

LaGrange Town Board Meeting

March 10, 2010

AGENDA

Call to Order

Salute to the Flag

Minutes Approval

- Minutes from February 17, 2010
- Minutes from February 24, 2010

Monthly Reports

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

- | | |
|---|--------------------|
| • Building, Zoning, Public Works & Planning | Total \$ 19,679.25 |
| • Highway Department | Total \$ 600.00 |
| • Justice Caplicki (incl. State Share) | Total \$ 34,075.00 |
| • Justice Greller (incl. State Share) | Total \$ 34,740.00 |
| • Town Clerk (incl. State & County Share) | Total \$ 1,888.02 |

Supervisor's Report

Correspondence

- Cablevision
- Time Warner

Agenda Items

Administration Fee

- Building Inspector is requesting Town Board approval of an administration fee for mechanical permits in new single family residence.

Award of Bodies & Plows Bid

- Highway Superintendent is requesting Town Board approval to award bodies and plows bid.

Public Hearing

- Public Hearing for the extension of the Frank Farm Stormwater District.

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
MARCH 10, 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: Ronald Blass, Esq. Van De Water & Van De Water
Wanda Livigni, Administrator of Public Works
Greg Bolner, Clark Patterson Lee

A Regular Meeting of the Town Board was held on Wednesday, March 10, 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.

Supervisor Wagner asked for a motion to accept the minutes from February 17, 2010. Councilman Jessup so moved; seconded by Councilman Luna; carried unanimously. Councilman Jessup made a motion to accept the minutes from the February 24, 2010; seconded by Councilman O'Hare; carried unanimously.

Supervisor Wagner asked for a motion to accept the monthly reports for February, 2010. Councilman O'Hare so moved; seconded by Councilman Jessup; carried unanimously.

Building, Zoning & Public Works	Total \$19,679.25
Highway Department	Total \$ 600.00
Justice Caplicki (incl. State Share)	Total \$34,075.00
Justice Greller (incl. State Share)	Total \$34,740.00
Town Clerk (incl. State & County Share)	Total \$1,888.02

Correspondence

Supervisor Wagner stated Cablevision and Time Warner Cable sent notification of programming changes. Cablevision is advising their customers that effective April 5, 2010 they will no longer offer new customers their Analog Family Package. New customers will need to purchase a digital box. These correspondences will be filed in the Town Clerk's Office for two weeks.

Agenda Items

Building Administration Fee

Supervisor Wagner stated the Building Inspector is requesting the Town Board's approval of an administration fee of \$10.00 for mechanical permits in new single family residence. Councilman Luna made motion to approve the fee; seconded by Councilman Jessup; carried unanimously. (SEE ADDENDUM)

Bid Award

Supervisor Wagner stated that the Superintendent of Highways is requesting the Town Board's approval to award the bid for (2) dump bodies and plows to Hudson River Truck & Trailer as they are the lowest bidder that has met all specifications. Councilman Jessup made a motion to approve the bid award; seconded by Councilman O'Hare; carried unanimously. (SEE ADDENDUM)

Public Hearing

Ms. Livigni explained the purpose of the proposed Extension of Frank Farm Stormwater District. She stated this is an extension of the stormwater district from Phase I to Phase II. It is located next to Sleight Farm on Overlook Road, between Overlook Road and Hartstone Drive. Ron Blass added that this is a part and parcel of the filing of Phase II Plat of the Frank Farm and a part and parcel of a transaction by the developer to sell Phase II to Toll Brothers for Phase II. Mr. Blass stated it is consistent with the first phase and the first drainage district and it is consistent with everyone's understanding at the time of the phasing of the project, five or so years ago. Councilman Jessup made a motion to open the Public Hearing; seconded by Councilman Luna; carried unanimously. (SEE ADDENDUM)

Greg Bolner, from Clark Patterson Lee, stated CPL prepared the map, plan and report for the extension of the Frank Farm Stormwater District to provide for the maintenance expenses for Phase I and Phase II of the stormwater maintenance district. Mr. Bolner stated the initial budget for the storm water maintenance district is set at approximately 2% of the overall bonded cost of the stormwater facilities as per guidelines provided by New York State D.E.C. related to storm-water management. It covers the facilities, cleaning out catch basins, etc.

There were no other public comments. Councilman Luna made a motion to close the Public Hearing; seconded by Councilman O'Hare; carried unanimously.

