

SPECIAL BOARD MEETING

Wednesday, October 6, 2010

7:00 p.m.

Agenda

The Building Inspector is requesting Town Board approval to accept a performance bond, in the amount of \$15,000.00, from Mavis Tires to ensure site improvements are completed upon receipt of site plan approval from the planning board.

Town Board to approve bond resolution for Town Hall's roof and HVAC replacement (bond not to exceed \$700,000.00).

Zoning Board of Appeals, Gary Polhemus, Marc Komorsky and Mark Christenson are requesting Town Boards permission to attend a conference at PACE Law School in White Plains, NY on October 22, 2010. They are requesting \$60.00 reimbursement for mileage.

The Highway Superintendent is requesting Town Board approval to award the "Road Sweeping" and "Highway Materials" for the contract period 2010/2011 to the lowest bidder.

Budget Workshop to follow

**STATE OF NEW YORK
COUNTY OF DUTCHESS**

**TOWN BOARD MEETING
October 6, 2010**

Present: Supervisor Jon Wagner
Councilman Gary Beck
Councilman Joseph Luna
Councilman Ed Jessup

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

Others Present: None

A special meeting of the Town Board was held on Wednesday, October 6, 2010, at the LaGrange Town Hall, 120 Stringham Road. Supervisor Wagner called the meeting to order at 7:00 p.m.

The Building Inspector requested Board approval to accept a Performance Bond in the amount of \$15,000 from Mavis Tires to ensure that site improvements are completed upon receipt of site plan approval from the Planning Board.

Supervisor Wagner offered a resolution regarding the Performance Bond. Councilman Luna seconded the motion and moved its adoption. (SEE ADDENDUM)

Councilman O'Hare arrived at 7:04 p.m.

Supervisor Wagner offered a Bond Resolution authorizing the issuance of \$700,000 serial bonds of the Town of LaGrange to pay the cost of reconstruction and renovation of the Town Hall. (SEE ADDENDUM)

Mr. Wagner explained that the Town Hall's roof has been leaking pretty much since the year or two after it was built. Various methods have been tried to repair the roof, but due to the holes for HVAC systems, all efforts have so far failed. Last week during the tropical storm, the roof began leaking again and without proper repair the building itself will be at risk. He stated that all of the HVAC systems need to be removed and placed at ground level with appropriate landscaping. The roof itself will be "green", i.e. a white energy efficient one. He further added that time is of the essence and ideally a contractor should be chosen before winter. He will be putting information regarding this on the website and in a press release.

A brief discussion ensued.

Councilman Beck move to adopt the resolution, seconded by Councilman Jessup and carried unanimously.

Zoning Board of Appeals members Gary Polhemus, Marc Komorsky and Mark Christenson requested Board permission to attend a conference at Pace Law School in White Plains on October 22, 2010. They would like reimbursement for mileage.

Councilman Beck seconded by Councilman Jessup move to grant permission with mileage reimbursement.

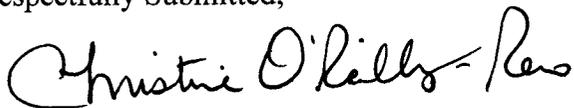
The Highway Superintendant requested that the board approve bid awards for ROAD SWEEPING and HIGHWAY MATERIALS for the contract period of 2010 to 2011. Certain questions arose as to whether the crushed stone was by the yard or by the ton and whether or not the scales were certified. A brief discussion ensued.

Councilman Beck moved to table the request until the next regular meeting. Councilman Luna seconded the motion which was carried unanimously.

Councilman O'Hare moved to adjourn the meeting, seconded by Councilman Jessup and carried by all.

The meeting was adjourned at 7:15 p.m.

