

LaGrange Town Board Meeting

September 22, 2010

AGENDA

Call to Order

Salute to the Flag

Minutes Approval

- Minutes from September 8, 2010

Supervisor's Report

Correspondence

- Time Warner Cable

Agenda Items

Fact-Finder's Report

- Town Board to set public hearing with respect to the Fact-Finder's Report and Recommendations for a Collective Bargaining Agreement with the Civil Service Employees Association, Inc

Brothers Communications LLC Restoration Bond

- Town Board to ratify Resolution for Brothers Communication LLC Restoration Bond

Dutchess County Enhanced 911

- Dutchess County Enhanced 911 is requesting a resolution to name the shared/private driveway on parcel 6460-02-945946 to Taconic Center Lane

Tax Certioraris

- The Town Board to consider the settlement of legal action brought by tax payers challenging their assessments for the following property owners:
 - Warburton Gardens Corp.
 - 17 Daley Road

Appointment

- Town Board to re-appoint Robert Taft to the Board of Assessment Review

GASB 45 Reporting

- The Town Accountant is requesting Town Board approval to sign a contract to use Milliman, Inc. online software to value the cost of Other Post Employment Benefits (OPED)

Harvest Ridge Subdivision Map, Plan and Report

- Town Board to reschedule the public hearing to October 13th
- Town Board to set a Public Hearing for Completed Assessment Roll for District and special improvement assessments as required by Town Law Section 202-a

Longevity Recognition

- Two of our employees have achieved long time employment with the Town of LaGrange Highway Department; Richard Gatto with 30 years of service and Art Daniels with 25 years of service.

Conference Requests

- The Town Assessor is requesting permission to attend the NYS Assessor's Association 3 day seminar in Lake Placid on September 26-29, 2010. There will be no cost to the Town.
- The Director of Public Works is requesting permission to attend The Southeast New York Stormwater Conference & Trade Show in Beacon, NY on October 13, 2010. The cost of the conference is \$80.00.

Bond Agreements

- Building Inspector is requesting Town Board's approval for Soil Erosion Bond for the following grid #:
 - 6559-03-405465

Committee Reports

- Water and Sewer
- Recreation
- Open Space
- Highway

Town Board Comments

- This time is set aside for new or old business not on the agenda

Town Attorney

- This time is set aside each meeting for new business by the Towns Attorney not listed elsewhere in the agenda

Administrator of Public Works

- This time is set aside each meeting for the Administrator of Public Works to discuss Planning, water, sewer, MS4 and related topics not listed elsewhere on the agenda.

Environmental Consultants

- Reports from the operators of the Town's water and sewer facilities

Public Comment

- Public comments are accepted during this time.

Executive Session**Adjournment**

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

**TOWN BOARD MEETING
September 22, 2010**

Present: Supervisor Jon Wagner
Councilman Gary Beck
Councilman Steve O'Hare
Councilman Edward Jessup

Absent: Councilman Joseph Luna

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

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

The regular meeting of the Town Board was held on Wednesday, September 22, 2010, 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.

Supervisor Wagner asked for a motion to approve the minutes from the regular meeting on September 8, 2010.
Councilman Jessup moved to do so, seconded by Councilman Beck and carried unanimously.

Correspondence and Supervisor's Report

Supervisor Wagner asked for a motion to suspend the regular order of business in order to allow Rachel Palombo to address the Board regarding a peddler permit.
Councilman O'Hare so moved seconded by Councilman Luna and carried by all.
Ms. Palombo stated that she and her husband had filed for and received a Dutchess County Veteran's Peddler's Permit and they were now seeking Town permission to set up a Mobile food unit at the intersection of Titusville Road and Bushwick Road. She also stated that they had passed the Health Department inspection.
Supervisor Wagner stated that he was unable to clearly identify the owner of the right of way, but thought it could possibly be Con Edison. He added that as long as the County had issued the permit the Town need only give its permission. He cautioned that Ms. Palombo should make every effort to ascertain the right of way's owner.
Councilman Beck moved to grant permission, seconded by Councilman Jessup and carried by all.
Ms. Palombo and her husband thanked the Board.
Councilman Beck moved to return to the regular order of business, seconded by Councilman Luna and carried unanimously.