Resolution

Ron Blass introduced a resolution approving the extension of the Frank Farm Stormwater District after Public Hearing. Councilman Jessup made a motion to approve the resolution; seconded by Councilman O'Hare; carried unanimously. (SEE ADDENDUM)

Committee Reports

Water & Sewer

Councilman Luna stated there will be a meeting Monday with a water district resident that is having a difficult time letting someone in to change his meter. Legislation designed to accommodate problems pertaining to people who are not allowing their water meter to be changed is being sought.

Open Space

Councilman Jessup reported that on Monday there was a meeting with Supervisor Wagner, Dieter Lucas and himself. Mr. Lucas has rescinded his resignation from the Open Space Committee, however, he no longer wishes to co-chair the committee.

Town Attorney

Ron Blass reported that he spoke with Rebecca Valk about the SPCA contract, and there is still an open issue that has not closed. The SPCA is holding firm, as it wants to have sole discretion to waive redemption fees and pass them on to the Town. Supervisor Wagner stated this started last fall when the SPCA, absent of any language in the contract, started doing that. Supervisor stated he is not interested in signing a contract that puts the taxpayers at risk of paying fees just because the SPCA has a philosophical need to reunite animals with owners and not hold people responsible to pay the fee. Councilman Luna asked if there was a reason why the wording cannot say the SPCA has the right to waive the fee, but the Town has the right not to pay the fee. Rob Blass said that concept has been turned down by the SPCA. A brief discussion followed.

Public Works

Wanda Livigni gave an update on the Hazardous Mitigation Grant that the Town of LaGrange is working on with Towns of East Fishkill, Wappingers, Village of East Fishkill and the Village of Wappingers. Ms. Livigni said an RFP went out to consultants on March 5th. We are hoping to meet the Steering Committee on April 6th to short list it and come up with the ranking procedure. Consultant meetings/presentations will be conducted on April 15th.

Public Comment

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

Natalie Marshall, of the LaGrange Library Board, said the Library has applied for a \$10,000.00 Grant, funded by the Dyson Foundation, to be used for re-branding. The Library is hoping to receive it in the next week or two. The re-branding campaign is to find out what the community wants of the library and how services can be expanded to best meet the needs of the community.

Ms. Marshall reported that in terms of expanded services, last Friday night, the library hosted a fake camp fire for story-telling and real S'mores.

Councilman Jessup made a motion to close the public comment portion of the meeting; seconded by Councilman Luna; carried unanimously.

At 7:45 p.m. Supervisor Wagner asked for a motion to move to Executive Session to discuss a conflict issue. Councilman Jessup so moved; seconded by Councilman Luna; carried unanimously.

The Town Board returned from Executive Session at 8:00 p.m. Councilman Luna made a motion to adjourn the meeting; seconded by Councilman O'Hare; carried unanimously. The meeting adjourned at 8:00 p.m.

Respectfully Submitted,



Margaret Schmitz
Deputy Town Clerk

ADDENDUM

- **Memorandum from Building Inspector: Administration Fee for Mechanical Permits in new Single Family Residence**
- **Memorandum from Superintendent of Highways: Bid Award of (2) Dump Bodies & Plows**
- **Affidavit of Publication: Notice of Public Hearing on Extension of Frank Farm Stormwater District**
- **Resolution: Extension of the Frank Farm Stormwater District after Public Hearing**
- **Certification: Extension of the Frank Farm Stormwater District**
- **Clark Patterson Lee: Map, Plan and Report for Frank Farm Sub. Phase 2 Stormwater Water Maintenance District (Exhibit A)**

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

DATE: March 8, 2010

TO: Jon Wagner, Supervisor
Town Board

FROM Office of the Building Inspector
Kenneth W. McLaughlin

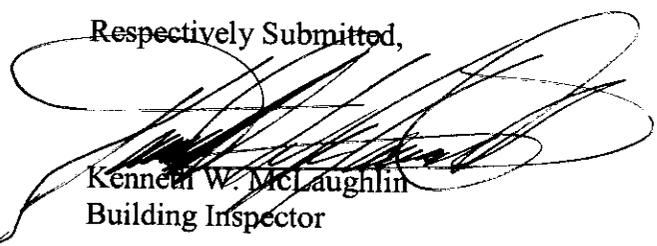
SUBJECT: Administration Fee for Mechanical Permits in new Single Family Residence

The New York State Uniform Code Administration and Enforcement Report is required to be filed with the Department of State annually. As a result of changes to this report and the ease of generating this annual report it will now be necessary to issue separate mechanical permits when issuing a new single-family residence building permit.

