

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

**TOWN BOARD MEETING
July 8, 2009**

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

Recording Secretary: Christine O'Reilly-Rao

Others Present: Peter Huff, Director of Parks & Recreation
Steve Mance, Environmental Consultants
Ron Blass, Esq., Van De Water & Van De Water

A regular meeting of the Town Board was held on Wednesday, July 8, 2009 at the LaGrange Town Hall, 120 Stringham Road. Supervisor Wagner called the meeting to order at 7:30 p.m. and the Clerk led the flag salute.

Prior to the start of the meeting, Councilman Dale Borchert tendered his resignation to the Town Clerk; effective immediately.

Supervisor Wagner informed the Board that he had received a copy of a resignation letter from Robert Sears, Dutchess County Legislator for District 3. The Board acknowledged the resignation with regret. Mr. Wagner noted Mr. Sears' long and distinguished service on behalf of his district. He wished him good health and a happy retirement.

Supervisor Wagner read Councilman Borchert's resignation into the record (see addendum) and thanked him for his service to the Town. He noted his work on the Open Space Committee, on personnel issues and tax relief for farmers. He added that Mr. Borchert's fiscal conservatism would serve County residents well.

Councilman Beck agreed.

Mr. Borchert stated that he had enjoyed his service to the Town and enjoyed working with Town employees.

Mr. Wagner stated that Mr. Borchert had taken an interest in Town affairs well before he was actually elected. His resignation was accepted by the Board with regret.

Mr. Borchert is the Republican candidate for District 3 for the Dutchess County Legislature. Since Mr. Sears' resignation leaves his seat vacant for the remainder of his unexpired term.

Mr. Wagner asked the Board to consider appointing Mr. Borchert to fill the seat; noting that Councilman Borchert had attended numerous legislative caucuses and had participated in committee work to reduce the property tax burden in Dutchess County.
Councilman Luna so moved, seconded by Councilman O'Hare.

The following vote was recorded:

Supervisor Wagner AYE
Councilman Luna AYE
Councilman Beck AYE
Councilman O'Hare AYE

Supervisor Wagner asked the Town Clerk to administer the Oath of Office for Mr. Borchert's appointment. She did so.

Supervisor Wagner noted that an interim successor for Mr. Borchert needs to be appointed as soon as possible. He asked for a motion to set a date for a special meeting for July 15, 2009 at 12:00 p.m.

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

Supervisor Wagner asked for a motion to accept the minutes from June 24, 2009.

Councilman O'Hare so moved seconded by Councilman Luna and carried unanimously.

Monthly Reports

Supervisor Wagner asked for approval of the monthly reports which include state, county and local shares.

| | |
|-------------------|-------------|
| Building & Zoning | \$18,690.00 |
| Public Works | \$17,464.00 |
| Planning | \$500.00 |
| Highway | XXXXX |
| Justice Caplicki | \$39,560.00 |
| Justice Greller | \$36,077.00 |
| Town Clerk | \$1,602.63 |

There was a typographical error on the Highway amount. Mr. Wagner asked for a motion to approve all of the other reports.

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

Supervisor's Report

Supervisor Wagner stated that the proposition to share space with the LaGrange library and Arlington School Administration offices would cost the Town approximately \$4,500 for an initial study. Grant money may be available to help defray the cost. He asked the Board for a motion to authorize an agreement for the study.

Councilman Luna so moved, seconded by Councilman Beck and carried by all.

Councilman Beck noted that he had received positive feedback about the proposal.

Correspondence

The Open Space Committee has requested Board approval of an application fee of \$25.00. Councilman Luna moved to approve the fee seconded by Councilman O'Hare and carried unanimously.

Stormwater Management Consultants, Inc. has reviewed a bond estimate for the proposed roadway and related improvements for the Rolling Meadows Subdivision – Phase 1. The estimated total road and related utilities improvement cost comes to \$2,982,006. The construction inspection account would come to \$59,640, which is 2% of the estimated improvement cost.

Supervisor Wagner asked for a motion to accept this estimate.

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

Mr. Wagner had received correspondence from the County regarding cooling centers in the event of a heat wave. Three years ago 5 cooling centers throughout the County were opened in response to a dangerous heat wave. The County is asking local communities to provide the first line of service as residents generally are more comfortable in dealing with people in their own community. In the event the municipalities are unable to provide access to residents to the town hall, library, local churches or non-profits the County would be available to provide support by activating the 5 cooling centers.

Resolution

Supervisor Wagner asked the Board to approve a stipulation settling the tax certiorari proceedings brought by TEG Federal Credit Union against the Town. (SEE ADDENDUM) Councilman Luna moved to do so, seconded by Councilman O'Hare and carried by all.

Resolution

Supervisor Wagner introduced a resolution to waive the 30 day waiting period for a liquor license renewal for C's Restaurant & Lounge, located at 464 Freedom Plains Road in then Town of LaGrange. (SEE ADDENDUM)

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

Committee Reports

Recreation

Mr. Huff stated that attendance in Town parks has been up across the board.

Councilman O'Hare noted that the next meeting of the committee will be held on July 27, 2009.

A discussion about park fees followed.

Town Board Comments

Councilman Beck complimented Mr. Huff on the manner in which Freedom Park is kept. He stated that he had received many positive comments about the park from other towns.

Town Attorney

Mr. Blass stated that an out of district sewer agreement had been signed with Patrick Page for property located at 84 Patrick Lane in the Town of LaGrange. A resolution authorizing the agreement was presented. (SEE ADDENDUM)

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

Public Works

Ms. Livigni thanked Mr. Borchert on behalf of herself and her staff for his cooperation and insight. She added that his questioning had forced her to find the right answers.

Environmental Consultants

Steve Mance stated that there was increased flow treated in the wastewater treatment plants due to the weather. He added that they were 80% done with hydrant testing and mapping.

Supervisor Wagner wanted to make sure everyone was aware that the Town website was up and running.

Public Comment

Councilman O'Hare moved to open the meeting to public comment, seconded by Councilman Luna and carried unanimously.

Mr. Lenci of the Library expressed his appreciation to the Board for their approval of the initial study for sharing space. He added that he would like to recognize Bob Kaminski for bringing this about. He looked forward to continuing this work with the Board. He also wanted to thank Mr. Borchert for his support of the library.

Councilman O'Hare moved to close the public comment. Councilman Beck seconded the motion and it carried unanimously.

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

The meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

Christine O'Reilly-Rao
Town Clerk

ADDENDUM

- Resignation letter from Councilman Borchert
- Resolution: TEG Federal Credit Union tax certiorari
- Resolution: 30 Day Waiver for C's Restaurant & Lounge
- Resolution: Out of District Sewer Agreement with Patrick Page