

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

**TOWN BOARD MEETING
September 23, 2015**

Present: Supervisor Alan Bell
Councilman Edward Jessup
Councilman Gary Polhemus
Councilman Joseph Luna

Absent: Councilman Andrew P. Dyal

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, September 23, 2015, 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 September 9, 2015. Councilman Jessup moved to do so, seconded by Councilman Polhemus. The motion carried unanimously.

Agenda

Supervisor Bell asked for a motion to approve the salary for the new Recreation Assistant, Sharon Beale for \$18.75 per hour.

Councilman Jessup so moved, seconded by Councilman Polhemus. The motion carried unanimously.

Mr. Bell asked for a motion to appoint Charles Vetter to the Board of Assessment Review. The term is for five years.

Councilman Polhemus asked for more time to review the resume. Mr. Bell agreed to place the matter on a future agenda.

The Building Inspector requested approval to return \$100 for a Building Permit application for James Bergeron, 14 Birch Hill Drive. The proposed shed would have been located in a flood plain, so the applicant withdrew the request. (SEE ADDENDUM)

Councilman Luna moved to approve a refund for \$100, seconded by Councilman Jessup. The motion carried unanimously.

Highway Superintendant Kelly requested approval to award the bids for Materials, Street Sweeping and Road Paving for the contract period of October 1, 2015 through September 30, 2016. (SEE ADDENDUM)

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

The Recreation Director requested approval for a fund transfer from LPI monies in the amount of \$10,555 for Capital Improvements at Freedom Park. (SEE ADDENDUM)

Councilman Luna moved to approve the request for shouldering of blacktop in the amount of \$6,780, seconded by Councilman Jessup. The motion carried.

Councilman Jessup moved to approve the 8 X 14 shed in the amount of \$3,775, seconded by Councilman Polhemus. The following vote was taken: Supervisor Bell AYE; Councilman Jessup AYE; Councilman Polhemus AYE; Councilman Luna NAY.

Ms. Livigni recommended the Board approve the execution of an Out of District Water Agreement between the Town Center Water Improvement Area and the NYSDOT for the Taste of New York.

Councilman Jessup moved to accept the Short EAF, seconded by Councilman Luna. The motion carried unanimously. (SEE ADDENDUM)

Councilman Luna moved to accept the Negative Declaration, seconded by Councilman Jessup. The motion was carried by all. (SEE ADDENDUM)

Resolution: Out of District Water Agreement between the Town Center Water Improvement Area and the NYSDOT (SEE ADDENDUM)

Mr. Bell asked for a motion to accept the Annual Audit for the year ending 2014, noting that the recently received Narrative was virtually the same as last year's. No significant problems were noted, although some recommendations for improvements were made.

Councilman Jessup moved to accept the Audit, seconded by Councilman Polhemus. The motion carried unanimously. The audit is available for inspection during regular business hours in the Town Clerk's office.

Mr. Bell asked for a motion to accept the 2016 Tentative Budget.

Councilman Polhemus asked about the tax cap. Mr. Bell explained that the budget is slightly under the tax cap at 1.24%. This year there is a fairly substantial contingency line, but that may be impacted due to increased healthcare rates. A brief discussion followed.

Councilman Luna moved to do so, seconded by Councilman Jessup. The motion carried unanimously. The Tentative Budget is available for inspection during regular business hours in the Town Clerk's office.(SEE ADDEDNDUM)

Councilman Jessup made a motion to set the Public Hearing for the 2016 Preliminary Budget for October 28, 2015, seconded by Councilman Luna. The motion carried unanimously. (SEE ADDENDUM)

Mr. Bell asked for a motion to set the Public Hearing for the 2016 Assessment Rolls for Districts and Special Districts for October 28, 2015. Councilman Luna so moved, seconded by Councilman Polhemus. The motion carried. (SEE ADDENDUM)

Resolution: Community Development Block Grant (SEE ADDENDUM)
Councilman Polhemus moved to set the Public Hearing for the CDBG for October 14, 2015. Councilman Jessup seconded the motion and it carried unanimously.

Mr. Luna opened a discussion on a proposed local law to amend zoning, stating that there has to be an effective date for the sections on page 17 which repeal Sections 240-33 and 240-36.1 of the Town Code. A brief discussion followed, during which the Board agreed that an effective date of June 30, 2017 would be reasonable.

Resolution of Introduction: Proposed Local Law Chapter 240 "Zoning" Cluster Subdivision (SEE ADDENDUM)
Councilman Luna moved to set the Public Hearing for October 28, 2015. Councilman Polhemus seconded the motion and it carried unanimously.

Resolution: Waiver of the 30 Day Waiting Period for Liquor License Renewal (Tina's Pizzeria) (SEE ADDENDUM)

Committee Reports

Water and Sewer

No report

Recreation

Mr. Polhemus stated that a Parks employee had been bitten at the Dog Park earlier today, adding that the bite was not serious. A discussion about closing the Dog Park ensued.

Open Space

No report

Highway

The highway crew is working on schedule to prepare for the winter. Beaver and Pulling Roads are scheduled to be paved. Part of Ziegler Road may be paved if there are sufficient funds available. The last of the salt has been delivered and the salt shed is full. Mr. Kelly saved a significant amount by purchasing the salt early at \$64 per ton versus the current rate of \$89 per ton. The Board thanked Mr. Kelly for his foresight in the matter.

Business Economic Development

Mr. Jessup stated the BEDC is working with the Recreation Director on the Fall Festival, which is scheduled for October 4, 2015 from 12 to 4 pm.

Administrator of Planning and Public Works

Ms. Livigni stated that there are two Change Orders for the Titusville - Noxon Rehabilitation Project. (SEE ADDENDUM)

The saddles in the Southwest Water District will be finished this year. She thanked Environmental Consultants, adding that they did a great job.

Public Comment

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

A resident with a gold buying business on Route 55 would like the Board to consider allowing him to display used cars on his property, which is adjacent to Dr. Kisch's chiropractic office. He would only display the cars and any sales would take place elsewhere. A brief discussion followed. The Board agreed to consider a course of action regarding his request.

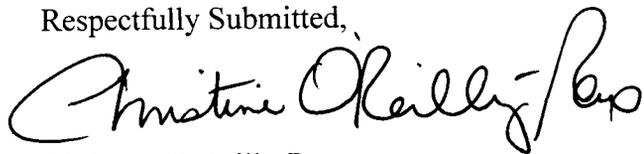
Councilman Jessup moved to close the Public Comment, seconded by Councilman Polhemus. The motion was carried by all.

Mr. Bell asked for a motion to go into Executive Session at 8:03 pm to discuss a legal matter involving Hidden Ponds Estates and an employee performance issue. Councilman Luna so moved, seconded by Councilman Jessup. The motion was carried by all.

Mr. Bell noted that the Town Board meetings scheduled for November will be held on November 4th and November 18th instead of November 11th and November 25th.

Councilman Luna moved to adjourn the meeting at 9:06 pm, seconded by Councilman Polhemus. The motion carried unanimously.

Respectfully Submitted,



Christine O'Reilly-Rao
Town Clerk

ADDENDUM

- **Memo:** Building Permit Refund
- **Memo:** Highway Bids
- **Memo:** LPI Funds Freedom Park
- **Short EAF & Negative Declaration:** NYS DOT and Town Center Water Improvement Area Agreement
- **Resolution:** NYSDOT and Town Center Water Improvement Area Agreement
- **Resolution:** 2014 Town Audit
- **Resolution:** Public Hearing for the 2016 Preliminary Budget
- **Resolution:** 2016 Districts & Special Districts
- **Resolution:** Community Development Block Grant
- **Resolution:** Local Law Chapter 240 “Zoning” Cluster Subdivisions
- **Resolution:** Liquor License Waiver of 30 Day Waiting Period
- **Change Order 1 & 2:** Titusville – Noxon Rehabilitation Project

TOWN OF LAGRANGE

BUILDING DEPARTMENT

120 Stringham Road, LaGrangeville, NY 12540

845-452-1872; Fax 845-452 7692

To: Alan Bell, Supervisor
Town Board

From: Ken McLaughlin, Building Inspector

Date: September 17, 2015

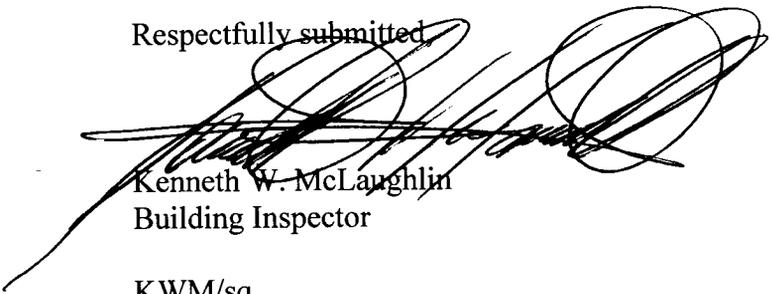
Re: Request for Return of Fees for Application for Building Permit
Grid No. 6361-01-292878
James Bergeron, 14 Birch Hill Drive

On September 2, 2015 Mr. Bergeron applied for a building permit to construct a 12' x 16' storage shed on his property at 14 Birch Hill Drive in an RFD zoning district.

During the review process it was revealed that the shed would be located in the flood plain, resulting in Mr. Bergeron's decision to cancel the building permit.

Mr. Bergeron is therefore requesting a return of the fees. He paid a total of \$145.00, \$25.00 of which is a non-refundable zoning review fee. If the Board approves the request, he would be entitled to \$120.00. However, we would recommend that, based upon the cost of the review, \$100.00 be returned.

Respectfully submitted,



Kenneth W. McLaughlin
Building Inspector

KWM/sq



TOWN OF LAGRANGE HIGHWAY DEPARTMENT

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

DATE: September 18, 2015
TO: Town Board Members
FROM: Michael Kelly
RE: Award Materials, Street Sweeping & Road Paving Contracts for 2015-2016

Town Board,

After reviewing all bids that were submitted to the Town for the "Road Materials, Road Sweeping & Road Paving Contracts for October 1, 2015 thru September 30, 2016", it is my recommendation that we award these bids to the following vendors marked in **BOLD** print as they were the only or lowest bidders who met all specifications.

