

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

**TOWN BOARD MEETING  
May 27, 2009**

**Present:** Supervisor Jon Wagner  
Councilman Joseph Luna  
Councilman Steve O'Hare  
Councilman Gary Beck

**Absent:** Councilman Dale Borchert

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

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

A regular meeting of the Town Board was held on Wednesday, May 27, 2009 at the LaGrange Town Hall, 120 Stringham Road. Supervisor Wagner called the meeting to order at 7:30 p.m. The Town Clerk led the flag salute.

The Supervisor asked for a motion to approve the minutes from May 13, 2009. Councilman Beck moved to do so, seconded by Councilman O'Hare and carried unanimously.

Supervisor Wagner asked for a motion to amend the minutes from January 14, 2009 due to an error in the holiday schedule for Town and Highway employees. The correct date should have been January 1, 2010 (New Year's Day) and not December 31, 2009. Councilman O'Hare so moved, seconded by Councilman Borchert and carried by all.

### **Correspondence**

Mr. Wagner also stated that correspondence regarding Cablevision channel changes will be on file in the Clerk's office for one week. He further stated that he was concerned about the fact that Cablevision had changed its service to require a cable box at a rate of \$7.00 per month. He and the Town attorney are looking into the matter, as he feels it adversely affects the residents of LaGrange. No Councilman had an objection to Mr. Wagner pursuing this matter.

### **Supervisor's Report**

The Supervisor commented that the Memorial Day Service was well attended on Monday, with about 60 people present. The Honor Guard presented a written history of Memorial Day.

Last Thursday, Mr. Wagner, in his capacity as President of the Mayors and Supervisor's Association, held a press conference at the Poughkeepsie train station to voice opposition to the MTA tax. He feels the tax is an unfair burden on the residents of all towns and cities in the County and hopes to work towards overturning it. A forensic audit was proposed by Assemblymen Molinaro and Ball.

The dog park at Overlook Park was officially opened last Saturday. The ribbon cutting was well attended and there were no mishaps with the unleashed dogs. He once again thanked Wendy Greenfield for all of her efforts and fund raising for the park.

Supervisor Wagner stated that certain items on the agenda need to be kept in the forefront in order for the Board to address them:

- Allowing one (1) unregistered vehicle on a residential parcel
- Regulating the use of windmills (wind powered electrical generators) on residential and commercial properties
- Locating new cell towers in non-residential areas
- Allowing use of a drive through in Town Center with a permit

He and Councilman Luna are looking into model legislation to set the design for use of a drive through in the Town Center.

In addition, he and Mr. Blass are looking to address a prior application from Redl's for a cell tower on their non residential property on Route 55.

The matter of allowing one unregistered vehicle on a resident's property needs to be addressed. Councilman Beck stated that he felt they should move forward on the matter. Councilman Luna was not in favor of it.

Mr. Wagner felt it should be worked on at the next workshop.

The matter of waiving fire inspection fees for houses of worship was brought up by Mr. Wagner. Councilman O'Hare moved to do so, seconded by Councilman Luna and carried unanimously. Councilman Beck asked about one church that had already been charged. Mr. Wagner stated he would look into returning the fee.

There is a need to appoint an additional court attendant since one of the original attendants is presently recovering from surgery.

Supervisor Wagner asked for a motion to appoint Gabe Roy as an alternate court attendant. Councilman Luna so moved, seconded by Councilman O'Hare and carried unanimously.

Waltech Construction had requested payment for work relating to the new Titusville Wastewater treatment Plant in the amount of \$121,786.75.

Ms. Livigni stated that she was satisfied with the work and recommended to pay the application for payment. (SEE ADDENDUM)

Councilman Beck so moved, seconded by Councilman O'Hare and carried by all.

A request for payment from Danair Inc. for repairs to Town Hall in the amount of \$16,225.00 was presented by Mr. Wagner. (SEE ADDENDUM)

Ms. Livigni stated that both she and Building Inspector, Ken McLaughlin were satisfied with the work.

Councilman O'Hare moved to authorize payment, seconded by Councilman Luna and carried by all.

Mr. Frank Evert of *Water Without Borders* asked for permission to use the Town Park on Saturday, September 19, 2009 at 10:00 a.m. for a "Walk on Water". His non- profit organization provides sustainable sources of safe water throughout the world. Documentation of insurance will be provided. Volunteers will be on hand to direct traffic.

Councilman Luna moved to allow the event, seconded by Councilman Beck and carried unanimously.

The Town Clerk asked for permission to use the Town Hall on Sunday, August 9, 2009 from 10:00 a.m. to 12:00 p.m. for a free rabies clinic and dog registration event.

Supervisor Wagner asked the Board to approve the request with the added stipulation that it could alternately be held at the new dog park if logistically possible.

