

TOWN OF AMENIA
Public Hearing and Regular Board Meeting
Thursday, September 15, 2011
Amenia Town Hall

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

Salute to the flag was conducted.

Emergency Exits behind the Town Clerk and at the rear of the room behind the audience at the door entered.

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

PUBLIC HEARING

PROPOSED LOCAL LAW #3 of 2011, ENTITLED “A LOCAL LAW AMENDING SECTIONS 121-7 (B), 121-14.1 (A), AND 121-14.1 (B) OF THE TOWN OF AMENIA TOWN CODE (SCENIC PROTECTION OVERLAY DISTRICT), AND AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF AMENIA BY REVISING THE BOUNDARIES OF THE SCENIC PROTECTION OVERLAY DISTRICT.”

Deputy Supervisor Perotti **opened Public Hearing at 7:02pm** and read legal notice of **Public Hearing** published in the Millerton News on August 18, 2011 to invite all interested parties in the Town of Amenia for their input.

NO PUBLIC COMMENT

MOTION by Deputy Supervisor Perotti, SECOND by Councilman Cayea to **CLOSE** Public Hearing at 7:03pm.

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

MOTION CARRIED

Deputy Supervisor Perotti reported that Senator Greg Ball was scheduled to present a legislative update, but is unable to attend.

PUBLIC COMMENT

Mike Murnane, 67 Depot Hill Road, Amenia reported an incident with a stray dog (black laborador) biting his grandchildren on September 11, 2011 at his residence. NY State Police and ambulance responded. State Police advised Mr. Murnane that Dog Warden was contacted, but did not respond. Councilwoman Perotti will investigate.

Charlotte Murphy reported that **Amenia Historical Society** archive documents are currently stored at Maplebrook School, but must be relocated. Havens Real Estate fire-proof files cannot support the weight of these documents. Amenia Historical Society is requesting storage in the town hall basement. Councilwoman Perotti will discuss issue with the Building Inspector and advise.

DEPARTMENT REPORTS

Highway

Stanley Whitehead, Highway Superintendent recommended the following:

TOWN OF AMENIA HIGHWAY MATERIAL BIDS 8/18/2011 – 8/16/2012

Bituminous Mix/Oil & Stone/Blacktop – ***Quick Quote*** thru NYS Office of General Services- **State Bid**
Accept lowest bid for items as indicated:

Red Wing Properties	Washed Gravel per ton 3/4"	\$15.25 delivered
Keller Brothers Sand & Gravel	Washed Gravel per ton 3/8"	\$16.25 FOB
	3/4"	\$15.99 FOB
	1-1/2" & 2-1/2"	\$15.45 FOB
Keller Brothers Sand & Gravel	Tailings	\$13.25 FOB
Red Wing Properties	Washed Sand	\$15.25 delivered
Harlem Valley Sand & Gravel	Washed Sand	\$15.00 FOB
Roxbury Sand & Gravel	Dry Screened Sand	\$10.00 FOB
D&C Construction	Crushed Stone Processed	\$15.90 delivered
Keller Brothers Sand & Gravel	Crushed Stone Processed	\$16.70 FOB
A. Colarusso, Inc	One Inch Minus Screen Fill	\$16.90 delivered
A. Colarusso, Inc	Quarry Stone washed 1/4"	\$19.75 delivered
	3/8"	\$19.75 delivered
	1/2"	\$19.50 delivered
	5/8"	\$20.25 delivered
	3/4"	\$19.25 delivered
Roxbury Sand & Gravel	Bank Run, Per Yard	\$13.00 delivered
		\$10.00 delivered
A. Colarusso, Inc	Light Stone Fill p/yd	\$19.25 delivered
	Medium Stone Fill	\$28.00 delivered
	Heavy Stone Fill	\$28.00 delivered

TOWN OF AMENIA HIGHWAY MATERIAL BIDS 8/18/2011 -8/16/2012 (cont'd)

Dutchess Quarry	Cold Patch	\$70.00
Amenia Sand & Gravel	Concrete 3500 PSI	\$85.00 c/yd
Expanded Supply Products, Inc	Calcium Chloride Flakes per ton	\$517.20 delivered
Peckham Materials Corp	Calcium Chloride Liquid per gal	\$1.00 delivered
Kect Construction Corp	Equipment/truck & trailer (second lowest bid)*	
	*lowest bidder withdrew due to illness	
Three D Industrial Maintenance	Sweeping	
Lee's Tree Service	Tree work	

MOTION by Councilwoman Perotti, SECOND by Councilman Cayea, to **ACCEPT 2011-2012 Town of Amenia Highway Material Bids** as recommended by Stanley Whitehead, Highway Superintendent.

