

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

**TOWN BOARD MEETING  
November 12, 2014**

**Present:** Supervisor Alan Bell  
Councilman Joseph Luna  
Councilman Edward Jessup  
Councilman Andrew P. Dyal

**Absent:** Councilman Gary Polhemus

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

**Others Present:** Ron Blass, Esq. Van De Water & Van De Water  
Wanda Livigni, Planning & Public Works

The regular meeting of the Town Board was held on Wednesday, November 12, 2014, at 120 Stringham Road, Town of LaGrange. Supervisor Bell called the meeting to order at 7:00 pm. The Town Clerk led the flag salute.

Mr. Bell asked for a motion to accept the minutes for October 22, 2014. Councilman Jessup moved to do so, seconded by Councilman Dyal. The motion carried unanimously.

Mr. Bell asked for a motion to accept the monthly reports for October 2014. Councilman Luna moved to do so, seconded by Councilman Jessup. The motion carried unanimously.

• Building, Zoning, Planning & Public Works	Total \$14,655.00
• Highway Department	Total \$900.00
• Justice Hayes (incl. State Share)	Total \$22,149.80
• Justice O'Hare (incl. State Share)	Total \$16,554.40
• Recreation	Total \$600.00
• Town Clerk	Total \$2,429.96

**Agenda**

Mr. Bell opened a discussion regarding a disputed water and sewer bill for 349 Noxon Road. Ms. Livigni stated that the bill for the Sunoco - Dunkin Donuts located at that address totaled \$9,632.83, which includes a penalty of 10 percent. She added that the amount reflects a significantly higher consumption than previously recorded. Environmental Consultants performed extensive forensics in order to determine the cause of the increased consumption. The meter was monitored and then sent out for testing after a new meter was installed. The old meter was tested and found to be 99.925 accurate. No leak was detected. She added that she would recommend that the 10 percent penalty be waived since the bill could not be paid until the

forensics had been completed; however she did not recommend any reduction in the actual bill. She also pointed out that an alert of a potential leak had been included with the bill. A brief discussion followed.

Mr. Jimmy Neshweiwat addressed the Board. He questioned how the bill could be so high since a sprinkler system leak which occurred several years only resulted in a bill totaling about \$2,400. He added that a plumber had been hired to ascertain the cause of the increased consumption, but no cause had been identified.

Mr. Jessup moved to waive the penalty and give the owner a payment deadline of December 31, 2014. A discussion ensued.

Councilman Luna moved to waive the penalty of 10 percent and have the amount re-levied to the County on November 14, which is the close off date. He added that this would give the owner the opportunity to pay the bill without the penalty until the close of business on November 13<sup>th</sup>. Councilman Dyal seconded the motion and it carried unanimously.

**Resolution:** Re-levy to Dutchess County (SEE ADDENDUM)

Mr. Bell noted that subsequent to the Public Hearing on October 22<sup>nd</sup>, the following properties have been removed from the property maintenance re-levy: 22 Robin Hill Drive, 73 Sleight Plass Road, 40 Kevin Heights.

Mr. Bell opened a discussion on closing the audit process regarding outstanding fees owed to the Zoning and Planning Boards from a Ham Radio Tower application.

The Board asked Mr. Blass to revise the resolution to include the following: This reasonable accommodation is conditioned that future proceedings before town agencies shall not proceed unless (a) the above sum of \$5,874 is paid by the applicant, and (b) the applicant maintains a minimum advance continuing escrow balance of not less than \$1,000 to cover the Town's consulting costs until all determinations by agencies of the Town are completed.

**Resolution:** Audit of Fees for Ham Radio Application (SEE ADDENDUM)

Mr. Bell stated that Highway Department employee, Edward White has been employed by the Town for 24 years, but that the term of his employment has not been continuous. The Town's policy requires 15 years of continuous service in order for a person to be eligible for various benefits. He asked the Board to consider a resolution which would waive the requirement in this case.

**Resolution:** Waiving fifteen years of continuous service requirement for Edward White. (SEE ADDENDUM)

Councilman Luna moved to cancel the Town Board Meetings for Wednesday, November 26, 2014 and December 24, 2014. Councilman Dyal seconded the motion and it carried unanimously.

**Resolution:** 2015 DCSPCA Dog Control Housing Agreement (SEE ADDENDUM)

**Resolution: Public Hearing for 33 Milano Drive (SEE ADDENDUM)**

Rev Paul Lent requested the Town Board waive the storm water maintenance bond for the Freedom Plains United Presbyterian Church.

Ms. Livigni stated that the bond in question is a three year bond which is based on the value of the work performed for the parking lot addition for the church. She had no objection if the Board wished to waive the bond.

Councilman Jessup, seconded by Councilman Luna moved to approve the request.

Rev Paul Lent requested that the Town petition the County Health Department to allow the Freedom Plains United Presbyterian Church's fire suppression system in the new building to be connected to the municipal water supply.

Ms. Livigni stated that she had never heard of this before and that it would not be a Town Board action. She offered to look into the matter for the Reverend Lent.

The Building Inspector requested approval for building permit refunds for 208 Overlook Road in the amount of \$355. Councilman Jessup stated that since multiple inspections by both the Building Inspector and Code Enforcement Officer had been carried out regarding this property, he was not in favor of refunding the entire amount.

Councilman Luna moved to approve the request in the amount of \$177, seconded by Councilman Dyal. The motion carried unanimously.

Councilman Jessup moved to reappoint Paul Blauth to the Board of Assessment Review, for a 5 year term. Councilman Luna seconded the motion and it carried unanimously.

Councilman Dyal moved to waive the 30 day waiting period for liquor license renewal at Kelly's Steaks & Spirits located at 1189 Route 55 in Lagrangeville. Councilman Jessup seconded the motion and it carried unanimously.

The Code Enforcement Officer requested permission to attend a NYSBOC – Tri County Chapter training class on December 3, 2014 in Kingston. The cost to the Town is approximately \$128.00. Councilman Luna moved to approve the request, seconded by Councilman Dyal. The motion carried.

The Administrator of Planning & Public Works requested permission to attend a NYSCOM, ACEC New York & NYSAC conference on December 12, 2014 in Tarrytown. The cost to the Town is approximately \$85.00. Councilman Dyal moved to approve the request, seconded by Councilman Jessup. The motion carried.

The Highway Superintendent is requesting a budget transfer in the amount of \$10,000.00 from General Repairs-Contractual to Machinery-Contractual.

Councilman Jessup moved to approve the request, seconded by Councilman Luna. The motion carried.

The Highway Superintendent is requesting a budget transfer in the amount of \$25,000 from General Repairs-Personal Services to Machinery-Personal Services. Councilman Luna moved to approve the request, seconded by Councilman Jessup. The motion carried.

Mr. Bell stated that he had researched information on improving the Town's website. He had a proposal from a company which was recommended by the Town's IT person as well as one from the County. The private company charges \$100 per hour for support and would cost \$10,000. The other option would be to use the Dutchess County shared services company. The City of Beacon currently uses that service. The County service has the advantage of being interactive and provides integration between Town information and County information. In addition, it would provide public alerts and advisories. The cost would be \$14,000 with support costing \$4,000 per annum. The support fee is included in the first year and would not be paid until 2016. Mr. Bell added that, taking all things into consideration, the County service would likely turn out to be cheaper in the long run due to the unlimited tech support. In addition he felt it would be better in functionality. The money for the upgrade has been included in the 2015 Budget. Councilman Luna, seconded by Councilman Jessup moved to accept the County's proposal. The motion was carried by all. More information as to the service may be found in the addendum.

### **Committee Reports**

#### **Water and Sewer**

No report

#### **Recreation**

No report

#### **Open Space**

Councilman Jessup stated that the Cricket Valley Improvement Coalition had met on November 10<sup>th</sup> and will meet again on November 24<sup>th</sup>. Mr. Bell added that the group is meeting to discuss the proposed power lines from Dover to Pleasant Valley.

#### **Highway**

#### **Town Attorney**

No comment

#### **Administrator of Planning and Public Works**

No comment

#### **Public Comment**

Councilman Luna moved to open the Public Comment, seconded by Councilman Dyal. The motion was carried by all.

Carl Valentino asked the Board if Planning Board SEQR and maps would be put on the new website.

Mr. Bell replied that it would be a monumental amount of information.

Mr. Blass added that it would be tough to manage oversized documents.

Mr. Bell stated that he would look into the possibility of putting up information on current projects before the Planning Board.

A resident of Milano Drive asked what the Town intended to do with the property on 33 Milano Drive.

Ms. Livigni replied that the property is in a flood plain and might possibly be used for flood mitigation. Mr. Bell added that the Town could consider extending the nature trail onto the property, but there are no plans to develop the property.

Mr. Luna stated that there is another parcel on Milano Drive that would be used as a retention pond.

Councilman Jessup moved to close the Public Comment, seconded by Councilman Luna. The motion was carried by all.

#### **Town Board Discussion**

Supervisor Bell stated that he had received a request to lower the speed limit on Dr. Fink Road due to concerns about pedestrian safety. Designating the road as a "School Zone" would be a possible solution.

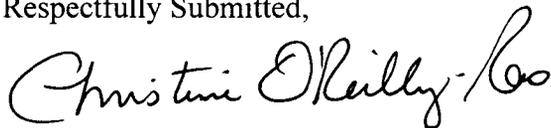
Councilman Luna, seconded by Councilman Jessup moved to proceed with the paperwork necessary to get the designation. The motion was carried by all.

Councilman Luna, seconded by Councilman Dyal moved to go into Executive Session to discuss the TCWIA Agreement with Noxon Road Elementary School. It was determined that the matter did not meet the criteria for an Executive Session.

Councilman Dyal, seconded by Councilman Jessup move to adjourn the meeting and have private counsel with Mr. Blass under Attorney-Client Privilege. The motion carried.

The meeting adjourned at 8:07 pm.

Respectfully Submitted,



Christine O'Reilly-Rao  
Town Clerk

## ADDENDUM

- Resolution:2014 Re-Levy
- 2014 Re-Levy List
- Resolution: Audit of Fees for Ham Radio Application (Landstein)
- Resolution: Edward White
- Resolution: DCSPCA
- Resolution: 33 Milano Drive
- Dutchess County Shared Services Website

**RESOLUTION**

**WHEREAS**, the Receiver of Taxes has ceased collection of the Special Districts' warrants and for 2014; and

**WHEREAS**, the Receiver of Taxes has provided Statements of re-levy for water and sewer districts and property maintenance fees for the year 2014 tax bills.

**THEREFORE BE IT RESOLVED**, the Town Supervisor is directed to submit the Statements of Re-levy to Dutchess County Real Property Tax for collection on the 2014 tax bills.

MOTION: Councilman Dyal

SECOND: Councilman Jessup

THE FOLLOWING VOTE WAS TAKEN:

Supervisor Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	ABSENT
Councilman Dyal	AYE
Councilman Bell	AYE

DATE: LaGrangeville, NY  
November 13, 2013

  
CHRISTINE O'REILLY-RAO  
TOWN CLERK

## 2014 Re-Levy Water & Sewer Charges for LaGrange

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swiss	print_key	move_tax	location_address
133400	6360-02-627978-0000	316.09	23 Mandalay Dr
133400	6361-04-605003-0000	751.87	29 Mandalay Dr
133400	6361-04-683197-0000	1256.84	65 Mandalayd Dr
133400	6361-04-709231-0000	25.62	73 Mandalay Dr
133400	6361-04-715241-0000	970.16	75 Mandalay Dr
133400	6361-04-703321-0000	542.42	87 Mandalay Dr
133400	6361-04-667391-0000	28.75	101 Mandalay Dr
133400	6360-02-607963-0000	977.58	24 Mandalay Dr
133400	6360-02-582997-0000	593.36	30 Mandalay Dr
133400	6361-04-599119-0000	182.68	42 Mandalay Dr
133400	6361-04-666217-0000	2050.80	58 Mandalay Dr
133400	6361-04-703267-0000	195.60	70 Mandalay Dr
133400	6361-04-680320-0000	735.99	76 Mandalay Dr
133400	6361-04-654364-0000	372.01	82 Mandalay Dr
133400	6361-04-641392-0000	1436.80	86 Mandalay Dr
133400	6361-04-622413-0000	1181.46	88 Mandalay Dr
133400	6361-04-621426-0000	1099.84	90 Mandalay Dr
133400	6361-04-620440-0000	21.66	92 Mandalay Dr
133400	6361-04-621452-0000	374.00	94 Mandalay Dr
133400	6361-04-627187-0000	492.39	3 Kimball Dr
133400	6361-04-636207-0000	1737.51	7 Kimball Dr
133400	6361-04-698290-0000	1308.79	27 Kimball Dr
133400	6361-04-660275-0000	844.41	16 Kimball Dr
133400	6361-04-610221-0000	1105.53	12 Kimball Dr
133400	6361-04-607198-0000	1564.14	8 Kimball Dr
133400	6361-04-641366-0000	951.99	13 Cromwell Dr
133400	6361-04-629384-0000	456.28	24 Cromwell Dr
133400	6361-04-621375-0000	645.57	22 Cromwell Dr
133400	6361-04-620362-0000	218.08	20 Cromwell Dr
133400	6361-04-619340-0000	410.29	16 Cromwell Dr
133400	6361-04-619294-0000	319.73	8 Cromwell Dr
133400	6361-04-669334-0000	518.85	6 Carpenter Dr
133400	6361-04-612243-0000	1104.26	4 Glen Ct
133400	6361-04-608255-0000	168.73	6 Glen Ct
133400	6361-04-616266-0000	475.52	5 Glen Ct
133400	6361-04-747300-0000	271.60	5 Saxon Dr
133400	6361-04-743322-0000	1412.14	3 Saxon Dr
133400	6360-03-342239-0000	190.97	124 Simone Dr
133400	6360-03-343229-0000	1488.43	128 Simone Dr
133400	6360-03-345200-0000	358.31	138 Simone Dr
133400	6360-03-348190-0000	438.93	144 Simone Dr
133400	6360-03-363231-0000	40.78	127 Simone Dr
133400	6360-03-357288-0000	977.66	103 Simone Dr
133400	6360-03-383164-0000	1134.03	148 Bart Dr
133400	6360-03-397222-0000	378.25	127 Bart Dr
133400	6360-03-393262-0000	350.75	58 Martin Dr
133400	6360-03-392275-0000	1077.71	107 Bart Dr

