

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

**TOWN BOARD MEETING  
AUGUST 12, 2009**

**Present:** Supervisor Jon Wagner  
Councilman Joseph Luna  
Councilman Gary Beck  
Councilman Steve O'Hare  
Councilman Edward P. Jessup

**Recording Secretary:** Margaret Schmitz, Deputy Town Clerk

**Others Present:** Janis Gomez Anderson Esq., Van De Water & Van De Water  
Wanda Livigni, Administrator of Public Works  
Steve Mance, Environmental Consultants

A regular meeting of the Town Board was held on Wednesday, August 12, 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 July 22, 2009. Councilman Luna moved to do so, seconded by Councilman Jessup; Councilman O'Hare – AYE; Councilman Beck – AYE; and Supervisor Wagner Abstained.

Supervisor Wagner asked for a motion to accept the monthly revenue reports from the town departments as follows:

- |   |                   |
|---|-------------------|
| • Building & Zoning                       | Total \$12,345.00 |
| • Public Works                            | Total \$16,699.00 |
| • Planning                                | Total \$750.00    |
| • Justice Caplicki (incl. State Share)    | Total \$35,916.00 |
| • Justice Greller (incl. State Share)     | Total \$32,285.00 |
| • Town Clerk (incl. State & County Share) | Total \$1,827.94  |

A motion to accept was made by Councilman Jessup, seconded by Councilman Beck, carried unanimously.

## **Supervisor's Report**

Highway Superintendant Kelly requested Board approval to go out to bid for the following: bituminous mix (hot & cold), bituminous materials, cast iron frames, grates, catch basins and drywells, crushed quarry stone, diesel motor fuel, fuel oil, galvanized CMP arch pipe, guide rails, recycled item 4 material, road sweeping, R.O. B. gravel, sub-base coarse material – type 1, 2, 4, unleaded gasoline & washed highway sand. Councilman Luna made a motion to approve, seconded by Councilman Jessup, and carried unanimously.

## **Correspondence**

Supervisor Wagner read into the record Mary Gomes' letter of resignation from the Conservation Advisory Council and commented that Mary was one of the most valuable volunteers to ever come through the Town of LaGrange. She is a very dynamic person and this will be a big loss for the Town of LaGrange. Supervisor Wagner requested a motion to approve Ms. Gomes' resignation. With regrets, Councilman Luna made the motion to accept the resignation, seconded by Councilman Jessup and carried unanimously. (SEE ADDENDUM)

Stormwater Management Consultants submitted a Performance Bond Estimate for the Dutchess County Animal Hospital – NYS Route 82, Stormwater Management Facilities. The estimated total storm water management facility improvement cost is \$35,880. The Maintenance Bond would be \$7,176 which is 20% of the estimated improvements. Councilman Jessup made a motion to approve, seconded by Councilman O'Hare, carried unanimously.

A letter was received from Time Warner Cable with programming changes and will be on file in the Town Clerk's Office for one week.

## **Resolution**

Town Attorney, Janice Gomez Anderson explained the changes to the Sign Law.

Supervisor Wagner requested authorization from the Board to sign the Full Environmental Assessment Form for the Sign Law. Councilman O'Hare so moved; seconded by Councilman Jessup; carried unanimously. (SEE ADDENDUM)

Supervisor Wagner advised the Town Board that the Resolution of Introduction dated July 22, 2009 for the Sign Law needed to be rescinded due to substantial changes. Councilman O'Hare made the motion to rescind the resolution, seconded by Councilman Jessup; carried unanimously.

Supervisor Wagner asked for a motion to approve the updated Resolution of Introduction for the Sign Law setting the public hearing for August 26, 2009. Councilman Luna so moved, seconded by Councilman O'Hare. A lengthily discussion followed.

Councilman Beck questioned page 7, Section 13, internally illuminated signs. Councilman Beck expressed that a background of any color including, white should be acceptable as long as the internal light does not show through with any color lettering used. His example was a CVS sign. The resolution was adopted by majority rule. (SEE ADDENDUM)

## **Committee Reports**

### **Water & Sewer**

No report

### **Recreation**

Football season is in full swing and Overlook Park looks great. The next meeting is Monday, August 24, 2009

### **Open Space**

Supervisor Wagner stated that The Board has appointed Ed Jessup as liaison to the Open Space Committee which meets every first Monday. Elliot Slate is interested in applying for an application in regard to Sleight Farm.

### **Highway**

No report

### **Town Board Comments**

No comments

### **Town Attorney**

No report

### **Public Works**

Wanda Livigni respectfully requested the Town Board approve the Retainage Release for Metra Industries, for the Mapleview Water District project. Construction was completed on the project on July 17, 2008. All supporting documentation was submitted to the Board on June 24, 2009. Councilman Jessup made a motion to approve the retainage release, seconded by Councilman O'Hare and carried unanimously.

Ms. Livigni explained that the Manchester Water District funded Deerfield Booster Pump upgrade project, was awarded to Osterhoudt Construction for \$156,000. At this time, it has become apparent that there is a critical need which requires a change order to be issued. The bulk of the project is a pump manifold which is one large piece of equipment which gets installed. This first change order is critical as it's for the auto dialer which sends off a call to Environmental Consultants notifying them what the problem is at with booster pump station. It was designed for one call which is not specific and would not send Environmental Consultants on the right path for correcting the problem. Ms. Livigni has requested that an auto dialer with four output messages, such as pump failure, low pressure, etc. be installed. Greg Bolner advised that on the change order, Osterhoudt specified the overhead & profit at 20%, but it should be 7%. The O & M rate will be resolved between Ms. Livigni and Greg Bolner. The Serial Bond for this

project is for \$260,000; the contract was awarded for \$156,000 which leaves enough money to pay for this. The maximum cost, with a 20% O&M, is just under \$1,800. Ms. Livigni expressed that it was critical that this be approved so the manifold can be ordered and prevent losing any more lag time. Ms. Livigni requests the Board authorize change order #1 to not exceed the amount of \$1762.80. Councilman O'Hare made a motion to authorize, seconded by Councilman Jessup; carried unanimously.

### **Environmental Consultants**

Everything at Grandview Water District is working well; all leaks have been fixed.

### **Public Comment**

Councilman Beck moved to open the meeting to Public Comment, seconded by Councilman Luna and carried unanimously.

Mr. Danial Katz, whose family owns the Apple Valley Shopping Center, wishes to thank the Town for making the renovations possible that will bring a state- of- the- art Walgreen's to the Town. Walgreen's goal is to start setting up at the end of the month and open in early September. He also wished to thank the Building, Zoning, Planning team as well as many others.

Supervisor Wagner asked for a motion to close the Public Comment. Councilman Jessup made a motion to do so, seconded by Councilman O'Hare; carried unanimously.

Councilman Jessup move to adjourn the meeting, seconded by Councilman Beck; carried unanimously. The meeting adjourned at 7:56 p.m.

Respectfully Submitted,

Margaret Schmitz  
Deputy Town Clerk

### **ADDENDUM**

- **Mary Gomez's Letter of Resignation from Conservation Advisory Committee**
- **Full Environmental Assessment Form – Sign Law**
- **Resolution of Introduction – Sign Law**