Mr. Wagner then updated the Board with some information regarding the Town's aging infrastructure. He is hoping that Clark, Patterson, Lee will come up with some ideas to find funding for updating the water and sewer systems since the regular sources of funding are scarce.

Time Warner cable has some updates which will be on file in the Clerk's office for 2 weeks. Also there may be some disruption of service in Pleasant Valley due to the installation of new infrastructure.

Due to an impasse in negotiations with the bargaining unit consisting of employees in the Highway and Recreation Departments, a Public Hearing needs to be set at which Civil Service Employees Association, Inc. may explain its position with respect to the Fact-Finder's report. Councilman Jessup so moved to set the Public Hearing for October 13, 2010, seconded by Councilman Luna and carried by all. (SEE ADDENDUM)

Supervisor Wagner asked the Board to ratify a resolution for Brothers Communications LLC Restoration Bond. (SEE ADDENDUM)
Councilman Beck so moved seconded by Councilman Jessup and carried by all.

Mr. Wagner asked for approval of a proposed road naming for parcel #6460-02-945946 shared/private drive "Taconic Center Lane".
Councilman Beck so moved seconded by Councilman Luna and carried unanimously.

Two stipulation agreements to settle tax certioraris for Warburton Gardens Corp. and 17 Daley Road were presented to the Board. (SEE ADDENDUM)
Councilman O'Hare moved to approve the stipulation for Warburton Gardens Corp., seconded by Councilman Beck and carried by all.
Councilman O'Hare moved to approve the agreement for 17 Daley Road (Poughkeepsie CSC LLC), seconded by Councilman Luna and carried unanimously.

Supervisor Wagner asked for Board approval to re appoint Robert Taft to the Board of Assessment Review. His appointment will expire September 30, 2015.
Councilman O'Hare moved to approve the appointment, seconded by Councilman Luna and carried by all.

Next, Mr. Wagner asked the Board for approval to sign a contract with an actuarial firm in order to assess the potential cost to the Town for healthcare benefits offered to retired Town employees (GASB 45 Reporting) as mandated. The company recommended by Bill Brady, Accountant to the Comptroller, is the least expensive option at \$2,800 annually.
Councilman Jessup so moved seconded by Councilman O'Hare and carried by all.

Supervisor Wagner asked for a motion to set a Public Hearing for October 13, 2010 for the establishment of the Harvest Ridge Subdivision Drainage District. (SEE ADDENDUM)
Councilman Beck so moved seconded by Councilman O'Hare and carried by all.

Mr. Wagner then asked for a motion to set a Public Hearing for October 27, 2010

for the completed Assessment Roll for district and special improvement assessments as required by Town Law Section 202-a. (SEE ADDENDUM)
Councilman Luna so moved seconded by Councilman Jessup and carried unanimously.

Mr. Wagner stated that he would like recognize two Highway Department employees; Richard Gatto for his 30 years of service and Art Daniels for his 25 years of service. Neither was present to receive their certificates of appreciation. The Board thanked them for their service for the record.

The Town Assessor requested permission to attend the NYS Assessors' Association meeting which will be held in Lake Placid, September 26 – 29. There will be no cost to the Town. Supervisor Wagner asked the Board for approval contingent on the fact that it would not cost the Town anything.
Councilman Luna moved to approve the request seconded by Councilman O'Hare and carried by all.

The Director of Public Works asked for approval to attend a conference on stormwater management on October 13th in Beacon. The cost would be \$80.00 and Supervisor Wagner noted that the conference would be well worth the registration fee.
Councilman Luna moved to approve her attendance, seconded by Councilman O'Hare and carried unanimously.

