

TOWN OF AMENIA  
**Regular Board Meeting**  
Thursday, April 16, 2009  
Amenia Town Hall

Supervisor Euvrard called **Regular Board Meeting** to order at 7:00 pm.

Salute to the flag was conducted.

Moment of Silence for the passing of Tom Lejeune, Sr, father of former Supervisor Tom J. Lejeune, Rosemary Greer, Town Bookkeeper, and for the service of our brave troops world-wide.

Arlene Iuliano eulogized Rosemary Greer with fond memories of a life-long friendship and Rosemary's many years of dedicated public service.

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

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

**NO PUBLIC COMMENT**

**DEPARTMENT REPORTS**

**Highway**

Stanley Whitehead, Hwy Supt reported building box culverts for Tower Hill Road, Folan Road, and Cascade Mountain Road. First culvert to be installed in June 2009.

MOTION by Supervisor Euvrard, SECOND by Councilman Pelkey to AUTHORIZE Hwy Supt to hire a temporary, part-time laborer at \$15.00 hourly for FEMA projects.

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

MOTION CARRIED

**Borden Park.** Portion of land is privately owned. Highway Department will have access for repairs to park when ownership of Town's portion is determined. At this time, repairs will be done at ballfield and driveway -**Wassaic Park** location.

**DEPARTMENT REPORTS (Cont'd)**

**Water**

MOTION by Supervisor Euvrard, SECOND by Councilman Cayea to pay final invoice to **National Metering Company** in the amount of \$9,578.61, with agreement that National Metering Company will replace four radios under warrantee.

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

MOTION CARRIED

**Town Clerk**

Maureen Bonds reported that **Brown's River Records Preservation Services** has taken town documents to be bound and preserved: Marriages 1962-1973; Minutes 2005-2008; Resolutions 2000-2002, 2003-2007. Estimated cost of \$1900. Approved budget line \$2000. Completion of work in approximately two months.

Department /Committee Policies and Procedures are being developed. Guidelines will determine the responsibility of individuals to advertise public service events; send press releases, and distribution of Board/Committee minutes. Town Clerk will submit to board for approval.

Attended Town Clerk's Association meeting. Linda Bull, Records Retention Regional Director as guest speaker. Ms. Bull advised that Town of Amenia Records Retention grant application of February 2009 is under review.

**Grants**

**Hudson Valley Greenway Conservancy**

MOTION by Councilwoman Doyle, SECOND by Councilwoman Perotti, to AUTHORIZE Councilwoman Doyle to apply for a grant up to \$5,000 in matching funds from the NYS Hudson Valley Greenway Conservancy for construction of a pedestrian ramp, connecting the municipal parking lot to the rail trail on Old Route 22.

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

MOTION CARRIED

**Grants (cont'd)**

**Mechanic Street Project**

MOTION by Councilwoman Doyle, SECOND by Councilwoman Perotti to AUTHORIZE up to \$10,000 to purchase additional perennial plantings for planting beds on Mechanic Street; conditional upon approval by NYS Office of Parks, Recreation and Historical Preservation and sufficient funds in town budget.

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

MOTION CARRIED

**DEC Salt Shed**

MOTION by Councilwoman Doyle, SECOND by Supervisor Euvrard, to AUTHORIZE Councilwoman Doyle and Michael Hagerty, Grant Writer to draft a letter to request a two-year extension of the town's salt shed grant, in recognition of the town's ongoing negotiations and efforts to acquire appropriate land for this important project.

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

MOTION CARRIED

**COMMITTEE REPORTS**

**Recreation Commission**

Tom Werner, Chairman, reported that five volunteers have been interviewed for two open positions. A meeting will be scheduled to discuss further with town board liasons present.

Requests for increased services from Recreation is encouraged and the commission welcomes public attendance at meetings.

Councilman Pelkey stated that batting cage is in place at Beekman Park, thanks to **D.J. Riley** and the many other volunteers.

**Wastewater**

Supervisor Euvrard reported that final draft of map plan and report has been received from Morris Associates for review.

**Industrial and Commercial Incentive**

Recommendations from the Incentive Board will be considered by town board to amend the law by identifying specific zones/exemption schedules. Michael Hayes, Attorney will submit Resolution based on these recommendations.

**Enhancement**

Councilwoman Doyle announced that trash bags will be available to volunteers at the town hall for Clean-up day on April 25<sup>th</sup>.

**AES Task Force**

Supervisor Euvrard announced that meeting has been scheduled for Tues, April 21<sup>st</sup> at 5pm. Michael Hayes, Attorney, stated that if town acquires the school; rental spaces for government agencies and private entities are permissible, as long as the town has a long-range plan.

**Quadra-Centennial Project**

Arlene Iuliano updated the town board. Rooney Design is producing a pamphlet of scanned photos, 1683-1983 map from black/white to color, and will include written historical material.