Thank you,

Michael Kelly,
Highway Superintendent

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
ROAD PAVING
ACCEPTED BID RESULTS ARE IN BOLD PRINT

	IN PLACE CONT	IN PLACE TOWN
	<u>PURCHASING B/TOP</u>	<u>PURCHASING B/TOP</u>
1. BTM 27 Commerce Street Poughkeepsie, NY 12603 845-471-8700	\$ 73.00	\$ 25.00
2. Clove Excavators, Inc. 17 Canoe Hill Road Millbrook, NY 12545 845-471-8700	\$ 74.70	\$ 20.00
3. Avello Brothers 60 Fulton Street Poughkeepsie, NY 12601 845-454-3650	\$ 76.40	\$ 22.25

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
ROAD SWEEPING SERVICES
ACCEPTED BID RESULTS ARE IN BOLD PRINT

PRICE PER MILE

- | | |
|---|------------------|
| 1. Three D Industrial Maint. Corp.
1973 Route 52
Hopewell Junction, NY 12533
845-896-2099 | \$ 338.25 |
| 2. East Coast Industrial Services, Inc.
P.O. Box 1069
Pine Bush, NY 12566
845-744-8148 | \$ 380.00 |

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
BITUMINOUS MIX COLD / HOT
ACCEPTED BID RESULTS ARE IN BOLD PRINT

PRICE PER TON

	<u>HOT</u>	<u>COLD</u>	<u>BAG</u>
1. Dutchess Quarry & Supply Co., Inc. 410 North Avenue Pleasant Valley, NY 12569 845-635-2174	\$ 63.00*	\$ 85.00*	\$ NO BID
2. Package Pavement Co., Inc. P.O. Box 408 Stormville, NY 12582 845-221-2224	\$ NO-BID	\$ 98.00	\$ 5.40
3. Tilcon New York Inc. 461 Sheafe Road New Hamburg, NY 12590 845-358-4500	\$ 67.50	\$ NO BID	\$ NO BID
4. Thalle Industries 172 Route 9 Fishkill, NY 12524 845-896-5156 X 106	\$ 70.00	\$ NO BID	\$ NO BID

*Based on September 2015 NYS Asphalt index of \$521.00/ton, this price is subject to escalation / de-escalation.

**BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
BITUMINOUS ROAD MATERIALS
ACCEPTED BID RESULTS ARE IN BOLD PRINT**

ONLY BIDDER

	<u>MATERIALS</u>	<u>PER GAL</u>
1. Peckham Materials Corp.	Road Tars (all grades)	\$ NO BID
2 Union Street Ext.	Latex Emulsion	\$ 2.50
Athens, NY 12015	Latex Primer & Sealer	\$ 2.33
518-945-1120	Latex MP Material	\$ 2.65
	Base Conditioner	\$ NO BID

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
DIESEL MOTOR FUEL
ACCEPTED BID RESULTS ARE IN BOLD PRINT

PER GALLON

1. **Jeff Daley & Sons Oil Service, Inc.**
131 Pine Hill Road
Pleasant Valley, NY 12569
845-635-8522

\$.1385 Over rack price at time of delivery.
This includes winter blend.

2. Stormville Oil
P.O. Box 408
Stormville, NY 12582
845-227-8969

\$.40 Over rack price at time of delivery.

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
UNLEADED GASOLINE
ACCEPTED BID RESULTS ARE IN BOLD PRINT

ONLY BIDDER

PER GALLON

- 1. Jeff Daley & Sons Oil Service, Inc.**
131 Pine Hill Road
Pleasant Valley, NY 12569
845-635-8522

\$.1399 Over rack price at time of
delivery.

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
MAGNESIUM CHLORIDE
ACCEPTED BID RESULTS ARE IN BOLD PRINT

ONLY BIDDER

PER GALLON

- 1. Peckham Materials Corp.**
Union Street
Athens, NY 12015
800-942-8947

\$ 1.10

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
 WASHED HIGHWAY GRADE SAND
 ACCEPTED BID RESULTS ARE IN BOLD PRINT

	<u>ITEM</u>	<u>PER TON</u>	<u>PLANT LOCATION</u>
1. Red Wing Properties P.O. Box 408 Stormville, NY 12582 845-221-2224	Delivered to Hwy Garage	\$ 16.00	Billings, NY
	F.O.B Seller's Storage	\$ 16.00	Billings, NY
2. Route 82 Sand & Gravel 17 Canoe Hill Road Millbrook, NY 12545 845-471-8700	Delivered to Hwy Garage	\$ 21.00	Millbrook, NY
	F.O.B Seller's Storage	\$ 16.00	Millbrook, NY
3. Thalle, Industries 172 Route 9 Fishkill, NY 12524 845-896-5156 X 106	Delivered to Hwy Garage	\$ 20.00	Fishkill, NY
	F.O.B Seller's Storage	\$ 14.00	Fishkill, NY
4. Dutchess Quarry & Supply 410 North Avenue Pleasant Valley, NY 12569 845-635-2174	Delivered to Hwy Garage	\$ 17.75	Pleasant Valley, NY
	F.O.B Seller's Storage	\$ 13.00	Pleasant Valley, NY
5. Tilcon 162 Old Mill Road West Nyack, NY 10994 845-358-4500	Delivered to Hwy Garage	\$ 18.80	Fishkill, NY
	F.O.B Seller's Storage	\$ 13.00	Fishkill, NY

My recommendation is that we award the washed highway grade sand to Redwing as they meet the bid specification the best. Redwing will DELIVER @ \$16.00 per ton and FOB @ \$16.00 per ton. Tilcon and Dutchess Quarry did not bring samples of their sand for testing therefore not meeting the bid specifications. Rt. #82 and Thalle's material doesn't meet bid specification.

**BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
TOPSOIL
ACCEPTED BID RESULTS ARE IN BOLD PRINT**

	<u>SCREENED TOPSOIL</u>	<u>PER TON</u>	<u>PLANT LOCATION</u>
1. Red Wing Properties P.O. Box 408 Stormville, NY 12582 845-221-2224	Delivered to Hwy Garage	\$ 26.00	Billings, NY
	F.O.B Seller's Storage	\$ 23.00	Billings, NY
2. Richard Ryan Excavating 5 Ryandale Drive LaGrangeville, NY 12540 845-223-5761	Delivered to Hwy Garage	\$ 32.00	LaGrangeville, NY
	F.O.B Seller's Storage	\$ 27.00	LaGrangeville, NY

	<u>PREMIUM TOPSOIL</u>	<u>PER TON</u>	<u>PLANT LOCATION</u>
1. Red Wing Properties P.O. Box 408 Stormville, NY 12582 845-221-2224	Delivered to Hwy Garage	\$ 31.00	Billings, NY
	F.O.B Seller's Storage	\$ 28.00	Billings, NY
2. Richard Ryan Excavating 5 Ryandale Drive LaGrangeville, NY 12540 845-223-5761	Delivered to Hwy Garage	\$ 38.00	LaGrangeville, NY
	F.O.B Seller's Storage	\$ 32.00	LaGrangeville, NY

**BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
CRUSHED QUARRY STONE
ACCEPTED BID RESULTS ARE IN BOLD PRINT**

		<u>DELIVERED</u> (per ton)	<u>F.O.B. PLANT</u> (per ton)
1. Dutchess Quarry 410 North Avenue Pleasant Valley, NY 12569 845-635-2174	Tailings	\$ NO BID	\$ NO BID
	Light Stone Fill	\$ 20.55	\$ 15.80
	1/4"	\$ 19.55	\$ 14.80
	3/8"	\$ 19.55	\$ 14.80
	1 1/2"	\$ 19.05	\$ 14.30
	2"	\$ NO BID	\$ NO BID
	1" & 2"	\$ 19.55	\$ 14.80
	4" & 5"	\$ NO BID	\$ NO BID
	*Item 4	\$ 17.25	\$ 12.50
2. Thalle Industries, Inc. 172 Rt. 9 Fishkill, NY 12524 845-896-5156x106	Tailings	\$ 22.00	\$ 15.00
	Light Stone Fill	\$ 27.00	\$ 20.00
	1/4"	\$ 24.00	\$ 17.00
	3/8"	\$ 24.00	\$ 17.00
	1 1/2"	\$ 24.00	\$ 17.00
	2"	\$ 24.00	\$ 17.00
	1" & 2"	\$ 24.00	\$ 17.00
	*4" & 5"	\$ 24.00	\$ 17.00
	*Item 4	\$ 17.70	\$ 12.50
3. Tilcon New York, Inc. 461 Sheafe Road New Hamburg, NY 12590 845-297-3764	Tailings	\$ NO BID	\$ NO BID
	Light Stone Fill	\$ 23.80	\$ 18.00
	1/4"	\$ 21.80	\$ 16.00
	3/8"	\$ 21.80	\$ 16.00
	1 1/2"	\$ 21.80	\$ 16.00
	2"	\$ NO BID	\$ NO BID
	1" & 2"	\$ 21.80	\$ 16.00
	*4" & 5"	\$ 22.80	\$ 17.00
	*Item 4	\$ 18.30	\$ 12.50

***It is my recommendation that we accept multiple bid prices from the 3 bidders for the last two line items as it will help when certain items are not available when plants are out of materials. It will also be cost effective when we are closer to a specific vendor.**

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
SUB-BASE COURSE MATERIAL 1, 2 & 4
ACCEPTED BID RESULTS ARE IN BOLD PRINT