Respectfully Submitted,



Christine O'Reilly-Rao
LaGrange Town Clerk

ADDENDUM

- **RESOLUTION: Performance Bond Mavis Tires**
- **RESOLUTION: Town Hall Reconstruction/ Renovation**

RESOLUTION

IN THE MATTER OF SITE IMPROVEMENTS FOR MAVIS DISCOUNT TIRE

Supervisor Wagner offered the following resolution which was seconded by Councilman Luna who moved its adoption;

WHEREAS, the applicant applied for a building permit for exterior and interior alterations and repairs to an existing building to be converted from Buddy's Automotive to Mavis Discount Tire to be located at 680 Freedom Plains Road, Grid No. 6360-01-424896 and

WHEREAS, several meetings were held with Ken McLaughlin, Building Inspector and Brian Aitchison, AIA of DCAK MSA and

WHEREAS, the Building Inspector determined that site improvements consisting of repaving, adding and replacing existing curbs and landscaping would be required for the new occupancy, and

WHEREAS, the Building Inspector referred the proposal to the Administrator of Public Works and

WHEREAS, a \$1,000 escrow was established and paid for review of the proposal by the town's consultants, and

WHEREAS, a meeting was held on October 1, 2010 with Brian Aitchison, AIA of DCAK MSA, Building Inspector Ken McLaughlin, Walter Artus of Stormwater Management Consultants and Greg Bolner of Clark Patterson Lee, and

WHEREAS, Brian Aitchison AIA on behalf of Mavis Discount Tire requested permission to proceed with the building improvements and

WHEREAS, Mavis Discount Tire has agreed to post a \$15,000 performance bond to be held in a non-interest bearing account until that time when all of the site improvements have been completed to the satisfaction of the Town of LaGrange and

WHEREAS Mavis Discount Tire posted a \$15,000 performance bond to insure that all of the site improvements were completed and

WHEREAS, the Town of LaGrange has received a \$15,000 cash bond to be held in a non-interest bearing account until that time when all the improvements have been completed to the satisfaction of the town of LaGrange and any other agencies regulating those improvements

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	ABSENT
Councilman Jessup	AYE

DATED: October 6, 2010

The RESOLUTION is hereby duly declared adopted.


Christine O'Reilly-Rao
LaGrange Town Clerk

BOND RESOLUTION

At a special 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 6th day of October, 2010, at 7:00 o'clock P.M., Prevailing Time.

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

PRESENT:

Councilman Luna

Councilman Beck

Councilman Jessup

Councilman O'Hare

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

BOND RESOLUTION DATED OCTOBER 6, 2010

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$700,000
SERIAL BONDS OF THE TOWN OF LAGRANGE, DUTCHESS
COUNTY, NEW YORK, TO PAY THE COST OF RECONSTRUCTION
AND RENOVATION OF TOWN HALL IN THE TOWN OF
LAGRANGE

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 reconstruction and renovation of Town Hall located at 120 Stringham Road, LaGrangeville, New York, consisting of roof replacement, HVAC replacement, and related improvements, is hereby authorized in and for the Town of LaGrange, Dutchess County, New York. The foregoing class of objects or purposes has a period of probable usefulness of twenty years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby determined that the class of objects or purposes authorized pursuant to this resolution are of a Type II Action as defined in the SEQRA Regulations of the State of New York and that such class of objects or purposes will have no significant impact upon the environment.

Section 2. The total maximum estimated cost of the aforesaid objects or purposes is \$700,000, and the plan for the financing thereof is by the issuance of up to \$700,000 bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law. It is hereby determined that the maximum maturity of the bonds herein authorized will not exceed ten years and that no down payment is required under Section 107.00 of the Local Finance Law.

Section 3. 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 4. 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 5. 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 6. 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 7. 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 8. This resolution 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 Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 9. This resolution is adopted subject to a permissive referendum.

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: AYE

Councilman O'Hare

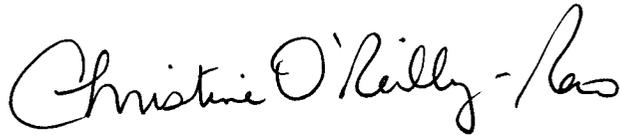
VOTING: AYE

Councilman Jessup

VOTING: AYE

The resolution was thereupon declared duly adopted.

DATED: October 6, 2010

A handwritten signature in black ink that reads "Christine O'Reilly-Rao". The signature is written in a cursive, flowing style.

