

TOWN OF AMENIA
Town Board Meeting
Thursday, April 25, 2013
Amenia Town Hall

C/Perotti motioned, seconded by C/Riemer

Motion to open the meeting at 6:34pm

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

C/Perotti motioned, seconded by C/Riemer

Motion to enter into executive session at 6:35 for the purpose of recreation commission interview

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

The Town Clerk was excused from the executive session. At 7:06pm the meeting doors were re-opened for all to return.

C/Perotti motioned, seconded by C/Riemer

Motion to exit executive session and return to the regular meeting at 706pm

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

Salute to the flag was conducted and a moment of silence for the military serving in this Country and out and for Amenia Residents who have passes away this past week- Joseph Piantino, recipient of the Veteran Award by Senator Greg Ball; Charles Kinney former Town Assessor and Jill Caldarelli, Wassaic Firefighter.

Emergency exits were pointed out.

Members Present

Councilwoman Victoria Perotti	Aye
Councilwoman Vicki Doyle	Aye
Supervisor William Flood	Aye
Councilwoman Darlene Riemer	Aye

also present:

Dawn Marie Klingner, Town Clerk
Stanley Whitehead, Highway Superintendent
Town Attorney, Ian MacDonald, Esq.

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Public Comments

Aaron Howard requested road closures for the 1st Annual Amenia Fire Company 5K Race. He has spoken with Highway Superintendent, Dutchess County Parks and Recreation and the Harlem Valley Rail Trail Association. In addition to the road closure he requested the use of Town Constables. The Clerk will prepare the necessary resolutions for the next meeting.

Highway Report- Stan Whitehead, Highway Superintendent

Mr. Whitehead reported the roads were swept. At the Flood Auction the truck and trailer were sold for a profit of \$9,900. He proposed that the Highway keep those fund in exchange for the '97 Ranger that is owned by Highway, he suggested that the Ranger be given to the Building Inspector who is looking for a vehicle and he can purchase something newer. C/Doyle is not ready to make a decision. The Board did not take any action. C/Riemer commented that the sweeping on some of the State Roads were terrible; Stan will give them a call. C/Doyle inquired about the posting of signs that state no Dumping with fines.

Town Clerk's Report- Dawn Marie Klingner, Town Clerk

Ms. Klingner reported that 89% of the Town taxes have been collect. Fishing licenses are on sale and Turkey Season begins May 1st. Also reminded that there is a No Burn in effect per DEC regulations and Dog Licenses can be purchased through the office.

Town Historian Report, Arlene Iuliano, Historian

Ms. Iuliano reported that the brochure is updated and has obtained a quote from Fountain Press. On August 10th the Dutchess County Historians will meet a that the Amenia Town hall for their quarterly meeting.

S/Flood motioned, seconded by C/Riemer

Motion to authorize the purchase of brochures in two colors from Fountain Press in the amount of \$237.97

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

Recreation Commission Report, Christine Ford, Commission Chair

On April 18th the Recreation Commission interviewed one candidate for the open seat (the other candidate withdrew his application). Ms Ford has spoken with Byron Barnes Insurance and the gymnastics program is up to date. All the background checks are completed for the baseball coaches. Opening day for farm league is April 27th, a list of all the coaches and game scheduled were distributed. Charlene Pollinger, Linda Gregory and C/Perotti will be working on the Senior Trips.

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Grant Writer's Report, Mike Hagerty, Grant Writer

Mr. Hagerty reviewed the monthly grant report. Councilwoman Doyle and Perotti shared their concerns with the Trail to the Train project and the delay. S/Flood indicates that Metro North was the hold up, the appraisals have been ordered. C/Riemer is working on the Planting Bid Specs and requests Mike to meet with her so they perfect the specs. C/Perotti addressed the consolidation of services, allowing the Town Hall to act as a regional shelter. This would allow the Town to apply for a grant for a generator. S/Flood attended the Pattern for Progress meeting, NYSEDA has additional funds available.

Wastewater Committee

C/Riemer reported on the Hardship funding for the project and announced that the next meeting will be held in June. Residents are always welcome to attend the meetings and share their input.

Enhancement Committee

C/Doyle reminded that this weekend is the Roadside Cleanup. Ian Holback has offered the use of his dumpster. The planting of trees in Wassaic will begin at 10am.

Other Matters

Letter from the Town of North East

S/Flood read aloud a letter of request from the Town of North East requesting to use the Town Hall in case of an emergency such as fire or natural disaster.

S/Flood motioned and seconded by C/Perotti

Motion to allow the Town of North East to use the Town Hall offices in case of an emergency

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

Ridge Crest Farms

Present on behalf of the applicant, Attorney Don Cappollino.

