

LaGrange Town Board Meeting

December 9, 2009 7:30 p.m.

AGENDA

Call to Order

Salute to the Flag

Monthly Reports

The Town Board will consider acceptance of the monthly revenue reports from town departments as follows:

- | | |
|---|--------------------|
| • Building, Zoning & Public Works | Total \$ 22,902.00 |
| • Planning | Total \$ 850.00 |
| • Highway Department | Total \$1,500.00 |
| • Justice Caplicki (incl. State Share) | Total \$39,101.00 |
| • Justice Greller (incl. State Share) | Total \$25,415.00 |
| • Town Clerk (incl. State & County Share) | Total \$1,481.18 |

Supervisor's Report

Correspondence

- Time Warner Cable
- Cablevision

Public Hearing

- Page Park Associates LLC for the rezoning of the parcel located at intersection of NYS Route 55 and the Taconic State Parkway to the C-2 district – continued
- Transfer/Recycle Center Bids

Resolution

- Award bid for Transfer/Recycle Center
- Memorialization in support of the Math and Physics Exploratorium
- Waiver of 30 day waiting period for liquor license at New Ichiban, Inc., 702 Freedom Plains Road

Agenda Items

Electrical Inspector

- John Wierl of NY Electrical Inspections & Consulting, LLC is requesting his name be added to the Town of LaGrange Electrical Inspectors List.

Permit Fees – Taconic Crossing

- The Building Inspector is requesting Town Board approval for additional permit fees for Taconic Crossing.

Road Runner's Club

- Mid-Hudson Road Runner's Club is requesting permission to use the town roads on 2/7/2010 for a five mile road race.

Committee Reports

- Water and Sewer
- Recreation
- Open Space
- Highway

Town Board Comments

- This time is set aside for new or old business not on the agenda

Town Attorney

- This time is set aside each meeting for new business by the Towns Attorney not listed elsewhere in the agenda

Administrator of Public Works

- This time is set aside each meeting for the Administrator of Public Works to discuss Planning, water, sewer, MS4 and related topics not listed elsewhere on the agenda.

Environmental Consultants

- Reports from the operators of the Town's water and sewer facilities

Public Comment

- Public comments are accepted during this time.

Executive Session

Adjournment

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

**TOWN BOARD MEETING
DECEMBER 9, 2009**

Present: Supervisor Jon Wagner
Councilman Joseph Luna
Councilman Gary Beck
Councilman Steve O'Hare
Councilman Edward P. Jessup

Recording Secretary: Margaret Schmitz, Deputy Town Clerk

Others Present: Rebecca Valk, Esq., Van De Water & Van De Water
Stephen Gaba, Esq., Drake, Loeb, Heller, Kennedy, Gogerty,
Gaba & Rodd
Wanda Livigni, Administrator of Public Works
Steve Mance, Environmental Consultants
Greg Bolner, Clark Patterson Lee

A Regular Meeting of the Town Board was held on Wednesday, December 9, 2009 at the LaGrange Town Hall, 120 Stringham Road. Supervisor Wagner called the meeting to order at 7:30 p.m. The Deputy Town Clerk led the flag salute.

Monthly Reports

Supervisor Wagner asked for approval of the monthly reports for November which include state, county and local shares. Councilman Beck made a motion seconded by Councilman Jessup and carried by all.

Building, Zoning & Public Works	Total \$22,902.00
Planning Department	Total \$850.00
Highway Department	Total \$1,500.00
Justice Caplicki (inc. State Share)	Total \$39,101.00
Justice Greller (inc. State Share)	Total \$25,415.00
Town Clerk (inc. State & County Share)	Total \$1,481.18

Supervisor's Report

Supervisor Wagner asked the Town Board to give consideration to the concept of putting a temporary roof structure on the Town Hall as with the first storm of the year the roof is leaking again. Supervisor Wagner wished to make the Board aware that something would need to be done to prevent further damage to the Town Hall and that he intended to look into possible solutions. The Town Board indicated they were in support of the concept.

