

LaGrange Town Board Meeting

February 24, 2010 7:30 p.m.

AGENDA

Call to Order

Salute to the Flag

Minutes Approval

Supervisor's Report

Correspondence

- Time Warner Cable
- Cablevision

Agenda Items

Sylvan Hills Girl Scouts

- The Sylvan Hills Girl Scouts requesting Town Board's approval for the use of Stringham Park on May 16, 2010 from 1:00pm – 4:00pm for a family fun day.

Proposed Additional Building Fees

- Building Inspector is requesting Town Board's approval for additional building fees to be adopted by the Town of LaGrange.

Red Wing Properties – The Lakes of LaGrange

- Town Board to discuss for consideration of a PDD Development.

Replacement of Town Vehicles

- 1999 Ford Taurus color blue, mileage in excess of 140,000.
- 1998 Ford Taurus color green, mileage in excess of 140,000
- 1997 Ford Expedition color white, mileage in excess of 112,700
- 1999 Small Dump Truck (transmission in need of repair)
- 1995 Pick-up Truck (not passing inspection due to rust)
- 1995 Mower
- (2) 1988 Mack Trucks (do to cracked frame rails – will not pass inspection)

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
FEBRUARY 24, 2010**

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

Absent: Councilman Gary Beck

Recording Secretary: Margaret Schmitz, Deputy Town Clerk

Others Present: Rebecca Valk, Esq. Van De Water & Van De Water
Wanda Livigni, Administrator of Public Works
Diana Campaglione, Environmental Consultants

A Regular Meeting of the Town Board was held on Wednesday, February 24, 2010 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.

Supervisors Report

Supervisor Wagner reported that he had a conference call today with Central Hudson regarding the power outages resulting from yesterday's snow storm and had been told that some of the outages may not be fixed for days. There will be another conference call tomorrow. Central Hudson hopes to set up dry ice and water pick-up points by tomorrow.

Supervisor Wagner stated at next Tuesday's Supervisors and Mayors Association Meeting, Robert Rolison, Chairman of the Legislature, will be discussing the upcoming bill for the Board of Elections. Supervisor Wagner stated also on the agenda are two Assembly bills and two Senate bills currently sitting in Albany that if passed and signed by the Governor, will require every town to go to a Ward System and would no longer allow at-large elections. Supervisor Wagner requested a motion authorizing him to draft a letter to Joel Miller and Steve Saland stating the LaGrange Town Board is not in agreement with that bill. Councilman Luna made the requested motion; seconded by Councilman Jessup; carried unanimously. Supervisor Wagner stated he believes The Supervisors and Mayors Association will do the same thing, as well as The Association of Towns.

Correspondence

Supervisor Wagner stated a letter from Time Warner Cable in which they have made notification of a rearrangement of channels will be in the Town Clerk's office for two weeks. Supervisor Wagner mentioned Cablevision's letter informing the Town that WPIX is ending their affiliation with LATV in March and will no longer be available to viewers will also be on file in the Town Clerk's Office.

Agenda Items

Supervisor Wagner stated the Sylvan Hills Girl Scouts is requesting permission to use Stringham Park on May 16, 2010 from 1:00 – 4:00 p.m. for a Family Fun Day. Supervisor Wagner stated the Board is in receipt of a Memorandum from Peter Huff stating the LaGrange Recreation Advisory Committee is okay with this, as is he, providing a certificate of insurance naming the Town as an additionally insured is provided, and they clean up after use. Councilman Luna made a motion to approve the Girls Scout's request; seconded by Councilman Jessup; carried unanimously.

