

**STATE OF NEW YORK
COUNTY OF DUTCHESS
TOWN OF LA GRANGE**

**TOWN BOARD MEETING
January 14, 2009**

Present: Supervisor Jon Wagner
Councilman Joseph Luna
Councilman Steve O'Hare
Councilman Dale Borchert

Absent: Councilman Gary Beck

Recording Secretary: Christine O'Reilly-Rao, Town Clerk

Others Present: Wanda Livigni, Administrator of Public Works
Peter Huff, Director of Parks and Recreation
Diana Campaglione, Environmental Consultants
Ron Blass Esq., Van De Water & Van De Water

The regular meeting of the Town Board was held on Wednesday, January 14, at the LaGrange Town Hall, 120 Stringham Road immediately following the re-organizational meeting.

Supervisor Wagner asked for a motion to approve the minutes from December 17, 2008
Councilman Borchert moved to do so, seconded by Councilman Luna and carried unanimously.

Supervisor Wagner asked for a motion to accept the monthly reports for December.
Councilman Borchert so moved, seconded by Councilman Luna and carried by all.

Building, Planning, Zoning & Public Works:	\$8,685.00
Highway Superintendent:	\$0
Justice Caplicki	\$30,210.00
Justice Greller	\$33,760.00
Town Clerk	\$1,604.71

Correspondence

Time Warner Cable has a list of channels changes and fee changes. The information will be available in the Clerk's office for one week.

The Mid Hudson Road Runners Club sought permission for use of the town roads and Town Hall on February 1, 2009. Supervisor Wagner asked for a motion to grant their request.
Councilman Borchert so moved, seconded by Councilman O'Hare and carried unanimously.

Supervisor's Report

Supervisor Wagner stated that the repairs to the Town Hall were well underway. Problems with the heating system were discovered when the ceiling in the Main Meeting Room/ Court Room was taken down. It appears that there was no duct work per se, and that the heat simply dissipated into the roof. In addition, the buildings thermostats were not working properly. Black Electric is currently working on the necessary repairs and will install supplemental electric heat. A NYSERTA application will likely be made in order to change the entire heating system. The Board will have to take out a bond to cover the expenses associated with the unforeseen work not covered by insurance.

After attending flood summit meetings, Mr. Wagner learned that events of quick flooding after small events are resulting in Municipalities and Building and Planning Officials being sued. He would like the Board to consider a short moratorium on building in flood plains and their buffer zones until local laws can be enacted to protect the flood plain. He asked that the matter be further studied by the Board.

Mr. Wagner stated that he had received a letter from Mr. Nesheiwat regarding a water bill in the amount of \$872.97, which was due to a malfunctioning water softener. He asked the Board to consider a course of action in regard to the bill which was more than 4 times the resident's regular monthly bill.

Councilman O'Hare moved to suspend the rules to allow Mr. Nesheiwat to address the Board. Councilman Luna seconded the motion and it was carried by all.

Mr. Nesheiwat explained that he was seeking relief from paying the entire bill, but was willing to pay an average monthly amount. He added that he was on a limited income.

A discussion followed.

Councilman Borchert stated that he would prefer to reserve his response pending further research into the matter.

Councilman Luna moved to return to regular business, seconded by Councilman Borchert and carried by all.

Supervisor Wagner stated that Justice Stephen Greller had requested that the Town Board approve his attendance at the training portion of the Association of Towns Meeting in New York City. The cost breakdown is \$292.00 for one night stay at the Sheraton Hotel and the cost of registration is \$100.00. These expenditures would come out of the court budget for training leaving a balance of \$1,608.00 for the year.

A discussion followed. Councilman Luna moved to approve the expenditure for the class, but not for the overnight stay. Councilman Borchert seconded the motion and it carried unanimously.

Mr. Wagner presented the Board with a request for a zoning change from R120 to C-1 for tax parcels 6559-03-304356 and 6559-03-328354.

RESOLUTION

WHEREAS, Supervisor Wagner introduced the following local law for the Town of LaGrange, entitled "Town of LaGrange Local Law No. ___ of the Year 2009, A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, AMENDING THE ZONING MAP OF CHAPTER 240, SECTION 240-22, OF THE TOWN CODE TO CHANGE THE DESIGNATION OF LAGRANGE TAX PARCELS 6559-03-304356 and 6559-03-328354, LOCATED GENERALLY AT THE CORNER OF ARTHURSBURG ROAD AND ROUTE 82, FROM THE R-120 DISTRICT TO THE C-1 DISTRICT.