Correspondence

Supervisor Wagner reported that he received a letter from George Beckwith, Arlington Central School District Director of Transportation stating that he frequently drives the school district roads to perform morning road checks and finds the Town of LaGrange roads to have the best winter road conditions in the District. Mr. Beckwith wished to share the Arlington School Districts appreciation of Highway Superintendent, Mike Kelly's efforts and would appreciate whatever budget support the Town can give Mr. Kelly.

Supervisor Wagner received correspondence from Time Warner Cable with channel changes; these letters will be available in the Town Clerk's Office for one week.

Supervisor Wagner received a letter from Cablevision informing the Town that effective January 1, 2009 customers 60 days delinquent in payment will be charged a late fee which has changed from \$5.00 currently to \$7.00; this letter will be on file in the Town Clerk's Office for one week.

Public Hearing

Rebecca Valk gave an overview of the required purpose for the scheduled Public Hearing on the Transfer Station / Recycle Center Franchise Agreement. (SEE ADDENDUM)

Councilman Beck made a motion to open the Public Hearing, seconded by Councilman O'Hare; carried unanimously.

There were no comments from the public.

Councilman Jessup made a motion to close the Public Hearing, seconded by Councilman Luna; carried unanimously.

Rebecca Valk gave an overview of the Resolution for the Transfer Station Bid and it has been determined there is one sole compliant bid which was submitted by Royal Carting Service Company. Councilman O'Hare made a motion to approve the Resolution, seconded by Councilman Beck; carried unanimously. (SEE ADDENDUM)

Public Hearing

Supervisor Wagner explained that this is a continuation of a Public Hearing that was previously opened for Page Park Association proposed re-zoning of a parcel located on the intersection of NYS Route 55 & the NYS Taconic Parkway to C-2.

Kelly Liebolt of Page Park Associates presented their proposal for re-zoning request to C-2.

Supervisor Wagner asked if there was anyone from the public present that wished to make a comment; there were none.

Councilman Jessup made a motion to close the Public Hearing, seconded by Councilman Luna; carried unanimously.

Supervisor Wagner stated that correspondence was received from the Dutchess County Department of Planning stating their concerns on this rezoning as it relates to the Master Plan and the visual impact on the Taconic Parkway; they have turned it down. Supervisor Wagner explained that if the Town wishes to go against their recommendation the Town Board to need a super-majority vote and provide written notification to the County with the reasons the Town has for going against their recommendations. (SEE ADDENDUM)

Stephen Gaba advised the Board that the appropriate course of action, should the Board decided to adopt a resolution approving this Local Law, it would have to do so by a super-majority vote. Mr. Gaba advised that if the Town wished to proceed with the application it needs a motion directing the Town's consultants to prepare memorandum addressing the County Planning's comments. A resolution adopting a negative declaration under SEQRA and a resolution conditionally approving the zoning.

Greg Bolner wished to clarify the Board's request to direct Clark Paterson Lee to prepare a response to Dutchess County Planning with the establishment of conditions of approval that adequately address the comments made by the County in advance of the next Town Board Meeting?

Supervisor Wagner responded by requested a motion directing Clark Patterson Lee to prepare a response to Dutchess County Planning and directing Council to prepare a Resolution adopting a negative declaration to be voted on at the next Town Board Meeting. Councilman Beck made a motion directing the work to be done, seconded by Councilman Jessup; carried unanimously.

Agenda Items

Resolution

Supervisor Wagner introduced a Resolution supporting the concept plan of the Math and Physics Exploratorium, located in the Town of LaGrange. Councilman Beck made a motion to approve the Resolution, seconded by Councilman Jessup. The Resolution was duly put to vote which resulted as follows:

Supervisor Wagner	AYE
Councilman Luna	AYE
Councilman Beck	AYE
Councilman Jessup	AYE
Councilman O'Hare	ABSTAIN

Supervisor Wagner explained that Councilman O'Hare volunteered his legal services on this requiring him to abstain from the vote. (SEE ADDENDUM)

Resolution

Supervisor Wagner introduced a Resolution to waive the 30 day notice for liquor license renewal for New Ichiban, 702 Freedom Plains Road. Councilman Beck made a motion to adopt the resolution, seconded by Councilman Luna; carried unanimously. (SEE ADDENDUM)

Supervisor Wagner stated that Building Inspector, Ken McLaughlin, has requested adding John Wierl of NY Electrical Inspection & Consulting, LLC to the Town of LaGrange Electrical Inspectors List. Councilman Jessup made a motion to approve the request, seconded by Councilman Beck; carried unanimously.