Building Fees

Supervisor Wagner stated the Building Inspector is requesting additional building fees be adopted by the Town Board. Councilman Jessup made a motion to accept the new fees; seconded by Councilman O'Hare; carried unanimously. (SEE ADDENDUM)

Red Wing Properties / Lakes of LaGrange

Supervisor Wagner stated a letter from Mark Day of M.A. Day Engineering has been received by the Town Board requesting that the Lakes of LaGrange project be considered for PDD development. Supervisor Wagner read the letter into the record and requested a motion to accept this letter as an application for a PDD. Councilman Jessup made a motion to accept the application; seconded by Councilman Luna; carried unanimously. Supervisor Wagner stated the Town Board would set aside some workshop time and some agenda time to move it along its course. A discussion regarding an As of Right followed. (SEE ADDENDUM)

Bond Resolution

Supervisor Wagner reintroduced a Bond Resolution in the amount of \$462,281.57 for replacement of Town vehicles which was voted on last week but not adopted due to an insufficient percentage of Town Board Members voting. Councilman Jessup made a motion to approve the Bond Resolution; seconded by Councilman O'Hare; carried unanimously. (SEE ADDENDUM)

Committee Reports

Open Space

Councilman Jessup reported that a new application for Open Space has just been received by John Ostune the owner of an 87 acre property on Maloney Road; the Garafolo Farm. 34 Acres are in the Town of Wappingers and 53 acres are in the Town of LaGrange. Councilman Jessup stated the application will be reviewed and the application will be called back. Supervisor Wagner asked if the Town of Wappingers has an Open Space program. Councilman Jessup stated he was unsure, but he will contact the Town of Wappingers tomorrow to find out if they have such a program.

Highway

Councilman Jessup reported that the Highway Committee still has not met as Mr. Kelly has been unavailable due to the recent storms. There was nothing further to report.

Town Attorney

Rebecca Valk presented a Resolution settling the tax certiorari proceeding brought by TEG Federal Credit Union against the Town of LaGrange for the 2009 assessment rolls. Supervisor Wagner stated this had been discussed with the Town Attorney at executive session a while back, and this would be the time to take Town Board action on it. Councilman O'Hare made a motion to approve the Resolution; seconded by Councilman Jessup; carried unanimously. (SEE ADDENDUM)

Public Comment

Councilman O'Hare made a motion to open the meeting to public comment; seconded by Councilman Jessup; carried unanimously.

There no comments from the public.

Councilman Luna made a motion to adjourn the meeting; seconded by Councilman Jessup; carried unanimously. The meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Margaret Schmitz
Deputy Town Clerk

ADDENDUM

- **Memorandum from Building Inspector: Request for Building Fees Approval**
- **PDD Application: Red Wing Properties / Lakes of LaGrange**
- **Bond Resolution: Town Vehicles Replacements \$462,281.57**
- **Resolution: Settlement of TEG Tax Certiorari**

TOWN OF LAGRANGE
OFFICE OF THE BUILDING INSPECTOR
120 Stringham Road, LaGrangeville, NY 12540
845-452-2046; Fax 845-452 7692

DATE: January 29, 2010

TO: Jon Wagner, Supervisor
Town Board

FROM Office of the Building Inspector
Kenneth W. McLaughlin

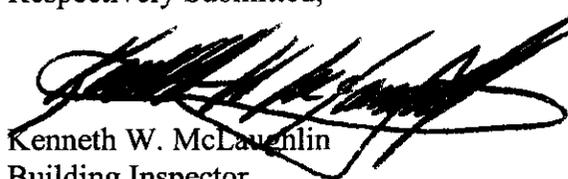
SUBJECT: Proposed Additional Building Fees

This office is requesting that the following additional building fees be adopted by the Town Board:

	<u>Application Fee</u>	<u>Administration Fee</u>	<u>Building Permit Fee</u>
Geo-Thermal Heating			
Residential	\$25.00	\$25.00	\$150.00
Commercial	\$50.00	\$50.00	\$250.00
Fireplace Insert			
		\$ 5.00	\$ 50.00
Radon Elimination System			
Residential		\$5.00	\$50.00
Handicap Ramps			
Residential	\$25.00	0	\$25.00
Commercial	\$25.00	\$10.00	\$50.00

If you have any questions, please contact this office.

