

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

**TOWN BOARD MEETING
January 26, 2011**

Present: Supervisor Jon Wagner
Councilman Joseph Luna
Councilman Ed Jessup

Absent: Councilman Gary Beck

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

Others Present: Ron Blass Esq., Van De Water & Van De Water
Wanda Livigni, Administrator of Public Works

The regular meeting of the Town Board was held on Wednesday, January 26, 2011, at the LaGrange Town Hall, 120 Stringham Road. Supervisor Wagner called the meeting to order at 7:00 p.m. The Town Clerk led the flag salute.

Supervisor Wagner asked for a motion to approve the minutes for the reorganization meeting held on January 13, 2011.
Councilman Luna moved to do so, seconded by Councilman Jessup and carried unanimously.

Supervisor Wagner asked for a motion to approve the minutes for the regular business meeting held on January 13, 2011.
Councilman Jessup moved to do so, seconded by Councilman Luna and carried unanimously.

Correspondence

Supervisor Wagner asked for a motion to accept a letter of resignation from Gary Polhemus as Chairman of the Zoning Board of Appeals.
Councilman Luna moved to do so, seconded by Councilman Jessup and carried unanimously.

Mr. Wagner stated that the Board has to appoint a new Councilman to replace former Councilman O'Hare. Mr. O'Hare resigned and was appointed Town Justice in December. He added that the Board had conducted interviews for the seat and after receiving a recommendation from the LaGrange Republican Committee, the Board decided to appoint Gary Polhemus.

Mr. Polhemus had previously served as the Chairman of the Open Space Committee and later served on the Open Space Implementation Committee. In addition, he was instrumental in crafting a traffic master safety plan with traffic calming recommendations through his work on the Public Safety Committee. He is currently involved with the design of an emergency plan for the Town.

Councilman Jessup moved to approve the appointment, seconded by Councilman Luna and carried unanimously.

Mr. Polhemus was sworn in by Supervisor Wagner with his wife and son in attendance.

Public Hearing

Supervisor Wagner asked for a motion to open the Public Hearing regarding certification of a home on 1 Romca Road by Dutchess ARC in accordance with § 41.34 of the New York State Mental Hygiene Law. A Public Hearing notice had been placed in then *Poughkeepsie Journal* (SEE ADDENDUM).

Mr. Wagner's Press Release regarding the hearing did not make it into the paper in time due to a mix up at the *Journal*. It was posted on their website. He added that he was concerned that the public probably had not seen the notice of the hearing and stated that he would ask for a motion to continue the hearing to February 2, 2011.

Councilman Luna moved to open the hearing, seconded by Councilman Jessup and carried by all.

Ms. Crys McCuin, executive director of Dutchess County ARC addressed the Board. She stated that the reason they were seeking certification after 16 years was to be able to provide appropriate services, e.g. administration of medication, to the home's residents. The Office for People with Developmental Disabilities requires certification of the home per §41.34 of New York State Mental Hygiene Law.

The home which houses four men with developmental disabilities was built with donations and has been owned by ARC for 16 years. There are no renovations needed and the process is basically one of paperwork. The certification will preclude having to move the men residing there in order to provide them with necessary services.

There were no comments from the public.

Councilman Luna moved to continue the Public Hearing to February 2, 2011, seconded by Councilman Polhemus and carried by all.

Supervisor's Report

Mr. Wagner stated that there is a site plan before the East Fishkill Planning Board regarding a parcel which abuts a Town of LaGrange parcel at Kimberly Korner's. The proposed plan may possibly have a negative impact on traffic in that area of the Town of LaGrange. Mr. Wagner will be contacting the East Fishkill Planning Board for additional information.

Mr. Wagner then read into the record a thank you note from Mr. and Mrs. Pierson regarding the Town's acquisition of their farm under the Open Space Law.

Mr. Wagner stated that a special meeting must be held on February 16, 2011 at 7:00 p.m. to address the CSEA grievance regarding Health Benefits offered by the Town.

The Town had purchased a high deductible plan in March of last year which saved the Town \$34,000 in premiums. This year, MVP will no longer allow the Town to pay the deductible for Town employees. The maximum the Town may pay will be one half of the deductible.

The Town employees who are union members requested that the Town revert to a previous plan which would cost the Town an additional \$150,000 and would result in increased costs to all Town employees. The additional cost would be \$763.00 for a family plan, \$587.00 for a double plan and \$293.00 for a single plan.