**RESOLUTION #9 OF 2009**

**AMENIA TOWN BOARD SUPPORTS THE AMENIA RECREATION COMMISSION’S MISSION.**

Councilman Pelkey offered the following resolution, seconded by Councilwoman Perotti, that hereby moved its adoption:

**Whereas**, the Amenia Town Board recognizes the importance of providing recreation to Amenia residents of all ages and abilities, by supporting the Amenia Recreation Commission’s mission,

**Now, Therefore, Be It Resolved**, that the remaining balance and/or \$5,171.16 be transferred from the Recreation Savings Account to the Capital Improvement line #A00-06-7140-210, also the Certificate of Deposit for the Parks and Recreation not be rolled over and transfer half to the Recreation Savings Account and half to the Capital Improvement line #A00-06-7140-210 for the purpose of funding the improvements to the Beekman Park.

The Resolution was voted upon and ADOPTED with all council voting as follows:

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

**RESOLUTION #10 OF 2009  
TRANSFER OF FUNDS AND BUDGET AMENDMENT**

**Whereas**, the Town of Amenia has received a grant from the **Office of Court Administration** (JCAP) in the amount of \$17,000 for the purchase of court room furniture during fiscal year 2008 (A00-3889); and

**Whereas**, the Town Board has the authority to transfer funds when necessary;

**Be It Therefore Resolved**, to transfer \$17,000 from Line A00-911 (Fund Balance) to Line A00-01-1110-200 (Equipment).

Moved by Supervisor Euvrard, Seconded by Councilman Pelkey that was;  
**ADOPTED – VOTE**

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

**RESOLUTION #11 OF 2009  
TOWN OF AMENIA PROPOSED LOCAL LAW NO. 1 OF 2009, AMENDING SECTION  
64-3 OF CHAPTER 64 OF THE CODE OF THE TOWN OF AMENIA “OUTDOOR WOOD  
BOILERS”**

Supervisor Euvrard introduced proposed local law, to be known as Proposed Local Law No. 1 of 2009, entitled “A Local Law Amending Section 64-3 of Chapter 64 of the Town of Amenia, “Outdoor Wood Boilers, seconded by Councilman Cayea, that was;  
**ADOPTED – VOTE**

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

A Public Hearing will be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at Amenia Town Hall, May 14, 2009, at 7:00 o’clock PM.

**Hamlet Concept Plan**

Michael Hayes, Town Attorney, referenced the adoption of Resolution No. 32 of 2008; **a non-binding Resolution** solely for the purpose of expressing and preserving the Town Board’s opinion of the preliminary development plans, including its opinion of Hamlet Concept Plan #3.

Amenia K. Realty, LLC, CQM of Amenia and Amenia Meadows, LLC filed an Article 78 against the Town on or about February 13, 2009, seeking to annul, vacate and set aside Resolution No. 32, alleging that the Town Board, by enacting Resolution No. 32, amended the Comprehensive Plan, and established a certain site plan as the preferred development plan for the Hamlet as consistent with the Comprehensive Plan, without following the proper regulatory procedures.

Michael Hayes, advised that a proposed settlement which involves the adoption of the following **non-binding Resolution** that seeks to clarify the resolution adopted on October 16, 2008:

Ms. Meredith Black, attorney representing Amenia K. Realty LLC, submitted to **withdraw litigation**, with the adoption of the proposed Resolution. This Resolution has addressed all concerns.

**RESOLUTION #12 OF 2009  
HAMLET CONCEPT PLAN**

RESOLVED, that, by enacting this non-binding resolution, the Town Board was in no way implying that the Comprehensive Plan Update or Zoning Law were being amended, supplemented, altered, clarified or superseded, and the Town Board recognizes that such action can only take place after full compliance with all applicable requirements of the State Environmental Quality Review Act, the Town Law, the Municipal Home Rule Law, and/or the General Municipal Law.

Moved by Supervisor Euvrard, Seconded by Councilman Cayea that was;  
ADOPTED – VOTE

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

Ms. Meredith Black, representing Amenia K Realty, submitted letter to **withdraw litigation**, as the proposed Resolution has addressed their concerns.

**DISCUSSION**

Town of Amenia has been cited for illegal use of **ROUNDUP** weed killer at ballfields. D.E.C. Attorney has been referred to Town Attorney. \$5,000 fine is being negotiated, per Michael Hayes. Further discussion will be in Executive Session.

## **SUPERVISOR'S REPORT**

**Bond Anticipation Note** renewals for Grader and Water Meters due end of May 2009.

**All-Hazards Mitigation** project – completion due by April 24, 2009.

Supervisor thanked Lana Anguin, Assistant to Supervisor for her hard work on this project.

**Swap Shop** at Amenia Transfer Station is being offered on trial-basis. (April 25, 2009).

Cornerstone telephone service– Supervisor researching for better rates.

Local events announced – Amenia Town calendar.

## **TOWN BOARD COMMENTS**

Councilwoman Perotti thanked everyone for their condolences after the loss of her mother.

## **PUBLIC COMMENTS**

Arlene Iuliano recommended that town watch excessive spending in these hard economic times.

MOTION by Supervisor Euvrard, SECONDED by Councilman Cayea to ADJOURN to Executive Session at 8:50 pm to discuss personnel matters, with motion carried unanimously.

MOTION by Supervisor Euvrard, SECONDED by Councilman Cayea to return to **Regular Meeting** at 9:02pm and to ADJOURN Regular Meeting at 9:02 pm, with motion carried unanimously.

Respectfully submitted:

Maureen Bonds  
Amenia Town Clerk

Draft to Town Board: May 11, 2009

Approved by Town Board: June 11, 2009