Supervisor Wagner stated that the recently passed Ethics Law called for the formation of an Advisory Committee within 60 days of its passage, but that the committee had not yet been formed. He introduced a resolution which would give the Board more time in which to form the Advisory Committee. (SEE ADDENDUM)
Councilman Luna moved to pass the resolution seconded by Councilman Jessup and carried by all.

Ken McLaughlin, Building Inspector, requested Board approval for a soil erosion bond for grid# 6559-03-405465 in the amount of \$1500.
Councilman Luna so moved seconded by Councilman O'Hare and carried unanimously.

Committee Reports

Councilman Jessup reported that the Open Space Committee has been working on conservation easements which will be done this week.

Mr. Jessup reported that the Highway Superintendent and he plan on going to Parkridge New Jersey to see some salt sheds since the DEC requires that the Town have one.

There were no other committee reports.

Town Board Comments

There were no comments.

Town Attorney

Mr. Blass noted that he is currently working to tighten penalties for breaches of conservation easements.

Receiver of Taxes, Jane Sullivan can also include the conservation easement letter in the tax bills. Mr. Blass added that language in the deeds should reference conservation easements when applicable.

A discussion of the Dutchess Land Conservancy providing oversight on conservation easements followed.

Environmental Consultants

Steven Mance reported that there had been a water main break Saturday on Scenic Hills Drive. The problem was fixed by 4 p.m. the same day. Restoration of the infrastructure is needed due to aging. The Town is working to get funding, possibly in the way of grants to rectify this.

Public Comment

Councilman Luna moved to open the meeting to public comment, seconded by Councilman Jessup and carried by all.

A representative of the library addressed the Board. He stated that there will be senior programs regarding health and technology. There will also be a library tour for seniors. In addition, October will be a fee free month for seniors for overdue books. He thanked the Board for their continued support.

Councilman Jessup moved to close the public comment, seconded by Councilman Beck and carried by all.

Administrator of Public Works

A Restoration Bond in the amount of \$60,002.05 for Taconic Center – Route 55 was discussed for Town Board acceptance. The Restoration Bond is to cover costs in the event of non- approval or site abandonment. The bond would cover the cost of removal of all impervious surfaces, i.e. parking lot, roadway, slabs as well as filling and capping all stormwater infrastructure, removal of footings and foundation and stabilization of the entire site, including the storm water pond. A discussion followed regarding the amount of the bond and whether it took into consideration the “prevailing wage”. Councilman Beck stated that he felt the amount was fair.

Ms. Livigni explained to the Board the customary manner of demolition and the creation of green scape with trees to create a buffer. She further stated that after review of the original bond, Walter Artus and Greg Bolner of Clark Patterson Lee added a 20% contingency to the value of the work on the bond.

Further discussion ensued.

Councilman Beck moved to accept the bond, seconded by Councilman O'Hare and carried unanimously. (SEE ADDENDUM)

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

The meeting adjourned at 8:20 p.m.

Respectfully Submitted,



Christine O'Reilly- Rao
LaGrange Town Clerk

ADDENDUM

RESOLUTION: Public Hearing Civil Service Employees/ Fact – Finder's Report

RESOLUTION: Brothers Communications LLC Restoration Bond

RESOLUTION: Tax Certioraris: Warburton Gardens and 17 Daley Road

RESOLUTION: Public Hearing for Harvest Ridge Subdivision Drainage District

RESOLUTION: Public Hearing for Assessment Roll

RESOLUTION: Town Ethics Law

RESOLUTION: Restoration Bond for Taconic Center

RESOLUTION
Setting a Public Hearing
with Respect to the Fact-Finder's Report and Recommendations
for a Collective Bargaining Agreement with the
Civil Service Employees Association, Inc.
for the Town of LaGrange Highway and Recreation Unit

WHEREAS, the Town of LaGrange and the Civil Service Employees Association, Inc. began negotiations on or about November 20, 2009 for a collective bargaining agreement for the period January 1, 2010 through December 31, 2011 for the bargaining unit consisting of employees in the highway department and recreation department, and, thereafter, the parties negotiated on December 17 and December 22, 2009, and on January 13 and January 21, 2010; and,