Town Attorney explained the conditions set forth in the resolution are consistent with those with DEC. The resolution requires a conservation easement, and to ensure clarity language was added to the resolution stating the allowance of one residence, one guest cottage, one caretakers cottage and associated storage structures. Escrow was set at \$1,000 and to be replenished at the request of the Board.

S/Flood read aloud resolution #21

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S/Flood motioned and seconded by C/Doyle

Motion to accept Resolution #21- Ridgecrest Farms, Inc., Special Use Permit Application for Operation of Soil and Gravel Mine within SMO District

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

Curves Equipment

After further discussion, the board felt that it would be in the best interest not to accept the fitness equipment based on the staff, maintenance and unforeseen responsibilities. They would rather see a fitness person take the equipment.

S/Flood motioned and seconded by C/Riemer

Motion to decline the equipment from Curves

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

Approval of Minutes

S/Flood motioned and seconded by C/Riemer

Motion to approve the Town Board Minutes from 2/12/13; 2/14/13; 2/25/13; 2/28/13; 3/14/13; 4/1/13; 4/6/13; 4/16/13 as presented

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

S/Flood read aloud letters submitted by Building Inspector John Fenton to the Board requesting that Mike Segelken, former Building Inspector be appointed as his back up Fire Inspector. He also requested that the Public Gathering Permit fees be waived for the Amenia Firemen's Annual Carnival.

S/Flood motioned and seconded by C/Perotti

Motion to appoint Mike Segelken as Building Inspector at a rate of \$26.00

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye

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Councilwoman Riemer voting Aye

Motion carried.

No action was taken regarding the creation of a new budget line for the use of 3rd Party Contractors for Property Maintenance

S/Flood motioned and seconded by C/ Doyle

Motion to waive the fee for the gathering permit for the Ameina Carnival

The motion was duly put to a vote which resulted as follows:

Supervisor Flood voting Aye

Councilwoman Perotti voting Aye

Councilwoman Doyle voting Aye

Councilwoman Riemer voting Aye

Motion carried.

C/Perotti recommended that Peter Clair be appointed to fulfill the open Recreation Commission Seat.

C/Doyle motioned and seconded by C/Riemer

Motion to appoint Peter Clair to the open Recreation Seat for an unexpired term (filling Charlene Pollinger)

The motion was duly put to a vote which resulted as follows:

Supervisor Flood voting Aye

Councilwoman Perotti voting Aye

Councilwoman Doyle voting Aye

Councilwoman Riemer voting Aye

Motion carried.

Wassaic Fire District- Letter

S/Flood read aloud a letter from the Wassaic Fire District's attorney, Roderick MacLeod stating to wit "that as of January 1, 2014, the Wassaic Fire District will no longer provide primary emergency medical services, including emergency medical transportation."

As the Board discussed the matter it was understood that the Wassaic Fire District can do it themselves and the Town does not need to take action. The District would tax the taxpayers as they do now for fire protection. The Town does have the option to create an Ambulance District but one that provides the same service for the entire town or create two districts that would allow Wassaic and Amenia to have the contracted coverage for the days needed. Currently Wassaic is looking for 24/7 coverage and Amenia is only looking for 12hours/5days a week.

S/Flood received a letter from Charny & Associates that will be discussed on Monday, as a legal matter discussion re. John Tublewicz.

S/Flood received a letter from Sherry Johnson bookkeeper suggesting the transfer of \$500,000 from the general fund into a Money Market account with Salisbury Bank and Trust with an interest rate of .25%. This is not a CD; it is a Money Market Account that you can cut eight

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checks a month. S/Flood made the motion to move \$500,000 from the General Fund into a Money Market. C/Perotti asked if a Resolution was necessary to open a new account. Per Attorney MacDonald, he does not see a written resolution is necessary. C/Perotti clarifies that the money is being moved from the Bank of Millbrook to the Salisbury Bank with no account established. Attorney MacDonald feels that it is ok since it is staying within the General Fund.

S/Flood motioned and seconded by C/Doyle

Motion to move \$500,000 from the General Fund into a General Fund Market Account at the Salisbury Bank and Trust.

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Nay
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

Resolutions

S/Flood read aloud Resolution # 22- Transfer of Funds

C/Perotti asked for Discussion, and asked what the line for Transmission/Distribution was for. She had not seen that before in a transfer of funds resolution. S/Flood asked that the resolution was placed on hold until he found out why.

S/Flood read aloud Resolution # 23- Transfer of Funds

S/Flood motioned and seconded by C/Doyle

Motion accept Resolution #23 – Transfer of Funds

The motion was duly put to a vote which resulted as follows':

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

Attorney MacDonald provided an update on the Willow Lane Project. He is awaiting a call back from the County. Currently an issue is that Gleason will not sign a contract that is required in order for the County to reimburse the Town. Statute of limitations has not passed should the matter have to be decided by the court.