Councilman Luna moved to allow it, seconded by Councilman Beck and carried by all.

## **Resolution**

Supervisor Wagner introduced a resolution to amend Chapter 203 of the Town Code. This resolution will address approval of subdivisions in sections or phases. (SEE ADDENDUM)

Councilman Luna moved to set the Public Hearing for June 24, 2009, seconded by Councilman Beck and carried unanimously.

## **Committee Reports**

### **Water & Sewer**

No report

### **Recreation**

Councilman O'Hare stated that the soccer tournaments held over the weekend were well attended and there were cars from Maine to New Jersey. All of the area businesses benefitted from the large turnout. Efforts to build a swing set at the baseball fields on Noxon Road are underway, but certain logistical issues will need to be addressed first.

Supervisor Wagner agreed that the event benefitted area businesses.

### **Open Space**

Councilman Borchert was not present, but Supervisor Wagner stated that the application process to donate land is in place and the Board did not need to make any modifications.

### **Highway**

No report.

### **Town Board Comments**

Councilman Luna stated that there are issues with spike signs being placed throughout the Town. He feels that the matter can be addressed within the context of the proposed sign ordinance legislation under “definitions”. A Public Hearing for the sign ordinance is scheduled for June 10, 2009 at the regular board meeting. A spike sign will be defined as any sign which is not permanently affixed to the ground by means of footing or foundation. Spike signs are expressly prohibited except for signs allowed under 240 Attachment 8:1 in the code. Political signs are permitted under 240 8:1. The owners of spike signs will be contacted and asked to remove them within 30 days.

In addition, the definition of a box sign with illuminated letters should be added so that all signs will have a dark background with illuminated letters.

Supervisor Wagner agreed with these additions. He asked if there would be confusion regarding sandwich signs since they are not permanently affixed.

Councilman Luna replied it would not.

Councilman Beck asked about contractors’ signs.

Councilman Luna stated that they would be permitted for 30 days.

Mr. Wagner added that the prohibition would not apply to sports signs or non-profit events.

The sign ordinance is meant to clarify the language to facilitate code enforcement.

A brief discussion with Mr. Blass ensued.

### **Town Attorney**

No comments

### **Public Works**

Ms. Livigni asked for the Board to authorize a proposal from Clark Patterson Lee in the amount of \$3,500.00 for the development and implementation of a hydrant flow data collection and evaluation plan for existing Town water districts with fire hydrants. This would be in the Manchester Water District which includes Noxon Knolls, Titusville, Southwest and Town Center. She stressed that it was important for the Town to have this data and to coordinate this project with the Fire Department. Environmental Consultants has offered to provide assistance at no charge for project.

Mr. Wagner stated that he checked with the Comptroller and there is money in the general engineering line to cover this expense.

Councilman Beck moved to approve the expenditure, seconded by Councilman Luna and carried by all.

Seven (7) bids for the Deerfield Booster Pump Station were received. Clark Patterson Lee recommends awarding the bid to H. Osterhoudt Excavating, Inc. for the amount of \$156,000.00

Councilman Beck moved to so award the bid, seconded by Councilman O’Hare and carried unanimously.

### **Environmental Consultants**

No comments

## **Public Comment**

Councilman Luna moved to open the Public Comment, seconded by Councilman O'Hare and carried unanimously.

Mr. George Wade thanked the Board for waiving the fire inspection fees for houses of worship. He added that the Freedom Plains Presbyterian Church makes the hall available for elections and does not charge the Town.

Mr. Wagner agreed that it was a valid point.

Ms. Withers of the Library Association stated that the library had received a grant for a video camera from the Mid- Hudson Library System as well as a grant from the Dutchess Council Youth Bureau for a teen program to make a video this summer.

On Monday, June 1, 2009 from 7- 8 p.m. the Hudson River Maritime Museum will present the history of steam travel on the Hudson through words and pictures. This event will take place at the Freedom Plains Grange.

John Gunn asked the Board if fire inspection fees could be waived for non-profits.

Mr. Wagner replied that it was possible.

Mr. Gunn asked if the matter of signs posted on utility poles could be addressed.

Councilman Luna stated that there already is a law regarding this.

A discussion followed.

Kevin Donohue stated that when he was a code enforcement officer for the Town of Beekman they solved that problem by getting permission from Central Hudson for the municipality to remove the signs.

Supervisor Wagner asked for a motion to close the public comment. Councilman Beck so moved seconded by Councilman O'Hare and carried by all.

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

The meeting was adjourned at 7:59 p.m.

Respectfully Submitted,

Christine O'Reilly-Rao  
Town Clerk

## **ADDENDUM**

- **Waltech Application for Payment**
- **Danair, Inc. Application for Payment**
- **Resolution: Approval of Subdivisions in Sections or Phases (Chapter 203)**