133400	6360-03-409223-0000	231.69	37 Martin Dr
133400	6360-03-435169-0000	504.97	16 Martin Dr
133400	6360-03-432202-0000	1443.17	30 Martin Dr
133400	6360-03-430223-0000	783.44	38 Martin Dr
133400	6360-03-430236-0000	591.53	42 Martin Dr
133400	6361-03-202080-0000	400.40	24 Angelo Blvd
133400	6361-03-225017-0000	400.40	37 Angelo Blvd
133400	6560-04-905328-0000	748.92	10 Johnson Rd
133400	6560-04-925348-0000	227.82	7 Johnson Rd
133400	6560-04-937342-0000	766.95	9 Johnson Rd
133400	6560-04-961370-0000	14.50	15 Johnson Rd
133400	6560-04-969378-0000	702.09	17 Johnson Rd
133400	6660-03-005369-0000	236.34	28 Johnson Rd
133400	6560-04-986390-0000	38.34	21 Johnson Rd
133400	6560-04-996415-0000	170.60	27 Johnson Rd
133400	6660-03-053422-0000	899.68	9 Lorene Dr
133400	6560-04-898368-0000	10.25	22 S Cross Rd
133400	6259-02-728956-0000	165.33	47 Mac Ghee Rd
133400	6259-02-755925-0000	554.86	68 Mac Ghee Rd
133400	6259-02-760915-0000	97.63	88 Mac Ghee Rd
133400	6259-02-754865-0000	738.72	108 Mac Ghee Rd
133400	6259-02-766871-0000	166.47	111 Mac Ghee Rd
133400	6259-02-791893-0000	58.23	137 Mac Ghee Rd
133400	6259-02-815883-0000	284.61	130 Mac Ghee Rd
133400	6259-02-782958-0000	128.86	5 Lakeview Rd
133400	6259-02-814961-0000	218.91	10 Lakeview Rd
133400	6259-02-811927-0000	56.40	43 Lakeview Rd
133400	6260-04-839016-0000	334.13	7 Caudie Dr
133400	6260-04-824028-0000	6.53	11 Caudie Dr
133400	6260-04-795052-0000	697.31	17 Caudie Dr
133400	6260-04-803166-0000	983.53	48 Kevin Heights
133400	6260-04-815148-0000	121.00	40 Kevin Heights
133400	6259-02-789934-0000	499.70	2 Lakeview Rd
133400	6260-04-862065-0000	60.50	11 North Dr
133400	6260-02-645651-0000	497.38	178 Titusville Rd
133400	6260-02-686678-0000	111.95	183 Titusville Rd
133400	6260-02-712611-0000	658.14	192 Titusville Rd
133400	6260-02-895513-0000	148.28	1 Clover Hill Dr
133400	6260-02-907695-0000	638.07	38 Clover Hill Dr
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133400	6260-02-887636-0000	193.79	48 Clover Hill Dr
133400	6260-02-897591-0000	101.16	41 Clover Hill Dr
133400	6260-02-890567-0000	376.97	45 Clover Hill Dr
133400	6260-04-892468-0000	304.78	5 Partners Trace
133400	6260-04-839257-0000	121.00	9 Robin Hill Dr
133400	6260-04-874238-0000	14.56	10 Robin Hill Dr
133400	6260-04-881245-0000	218.51	8 Robin Hill Dr
133400	6260-04-841200-0000	624.45	20 Robin Hill Dr
133400	6260-04-808219-0000	832.71	19 Robin Hill Dr
133400	6260-04-835192-0000	231.46	22 Robin Hill Dr

133400	6260-04-785168-0000	94.66	30 Robin Hill Dr
133400	6260-04-880321-0000	4.90	5 Cortlandt Dr
133400	6260-04-780306-0000	728.41	15 Cochran Hill Rd
133400	6260-04-782277-0000	394.50	21 Cochran Hill Rd
133400	6260-04-757269-0000	11.11	14 Cochran Hill Rd
133400	6260-04-790243-0000	5.42	28 Cochran Hill Rd
133400	6260-04-798253-0000	104.73	30 Cochran Hill Rd
133400	6260-04-811267-0000	32.96	34 Cochran Hill Rd
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133400	6260-04-952232-0000	12.51	3 Four Winds Dr
133400	6260-04-929201-0000	163.93	9 Four Winds Dr
133400	6260-04-915239-0000	803.68	10 Four Winds Dr
133400	6260-04-900150-0000	136.59	19 Four Winds Dr
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133400	6260-04-897214-0000	194.25	16 Four Winds Dr
133400	6259-02-764890-0000	598.55	93 MacGhee Rd
133400	6260-04-950457-0000	590.20	27 Partners Trace
133400	6259-02-734948-0000	605.66	51-53 Mac Ghee Rd
133400	6360-03-235419-0000	17.54	9 Davis Rd
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133400	6260-04-907415-0000	105.79	12 Partners Trace
133400	6260-04-814226-0000	427.85	17 Robin Hill Dr
133400	6260-04-736138-0000	35.08	25 Westview Dr
133400	6261-02-960760-0000	461.41	170 Overlook Rd
133400	6261-02-942828-0000	37.68	5 Flynn Ln
133400	6261-02-970857-0000	336.46	6 Milano Dr
133400	6261-02-936821-0000	39.94	7 Flynn Ln
133400	6261-02-928874-0000	132.47	13 Milano Dr
133400	6361-03-484362-0000	391.53	23 Carol Dr
133400	6261-02-852950-0000	236.19	33 Milano Dr
133400	6261-02-892942-0000	7.69	26 Milano Dr
133400	6261-02-858950-0000	85.16	35 Milano Dr
133400	6361-03-468322-0000	1.92	31 Carol Dr
133400	6260-02-802651-0000	6.90	14 Rombout Ridge
133400	6360-01-317845-0000	288.73	1 Stonehedge Dr
133400	6260-02-768682-0000	136.65	22 Rombout Ridge
133400	6260-04-701320-0000	240.36	7 Cochran Hill Rd
133400	6260-04-691323-0000	77.07	5 Cochran Hill Rd
133400	6360-02-624937-0000	700.66	12 Mandalay Dr
133400	6361-03-039014-0000	97.74	127 Noxon Rd
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133400	6361-01-179696-0000	2070.00	26 Ridgeline Dr
133400	6361-01-187689-0000	158.61	32 Ridgeline Dr
133400	6260-02-757656-0000	107.21	26 Rombout Ridge
133400	6361-01-220713-0000	254.93	33 Ridgeline Dr
133400	6360-02-612953-0000	198.64	16 Mandalay Dr
133400	6360-01-337638-0000	2.26	338 Titusville Rd
133400	6261-04-903232-0000	1013.44	84 Patrick Ln
133400	6361-03-101073-0000	122.27	23 Meier Rd

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133400	6261-04-868334-0000	4033.33	404-406 Manchester Rd
133400	6361-03-049068-0000	145.43	11 Meier Rd
133400	6261-02-940861-0000	3.67	9 Milano Dr
133400	6361-03-459345-0000	217.26	26 Carol Dr
133400	6361-04-535199-0000	176.36	5 Nobile Ln
133400	6360-01-410851-0000	668.60	7 Locust Crest Ct
133400	6360-02-534577-0000	248.12	18 Manor Dr W
133400	6261-02-894668-0000	75.26	12 Mapleview Rd
133400	6261-02-894680-0000	87.18	14 Mapleview Rd
133400	6361-01-106522-0000	836.48	121 Keith Dr
133400	6360-02-641963-0000	2586.44	13 Mandalay Dr
133400	6261-02-922506-0000	140.23	11 Hartstone Dr
133400	6361-01-083650-0000	382.83	78 Keith Dr
133400	6361-01-160653-0000	1207.46	59 Keith Dr
133400	6360-03-470473-0000	469.32	51 High Acres Dr
133400	6360-03-351335-0000	4.03	25 Southview Ct
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133400	6360-02-677798-0000	509.36	32 Hillview Cir
133400	6361-03-442321-0000	73.68	32 Carol Dr
133400	6361-01-119701-0000	176.58	56 Keith Dr
133400	6361-03-093497-0000	776.83	131 Keith Dr
133400	6361-03-283478-0000	742.37	121 Ridgeline Dr
133400	6361-04-506249-0000	2.31	105 Cavo Dr
133400	6361-03-161470-0000	1192.63	130 Ridgeline Dr
133400	6261-02-863637-0000	104.69	1 Mapleview Rd
133400	6260-04-719136-0000	147.05	23 Westview Dr
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133400	6360-01-332630-0000	100.17	336 Titusville Rd
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133400	6261-02-893654-0000	196.86	10 Mapleview Rd
133400	6261-04-946282-0000	35.76	21 Orchard Rd
133400	6360-03-302356-0000	552.59	399 Noxon Rd
133400	6360-03-304433-0000	1388.63	16 Scenic Hills Dr
133400	6360-03-323466-0000	1037.09	3 Tay Pl
133400	6360-01-357561-0000	579.50	46 Scenic Hills Dr
133400	6360-01-387582-0000	103.70	76 High Acres Dr
133400	6360-01-390539-0000	445.27	3 Pavinchal Pl
133400	6360-01-434540-0000	1223.24	64 High Acres Dr
133400	6360-03-386498-0000	473.06	10 Mark Vincent Dr
133400	6360-03-391455-0000	609.49	17 Mark Vincent Dr
133400	6360-03-399477-0000	14.91	11 Mark Vincent Dr
133400	6360-03-404488-0000	242.60	9 Mark Vincent Dr
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133400	6360-03-443470-0000	2370.96	10 Frederick Dr
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133400	6360-03-457452-0000	1377.23	14 Frederick Dr
133400	6360-03-476425-0000	1448.81	20 Frederick Dr
133400	6360-03-486406-0000	307.42	24 Frederick Dr

133400	6360-03-491396-0000	303.93	26 Frederick Dr
133400	6360-03-259493-0000	9775.98	349 Noxon Rd
133400	6360-01-244521-0000	1103.08	301 Titusville Rd
133400	6360-01-420568-0000	769.72	20 Tanglewood Ln
133400	6360-01-442565-0000	1179.90	21 Tanglewood Ln
133400	6360-01-454670-0000	20.05	74 Scenic Hills Dr
133400	6360-01-477704-0000	1017.96	82 Scenic Hills Dr
133400	6360-01-481714-0000	1080.35	84 Scenic Hills Dr
133400	6360-01-486724-0000	126.49	86 Scenic Hills Dr
133400	6360-01-496757-0000	1244.90	5 Hickory Ln
133400	6360-01-498792-0000	259.42	8 Elm Ct
133400	6360-01-478755-0000	1990.63	92 Scenic Hills Dr
133400	6360-01-449753-0000	848.57	3 Ash Ct
133400	6360-01-461750-0000	877.23	1 Ash Ct
133400	6360-01-426748-0000	1261.18	14 Mulberry Ln
133400	6360-01-404719-0000	513.10	11 Mulberry Ln
133400	6360-01-439677-0000	238.72	73 Scenic hills Dr
133400	6360-01-377652-0000	1437.85	9 Glenwood Rd
133400	6360-01-371643-0000	800.31	7 Glenwood Rd
133400	6360-01-401634-0000	217.29	63 Scenic Hills Dr
133400	6360-01-447738-0000	114.07	4 Larch Ct
133400	6460-03-433071-0000	84.25	3 Vincent Rd
133400	6460-03-455016-0000	332.53	15 Vincent Rd
133400	6459-01-456970-0000	130.35	22 Vincent Rd
133400	6459-01-445998-0000	36.71	20 Exeter Rd
133400	6459-01-421995-0000	401.88	16 Exeter Rd
133400	6460-03-407012-0000	158.85	12 Exeter Rd
133400	6460-03-408055-0000	128.16	3 Exeter Rd
133400	6460-03-425018-0000	39.06	11 Exeter Rd
133400	6459-01-427987-0000	86.25	3 Kinkead Ln
133400	6459-02-620990-0000	133.07	8 Memory Trail
133400	6460-04-538066-0000	120.88	67 Memory Trail
133400	6460-04-511072-0000	63.78	71 Memory Trail
133400	6460-03-493106-0000	333.85	92 Memory Trail
133400	6460-11-631681-0000	305.13	129 Stringham Rd Unit 1
133400	6460-11-605666-0000	22.87	129 Stringham Rd Unit 14
133400	6460-11-600676-0000	20.46	129 Stringham Rd Unit 15
133400	6460-11-599688-0000	194.26	129 Stringham Rd Unit 19
133400	6461-03-146026-0000	110.10	12 Lafayette Ct
133400	6460-02-836972-0000	53.02	26 Skidmore Rd
133400	6460-04-601110-0000	576.90	44 Memory Trail
133400	6460-04-553149-0000	318.94	23 Ehmer Dr
133400	6460-11-604543-0000	39.24	119 Stringham Rd Unit 33
133400	6460-11-577543-0000	15.69	119 Stringham Rd Unit 38
133400	6460-11-579567-0000	48.82	119 Stringham Rd Unit 17
133400	6460-11-634544-0000	742.34	119 Stringham Rd Unit 25
133400	6460-04-598016-0000	149.53	11 Memory Trail
133400	6460-03-441096-0000	432.03	83 Heritage Ln
133400	6460-03-472081-0000	396.26	86 Heritage Ln
133400	6460-03-465034-0000	705.35	63 Heritage Ln