Supervisor Wagner stated that Building Inspector, Ken McLaughlin, has requested the Town Board approve a fee schedule for major alterations to the building at Taconic Crossings; the current Building Permit Fee Schedule does not accommodate a project of this size.

Rebecca Valk advised the Town Board to table this resolution until the fee schedule can be revised to accommodate buildings of this size rather than creating a fee schedule specific to Taconic Crossing. The Town Board concurred with council and tabled this agenda item.

Supervisor Wagner stated The Mid-Hudson Road Runners has requested permission to use the town roads and the Town Hall Meeting Room on February 2, 2010 for a five mile road race; Councilman Luna made a motion to approve the request, seconded by Councilman Jessup; carried unanimously.

Committee Reports

Water & Sewer

No Report

Recreation

No Report

Open Space

Councilman Jessup reported the Open Space Committee held a Public Information Session on the Pierson property on December 2, 2009 with approximately 40 – 50 people in attendance. Councilman Jessup stated there appeared to be a 3 or 4:1 majority in favor of the project.

Highway

No report

Town Board Comments

Oral Resolution

Councilman Jessup requested the Town Board consider a policy prohibiting anyone from serving more than one Board. Supervisor Wagner noted that in two separate occasions there are people serving dual roles sitting on two boards. Councilman Jessup clarified this does not apply to a liaison. Councilman Beck suggested sending a letter to individuals serving more than board requesting the board they prefer to serve. Councilman Beck recommended this be done before the yearend so other appointments can be made to fill empty positions. Rebecca Valk advised the Town Board that Zoning Board and Planning Board members have set terms within the Town Law, and some other boards may by local code, have a term period; when you appoint them they become vested in that term and have a right to serve out their term. Some of the other boards may be serving at your pleasure. Councilman Beck suggested making it a voluntary request. Councilman Luna asked Ms. Valk if the Board could pass a resolution as a policy for future appointments. Ms. Valk's response to Councilman Luna affirmed a resolution setting policy for future appoints would be appropriate. Councilman Luna made a motion to adopt the resolution, seconded by Councilman Beck, carried unanimously.

Councilman Beck commented that before year end the Town Board needs to reconsider the leadership of the Zoning Board of Appeals; this should be done before the reorganizational meeting and the next ZBA meeting. Councilman Beck made a motion to appoint Gary Polhemus as Chairman of the Zoning Board of Appeals, effective January 1, 2010. Supervisor Wagner suggested the first step be a meeting with the current Chairman and the Town Board. Councilman Luna voiced his agreement with Supervisor Wagner. Supervisor Wagner requested the Board make themselves available in the next few days for such a meeting.

Councilman Jessup made a motion to adjourn the December 23, 2009 meeting due to the holiday. Supervisor Wagner stated that due to current events, it is unlikely that will happen.

Town Attorney

Rebecca Valk introduced a Resolution for an Out of District Agreement for property owner Betros. Ms. Valk informed the Board that Councilman O'Hare has raised her attention to a discrepancy in the contract between what the Town Board intended regarding monetary charge and what appears in the contract. Ms. Valk review options for the Board to consider. A discussion followed. Councilman O'Hare moved to adopt the resolution as drafted with the subject changes which would be \$3,000 or \$1,000 escrow, Councilman Beck seconded the motion; carried unanimously. (SEE ADDENDUM)

Supervisor Wagner asked Ms. Valk if she had information regarding the SPCA contract and when it is due for renewal. Ms. Valk stated it is due for renewal in April.

Public Works

Ms. Livigni stated she opened bids for the Titusville Sewer District GIGP aeration upgrade on Tuesday December 8, 2009. Ms. Livigni advised the Town Board that the monies for this need to be committed before the end of the year. Greg Bolner provided a bid summary with Clark Patterson Lee's recommendation to award the bid to the lowest bidder, Dakksco Pipeline Corporation with conditional approval. Supervisor Wagner requested Ms. Valk to verbally state the resolution. Ms. Valk dictated the resolution as follows.