Mr. Wagner stated that he denied the grievance based on the fact that the coverage now provided is adequate and equal to a plan offered in 2006.

Due to Mr. Wagner's denial of the grievance, the Union must come before the entire Board to state their case. He asked for a motion to set a date for a special meeting to do this.

Councilman Jessup moved to set the date of the meeting for February 16, 2011 at 7:00 p.m., seconded by Councilman Luna and carried by all.

The Town had not authorized training for the past two years due to financial constraints; however due to the many financial and legal changes presently occurring, it has been strongly recommended that training of Town employees be resumed. There has been money designated for training in all departments.

Supervisor Wagner asked for a motion to allow the following people to attend the Association of Towns Conference in New York City, February 20 - 23, 2011: Planning Board Chairman or designee, Zoning Board of Appeals Chairman or designee, Comptroller, Supervisor and both Town Justices. The Supervisor and Comptroller will attend the entire conference and stay two nights. The others will attend with only a one night stay. They will be staying in less expensive accommodations than the conference location at the Hilton.

Councilman Luna moved to approve their attendance at the conference, seconded by Councilman Jessup and carried by all.

Councilman Luna then moved to designate Mr. Wagner as a voting delegate representing the Town at the conference and to designate the Comptroller, Christine Toussaint as the alternate. Councilman Jessup seconded the motion, and it carried unanimously.

Mr. Wagner asked the Board to approve a checklist which the Clerk's office will require to be filled out prior to granting permission for Town Hall use by residents and sports groups. If there is a pattern of disrespect for the building and the rooms are not properly cleaned after each use, a deposit will be required for future requests.

Councilman Polhemus moved to approve the check list, seconded by Councilman Jessup and carried by all.

Supervisor Wagner informed the Board about a luncheon seminar for elected officials to be held January 28, 2011 at the Silo Ridge Country Club in Amenia. Senator Greg Ball has invited elected officials within a 50 mile radius. The seminar will address the economic impact and full

strategic plan for a proposed Silo Ridge Project which would consist of 338 dwellings as well a hotel, restaurant, and golf course.

Mr. Wagner informed the Board of a summit on domestic violence to be held February 3rd from 3-5 p.m. at the Dutchess County Legislature, 22 Market Street, Poughkeepsie. Mr. Wagner stated that he planned to attend the summit. He invited any Boards member to consider attending.

The New York State Office of Emergency Management has determined that municipalities in Dutchess County may be eligible for FEMA assistance for costs related to the December 26-27 snow storm. The preliminary cost estimate from the Highway Superintendent is in excess of \$73,0000.

The Town Clerk submitted her annual 2010 report for Board approval. Councilman Luna moved to accept the report, seconded by Councilman Jessup and carried by all. (SEE ADDENDUM)

The Building Inspector submitted his 2010 annual report for Board approval. (SEE ADDENDUM)
Councilman Luna moved to accept the report, seconded by Councilman Jessup and carried by all.

Agenda Items

The Town Tax Assessor requested Board approval of his attendance at an Ethics Seminar on January 20, 2011. The seminar was of no cost to the Town.

Councilman Jessup moved to do so, seconded by Councilman Polhemus and carried unanimously.

Committee Reports

Water and Sewer

No report

Recreation

Supervisor Wagner asked Mr. Polhemus if he would be interested in being appointed liaison to the Recreation Committee; a position which was held by former Councilman O'Hare.

Councilman Polhemus stated he would.

Councilman Luna, seconded by Councilman Jessup moved to appoint Mr. Polhemus to the position. The motion carried unanimously.

Open Space

Councilman Jessup stated that he had been in contact with the Dutchess Land Conservancy regarding Sleight Farm. The farm consists of 111 acres and is proposed to be sold for \$730,000.

There was some question as to exact acreage and the effect on the price. Mr. Jessup felt that the problem with the Pierson Farm being about 6 ½ - 7 acres less than expected was due to soil erosion from the Wappingers stream. The lost acreage was not reflected on the survey since it was over 100 years old. The survey for the Sleight Farm is more recent and he does not anticipate any loss of acreage. The Committee is moving towards a Conservation Easement for March of this year.

Councilman Luna and Supervisor Wagner asked if this matter would be reconsidered (the price) if there was a significant difference in acreage.