133400	6460-04-618412-0000	52.58	63 Stringham Rd
133400	6460-02-796963-0000	115.83	23 Skidmore Rd
133400	6460-02-797809-0000	22.32	1208-1214 Rte. 55
133400	6461-03-050055-0000	224.54	56 Victor Dr
133400	6460-02-782953-0000	290.58	21 Skidmore Rd
133400	6461-03-126134-0000	70.18	11 Michaels Ln
133400	6461-03-023068-0000	58.31	59 Victor Dr
133400	6460-02-778913-0000	64.85	15 Skidmore Rd
133400	6460-02-823867-0000	6.57	1220-1224 Rte 55
133400	6461-03-015103-0000	177.50	8 Brian Ct
133400	6461-03-064102-0000	764.06	74 Victor Dr
133400	6461-04-512002-0000	458.52	22 Dr Fink Rd
133400	6460-03-415003-0000	64.74	14 Exeter Rd
133400	6460-04-679456-0000	258.83	101 Stringham Rd
133400	6460-11-616566-0000	52.57	119 Stringham Rd Unit 6
133400	6360-02-533530-0000	14.12	8 Manor Dr W
133400	6360-01-444814-0000	155.32	16 Locust Crest Ct
133400	6360-01-331747-0000	15.12	25 Stonehedge Dr
133400	6360-01-372724-0000	465.96	353 Titusville Rd
133400	6360-02-641811-0000	621.28	35 Hillview Cir
133400	6360-02-630928-0000	621.28	10 Mandalay Dr
133400	6360-02-618945-0000	14.12	14 Mandalay Dr
133400	6360-02-727765-0000	621.28	26 Hillview Dr
133400	6360-02-699789-0000	14.12	33 Hillview Dr
133400	6360-02-515611-0000	621.28	19 Manor Dr W
133400	6360-01-417770-0000	14.12	6 Locust Crest Ct
133400	6360-01-492522-0000	310.64	5 Manor Dr W
133400	6360-01-351740-0000	621.28	23 Stronehedge Dr
133400	6360-01-357887-0000	14.12	6 Stonehedge Ct
133400	6360-02-541584-0000	621.28	20 Manor Dr W
133400	6360-01-439790-0000	15.53	12 Locust Crest Ct
133400	6360-01-368709-0000	621.28	351 Titusville Rd
133400	6360-02-530569-0000	155.32	16 Manor Dr W

2014 Grand totals for Water & Sewer Re-levys **\$138,883.02**

**2014 Miscellaneous Re-Levy Charges (Out Of District Benefit Unit Charges)**

133400	6261-02-960760-0000	1,066.36	170 Overlook Road
<b>2014 Grand Total Miscellaneous Charges</b>		<b>\$1,066.36</b>	

**2014 Property Maintenance Fees**

133400	6260-02-652913-0000	1052.73	125 Rothenburgh Rd
133400	6661-03-082180-0000	3465.83	21 Trinity Way
133400	6461-01-053764-0000	1089.51	12 Mountain View Dr
133400	6460-03-073083-0000	556.68	16 Old Noxon Road
133400	6362-03-063193-0000	1355.06	71 Sleight Plass Road
133400	6660-01-017537-0000	1742.65	51 S Cross Road
133400	6261-02-858950-0000	278.08	35 Milano Drive
133400	6361-01-112535-0000	422.69	115 Keith Drive
133400	6360-01-303597-0000	405.16	326 Titusville Rd
133400	6460-01-122628-0000	1155.78	110 Bushwick Rd
133400	6260-04-596283-0000	3566.51	41 Red Oaks Mill Road
133400	6260-02-666858-0000	519.00	39 Richards Blvd
133400	6561-03-080270-0000	2286.76	87 Skidmore Rd
133400	6360-03-003481-0000	1603.77	245 Titusville Rd
133400	6360-04-665362-0000	1188.02	196 Smith Road
133400	6460-03-408055-0000	1161.67	3 Exeter Rd
133400	6361-03-253203-0000	738.02	9 Vail Rd
133400	6260-02-825558-0000	1264.94	1 King Drive
133400	6360-01-244521-0000	421.18	301 Titusville Road
133400	6660-01-027986-0000	553.69	112 N Cross Road
133400	6560-02-778752-0000	619.34	1612 Route 55
133400	6462-01-378575-0000	551.78	171 Traver Road

<b>2014 Re-Levy Property Maintenance fees</b>	<b>\$25,998.85</b>
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**TOWN BOARD OF THE  
TOWN OF LAGRANGE  
DUTCHESS COUNTY, NEW YORK**

---

Supervisor Bell introduced the following Resolution, which was seconded by Councilman Luna,

WHEREAS, Myles Landstein (“applicant”) has pending applications before the Town of LaGrange Zoning Board of Appeals (“ZBA”) and the Town of LaGrange Planning Board;

WHEREAS, the applicant seeks relief at the ZBA from Town Code, Chapter 240-28, Schedule B, which states that the maximum height of a building or structure in an R-120 zoning district is 35’, and he seeks relief from Chapter 240-31 F(4)(f) Ridgeline Protection Overlay Zone which states that the proposed yard setbacks from the property line must be no less than 1.5 times the height of the proposed structure; and

WHEREAS, because the proposed tower is situated in the RPOZ, the applicant also requires a special permit from the Planning Board under section 240-31(F) of the Town Code; and

WHEREAS, this resolution incorporates by reference the record of proceeding developed before the Zoning Board of Appeals and the Planning Board; and

WHEREAS, the applicant pursued the variances initially in order to construct a ham radio tower with boom antenna at a proposed height of 100’ (but, see subsequent reduction of tower height to 70’, infra); and

WHEREAS, the applicant proposes installation of a boom antenna which is 24 feet long and 37feet wide at its widest point; and

WHEREAS, the proposed side and rear yard setbacks from any proposed 100’ tower are 40’ and 70’ from neighboring property lines, respectively, rather than a 150’ setback required for each yard if the tower was 100’ in height as initially proposed , or the requirement of 105’ for each yard if the tower were to be 70’ in height; and

WHEREAS, at a height of 100’, the tower as initially proposed was (a) 60’ taller than the 40’ distance of separation between the base of the tower and neighboring property to the side, and (b) 30’ taller than the 70’ distance of separation between the base of the tower and neighboring property to the rear, thereby raising the issue of potential fall of the tower and very large antenna upon neighboring property; and

WHEREAS, at a height of 70’, the tower of modified height would be 30’ taller than the 40’ distance of separation between the base of the tower and neighboring property to the side,

thereby continuing to raise the issue of a potential fall of the tower and very large antenna upon neighboring property; and

WHEREAS, this is a Type I action under SEQRA because the project is located within a Ridgeline Protection Overlay Zone ("RPOZ") under the local laws of the Town of LaGrange; and;

WHEREAS, there exists a federal PRB-1 policy statement of the Federal Communications Commission relative to ham radio communications, which is a federal overlay of local regulation which does not preempt local zoning, but has the following effect: that local land use regulations affecting amateur radio communications must be crafted or applied in a manner which "reasonably accommodates" them and in a fashion which represents the minimum practicable regulation to accomplish the authority's legitimate land use regulatory purposes; and

WHEREAS, the reasonable accommodation standard does not compel that an amateur radio communicator may erect any facility that he or she desires; and

WHEREAS, the reasonable accommodation standard requires that the municipality consider the application, make factual findings related to identification of its legitimate land use regulatory interests and attempt to negotiate a satisfactory compromise if possible; and

WHEREAS, in an interim determination made on or about January 6, 2014, the ZBA has found that:

- (a) legitimate land use regulatory interests of the Town of LaGrange are found within provisions RPOZ regulations found at Section 240-31 (F) of the Town Code; and
- (b) section 240-31 (F) includes regulatory policy statements as follows for properties located within the RPOZ;
- (c) for the RPOZ, the Town of LaGrange has declared that the protection of its stream corridors, groundwater resources, historic resources, scenic area, important farmlands, hilltops, and ridgelines is an important public purpose and that, to the extent practicable, future development of the Town should minimize intrusive alteration of or construction in these areas;
- (d) in the case of the RPOZ, applicants are encouraged to site projects off of the viewable areas on ridgetops and hilltops, out of sight lines from the valleys, and below the tree canopy;
- (e) ) it is the purpose of this overlay zone to protect the aesthetic, scenic and ecological character and nature of the higher-elevation areas. Ridgelines and hilltops are exceptional aesthetic and ecological resources, and ensuring that tree lines are uninterrupted and ridgetops are free from visually intrusive man-made structures will prevent the degradation of the rural character and scenic beauty of the Town. This

overlay zone provides standards for regulating the numbers, height, design, placement, and impacts of any structures on hilltops and ridgelines in order to minimize structural intrusions upon the visual landscape, to preserve ecological integrity, and to maintain the rural, rustic character of the Town.

WHEREAS, on behalf of local residents of the Town who reside within proximity to the initially proposed 100' tower, the ZBA received a visual impact assessment, dated May 9, 2013, prepared by Creative Visuals, Inc. which provides a study by a qualified expert of the impacts upon various visual receptor sites in relation to a 100' tower with conceptual Hy-Gain TH-11DX antenna array of the dimensions noted above; and

WHEREAS, up the point of time of the professional visual impact study, applicant had been representing in writing to the ZBA that the height of the 100' tower was slightly above tree cover on the site where proposed; and

WHEREAS, in its interim findings, the ZBA concluded that the Visual Impact Study shows significant exceeding of tree cover or canopy in the RPOZ zone from a tower having a height of 100'; and

WHEREAS, given the significant investment of neighboring property owners in a professional visual impact study, the applicant was relieved of the burden and expense of preparing such a study despite the fact that it is generally the obligation of an applicant to undertake such studies; and

WHEREAS, in a effort to mitigate visual or other impacts, the applicant amended his ZBA variance applications to reduce the proposed tower height from 100' to 70'; and

WHEREAS, environmental review , variance review, and application of the PRB-1 federal standard of reasonable accommodation continues before the ZBA;

WHEREAS, the Town has incurred significant consultant expenses in the process of reviews of application; and

WHEREAS, for the most part, the applicant has not defrayed these consultant expenses; and

WHEREAS, in reliance on PRB-1, the applicant has raised issues as to whether, as an amateur ham radio operator, he is immune or partially immune from the obligation of applicants under Section 240-88 of the Town Code to defray necessary and reasonable consulting expenses incurred by the Town;

WHEREAS, applicant has suggested that it is the obligation of the Town Board, under Section 240-88 of the Town Code, to review and audit the reasonableness and necessity of the consulting expenses incurred by the Town in the review of the application;

WHEREAS, on June 11, 2014, the Town Board adopted a resolution to the effect that:

1. As an accommodation to the applicant under PRB-1, and given the implicit request of the applicant, the Town Board will review and audit the reasonableness and necessity of the consultant expenses incurred by the Town in the review of the application.

2. At its regular meeting of June 25, 2014, the Town Board would provide to applicant and his representative a full and complete opportunity to be heard on issues related to the amount of the Town's recovery of its consultant expenses for the applicant's matter under Section 240-88 of the Town Code.

3. The applicant would be provided by June 13, 2014, with a copy of all itemized consultant charges received by the Town in relation to the application-----which was timely done.