We respectfully request that a nominal administration fee of \$10.00 be charged for each of these individual mechanical permits and be added to the current fee schedule.

If you have any questions regarding this matter, please contact me.

Respectfully Submitted,



Kenneth W. McLaughlin
Building Inspector

KWM:sh



TOWN OF LAGRANGE HIGHWAY DEPARTMENT

130 STRINGHAM ROAD
LAGRANGEVILLE, NY 12540
845-452-2720 845-452-2709 FAX

DATE: March 08, 2010
TO: The Town Board
FROM: Michael Kelly
RE: Award of 2 Dump Bodies & Plows

After reviewing all three (3) bids that were submitted to the Town for two (2) Dump Bodies and Plows, it is my recommendation that we award the bid to **Hudson River Truck & Trailer**. Their bid price was \$56,158.00 per truck for a total of \$112,316.00 for the two trucks.

This is the lowest bid that has met all specifications.

If you have any questions, please contact me at 452-2720.

Thank you,

Michael Kelly,
Superintendent of Highways

Poughkeepsie Journal

Poughkeepsie, N.Y.

AFFIDAVIT OF PUBLICATION

State of New York
County of Dutchess
City of Poughkeepsie

Rita Lombardi, of the City of Poughkeepsie, Dutchess County, New York, being duly sworn, says that at the several times hereinafter mentioned he/she was and still is the Principle Clerk of the Poughkeepsie Newspapers Division of Gannett-Satellite Information Network, Inc., publisher of the Poughkeepsie Journal, a newspaper published every day in the year 2010 in the city of Poughkeepsie, Dutchess County, New York, and that the annexed Notice was duly published in the said newspaper for one insertion successively, in each week, commencing on the 22nd day of Feb. in the year of 2010 and on the following dates thereafter, namely on:

And ending on the _____ day of _____ in the year of 2010, both days inclusive.

Rita Lombardi
Subscribed and sworn to before me this 24th day of February in the year of 2010.

Rose Ann Simpson
Notary Public

My commission expires 1/4/2014

ROSE ANN SIMPSON
Notary Public, State of New York
No. 01816215093
Qualified in Dutchess County
Commission Expires January 4, 2014

STORMWATER DISTRICT WHEREAS a petition dated February 17 2010 for the extension of a stormwater drainage district pursuant to Article 12 of the Town Law was filed with the Town Board of the Town of LaGrange Dutchess County New York on February 17 2010 WHEREAS the proposed district is described and bounded to include a portion of the real property identified by the tax parcel number 260530463316 and the fully extended district is illustrated within the map and plan attached hereto as Ex A WHEREAS the proposed improvements consist of items specified in a Map and Plan prepared by Clark Patterson Lee on February 10 2010 and on file with the Town Clerk The improvements shall be made by the developer of the project as a condition of Planning Board approval thereof and WHEREAS the maximum capital amount proposed to be expended for the drainage improvements is \$1000000 since the cost of the improvements shall be borne by the developer and said capital improvements are proposed to be expended to the proposed extended drainage district and ORDER BY TOWN BOARD FOR HEARING ON THE EXTENSION OF THE FRANK FARM

the estimated amount anticipated to be expended annually by the proposed drainage district for the operation and maintenance of the facilities is \$814090 per year and the annual benefit assessment cost to the typical property which will be a four bedroom home shall initially be approximately \$503100 per year based upon that annual budget spread over the stormwater district as extended consisting of 64 benefit units and ORDERED this Board will hold a public hearing to consider the adoption of the petition and relevant matters on March 10 2010 at 7:30pm at the Town Hall Town of LaGrange County of Dutchess New York All persons interested in this matter shall be heard and it is further ORDERED that the Town Clerk of the Town of LaGrange is hereby authorized and directed to publish a certified copy of this order in the official paper the first publication thereof to be not less than ten nor more than twenty days before the day set for the hearing and to post a copy of same in the office of the Town of LaGrange in the same time and manner as required by Town Law X193 Supervisor Wagner ABSENT