Mr. Jessup replied the price would be reconsidered if there were a significant difference in acreage.

Highway

Councilman Jessup stated that the Highway crew has been doing a great job not only with snow removal, but also in maintaining the trucks. The trucks are old (from the 1980's) and have required constant repair and upkeep to keep them operational. He added that two new trucks would definitely be needed in the future.

Highway Superintendent, Michael Kelly stated that he and his crew have been working for three days fixing various things in the trucks and replacing a clutch in one in order to be ready for the weather. He estimated that doing the repair work "in house" saved the Town about \$15,000.

Supervisor Wagner praised the work of the Highway crew and added that they even helped out with a broken pipe when the septic system at Town Hall backed up. He asked Mr. Kelly to provide the Board with information regarding the need for two new trucks so that they could act upon the matter.

Administrator of Public Works

The Administrator of Public Works requested Board approval for Change Order #1 for the former Titusville Waste Water Treatment Plant Project. The Change Order was for a time extension to December 31, 2010. There was minimal additional work and no contract cost changes. (SEE ADDENDUM)

Councilman Luna moved to approve the Change Order, seconded by Councilman Jessup and carried by all.

Ms. Livigni asked the Board to consider final payment in the amount of \$17,096.25 to Dakksco Pipeline Corporation for the aeration upgrade work for the current Titusville Wastewater Treatment Plant. The plant is operational and the equipment has a one year warranty. A brief discussion followed.

Councilman Jessup move to approve the final payment to Dakksco. Councilman Polhemus seconded the motion. The following vote was taken:

Supervisor Wagner: AYE

Councilman Jessup: AYE

Councilman Polhemus: AYE

Councilman Luna: NAY

The motion carried.

Town Board Comments

The 2010 Justice Court audit will be presented to the Town Board at the next meeting. At a subsequent meeting, the 2009 Town audit as well as the 2009 Justice Court audits will be presented.

Mr. Wagner asked the Town Board to appoint an acting Chairman for the Zoning Board of Appeals since Mr. Polhemus had resigned to take a Council seat.

Councilman Luna moved to appoint Paul Bisceglia as acting Chairman of the Zoning Board of Appeals, seconded by Councilman Jessup and carried by all. He will be permanently appointed at the next meeting.

Public Comment

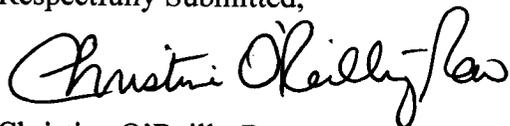
Councilman Jessup moved to open the Public Comment, seconded by Councilman Luna and carried by all.

Councilman Luna moved to close the Public Comment, seconded by Councilman Jessup and carried by all.

Councilman Jessup moved to adjourn, seconded by Councilman Luna and carried by all.

The meeting adjourned at 7:53 p.m.

Respectfully Submitted,



Christine O'Reilly-Rao
LaGrange Town Clerk

Addendum

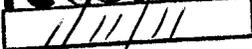
- Affidavits of Publication & Posting: Order by Town Board for Hearing on Establishment of a Supportive Individualized Residential Alternative
- Thank You letter from Mr. and Mrs. Pierson
- 2010 Annual Report from the Town Clerk
- 2010 Annual Report from the Town Building Inspector
- Change Order #1 Titusville Wastewater Treatment Plant Demolition Project
- Dakksco Pipeline Corporation: Titusville Aeration Upgrade Project