	<u>MATERIAL</u>	<u>DELIVERED</u> (per ton)	<u>F.O.B. PLANT</u> (per ton)
1. RCT, Inc. 27 Commerce Street Poughkeepsie, NY 12603 845-471-8700	Sub-Base Coarse, Type 1	\$ 16.00	\$ 12.00
	Sub-Base Coarse, Type 2	\$ 16.00	\$ 12.00
	Sub-Base Coarse, Type 4	\$ 16.00	\$ 12.00
2. Thalle Industries, Inc. 172 Route 9 Fishkill, NY 12524 845-896-0161	Sub-Base Coarse, Type 1	CHANGED BID INFORMATION	
	Sub-Base Coarse, Type 2		
	Sub-Base Coarse, Type 4		

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
R.O.B. GRAVEL
 ACCEPTED BID RESULTS ARE IN BOLD PRINT

	<u>ITEM</u>	<u>PER TON</u>	<u>PLANT LOCATION</u>
1. Red Wing Properties P.O. Box 408 Stormville, NY 12582 845-221-2224	R.O.B Gravel – Delivered	\$ 14.00	Milan, NY
	R.O.B Gravel – F.O.B	\$ 17.00	Billings, NY
2. Richard Ryan Excavating 5 Ryandale Drive LaGrangeville, NY 12540 845-223-5761	R.O.B Gravel – Delivered	\$ 16.00	LaGrangeville, NY
	R.O.B Gravel – F.O.B	\$ 12.00	LaGrangeville, NY
3. Route 82 Sand & Gravel 27 Commerce Street Poughkeepsie, NY 12603 845-266-3433	R.O.B Gravel – Delivered	\$ 24.50	Millbrook, NY
	R.O.B Gravel – F.O.B	\$ 17.00	Millbrook, NY

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
GALVANIZED CMP
ACCEPTED BID RESULTS ARE IN BOLD PRINT

ONLY BIDDER

	<u>SIZE</u>	<u>MIN. GAUGE</u>	<u>PRICE PER FT</u>
1. Chemung Supply Corp.	42"x29'	16	\$ 28.60
P.O. Box 527	49"x33'	16	\$ 33.10
Elmira, NY 14902	57"x38'	16	\$ 39.60
607-733-5506	64"x43'	14	\$ 53.40
	71"x47'	12	\$ 75.01
	77"x52'	12	\$102.58
	81"x59'	12	\$115.33
	87"x63'	12	\$124.04

<u>PRICE PER BAND (Minimum width 12")</u>		
<u>SIZE</u>	<u>MIN. GAUGE</u>	<u>PRICE PER FT</u>
42"x29'	16	\$ 28.60
49"x33'	16	\$ 33.10
57"x38'	16	\$ 39.60
64"x43'	14	\$ 53.40
71"x47'	12	\$150.02
77"x52'	12	\$204.96
81"x59'	12	\$230.66
87"x63'	12	\$248.08

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
GUIDE RAILS
ACCEPTED BID RESULTS ARE IN BOLD PRINT

ONLY BIDDER

1. **Chemung Supply Corp.**
P.O. Box 527
Elmira, NY 14902
607-733-5506

NEW "W" Beam Rail Galvanized	\$ 7.44	per ft.
NEW 3" Post Galvanized	\$ 55.20	each
NEW 6" Post Galvanized	\$ 55.20	each
USED "W" Beam Rail Galvanized	\$ 4.44	per ft.
USED 3" Post Galvanized	\$ 29.60	each
USED 6" Post Galvanized	\$ 29.60	each
Post Nuts & Bolts	\$ 1.18	each
End Piece for "W" Beam Rail Galvanized	\$ 64.20	each
Installation of Guiderail Complete	\$ 8.94	per ft.
Installation of Guiderail Equipment	\$299.00	per hr.

**BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
CAST IRON FRAMES AND GRATES
ACCEPTED BID RESULTS ARE IN BOLD PRINT**

ONLY BIDDER

	DEILVERED CAST IRON <u>3433 BP & GRATE</u>	DELIVERED CAST IRON <u>24" X 24"</u>	DELIVERED CAST IRON <u>30" X 30"</u>
1. Chemung Supply Corp. PO Box 527 Elmira, NY 14902 607-733-5506	\$ 379.00	\$ 269.00	\$ 299.00

BID RESULTS – 2015-2016
HIGHWAY DEPARTMENT
DRYWELLS
ACCEPTED BID RESULTS ARE IN BOLD PRINT

NO BIDDERS



Town of LaGrange Parks & Recreation Department
120 Stringham Road
LaGrangeville, NY 12540
845-452-1972 www.lagrangeny.org

Changing Lives...Inspiring Play...Fostering Teamwork!

TO: LAGRANGE TOWN BOARD
FROM: SANDY WASHBURN, DIRECTOR OF PARKS & RECREATION
DATE: SEPTEMBER 21, 2015
SUBJECT: LPI FUND REQUEST

I am requesting that the Town Board approve the use of LPI funds for continued improvements at Freedom Park as follows:

Shouldering of blacktop: This will finalize the paving project and protect the investment of asphalt from breakage as well as be aesthetically pleasing to our park patrons.

210 tons soil	\$5880
Seed	400
Straw	500
Project total:	\$6780

New First Aid/Lifeguard Station: This will allow us to have a dedicated first aid station and working office for our waterfront. We will be able to have a desk area for our aquatics managers, storage for staff belongings, first aid supplies, program files and health department records. We currently work out of an old shed and have minimal space to store all that is needed to operate the lake. There is currently no set up to address first aid concerns with a patient in a private setting or to have an office area.

8 X 14' dutch barn shed w/loft	\$2775
Site work	1000
Project total:	\$3775

Total LPI Request: \$10,555

I am available to answer any questions you may have. Thank you for your consideration.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information				
Town of LaGrange Town Board				
Name of Action or Project: Agreement with NYS DOT to provide TCWIA water supply to property at the Taconic State Parkway and Todd Hill Road				
Project Location (describe, and attach a location map): 4640 Taconic State Parkway, and located within the median of the Taconic State Parkway, near Todd Hill Road, in the Town of LaGrange				
Brief Description of Proposed Action: Agreement between Town of LaGrange and its Town Center Water Improvement Area and the NYS DOT to provide TCWIA water supply to property at the Taconic State Parkway and Todd Hill Road.				
Name of Applicant or Sponsor: N/A		Telephone:		
		E-Mail:		
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: NYS DEC			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		less than 1 acres		
b. Total acreage to be physically disturbed?		less than 1 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		N/A acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Alan Bell, Town Supervisor Date: 9/24/15
 Signature: *Alan Bell*

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

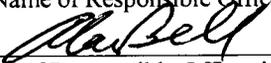
	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Town of LaGrange Town Board _____ Name of Lead Agency	9/24/15 _____ Date
Alan Bell, Supervisor _____ Print or Type Name of Responsible Officer in Lead Agency	Supervisor _____ Title of Responsible Officer
 _____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (if different from Responsible Officer)

RESOLUTION

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

WHEREAS, the Town Board and the New York State Department of Transportation (“NYSDOT”) have a proposed agreement under which the Town of LaGrange’s Town Center Water Improvement Area reserves 1,200 GPD of water supply capacity for use at real property of the NYSDOT located at the Taconic State Parkway and Todd Hill Road.

NOW, IT IS HEREBY RESOLVED that the Town Board approves of the Agreement between the Town of LaGrange and NYSDOT, and the Town Board authorizes the Supervisor to sign said agreements, or any other versions for said agreements which have the same or substantially the same content.

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

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

DATED: LaGrangeville, New York
September 23, 2015


CHRISTINE O'REILLY-RAO
Town Clerk

RESOLUTION

WHEREAS, the Annual Audit of the Town of Lagrange for the year 2014 has been completed and filed with the Town Clerk; and

WHEREAS, the Town Board of the Town of LaGrange does hereby acknowledge the receipt of the 2014 Annual Town Audit;

THEREFORE BE IT RESOLVED, that the Town Board does hereby accept the Annual Town Audit for the year ending 2014.

MOTION: Councilman Jessup

SECOND: Councilman Polhemus

The Following Vote Was Taken:

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

The Resolution Was Duly Passed.

DATED: September 23, 2015



Christine O'Reilly-Rao
LaGrange Town Clerk

Public Notice

NOTICE is hereby given that the ANNUAL FINANCIAL AUDIT for the Town of LaGrange, year ending December 31, 2014 has been filed with the Town Clerk.

The report is available for inspection during regular business hours; Monday through, Friday 8:30 a.m. – 4:00 p.m. at 120 Stringham Road, Town of LaGrange.

**Christine O'Reilly-Rao
LaGrange Town Clerk
August 18, 2015**

Public Notice

NOTICE is hereby given that the ANNUAL FINANCIAL AUDIT for the Town of LaGrange, year ending December 31, 2014 has been filed with the Town Clerk.

The report is available for inspection during regular business hours; Monday through, Friday 8:30 a.m. - 4:00 p.m. at 120 Stringham Road, Town of LaGrange.

Christine O'Reilly-Rao
LaGrange Town Clerk
August 18, 2015 664469

**AFFIDAVIT OF PUBLICATION
FROM**



RITA LOMBARDI

_____ being duly sworn says that he/she is the principal clerk of **THE POUGHKEEPSIE JOURNAL**, a newspaper published in the County of Dutchess and the State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper on the date (s) below:

Zone:

Run Dates:
08/20/15



Signature

Sworn to before me, this 20th day of August _____ 2015



Notary Signature

ROSE ANN SIMPSON
Notary Public - State of New York
No. 01SI6215893
Qualified in Dutchess County
My Commission Expires January 04, 2018

Ad Number: 0000664469

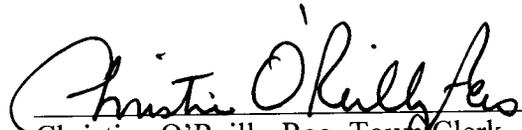
RESOLUTION

Supervisor Bell asked for a motion to set the Public Hearing for the 2016 Preliminary Budget for the Town of LaGrange for October 28, 2015. Councilman Jessup so moved, seconded by Councilman Luna. The motion carried unanimously.