WHEREAS, the parties jointly declared an impasse in negotiations on January 28, 2010 and submitted the impasse to a mediator appointed by the Public Employment Relations Board (PERB) which resulted in a tentative agreement on all issues; and,

WHEREAS, the members of the bargaining unit rejected the mediated tentative agreement and, therefore, the Town submitted the impasse to PERB for fact-finding; and,

WHEREAS, fact-finding hearings were held on July 1, July 6, and July 9, 2010, during which the Fact-Finder explored the open issues with the parties, viewed in the context of the difficult fiscal realities facing public employment in New York State; and,

WHEREAS, the Fact-Finder's report and recommendations, which is attached to this resolution, were issued on July 23, 2010; and,

WHEREAS, the bargaining unit members rejected the Fact-Finder's recommendations on or about August 12, 2010; and

WHEREAS, in accordance with the Taylor Law, if one or both parties do not accept the fact-finding report in its entirety, then the next step is for the Town Board to conduct a public hearing at which the parties may explain their positions with respect to the Fact-Finder's report and recommendations and, thereafter, the Town Board may take such action as it deems to be in the public interest, including the interest of the employees involved; and,

WHEREAS, after the public hearing, the Town Board may choose to impose employment terms for the period January 1, 2010 to December 31, 2010 provided such imposition does not change the terms of an expired collective bargaining agreement, now, therefore be it

RESOLVED, that the Town Board hereby designates October 13, 2010 at 7:30 o'clock as the date and time for a public hearing at which Civil Service Employees Association, Inc.

may explain its position with respect to the Fact-Finder's report and recommendations, and be it further

RESOLVED, that the Town Clerk is hereby directed to forward certified copies of this resolution to the appropriate Town officials and representatives of Civil Service Employees Association, Inc.

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

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

DATED: LaGrangeville, New York
September 22, 2010


Christine O'Reilly- Rao
Town Clerk

RESOLUTION

Councilman Beck, offered the following resolution, which was seconded by Councilman Jessup, who moved its adoption:

WHEREAS, Brothers Communications LLC (“Brothers”) received special use permit and site plan approval from the Town of LaGrange Planning Board for the proposed co-location of up to four (4) panel antennas on a wireless communications tower; and

WHEREAS, the tower is proposed on a parcel consisting of approximately 11.0 acres, which is also known as tax map no. 6360-02-926990 and is located at the intersection of NYS Route 55 and Sedgewick Road, Town of LaGrange;

WHEREAS, Town of LaGrange Town Code §240-49(L)(4) requires that Brothers shall at all times provide the Town with security to cover the cost of removal of the facility; and

WHEREAS, Clark Patterson Lee, as Town Engineer, has opined that the cost of removal of the wireless communications tower will be \$12,000; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby approves the amount of \$12,000 as the amount required to be deposited with the Town as security to cover the cost of removal of the facility and this security shall not be released by the Town until the site is fully restored to its natural state; and

BE IT FURTHER RESOLVED that this resolution shall supersede and take the place of the resolution previously adopted by the Town Board on September 1, 2010; and

BE IT FURTHER RESOLVED that the Town Board acknowledges receipt of a certified check in the amount of \$12,000 made payable to the Town of LaGrange, which shall be deposited into an interest-bearing escrow account in the name of the Town and interest from that account shall be delivered to Brothers on an annual basis.

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

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

DATED: LaGrangeville, New York
September 22, 2010


CHRISTINE O'REILLY-RAO
TOWN CLERK

RESOLUTION

IT IS HEREBY RESOLVED that Van DeWater & Van DeWater, LLP, Kyle W. Barnett, Esq. is authorized to enter into a Stipulation settling the 2008 and 2009 tax certiorari proceedings brought by Warburton Gardens Corp. against the Town of LaGrange in accordance with the following schedule:

Assessment Roll	Assessed Valuation	Reduction in Assessment	Final Assessment
2008/09	\$3,900,000	\$0.00	\$3,900,000
2009/10	\$3,900,000	\$0.00	\$3,900,000
2010/11	\$3,900,000	\$900,000	\$3,000,000

And to sign such other and further papers as are necessary to effectuate the settlement, said refunds to be without interest if paid within thirty (30) days of service of a copy of the Judgment/Order with Notice of Entry.

