

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

**TOWN BOARD MEETING
April 22, 2009**

Present: Supervisor Wagner
Councilman Joseph Luna
Councilman Steve O'Hare
Councilman Dale Borchert
Councilman Gary Beck

Recording Secretary: Cheri Salfelder, Deputy Town Clerk

Others Present: Wanda Livigni, Administrator of Public Works
Steve Mance, Environmental Consultants
Peter Huff, Recreation Director
Ron Blass Esq., Van De Water & Van De Water

A regular meeting of the Town Board was held on Wednesday, April 22, 2009 at the LaGrange Town Hall, 120 Stringham Road. Supervisor Wagner called the meeting to order at 7:30 p.m. The Deputy Town Clerk led the flag salute.

Supervisor Wagner asked for a motion to approve the minutes from April 08, 2009. Councilman Borchert moved to do so, seconded by Councilman Beck and carried unanimously.

Correspondence

Supervisor Wagner asked for a motion to waive the 30 day waiting period for a liquor license renewal for Jyoti Inc., DBA Citgo Mart at 26 Manchester Road, Poughkeepsie, New York 12603. Supervisor Wagner stated he was not aware of any problems with the site & asked for a motion to grant the waiver. Councilman O'Hare so moved, seconded by Councilman Borchert and carried unanimously.
(SEE ADDENDUM)

Supervisor Wagner asked for a motion to have the Town Board become lead agency on the Full Environmental Assessment Form for the "Sign Ordinance". Councilman Luna so moved, seconded by Councilman O'Hare and carried unanimously.
(SEE ADDENDUM)

The Highway Superintendent is seeking authorization to go out to bid for "Liquid Propane" for the October 2009 - September 2010 season. Supervisor Wagner stated that Mr. Kelly said by going out to bid this early can save a significant amount of money the way the market has turned on this commodity. Councilman Beck made a motion seconded by Councilman Borchert and carried unanimously.

Supervisor's Report

Supervisor Wagner presented Parks and Recreation Director Peter Huff with a Certificate of Recognition for his 25 years of outstanding service serving the residence of LaGrange and keeping our parks looking great.

Supervisor Wagner also presented Highway Employee Drew Mc Allister with a Certificate of Recognition for 30 years of outstanding service working with the Highway Department taking care of our Town Roads.

Supervisor Wagner offered a proclamation, honoring the LaGrange Rotary for their work in this year's "Trash Bash". He then officially proclaimed April 25, 2009 as ROTARY TRASH BASH DAY in LaGrange. Councilman Borchert made the motion to accept the proclamation seconded by Councilman Beck and carried unanimously.

Mr. Wagner has a letter of "Thanks" from the Town Board for Mr. Bolner who was administering the project this year and wanted to thank the members of the Rotary for once again working on the Trash Bash with volunteers from around our town picking up road side trash which saves on having highway employees being sent out especially during this economic down turn. This saves the Town money that can be used in other areas.

Supervisor Wagner had a list of four potential Town Zoning Changes. He stated that some of the items they had spoken about and others have not. For now it's a list that needs to be acted on. The Legislative Aid will be keeping up on lists like this making sure the board keeps focused on moving forward in a timely fashion.

Supervisor Wagner stated that he would provide a packet to each board member for their consideration.

- Allow one (1) unregistered vehicle on a residential parcel with stipulations
- Regulating the use of windmills (wind powered electrical generators) on residential and commercial properties
- Potential for using zoning to locate new cell towers in non-residential areas
- Allowing use of a drive through in Town Center with a Special Permit

Supervisor Wagner stated a foreclosed property on Mandalay Drive with maintenance issues in regards to not having a fence around the pool has been taken care of by the maintenance company.

Discussion: Sign Ordinance

Supervisor Wagner stated that an error had been made about a Public Hearing for tonight which should have been for May 13, 2009.

The Town Board had a lengthy discussion on the sign ordinance and a few changes were made. Town Attorney Ron Blass thought it best to cancel the public hearing originally scheduled for May 13, 2009. Mr. Blass stated that all changes should be made prior to the proposed scheduled public hearing for June 10, 2009 which will be set at the next meeting.

Supervisor Wagner stated that further review of the Local Law Resolution on the fee schedule will be held at the next workshop meeting.

