

TOWN OF AMENIA
Regular Board Meeting
Thursday, August 20, 2009
Amenia Town Hall

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

Salute to the flag was conducted and moment of silence for the passing of **Chaplain Sonny Cohen** of the Wassaic Fire Company and for our brave troops serving worldwide.

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

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

PUBLIC COMMENT

Tina Mullaly, resident of **Willow Lane**, commented on water damage to her property and neighboring property of Jean Leggett. Ms. Mullaly submitted photos of damage. Supervisor Euvrard stated that issue will be discussed later in this board meeting.

Ben Schwartz announced Fundraiser/Concert on August 28th at Luther Auction Barn to send youth and community farmers and gardeners to a national conference to gain access to high quality foods for local low- income families.

Mike Kelsey, candidate for County Legislator announced that Commission Traver of Public Works has been informed of the need for a motion-censored light at rail trail. Additionally, the Dutchess County Sheriff will increase the hours of patrol on rail trail during evening hours.

DEPARTMENT REPORTS

Highway

Stanley Whitehead announced that Folan Road Bridge has been replaced.

Cascade Mountain Road will be closed for 4-5 days, and detour routes will be posted.

Willow Lane visited by Highway Superintendent and Town Attorney. Discussion of drainage, erosion, easement. Highway Superintendent to contact surveyor to mark the town's right-of-way boundaries.

Town Clerk

Maureen Bonds announced that DMP (doe management permits) will be on sale through Sept 30, 2009. Received Confirmation of **2009 Property Tax Settlement** with Dutchess County Department of Finance.

Water

Personnel changes in VRI. Discussion of contract at Executive Session following regular board meeting.

COMMITTEE REPORTS

Recreation – no report

Wastewater

Dutchess County Water and Wastewater Authority Engineering Report from Ed Mills available for review.

Enhancement

Councilwoman Doyle announced that meeting was held to have three trees for Holiday of Lights. Overload of electrical circuit at Fountain Square needs further discussion.

Neighborhood Watch

Waiting for prices from Ernie Lowell for crosswalk signs.

Grants

Mike Hagerty submitted grant update to include the submission of Farmer’s Market grant application in the amount of \$5,000.

BUSINESS:

Community Development Block Grant Public Hearing scheduled for Thursday, September 10th to receive ideas and comments for year 2010. Grant award would be up to \$150,000.

Discussion for highway garage feasibility study by (Laberge Group).

General Code

Councilwoman Doyle will review last quote and obtain updated cost. Consideration by town board to include cost in 2010 budget.

Harlem Valley Rail Trail Pedestrian Ramp

MOTION by Councilwoman Doyle, SECOND by Councilwoman Perotti, to authorize the Town Clerk to advertise to accept Bids for the construction of a pedestrian ramp at rail trail on Old Route 22 in the Poughkeepsie Journal and Millerton News, to be received by 12 noon on Thursday, October 8, 2009.

Michael Hayes, Town Attorney, reminded the town board that legal notice must include that the town board has the right to accept or reject any and all bids.

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

MOTION CARRIED 4 AYES – 1 ABSENT

Wassaic Park

Application will be re-submitted for **matching** grant for enhancements to park at 75%/(25% local match).

Mechanic Street Project

Potential litigation would qualify for Executive Session, per Michael Hayes, Town Attorney. Councilwoman Doyle suggested that strategic issues be discussed at Executive Session following regular board meeting.

Andy Durbridge, Arborist, offered to answer questions that could be addressed in public. Councilwoman Doyle suggested that Mr. Durbridge be invited to Executive Session.

RESOLUTION #31 OF 2009

RESCIND THE OPEN CONTAINER LAW – WASSAIC FIRE COMPANY’S ANNUAL COMMUNITY DAY

Whereas, the Wassaic Fire Company is celebrating its Annual Community Day on September 12, 2009 with (rain date of September 13, 2009) at the Firehouse; and

Whereas, the Wassaic Fire Company has requested that the Town Board rescind the Open Container Law and grant authority to the Fire Company to close Firehouse Road to all traffic except for residents of Firehouse Road and handicapped drivers participating in the 2009 activities; and

Whereas, the said events require a day of activities on both sides of Firehouse Road from 1:00 pm to 11:00 pm; and it is essential to ensure the safety of the participants; and

Be It Therefore Resolved, that the Town of Amenia will close Firehouse Road on September 12, 2009 (rain date September 13, 2009) between the hours of 1:00 pm to 11:00 pm.