Councilman Luna AYE
Councilman Beck ABSENT
Councilman O'Hare AYE
Councilman Jessup AYE
DATED February 17 2010
LaGrangeville New York
MARGARET SCHMITZ
DEPUTY TOWN CLERK
LWKAPGDRAONCGSE
FOR0A7NOKFARM SUBD
S4TORSMMWAZTER DE
ISXTRICITTO PHASE20
RDERFOR PUBLIC
HEARING WITH NOTICE
FRANK FARM2DOC
STATE OF NEW YORK
COUNTY OF DUTCHESS
I the undersigned Deputy Clerk of the Town of LaGrange New York DO HEREBY CERTIFY That I have compared the foregoing copy of ORDER BY TOWN BOARD FOR HEARING ON THE EXTENSION OF THE FRANK FARM STORMWATER DISTRICT with the original thereof on file in my office and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters herein referred to IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Town of LaGrange on this 17th day of February 2010
MARGARET SCHMITZ
DEPUTY TOWN CLERK
9693

RESOLUTION

**FOR THE EXTENSION OF THE
FRANK FARM STORMWATER DISTRICT
AFTER PUBLIC HEARING**

WHEREAS, on February 17, 2010, the Town Board received a petition, accompanied by a map and plan, pursuant to Section 192 of the Town Law, for the extension of the Frank Farm Stormwater (i.e. drainage) district upon petition under Article 12 of the Town Law; and

WHEREAS, the Town Board, February 17, 2010, accepted the proposed map and plan of Clark Patterson Lee dated February 10, 2010 (hereinafter the "Map and Plan"), and directed the Town Clerk to publish and post a notice for public hearing on the extension of the Frank Farm Stormwater District in accordance with the applicable provisions of law; and

WHEREAS, the public hearing was duly held on March 10, 2010; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of LaGrange, in the County of Dutchess, that it be and hereby is determined as follows:

- (1) That the petition is signed, and acknowledged or proved, or authenticated, as required by law and is otherwise sufficient;
- (2) That all of the property and property owners within the proposed stormwater district extension are benefited thereby.
- (3) That all of the property and property owners benefited are included within the proposed stormwater district

extension.

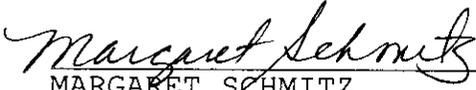
- (4) It is in the public interest to establish the proposed stormwater district extension as hereinafter described, and

BE IT FURTHER RESOLVED AND DETERMINED, that the Town Board does hereby approve the extension of the Frank Farm Stormwater District as hereinafter described (hereinafter the "District Extension"); that the improvements described in the Map and Plan be constructed and the service therein described be provided for upon the required funds being made available or provided for; and that the stormwater district extension be bounded and described as set forth on the map forming a part of the Map and Plan filed with the Town Clerk, and which fully extended district is illustrated within the map and plan attached hereto as Exhibit A.

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

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

DATED: LaGrangeville, New York
March 10, 2010


MARGARET SCHMITZ
DEPUTY TOWN CLERK



Clark Patterson Lee
DESIGN PROFESSIONALS

February 10, 2010

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

**Re: Town of LaGrange
Frank Farms Subdivision – Phase 2
Stormwater Maintenance District MP&R
Job # 11278.05**

Dear Supervisor Wagner and Town of LaGrange Board:

Pursuant to the completion of the requirements to obtain Final Subdivision Approval for the above referenced project, this map, plan, and report describes the required maintenance of facilities associated with the extension of the existing Stormwater Maintenance District (the District) to serve the Frank Farm Subdivision Phase 1 & 2. The Town Board serves as the District Administrator and is responsible for maintenance of the stormwater facilities. Maintenance will be accomplished by hiring personnel on an as-needed basis, or entering into a contract with a third party for the maintenance services.

Area to be Served: Map

The Stormwater Maintenance District is to serve the Frank Farms Subdivision, Phase 1 & 2 sections, which is located off Overlook Road. Phase 2 of the subdivision contains ±88.20 acres in the Town of LaGrange. Thirty three (33) single-family residential (SFR) parcels are proposed. Attached is a location map that shows the Phase 1 & 2 boundaries of the subdivision. Phase 1 & 2 of the subdivision combined will consist of a total of ±149.48 acres and sixty four (64) SFR lots.

