

TOWN OF AMENIA
Town Board Meeting
Thursday, June 13, 2013
Amenia Town Hall

Supervisor Flood moved to call the meeting to order, seconded by C/Riemer

Salute to the flag was conducted followed by a moment of silence. The emergency exits were pointed out

Roll Call

Councilwoman Darlene Riemer	Aye
Councilwoman Victoria Perotti	Aye
Councilwoman Gretchen Hitselberger	Arrived at 6:50pm
Councilwoman Vicki Doyle	Arrived at 6:52pm
Supervisor William Flood	Aye

also present:

Dawn Marie Klingner, Town Clerk
Peter Karis, Taconic Site Design & Landscape
C/Hitselberger and C/Doyle arrived.

S/Flood motioned, seconded by C/Perotti

Motion to exit executive session and enter into the regular meeting at 7:07pm

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

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Doyle	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye

Motion carried.

Also present:

Stanley Whitehead, Highway Superintendent

S/Flood announced that the Board conducted an interview for the open Zoning Board of Appeals seat.

S/Flood motioned, seconded by S/Doyle

Motion to appoint Paula Pelosi to the Zoning Board of Appeals for an unexpired term.

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

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Doyle	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye

Motion carried

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PUBLIC HEARING:

Local Law #1 –Adoption of Local Law Authorizing the Settlement of Equitable Claims by Town Board

Public Comments

Bill Carroll questioned the board on the purpose of the Local Law #1 and if the proper procedures were followed in the termination of the dog catcher and if this was the purpose of the new law.

C/Perotti read aloud the local law.

Tom Werner asked if claims have been paid previously.

Cheryl Morse asked if payments of individual claims will be made available.

C/Riemer responded probably not in protection of personal information.

Brad Rebillard asked if the town would consider mediation prior to a cash settlement

S/Flood states the town attorney found it was needed to be on the books.

C/Perotti states that this is a way to attempt to settle a claim and avoid court costs.

S/Flood motioned, seconded by *C/Doyle*

Motion to close the Public Hearing

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

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Doyle	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye

Motion carried

C/Perotti read aloud the resolution entitled SEQRA Finding for Local Law No. 1 of 2013, Authorizing the Settlement of Equitable Claims by Town Board

From the audience *Pat Nelligan* informed the Board that the resolutions were being done out of order

S/Flood read aloud SEQRA

S/Flood motioned, seconded by *C/Riemer*

Motion to accept Environmental Assessment Form and authorize the Supervisor to sign the document

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

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Doyle	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye

Motion carried

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S/Flood read aloud Resolution # 36

S/Flood motioned, seconded by C/Riemer

Motion to accept Resolution #36 – Adoptions of Local Law Authorizing the Settlement of Equitable Claims by Town Board

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

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Doyle	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye

Motion carried

S/Flood motioned, seconded by C/Doyle

Motion to accept Resolution # 37- Environmental Assessment Form and authorize the Supervisor to sign the SEQRA documents

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

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Doyle	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye

Motion carried

Public Comment:

Bill Carroll commented on the Willow Lane Project. S/Flood informs him that the contractor has not been paid and the County is now involved. Mr. Carroll asked if private driveways were part of the project. S/Flood informs him that the County authorized the project.

Tom Werner commented on the required background checks for those working with children and that those checks were not filed with the Town Clerk.

Sally Leaf commented that the building inspector was getting the run around and that the Town Board needs to come up with the money to ensure that the properties that need to follow the property maintenance codes

C/Perotti suggested that John Fenton be authorized to have the garbage and brush removed from the property on Old Route 22 and Bog Hollow. The Board discussed the fees to be levied on to the property taxes.

C/Perotti motioned, seconded by C/Riemer

Motion to authorize John Fenton to have garbage removed at 218 Old Route 22 and the property at Bog Hollow Road.

The motion was duly put to a vote which resulted as followed

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Doyle	Aye

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Councilwoman Riemer Aye
Councilwoman Hitselberger Aye
Motion carried.

Water Department

No report

Building Department-

S/Flood read aloud the monthly report submitted by John Fenton (see attached)

Highway Superintendents Report, Stanley Whitehead

Mr. Whitehead commented on the status of the Willow Lane project. The catch basins were installed 6-8 inches too high and both the contractor and the engineer should be held responsible. The County is involved to help ensure this project is completed; and he is willing to help complete the project once he finds out that they will be paid to complete the work.