ZONING AND BUILDING FEES

JAN - DEC 20 10

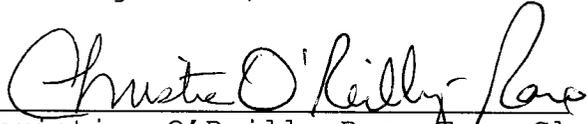
	Use Permit		Wetlands Permit		Variance		Sign Permit		Temp. Sign Permit		Flood Letter		Sp. Use Permit		Flood Dev. Permit		Bldg. Appl. Review		Zoning Change	Overlay Map CD	Sub Total
	#	Fees	#	Fees	#	Fees	#	Fees	#	Fees	#	Fees	#	Fees	#	Fees	#	Fees			
January	1	\$100.00													13	\$600.00					\$700.00
February	5	\$550.00			1	\$150.00	2	\$150.00					2	\$200.00			11	\$395.00	\$7,250.00	\$27.00	\$8,722.00
March	4	\$500.00	1	\$50.00	1	\$150.00	7	\$450.00					1	\$100.00			19	\$1,070.00			\$2,320.00
April	1	\$100.00	1	\$50.00	2	\$400.00	4	\$225.00					1	\$100.00			31	\$880.00		\$35.00	\$1,790.00
May	4	\$450.00			3	\$450.00	4	\$250.00					2	\$200.00			20	\$790.00			\$2,140.00
June	3	\$300.00			4	\$600.00	1	\$50.00					2	\$200.00			23	\$660.00		\$25.00	\$1,835.00
July	1	\$150.00			1	\$150.00	1	\$75.00					1	\$100.00			34	\$1,025.00	\$2,350.00		\$3,850.00
August	3	\$400.00			1	\$150.00	2	\$100.00					1	\$100.00			20	\$805.00			\$1,555.00
September	6	\$600.00			2	\$300.00	2	\$200.00			1	\$50.00	1	\$100.00			31	\$965.00			\$2,215.00
October	1	\$100.00			2	\$300.00	2	\$300.00					1	\$100.00			19	\$835.00			\$1,635.00
November	2	\$250.00	1	\$50.00	1	\$150.00	3	\$175.00	2	\$150.00			1	\$100.00			15	\$455.00			\$1,330.00
December	1	\$100.00			2	\$400.00	1	\$50.00					1	\$100.00			16	\$480.00			\$1,130.00
Total	32	\$3,600.00	3	\$150.00	20	\$3,200.00	29	\$2,025.00	2	\$150.00	1	\$50.00	#	\$1,400.00	\$0.00	\$0.00	252	\$8,960.00	\$9,600.00	\$87.00	\$29,222.00

Month	Building Permit Applications		Building Permit Renewals		Building Administrative Fees	Municipal Searches	Grading Permit Fees	Fire Inspect.	Blasting Permits	Sub Total	TOTAL FEES RECEIVED	Single Family Permits Issued	
	#	Fee	#	Fee	Fees	#	Fees	#	Fees	Fees			
January	23	\$11,125.00	1	\$50.00	\$590.00	21	\$2,175.00			\$13,940.00	\$14,640.00	2	
February	16	\$2,525.00	2	\$100.00	\$365.00	14	\$2,000.00		5	\$375.00	\$5,365.00	\$14,087.00	1
March	31	\$13,050.00	4	\$200.00	\$970.00	16	\$1,650.00	\$100.00	3	\$330.00	\$16,300.00	\$18,620.00	4
April	44	\$7,925.00	2	\$100.00	\$725.00	29	\$3,000.00	\$250.00	1	\$75.00	\$12,075.00	\$13,865.00	3
May	36	\$10,455.00	7	\$350.00	\$765.00	15	\$1,500.00	\$100.00			\$13,170.00	\$15,310.00	3
June	38	\$7,965.00			\$580.00	19	\$2,000.00	\$400.00	2	\$150.00	\$11,095.00	\$12,930.00	2
July	46	\$7,755.00	4	\$200.00	\$600.00	11	\$1,100.00	\$200.00	1	\$700.00	\$10,555.00	\$14,405.00	1
August	31	\$12,790.00			\$935.00	28	\$2,925.00	\$300.00	2	\$125.00	\$17,075.00	\$18,630.00	1
September	44	\$11,885.00	1	\$50.00	\$645.00	31	\$4,075.00	\$100.00	7	\$850.00	\$17,605.00	\$19,820.00	2
October	33	\$12,895.00	2	\$150.00	\$655.00	30	\$3,150.00	\$100.00	4	\$250.00	\$17,200.00	\$18,835.00	2
November	26	\$5,790.00	9	\$450.00	\$415.00	15	\$1,500.00	\$100.00	5	\$925.00	\$9,180.00	\$10,510.00	2
December	28	\$9,285.00	4	\$200.00	\$505.00	26	\$2,700.00		1	\$50.00	\$12,740.00	\$13,870.00	3
Total	396	\$113,445.00	36	\$1,850.00	\$7,750.00	255	\$27,775.00	\$1,650.00	31	\$3,830.00	\$156,300.00	\$185,522.00	26

received


STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

I, the undersigned Clerk of the Town of LaGrange, Dutchess County, New York, DO HEREBY CERTIFY that on the 13th day of January, 2011, I duly caused a copy of the attached Notice For Hearing to be conspicuously posted on the sign-board maintained pursuant to Town Law section 30(6) located at the entrance of Town Hall, 120 Stringham Road, LaGrangeville, New York.