Dated: LaGrangeville, New York
September 22~~ND~~, 2010

Moved by COUNCILMAN O'HARE

Seconded by COUNCILMAN BECK

Ayes 5

Nays 0

Christine O'Leary
TOWN CLERK

RESOLUTION

IT IS HEREBY RESOLVED that Van DeWater & Van DeWater, LLP, Kyle W. Barnett, Esq. is authorized to enter into a Stipulation settling the 2007, 2008, 2009 and 2010 tax certiorari proceedings brought by Poughkeepsie CSC LLC against the Town of LaGrange in accordance with the following schedule:

Assessment Roll	Assessed Valuation	Reduction in Assessment	Final Assessment
2007/08	\$5,400,000	\$700,000	\$4,700,000
2008/09	\$5,400,000	\$900,000	\$4,500,000
2009/10	\$5,400,000	\$900,000	\$4,500,000
2010/11	\$4,968,000	\$468,000	\$4,500,000

And to sign such other and further papers as are necessary to effectuate the settlement, said refunds to be without interest if paid within thirty (30) days of service of a copy of the Judgment/Order with Notice of Entry.

Dated: LaGrangeville, New York
September 22, 2010

Moved by COUNCILMAN O'HARE

Seconded by COUNCILMAN LUNA

Ayes 5

Nays Ø

Christine O'Rielly-Rao
TOWN CLERK

**ORDER BY TOWN BOARD FOR HEARING
ON ESTABLISHMENT OF HARVEST RIDGE SUBDIVISION
DRAINAGE DISTRICT**

WHEREAS, a petition for the establishment of an improvement district was filed with the Town Board of the Town of LaGrange, Dutchess County, New York.

WHEREAS, the proposed district is described and bounded to include the real property identified by the metes and bounds description within Exhibit "A" annexed.

WHEREAS, the proposed improvements consist of items specified in a Map and Plan prepared by Clark Patterson Lee on September 3, 2010 for the Harvest Ridge Subdivision Drainage District, and on file with the Town Clerk. The improvements shall be made by the developer of the project, as a condition of Planning Board approval thereof, and the proposed district is to be known as the Harvest Ridge Subdivision Drainage District; and

WHEREAS, the maximum capital amount proposed to be expended for the drainage improvements is \$0.00, since the cost of the improvements shall be borne by the developer, and said capital improvements are proposed to be dedicated to the proposed drainage district; and

WHEREAS, as set forth within the Map and Plan which is on file with the Town Clerk, the estimated amount anticipated to be expended annually by the proposed drainage district for the operation and maintenance of the facilities is \$16,000.00 per year, and the annual benefit assessment cost to the typical property, which will be a one-family home, shall initially approximate \$320.00 per year based upon that annual budget spread over fifty (50) benefit units; and

ORDERED, this Board will hold a public hearing to consider the adoption of the petition and relevant matters on October 13, 2010, at 7:30 p.m., at the Town Hall, Town of LaGrange, County of Dutchess, New York. All persons interested in this matter shall

be heard, and it is further

ORDERED, that the Town Clerk of the Town of LaGrange is hereby authorized and directed to publish a certified copy of this order in the official paper, the first publication thereof to be not less than ten nor more than twenty days before the day set for the hearing, and to post a copy of same on the sign-board of the Town of LaGrange, in the same time and manner, as required by Town Law §193.