C/Perotti read aloud a letter from Webutuck Superintendent Jim Gratto regarding the parking at the intersection of Route 343 and Mechanic Street.

C/Perotti read aloud Resolution #38

C/Perotti motioned, seconded by C/Hitselberger

Motion to accept Resolution #38- Introduction of Local Law Establishing No Parking Area on Mechanic Street at Intersection of Route 343

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

Supervisor Flood	Abstain
Councilwoman Perotti	Aye
Councilwoman Doyle	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye

Motion carried.

C/Hitselberger provided the estimates for the bike sharrows. Mr. Whitehead will speak to the County and to a company in Connecticut and will obtain additional estimate.

Amenia Recreation, Peter Clair, Recreation Commissioner

Mr. Clair reported on the all the baseball activity on the fields. Summer camp registration has begun and the camp will run from June 24 through August 2nd.

C/Perotti announced the Senior BBQ will be August 10th. At the last recreation meeting Linda Gregory announced that someone was willing to volunteer to teach art classes. C/Perotti also announced the creation of a subcommittee to assess the overall needs of Beekman Park starting with safety issues. The subcommittee will consist of Chip Watt, Peter Clair, Aaron Howard and Ken Pomisel.

C/Hitselberger suggested a solar power outlet and hand dryers for the restrooms. P. Clair has Shawn Howard looking at prices for electric hand dryers. C/Hitselberger also announced that the

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Knit and Spin Club participated in the International Yarn Bombing Day by displaying a knit flower on the sign in the front of the Town Hall.

Town Historian Report, Arlene Iuliano, Town Historian

Ms. Iuliano thanked Stan Whitehead and the Highway crew for their install of the Historical Post in Wassaic.

Trail to the Train Committee

S/Flood reported that the final design report was received in duplicate. At the meeting copy was given to Marty Grossman and the other will be shared among the town board. The issue with the bog turtle has resolved itself. There are no bog turtles on the property and are no environmental issues.

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

Ms. Klingner reported that 92% of the taxes have been collected. Individuals can still pay their taxes to the Commissioner of Finance, 22 Market Street, Poughkeepsie NY. The Clerk and the Deputy Clerk Patty Barron will be going to Poughkeepsie on Tuesday, June 18th to settle with the Commissioner of Finance. The class attended this past week in Albany offered by NYS Tax Receivers and Collectors was informative and helpful. The suggestions encouraged will be implemented beginning this week with the help of the Deputy Clerk and the in house auditor. Brett Johnson, Dog Control Officer submitted his resignation on June 3rd effective immediately. A request for the use of constable's for a special traffic detail was requested by Crawford and Associates on behalf of their clients Four Brothers for the new drive in theater. This was a request by the planning board as a stipulation in their permit. S/Flood read aloud the email request.

S/Flood motioned, seconded by C/Doyle

Motion to authorize the Town Constables to work directly with Four Brothers to facilitate the direction of traffic control

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

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Doyle	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye

Motion carried.

County Executive Report Mike Kelsey

Mike Kelsey reported that this year Dutchess County is celebrating *Dutchess Heritage Days – Celebrating 300 Years of Democracy*, something the County Clerk is looking at doing is creating a passport and individuals can take the passport across the County stopping in each of the Town Clerks Office and receive a stamp. At Millbrook High School concerned parents met and discussed with various elected officials their concerns they have with the State testing. The higher standards are causing anxiety and physical problems with their children. The County has

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passed a 1.2 million dollar bond to have a detailed study completed for ways to address the overcrowding at the Dutchess County Jail the out of county housing of inmates. A concern brought to Mr. Kelsey's attention was the bicyclist not stopping at various road intersections specifically Dunn Road, Railroad, Mechanic/Depot Hill and Route 343. Mr. Kelsey acknowledged the issue and believes that an education campaign may help.

Discussions

Dutchess County SPCA

S/Flood has not heard back from the Town of Dover regarding the possible shared services for dog control housing. S/Flood read aloud the Dog Control Housing Agreement with the DCSPCA. S/Flood read aloud Resolution #39. C/Perotti began a discussion regarding the resignation Brett Johnson took place. It was the understanding of the board members that if this housing agreement was in place that he will stay on.