BE IT ENACTED by the Town Board of the Town of LaGrange as follows:

Section 1. The zoning map of Chapter 240, Section 240-22, of the Town Code is amended to change the district designation of LaGrange Tax Parcels 6559-03-304356 and 6559-03-328354, located on the south side of Arthursburg Road and also at the corner of Arthursburg Road and Route 83, consisting of a total of approximately 3.91 acres, from the R-120 District to the C-1 District.

Section 2. This local law will take effect upon the filing with the Secretary of State as prescribed by law.

WHEREAS, Supervisor Wagner advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it was necessary to hold a public hearing upon this local law. He offered the following resolution which was seconded by Councilman Luna, who moved its adoption:

Whereas, on January 14, 2009, Supervisor Wagner has introduced this local law for the Town of LaGrange, to be known as "Town of LaGrange Local Law No. _____ of the Year 2009, a local law of the Town of LaGrange, Dutchess County, New York amending the zoning map of Chapter 240, Section 240-22, of the Town Code to change the designation of LaGrange tax parcels 6559-03-304356 and 6559-03-328354, located generally at the corner of Arthursburg Road and Route 82, from the R-120 District to the C-1 District.

LET IT BE RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, LaGrangeville, New York on February 25, 2009, at 7:30 p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of LaGrange, by the Town Clerk, at least

five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on February 25, 2009, at 7:30 o'clock p.m. prevailing time, on a proposed Local Law of the Town of LaGrange, Dutchess County, New York, amending the zoning map of Chapter 240, Section 240-22, of the Town Code to change the designation of LaGrange tax parcels 6559-03-304356 and 6559-03-328354, located generally at the corner of Arthursburg Road and Route 82, from the R-120 District to the C-1 District.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringham Road, LaGrangeville, New York, between the hours of 8:30 a.m. and 4:00 p.m. on all business days, except Tuesdays when the hours are between 8:00 a.m. and 3:30 p.m., between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: LaGrangeville, New York

January 14, 2009

CHRISTINE O'REILLY-RAO,
TOWN CLERK

The foregoing was put to a vote which resulted as following:

Councilman Luna AYE
Councilman Beck ABSENT
Councilman O'Hare AYE
Councilman Borchert AYE
Supervisor Wagner AYE

Dated: LaGrangeville, New York
January 14, 2009

Committee Reports

Recreation

No report.

Water and Sewer

There was no report.

Open Space

Councilman Borchert stated that the Committee was working on an application process for an Open Space Plan. Dutchess Land Conservancy had volunteered to assist them with the application process at no cost to the Town.

Highway

No report.

Town Board Comments

There were no comments from the Board.

Town Attorney

No comments.

Environmental Consultants

Ms. Campaglione stated that reducing Mr. Nesheiwat's bill would set a precedent and that she did not feel the Town should be responsible for leaky toilets or malfunctioning water softeners. A discussion followed.

Public Works

No report.

Public Comment

Councilman Luna move to open the meeting to public comment, seconded by Councilman O'Hare and carried by all.

Veronica Rosen, Library Trustee thanked the Board for their continued support. She also noted that circulation was up 11.5 % since 2007.

Events for children have been going well and MacGyver, the therapy dog is very popular.

The Kamishibi Theater Family Story time begins January 23rd at 6:30 p.m. This is storytelling in the traditional Japanese "paper theater" style.

The Teen Group held a craft program with the Taconic Resource Adults during the first week of January.

The Chess Club is still going strong and the Adult Warm Reads Program started on January 5th.

The Better Book Sales ends this Friday and all books are now half price.

Mr. Polhemus, Chairman of the Public Safety Advisory Committee stated that the Seminar scheduled for January 28th is post phoned due to renovations in the Main Meeting Room at Town Hall. It will be rescheduled at a future date.

Councilman Luna stated that he had held a meeting in the downstairs meeting room and despite the renovations, many favorable comments were made by officials from other Towns about the building.

Councilman Borchert moved to close the public comment, seconded by Councilman O'Hare and carried by all.

Councilman Borchert moved to adjourn, seconded by Councilman O'Hare and carried by all.

The meeting was adjourned at 8:20 p.m.

Respectfully Submitted,

Christine O'Reilly-Rao

Town Clerk