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

DATED: LaGrangeville, New York
September 22, 2010


CHRISTINE O'REILLY-RAO, TOWN CLERK

Harvest Ridge Subdivision

Lot No. 1 through Lot No. 55
Excluding Parcel A
91.508 ± Acre Parcel
Town of LaGrange
Dutchess County, New York

Beginning at a point, said point being at the southeasterly corner of Lot No. 53 as shown on a map entitled, "Crystal Lake Subdivision" on file in the Dutchess County Clerks Office as Filed Map No. 10517; said point also being on the northerly line of Noxon Road; thence leaving said southeasterly corner and said northerly road line and running along the easterly line of said Lots No. 53, 51, 52, 53, 54, and 55, North 18° 54' 34" East 1,377.27 feet to a point being at the northeasterly corner of Lot No. 55, said point also being on the southerly line of Lot No. 60; thence leaving said northeasterly corner and running along the southerly line of said Lot No. 60, South 71° 05' 26" East 170.00 feet to a point being at the southwesterly corner of lands now or formerly the Town of LaGrange (Parcel A); thence leaving said southerly line of Lot No. 60 and said southwesterly corner and running along the southerly and easterly lines of said Parcel A the following courses and distances: South 71° 05' 26" East 36.35 feet, on a curve to the right having a radius of 53.00 feet and an arc length of 20.12 feet, North 25° 57' 56" West 32.04 feet, North 18° 54' 30" East 456.04 feet, North 40° 18' 30" East 38.72 feet, South 51° 42' 54" East 305.53 feet, North 44° 59' 31" East 856.01 feet, and North 89° 54' 40" East 203.25 feet to a point being at the northwesterly corner of lands now or formerly the Estate of Karl Ehmer, Liber 1910, Page 327; thence leaving said easterly line of Parcel A and said northwesterly corner and running along the westerly and southerly lines of said Estate of Karl Ehmer the following courses and distances: South 30° 14' 22" West 635.38 feet, South 23° 11' 09" East 281.46 feet, South 01° 38' 16" West 241.77 feet, North 75° 02' 40" East 30.27 feet, North 87° 46' 00" East 163.50 feet, South 78° 48' 10" East 107.45 feet, South 12° 33' 10" East 79.40 feet, South 11° 27' 19" West 51.43 feet, and South 53° 11' 03" East 409.76 feet to a point being at the southeasterly corner of said Estate of Karl Ehmer, said point also being on the westerly line of the Taconic State Parkway; thence leaving said southeasterly corner and running along the westerly line of said Parkway, South 04° 05' 50" East 1452.27 feet to a point being on the northerly line of the aforementioned Noxon Road; thence leaving said westerly line of the Taconic State Parkway and running along the northerly line of said Noxon Road, South 69° 51' 40" West 561.69 feet to a point being at the southeasterly corner of lands now or formerly Donnelly, Liber 2014, Page 412; thence leaving said northerly line of Noxon Road and said southeasterly corner and running along the easterly and northerly lines of said Donnelly the following courses and distances: North 22° 50' 50" West 146.42 feet, North 22° 34' 30" West 419.22 feet, North 36° 13' 50" West 15.58 feet, North 79° 13' 10" West 72.71 feet, North 86° 31' 30" West 28.22 feet, North 88° 49' 40" West 30.30 feet, South 82° 00' 00" West 120.50 feet, and South 86° 58' 30" West 309.78 feet to a point being at the northwesterly corner of said Donnelly, said point also being on the easterly line of lands now or formerly Alves, Liber 1940, Page 622;

EXHIBIT A

thence leaving said northwesterly corner and running along the easterly and northerly lines of said Alves the following courses and distances: North 19° 12' 30" West 117.04 feet, South 50° 52' 00" West 25.56 feet, South 63° 45' 10" West 35.18 feet, South 71° 51' 40" West 42.47 feet, South 74° 38' 00" West 121.31 feet, South 77° 12' 40" West 41.26 feet, and South 60° 07' 30" West 135.35 feet to a point being at the northwesterly corner of said Alves, said point also being on the aforementioned northerly line of Noxon Road; thence leaving said northwesterly corner and running along the northerly line of said road the following courses and distances: North 10° 28' 51" West 75.00 feet, North 56° 45' 20" West 74.25 feet, North 53° 18' 46" West 136.69 feet, and North 62° 54' 30" West 541.79 feet to the point of beginning containing 91.508 ± acres of land.