Christine O'Reilly-Rao, Town Clerk

Sworn to before me this
27th day of January, 2011


Notary Public

NANCY J. BAUGHMAN
Notary Public, State of New York
Qualified in Dutchess County
No. 01BA6129543
Commission Expires: June 27, 2013

**ORDER BY TOWN BOARD FOR HEARING
ON ESTABLISHMENT OF A
SUPPORTIVE INDIVIDUALIZED RESIDENTIAL ALTERNATIVE**

WHEREAS, on January 4, 2011, a written intention by ARC to establish a community residence, or Supportive Individualized Residential Alternative, was filed with the Town Board of the Town of LaGrange, Dutchess County, New York, under MHL 41.34; and

WHEREAS, the proposed Supportive Individualized Residential Alternative would be established at 1 Romca Road, Poughkeepsie, New York, 12603.

NOW, THEREFORE, it is hereby

ORDERED, that the Town Board will hold a public information hearing to consider all relevant matters pertaining to the proposed Supportive Individualized Residential Alternative of ARC at 1 Romca Road, and said hearing will be conducted on January 13, 2011, at 7:00 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 copy of this order in the official paper.

Supervisor Wagner	AYE
Councilman Luna	AYE
Councilman Beck	ABSENT
Councilman Jessup	AYE

DATED: LaGrangeville, New York
January 13, 2011


CHRISTINE O'REILLY RAO, TOWN CLERK

Poughkeepsie Journal

Poughkeepsie, N.Y.

AFFIDAVIT OF PUBLICATION

State of New York
County of Dutchess
City of Poughkeepsie

Rita Lombardi, of the City of Poughkeepsie,
Dutchess County, New York, being duly sworn, says
that at the several times hereinafter mentioned he/she
was and still is the Principle Clerk of the Poughkeepsie
Newspapers Division of Gannett Satellite Information
Network, Inc., publisher of the Poughkeepsie Journal, a
newspaper published every day in the year 2011 in the
city of Poughkeepsie, Dutchess County, New York, and
that the annexed Notice was duly published in the said
newspaper for one insertion
successively, in each week, commencing on the 20th
day of Jan. in the year of 2011 and
on the following dates thereafter, namely on:

And ending on the _____ day of _____ in
the year of 2011, both days inclusive.

Rita Lombardi
Subscribed and sworn to before me this 21st day
of January in the year of 2011.

Rose Ann Simpson

Notary Public

My commission expires 1/4/2014

**ORDER BY TOWN BOARD FOR HEARING
ON ESTABLISHMENT OF A SUPPORTIVE
INDIVIDUALIZED RESIDENTIAL ALTERNATIVE**
WHEREAS, on January 4, 2011, a written inten-
tion by ARC to establish a community residence,
or Supportive Individualized Residential Alterna-
tive, was filed with the Town Board of the Town
of LaGrange, Dutchess County, New York, under
MHL 41.34; and
WHEREAS, the proposed Supportive Individual-
ized Residential Alternative would be estab-
lished at 1 Romca Road, Poughkeepsie, New
York, 12603.
NOW, THEREFORE, it is hereby
ORDERED, that the Town Board will hold a pub-
lic information hearing to consider all relevant
matters pertaining to the proposed Supportive
Individualized Residential Alternative of ARC at
1 Romca Road, and said hearing will be con-
ducted on January 13, 2011, at 7:00 p.m., at the
Town Hall, Town of LaGrange, County of Dut-
chess, 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 copy of this order in the official paper.
Supervisor Wagner AYE
Councilman Luna AYE
Councilman Beck ASENT
Councilman Jessup AYE
DATED: LaGrangeville, New York
September 22, 2010
CHRISTINE O'REILLY RAO, TOWN CLERK

8737

ROSE ANN SIMPSON
Notary Public, State of New York
No. 01SI6215893
Qualified in Dutchess County
Commission Expires January 4, 2014

Jan. 18, 2011

Mr Wagner, Supervisor,
on behalf of Neil
and myself we thank
the town for clearing
on the open space in
2010.