WHEREAS, on June 25, 2014, the applicant's attorney appeared before the Town Board and, in addition to objecting to the Town's collection of consultant review fees within a written memorandum date June 25, 2014, he noted that the applicant has sustained physical injury which precluded his appearance; that the applicant wished for an extension of time to appear personally before the Town Board when he had sufficiently recovered; and that applicant would consent that proceedings before the ZBA should be held in abeyance pending the Town Board's audit and findings regarding recovery of the Town's consultant review fees; and

WHEREAS, due to applicant's injury and request for opportunity to be present, proceedings before the Town Board were postponed, and resumed on August 27<sup>th</sup> 2014; and

WHEREAS, in the interim, the Town Board has received from the Town's legal counsel a potential method for reducing applicant's obligation for legal consultant fees, as and for a reasonable accommodation, from the sum of \$17,481.11 to the sum of \$5,874 through application of the following principles:

a) only legal services directly devoted to advising or appearing before the Town's agencies would be passed on to the applicant,

b) to the exclusion of such legal services as attorney research regarding PRB-1 and its case law, attorney preparation, attorney consultations with legal counsel for the applicant or for neighbors, attorney efforts to locate experts for the ZBA in the areas of radio frequency transmission and visual impact study; and attorney advice to town departments on the subject other than the ZBA or Planning Board; and

WHEREAS, to that effect, a copy of modified billing statements are attached hereto as Exhibit "A"; and

WHEREAS, with respect to non-legal consultants, the Town has received invoices from Clark Patterson Lee in the sum of \$500.00 dated July 25, 2014, and from Stormwater Management Consultants in the sum of \$125.00 dated June 1, 2012 (attached hereto, respectively, as Exhibit "B"); and

WHEREAS, the Town has received in payments from the applicant to defray the Town's consultant costs in the respective sums of \$250 in 2011 and \$500 in 2014; and

WHEREAS, at the Town Board meeting of August 27, 2014, the applicant requested an opportunity to attempt to negotiate the Town's consulting costs issues; and

WHEREAS, those discussions did not result in resolution of the issue, and the Town Board has determined it is unacceptable to call for the general tax base of the municipality to subsidize costs of review of the applicant's proposal by waiving the provisions of 240-88 of the Town Code, or to agree to accept a lump sum payment in full satisfaction of the applicant's obligations under that Town Code provision while this matter remains under review at both the ZBA and the Planning Board and there are questions as to whether the applicant has fulfilled review requirements of the ZBA.

NOW, IT IS HEREBY RESOLVED AS FOLLOWS:

1. After audit and review, the Town Board finds that the consultant costs reflected in the attachments to this Resolution were reasonable in amount and necessarily incurred by the Town, as those standards are established in Section 240-88 of the Town Code, in connection with the ongoing review and consideration of the applications which initially involved a proposal to site a 100 foot high amateur communications tower, with very large antenna array, which were shown by professional Visual Impact Study (*supra*) to be significantly above tree cover in a Ridgeline Protection Overlay Zone which was established to protect and to preserve aesthetic and visual resources.
2. As a reasonable accommodation to the applicant, the Town Board offers to the applicant a reduction of his responsibility under 240-88 of the Town Code for legal consultant costs incurred by the Town and covering the period through May of 2014 from the sum of \$17,481.11 to the reduced sum of \$5,874, based on application of the criteria set forth above and as reflected in the modified legal billing statements attached hereto as Exhibit "A".
3. With respect to consultant charges following the billing period of May of 2014, and as a reasonable accommodation to the applicant, the Town Board offers to the applicant a reduction of his responsibility under 240-88 of the Town Code for legal consultant costs incurred by the Town consistent with the same criteria.
4. This reasonable accommodation is conditioned that future proceedings before town agencies shall not proceed unless (a) the above sum of \$5,874 is paid by the applicant, and (b) the applicant maintains a minimum advance continuing escrow balance of not less than \$1,000 to cover the Town's consulting costs until all determinations by agencies of the Town are completed.

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

Supervisor Bell	AYE
Councilman Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	ABSENT
Councilman Dyal	AYE

DATED: Lagrangeville, New York  
November 12, 2014

  
CHRISTINE O'REILLY-RAO  
TOWN CLERK

U:\DOCS\00070\00943\RESOLUTION\21I961504.DOCX

EXHIBIT "A"

# Matter Ledger Report

1/1/1970 to 6/9/2014

<b>Code</b>	<b>Name</b>	<b>Init Atty</b>	<b>RCB</b>	<b>Blass Jr., Ronald C.</b>
<b>Client</b> 00070	<b>Town of LaGrange</b>	<b>Bill Atty</b>	<b>RCB</b>	<b>Blass Jr., Ronald C.</b>
<b>Matter</b> 00866	<b>Landstein Ham Radio Application (Planning Board)</b>	<b>Resp Atty</b>	<b>RCB</b>	<b>Blass Jr., Ronald C.</b>

### Bills

Number	Date	Total	Fees	Expenses	Balance Due		
					Total	Fees	Expenses
68042	04/05/12	2,945.25	2,945.25		2,879.25	2,879.25	
100067	05/04/12	1,484.65	1,377.75	106.90	1,484.65	1,377.75	106.90
101081	07/24/12	1,031.25	1,031.25		1,031.25	1,031.25	
101494	08/23/12	412.50	412.50		412.50	412.50	
102320	10/22/12	792.00	792.00		792.00	792.00	
102629	11/19/12	543.07	511.50	31.57	543.07	511.50	31.57
102913	12/07/12	412.50	412.50		412.50	412.50	
103877	03/04/13	4,869.64	4,834.50	35.14	4,869.64	4,834.50	35.14
104111	03/07/13	1,056.00	1,056.00		1,056.00	1,056.00	
104442	04/15/13	189.75	189.75		189.75	189.75	
104847	05/15/13	33.00	33.00		33.00	33.00	
105233	06/20/13	49.50	49.50		49.50	49.50	
105661	07/09/13	330.00	330.00		330.00	330.00	
106312	09/18/13	247.50	247.50		247.50	247.50	
107872	01/27/14	24.75	24.75		24.75	24.75	
<b>Total Bills</b>		<b>14,421.36</b>	<b>14,247.75</b>	<b>173.61</b>	<b>14,355.36</b>	<b>14,181.75</b>	<b>173.61</b>

End of Report

2.40  
2.30  
2.00  
.35  
2.70  
1.00  
2.00  
2.00  
2.00  
1.00  
2.00  
3.00  
1.50  
.40  
.25

2095.50  
3778.50  


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5,874.00

22.90 x 165 = 3,778.50

**Van DeWater & Van DeWater, LLP**  
85 Civic Center Plaza  
P.O. Box 112  
Poughkeepsie, NY 12602

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

April 5, 2012  
In Reference To: Landstein Ham Radio Application (Planning Board)  
Matter No.: 70-00866  
Invoice # 68042

SUMMARY:

Current Fees	2,945.25	
	-----	
TOTAL CURRENT CHARGES		2,945.25
		-----
Total Due	\$	2,945.25
		=====

For your convenience, we offer Visa & Master Card as a means of paying your bill. If you wish to use your credit card, please complete the information below and return to our office.

Card Holder Name: \_\_\_\_\_ Visa \_\_\_\_\_ Mastercard \_\_\_\_\_

Card Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Signature: \_\_\_\_\_

# Van DeWater & VanDeWater, LLP

Town of LaGrange

In Reference To: Landstein Ham Radio Application (Planning Board)

Page 2

## Professional Services

			Hours -----	Amount -----
05-17-11	RAV	Attend Planning Board meeting to discuss application with Board and applicant's engineer (L. Paggi). Notes on research needed.	0.40	66.00
<del>03-01-12</del>	<del>RAV</del>	<del>Telephone message from S. Lane.</del>	<del>0.10</del>	<del>16.50</del>
03-09-12	RAV	Review variance requests. Review Worthington file (prior application to ZBA). Respond to P. Bisceglia email. Conference with Ronald C. Blass re. legal issues raised by this application and the relevant federal law.	2.30	379.50
<del>03-14-12</del>	<del>RCB</del>	<del>Conference Rebecca A. Valk re: ZBA matter. Call Ed Jessup.</del>	<del>0.50</del>	<del>82.50</del>
<del>03-16-12</del>	<del>RAV</del>	<del>Review file.</del>	<del>0.50</del>	<del>82.50</del>
<del>03-21-12</del>	<del>RCB</del>	<del>Review file/preliminary/final ZBA decisions in past.</del>	<del>0.50</del>	<del>82.50</del>
<del>03-22-12</del>	<del>RAV</del>	<del>Telephone message from S. Quigley. Emails to and from P. Bisceglia re. agenda for April meeting.</del>	<del>0.50</del>	<del>82.50</del>
03-23-12	RCB	Review past decisions in Worthington. Conference with Rebecca A. Valk -- long email to ZBA chair.	2.00	330.00
<del>03-23-12</del>	<del>RAV</del>	<del>Conference with Ronald C. Blass re. ZBA precedent. Notes on processing application. Review Ronald C. Blass email to client.</del>	<del>0.40</del>	<del>66.00</del>
<del>03-26-12</del>	<del>RCB</del>	<del>Conference Rebecca A. Valk -- call with Susan Quigley -- outline ZBA issues.</del>	<del>1.00</del>	<del>165.00</del>
<del>03-26-12</del>	<del>RAV</del>	<del>Conference with Ronald C. Blass re. processing of application, federal</del>		

Van DeWater & VanDeWater, LLP

Town of LaGrange

In Reference To: Landstein Ham Radio Application (Planning Board)

Page 3

Professional Services

			Hours	Amount
			-----	-----
		<del>accomodations standard, and guidance to ZBA for SEORA review.</del>	<del>0.70</del>	<del>115.50</del>
<del>03-28-12</del>	<del>RCB</del>	<del>Conference with Rebecca A. Valk dictate points for conduct of 4/2 meeting of ZBA.</del>	<del>1.00</del>	<del>165.00</del>
<del>03-28-12</del>	<del>RAV</del>	<del>Conference Ronald C. Blass re. ZBA's procedure for Monday night. Review research re. applicability of wireless communications charter and research on accessory uses. Research on reasonable accomodation standard for ham radio operators. Review file in prior application regarding procedure previously used and applicable precedents.</del>	<del>4.50</del>	<del>742.50</del>
<del>03-29-12</del>	<del>RCB</del>	<del>Conference with ZBA Clerk re: meeting agenda.</del>	<del>0.25</del>	<del>41.25</del>
<del>03-29-12</del>	<del>RAV</del>	<del>Conference Ronald C. Blass re. status of matter. Begin drafting supplementary ruling for Ken M. signature.</del>	<del>0.80</del>	<del>132.00</del>
03-30-12	RCB	Call with Paul Bisceglia re: ZBA issues -- meeting procedure.	0.35	57.75
<del>03-30-12</del>	<del>RCB</del>	<del>Conference with Rebecca A. Valk re. ZBA/zoning issues.</del>	<del>0.50</del>	<del>82.50</del>
<del>03-30-12</del>	<del>RCB</del>	<del>Call with Ken McLaughlin -- email to Rebecca A. Valk.</del>	<del>0.35</del>	<del>57.75</del>
<del>03-30-12</del>	<del>RAV</del>	<del>Continued work on supplementary decision. Additional research on case law applying the "reasonable accomodation" standard. Conference Ronald C. Blass re. strategy/procedure/advice to client.</del>	<del>1.20</del>	<del>198.00</del>
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**Van DeWater & VanDeWater, LLP**

Town of LaGrange  
In Reference To: Landstein Ham Radio Application (Planning Board)

Page 4

Professional Services

Hours	Amount
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17.85	2,945.25

# Van DeWater & Van DeWater, LLP

85 Civic Center Plaza  
P.O. Box 112  
Poughkeepsie, NY 12602  
845-452-5900  
Fax 845-452-5612  
Tax ID No. 14-1799987

Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

May 4, 2012  
**Invoice No. 100067**

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

### Professional Services

Date	Services	Hours	Amount
04/02/12 RCB	Attend ZBA meeting.	2.70	445.50
<del>04/02/12 RCB</del>	<del>Meeting with Rebecca A. Valk -- review application history.</del>	<del>1.00</del>	<del>165.00</del>
<del>04/02/12 RCB</del>	<del>Call with Ken McLaughlin.</del>	<del>0.25</del>	<del>41.25</del>
<del>04/02/12 RCB</del>	<del>Edit and finalize Ken McLaughlin's supplemental ruling.</del>	<del>0.50</del>	<del>82.50</del>
04/02/12 RCB	Prepare letter to ZBA re: status and procedures.	1.00	165.00
<del>04/02/12 RCB</del>	<del>Review updated federal research -- prepare for meeting.</del>	<del>0.90</del>	<del>148.50</del>
<del>04/02/12 RAV</del>	<del>Prepare draft supplemental ruling. Email same to Ronald C. Blass for review. Review Ronald C. Blass edits to document. Prepare memorandum re. updated case law since 2006. Research and review question of whether wireless communications regulations in code would apply to Mr. Landstein's request.</del>	<del>2.00</del>	<del>330.00</del>

### Summary of Services

		Rate	Hours	Amount
RCB	Blass Jr., Ronald C.	165.00	6.35	1,047.75
RAV	Valk, Rebecca A.	165.00	2.00	330.00
<b>Total for Services</b>			<b>8.35</b>	<b>\$1,377.75</b>