Plan

The Stormwater Maintenance District Administrator will be responsible for maintenance of the drainage improvements associated with construction of Phase 2, including two new stormwater management facilities located on Ridgeline Drive and Sommerset Road, and the existing components associated with Phase 1. Each parcel within the District will pay an equal share of the costs associated with these activities. Annual costs per parcel will be directly proportional to the amount of maintenance and/or repairs required within any given year. Vacant parcels owned by the Developer will also be included within the District, therefore, sixty four (64) equal “assessments” or “benefit

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

units" will equally share the District's costs, until later phases are constructed and the District boundary is revised. It is expected that the annual cost to a property within the District will vary with the age of the drainage system. The Town Board will establish a budget each year for the District. Initially, it is anticipated that the annual budget will be \$19,840 (approximately 2% of the construction costs of the stormwater management and drainage facilities) or \$310 per year per residence.

Report

The Frank Farm Stormwater Maintenance District will be responsible for maintenance and repair of the subdivision's drainage systems. Maintenance of the various components of the systems is described below. Please note that the recommendations provided were based upon guidelines set forth in the New York State's *Stormwater Management Design Manual* (April 2008) and *Standards and Specifications for Erosion and Sediment Control* (August 2005). The frequency of maintenance services for the project may vary from these recommendations.

Catch Basins

Catch basins should be inspected annually. Debris and litter should be removed from the basins during these inspections. Sediment will have to be removed from the basins either manually or by a vacuum truck when 10% of the available capacity has been used up (e.g., 1.2" per 12" of sump.) In addition, the structures should be repaired and/or replaced on an as-needed basis.

Rip Rap Inlet and Outlet Protection

All riprap inlet and outlet protection shall be inspected on an annual basis to insure that scour of the rip rap has not occurred; and stones have not been dislocated or accumulated sediment or debris. If repair is required, said repair should be made immediately and the stone reset.

In addition, all culvert inlets and outlets should be checked for clogging and accumulation of sediment, and cleaned as needed.

Stormwater Management Basins

Two (2) additional stormwater management basins are proposed in Phase 2 of the subdivision. Two (2) basins are constructed in Phase 1 of the subdivision. The stormwater basins contain forebays and basins to collect and treat runoff. Maintenance tasks to be performed include:

1. Sediment forebay – The sediment forebay shall be inspected on an annual basis. Sediment accumulation or other debris shall be noted, and cleanout is required before the depth of sediment equals 50% of the design depth. The sediment forebay shall include a permanent marker delineating the 50% design depth for visual inspection.
2. Stormwater management basin – The water quality basin shall be inspected bi-annually (spring and fall) for adequate vegetation, undesirable vegetative growth, undesirable woody vegetation, and sediment and/or trash accumulation. The vegetation should be maintained as noted above and mowed or trimmed as necessary to provide for proper function of the water quality basin. Any growth of invasive species should be removed. Animal burrows or other damage by animals is to be immediately repaired.
3. Outfall – The outfall shall be inspected on an annual basis to note any rip rap failure, clogging or slope erosion, and repaired or replaced immediately.
4. Outlet pipes – The outlet pipes should be checked for clogging and accumulation of sediments annually and cleaned as required.

Swales

Swales will have to be inspected on an annual basis and after all major storm events (e.g., after each event where 3 inches of rainfall is exceeded in a 24-hour period). During the inspection, all debris and litter should be collected and removed. In addition, the following items should be checked and repaired as needed:

- The swales should be checked for erosion, and all eroded areas should be stabilized immediately.
- All culvert outlets and inlets should be checked for clogging and accumulation of sediment, and cleaned as needed.

Grassed swales should be mowed at least twice during the growing season (e.g., middle and end of the growing season) to prevent the growth of trees and shrubs, to ensure the swale capacity is not reduced, and to control weed growth.

All permanent and post-construction stormwater facilities that provide qualitative treatment are to be maintained in accordance with the New York State *Stormwater Management Design Manual* (April 2008).

Extension of the proposed Frank Farm Stormwater Maintenance District will be completed at no cost to the Town. Easements are required to be obtained for access to all

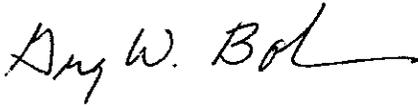
Jon J. Wagner, Supervisor
and Town of LaGrange Board
February 10, 2010
Page 2

the facilities in the proposed Stormwater Maintenance District. Compensation for work by the Town Engineer and Town Attorney is by way of escrow established by the Developer of the subdivision.

Should you have any questions, please do not hesitate to contact us.