The following vote was taken:

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

Dated: September 23, 2015
La Grangeville, New York

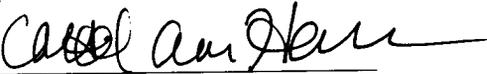

Christine O'Reilly-Rao, Town Clerk

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

I, the undersigned Clerk of the Town of LaGrange, Dutchess County, New York, DO HEREBY CERTIFY that I duly caused a copy of the attached Notice of Public Hearing for the 2016 Preliminary Budget to be conspicuously posted on the sign-board maintained pursuant to Town Law section 30(6) located at the entrance of Town Hall, 120 Stringham Road, LaGrangeville, New York.


Christine O'Reilly-Rao, Town Clerk

Sworn to before me this
September 24, 2015


Notary Public



TOWN OF LA GRANGE
Notice of Receipt of Assessment Rolls for Special Districts

PLEASE TAKE NOTICE THAT THE 2016 Assessment Rolls for the following:
Districts & Special Districts

DUFDR	DUTCHESS FARMS DRAINAGE DISTRICT
DW0Q3	DEERFIELD ESTATE WATER
FFSF3	FRANK FARM & SLEIGHT FARM SEWER DISTRICT
FFSW2	FRANK FARM DRAINAGE DISTRICT
GW0D6	GRANDVIEW ESTATE WATER
HKSMDD	H&K PAGE DRAINAGE DISTRICT
HRW01	HARVEST RIDGE WATER DISTRICT
HRSDD	HARVEST RIDGE DRAINAGE DISTRICT
HS03X	HILLVIEW SEWER (TENANTS OF TITUSVILLE SEWER)
LKRDD	LAKE RIDGE DRAINAGE DISTRICT
LL054	LAGRANGE LIGHTING
LR0DD	LAUREL RIDGE
LRSWD	LINCOLN RIDGE DRAINAGE DISTRICT
LW0LW	SOUTHWEST LAGRANGE WATER EXT. #5
LW0Q4	SOUTHWEST LAGRANGE WATER
MGMDD	MGM PROPERTIES
MRGDD	MEADOW RIDGE DRAINAGE DISTRICT
MVW01	MAPLEVIEW WATER DISTRICT
MW0L1	MANCHESTER WATER DISTRICT
MWS01	MALONEY WOODS DRAINAGE DISTRICT
NS0F2	NOXON KNOLLS SEWER
NW0L3	NOXON KNOLLS WATER
PPSDD	PROVIDENCE ESTATES DRAINAGE DISTRICT
RSVDD	THE RESERVE DRAINAGE DISTRICT
SD0T4	TITUSVILLE SEWER EXTENSION
SFSW2	SLEIGHT FARM DRAINAGE DISTRICT
SRS01	SUNSET RIDGE SEWER
SRD01	SUNSET RIDGE DRAINAGE
TCLTD	TOWN CENTER LIGHTING
SVFDR	SVF DRAINAGE DISTRICT
TCS01	TOWN CENTER DEV IMPROVEMENT DISTRICT
THD01	TODD HILL DRAIN
TS0F1	TITUSVILLE SAN SEWER
TW0L6	TITUSVILLE WATER
WD02X	TOWN CENTER WATER IMPROVEMENT
WED01	WINDANCE ESTATE DRAINAGE DISTRICT

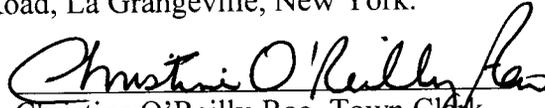
are on file in the Town Clerk's office at 120 Stringham Road, La Grangeville, NY and may be examined during normal business hours. **PLEASE TAKE FURTHER NOTICE** that the Town Board will hold a hearing thereon at the LaGrange Town Hall, 120 Stringham Road, on **October 28, 2015 at 7:00 pm** to consider any objections which may be made to said rolls.

Christine O'Reilly-Rao, Town Clerk

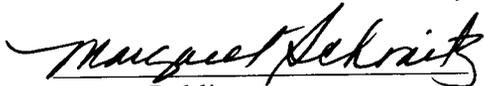
Dated: September 23, 2015

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

I, the undersigned Clerk of the Town of LaGrange, Dutchess County, New York, DO HEREBY CERTIFY that I duly caused a copy of the attached Notice of Public Hearing for the 2016 Assessments for Districts & Special Districts to be conspicuously posted on the sign-board maintained by the Clerk at 120 Stringham Road, La Grangeville, New York.


Christine O'Reilly-Rao, Town Clerk

Sworn to before me this 24th day of September 2015


Notary Public

**MARGARET SCHMITZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SC6220139
Qualified in Dutchess County
My Commission Expires April 12, 2018**

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, La Grangeville, New York on October 14 2015, at 7:00 o'clock, p.m., for the purpose of discussing the application for a Community Development Grant to fund playground enhancements at Stringham Park to offer all inclusive play opportunities and handicap accessibility. TAKE FURTHER NOTICE, that all interested persons shall have an opportunity to be heard, in person or in writing, on said proposal at the time and place aforesaid.

BY ORDER OF THE TOWN BOARD

DATED: La Grangeville, New York
September 23, 2015


CHRISTINE O'REILLY-RAO, TOWN CLERK

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

I, the undersigned Clerk of the Town of LaGrange, Dutchess County, New York, DO HEREBY CERTIFY that on the 24th day of September, 2015 I duly caused a copy of the Notice of Public Hearing for an application for a Community Development Block Grant to be conspicuously posted on the sign-board maintained by the Clerk's Office, located at 120 Stringham Road, La Grangeville, New York; pursuant to Town Law.


Christine O'Reilly-Rao
Town Clerk

Sworn to before me this
24th day of September 2015


Notary Public

NANCY J. BAUGHMAN
Notary Public, State of New York
Qualified in Dutchess County
No. 01BA6129543
Commission Expires: June 27, 2017

RESOLUTION

Councilman Luna, seconded by Councilman Polhemus, introduced the following proposed local law, to be known as Local Law No. ___ of 2015, entitled A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK TO AMEND CHAPTER 240, "ZONING", OF THE LAGRANGE TOWN CODE BY AMENDING SECTION 240-32 IN ITS ENTIRETY TO ESTABLISH REGULATIONS FOR OPEN SPACE CLUSTER SUBDIVISIONS, REPEALING SECTION 240-33 REGARDING PLANNED DEVELOPMENT DISTRICTS, REPEALING SECTION 240-36 REGARDING SENIOR CITIZEN HOUSING DISTRICTS, REPEALING SECTION 240-36.1 REGARDING ALTERNATIVE SENIOR CITIZEN HOUSING DISTRICTS, AND AMENDING SECTION 240-112, DEFINITIONS, TO ADD DEFINITIONS FOR ATTACHED DWELLING, SEMIDETACHED DWELLING, AND COMMON AREA.

BE IT ENACTED by the Town Board of the Town of LaGrange that the Town Code is amended to read as follows:

Section 1. Section 240-32 of the LaGrange Town Code is amended in its entirety to read as follows:

§240-32. Open space cluster subdivisions

A. Policy and authority

- (1) It is the policy of the Town of LaGrange, as expressed in the Town of LaGrange Comprehensive Plan, to provide for a variety of housing options, preserve open space and harmonize new development with surrounding neighborhoods and the traditional open rural, wooded, and agricultural and hamlet landscapes of the Town of LaGrange. To achieve these goals, the Town Board authorizes the Planning Board to approve an

open space cluster subdivision in the RFD, RMD and RLD districts subject to the provisions set forth in this section and in Chapter 203 of the Code of the Town of Lagrange.

- (2) Authority for the Town of LaGrange Planning Board to approve open space cluster subdivisions is provided by §278 of the Town Law of New York State, or any successor to § 278, as modified by local law to provide for potential density bonus. An open space cluster subdivision, or "clustered development" as it is also known, is a subdivision plat in which residences are clustered on those portions of a property most suitable for development, leaving substantial portions as protected open space and a buffer between the new development and neighboring development and roadways. Cluster subdivisions may include a variety of lot sizes consistent with the requirements of this section. Cluster subdivisions foster compact development, more walkable neighborhoods, and flexibility in layout.

B. Purpose

- (1) The purpose of an open space cluster subdivision is to maintain the rural appearance and environmental resources of the Town of LaGrange by preserving large tracts of contiguous open space land. One method of achieving this goal is through the use of open space cluster subdivisions. The Town wishes to encourage and, in certain cases, mandate such subdivisions as an alternative to conventional subdivisions.
- (2) This section encourages flexibility in the design and the development of land in order to promote the most appropriate use of land and to facilitate the adequate and economic provision of streets and utilities. This section protects agricultural land, important natural beauty, cultural and historic features, ridgelines, wildlife habitat, water resources, ecological systems, scenic areas, forest lands, view sheds and other sensitive areas as permanent open space through the use of conservation easements. The "open space" principle can be applied not only to large developments but also to smaller subdivisions for the benefit of present and future residents. Open space cluster subdivisions should achieve the following purposes:
 - (a) Provision of a broader range of housing options and potentially lower housing prices by reducing the length of roadways and other critical infrastructure costs;
 - (b) Greater flexibility and creativity in the design of residential subdivisions, provided that the overall density of the development is no greater than what is normally allowed in the district unless a density bonus is approved by the Planning Board pursuant to

subsection (F)(1)(c), below.

- (c) The preservation of more land as unsubdivided and undeveloped open space to preserve or enhance the appearance, scenic resources, historic character or natural beauty of an area than would be provided by a conventional subdivision plan.
 - (d) The protection of streams, rivers, floodplains and ponds so as to avoid flooding, erosion and water pollution.
- (3) An open space cluster subdivision should accomplish the above purposes by reducing the lot size and bulk requirements contained in the Zoning Law, while clustering homes in those areas where they will have the least impact on natural or cultural resources. The lands are then permanently preserved through allowing the subdivided lots to be smaller than the zoning would normally require, provided that otherwise buildable land is protected as open space through a conservation easement to maintain the overall density at or below the level permitted by the Zoning Law unless a density bonus is approved by the Planning Board pursuant to subsection (F)(1)(c), below.