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

MOTION CARRIED 4 AYES – 1 ABSENT

Highway (cont'd)

Stanley Whitehead stated that Highway Department will be applying for FEMA monies in the amount of \$50,000 - \$75,000, due to recent hurricane damages.

Reported recent oil & stone road work expense: \$86,452.

HIGHWAY ROLLER BID

Contacted **Abele Tractor and Supply** to negotiate low bid of \$34,102. Deducted rental fee of \$1833.30. Negotiated to **\$32,268.70**. Budget line item for Roller: **\$25,000**; Capital Project monies (partial) **\$7,268.70**. Resolution and subject to permissive referendum, per Michael Hayes, Town Attorney.

Stanley Whitehead referred to proposed **Resolution #40 of 2011**; transferring funds from the Highway Fund Balance to (Other General Government Support) to cover payment for a NYSDEC salt shed grant obtained in January 2000. The Highway Department did not use the grant monies, and therefore, these monies should be repaid from the Town Contingency line, not the Highway Fund Balance.

Councilwoman Perotti and other board members agreed that further research is required on this issue, and **Resolution** will be discussed at next town board meeting. Councilwoman Perotti suggested that a meeting be scheduled with Town Supervisor, Highway Superintendent and Town Bookkeeper to discuss.

to have its own jail. Regionalization has been suggested. Industrial Development Agency has been tasked to encourage jobs locally, nationally, and to assist non-profit organizations.

Water Department

Marco D’Antonio submitted monthly water report. Water system has been operated manually since hurricane. New Sump pumps have been ordered. Proposed water district hydrant flushing in early October.

Town Clerk

Maureen Bonds reported that Code of Ethics booklets will be distributed to all staff, board members, and committee members. In discussion with Lana Anguin, Assistant Supervisor to determine distribution to active committees.

Town Clerk’s office will be closed on Monday, October 10th in observance of Columbus Day.

Building

Councilwoman Perotti reported Building Department monthly activity.

Zoning

Councilwoman Perotti reported Zoning Department monthly violation(s) and application activities.

COMMITTEES

Recreation

Michael Murnane, Chairman, reported discrepancy in salary expenses for Recreation Director and Groundskeeper in last two monthly department reports. Maintenance and staff concerns at Beekman and Wassaic Parks. Councilwoman Perotti will schedule meeting to discuss pending issues. Successful Recreation applicant for volunteer position will be announced at next board meeting.

DISCUSSION:

Hotel Expenses – Town Employees

Councilwoman Doyle contacted NY Association of Towns and referred findings to Michael Hayes, Town Attorney. Michael Hayes advised that town can reimburse expenses when related to the performance of individual’s job. Referring to specific statute, mandatory training required for judges and assessors expenses should be paid. Councilwomen Riemer and Doyle stated that budget needs to be scrutinized and defined clearly for these expenses. A few town board members, town clerk, and staff understood that hotel expenses would not be paid for annual February NYC conference only.

MOTION by Councilwoman Doyle, SECOND by Councilman Cayea, authorizing the town board to reimburse Jim Devine, Town Justice for expenses associated with mandatory training in NYC in February 2011, due to his handicapped situation; and to authorize reimbursement to Dawn Marie Klingner, Court Clerk for expenses associated with Court Clerk training in Buffalo, New York.

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

MOTION CARRIED 4 AYES – 1 ABSENT

DISCUSSION:

Town Hall Paint Bids – deferred

Septic- Flood Septic recommended that cleaning is not an emergency, but should be done before winter.

Roxbury leaves/composting – Michael Hayes advised that under current Zoning interpretation, not permitted.

Employee Handbook – meeting to be scheduled to discuss. C/Doyle requested draft copy.

Kent Hollow mining – DEC letter to town – new permit application – Michael Hayes explained requirements.

Nextel Cell Tower – renewal – special use permit, Zoning Board of Appeals variance.

Snow Removal Bids – C/Perotti is revising specifications to include specified locations, icy conditions, certifications, workers’ compensation and liability insurances. C/Riemer suggested that Fountain Square location be included.

2012 Budget Workshops scheduled for September 20th, 22nd, 27th, 29th at 5:30pm.

Planning Board is requesting revision to subdivision regulations in Chapter 105 of the Town Code.

MOTION by Councilwoman Doyle, SECOND by Councilman Cayea to AUTHORIZE the Town Clerk to Advertise for **Snow Removal Bids** in the Millerton News; and Bids to be submitted by 12 noon on October 6, 2011.

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

MOTION CARRIED 4 AYES – 1 ABSENT

Grants

NYSERDA

Councilwoman Riemer reported that **C.T Male & Associates** will be forwarding a report with recommendations for insulation work at town hall.