We also appreciated
your keeping the town
hall open and for all
the officials who came
out in a big way to
get everything squared
away. Sincerely,
Neil and Elizabeth Benson

Change Order No. 1

Date of Issuance: December 10, 2010 Effective Date: Date of signature by Owner

Project: Old Titusville WWTF Demolition	Owner: Town of LaGrange	Owner's Contract No.:
Contract: Demolition of Site Structures		Date of Contract:
Contractor: Coyle Industries Incorporated		Engineer's Project No.:

The Contract Documents are modified as follows upon execution of this Change Order:

Description:
Cut, cap, and cover existing 6" PVC outfall pipe.

Attachments (list documents supporting change):

CHANGE IN CONTRACT PRICE: CHANGE IN CONTRACT TIMES:

Original Contract Price: Original Contract Times: Working days Calendar days

\$37,600.00

[Increase] [~~Decrease~~] from previously approved Change Orders No. 1 to No. 3: [Increase] [~~Decrease~~] from previously approved Change Orders No. 0 to No. 1:

\$0.00

Substantial completion (days or date): 0 days

Contract Price prior to this Change Order: Contract Times prior to this Change Order:

\$0.00

Increase of this Change Order: [Increase] [~~Decrease~~] of this Change Order: 31 days

\$0.00

Contract Price incorporating this Change Order: Contract Times with all approved Change Orders: 12/31/2010

\$37,600.00

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (Authorized Signature)	By: _____ Owner (Authorized Signature)	By: <u>[Signature]</u> Contractor (Authorized Signature)
Date: _____	Date: _____	Date: <u>12/23/10</u>
Approved by Funding Agency (if applicable): _____		Date: _____

Owner: Town of LaGrange, Lagrangeville, NY
 Project Name/Address: Titusville WWTF - Aeration Improvements
 Application Period:
 Application No.: 04

Contractor's Name:

DAKKSCO PIPELINE CORP.

Remittance Address: 2 Eastman Place
Leicester, NY 14481

Contractor's Project No.: 2010-01
 Owner's GWO or TO No.: **5327-03-70**
 Owner's Contract No.: 4

Contractor Phone Number: 585-382-3071
 Contractor's Invoice Number: 2010-01-01
 Invoice Date: 9/30/2010

Change Order Summary		
Approved Change Orders		
Number	Additions	Deductions
1	\$99,412.00	
2		-\$51,351.00
3	\$27,920.00	
TOTALS	\$127,332.00	-\$51,351.00
NET CHANGE BY CHANGE ORDERS		\$75,981.00

Payment Details: FINAL	
1. ORIGINAL CONTRACT PRICE	\$265,944.00
2. Net change by Change Orders	\$75,981.00
3. CURRENT CONTRACT PRICE (Line 1 + 2)	\$341,925.00
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate)	\$341,925.00
5. RETAINAGE:	
a. 5 % x Work Completed (Column D on Progress Estimate) ...	\$0.00
b. 5% x Stored Material (Column E on Progress Estimate)	\$0.00
c. Total Retainage (Line 5a + Line 5b)	\$0.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	\$341,925.00
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$324,828.75
8. AMOUNT DUE THIS APPLICATION	\$17,096.25
9. BALANCE TO FINISH, PLUS RETAINAGE	\$0.00
(Column G on Progress Estimate + Line 5 above)	

Contractor's Certification

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: [Signature] Pres. Date: 9/30/10
 (Contractor)

TO #	Expense Code
Vendor #	
Batch #	
Voucher #	
Acct #	
Sub-Ledger	

Approval Section

Payment of: \$ 17,906.25
 (Line 8 or other - attach explanation of other amount)

is recommended by: [Signature] 10/12/10
 (Engineer/Inspector) (Date)

Is approved by: _____
 (Project Team Leader/Superintendent) (Date)

Is approved by: _____
 (Manager, if applicable) (Date)

Is approved by: _____
 (Vice President, if applicable) (Date)

Owner: Town of LaGrange, Lagrangeville, NY

Project Name/Address: Titusville WWTF - Aeration Improvements

Application Period:

Application No.: 04

Contractor's Name:

DAKKSCO PIPELINE CORP.