### Disbursements

Date	Expenses	Amount
04/27/12	Research charges March research - Lexis - Nexis	72.46
04/30/12	Research charges April Research - Lexis - Nexis	34.44
<b>Total Expenses</b>		<b>\$106.90</b>

Client Ref: 00070 - 00866  
Invoice No. 100067

May 4, 2012  
Page 2

<b>Total for Services and Expenses</b>	<b>\$1,484.65</b>
<b>Balance Forward</b>	<b>\$2,945.25</b>
<b>Amount Due</b>	<b>\$4,429.90</b>

# Van DeWater & Van DeWater, LLP

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Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

July 24, 2012  
**Invoice No. 101081**

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

### Professional Services

Date	Services	Hours	Amount
06/04/12 AFS	meeting with R. Blass regarding coverage of 6/4/12 ZBA meeting; reviewed file materials and prior meeting minutes and correspondence; traveled to and represented ZBA at /4/12 meeting and public hearing on application	<del>3.50</del> 2.00	577.50
06/04/12 RCB	<del>Review letter to Ken McLaughlin - review file - call with Ken McLaughlin re: ZBA meeting.</del>	<del>1.00</del>	<del>165.00</del>
06/20/12 AFS	<del>meeting with R. Blass to discuss procedural status of Landstein application; e-mails with S. Quigley regarding no receipt of appeal application from interpretation and letter to applicant regarding formal application necessary</del>	<del>0.50</del>	<del>82.50</del>
06/20/12 RCB	<del>File review - reply to Wanda Livigni's email on proper lien hearing issues.</del>	<del>1.25</del>	<del>206.25</del>

### Summary of Services

	Rate	Hours	Amount
RCB Blass Jr., Ronald C.	165.00	2.25	371.25
AFS Friedrichsen Scott, Audrey	165.00	4.00	660.00
<b>Total for Services</b>		<b>6.25</b>	<b>\$1,031.25</b>

**Total for Services and Expenses** \$1,031.25

**Balance Forward** \$4,363.90

**Amount Due** \$5,395.15

# Van DeWater & Van DeWater, LLP

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Tax ID No. 14-1799987

Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

August 23, 2012  
**Invoice No. 101494**

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

### Professional Services

Date	Services	Hours	Amount
<del>07/02/12</del> RCB	<del>NO CHARGE: Call Kathy Kowgios re: lien hearing issues - review Town's account sheet with V&amp;V accounts - conference with bookkeeper Maureen Moss.</del>	<del>1.00</del>	<del>0.00</del>
1/0 <span style="border: 1px solid black; padding: 2px;">07/02/12 AFS</span>	meeting with R. Blass regarding Landstein matter; reviewed file; traveled to and represented ZBA at 7/2/12 meeting and public hearing on Landstein application	2.50 2.00	412.50

### Summary of Services

	Rate	Hours	Amount
RCB Blass Jr., Ronald C.	0.00	1.00	0.00
AFS Friedrichsen Scott, Audrey	165.00	2.50	412.50
<b>Total for Services</b>		<b>3.50</b>	<b>\$412.50</b>

**Total for Services and Expenses**

**\$412.50**

**Balance Forward**

**\$5,395.15**

**Amount Due**

**\$5,807.65**

# Van DeWater & Van DeWater, LLP

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Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

October 22, 2012  
Invoice No. 102320

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

## Professional Services

Date	Services	Hours	Amount
<del>09/07/12</del>	<del>AFS meeting with R. Blass regarding Landstein application; reviewed e-mails from new Landstein attorney J. Adams</del>	<del>0.40</del>	<del>66.00</del>
<del>09/07/12</del>	<del>RCB Reply to J. Adams email.</del>	<del>0.25</del>	<del>41.25</del>
<del>09/10/12</del>	<del>RCB Review file and prepare for ZBA meeting.</del>	<del>0.65</del>	<del>107.25</del>
<del>09/10/12</del>	<del>RCB Long email to Wanda and Ken.</del>	<del>0.80</del>	<del>132.00</del>
09/10/12	RCB Prepare for and attend meeting of ZBA.	2.00	330.00
<del>09/12/12</del>	<del>AFS Meeting with R. Blass regarding issue of escrow.</del>	<del>0.40</del>	<del>66.00</del>
<del>09/18/12</del>	<del>RCB Review minutes of meeting. Email to S. Quigly with comments given break-down of recording system.</del>	<del>0.30</del>	<del>49.50</del>

## Summary of Services

	Rate	Hours	Amount
RCB Blass Jr., Ronald C.	165.00	4.00	660.00
AFS Friedrichsen Scott, Audrey	165.00	0.80	132.00
<b>Total for Services</b>		<b>4.80</b>	<b>\$792.00</b>

**Total for Services and Expenses**

**\$792.00**

**Balance Forward**

**\$5,807.65**

**Amount Due**

**\$6,599.65**

# Van DeWater & Van DeWater, LLP

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Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

November 19, 2012  
**Invoice No. 102629**

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

### Professional Services

Date	Services	Hours	Amount
<del>10/24/12</del>	<del>AFS meeting with R. Blass to discuss status of application and issues of escrow and potential action by ZBA at 11/5/12 ZBA meeting</del>	<del>0.30</del>	<del>49.50</del>
<del>10/29/12</del>	<del>AFS meeting with R. Blass to review correspondence from John Adams, Esq. and review and discuss case law regarding reasonable accommodation</del>	<del>0.80</del>	<del>132.00</del>
10/31/12	RCB Research and review PRB-1 authorities.	2.00	330.00

### Summary of Services

		Rate	Hours	Amount
RCB	Blass Jr., Ronald C.	165.00	2.00	330.00
AFS	Friedrichsen Scott, Audrey	165.00	1.10	181.50
<b>Total for Services</b>			<b>3.10</b>	<b>\$511.50</b>

### Disbursements

Date	Expenses	Amount
10/31/12	Research charges Lexis Nexis October research - Lexis - Nexis	31.57
<b>Total Expenses</b>		<b>\$31.57</b>

**Total for Services and Expenses** \$543.07

**Balance Forward** \$6,599.65

**Amount Due** \$7,142.72

# Van DeWater & Van DeWater, LLP

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Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

December 7, 2012  
**Invoice No. 102913**

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

### Professional Services

Date	Services	Hours	Amount
<p>sp <span style="border: 1px solid black; padding: 2px;">11/05/12 AFS</span></p>	<p>meeting with R. Blass to review matter and in preparation for 11/5/12 ZBA meeting; traveled to and represented ZBA at 11/5/12 meeting for review, discussion and adjournment of public hearing on variance application</p>	<p><del>1.40</del> 1.00</p>	<p>231.00</p>
<p><del>11/05/12 RCB</del></p>	<p><del>Review maps and site conditions on Velie Road property of Landstein.</del></p>	<p><del>0.50</del></p>	<p><del>82.50</del></p>
<p><del>11/05/12 RCB</del></p>	<p><del>Telephone call with J. Adams. Conference with Audrey Friedrichsen Scott re: adj. other issues.</del></p>	<p><del>0.30</del></p>	<p><del>49.50</del></p>
<p><del>11/06/12 AFS</del></p>	<p><del>meeting with R. Blass to review ZBA action on Landstein matter at 11/5/12 ZBA regular meeting</del></p>	<p><del>0.20</del></p>	<p><del>33.00</del></p>
<p><del>11/06/12 RCB</del></p>	<p><del>Emails from Jon Adams.</del></p>	<p><del>0.10</del></p>	<p><del>16.50</del></p>

### Summary of Services

		Rate	Hours	Amount
RCB	Blass Jr., Ronald C.	165.00	0.90	148.50
AFS	Friedrichsen Scott, Audrey	165.00	1.60	264.00
<b>Total for Services</b>			<b>2.50</b>	<b>\$412.50</b>

**Total for Services and Expenses**

**\$412.50**

**Balance Forward**

**\$7,142.72**

**Amount Due**

**\$7,555.22**

# Van DeWater & Van DeWater, LLP

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Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

March 4, 2013  
**Invoice No. 103877**

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

### Professional Services

Date	Services	Hours	Amount
<del>01/16/13</del>	<del>RCB Conference with Audrey re: preparation for 2/13 ZBA meeting. File review, issues identification, chart SEQRA path.</del>	<del>1.75</del>	<del>288.75</del>
<del>01/16/13</del>	<del>AFS Conducted file review in preparation for 2/4/13 ZBA meeting; meeting with R. Blass regarding issues of applicability of federal regulations to application</del>	<del>2.50</del>	<del>412.50</del>
01/22/13	AFS preparation for conference call with ZBA Chair regarding Landstein; conference call with Mr. Bisceglia and R. Blass; additional conference with R. Blass	2.50 2.00	412.50
<del>04/22/13</del>	<del>RCB Prepare for conference call ZBA chair re: February meeting.</del>	<del>0.40</del>	<del>66.00</del>
<del>04/25/13</del>	<del>AFS meeting with R. Blass on Landstein application and application of reasonable accommodation standard; discussion of need for expert opinion on issues of visual impact and radio communications</del>	<del>2.80</del>	<del>462.00</del>
<del>01/25/13</del>	<del>RCB Prepare for and attend meeting at Town with client.</del>	<del>1.75</del>	<del>288.75</del>
<del>01/25/13</del>	<del>RCB Work on file case law - SEQRA concepts - draw out a path for coordinated review with reasonable accommodation.</del>	<del>4.00</del>	<del>660.00</del>
<del>01/28/13</del>	<del>AFS Conference with R. Blass, Esq. to review reasonable accommodation standard based upon legal research and review of case law so far, continued legal research</del>	<del>2.80</del>	<del>462.00</del>
<del>01/29/13</del>	<del>AFS conducted additional case law research on reasonable accommodation standard</del>	<del>4.20</del>	<del>693.00</del>
<del>01/29/13</del>	<del>RCB Review federal court case law.</del>	<del>0.50</del>	<del>82.50</del>
<del>01/30/13</del>	<del>AFS additional work on Landstein legal standards; meeting with R. Blass to discuss procedural and SEQRA issues for ZBA and issue of setback variance also being required</del>	<del>1.30</del>	<del>214.50</del>
<del>01/30/13</del>	<del>RCB Conference with Audrey re: path of review by ZBA.</del>	<del>0.50</del>	<del>82.50</del>

Client Ref: 00070 - 00866  
Invoice No. 103877

March 4, 2013  
Page 2

**Professional Services**

Date	Services	Hours	Amount
<del>01/30/13 RCB</del>	<del>Telephone call with tech consultant.</del>	<del>0.25</del>	<del>41.25</del>
sp <u>01/31/13 AFS</u>	meeting with R. Blass to review suggested procedure for ZBA in preparation for 2/4/13 meeting; prepared list of questions for applicant and drafted letter to ZBA setting forth recommendation on questions to elicit necessary information for ZBA to make findings under reasonable accommodation standard and relevant case law	<del>3.00</del> 3.00	627.00
<del>01/31/13 RCB</del>	<del>Telephone call with consultant R. Graff re: RF.</del>	<del>0.25</del>	<del>41.25</del>
<b>Total for Services</b>		<b>29.30</b>	<b>\$4,834.50</b>

**Disbursements**

Date	Expenses	Amount
01/31/13	Research charges January research - Lexis - Nexis	35.14
<b>Total Expenses</b>		<b>\$35.14</b>

**Total for Services and Expenses**

**\$4,869.64**

**Balance Forward**

**\$7,555.22**

**Amount Due**

**\$12,424.86**

# Van DeWater & Van DeWater, LLP

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Tax ID No. 14-1799987

Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

March 7, 2013  
Invoice No. 104111

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

## Professional Services

Date	Services	Hours	Amount
<del>02/01/13</del>	<del>RGB Long call with visual expert Larry Himel.</del>	<del>0.50</del>	<del>82.50</del>
<del>02/01/13</del>	<del>RCB Telephone call with Jon Adams.</del>	<del>0.25</del>	<del>41.25</del>
<del>02/01/13</del>	<del>RCB Review and revise questions for info from applicant.</del>	<del>0.75</del>	<del>123.75</del>
1p 02/04/13	AES reviewed materials in preparation for 2/4/13 ZBA meeting in order to advise ZBA regarding reasonable accommodation, SEQRA procedure, and additional setback variances necessary for application; traveled to and represented ZBA for review and discussion of ham radio application and action to declare intent to be lead agency under SEQRA	2.50 1.50	412.50
<del>02/04/13</del>	<del>RCB Telephone call from Jon Adams.</del>	<del>0.25</del>	<del>41.25</del>
<del>02/05/13</del>	<del>AFS meeting with R. Blass, Esq. to review 2/4/13 ZBA meeting and review of application going forward</del>	<del>0.20</del>	<del>33.00</del>
<del>02/05/13</del>	<del>RCB Conference with A. Friedrichsen re: ZBA meeting.</del>	<del>0.20</del>	<del>33.00</del>
02/07/13	AFS Revised SEQRA lead agency circulation notice and transmitted to S. Quigley for use.	1.50	247.50
<del>02/28/13</del>	<del>RCB Telephone call from Richard Cantor re: Taconic Hills impacts</del>	<del>0.25</del>	<del>41.25</del>
<b>Total for Services</b>		<b>6.40</b>	<b>\$1,056.00</b>