Resolution

A motion to award the bid for the Titusville Waste Water Treatment Facility Aeration System Improvements to Dakksco Pipeline Corporation, as the lowest compliant bidder; the bid is conditioned upon the realization of the GIGP grant proceeds. Therefore the contract with the EFC should be executed and the advancement of funds made. Councilman Jessup made the motion to approve the resolution, seconded by Councilman Beck; carried unanimously.

Environmental Consultants

No Report

Public Comment

Councilman Luna made a motion to open the meeting to public comments, seconded by Councilman Jessup; carried unanimously.

Dale Borchert, Simone Drive and Dutchess County Legislator for District 3, reported the County Legislature approved a budget last night and wished to share a few details of that budget. Legislator Borchert reported the Minority Caucus was adamant about not passing the cost of Sheriff road patrols or the cost of elections down to municipalities; the Majority Caucus then played that against everything else which resulted in coming up with a negotiated settlement where the cost of road patrols is still a County cost, as are the cost of elections. Legislator Borchert said "We await Dutchess County Executive Steinhaus' view on this and if he vetoes anything. The Legislator has removed the revenue line passing these costs down to the municipalities. Some LaGrange residents were very adamant about having funding added for Cooperative Extensions and the GIS Lab; all those things went back into the budget at reduced rates. The modified budget for 2009 was \$401,000,00. The budget amount for 2010 is \$401,800,000. The State mandates that went down to the County went up \$13,000,000 last year and the County kept spending flat line; true County spending dropped \$13,000,000 with this budget."

Supervisor Wagner commented that the Town Board is adamant against the County costs being passed down to municipalities and asked what the chances of a veto are? Legislator Borchert responded "The chances are high." Mr. Borchert thanked the LaGrange Town Board for its support.

Irv Miller, Manor Drive, had two comments. As a member of the Mid-Hudson Road Runners Club, Mr. Miller wished to thank the Town Board for the use of Town roads and Town Hall for the upcoming road race.

As the director of the Math & Physics Exploratorium, Mr. Miller wished to thank a number of people starting with Supervisor Wagner who helped point him in the right direction; he also thanked Councilman O'Hare who had done some legal work. Mr. Miller thanked Peter Huff for allowing him to present during Community Day and the LaGrange Library for allowing him to make presentations there once a month; the next presentation is scheduled for January 20, 2010. Mr. Miller invited those present to attend the presentations.

Councilman Jessup made a motion to close public comment, seconded by Councilman Luna; carried unanimously.

Councilman O'Hare made a motion to adjourn the meeting, seconded by Councilman Jessup; carried unanimously. The meeting adjourned at 8:29 p.m.

Respectfully Submitted,



Margaret Schmitz
Deputy Town Clerk

ADDENDUM

- **Affidavit of Publication: Public Hearing on Recycle / Transfer Station Franchise Agreement**
- **Affidavit of Publication: Public Hearing on Page Park Zone Change Application from R-120 to C-2**
- **Resolution: Awarding Recycle / Transfer Station Bid to Royal Carting Services Co.**
- **Dutchess County Comments for rezoning request for parcel # 6460-02-960960; Page Park Associates, LLC**
- **Resolution: Math and Physics Exploratorium**
- **Resolution: 30 Day Waiver for New Ichiban**
- **Resolution: Betros Out of District Agreement**
- **Clark Patterson Lee Evaluation of Bid Results for Titusville Waste Water Treatment Facility Aeration System Improvements**

RESOLUTION

Supervisor Wagner, offered the following resolution, which was seconded by Councilman O'Hare, who moved its adoption:

WHEREAS, the Town of LaGrange duly advertised, pursuant to New York General Municipal Law, for the submission of bids for the operation of the Trash and Recycling Center located at 130 Stringham Road in the Town of LaGrange, New York; and

WHEREAS, bids were received at the Town Hall on November 23, 2009; and

WHEREAS, after receipt and review of all the submitted bids, it has been determined that there is one sole compliant bidder, Royal Carting Service Co.; and

WHEREAS, a public hearing was duly held on the proposed franchise agreement on December 9, 2009.