Motion by Councilwoman Perotti, Second by Councilman Cayea that was;

ADOPTED – VOTE

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

Subdivision Regulations –Environmental Assessment Review (EAR)

MOTION by Supervisor Euvrard, SECOND by Councilman Cayea to declare a negative declaration for the new Subdivision Regulations under Local Law No 2 of 2009 that was:

ADOPTED – VOTE

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

**RESOLUTION #32 OF 2009
TOWN OF AMENIA TOWN BOARD ADOPTION OF LOCAL LAW #2 OF 2009
ENTITLED “A LOCAL LAW AMENDING CHAPTER 105 OF THE CODE OF THE
TOWN OF AMENIA – SUBDIVISION OF LAND”.**

Supervisor Euvrard, seconded by Councilman Cayea, introduced the following local law, to be known as Local Law No. 2 of 2009, entitled “A Local Law Amending Chapter 105 of the Code of the Town of Amenia, “Subdivision of Land” by repealing the existing Chapter 105 and replacing it with a new Chapter 105.

Be It Enacted by the Town Board of the Town of Amenia as follows:

Section 1. Chapter 105, Subdivision of Land is amended by repealing it in its entirety, and adopting a new Chapter 105, annexed hereto as Attachment A.

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

The foregoing resolution was introduced and was:
ADOPTED – VOTE

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

Old Amenia Landfill

Supervisor Euvrard read letter of explanation for estimated costs (ie engineering, legal) from Liz Rovers of C.T. Male from August 2007 to present date. Costs determined at \$9 million. Town of Amenia’s responsibility: \$2 million. Liz Rovers to meet with Town Board to discuss further for budget costs.

Amenia Elementary School

Supervisor Euvrard stated that Phase I site assessment and NYSERDA energy study have been completed and available for review by email or website. Supervisor has copied Town Board and Task Force members.

Additional information needed: data on buried tank from Elementary School; asbestos abatement report; solar or geo-thermo study.

Councilwoman Doyle suggested that survey be performed for lead-based paint analysis, as indicated in report.

MOTION by Supervisor Euvrard, SECOND by Councilman Cayea to ACCEPT Town Board Workshop Meeting Minutes of July 9, 2009 and Regular Town Board Minutes of July 16, 2009.

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

MOTION CARRIED 4-AYES 1 ABSENT

After School Dance Program

MOTION Councilwoman Doyle SECOND by Councilwoman Perotti to HIRE **June Kaufman** as **After School Dance Instructor** at reduced fee of \$4000.

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

MOTION CARRIED 4 AYES – 1 ABSENT

RESOLUTION #33 OF 2009 – Transfer of Funds Personnel Services to Instructor Line

Whereas, the Town of Amenia hires a Dance Instructor and Assistants to provide a dance program in the fall for students who reside in the Webutuck School District; and

Whereas, the Town Board has the authority to transfer funds when necessary to amend the budget; and

Now, Therefore, Be It Resolved, the Town of Amenia Town Board authorizes the Town Board to transfer \$5,500 from the Personal Services line, A00-06-7150-100, to the Instructor line, A00-06-7150-440, to pay the dance instructor and assistants for Amenia’s Free After School Dance Program, which is offered from September to December 2009, and to amend the 2009 Budget accordingly.

Motion made by Councilwoman Doyle, Second by Councilwoman Perotti that was;

ADOPTED – VOTE

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

SUPERVISOR’S REPORT

Announced “1915 Daily Journal” of history and farming will be on sale.
Mayor Jake Shoifet was honored at American Legion for his life’s work.
Local events announced.

TOWN BOARD COMMENTS

Committee meetings and activities announced.

Councilwoman Doyle congratulated Wassaic Project and South Amenia Fair.
Focus on re-vitalizing the hamlet of Wassaic.
Speedy recovery to Dan Killmer – card to be signed by Town Board.
June Kaufman, Dance Instructor, has offered after school dance instruction to adults.

NO PUBLIC COMMENT

Motion by Supervisor Euvrard, Second by Councilman Doyle to enter **Executive Session** at 8:38pm to discuss personnel issues; contract issues; and Mechanic Street litigation.

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

MOTION CARRIED

Motion by Supervisor Euvrard, Second by Councilman Cayea, to return to **Regular Board Meeting** and **ADJOURN** Regular Board Meeting at 9:24pm with Motion carried unanimously. 4 ayes – 1 absent

Respectfully submitted:

Maureen Bonds
Amenia Town Clerk

Draft to Town Board: September 14, 2009
Approved by Town Board: September 17, 2009