NOTICE OF PUBLIC HEARING

TAKE NOTICE that, pursuant to Town Law Section 239, the Town Board of the Town of LaGrange has completed an assessment roll for district and special improvement assessments as required by Town Law Section 202-a.

TAKE FURTHER NOTICE THAT the Town Board will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York, on October 27, 2010, at 7:30 o'clock p.m. prevailing time, to hear and consider any objections which may be made to the assessment roll.

TAKE FURTHER NOTICE, that copies of the aforesaid district and special improvement assessment roll will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringman Road, LaGrangeville, New York, between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, with the exception of Tuesdays, when the hours are 8:00 a.m. and 3:30 p.m., 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 22, 2010


CHRISTINE O'REILLY-RAO
TOWN CLERK

RESOLUTION

Councilman Luna, offered the following resolution, which was seconded by Councilman Jessup, who moved its adoption:

WHEREAS, by the adoption of Local Law No. 4 of 2010, the Town Board of the Town of LaGrange adopted a new Chapter 28 "Ethics Law of the Town of LaGrange" (hereinafter the "Ethics Law"); and

WHEREAS, the Ethics Law provides that §28-14(D) requires the Town Board to appoint an Ethics Board within sixty (60) days after the law's effective date.

NOW, THEREFORE, BE IT RESOLVED that the Town Board waives and excuses the non-completion of constituting an Ethics Board within the sixty (60) day time frame provided in Section 28-14(D) of Local Law No. 4 of 2010.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this action is taken due to efforts needed to carefully and effectively implement this Local Law.

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

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

DATED: LaGrangeville, New York
September 22, 2010


CHRISTINE O'REILLY-RAO
TOWN CLERK

**RESTORATION BOND
TO SECURE RESTORATION OF
TACONIC CENTER SITE**

Bond dated September 22, 2010, given by PAGE PARK ASSOCIATES, LLC, a New York limited liability company having an office at 85 Civic Center Plaza, P.O. Box 792, Poughkeepsie, New York 12602 (“Obligor”) to the TOWN OF LAGRANGE, a municipal corporation whose Town Hall is located at 120 Stringham Road, LaGrangeville, New York 12540 (“Obligee”).

KNOW ALL MEN BY THESE PRESENTS that the Obligor is held and firmly bound unto the Obligee in the sum of \$60,000.00⁵ for the payment whereof to Obligee, the said Obligor binds itself, its successors and assigns, in order to create a fund for the Town of LaGrange to undertake, if necessary and consistent with this instrument, the restoration of the Site, as defined herein, in the event of the Obligor’s failure to obtain all Approvals, as defined herein.

WHEREAS, the Obligor is the developer of the Taconic Center project (the “Project”) located at Route 55, LaGrangeville, New York and identified as tax map parcel 6460-02-945946 (parcels 6460-02-960900 and 6460-02-957922 were recently consolidated) on the tax map of the Town of LaGrange (the “Site”); and

WHEREAS, the Obligor has applied to the Town Planning Board and other governmental authorities for site plan approval and other permits and approvals that are necessary for the commencement and completion of the Project (the “Approvals”); and

WHEREAS, though the applications for the Approvals are still pending, the Obligor, as the result of business exigencies, needs to commence certain site work and improvements at the Site in advance of receipt of all of the Approvals (the “Site Work”); and

WHEREAS, the scope of the Site Work shall be as described in the correspondence from M.A. Day Engineering, PC, the Obligor’s Engineer, a copy of which is attached hereto, subject to the review, approval and modification by the Town; and

WHEREAS, the Obligor hereby grants and delivers to the Town this bond to secure restoration of the Site in accordance with a restoration plan provided to the Town by the Obligor’s Engineer in the event that the Obligor fails, under the circumstances identified herein, to obtain all