S/Flood motioned, seconded by C/Hitselberger

Motion to not accept the letter of resignation form Brett Johnson

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

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Doyle	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye

Motion carried.

C/Perotti motioned, seconded by C/Doyle

Motion to accept Resolution #39- Authorizing Contract with Dutchess County SPCA

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

Supervisor Flood	Aye
Councilwoman Perotti	Aye
Councilwoman Doyle	Aye
Councilwoman Riemer	Aye
Councilwoman Hitselberger	Aye

Motion carried.

ARC 38- request for Special Gathering Permit

Devon Kyle Irby represented the group requesting the gathering permit. He was unaware of the need of a permit until he was approached by John Fenton the Town Code Enforcement Officer. The gathering is scheduled for the weekend of June 21st/ 22nd he estimates 50-100 individual will attend and the event which is a fundraiser. Discussed were safety and sanitary violations as identified by John Fenton and the DC Department of Health. Members of the Town Board, the applicant ARC 38 and the audience discussed their concerns.

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Other Matters

S/Flood motioned, seconded by C/Riemer

Motion to accept Resolution #40- Establishing Medical Insurance Premium Contribution Amount for 20 hour per Week Part-Time Employees

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

Supervisor Flood Aye
Councilwoman Perotti Aye
Councilwoman Doyle Aye
Councilwoman Riemer Aye
Councilwoman Hitselberger Aye
Motion carried

Town Board Minutes- 3/28/13; 4/11/13; 4/25/13; 4/29/13; 5/29/13 and 6/5/13 were presented to the board. C/Riemer was not ready to approve 5/29 and 6/5

S/Flood motioned, seconded by C/Doyle

Motion to approve the minutes from 3/28/13; 4/11/13; 4/25/13; and 4/29/13 as presented.

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

Supervisor Flood Aye
Councilwoman Perotti Aye
Councilwoman Doyle Aye
Councilwoman Riemer Aye
Councilwoman Hitselberger Abstain
Motion carried.

Supervisors Report

S/Flood and C/Hitselberger visited a town hall that has a geo-thermal system. They do not have a back- up system and recommends that one is in place.

Town Board Comments

C/Riemer announced the next Main Street Grant meeting will be Tuesday, June 18th at 8am.

C/Doyle announced that June 15th the Wassaic Project will be holding a fundraiser.

C/Hitselberger announced that the Acceptable Use Policy packets have been completed by the Town Clerk. In looking at the list of email accounts only 58% of the assigned accounts are being used.

C/Hitselberger inquired about the status of the lawn contract and the complaints that have been received. The Board discussed what needed to be done to document negligence. C/Hitselberger made a public service announcement regarding "Botted Host", and gives the reminder to "never open an attachment from someone you don't know. Be cautious when clicking on advertisements on the web." See attached flyer. On June 15th the Garden Club will be holding a lecture on roses, and the Hidden Gardens Tour will be on July 13th from 10am-4pm.

S/Flood motioned, seconded by C/Hitselberger

Motion to close the meeting and go into executive session to discuss legal matters.

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

Supervisor Flood Aye

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Councilwoman Perotti Aye
Councilwoman Doyle Aye
Councilwoman Riemer Aye
Councilwoman Hitselberger Aye
Motion carried

S/Flood motioned, seconded by S/Doyle

Motion to exit executive session and return to the regular meeting

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

Supervisor Flood Aye
Councilwoman Perotti Aye
Councilwoman Doyle Aye
Councilwoman Riemer Aye
Councilwoman Hitselberger Aye
Motion carried

S/Flood motioned, seconded by C/Doyle

Motion to accept the Agreement and with the Town of Amenia and John Tublewicz and authorizing the Town Supervisor to sign the documents

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

Supervisor Flood Aye
Councilwoman Perotti Aye
Councilwoman Doyle Aye
Councilwoman Riemer Aye
Councilwoman Hitselberger Aye
Motion carried

C/Flood motioned, seconded by S/Doyle

Motion to return to the regular meeting at 10:35 pm

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

Supervisor Flood Aye
Councilwoman Perotti Aye
Councilwoman Doyle Aye
Councilwoman Riemer Aye
Councilwoman Hitselberger 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 June 13, 2013 and are not to be construed as the final official minutes until so approved.

6-27-13 Approved as read on

Approved with: deletions, corrections, and additions