Remittance Address: 2 Eastman Place

Leicester, NY 14481

Contractor's Project No.: 2010-01

Contractor Phone Number: 585-382-3071

Owner's GWO or TO No.: 5327-03-70

Contractor's Invoice Number: 2010-01-01

Owner's Contract No.: 4

Invoice Date: 9/30/2010

Change Order Summary		
Approved Change Orders		
Number	Additions	Deductions
1	\$99,412.00	
2		-\$51,351.00
3	\$27,920.00	
TOTALS	\$127,332.00	-\$51,351.00
NET CHANGE BY CHANGE ORDERS		\$75,981.00

Payment Details: FINAL	
1. ORIGINAL CONTRACT PRICE	\$265,944.00
2. Net change by Change Orders	\$75,981.00
3. CURRENT CONTRACT PRICE (Line 1 ± 2)	\$341,925.00
4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate)	\$341,925.00
5. RETAINAGE:	
a. 5 % x Work Completed (Column D on Progress Estimate) ...	\$0.00
b. 5% x Stored Material (Column E on Progress Estimate)	\$0.00
c. Total Retainage (Line 5a + Line 5b)	\$0.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	\$341,925.00
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$324,828.75
8. AMOUNT DUE THIS APPLICATION	\$17,096.25
9. BALANCE TO FINISH, PLUS RETAINAGE	\$0.00
(Column G on Progress Estimate + Line 5 above)	

Contractor's Certification

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: [Signature] Pres.
(Contractor)

Date: 9/30/10

TO #	Expense Code
Vendor #	
Batch #	
Voucher #	
Acct #	
Sub-Ledger	

Approval Section	
Payment of:	\$ <u>17,906.25</u> (Line 8 or other - attach explanation of other amount)
is recommended by:	<u>[Signature]</u> 10/12/10 (Engineer/Inspector) (Date)
Is approved by:	_____ (Project Team Leader/Superintendent) (Date)
Is approved by:	_____ (Manager, if applicable) (Date)
Is approved by:	_____ (Vice President, if applicable) (Date)

Owner: Town of LaGrange, Lagrangeville, NY

Project Name/Address: Titusville WWTF - Aeration Improvements

Application Period:

Application No.: 04

Contractor's Name:

DAKKSCO PIPELINE CORP.

Remittance Address: 2 Eastman Place
Leicester, NY 14481

Contractor's Project No.: 2010-01

Contractor Phone Number: 585-382-3071

Owner's GWO or TO No.: 5327-03-70

Contractor's Invoice Number: 2010-01-01

Owner's Contract No.: 4

Invoice Date: 9/30/2010

Change Order Summary		
Approved Change Orders		
Number	Additions	Deductions
1	\$99,412.00	
2		-\$51,351.00
3	\$27,920.00	
TOTALS	\$127,332.00	-\$51,351.00
NET CHANGE BY CHANGE ORDERS		\$75,981.00

Payment Details: FINAL	
1. ORIGINAL CONTRACT PRICE	\$265,944.00
2. Net change by Change Orders	\$75,981.00
3. CURRENT CONTRACT PRICE (Line 1 ± 2)	\$341,925.00
4. TOTAL COMPLETED AND STORED TO DATE	\$341,925.00
(Column F on Progress Estimate)	
5. RETAINAGE:	
a. 5 % x Work Completed (Column D on Progress Estimate) ...	\$0.00
b. 5% x Stored Material (Column E on Progress Estimate)	\$0.00
c. Total Retainage (Line 5a + Line 5b)	\$0.00
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)	\$341,925.00
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$324,828.75
8. AMOUNT DUE THIS APPLICATION	\$17,096.25
9. BALANCE TO FINISH, PLUS RETAINAGE	\$0.00
(Column G on Progress Estimate + Line 5 above)	

Contractor's Certification

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: [Signature] Pres.
(Contractor)

Date: 9/30/10

TO #	Expense Code
Vendor #	
Batch #	
Voucher #	
Acct #	
Sub-Ledger	

Approval Section

Payment of:	\$ 17,906.25	
	(Line 8 or other - attach explanation of other amount)	
is recommended by:	<u>[Signature]</u> (Engineer/Inspector)	<u>10/12/10</u> (Date)
Is approved by:	_____ (Project Team Leader/Superintendent)	_____ (Date)
Is approved by:	_____ (Manager, if applicable)	_____ (Date)
Is approved by:	_____ (Vice President, if applicable)	_____ (Date)