**Total for Services and Expenses**

**\$1,056.00**

**Balance Forward**

**\$12,424.86**

**Amount Due**

**\$13,480.86**

# Van DeWater & Van DeWater, LLP

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Tax ID No. 14-1799987

Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

April 15, 2013  
Invoice No. 104442

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

## Professional Services

Date	Services	Hours	Amount
<del>03/01/13</del>	<del>AFS Meeting with R. Blass, Esq. regarding Landstein application, phone call from R. Cantor, Esq.</del>	<del>0.50</del>	<del>82.50</del>
03/04/13	AFS Traveled to and represented ZBA at 3/4/14 meeting for discussion of variance application and adjournment of public hearing	0.40	66.00
<del>03/04/13</del>	<del>RCB Telephone call from visual expert.</del>	<del>0.25</del>	<del>41.25</del>
<b>Total for Services</b>		<b>1.15</b>	<b>\$189.75</b>
<b>Total for Services and Expenses</b>			<b>\$189.75</b>
<b>Balance Forward</b>			<b>\$13,480.86</b>
<b>Amount Due</b>			<b>\$13,670.61</b>

# Van DeWater & Van DeWater, LLP

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Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

May 15, 2013  
Invoice No. 104847

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

## Professional Services

Date	Services	Hours	Amount
<del>04/29/13</del>	<del>AFS Meeting with R. Blase regarding Landstein application; phone call with R. Cantor regarding expected adjournment request</del>	<del>0.20</del>	<del>33.00</del>
<b>Total for Services</b>		<b>0.20</b>	<b>\$33.00</b>
	<b>Total for Services and Expenses</b>		<b>\$33.00</b>
	<b>Balance Forward</b>		<b>\$13,670.61</b>
	<b>Amount Due</b>		<b>\$13,703.61</b>

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Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

July 9, 2013  
Invoice No. 105661

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

## Professional Services

Date	Services	Hours	Amount
<del>06/18/13</del>	<del>RCB Review visual impact report. Conference with Audrey L. Friedrichsen.</del>	<del>0.75</del>	<del>123.75</del>
<del>06/21/13</del>	<del>RCB Conference with Audrey Friedrichsen.. Sent Visual Impact Report to ZBA.</del>	<del>0.35</del>	<del>57.75</del>
<del>06/25/13</del>	<del>RCB Review file. Conference with Susan Quigley regarding calendaring.</del>	<del>0.40</del>	<del>66.00</del>
<del>06/26/13</del>	<del>RCB Telephone calls with Jon Adams and Richard Cantor regarding calendaring.</del>	<del>0.25</del>	<del>41.25</del>
06/27/13	RCB Letter for ZBA Clerk.	0.25	41.25
<b>Total for Services</b>		<b>2.00</b>	<b>\$330.00</b>

**Total for Services and Expenses**

**\$330.00**

**Balance Forward**

**\$13,753.11**

**Amount Due**

**\$14,083.11**

# Van DeWater & Van DeWater, LLP

85 Civic Center Plaza  
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Tax ID No. 14-1799987

Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

June 20, 2013  
Invoice No. 105233

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

## Professional Services

Date	Services	Hours	Amount
<del>05/02/13</del>	<del>AFS Meeting with R. Blass regarding applicant request for adjournment of 5/6 ZBA public hearing to July; reviewed ZBA public hearing notice provisions; e-mail to S. Quigley regarding notice for July adjourned meeting</del>	<del>0.30</del>	<del>49.50</del>
<b>Total for Services</b>		<b>0.30</b>	<b>\$49.50</b>
	<b>Total for Services and Expenses</b>		<b>\$49.50</b>
	<b>Balance Forward</b>		<b>\$13,703.61</b>
	<b>Amount Due</b>		<b>\$13,753.11</b>

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Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

September 18, 2013  
Invoice No. 106312

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

## Professional Services

Date	Services	Hours	Amount
<del>08/30/13</del>	<del>RCB - Review file regarding status, open issues, meeting history - Cantor request for adjournment - Call with Susan Quigley - review 2+A exchange between applicant - February and March 2013 minutes - most recent engineer's submission.</del>	<del>1.50</del>	<del>247.50</del>
<b>Total for Services</b>		<b>1.50</b>	<b>\$247.50</b>
	<b>Total for Services and Expenses</b>		<b>\$247.50</b>
	<b>Balance Forward</b>		<b>\$14,083.11</b>
	<b>Amount Due</b>		<b>\$14,330.61</b>

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Town of LaGrange Planning Board  
Attn: Planning Board Chairman  
120 Stringham Road  
LaGrangeville, NY 12540

January 27, 2014  
Invoice No. 107872

CLIENT: 00070 - Town of LaGrange  
Re: 00866 Landstein Ham Radio Application (Planning Board)

## Professional Services

Date	Services	Hours	Amount
<del>12/16/13</del>	<del>RCB Telephone call with Jon Adams - Richard Cantor.</del>	<del>0.15</del>	<del>24.75</del>
<b>Total for Services</b>		<b>0.15</b>	<b>\$24.75</b>

**Total for Services and Expenses**

\$24.75

**Balance Forward**

\$14,330.61

**Amount Due**

\$14,355.36



# Matter Ledger Report

1/1/1970 to 6/9/2014

<b>Code</b>	<b>Name</b>	<b>Init Atty</b>	<b>RCB</b>	<b>Blass Jr., Ronald C.</b>
<b>Client</b> 00070	<b>Town of LaGrange</b>	<b>Bill Atty</b>	<b>RCB</b>	<b>Blass Jr., Ronald C.</b>
<b>Matter</b> 00943	<b>Landstein Ham Radio (ZBA)</b>	<b>Resp Atty</b>	<b>RCB</b>	<b>Blass Jr., Ronald C.</b>

## Bills

Number	Date	Total	Fees	Expenses	Balance Due		
					Total	Fees	Expenses
106770	10/08/13	1,320.00	1,320.00				
106991	11/22/13	1,031.25	1,031.25		1,031.25	1,031.25	
107881	01/27/14	99.00	99.00		99.00	99.00	
108213	03/03/14	1,056.00	1,056.00		1,056.00	1,056.00	
108838	05/02/14	412.50	412.50		412.50	412.50	
109236	05/28/14	462.00	462.00		462.00	462.00	
<b>Total Bills</b>		<b>4,380.75</b>	<b>4,380.75</b>	0.00	<b>3,060.75</b>	<b>3,060.75</b>	0.00

End of Report

⊕ May '14 165.00  
 WIP

3,125.75

2 2  
 2.50  
 2.00  
 .10  
 2.00  
 3.00  
 .40  
 .25  
 .10  
 .35  
 .75  
 .25  
 1.00

12.70 x 165 = 2,095.50

# Van DeWater & Van DeWater, LLP

85 Civic Center Plaza  
P.O. Box 112  
Poughkeepsie, New York 12602  
845-452-5900  
Fax 845-452-5612  
Tax ID No. 14-1799987

Town of LaGrange  
Joseph J. Luna, Supervisor  
120 Stringham Road  
LaGrangeville, NY 12540

October 8, 2013  
Invoice No. 106770

CLIENT: 00070 - Town of LaGrange  
Re: 00943 Landstein Ham Radio (ZBA)

## Professional Services

Date		Services	Hours	Amount
09/03/13	RCB	Review file - impact study - memo of case law - develop batting order for ZBA on how to proceed - in face of applicant answers - visual impact assessment of creative visuals.	2.50	412.50
09/04/13	RCB	<del>Reviewed file.</del>	<del>2.50</del>	<del>412.50</del>
09/06/13	RCB	<del>Review file. Prepared outline of issues to address at September 9, 2013 meeting.</del>	<del>2.00</del>	<del>330.00</del>
09/09/13	RCB	<del>Telephone call with R. Graff (RF expert) Telephone calls with Richard Cantor, Jon Adams, Chairman regarding ZBA meeting.</del>	<del>1.00</del>	<del>165.00</del>
<b>Total for Services</b>			<b>8.00</b>	<b>\$1,320.00</b>
<b>Total for Services and Expenses</b>				<b>\$1,320.00</b>

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Tax ID No. 14-1799987

Town of LaGrange  
Joseph J. Luna, Supervisor  
120 Stringham Road  
LaGrangeville, NY 12540

November 22, 2013  
Invoice No. 106991

CLIENT: 00070 - Town of LaGrange  
Re: 00943 Landstein Ham Radio (ZBA)

## Professional Services

Date	Services	Hours	Amount
<del>10/07/13</del> RCB	<del>Prepared for Zoning Board of Appeal's hearing.</del>	<del>2.00</del>	<del>330.00</del>
10/07/13 RCB	Attended Zoning Board of Appeal's hearing.	2.00	330.00
<del>10/08/13</del> RCB	<del>Telephone call with Richard Cantor.</del>	<del>0.25</del>	<del>41.25</del>
<del>10/21/13</del> RCB	<del>Meeting with Richard Cantor, Daniel O'Dea, Jon Adams and Mr. Landstein?</del>	<del>2.00</del>	<del>330.00</del>
<b>Total for Services</b>		<b>6.25</b>	<b>\$1,031.25</b>
	<b>Total for Services and Expenses</b>		<b>\$1,031.25</b>
	<b>Balance Forward</b>		<b>\$1,320.00</b>
	<b>Amount Due</b>		<b>\$2,351.25</b>

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845-452-5900  
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Tax ID No. 14-1799987

Town of LaGrange  
Joseph J. Luna, Supervisor  
120 Stringham Road  
LaGrangeville, NY 12540

January 27, 2014  
Invoice No. 107881

CLIENT: 00070 - Town of LaGrange  
Re: 00943 Landstein Ham Radio (ZBA)

## Professional Services

Date	Services	Hours	Amount
<del>12/02/13</del>	<del>RCB Telephone calls with Richard Cantor; attempt to Adams; Susan Quigley; conference Janis; email to Janis Gomez regarding management of ZBA meeting.</del>	<del>0.50</del>	<del>82.50</del>
12/02/13	JMGA Attendance at 12/2/13 ZBA meeting - some discussion among ZBA regarding whether to adjourn matter.	0.10	16.50
<b>Total for Services</b>		<b>0.60</b>	<b>\$99.00</b>
<b>Total for Services and Expenses</b>			<b>\$99.00</b>
<b>Balance Forward</b>			<b>\$1,031.25</b>
<b>Amount Due</b>			<b>\$1,130.25</b>

# Van DeWater & Van DeWater, LLP

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845-452-5900  
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Tax ID No. 14-1799987

Town of LaGrange  
Alan Bell, Supervisor  
120 Stringham Road  
LaGrangeville, NY 12540

March 3, 2014  
Invoice No. 108213

CLIENT: 00070 - Town of LaGrange  
Re: 00943 Landstein Ham Radio (ZBA)

## Professional Services

Date	Services	Hours	Amount
<del>01/02/14</del>	<del>RCB Telephone call with Richard Cantor regarding status of discussions.</del>	<del>0.10</del>	<del>16.50</del>
<del>01/03/14</del>	<del>RCB Telephone call from Richard Cantor regarding Jon Adams email.</del>	<del>0.10</del>	<del>16.50</del>
01/06/14	RCB Attend ZBA meeting - telephone call with Chairman.	2.00	330.00
01/06/14	RCB Review file - prepared resolution of interim determination for ZBA.	3.00	495.00
<del>01/09/14</del>	<del>RCB Telephone call with Ronald Graiff - consultant - prep email to solicit proposals for radio frequency.</del>	<del>0.90</del>	<del>148.50</del>
<del>01/13/14</del>	<del>RCB Forward Graiff proposal to Susan Quigley.</del>	<del>0.10</del>	<del>16.50</del>
<del>01/23/14</del>	<del>RCB email with Ronald Graiff.</del>	<del>0.10</del>	<del>16.50</del>
<del>01/28/14</del>	<del>RCB Telephone call with Susan Quigley regarding consulting estimates.</del>	<del>0.10</del>	<del>16.50</del>
<b>Total for Services</b>		<b>6.40</b>	<b>\$1,056.00</b>
<b>Total for Services and Expenses</b>			<b>\$1,056.00</b>
<b>Balance Forward</b>			<b>\$1,130.25</b>
<b>Amount Due</b>			<b>\$2,186.25</b>

# Van DeWater & Van DeWater, LLP

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Poughkeepsie, New York 12602  
845-452-5900  
Fax 845-452-5612  
Tax ID No. 14-1799987

Town of LaGrange  
Alan Bell, Supervisor  
120 Stringham Road  
LaGrangeville, NY 12540

May 2, 2014  
Invoice No. 108838

CLIENT: 00070 - Town of LaGrange  
Re: 00943 Landstein Ham Radio (ZBA)