Respectively Submitted,


Kenneth W. McLaughlin
Building Inspector
KWM:sh

M. A. Day Engineering, PC

Jan

3 Van Wyck Lane
Suite 2
Wappingers Falls, New York 12590
Phone: 845-223-3202
Fax: 845-223-3206

February 15, 2010

Town of LaGrange Town Board
120 Stringham Road
Lagrangeville, New York 12540

Re: The Lakes of LaGrange
Red Wing Properties
Velie Road, Routes 55 and 82

Dear Members of the Board,

We are writing this letter as a requirement of the Zoning Code to respectfully request that the Lakes of LaGrange project be considered for a PDD development.

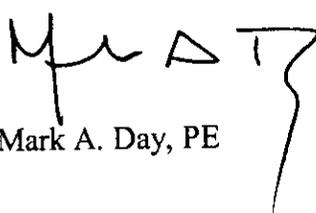
The project site is approximately 490 acres in size consisting of 9 separate tax parcels. The Project Sponsor, the Doherty Family, would like to develop 312 residential units on the parcel while leaving 83% of the site as open space. As part of this project, the Red Wing, will be donating 4 athletic fields to the Town of LaGrange for recreational purposes. Also, Red Wing is providing a 5.5 mile nature trail throughout the site which is currently available to residents of the Town.

Red Wing will also provide the contract to the Town of LaGrange for the existing cellular tower located on the property.

This project will also provide central water and sewerage facilities and the Project Sponsor is currently discussing potential connections with neighboring property owners.

Kindly consider this request for a PDD so that the project design can move forward with the Planning Board.

Very truly yours,


Mark A. Day, PE

<input type="checkbox"/>	TOWN BOARD
<input type="checkbox"/>	COMPTROLLER
<input type="checkbox"/>	TOWN CLERK
<input type="checkbox"/>	ATTORNEY
<input type="checkbox"/>	APW
<input type="checkbox"/>	OTHER <i>WORKSHOP + AGENDA</i>

24th

received
2/16/10

BOND RESOLUTION

At a regular meeting of the Town Board of the Town of LaGrange, Dutchess County, New York, held at the Town Hall, in LaGrangeville, New York, in said Town, on the 24th day of February, 2010, at 8:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Wagner, and upon roll being called, the following were

PRESENT: Supervisor Jon J. Wagner
Councilman Joseph Luna
Councilman Stephen O'Hare
Councilman Edward P. Jessup

ABSENT: Councilman Gary Beck

The following resolution was offered by Councilman Jessup, who moved its adoption, seconded by Councilman O'Hare, to-wit:

BOND RESOLUTION DATED FEBRUARY 24, 2010

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$462,281.57
SERIAL BONDS OF THE TOWN OF LAGRANGE, DUTCHESS
COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS
PURCHASES IN AND FOR SAID TOWN

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of LaGrange, Dutchess County, New York, as follows:

Section 1. The following are hereby authorized in and for the Town of LaGrange, Dutchess County, New York:

a) The purchase of two (2) front plows, wing plows, dump bodies and hydraulic systems at a maximum estimated cost of \$120,000, being a class of objects or purposes having a period of probable usefulness of fifteen years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law;

b) The purchase of two (2) six wheel cabs and dump trucks at a maximum estimated cost of \$199,641.84, being a class of objects or purposes having a period of probable usefulness of fifteen years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law;

c) The purchase of two (2) Chevrolet Impalas LS 4DSD at a maximum estimated cost of \$33,480, being a class of objects or purposes having a period of probable usefulness of five years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law;

d) The purchase of one (1) Chevrolet Escape XLT 4X2 at a maximum estimated cost of \$18,577.13, being a class of objects or purposes having a period of

probable usefulness of five years pursuant to subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law;

e) The purchase of one (1) dump truck at a maximum estimated cost of \$53,343.40, being a class of objects or purposes having a period of probable usefulness of fifteen years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law;

f) The purchase of one (1) Scag mower at a maximum estimated cost of \$11,239.20, being a class of objects or purposes having a period of probable usefulness of five years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law; and

g) The purchase of one (1) pick up truck with plow at a maximum estimated cost of \$26,000.00, being a class of objects or purposes having a period of probable usefulness of ten years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The total maximum estimated cost of the aforesaid objects or purposes is \$462,281.57, and the plan for the financing thereof is by the issuance of \$462,281.57 bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law, to be allocated in accordance with the maximum estimated costs set forth in Section 1 hereof.