NOW THEREFORE, BE IT RESOLVED that after receipt and review of all submitted bids, the Town of LaGrange Town Board awards the bid to Royal Carting Service Co. "Option B", as the sole compliant bidder, subject to the execution of the Franchise Agreement provided herein;

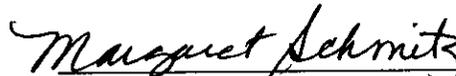
NOW, THEREFORE, BE IT FURTHER RESOLVED that the Town Board approves, and authorizes the Supervisor to execute a proposed Franchise Agreement with Royal Carting Service Co. in the form

annexed hereto as Exhibit "A", or any other agreement document having substantially the same or similar provisions.

The foregoing resolution was voted upon with all councilmen voting as follows:

Supervisor Wagner	AYE
Councilman Luna	AYE
Councilman Beck	AYE
Councilman O'Hare	AYE
Councilman Jessup	AYE

DATED: LaGrangeville, New York
December 9, 2009


MARGARET SCHMITZ
DEPUTY TOWN CLERK

K:\WPDOCS\Lagrange (0070)\Transfer Station - Franchise\Franchise for 2010-2011\Resolution approving contract or agreement.doc

Dutchess County Department of Planning and Development

Fax Info Only

To
Co./Dept.
Fax #

Date
From
Phone #

pgs

Zoning Referral

Municipality: Town of LaGrange

Referring Agency: Town Board

Tax Parcel Number(s): 13 3400 6460 02 960960

Project Name: Rezone R-120 to C-2

Applicant: Town Board / Page Park Associates

Address of Property: NYS 55 / TSP

Please Fill Out This Entire Portion of the Form

Type of Action:

- Local Law / Text Amendment
- Rezoning
- Site Plan
- Special Permit
- Use Variance
- Area Variance
- Other: _____

Jurisdictional Determinants

- State Road 55 / TSP 987G
- County Road _____
- State Property
- County Property
- Municipal Boundary
- Agricultural District

Date Response Requested (if less than 30 days): 12/9

If subject of a previous referral, please note County referral number(s): SQ09-487

FOR COUNTY OFFICE USE ONLY

Response from Dutchess County Department of Planning and Development

No Comments:

- Matter of Local Concern
- No Jurisdiction
- No Authority
- Project Withdrawn

Comments Attached:

- Local Concern with Comments
- Conditional
- Denial
- Incomplete — *municipality must resubmit to County*
- Incomplete with Comments — *municipality must resubmit to County*

Date of Submittal: 11/24

Notes: Add info req. 12/2

Date Submittal Received: 12/9/25

Date Report Requested: 12/9

Date Report Required: 12/23

Major Project

- Archive
- Discard after 2 yrs
- Discard after 7 yrs

Referral #: 09-567

Date of Transmittal
faxed: 12/8/09 mailed:

Reviewer: J. Clark

December 8, 2009

To: Town Board, Town of LaGrange
 Re: Referral: 09-567, Page Park Associates Rezoning
 Parcel: 6460-02-960960, NYS Route 55

The Dutchess County Department of Planning & Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, Sections 239-l and 239-m). After considering the proposed action in the context of countywide and intermunicipal factors, the Department finds that the Board's decision involves a matter of some concern and offers the following comments.

Action

The applicant is requesting a rezoning of a 6.9-acre parcel from Residential R-120 to Commercial C-2.

Comments

This wooded parcel was designated for a primarily residential district as part of the Town's 2006 update of its Comprehensive Plan and Zoning Code. The application contains no compelling case for changing circumstances or reasons why it could not be developed for the existing allowable uses. Referencing the submitted 2003 purchase agreement with the property owner to the rear, its landlocked status appears to be self-created.

The Town's relatively recent planning process attempted to focus new development in the Town Center and limit outlying highway commercial districts. This property is on the east side of the Taconic State Parkway, well beyond a reasonable walkable distance from the Town Center. Allowing additional auto-dependent commercial development outside the Town Center will just increase traffic at a particularly busy area near the Parkway access ramps and compete with the Town Center for commercial uses.

The Taconic State Parkway is a designated State Scenic Byway and, according to our information, on the National Register of Historic Places (please check EAF question 6). The LaGrange section is relatively pristine in terms of visual intrusions on the Parkway. Commercial development in this location would allow shorter setbacks, higher building coverage, and much larger parking coverage than residential development, providing less space for a vegetative buffer along the Parkway.