C. Applicability.

- (1) Open space cluster subdivisions may be developed on properties containing fifteen (15) acres or more in the RFD, RMD or RLD districts and may include one-family homes, multi-family homes, duplexes or townhouses, whether attached, semidetached or detached, provided that permanent open space is placed under conservation easement while maintaining the overall density at or below the level permitted by the Zoning Law unless a density bonus is approved by the Planning Board pursuant to subsection (F)(1)(c), below.

D. Cluster Subdivision Submission and Implementation.

- (1) Submission of cluster plan.
- (a) All developments capable of yielding over fifteen lots in the RFD District under the standard plan that are served by public water and public sewer (and thus yield a minimum lot size of 40,000 square feet), or which are situated within a public water or public sewer district possessing improvements capable of supplying service to the subject site, shall be required to provide a preliminary cluster plan, in accordance with this section.
 - (b) For areas of the Town that do not meet the requirements in Subsection D(1)(a) above (in the RFD District and capable of

public water and sewer service), if the Planning Board finds that lands that are mapped as Preservation Overlay Zones or lands that constitute significant environmental, visual or historic resources (including, but not limited to, wetlands, steep slopes, stream corridors, prime farmlands, ridgelines, erosive soils, soils with groundwater resources, or scenic landscapes) would be adversely affected by a conventional subdivision layout, the Planning Board may require an applicant for subdivision approval to provide a preliminary cluster plan, in accordance with this section, in order to protect these resource lands from adverse effects.

- (2) Implementation of cluster plan.
 - (a) The Planning Board may require implementation of a cluster plan layout for lands in the RFD Zoning District which are served by or capable of being served by public water and public sewer.
 - (b) The Planning Board may require implementation of the cluster plan layout for lands that are mapped as within one of the Preservation Overlay Zones or lands that constitute significant environmental, visual or historic resources (including, but not limited to, wetlands, steep slopes, stream corridors, prime farmlands, ridgelines, erosive soils, groundwater resources or scenic landscapes) and which would be adversely affected by a conventional subdivision layout, in order to protect these resource lands from adverse effects.

E. Procedure.

- (1) Application Requirements.
 - (a) An application for open space cluster subdivision shall be subject to all of the application requirements of Chapter 203 including the requirements for pre-application discussion and sketch plan review in §§203-7 and 203-8.
 - (b) Additional application requirements for cluster subdivisions:
 - [1] In addition to the application requirements of the Town of LaGrange subdivision regulations, an applicant for a cluster subdivision shall submit a written statement describing the open space purpose(s) to be accomplished and the conservation values of the open space land to be protected.
 - [2] The Planning Board shall have architectural review to assure the subdivision is compatible with the community's

scenic and historic character and is unobtrusive to the surrounding area.

[3] A full landscaping plan shall be submitted to assure that the subdivision is aesthetically pleasing and provides privacy on the lots created.

- (2) Project development plan approval. Project development plan approval shall apply to open space cluster subdivisions. Application for project development plan approval and subdivision approval may be submitted simultaneously to the Planning Board.
- (3) Public hearing. All applications for open space cluster subdivisions shall be subject to a public hearing before the Planning Board in accordance with the public hearing requirements for subdivision applications.
- (4) Technical and SEQRA review. An open space cluster subdivision shall undergo routine technical and SEQRA analysis.

F. Development Standards and Controls.

- (1) Calculation of conventional zoning density. Maximum residential density permitted in a cluster subdivision shall be calculated in the following manner:
 - (a) The Planning Board shall determine the number of one-family dwelling units that would be permitted if the land were subdivided into lots conforming to the minimum lot size and density requirements of this Chapter applicable to the district or districts in which such land is situated and conforming to all other requirements of this Chapter, Chapter 203 of the Code of the Town of Lagrange, the County Department of Health, and all state and federal agencies with jurisdiction over such a subdivision. For this purpose, the applicant shall submit a sketch plan showing a conventional lot layout, considering one-family dwellings only. The Planning Board may require any additional information it deems necessary to make its determination. The Planning Board may allow lands encumbered with flood plains, to calculate conventional zoning density using an approved CLOM-R Map. The Planning Board shall evaluate the plan to determine its probable compliance with applicable regulations, taking into account soils, steep slopes (over 25%), wetlands and buffer areas, water bodies and buffer areas, watercourses and buffer areas, one hundred year flood plains, the Ridgeline Protection Overlay Zone, and other environmental constraints, as well as the physical and economic feasibility of constructing roads that satisfy maximum

grade requirements, and the physical and economic feasibility of constructing public water supply and public sewers to be dedicated to the Town. The Planning Board may disallow any roads or lots which, in its judgment, would not be buildable under applicable regulations. After reviewing the sketch plan, the Planning Board shall adopt a resolution establishing the permissible maximum density for the parcel under a conforming conventional subdivision plan. Unless a density bonus is approved pursuant to subsection (F)(1)(c) below, this shall be the maximum density allowed for the open space cluster subdivision.

- (b) Parcels in more than one district. For parcels that are located within more than one residential district, calculations of maximum density in (F)(1)(a) shall be made separately for the portion of the parcel in each district. This maximum density may then be combined and distributed anywhere within the parcel, provided that the plan protects open space with conservation value as described.
- (c) Density bonus. Using the criteria in this subsection, the Planning Board may increase the number of dwelling units permitted over that determined in subsection (F)(1)(a). If the Planning Board determines that it will allow a density bonus, it shall pass a resolution establishing the bonus amount and the maximum density allowed for the cluster subdivision including the density bonus. If approved by the Planning Board, this shall be the maximum density allowed for the open space cluster subdivision.

[1] Criteria for authorizing a density bonus. The Planning Board may, at its discretion, increase the permitted number of dwelling units based on one or a combination of any of the following three methods; however, the total increase in the number of dwelling units shall not exceed 25% over the conventional density determined in subsection (F)(1)(a).

- [a] Preservation of open space beyond the 50%. The Planning Board may approve an increase of up to 1% in the number of dwelling units over the maximum density determined in subsection (F)(1)(a) for every 1% of additional open space preserved beyond 50% up to a maximum of 25% additional open space. This additional open space land shall not include wetlands and buffer areas, steep slopes (over 25%), water bodies and buffer areas, watercourses and buffer areas, one hundred year floodplains, and Ridgeline Protection Overlay

Zone.

- [b] Public access to open space. If the applicant allows public access to protected open space and the Planning Board finds that such public access provides a significant passive recreational benefit to the Town (such as a trail connector or access to an important natural area, with parking where necessary) the permitted number of dwelling units may be increased by up to 25%, at the discretion of the Planning Board based upon the significance of the passive recreational benefit and the percentage of open space accessible to the public.

- [c] Added water and sewer treatment capacity. If the applicant provides significant excess public water and sewer capacity capable of effective use by the Town to meet demands of unserved areas in need of such infrastructure, the applicant may be allowed additional dwelling units over maximum density determined in (F)(1)(a) up to a 25% maximum of additional dwelling units. The adequacy, effectiveness and relative value of the excess public sewer and water capacity, in terms of supporting density bonus, shall be determined by the Public Works Department based on the following non-exclusive criteria: (i) suitability and future reliability of the public water supply, (ii) suitability of the mode of wastewater treatment to accommodate unserved demand, (iii) the quantity of excess capacity, (iv) the proximity of the source of excess capacity to areas of need for service, (v) the willingness and capacity of the unserved areas to cover the capital cost, and usage cost, of extending service to them, and (vi) the feasibility of incorporating the excess capacity into existing municipal water and sewer administration, or future municipal water and sewer administration, consistent with all relevant federal, state or local regulation, permits and approvals. The findings and conclusions of the Public Works Department shall be reduced to report and recommendation to the Planning Board. The Planning Board shall defer to the findings and conclusions of the Public Works Department.

- [d] The total maximum density bonus shall not exceed (8) eight dwelling units per acre on average under any conditions.
- (2) Types of dwelling units. Irrespective of §240-27 and Schedule A1 of the Code of the Town of LaGrange, cluster subdivision may contain one-family homes, multi-family homes, duplexes or townhouses, whether attached, semidetached or detached, or a combination of these housing types.
- (3) Height, area and bulk regulations.
 - (a) In approving a cluster subdivision, the Planning Board shall have the authority to vary the bulk and area requirements found in §240-28 and Schedules B1 and B4 to allow for cluster development. However, except as provided in subsection 3(a)[1][a] below, the following restrictions shall apply and shall not be varied by the Planning Board. No variation of these requirements shall be allowed because to vary them would be tantamount to re-legislating the purpose, intent and contents of these regulations:
 - [1] For detached units.
 - [a] The minimum lot size for detached units shall be ¼ acre/dwelling in RFD (Residential Flexible Density), ½ acre/dwelling in RMD (Residential Moderate Density), and 1 acre/dwelling in RLD (Residential Low Density), except that the Planning Board may waive this requirement.
 - [b] Lots gaining access from an existing state, county or Town highway shall comply with the minimum road frontage requirements in Schedule B1 and dwelling units shall be setback at least 150 feet from the nearest public road and any lot line of an existing residential home.
 - [c] Other area and bulk requirements for detached dwelling units shall be set by the Planning Board at the time of subdivision approval.
 - [2] For semidetached or attached dwelling units
 - [a] Lots gaining access from an existing state, county or Town highway shall comply with the minimum road frontage requirements in Schedule B1 and

dwelling units shall be setback at least 150 feet from the nearest public road and any lot line of an existing residential home.

