [Contingency] will be decreased \$1,356.78 and transferred to the above noted Lines to reconcile all lines in the General Fund as of December 31, 2008.

**RESOLUTION #3 OF 2009  
AUTHORIZING THE TOWN BOARD OF THE TOWN OF AMENIA TO TRANSFER  
FUNDS TO RECONCILE WATER DISTRICT LINE**

WHEREAS, the Town of Amenia Water District SWO-07-8320-200 [Equipment] Line was budgeted for \$7,500.00; and

WHEREAS, the water meter installation required the amendment of the 2008 budget to \$138,683.62; and

WHEREAS, the Water District cashed two Bank of Millbrook Certificates of Deposit in 2008 in the amount of \$25,094.34 and \$113,589.28 for a total of \$138,683.62.

MOTION made by Supervisor Euvrard, SECONDED by Councilman Cayea that was ADOPTED – VOTE

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

THEREFORE, BE IT RESOLVED, that Line SWO-911 [Fund Balance] will be decreased \$138,683.62 and transferred to SWO-07-8320-200 [Equipment] to reconcile said Line in the Town of Amenia Water District as of December 31, 2008.

**Water Meters**

MOTION by Supervisor Euvrard, SECONDED by Councilman Pelkey to authorize payment of \$11,166.85 to **National Metering Services** for work completed through December 20, 2008.

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

MOTION CARRIED

**Transfer Station**

After Town Board discussion, it was determined that Amenia will not accept refuse from other townships.

Councilwoman Doyle requested that bookkeeper provide report for metal income.

**Department Audits**

Audits have been scheduled for all departments. Must be completed by January 20, 2009.

**RESOLUTION #4 OF 2009  
THE TOWN BOARD OF THE TOWN OF AMENIA AUTHORIZES EACH TOWN  
CONSTABLE TO CARRY FIREARMS**

Supervisor Euvrard introduced the Resolution, Seconded by Councilman Pelkey that was ADOPTED – VOTE

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

WHEREAS, the Town Board of the Town of Amenia has adopted a Town Constable Law; and

WHEREAS, pursuant to the Town Constable Law, the Town Board may adopt a Resolution authorizing a Town Constable to carry a firearm while carrying out his official duties, subject to the Town Constable complying with certain conditions before carrying such weapon.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes each of the following Town Constables to carry the firearm identified in this Resolution while carrying out his official duties as Town Constable:

<u>Constable</u>	<u>Firearm</u>
George Wesley	Smith & Wesson .40 Ca
Christopher Klingner	Smith & Wesson 38 357 revolver
Leon Vincent	Glock .40 Ca

BE IT FURTHER RESOLVED, that the authority granted to each Town Constable by this Resolution shall be subject to each Town Constable complying with the following conditions:

- A. The Town Constable must possess a New York State license to carry the authorized firearm pursuant to the Penal Law 400.00 at all times, and must keep proof of such license on file in Town Hall.
- B. The Town Constable must satisfactorily complete the Department of Criminal Justice Services Basic Course for Peace Officers with Firearms and Deadly Physical Force Training, and such other training as the Town Board and/or New York State Law may require.
- C. The Town Constable must provide the authorized firearm at his/her own cost.

The foregoing resolution was voted upon with all councilmen/women voting as follows:

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

**Old Amenia Landfill**

Town of Amenia received check in the amount of \$2,885.77 from Energy Propane LLC of Kansas City, MO. Payment reflects reimbursement to the Town of Amenia escrow account for prior disposal of hazardous material (sand-blasted paint chips) to an authorized waste site.

MOTION by Supervisor Euvrard, SECONDED by Councilman Cayea to APPROVE Town Board Minutes of December 11, 2008 Business Workshop Meeting; December 16, 2008 Special Town Board Meeting; December 18, 2008 Regular Board Meeting; and December 29, 2008 Special Town Board Meeting.

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

MOTION CARRIED

MOTION by Supervisor Euvrard, SECONDED by Councilwoman Perotti to APPROVE Town Board Re-organizational Meeting on January 2, 2009.

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

MOTION CARRIED

MOTION by Supervisor Euvrard, SECONDED by Councilman Cayea to set meal limits at \$20 breakfast; \$30 lunch; and \$60 dinner at Association of Towns Conference in NYC in February 2009.

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

MOTION CARRIED

**INTERIM EMERGENCY RESPONSE** designation form has been completed by Supervisor Euvard, submitted to Dutchess County Department of Emergency Response and posted.

## **SUPERVISOR'S REPORT**

Supervisor Euvrard announced the documentary "Visions of Iron" will be broadcast on Channel 22 on February 6, and 7, 2009.

Supervisor welcomes volunteers for Task Force on acquisition for Webutuck School District consolidation.

To access sex offenders in area – referred citizens to DC Sheriff website [www.dutchessny.gov](http://www.dutchessny.gov)

Sedore & Company will be performing annual audit for Town of Amenia.

Reported 2008 General and Highway revenues projected against revenues collected. \$300,000+ not collected. Councilwoman Doyle disagreed with stated figures.

Supervisor will contact community agencies for residents transportation needs, as LOOP bus transportation has been discontinued at some locations.

## **TOWN BOARD COMMENTS**

Councilman Pelkey reported **grant** received for Amenia Fire Company in the amount of \$107,000 to purchase new equipment gear.

Councilwoman Doyle updated town board on bid received for electrical work at Fountain Square. JLS Electric will submit proposal. Michael Hayes, Town Attorney advised that it is legal to install electrical outlet at Fountain Square.

## **PUBLIC COMMENTS**

Myrnie Hoanzl is concerned about residents that own pools and hot tubs. Flat rate usage could be unfair to other residents in water district. Supervisor stated that billing will be determined by usage (water meters).

Tom Werner stated that Wappingers, NY has firm that evaluates the proposal of consolidation of schools, similar to Amenia's projected acquisition.

MOTION by Supervisor Euvrard, SECONDED by Councilman Cayea to ADJOURN meeting at 9:05 pm, with motion carried unanimously.

Respectfully submitted:

Maureen Bonds  
Amenia Town Clerk

Draft to Town Board: February 9, 2009  
Approved by Town Board: February 12, 2009