Recommendation

For the reasons stated above, our department recommends that the Board not grant a rezoning for the proposed property. The proposal is not consistent with the Comprehensive Plan and there have been no substantial reasons given why the property cannot be used in accordance with existing zoning. Before the Town Board

Dutchess County
 Department of
 Planning and
 Development

William R. Steinhilber
 County Executive

Roger P. Aketay
 Commissioner

Kealy Salomon
 Assistant Commissioner

27 High Street
 Poughkeepsie
 New York
 12601
 (845) 486-3600
 Fax (845) 486-3610



Referral 09-567, Page 2

considers this rezoning, it should request more detailed analysis on potential visual impacts to the Taconic State Parkway and future traffic impacts in this immediate area near the access ramps.

If the Board determines to act contrary to our recommendation, the law requires that it do so by a majority plus one of the full membership and that it notify us of the reasons for its decision.

Roger P. Akeley, Commissioner, Dutchess County Planning & Development
By



John Clarke
Development and Design Coordinator

RESOLUTION

Councilman Beck offered the following resolution, which was seconded by Councilman Jessup.

WHEREAS, the Math and Physics Exploratorium, located in the Town of LaGrange, promotes better understanding and appreciation of the joys of mathematics and physics, their practical real-world applications, and their relationship to each other, and

WHEREAS, visitors to the Exploratorium develop their curiosity so that they will be eager and confident to learn and explore on their own, and ultimately to apply their knowledge to their daily lives, including the ability to use math to make important financial decisions, and to understand and master our increasingly complex world of technology, and

WHEREAS, the Exploratorium achieves its goals using exciting exhibits and classes for teachers, parents and students alike, and

WHEREAS, current exhibits and programs include: Learning Proficiency in Addition and Multiplication, Elementary Geometry, and elementary Mathematics for Teachers, and

WHEREAS, the Exploratorium also involves the local community by allowing people to contribute to the exhibits and to share their own creativity with others, now, therefore be it

RESOLVED, that the Town Board does hereby commend the Math and Physics Exploratorium and supports its goals of encouraging each person to reach his or her potential, providing guidance for children participating in science fairs, helping teachers to explain math concepts, and providing travel exhibits for schools.

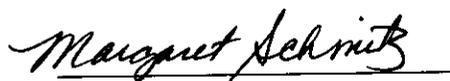
NOW, IT IS HEREBY RESOLVED THAT:

1. The Town Board is in support of the Math and Physics Exploratorium.

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

Supervisor Wagner	AYE
Councilman Luna	AYE
Councilman Beck	AYE
Councilman Jessup	AYE
Councilman O'Hare	ABSTAIN

DATED: LaGrangeville, New York
December 9, 2009



MARGARET SCHMITZ,
DEPUTY TOWN CLERK

RESOLUTION

RESOLUTION: To Waive 30 Day Notice for Liquor License

Applicant: New Ichiban
702 Freedom Plains Road
Poughkeepsie, NY 12603

Date: December 9, 2009

Supervisor Wagner introduced the following resolution. Councilman Beck moved its' adoption seconded by Councilman Luna.

WHEREAS, New Ichiban, 702 Freedom Plains Road, Poughkeepsie, NY 12603 in the Town of LaGrange intends to file for renewal of a New York State Liquor License; and

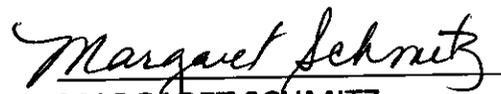
WHEREAS, pursuant to Alcohol Beverage Control Law §64(2A), an Applicant must give the municipality thirty (30) days notice of the pending liquor license application unless the municipality consents to waive the thirty (30) day requirement; now therefore be it

RESOLVED, that the Town Board of the Town of LaGrange hereby waives the thirty (30) day notice period in regard to the above business, located at 464 Freedom Plains Road, Poughkeepsie, NY 12603 allowing an earlier submission of the liquor license application.