Committee Reports**Public Safety**

Committee member Gary Polhemus stated that a Neighborhood Watch Seminar will be held at the Town Hall on Wednesday, May 13, 2009 at 6:30 p.m.

The Town Board members along with Ms. Livigni were each given a "DRAFT" copy of the "Committee Objective, Recommendation, and Traffic Study" packet for each to look over and give their comments.

Supervisor Wagner stated that the committee has received their data from various sources and is in the process of getting this into a report form and map that will have meaningful results.

Mr. Wagner commented on the amount of technical work the committee has done and that it was appreciated. He also stated the seminar would be posted on the Town website and a press release from the Poughkeepsie Journal.

Water & Sewer

No Report

Recreation

Councilman O'Hare stated as a reminder that Community Day is scheduled for June 13, 2009.

Also baseball had its opening day last weekend and that they had a great day and turn out. The next recreation committee meeting will be held on Monday, April 27, 2009.

Supervisor Wagner also commented that Opening Day was a very nice affair as it always is, and a job well done by Laura Kelly a freshman at Arlington High who sang the National Anthem.

Open Space

The committee is reviewing comments made to the application package from the Town Board at the last workshop session.

Highway

No Report. Supervisor Wagner asked Councilman Beck if he could get meetings scheduled. Councilman Beck agreed.

Town Board Comments

Councilman O'Hare wanted to thank Councilman Luna for all the work regarding the "Sign Ordinance". Mr. O'Hare stated that Mr. Luna's motivation is esthetics of the Town and believes his heart is in it and appreciates it. Supervisor Wagner agreed and stated that Councilman Luna had the Town's best interest at heart.

Town Attorney

No comments

Environmental Consultants

Mr. Mance received a phone call from Energy Curtailment that the power would be shut down in the building and the generator would take over from 12:00 p.m. to 1:00 p.m. for Earth Day.

Public Comment

Councilman Luna moved to open the public comment seconded by Councilman Borchert and carried by all. Mr. Gunn of the Planning Board was looking for clarification on Table #2 footnote 8 of the "Sign Ordinance" chart. Town Attorney Ron Blass clarified it.

Mr. Gunn asked if this law would avoid sign questions always having to go to the Zoning Board of Appeals.

Councilman Luna stated the law was intended to avoid confusion about sign placement. The Planning Board will receive the site plan which will have to show the placement of signs on the buildings.

Supervisor Wagner asked for a motion to close the public comment portion of the meeting, Councilman Luna made the motion, seconded by councilman Borchert and carried by all.

Supervisor Wagner stated that there has been a huge increase of phone calls from constituents this week regarding their desire to have Verizon Fios TV in their homes. Some Verizon sales people are routinely telling people that the reason for them not being able to get Fios is because the Town won't allow this and sometimes have told them that the Town will not talk with them which couldn't be further from the truth. Verizon Fios has an external and government affairs official as an employee named John Buttler. Supervisor Wagner said he has spoken with Mr. Buttler on several occasions when this had come up. Supervisor Wagner stated that Verizon has made a business decision to not expand Verizon Fios TV into the Town of LaGrange. They will be going to Hyde Park and Beacon but for now there are no plans for Verizon Fios TV to come to the Town of LaGrange. This has to do with the economy and the fact that they have to go through numerous hubs to get the equipment throughout the Town of LaGrange and they have made the decision not to do that. This is very unfortunate that they won't just tell this to their

customers but instead blame the Town. Supervisor Wagner commented that if they would like to come in and have a franchise agreement to bring it on that he would be happy to have them.

Councilman Borchert asked if they were required to build out the entire Town before they could enter into a franchise or could a franchise be given if parts of the Town were built out already.

Town Attorney Ron Blass stated that typically on cable television franchises which this is, the Town would be negotiating an expansion of service over a defined period of time. This would mean that Fios could come in with a limited Town coverage proposal for a franchise and as the Town would grow, the franchise agreement would also grow.

Councilman Borchert moved to adjourn the meeting seconded by Councilman Luna and carried by all.

The meeting was adjourned at 8:55 p.m.

Respectfully Submitted,

Cheri Salfelder
Deputy Town Clerk

ADDENDUM

- **Resolution - 30 day waiver for liquor license; Jyoti Inc.**
- **Full Environmental Assessment Form; Sign Ordinance**