## Professional Services

Date	Services	Hours	Amount
<del>03/01/14</del>	<del>JMGA Review of interim determination in preparation for March 3, 2014 ZBA meeting.</del>	<del>0.30</del>	<del>49.50</del>
<del>03/03/14</del>	<del>RCB Work with Janis Gomez Anderson regarding ZBA meeting prep.</del>	<del>0.35</del>	<del>57.75</del>
<del>03/03/14</del>	<del>JMGA Conference with Ronald C. Blass in preparation for ZBA meeting.</del>	<del>0.60</del>	<del>99.00</del>
03/03/14	JMGA Attendance at ZBA meeting. Email to Ronald C. Blass with status update.	0.40	66.00
<del>03/04/14</del>	<del>RCB Conference with Janis Gomez Anderson telephone call from Richard Cantor regarding ZBA meeting.</del>	<del>0.25</del>	<del>41.25</del>
03/10/14	RCB Telephone call with Jon Adams regarding Landstein.	0.25	41.25
03/19/14	RCB Telephone call with ZBA Chair.	0.10	16.50
<del>03/26/14</del>	<del>RCB Review Jon Adams and Richard Cantor emails regarding settlement consider SEQRA/variance resolution treatment.</del>	<del>0.25</del>	<del>41.25</del>
<b>Total for Services</b>		<b>2.50</b>	<b>\$412.50</b>
<b>Total for Services and Expenses</b>			<b>\$412.50</b>
<b>Balance Forward</b>			<b>\$2,186.25</b>
<b>Amount Due</b>			<b>\$2,598.75</b>

# Van DeWater & Van DeWater, LLP

85 Civic Center Plaza  
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Poughkeepsie, New York 12602  
845-452-5900  
Fax 845-452-5612  
Tax ID No. 14-1799987

Town of LaGrange  
Alan Bell, Supervisor  
120 Stringham Road  
LaGrangeville, NY 12540

May 28, 2014  
Invoice No. 109236

CLIENT: 00070 - Town of LaGrange  
Re: 00943 Landstein Ham Radio (ZBA)

## Professional Services

Date		Services	Hours	Amount
04/07/14	RCB	Telephone call with Jon Adams - email to Chairman of ZBA.	0.35	57.75
<del>04/07/14</del>	<del>RCB</del>	<del>Telephone call with Janis Gomez Anderson - email to her regarding ZBA meeting.</del>	<del>0.25</del>	<del>41.25</del>
04/07/14	JMGA	Appearance at ZBA meeting.	0.75	123.75
04/17/14	RCB	Conference with client regarding reasonable accommodation issues.	0.25	41.25
<del>04/22/14</del>	<del>RCB</del>	<del>Email to Wanda Livigni.</del>	<del>0.45</del>	<del>74.25</del>
<del>04/23/14</del>	<del>RCB</del>	<del>Emails with Wanda regarding status ZBA/Planning Board guidelines - email issues.</del>	<del>0.75</del>	<del>123.75</del>
<b>Total for Services</b>			<b>2.80</b>	<b>\$462.00</b>
<b>Total for Services and Expenses</b>				<b>\$462.00</b>
<b>Balance Forward</b>				<b>\$2,598.75</b>
<b>Amount Due</b>				<b>\$3,060.75</b>

# Matter Ledger Report

1/1/1970 to 5/31/2014

<b>Code</b>	<b>Name</b>	<b>Init Atty</b>	<b>RCB</b>	<b>Blass Jr., Ronald C.</b>
<b>Client</b> 00070	Town of LaGrange	<b>Bill Atty</b>	<b>RCB</b>	<b>Blass Jr., Ronald C.</b>
<b>Matter</b> 00943	Landstein Ham Radio (ZBA)	<b>Resp Atty</b>	<b>RCB</b>	<b>Blass Jr., Ronald C.</b>

## Unbilled Time

Code	Name	Date	Code	To Be Billed		Task	Ref #	Text
				Hours	\$ Value			
RCB	Blass Jr., Ronald C.	05/02/14	B	0.25	41.25		21C6402	Email to Chairman.
JMGA	Anderson, Janis M. Gome	05/04/14	B	0.30	49.50		21C7507	Preparation for and attendance at May 5, 2014 ZBA meeting.
RCB	Blass Jr., Ronald C.	05/05/14	B	0.35	57.75		21C6418	Email to ZBA Chair.
RCB	Blass Jr., Ronald C.	05/05/14	B	0.10	16.50		21C6428	Email to client.
	Billable			1.00	165.00			
	Non-Billable			0.00	0.00			
	Suppressable			0.00	0.00			
	<b>Total Unbilled Time</b>			<b>1.00</b>	<b>165.00</b>		<b>Total</b>	

Matter	
Hours	Value
1.00	165.00

## Unbilled Expenses

Code	Description	Date	Ck #	Ck Date	To Be Billed	Ref #	Text
					\$ Value		
	Advanced				0.00		
	Non-Cash				0.00		Matter Value
	<b>Total Unbilled Expenses</b>				<b>0.00</b>	<b>Total</b>	<b>0.00</b>

## Matter Ledger Summary

	Total	Current	31-60	61-90	Over 90	Trust Balance	Prepaid Balance	Matter Value of WIP Carried Forward	
<b>WIP:</b>	165.00	165.00	0.00	0.00	0.00	0.00	0.00	<b>Fees</b>	165.00
								<b>Costs</b>	0.00
<b>A/R:</b>	3,060.75	874.50	0.00	1,056.00	1,130.25			<b>Total</b>	165.00

End of Report

EXHIBIT "B"

PC VIA CR #1106  
8/22/14



**Invoice**

**Clark Patterson Lee**  
DESIGN PROFESSIONALS

July 25, 2014  
Project No: 11278.00  
Invoice No: 46807

CHRISTINE TOUSSAINT  
TOWN OF LAGRANGE  
120 STRINGHAM RD  
LAGRANGEVILLE, NY 12540

*+35*  
*Bal. \$100*  
*8-1-14*

*PP# 5414*

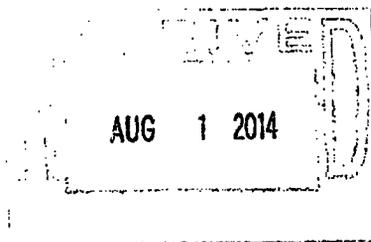
ZBA SUPPORT – Landstein Antenna Review  
Professional Services for the period ending June 27, 2014  
Fee

Total Fee	500.00	Total Earned	500.00
Percent Complete	100.00	Previous Fee Billing	<u>0.00</u>
		Current Fee Billing	500.00
		<b>Total Fee</b>	<b>500.00</b>

**Total this Invoice**

**\$500.00**

*WLB*  
*8/1/14*



*Greg W Bolner*  
Greg W. Bolner, P.E.

103 Executive Drive  
Suite 202  
New Windsor, NY 12553  
clarkpatterson.com  
800.274.9000 TEL  
845.567.9614 FAX

\*\*\*PLEASE REFERENCE INVOICE NUMBER ON PAYMENT\*\*\*

*PP 5414*

**Stormwater Management Consultants, Inc.**

P.O. Box 202  
LaGrangeville, New York 12540

PL USA CK # 3693  
6/20/11

**Invoice**

Date	Invoice #
6/1/2011	11-1201

**Bill To:**

Alan Bell, Planning Board Chairman  
Town of LaGrange  
120 Stringham Road  
LaGrangeville, New York 12540

+35  
Bal. \$ 75.50  
Cam  
6-15-11

P.O. No.	Terms	Due Date	Account #	Project
	Net 30	7/1/2011	LG.146	Ham Radio Anten...

Description	Qty	Rate	Date	Amount
Planning Board review	0.25	100.00	5/17/2011	25.00
Attendance at Planning Board meeting				
Planning Board review	1	100.00	5/19/2011	100.00
Site inspection w/Planning Board				

<b>Total</b>	\$125.00
<b>Payments/Credits</b>	\$0.00
<b>Balance Due</b>	\$125.00

Alan Bell <sup>CT</sup>  
6/15/11

6-1-11  
WR  
6/2/11

## RESOLUTION

WHEREAS, Edward White has twenty-four years of cumulative serve with the Town of LaGrange Highway Department; and

WHEREAS, the Town Board of the Town of LaGrange wishes to waive the fifteen years of continuous service requirement

THEREFORE BE IT RESOLVED, the Town Board does hereby waive the fifteen years of continuous service requirement for Edward White.

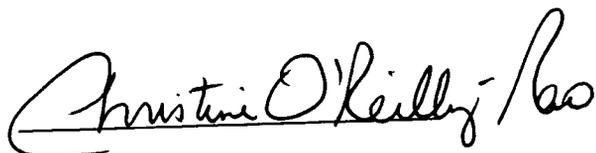
MOTION: Councilman Luna

SECOND: Councilman Dyal

The following vote was taken:

Supervisor Bell	AYE
Councilman Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	ABSENT
Councilman Dyal	AYE

The resolution was duly passed.



Christine O'Reilly-Rao  
LaGrange Town Clerk

Dated: November 12, 2014

RESOLUTION

Councilman Dyal offered the following resolution, which was seconded by Luna, who moved its adoption:

WHEREAS, the Dutchess County Society for the Prevention of Cruelty to Animals ("SPCA") and the Town have a proposed 2015 "Dog Control Housing Agreement," specifying the terms and conditions under which the SPCA will shelter dogs seized by the Town of LaGrange Animal Control Officer; and

WHEREAS, a copy of the proposed agreement is annexed hereto as Exhibit "A";

NOW, THEREFORE, BE IT RESOLVED that the Town Board approves, and authorizes the Supervisor to execute a proposed agreement between the SPCA and the Town, annexed hereto as Exhibit "A", or any other agreement having substantially the same or similar provisions.

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

Supervisor Bell	AYE
Councilman Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	ABSENT
Councilman Dyal	AYE

DATED: LaGrangeville, New York  
November 12, 2014

  
CHRISTINE O'REILLY-RAO, TOWN CLERK

19) **TERMS:** This contract can be cancelled at any time from either party with sixty (60) days written notice.

20) **PAYMENT:** All bills submitted to the TOWN will be paid within sixty (60) days. If no payment is made to the DCSPCA within sixty (60) days the DCSPCA reserves the right to charge a \$50.00 per month surcharge.

**IN WITNESS WHEREOF,** the parties have executed this Agreement in two (2) counter parts, each of which shall constitute an original, the day and year first above written.

DUTCHESS COUNTY SPCA

By: \_\_\_\_\_  
Jackie Rose, Executive Director

TOWN OF LAGRANGE

By: Alan Bell  
Alan Bell, Town Supervisor

**DOG CONTROL HOUSING AGREEMENT**

THIS AGREEMENT, made this 12th day of November, 2014, by and between

DUTCHESS COUNTY SPCA,

a New York Not-For- Profit Corporation

having an address of 636 Violet Avenue, Hyde Park, New York 12538

Hereinafter referred to as "DCSPCA"

and

TOWN OF LAGRANGE,

a municipal corporation

Hereinafter referred to as the "TOWN"

WHEREAS, the TOWN OF LAGRANGE Dog Control Officer, hereinafter referred to the "DCO", is empowered to seize dogs pursuant to the provisions of Agriculture and Markets Law Article 7, §117; and

WHEREAS, this Agreement applies only to dog(s) seized by the DCO that are running at large; and

WHEREAS, pursuant to Agriculture and Markets Law Article 7, §117, dogs seized by a DCO are required to be properly fed and watered during the applicable redemption period; and

WHEREAS, DCSPCA maintains a kennel for boarding dogs and other animals at its office located at 636 Violet Avenue, Hyde Park, New York, 12538; and

WHEREAS, the TOWN wishes to contract with DCSPCA to provide shelter for dogs seized by the DCO upon terms and conditions hereinafter set forth.

NOW, THEREFORE, it is hereby agreed by and between DCSPCA and the TOWN as follows:

- 1) **RECITATION INCORPORATED:** These recitations above set forth are incorporated in this Agreement as if fully set forth and recited herein.
- 2) **TERM OF AGREEMENT:** This agreement shall be become effective January 1, 2015 and shall continue until December 31, 2015.

3) **BOARDING:** DCSPCA hereby agrees to provide boarding, which included shelter, food and water, as required by the Law for the following dogs:

- a) Any/all dogs running at large (stray) seized by the DCO as outlined by the Agriculture and Markets Law Article 7, §117(1) & (2); and
- b) Any/all dogs who have been seized by a court order pending a "dangerous dog" hearing, as outlined by the Agriculture and Markets Law Article 7, §123(2).

All dogs seized by the DCO shall be delivered to the offices of DCSPCA at 636 Violet Avenue, Hyde Park, New York 12538.