- [b] Other area and bulk requirements for semidetached units shall be set by the Planning Board at the time of subdivision approval.
 - [c] Building units shall be set back at least 150 feet from all property lines, excluding property lines created by the proposed subdivision.
 - [d] No building shall contain more than five dwelling units.
 - [e] More than one building may be placed on a lot.
 - [f] Other area and bulk requirements for attached units shall be set by the Planning Board at the time of subdivision approval.
- [3] For all buildings, whether or not they contain residential units:
- [a] Building height shall not exceed thirty-five (35) feet.
 - [b] A minimum separation of ten (10) feet shall be provided between all buildings, or the distance required by New York Fire Code shall be provided, whichever is the more restrictive
 - [c] Any community building, recreational or related amenity developed for the use of residents of the cluster development and associated parking lots must be set back at least one hundred and fifty (150) feet from all exterior lot lines of the property under review.
 - [d] An upland buffer of native vegetation of at least one hundred (100) feet in depth shall be provided adjacent to wetlands and surface waters, including creeks, streams, springs, lakes, and ponds. The buffer area shall not be fertilized. This shall be in addition to any requirements under Chapter 124 of the Code of the Town of Lagrange.

- (4) Arrangements of lots. Lots in open space cluster subdivisions shall be arranged in a manner that protects land with conservation value and, at the discretion of the Planning Board, facilitates pedestrian and bicycle circulation. Such guidelines shall be adapted to respond to the conditions of each specific site.
- (5) Design flexibility. Flexibility in physical design is warranted to maximize open space conservation and preserve ecological features, topography, scenic views, and community character. The Planning Board may, at its discretion, apply such special conditions or restrictions to its approval of an open space cluster subdivision as it deems necessary to maintain harmony with neighboring uses and to promote the objectives and purpose of the Town's Comprehensive Plan, this section and Chapter 203 of the Code of the Town of Lagrange. This could include, but not be limited to specifying parking type (garage, driveway, or parking lots), reduction in road width for private roads, use of alternative drainage methods, and supplementary landscaping requirements.
- (6) The following lands shall be included in the site's common area(s) subject to ownership and maintenance specified under §240-32(G) and (H).
 - (a) Land preserved as open space.
 - (b) Wetlands and buffer areas.
 - (c) Water bodies and buffer areas.
 - (d) Water courses and buffer areas.
 - (e) 100 year floodplains (as defined by CLOMR and LOMR where applicable)
 - (f) Ridgeline Protection Overlay Zone
 - (g) Stormwater Management Ponds and open ditches
 - (h) 150' buffer area setback from all property lines, excluding property lines created by the proposed subdivision or existing Town, County or State ROW.
- (7) Land to be preserved as open space.
 - (a) Minimum area of preserved open space land in cluster subdivisions. Not less than fifty (50%) percent of the site's unencumbered acreage shall be preserved as open space in perpetuity. This open space land shall not include portions of the site encumbered by wetlands, water bodies, watercourses, one hundred year floodplains (as defined by CLOMR and LOMR where applicable), and stormwater management ponds. The Planning Board shall determine whether the open space offered meets the intent of this section.

- (b) Conservation value of open space. The open space protected in connection with an open space cluster subdivision should not be just land “left over” because of its unsuitability for development. Open space land shall form cohesive blocks or corridors that have conservation value, including recreational, historic, ecological, agricultural, water resources, scenic or other natural resource value. Examples of lands with conservation value include actively farmed agricultural land, large areas of contiguous mature forest, stream corridors, and scenic areas, including important vistas or view sheds seen from public places. Land in a critical environmental area (CEA), land designated as environmentally sensitive under subsection B(1), above, and land identified by the Town as worthy of preservation as open space shall be deemed to be land of conservation value. Whenever the Planning Board approves a plan with protected open space, it shall make written findings identifying the specific conservation values protected and the reasons for protecting such land.

- (c) Conservation easement. The open space and common area restrictions must continue in perpetuity and be subject to a recorded conservation easement subject to the provisions of this section.

- [1] A perpetual conservation easement restricting development of the open space land and common area and allowing use only for agriculture, forestry, recreation, protection of natural resources, or similar conservation purposes consistent with Article 49, Title 3 of the Environmental Conservation Law, shall be granted to the Town, subject to the approval of the Town Board, or to a qualified not-for-profit conservation organization as defined in Article 49 of the Environmental Conservation Law and acceptable to the Town.

- [2] The conservation easement shall be subject to the review and approval of the Town and shall be required as a condition of subdivision plat approval.

- [3] The conservation easement shall provide that the open space restrictions must continue in perpetuity.

- [4] The conservation easement shall provide that said easement is enforceable by the Town even if the Town is not the holder of the easement.

- [5] The conservation easement shall provide that the Town shall be entitled to recover attorneys' fees and consultants' fees necessary to enforce the easement.
- [6] The conservation easement shall contain the following clause:
- [a] The Grantor(s) agree that any violation of the restrictive terms of the easement shall be deemed an irreparable injury and shall also be deemed to balance the equities in favor of injunctive relief.
- [7] The conservation easement shall contain the following clause:
- [a] If the Town shall commence an action at law or in equity to enforce the terms of this Easement, the Town shall have the interim right to annually assess its enforcement expenses and costs including, but not limited to, reasonable attorneys' fees by charging such sums against the real property which is the subject of this Easement, by adding that charge to, and making it a part of, the next annual real property tax assessment roll of the Town. Prior to charging such assessments, the owners of the real property shall be provided written notice to their last known address of record, by certified mail, return receipt requested, of an opportunity to be heard and object before the Town Board to the proposed real property assessment, at a date to be designated in the notice, which shall be no less than 30 days after its mailing.
- [8] The conservation easement shall leave the land forever wild or limit use of such land to agricultural, managed forest land, passive recreational or open space use and prohibit residential, industrial or commercial use of such open space land.
- [9] The conservation easement shall not be amendable to permit commercial, industrial or residential use or development (except in connection with agriculture, forestry, and recreation) and shall not be amendable to permit such use or development.

- [10] Local utility distribution lines, water lines, and sewer lines shall be permitted underground on preserved open space land, provided that the Planning Board determines that they do not impair the conservation value of the land and the land is restored to its natural state by the developer after installation.
- [11] The conservation easement shall specify the range of permissible activities.
- [12] The conservation easement shall specify prohibited activities.
- [13] The conservation easement shall prohibit future subdivision.
- [14] The conservation easement shall require that the grantor incorporate the terms of the Easement in any deed or other legal instrument by which the grantor divests itself of the open space land covered by the easement, including without limitation, a leasehold interest.
- [15] The conservation easement shall provide for ongoing maintenance pursuant to section 240-32(G) and (H), below.
- [16] The conservation easement shall contain appropriate provisions for proper retransfer in the event that the conservation organization or Town of Lagrange becomes unwilling or unable to continue carrying out its functions.
- [17] The conservation easement shall be recorded in the Dutchess County Clerk's office prior to or simultaneously with the filing of the final subdivision plat in the Dutchess County Clerk's office.
- (d) Notations on plat. Land preserved as open space shall be clearly delineated and labeled on the final subdivision plat as to its use, ownership, management, and the rights, if any, of the owners of other lots in the subdivision to such land. The plat shall clearly show that the open space land is permanently reserved for open space purposes and shall contain a notation indicating the liber and page of any conservation easements required to be recorded to implement such restrictions.
- (e) Monuments. All conservation easements must be marked with visible concrete monuments acceptable to the Planning Board.

Monuments identify the boundaries of conservation easements for the benefit of property owners and to facilitate review by the entities having enforcement rights under the conservation easement. All monuments must be clearly identified and completely specified on the Mylar map(s) to include Universal Transverse Mercator grid coordinates to facilitate the use of hand-held global positioning systems for review. The Town has the right of inspection of all monuments.

- (8) Guidelines. When reviewing a residential cluster development, the Planning Board shall make the following findings :
- (a) Buildings are adequately grouped so at least fifty (50%) percent of the total area of the site is set aside as open space. To the greatest extent practicable, open space shall be designated as contiguous, and not divided into unconnected small parcels.
 - (b) Pedestrians can easily access open space.
 - (c) All development is situated to minimize the alteration or disturbance of natural features, natural vegetation, and topography.
 - (d) Existing scenic views or vistas are permitted to remain unobstructed, especially from public streets.
 - (e) The site plan accommodates and preserves features of historic, cultural, or archaeological value.
 - (f) Floodplains, wetlands, and steep slopes are protected from development.
 - (g) The cluster development advances the spirit and intent of this section.
 - (h) Compatibility with surrounding land uses and the Town's traditional land use patterns in which small hamlets contrast with open spaces and forest lands.
 - (i) Provision of adequate buffers for adjoining properties.
 - (j) Contribution to Town-wide open space planning by creating a system of permanently preserved open spaces, both within large parcels of land and among such parcels throughout the Town, and, where feasible, by providing linkages between existing open space areas and, where appropriate, linkages to hamlet areas.

- (k) Open space shall remain accessible to the property owners in the development in perpetuity.
- (l) Protected open space shall be managed in accordance with best management practices to preserve the environmental integrity of the property, including but not limited to, reduction of chemical use; water conservation; and water quality management.
- (m) Residential areas shall remain open and non-gated, with private roads and shall be set back at least one-hundred and fifty (150) feet from the nearest public road and any lot line of an existing residential home.
- (n) Significant peripheral view sheds identified by the Planning Board shall be conserved.
- (o) Landscape design, which promotes the most appropriate use of land, facilitates the efficient provision of streets and utilities, and preserves the natural and scenic qualities of undeveloped lands.
- (p) Maintenance of biodiversity by ensuring that remaining habitats are of sufficient acreage and configuration to support viable populations of wild flora and fauna species consistent with DEC guidelines and SEQRA principles.

G. Ownership of open space land and common area and formation of homeowners association.

- (1) The developer must establish a homeowners association ["HOA"].
- (2) Open space land and common area shall be subject to a conservation easement and shall be conveyed to the HOA.
- (3) The open space land and common area owned by the HOA shall be incorporated by the Town Assessor into the assessments of the parcels of the members of the HOA as provided for in New York Real Property Tax Law §504(5-a).
- (4) The HOA shall be established in accordance with the following:
 - (a) The HOA must be set up before the final subdivision plat is approved and must comply with all applicable provisions of the General Business Law.