Christine O'Reilly-Rao

LaGrange Town Clerk

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

I, the undersigned Clerk of the Town of LaGrange, County of Dutchess, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 6th day of October, 2010.
2. That such meeting was a special meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting *which the proceeding was adopted* was caused to be given **PRIOR THERETO** in the following manner:

PUBLICATION: Sent to Poughkeepsie Journal September 30, 2010

POSTING : Town Hall, September 30, 2010

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 6th day of October, 2010.


Christine O'Reilly-Rao, Town Clerk

NOTICE OF ADOPTION OF RESOLUTION

PLEASE TAKE NOTICE that the Town Board of the Town of LaGrange, Dutchess County, New York, has, on the 6th day of October, 2010, duly adopted a Bond Resolution, an abstract of which is published herewith, subject to a permissive referendum.

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 thirty days from the date of publication of this Notice.

Dated: LaGrangeville, New York
October 6, 2010


Christine O'Reilly-Rao, Town Clerk
Town of LaGrange

BOND RESOLUTION DATED OCTOBER 6, 2010

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$700,000 SERIAL BONDS OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, TO PAY THE COST OF RECONSTRUCTION AND RENOVATION OF TOWN HALL IN THE TOWN OF LAGRANGE

Class of objects or purposes: Reconstruction of Town Hall located at 120 Stringham Road, LaGrangeville, New York
Maximum estimated cost: \$700,000
Period of probable usefulness: Twenty years
Maturity of obligations: Not to exceed ten years
Amount of obligations to be issued: \$700,000 bonds

STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

I, the undersigned Clerk of the Town of LaGrange, Dutchess County, New York, DO HEREBY CERTIFY that on the 6th day of October, 2010, I duly caused a copy of the attached Notice of Adoption to be conspicuously posted on the sign-board maintained pursuant to Town Law section 30(6) located at the entrance of Town Hall, 120 Stringham Road, LaGrangeville, New York.


Christine O'Reilly-Rao, Town Clerk

Sworn to before me this
8th day of October, 2010


Notary Public

NANCY J. BAUGHMAN
Notary Public, State of New York
Qualified in Dutchess County
No. 01BA6129543
Commission Expires June 27, 20 13

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 13th day of Oct. 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 14th day of October in the year of 2010

Rose Ann Simpson
Notary Public

ANN SIMPSON
Notary Public
State of New York
Commission expires 1/4/2014

Qualified in Dutchess County
Commission Expires January 4, 2014

NOTICE OF ADOPTION OF RESOLUTION

PLEASE TAKE NOTICE that the Town Board of the Town of LaGrange, Dutchess County, New York, has, on the 6th day of October, 2010, duly adopted a Bond Resolution, an abstract of which is published herewith, subject to a complete referendum. 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 of LaGrange, New York, for a period of thirty days from the date of publication of this Notice.

Town of LaGrange
BOND RESOLUTION
DATED OCTOBER 6, 2010

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$700,000 SERIAL BONDS OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, TO PAY THE COST OF RECONSTRUCTION AND RENOVATION OF TOWN HALL IN THE TOWN OF LAGRANGE

Class of objects or purposes: Reconstruction.
Town Hall located at 120 Stringham Road, LaGrangeville, New York
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Amount of obligations to be issued: \$700,000

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Section 2. The total maximum estimated cost of the aforesaid objects or purposes is \$700,000, and the plan for the financing thereof is by the issuance of up to \$700,000 bonds of said Town hereby authorized to be issued

therefore pursuant to the Local Finance Law. It is hereby determined that the maximum maturity of the bonds herein authorized will not exceed ten years and that no down payment is required under Section 107.00 of the Local Finance Law. Section 3. 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 4. 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 5. 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 Sec-

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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 7. 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.

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Section 9. This resolution is adopted subject to a permissive referendum.

The question 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: AYE
Councilman O'Hare- VOTING: AYE
Councilman Jessup- VOTING: AYE
The resolution was thereupon declared duly adopted.

DATED: October 6, 2010
Christine O'Reilly-Rao
LaGrange Town Clerk

NO. 046215893