4) **HOLDING PERIOD:** In order to provide the owners a reasonable time period in which to reclaim their seized dog, the DCSPCA and the TOWN agree to the following:

a) For dogs running at large (strays):

i) Dogs that are not appropriately identified, as outlined by the Agriculture and Markets Law Article 7, §117(4), will be held for seven (7) days from the date they enter the shelter;

ii) Dogs that are appropriately identified, as outlined by the Agriculture and Markets Law Article 7, §117(6), will be held for eleven (11) days from the date they enter the shelter. The TOWN is responsible for notifying the owner of the seizure, as per the Agriculture and Markets Law Article 7, §117(6).

iii) Upon expiration of the above stated holding periods, any and all dogs that have not been reclaimed by their owner, will become the property of the DCSPCA, as outlined by the Agriculture and Markets Law Article 7, §117 (7-a).

b) For dogs seized under a court order pending a "dangerous dog hearing", as outlined by the Agriculture and Markets Law Article 7, §123(2) as per :

- Dogs will be held until final disposition by the court OR a maximum of fourteen (14) days, whichever comes first. If the final hearing has not been held by the end of the fourteenth day, the TOWN will be responsible to make alternate arrangements housing of such dogs. The DCSPCA may consider continued housing on a case by case basis to be negotiated with the TOWN.

c) Unclaimed dogs will be evaluated by the DCSPCA staff to determine if a dog's disposition and temperament will enable it to be adopted. If the dog is determined to be adoptable, it will be placed for adoption by the DCSPCA. If the dog is determined to not be adoptable, the DCSPCA will determine the best options for the dog. The DCSPCA reserves the right to handle the final disposition of dogs determined to be unadoptable within the Mission Statement of the DCSPCA.

5) **RABIES VACCINATION:** As outlined by the Agriculture and Markets Law Article 7, §109(1)(a), for all dogs that are to be reclaimed, the owner must provide proof of town license, including proof of rabies vaccination. As such, the DCSPCA will not release any dog to its owner without proof of current town license and rabies vaccination. In the event that the dog is not up-to-date on its rabies vaccine and/or the owner is unable to provide proof of such vaccine to the TOWN, the DCSPCA will administer a rabies vaccine to the dog prior to redemption and will charge the owner for the cost of this service.

6) **EMERGENCY VETERINARY CARE:** In the event that a dog that is boarded is determined, by best judgment of the DCSPCA medical staff, to be in need of emergency veterinary care, the DCSPCA will arrange medical care for the dog. The TOWN will be charged for the veterinary fees as incurred by the DCSPCA only in the event the dog is not redeemed by the owner. The TOWN shall have the right to recoup the fees from the owner.

7) **FEES:**

a) Boarding:

- i) The DCSPCA boarding fee is \$40.00 per day. The first day is charged upon admission to the shelter and each subsequent day is calculated upon the dog being on the DCSPCA property at 12:00 am each day.
- ii) For dogs that are reclaimed by their owner, the owner will be required to pay the boarding fee directly to the DCSPCA. If an owner is unable or unwilling to pay this fee within the holding period, the dog will not be released to the owner and the dog will become the property of the DCSPCA upon expiration of the holding period.
- iii) For dogs that are not reclaimed by the owner, the DCSPCA will invoice the TOWN for the boarding fee.
- iv) For dogs that have been seized due to running at large and have been previous deemed a "dangerous dog" by order from a Court of competent jurisdiction AND dogs that have been seized by court order pending a dangerous dog hearing, there will be fee of \$150.00 in addition to any and all daily boarding fees.

b) Rabies Vaccination:

- i) The fee for a rabies vaccine is \$25.00
- ii) For dogs that are reclaimed by their owner, the owner will be required to pay the vaccine fee directly to the DCSPCA. If an owner is unable or unwilling to pay this fee within the holding period, the dog will not be released to the owner and the dog will become the property of the DCSPCA upon expiration of the holding period.
- iii) For dogs that are not reclaimed by the owner, the TOWN will not be billed for the rabies vaccine.

c) Emergency Veterinary Care

- i) For services provided by the DCSPCA medial team, the DCSPCA usual and customary fees will be applied.
- ii) For care that requires services from a community-based veterinarian, the actual fee from the veterinarian will be applied. The DCSPCA will make the determination of which community-based veterinarian will be utilized.
- iii) For dogs that are reclaimed by their owner, the owner will be required to pay the medical care fees directly to the DCSPCA. If an owner is unable or unwilling to pay these fees within the holding period, the dog will not be released to the owner and the dog will become the property of the DCSPCA upon expiration of the holding period.
- iv) For dogs that are not reclaimed by the owner, the TOWN will be billed for the medical care fees. The TOWN shall have the right to recoup the fees from the owner.

8) **RECLAIM/REDEMPTION OF DOGS:** In an effort to simplify the billing process for both the DCSPCA and the TOWN, both parties agree that for those cases in which the owner wants to reclaim their dog, the owner must pay any and all TOWN fees/fines directly to the TOWN and directly pay any and all DCSPCA fees directly to the DCSPCA. As such, the following process will be employed:

- a) All owners will be informed by the TOWN and/or the DCSPCA of the necessary documentation and fees to be paid in order to reclaim their dog as well as the process to accomplish this task.
- b) Upon payment of the town fee, the TOWN will issue a copy of the Agriculture and Markets Department Form DL-18 (or comparable form) to the dog owner or designee, which will evidence that the TOWN has received all TOWN reclaim/redemption fees. The owner will be instructed to present this documentation to the DCSPCA to reclaim their dog. Additionally, they will be informed of the need to pay the boarding and other applicable fees directly to the DCSPCA upon reclaiming their dog.
- c) The DCSPCA shall be available to process reclaims of dogs at its office on the following days:
  - i) Monday thru Friday: 8:00 am to 4:00 pm.
  - ii) Saturday and Sunday: 12:00 pm to 4:00 pm
  - iii) Dogs may not be reclaimed on observed holidays

9) **KENNEL SPACE:** At all times, the DCSPCA will provide kennel space for all dogs that are seized; the Dog Control DCO will have twenty-four (24) hour access to DCSPCA kennels for the delivery of dogs. The DCO will be required to complete DCSPCA paperwork and ensure that the dog has food, water and bedding in its kennel.

- 10) INDEMNIFICATION:** The DCSPCA shall defend, indemnify and hold the TOWN, its officials, officers and employees harmless from and against all actions, proceedings, claims, damages, liabilities, losses and expenses including, without limitation, reasonable attorney's fees arising out of the wrongful actions of the DCSPCA. The TOWN shall defend and indemnify and hold the DCSPCA, its officials, officers and employees harmless from and against all actions, proceedings, claims, damages, liabilities, losses and expenses including, without limitation, reasonable attorney's fees arising out of the wrongful acts or admissions of the TOWN.
- 11) APPLICABLE LAW:** This Agreement shall be governed by, construed and enforced in accordance with the laws of New York with regard to conflicts of laws and principles of law.
- 12) WAIVER:** No waiver of any breach of any condition of this Agreement shall be binding unless in writing and signed by the party waiving such breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for repetition of such or any other breach unless the waiver shall specifically include the same.
- 13) MODIFICATION:** This agreement constitutes the complete understanding of the parties. No modification of any provisions thereof shall be valid unless in writing and signed by both parties.
- 14) NOTICES:** All notices, demands, requests, consents, approvals or other communications (for the purpose of this paragraph collectively called "Notices") required or permitted to be given hereunder to any party to this Agreement shall be in writing and shall be sent overnight delivery service or registered or certified mail, return receipt requested, postage prepaid.
- 15) SUCCESSORS and ASSIGNS:** This Agreement shall apply to bind the successors and heirs, administrators and executor of the parties hereto.
- 16) ENTIRE AGREEMENT:** This written Agreement, when signed by all parties, forms the entire Agreement between the parties and replaces and supersedes all prior Agreements or undertakings between the parties, if any.
- 17) BINDING EFFECT:** This Agreement shall be binding on the heirs, executors, administrators, successors and assigns of the parties hereto.
- 18) AUTHORIZATION:** This Agreement was authorized by Resolution of the Town Board of the Town of LaGrange, duly adopted at a regular meeting of the Town Board held on the 12th day of November 2014.

RESOLUTION

Councilman Dyal introduced the following resolution, which was seconded by Councilman Jessup,

WHEREAS, on October 7, 2014, the Town of LaGrange entered into an Agreement with Ismael Roman under which Mr. Roman committed himself to make a gift to the Town of LaGrange of an approximate 4.731 acre unimproved portion of a 6.108 acre parcel of land located at 33 Milano Drive in the Town, and more particularly having been assigned LaGrange tax parcel number 6261-02-852950; and

WHEREAS, the Town is currently assessing whether it will accept the gift under the Agreement; and

WHEREAS, in anticipation of the Town's acceptance of the gift of a portion of 33 Milano Drive, the Town Board intends to assess, after public hearing, whether the gift transaction should be exempt from the Town's local requirement of a land subdivision, under the standards set forth in the law of this State in the Matter of Monroe County (72 N.Y.2d 338; 533 N.Y.S.2d 702).

NOW, it is hereby resolved as follows:

1. The Town Board shall review at public hearing whether the Town's acceptance of a gift of a portion of 33 Milano Drive should be exempt from local land subdivision requirements.

2. The Town Clerk is requested to publish and post the following Notice of Public Hearing at least five days prior to the date scheduled for public hearing on December 10, 2014.

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on December 10, 2014 at 7:00 o'clock, p.m., prevailing time, whether the Town's acceptance of a gift of a portion of 33 Milano Drive in the Town should be exempt from the Town's local requirement of land subdivision under the standards established by state law in the Matter of Monroe County (72 N.Y.2d 338; 533 N.Y.S.2d 702).

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

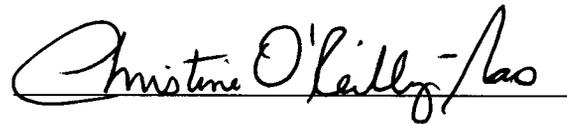
DATED: LaGrangeville, New York  
November 12, 2014

CHRISTINE O'REILLY-RAO,  
Town Clerk

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

Supervisor Bell	AYE
Councilman Jessup	AYE
Councilman Luna	AYE
Councilman Polhemus	ABSENT
Councilman Dyal	AYE

DATED: LaGrangeville, New York  
November 12, 2014



CHRISTINE O'REILLY-RAO,

Town Clerk

# DUTCHESS COUNTY SHARED SERVICES

## Website Development

Based on interest shown during shared services meetings, the County is pleased to offer website development to municipalities by the same County OCIS team that develops and manages the County Website (dutchessny.gov).

As part of the municipal websites, OCIS will incorporate advanced features from the County's award winning Website as well as new features developed specifically for municipal sites.

Below are Special Features and Functions that are included on the Base Website. Also provided are a few "Optional Features" that municipalities may select at additional cost. This allows Municipalities to keep costs to only the features that are important to them.

### Special Features and Functions – Included in Base Website.

- A. "Full" Content Management (using Opentext CMS) will provide municipal staff with the ability to update all website content eliminates the need for the Webmaster to make the updates or staff having to know web languages (such as HTML).
  - Content updates will be made by municipalities through easy-to-use Templates.
  - Provides a workflow to allow entry and authorization of Web Content changes.
  - "Full" Content Management is a key component for a municipal website. This is not always provided by Web Development firms.
- B. Improved Navigation for easy access to services and information. This includes advanced techniques such as Mega-menus and a Google-like Search function.
- C. Integration of County Website features and services with those on the Municipal Website.
  - This will allow residents to easily maneuver between the two websites and find services without having to first know "Does the municipality or the County provide the service?"
- D. Provide information to residents that go beyond the services of the municipal government to provide "one stop shopping" for key information that is important to residents for services from the surrounding community and beyond.
  - Community Services
  - Tourism/Leisure
  - State Services
  - Federal Services

# DUTCHESS COUNTY SHARED SERVICES

- E. Language Selection function on every page
  - (Ability for residents to select a language to display pages just as we have on the County Website)
- F. Map Directions function for municipal buildings
  - Use the Map Directions function from the County website as the basis for this. This includes photos of buildings and parking lots.
- G. Photos taken and edited as needed (Up to one full day included)
- H. Website Feedback Survey
- I. Managed and maintained at the County's secure Computer Center
- J. One Year Free Hosting and Support included

## Optional Features

- A. Public Alerts / Advisories incorporated into the Municipal Website
  - Includes non-emergency and emergency advisories
  - Integrates with NY-Alert emergency related advisories
  - Allow residents to look at Municipal and/or County Alerts
  - Integrates with *DutchessDelivery* public outreach (if purchased)
- B. Consolidated Calendar
  - Municipal Events and Meeting are entered into an easy-to-use application and then accessible to the public on a Website Calendar. The Calendar items may include attachments, meeting minutes and links to website pages.
  - Calendar events will be part of *DutchessDelivery* (if purchased). Thus residents can automatically be notified of Calendar meetings/events.
  - Allow residents to view Municipal and/or County calendars
- C. *DutchessDelivery* Public Outreach Service in which residents receive emails or text messages for information / advisories for topics that they subscribe to.
  - Subscribe to topics such as: advisories/alerts, meetings/minutes, newsletters , etc.
  - Website can be setup with "Page Watch" function to automatically send residents notifications when website content has changed that relates to topics of interest
  - Digital Newsletter
  - The municipalities version of *DutchessDelivery* promoted on County Website
- D. *Dixerit* Text to Speech Conversion Allows Web Pages to be read aloud - accessibility for sight impaired