S/Flood received a response via text that the line in question was for the water line break

S/Flood motioned and seconded by C/Doyle

Motion accept Resolution #22 – Transfer of Funds

The motion was duly put to a vote which resulted as follows':

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

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S/Flood read aloud Resolution # 24- Adoption of Internal Control Policies for Town Supervisor to Execute Electronic or Wire Transfer of Funds

C/Perotti asked why the resolution was being discussed again. C/Doyle thought that this was for the paychecks to be electronically deposited. Attorney MacDonald explains that this resolution is a general policy for electronic funds and does not specifically list the accounts. C/Perotti disagrees. S/Flood read the resolution aloud. C/Doyle addresses that there are still concerns that the Clerk mentioned last month as to the Supervisor and Bookkeeper having access to the accounts. The Clerk clarified her concern by questioning who it is that has the access to the accounts; and that the Supervisor or his staff should not be the one transferring the money out of the Town Clerk accounts; and stressed that after speaking with the Town Clerks in this County and those across the State, The State Auditors and the Town Attorney, this is not the best practice for the Town Clerk Office. The Clerk only issues one check a month to the Supervisor, although cost savings has been given as a reason, the other offices in the town remits checks and the bookkeeping department is still required to make a trip to the bank for making a deposit. The one item being done differently is that the check is not issued to the Supervisor on the first of the month; it is remitted after the account has been reconciled to ensure there are no inaccuracies. The Clerk further expresses her concern as to who will be performing the bank transfers. Currently several individuals have access to the account. In 2012 the transfer of money was done on the Monthly account, and an error was noted. Attorney MacDonald states that this resolution does not give access to the account; it only states the policy for electronic banking. S/Flood acknowledges that the accounts are monitored. The Clerk asked who is the one doing the monitoring; and it was acknowledged that there are several individuals who have access to all of the accounts. If you are going to engage in electronic banking you need a policy and that is what this resolution does explained the Town Attorney, but the Clerk points out that this resolution does not authorize the Clerk to do such transfers, it only authorizes the Supervisor. The Attorney makes it clear that this resolution does not authorize access; it only sets the policy to engage in electronic transfers, of which the Supervisor states has been done. It was agreed to by the Supervisor that the Clerk will continue to make the monthly payment by check. C/Perotti sites from the Town Law Manual "No payments should be made except by check from the official bank account established in the name of the town clerk in a bank designated by the town board."

S/Flood motioned and seconded by C/Doyle

Motion accept Resolution #24 – Adoption of Internal Control Policies for Town Supervisor to Execute Electronic or Wire Transfer of Funds

The motion was duly put to a vote which resulted as follows':

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Nay
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

S/Flood read aloud Resolution # 25

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S/Flood motioned and seconded by C/Doyle

Motion accept Resolution #25 – Authorizing Expenditure from Tri Wall Capital

Reserve Fund

The motion was duly put to a vote which resulted as follows':

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Nay
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

Supervisor Comments:

S/Flood commented that a lot work is being done at the Town Hall, the roofs are being repaired, the painting has started and the pruning of trees. He attended the Pattern for Progress meeting and there are fund available.

Town Board Comments:

C/Perotti asked if there is a proposal that has been sent to the Town of Dover, the Supervisor has sent several emails and no response from Dover. C/Perotti comments that there is no place to house the dogs; and that there is no formal agreement. The Board discusses the matter.

C/Perotti announced the upcoming Amenia Fire Company Open House, VFW breakfast and defensive driving class.

C/Riemer had no comments

C/Doyle announced she received the award letter from the DC Arts Council for a grant in the amount of \$900 for the Dance Program. S/Flood signed the contract. Resolution will follow when the funds are received.

S/Flood motioned, seconded by C/Doyle

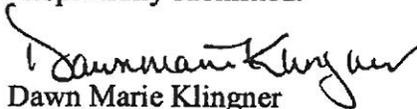
Motion to adjourn at 10:27pm to pay claims

The motion was duly put to a vote which resulted as follows:

Supervisor Flood	voting Aye
Councilwoman Perotti	voting Aye
Councilwoman Doyle	voting Aye
Councilwoman Riemer	voting Aye

Motion carried.

Respectfully submitted:



Dawn Marie Klingner
Town Clerk

The foregoing represents unapproved minutes of the Town of Amenia Town Board from a meeting held on April 11, 2013 and are not to be construed as the final official minutes until so approved.

____ 6/13/13 ____ Approved as read on

____ Approved with: deletions, corrections, and additions