Section 3. It is hereby further determined that the maximum maturity of the bonds herein authorized will not exceed five years.

Section 4 The faith and credit of said Town of LaGrange, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest

on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7 The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9 This resolution, which takes effect immediately, shall be published in summary form in The Poughkeepsie Journal, which is hereby designated as the official newspaper for such purpose, together with a notice of the Deputy Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Wagner	VOTING: AYE
Councilman Luna	VOTING: AYE
Councilman Beck	VOTING: ABSENT
Councilman O'Hare	VOTING: AYE

Councilman Jessup

VOTING: AYE

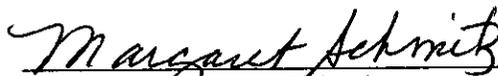
The resolution was thereupon declared duly adopted.

LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on February 24, 2010, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of LaGrange, Dutchess County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk of the Town for a period of twenty days from the date of publication of this Notice.

Dated: LaGrangeville, New York,
February 24, 2010



Margaret Schmitz,
Deputy Town Clerk

BOND RESOLUTION DATED FEBRUARY 24, 2010

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$462,281.57
SERIAL BONDS OF THE TOWN OF LAGRANGE, DUTCHESS
COUNTY, NEW YORK, TO PAY THE COST OF VARIOUS
PURCHASES IN AND FOR SAID TOWN**

Class of objects or purposes: Purchase of two (2) front
plows, wing plows, dump bodies and hydraulic systems
Maximum estimated cost: \$120,000
Period of probable usefulness: Fifteen years
Maturity of obligations: Five years
Amount of obligations to be issued: \$120,000 bonds

Class of objects or purposes: Purchase of two (2) six wheel
cabs and dump trucks
Maximum estimated cost: \$199,641.84

Period of probable usefulness: Fifteen years
Maturity of obligations: Five years
Amount of obligations to be issued: \$199,641.84 bonds

Class of objects or purposes: Purchase of two (2) Chevrolet
Impalas LS 4DSD
Maximum estimated cost: \$33,480
Period of probable usefulness: five years
Maturity of obligations: Five years
Amount of obligations to be issued: \$33,480 bonds

Class of objects or purposes: purchase of one (1) Chevrolet
Escape XLT 4X2
Maximum estimated cost: \$18,577.13
Period of probable usefulness: Five years
Maturity of obligations: Five years
Amount of obligations to be issued: \$18,577.13 bonds

Class of objects or purposes: Purchase of one dump truck
Maximum estimated cost: \$53,343.40
Period of probable usefulness: Fifteen years
Maturity of obligations: Five years
Amount of obligations to be issued: \$53,343.40 bonds

Class of objects or purposes: Purchase of one Scag mower
Maximum estimated cost: \$11,239.20
Period of probable usefulness: Five years
Maturity of obligations: Five years
Amount of obligations to be issued: \$11,239.20 bonds

Class of objects or purposes: Purchase of Pick-Up truck with
plow
Maximum estimated cost: \$26,000
Period of probable usefulness: Ten years
Maturity of obligations: Five years
Amount of obligations to be issued: \$26,000 bonds

RESOLUTION

IT IS HEREBY RESOLVED that Van DeWater & Van DeWater, LLP, Ronald C. Blass, Jr., Esq., of Counsel, is authorized to enter into a Stipulation settling the tax certiorari proceeding brought by TEG Federal Credit Union against the Town of LaGrange for the 2009 assessment roll in accordance with the following schedule:

Assessment Roll	Assessed Valuation	Reduction in Assessment	Final Assessment
2009/10	\$5,800,000	\$1,300,000	\$4,500,000

And to sign such other and further papers as are necessary to effectuate the settlement, said refunds to be without interest if paid within sixty (60) days of service of a copy of the Judgment with Notice of Entry.

Dated: LaGrangeville, New York
February 24, 2009

Moved by Councilman Stephen O'Hare

Seconded by Councilman Edward P. Jessup

Ayes 4

Nays 0