ROLL CALL VOTE:

Supervisor Wagner	AYE
Councilman Luna	AYE
Councilman Beck	AYE
Councilman O'Hare	AYE
Councilman Jessup	AYE

Dated: December 9, 2009


MARGARET SCHMITZ
DEPUTY TOWN CLERK

RESOLUTION

Supervisor Wagner offered the following resolution which was seconded by Councilman O'Hare, who moved its adoption:

WHEREAS, Michael and Melanie Betros are the owner, or one of the owners, of certain real property improved by a detached single family residence located at 5 Hubbard Lane in the Town of LaGrange (hereinafter the "Property"); and

WHEREAS, the Property is situated outside the boundaries comprising and serviced by the Titusville Sewer District and therefore there is no existing municipal sewer system to service the Property; and

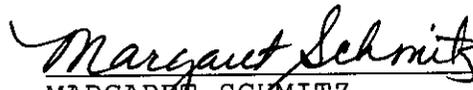
WHEREAS, Owner wishes to receive municipal sewer service for the Property from the Titusville Sewer District under the terms and conditions contained in the proposed agreement, a copy of which is annexed hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED that the Town Board approves, authorizes and ratifies the Supervisor's execution of a proposed out of district tenant agreement between Owner and the Titusville Sewer District, or any other agreement document having the same or similar provisions.

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

Supervisor Wagner	AYE
Councilman Luna	AYE
Councilman Beck	AYE
Councilman O'Hare	AYE
Councilman Jessup	AYE

DATED: LaGrangeville, New York
December 9 2009


MARGARET SCHMITZ,
DEPUTY TOWN CLERK



Clark Patterson Lee
DESIGN PROFESSIONALS

December 9, 2009

Mr. Jon J. Wagner, Supervisor
and Town of LaGrange Board
120 Stringham Road
LaGrangeville, New York 12540

**Re: Town of LaGrange
Green Innovation Grant Program
Titusville Wastewater Treatment Facility
Aeration System Improvements Bid
Job # 11278.71**

Dear Supervisor Wagner and Members of the Town Board:

The Town of LaGrange received ^{four} ~~seven~~ (4) bids for the Titusville Wastewater Treatment Facility Aeration System Improvements. The total base bid with Alternate 1 ranged from \$265,944 to \$410,000. The low base bid with Alternate 1 in the amount of \$265,944 was received from Dakksco Pipeline Corp. A summary of the remaining bids are attached. The recommended construction budget for the work was \$367,400.

Non-Collusive Bidding Certificate and Bid Bond were provided.

Based on Clark Patterson Lee's (CPL) evaluation of the low bid received from Dakksco Pipeline Corp., CPL recommends that the Town Board award the contract to Dakksco Pipeline Corp. in the amount of \$265,944 for the base bid with Alternate 1 contingent upon confirmation with NYS EFC that everything is in order for funding.

If you have any questions, please contact me at 845-567-2011 ext. 2119.

Sincerely,

CLARK PATTERSON LEE

Greg W. Bolner, P.E.
Principal Associate

cc: Margaret Schmitz, Deputy Town Clerk
Christine Toussaint, Town Comptroller
Wanda Livigni, Administrator of Public Works
Ronald C. Blass, Jr., Van DeWater and Van DeWater, Town Attorney

900 Corporate Boulevard
Newburgh, NY 12550
clarkpatterson.com
845.567.6700 TEL
845.567.9614 FAX

**TITUSVILLE WASTEWATER TREATMENT FACILITY
AERATION SYSTEM IMPROVEMENTS**

December 8, 2009 BID RESULTS

	CONTRACTOR	BASE BID	A-1	Total W/A1
1	DakSCO Pipeline Corp.	\$249,944.00	\$16,000.00	\$265,944.00
2	Aroid Construction Company, Inc.	\$279,000.00	\$15,000.00	\$294,000.00
3	Standard Construction Corp.	\$313,000.00	\$15,500.00	\$329,500.00
4	Eventus Construction Co. Inc.	\$397,700.00	\$12,300.00	\$410,000.00

For Town of Titusville
 Aeration System Improvements
 December 8, 2009

The Town of Titusville
 Aeration System Improvements
 December 8, 2009

The Town of Titusville
 Aeration System Improvements
 December 8, 2009

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