Wassaic Trail to the Train

Councilwoman Perotti reported that **WSP Sells** has made changes to contract and audit report, as recommended by Michael Hayes, Town Attorney; awaiting comments from Department of Transportation.

A RESOLUTION AUTHORIZING THE TOWN BOARD OF THE TOWN OF AMENIA TO TRANSFER FUNDS TO INCREASE PERSONNEL LINE IN THE AMOUNT OF \$1,951.36 FOR EMPLOYEE HANDBOOK UPDATE; INCREASE PLANNING CE IN THE AMOUNT OF \$2,122.77 FOR GEORGE M. JANES & ASSOCIATES; CONTINGENCIES DECREASE IN THE AMOUNT OF \$4,074.13.

MOTION by Councilwoman Riemer, SECOND by Councilwoman Doyle that was:
ADOPTED -VOTE

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

RESOLUTION #40 OF 2011 Transfer of Funds

Adoption of Resolution requires more information. Rescheduled to October 2011.

RESOLUTION #41 OF 2011

APPENDIX E

A RESOLUTION AUTHORIZING THE SUBMISSION OF THE FISCAL YEAR 2012 DUTCHESS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION.

PROJECT: CASCADE MOUNTAIN ROAD, Installing drainage, road base and blacktop.

WHEREAS, the Town of Amenia is participating in the Dutchess County Community Development Consortium for Fiscal Year 2012, and;

WHEREAS, input from citizens and groups has been received and considered, and;

WHEREAS, an application has been prepared which addresses our community concerns.

NOW, THEREFORE BE IT RESOLVED, that the Dutchess County Community Development Consortium Fiscal Year 2012 application for the Town of Amenia, including the certification included therein by and hereby is approved.

BE IT FURTHER RESOLVED, that the submission of said application to the Dutchess County Department of Planning and Development be and hereby is authorized.

MOTION by Councilwoman Perotti, SECOND by Councilwoman Doyle that was:
ADOPTED-VOTE

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

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RESOLUTION #42 OF 2011 - Local Law #3 of 2011 to Amend Amenia Town Code and Official Zoning

Map for Scenic Protection Overlay District

Adoption of Resolution rescheduled to October 2011 Town Board Meeting.

RESOLUTION #43 OF 2011 – Adoption of Negative Declaration – Scenic Protection Overlay District

Adoption of Resolution rescheduled to October 2011 Town Board Meeting.

RESOLUTION #44 OF 2011

A RESOLUTION AUTHORIZING SETTLEMENT OF TAX CERTIORARI PROCEEDINGS WITH WILLOWS INN, INC. BY REDUCING THE 2010 ASSESSED VALUE OF THE PROPERTY FROM A TOTAL ASSESSMENT OF \$475,000 TO A TOTAL ASSESSMENT OF \$375,000.

Michael Hayes, Town Attorney, stated that 2009 tax assessment proceedings has been dismissed by the “Petitioner” in its entirety.

MOTION by Councilwoman Perotti, SECOND by Councilwoman Doyle that was;
ADOPTED – VOTE

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

MOTION by Councilwoman Perotti, SECOND by Councilman Cayea to ACCEPT Minutes of the Town Board Business Workshop on August 11, 2011 and Regular Town Board Meeting on August 18, 2011.

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

MOTION CARRIED 4 AYES – 1 ABSENT

DEPUTY SUPERVISOR’S REPORT

Maplebrook School has been contacted regarding annual Swimming Program for Amenia residents.
Local events announced
Citizen of the Year recommendations welcome.

TOWN BOARD COMMENTS

Councilwoman Doyle supported the relocation of Amenia Historical Society archival records to town hall.
Requested signature from Deputy Supervisor for letter from Wassaic Project for grant application.
Local events announced.

PUBLIC COMMENTS

Poppy Ganung will be introducing a new community newspaper, in addition to Pawling Press;
Harlem Valley Press.

Mark Doyle, South Amenia Road, advised that Conservation Advisory Committee (CAC) has reviewed Roxbury Sand & Gravel and Kent Hollow applications. Letter of recommendation has been sent to Supervisor's office.

Jim Devine, Town Justice, thanked the town board for approving reimbursement of expenses for NYC Conference. Submitted literature from Town Justice for review.

Don Rosendale expressed objection to the Scenic Protection Overlay.

Stanley Whitehead stated that town August monthly expense report reflected heating oil cost at \$17,000, and mentioned use of state bid, per procurement policy.

MOTION by Deputy Supervisor Perotti, SECOND by Councilwoman Riemer to ADJOURN Regular Board Meeting at 9:38pm with motion carried unanimously.

Respectfully submitted:

Maureen Bonds
Amenia Town Clerk

Draft to Town Board: October 11, 2011
Approved by Town Board: October 20, 2011