- (b) The HOA offering plan is subject to the review and approval of the Town.
- (c) The HOA offering plan shall provide that the individual lot owners shall pay their pro rata share of property taxes on the open space land in accordance with subsection (G)(3), above.
- (d) Membership must be mandatory for each lot owner, who must be required by recorded covenants and restrictions to pay fees to the HOA for insurance and maintenance of common open space, private roads, and other common facilities.
- (e) The HOA must be responsible for liability insurance, and the maintenance of recreational and other facilities and private roads.
- (f) Property owners must pay their pro rata share of costs in this subsection, and the assessment levied by the HOA must be able to become a lien of the property.
- (g) The HOA must be able to adjust the assessment to meet changed needs.

H. Maintenance standards for open space and common area

- (1) Ongoing maintenance standards shall be established to ensure that the open space land and common area is not used for storage or dumping of refuse, junk or other offensive or hazardous materials. There shall be a maintenance agreement, subject to the review and approval of the Town, for the open space land and common area which shall be enforceable by the grantee of the conservation easement and by the Town, if it is not the grantee, against an owner of the open space land or common area as a condition of subdivision approval. Said agreement shall provide that the cost and responsibility of maintaining common open space and facilities shall be borne by the HOA.
- (2) If the Town finds that the maintenance agreement provided for in subsection H (1) above is being violated, it may, upon 30 days written notice to the HOA, enter the premises for necessary maintenance, and the cost of such maintenance by the Town shall be assessed against the open space land or common area and shall, if unpaid, become a tax lien on such property or properties and be charged ratably against each landowner pursuant to subsection (G) (3) above. This provision shall be incorporated into the maintenance agreement.

I. Utilities

- (1) Where, in the opinion of the Administrator of Public Works and Planning connections to existing public water or public sewer facilities are possible and warranted, sanitary sewers and/or water mains and fire hydrants to be installed in a cluster subdivision shall be connected to such existing public facilities in the manner prescribed by the regulations of the appropriate sewer, water or fire district or other agency having jurisdiction.
- (2) Where connection to existing public water or public sewer facilities is not possible, the Administrator of Public Works and Planning shall notify the Town Board, and the Town Board shall require that a central water supply and/or central sewer be designed and constructed by the applicant to serve all dwelling units within the cluster subdivision, in accordance with the standards of appropriate town, county, state or federal health or environmental departments. These central water and sewer facilities shall be dedicated to the Town.
- (3) Where part or all of a cluster subdivision is to be located within an area or drainage basin planned for future service by public water and/or public sewer or recommended for such system or systems by the Town Comprehensive Plan or other Town planning studies, any water or sewer facilities privately constructed within the cluster subdivision for the purposes of dedication to the Town shall be designed and located in such a way as to readily permit the alternate connection to future public water or public sewer systems.

Section 2. Section 240-33, Planned Development Districts, of the LaGrange Town Code will be repealed effective June 30, 2017.

Section 3. Section 240-36, Senior Citizen Housing Districts, of the LaGrange Town Code is repealed.

Section 4. Section 240-36.1, Alternative Senior Citizen Housing Districts, of the LaGrange Town Code will be repealed effective June 30, 2017.

Section 5. Section 240-112, Definitions, of the LaGrange Town Code is amended to add the following definitions:

ATTACHED DWELLING - A building containing three or more dwelling units each separated by at least one party wall.

SEMIDETACHED DWELLING - A building containing two dwelling units with a party wall between.

COMMON AREA - An area of land, contiguous or non-contiguous, which is held in common ownership by all owners or tenants within a land development (subdivision or building) either by percentage interest or a management organization/homeowners association and available for use by all owners or tenants, groups of owners or tenants, and their invitees. The management organization/homeowners association is responsible for maintenance of the common area(s) as well as some insurance and reserves for replacement of any improvements or amenities contained within it.

Section 6. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 7. This local law shall take effect immediately upon filing with this state's Secretary of State, except that Section 2 of this local law shall not be effective with respect to any applications for Planned Development Districts, or amendment of Planned Development Districts, which have previously been approved or which have been the subject of a public hearing before the Town Board as of the filing of this local law with the Secretary of State.

Section 8. Pursuant to Section 22 of this state's Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law and, in particular, Section 278 and Section 261-b of the Town Law.

Supervisor Bell advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law. Councilman Luna offered the following resolution which was seconded by Councilman Polhemus, who moved its adoption:

Whereas, on September 23, 2015, Councilman Luna has introduced this local law for the Town of LaGrange, to be known as "Town of LaGrange Local Law No. ___ of the Year 2015, a

local law of the Town of LaGrange, Dutchess County, New York to amend Chapter 240, “Zoning”, of the LaGrange Town Code by amending Section 240-32 in its entirety to establish regulations for Open Space Cluster Subdivisions, repealing Section 240-33 regarding Planned Development Districts, repealing Section 240-36 regarding Senior Citizen Housing Districts, repealing Section 240-36.1 regarding Alternative Senior Citizen Housing Districts, and amending Section 240-112, Definitions, to add definitions for Attached Dwelling, Semidetached Dwelling, and Common Area.”

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 120 Stringham Road, LaGrangeville, New York, on October 28, 2015, at 7:00 o’clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of LaGrange, by the Town Clerk, at least five (5) days before such hearing and that notice shall be in the following form:

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 October 28, 2015 at 7:00 o'clock, p.m., on Local Law No. __ of the Year 2015, to amend Chapter 240, "Zoning", of the LaGrange Town Code by amending Section 240-32 in its entirety to establish regulations for Open Space Cluster Subdivisions, repealing Section 240-33 regarding Planned Development Districts, repealing Section 240-36 regarding Senior Citizen Housing Districts, repealing Section 240-36.1 regarding Alternative Senior Citizen Housing Districts, and amending Section 240-112, Definitions, to add definitions for Attached Dwelling, Semidetached Dwelling, and Common Area.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringham Road, LaGrangeville, New York between the hours of 8:30 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

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
 September 23, 2015


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	AYE
Councilman Dyal	ABSENT

DATED: LaGrangeville, New York
September 23, 2015


CHRISTINE O'REILLY-RAO
TOWN CLERK

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RESOLUTION

RESOLUTION: To Waive 30 Day Notice for Liquor License Renewal

Applicant: Tina's Pizzeria & Restaurant
415 Manchester Road, Route 55
Poughkeepsie, NY 12603

Mr. Bell introduced the following resolution; Councilman Jessup moved its' adoption, seconded by Councilman Polhemus.

WHEREAS, Tina's Pizzeria & Restaurant, 415 Manchester Road, Route 55, in the Town of LaGrange intends to file for a New York State Liquor License Renewal; and

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

RESOLVED, that the Town Board of the Town of LaGrange hereby waives the thirty (30) day notice period in regard to the above business, located at 415 Manchester Road, Route 55, Poughkeepsie, NY 12603 allowing an earlier submission of the liquor license application.

THE FOLLOWING VOTE WAS TAKEN:

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

Dated: September 23, 2015


Christine O'Reilly-Rao
Town Clerk

Change Order No. 1

Date of Issuance: September 2, 2015 Effective Date: Date if signature by Owner

Project: Titusville Water District	Owner: Town of LaGrange	Owner's Contract No.:
Contract: Titusville/Noxon Road Water Main Replacement	Date of Contract: 5/18/2015	
Contractor: Thomas Gleason, Inc.	Engineer's Project No.: 12977.04	

The Contract Documents are modified as follows upon execution of this Change Order:

Description: **Item 1** – Change from bore under road to open cut, sleeve under box culvert, open cut across road and temporary pavement repair in travel lane. **Item 2** – Driveway crossing from Station 15+50 to 16+00 and shoulder restoration from 16+00 to 17+00. **Item 3** – Pavement restoration from 31+40 to 32+83 and additional 10 LF of ductile iron pipe for tie in at Sutton North.

Attachments (list documents supporting change): **Contractors backup documenting costs**

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

Original Contract Times: Working days Calendar days

\$523,369.00

[Increase] [~~Decrease~~] from previously approved Change Orders No. 0 to No. 0:

[Increase] [~~Decrease~~] from previously approved Change Orders No. 0 to No. 0:

\$0

Substantial completion (days or date): 10/1/15

Contract Price prior to this Change Order:

Contract Times prior to this Change Order:

\$523,369.00

Increase of this Change Order:

[Increase] [~~Decrease~~] of this Change Order:

\$1,897.55

Contract Price incorporating this Change Order:

Contract Times with all approved Change Orders:

\$525,266.55

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By: [Signature]
Engineer (Authorized Signature)

By: [Signature]
Owner (Authorized Signature)

By: [Signature]
Contractor (Authorized Signature)

Date: 9/14/15

Date: 9/23/15

Date: 09/14/2015

Approved by Funding Agency (if applicable):

Date: _____

THOMAS GLEASON INCORPORATED

Water/Sewer Repair - Utility Installation - Rock Removal - Excavating - Trenching
501 Salt Point Turnpike, Poughkeepsie, NY 12603
Phone: 845-454-3730 | Fax: 845-204-9497
Email: gleasonestimating@thomasgleasoninc.com
Family Owned and Operated Since 1948

08/28/2015
Contract# 12977.04

ATTN: Greg Bolner, P.E.
Project Engineer
Clark Patterson Lee
(845) 522-5785 | GBolner@ClarkPatterson.com

RE: Titusville/Noxon Road Water Main Replacement Project Change Order 1- Item 1

Greg,

As per our correspondence we are pleased to provide a credit of \$10,506.50 for the discussed changes to the means of installation and location of the water line. Below is an estimated breakdown of our current costs and credits based on our general rates and previously agreed unit prices & line items.