Sincerely,

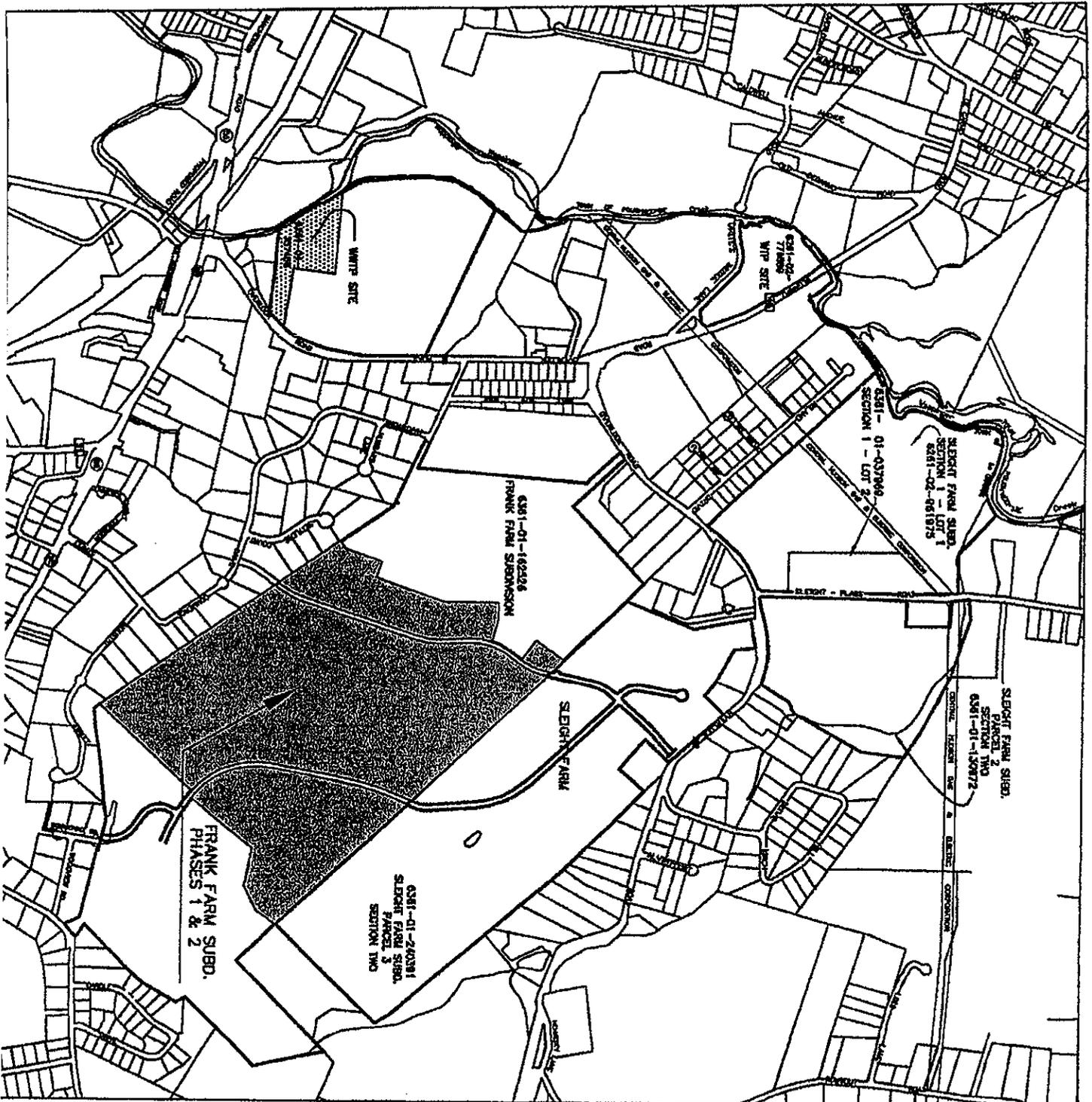
Clark Patterson Lee

A handwritten signature in black ink that reads "Greg W. Bolner". The signature is written in a cursive style with a long horizontal stroke at the end.

Greg W. Bolner, P.E.
Principal Associate

cc: Alan Bell, Planning Board Chairman
Wanda Livigni, Administrator of Public Works
Margaret Schmit, Deputy Town Clerk
Ronald Blass, Jr., Van DeWater and Van DeWater, Town Attorney

#1 2 100



AREA MAP
FRANK FARM SUBDIVISION - PHASES 1 & 2

SOURCE: OBTAIN FROM TOWN OF LAGRANGE TAX MAPS

SCALE: 1" = 1,200'