Cost Breakdown: \$69,755.50

1. Extra Work to Push Under Culvert : \$69,755.50

8/3/2015

Crew & Equipment: \$4800

i.	Supervisor	8 hrs.	@	\$100.00	/hr.	=	\$800.00
ii.	Foreman	8 hrs.	@	\$94.00	/hr.	=	\$752.00
iii.	Operator	8 hrs.	@	\$116.00	/hr.	=	\$928.00
iv.	Driver	8 hrs.	@	\$92.00	/hr.	=	\$736.00
v.	Flagger	8 hrs.	@	\$78.00	/hr.	=	\$624.00
vi.	Excavator	6 hrs.	@	\$90.00	/hr.	=	\$540.00
vii.	Tri-Axle	6 hrs.	@	\$55.00	/hr.	=	\$330.00
viii.	Utility Truck	3 hrs.	@	\$30.00	/hr.	=	\$90.00

Materials & Delivery: \$7200

i.	Large Trench Boxes	2 wks	@	\$2,100.00	/Wk	=	\$4,200.00
ii.	Traffic Control Devices	1 LS	@	\$3,000.00	/LS	=	\$3,000.00

8/4/2015

Crew & Equipment: \$4800

i.	Supervisor	8 hrs.	@	\$100.00	/hr.	=	\$800.00
ii.	Foreman	8 hrs.	@	\$94.00	/hr.	=	\$752.00
iii.	Operator	8 hrs.	@	\$116.00	/hr.	=	\$928.00
iv.	Driver	8 hrs.	@	\$92.00	/hr.	=	\$736.00
v.	Flagger	8 hrs.	@	\$78.00	/hr.	=	\$624.00
vi.	Excavator	6 hrs.	@	\$90.00	/hr.	=	\$540.00
vii.	Tri-Axle	6 hrs.	@	\$55.00	/hr.	=	\$330.00
viii.	Utility Truck	3 hrs.	@	\$30.00	/hr.	=	\$90.00

Materials & Delivery: \$2000

i.	Casing	20 LF	@	\$100.00	/LF	=	\$2,000.00
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THOMAS GLEASON INCORPORATED

Water/Sewer Repair - Utility Installation - Rock Removal - Excavating - Trenching

501 Salt Point Turnpike, Poughkeepsie, NY 12603

Phone: 845-454-3730 | Fax: 845-204-9497

Email: gleasonestimating@thomasgleasoninc.com

Family Owned and Operated Since 1948

8/5/2015

Crew & Equipment: \$2900

i.	Supervisor	4	hrs.	@	\$100.00	/hr.	=	\$400.00
ii.	Foreman	4	hrs.	@	\$94.00	/hr.	=	\$376.00
iii.	Operator	4	hrs.	@	\$116.00	/hr.	=	\$464.00
iv.	Laborer	4	hrs.	@	\$85.00	/hr.	=	\$340.00
v.	Driver	4	hrs.	@	\$92.00	/hr.	=	\$368.00
vi.	Flagger	4	hrs.	@	\$78.00	/hr.	=	\$312.00
vii.	Excavator	4	hrs.	@	\$90.00	/hr.	=	\$360.00
viii.	Tri-Axle	4	hrs.	@	\$55.00	/hr.	=	\$220.00
ix.	Utility Truck	2	hrs.	@	\$30.00	/hr.	=	\$60.00

Materials & Delivery: \$2800

i.	Additional Item 4	133	CY	@	\$21.00	/CY	=	\$2,800.00
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N/A Additional Line Items: \$45255.5

i.	Ductile Iron Pipe	100	LF	@	\$83.40	/LF	=	\$8,340.00
ii.	Asphalt Restoration	230	LF	@	\$42.85	/LF	=	\$9,855.50
iii.	Extension of 3 Services	120	LF	@	\$75.00	/LF	=	\$9,000.00
iv.	Temporary Pavement	840	LF	@	\$21.50	/LF	=	\$18,060.00

Credit Breakdown: \$80,262.00

1. Item 5E Bore between STA 22+80 & 23+90: \$80,262.00

i.	5E Install 8" HDPE DR-11	1	LS	@	\$80,262.00	/LS	=	\$80,262.00
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Any questions, please feel free to contact our office.

Sincerely,

Ed Lamando
Vice President-Operations
Thomas Gleason Inc

THOMAS GLEASON INCORPORATED

Water/Sewer Repair - Utility Installation - Rock Removal - Excavating - Trenching
501 Salt Point Turnpike, Poughkeepsie, NY 12603
Phone: 845-454-3730 | Fax: 845-204-9497
Email: gleasonestimating@thomasgleasoninc.com
Family Owned and Operated Since 1948

08/07/2015
Contract# 12977.04

ATTN: Greg Bolner, P.E.
Project Engineer
Clark Patterson Lee
(845) 522-5785 | GBolner@ClarkPatterson.com

RE: Titusville/Noxon Road Water Main Replacement Project Change Order 1- Item 2

Greg,

As per our correspondence we are pleased to provide an **additional cost of \$5,442.50** for the discussed changes to the means of installation and location of the water line. Below is a breakdown of our current cost based on our general rates and previously agreed unit prices & line items.

Cost Breakdown: \$5,442.50

1. Shoulder Asphalt Restoration : \$5,442.50
 - a. Approximately 50% of typical width.

Additional Line Items: \$5,442.5

i.	50% Asphalt Restoration	150	LF	@	\$22.00	/LF	=	\$3,300.00
ii.	Driveway Asphalt Restoration	50	LF	@	\$42.85	/LF	=	\$2,142.50

Any questions, please feel free to contact our office.

Sincerely,

Ed Lamando
Vice President-Operations
Thomas Gleason Inc

THOMAS GLEASON INCORPORATED

Water/Sewer Repair - Utility Installation - Rock Removal - Excavating - Trenching
501 Salt Point Turnpike, Poughkeepsie, NY 12603
Phone: 845-454-3730 | Fax: 845-204-9497
Email: gleasonestimating@thomasgleasoninc.com
Family Owned and Operated Since 1948

08/17/2015
Contract# 12977.04

ATTN: Greg Bolner, P.E.
Project Engineer
Clark Patterson Lee
(845) 522-5785 | GBolner@ClarkPatterson.com

RE: Titusville/Noxon Road Water Main Replacement Project Change Order 1- Item 3

Greg,

As per our correspondence we are pleased to provide an **additional cost of \$6,961.55** for the discussed changes to the means of installation and location of the water line. Below is a breakdown of our current cost based on our general rates and previously agreed unit prices & line items.

Cost Breakdown: \$6,961.55

1. Additional Line Items: \$6,961.55
 - a. As directed by engineer.

Additional Line Items: \$6,961.55

i.	Ductile Iron Pipe	10	LF	@	\$83.40	/LF	=	\$834.00
	Asphalt Restoration STA							
ii.	31+40-32+83	143	LF	@	\$42.85	/LF	=	\$6,127.55

Any questions, please feel free to contact our office.

Sincerely,

Ed Lamando
Vice President-Operations
Thomas Gleason Inc

Change Order No. 2

Date of Issuance: September 2, 2015 Effective Date: Date if signature by Owner

Project: Titusville Water District	Owner: Town of LaGrange	Owner's Contract No.:
Contract: Titusville/Noxon Road Water Main Replacement		Date of Contract: 5/18/2015
Contractor: Thomas Gleason, Inc.		Engineer's Project No.: 12977.04

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Due to rock in trench at proposed locations of bored services under the road to serve #316, #320 and #322 Titusville Road, contractor will bore through rock and place sleeve for installation of water service at an additional cost of \$5,000 per service.

Attachments (list documents supporting change): Contractors backup documenting costs

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

Original Contract Times: Working days Calendar days

\$523,369.00

[Increase] [~~Decrease~~] from previously approved Change Orders No. 1 to No.1:

[Increase] [~~Decrease~~] from previously approved Change Orders No. 0 to No. 0:

\$1,897.55

Substantial completion (days or date): 10/1/15

Contract Price prior to this Change Order:

Contract Times prior to this Change Order:

\$525,266.55

Increase of this Change Order:

[Increase] [~~Decrease~~] of this Change Order:

\$15,000.00

Contract Price incorporating this Change Order:

Contract Times with all approved Change Orders:

\$540,266.55

RECOMMENDED:

ACCEPTED:

ACCEPTED:

By: [Signature]
Engineer (Authorized Signature)

By: [Signature]
Owner (Authorized Signature)

By: [Signature]
Contractor (Authorized Signature)

Date: 9/14/15

Date: 9/23/15

Date: 09/14/2015

Approved by Funding Agency (if applicable):

Date: _____

THOMAS GLEASON INCORPORATED

Water/Sewer Repair - Utility Installation - Rock Removal - Excavating - Trenching
501 Salt Point Turnpike, Poughkeepsie, NY 12603
Phone: 845-454-3730 | Fax: 845-204-9497
Email: gleasonestimating@thomasgleasoninc.com
Family Owned and Operated Since 1948

09/01/2015
Contract# 12977.04

ATTN: Greg Bolner, P.E.
Project Engineer
Clark Patterson Lee
(845) 522-5785 | GBolner@ClarkPatterson.com

RE: Titusville/Noxon Road Water Main Replacement Project Change Order 2 - Item 1

Greg,

As per our correspondence we are pleased to provide an **additional cost of \$15,000.00** for the discussed changes to the means of installation and location of the water line. Below is a breakdown of our current cost based on our general rates and previously agreed unit prices & line items.

Cost Breakdown: \$21,000.00

1. **Bore Services in Rock with Sleeve : \$21,000.00**

- a. #316, #320, & #322 Titusville Rd.
- b. Sleeve to be 2" HDPE or equal as approved in field.

Crew, Equipment, & Material: \$21,000.00

i.	Drill Bore Service	3	EA	@	\$6,900	/EA	=	\$20,700.00
ii.	Sleeve Material	200	LF	@	\$1.50	/LF	=	\$300.00

Credit Breakdown: \$6,000.00

2. **Bore Services : \$6,000.00**

- a. #316, #320, & #322 Titusville Rd.

Crew, Equipment, & Material: \$6,000.00

i.	Directional Bore Service	3	EA	@	\$2,000	/EA	=	\$6,000.00
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Any questions, please feel free to contact our office.

Sincerely,

Ed Lamando
Vice President-Operations
Thomas Gleason Inc