

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

**TOWN BOARD MEETING  
June 13, 2012**

**Present:** Deputy Supervisor Joseph Luna  
Councilman Edward Jessup  
Councilman Gary Polhemus

**Absent:** Supervisor Jon Wagner  
Councilman Andrew Dyal

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

**Others Present:** Ron Blass, Esq. Van De Water & Van De Water

The regular meeting of the Town Board was held on Wednesday, June 13, 2012, at the LaGrange Town Hall, 120 Stringham Road. Deputy Supervisor Luna called the meeting to order at 7:02 p.m. The Town Clerk led the flag salute.

Deputy Supervisor Luna asked for a motion to accept the minutes for May 23, 2012. Councilman Jessup moved to do so, seconded by Councilman Polhemus. The motion carried unanimously.

Deputy Supervisor Luna asked for a motion to accept the monthly revenue reports:

- |   |                   |
|---|-------------------|
| • Building, Zoning, Public Works & Planning | Total \$16,425.00 |
| • Highway Department                        | Total \$600.00    |
| • Justice Caplicki (incl. State Share)      | Total \$33,320.00 |
| • Justice O'Hare (incl. State Share)        | Total \$17,184.00 |
| • Recreation                                | Total \$81,158.20 |
| • Town Clerk                                | Total \$2,243.75  |

Councilman Polhemus moved to accept the reports, seconded by Councilman Jessup. The motion carried unanimously.

**Agenda Items**

Mr. Luna stated that correspondence from Time Warner Cable will be available in the Clerk's office for one week.

Mr. Luna asked for a motion to set a Public Hearing for June 27, 2012 for a proposed extension of the Sleight Farm Stormwater (Drainage) Maintenance District. Councilman Jessup moved to do so, seconded by Councilman Polhemus. The motion carried unanimously. (SEE ADDENDUM)

Mr. Luna asked for a motion to set a Public Hearing for June 27, 2012 to consider the propose purchase of the Conservation Easement for the Sleight Farm property.

Councilman Jessup moved to do so, seconded by Councilman Polhemus. The motion carried unanimously. (SEE ADDENDUM)

Mr. Luna stated that there was a resolution on the agenda to set a Public Hearing for the preparation of a Map, Plan and Report for the proposed Freedom Plains Sewer District. The Board is unable to take action at this time since a super majority is necessary, and Councilman Dyal is not in attendance.

Mr. Luna stated that he and Mr. Huff have been discussing the Rail Trail Agreement with the County to determine what work would be required to be done by Town personnel. No agreement with the County is in place at this time and no monies were budgeted in this year's budget for trail maintenance. A discussion ensued.

Mr. Blass handed out a memo with suggested changes to the Rail Trail Agreement. (SEE ADDENDUM)

A question arose as to how the amount the Town needs to expend is calculated. A suggestion was made to check with other municipalities as to the details of their Rail Trail Agreements with the County.

Mr. Luna mentioned that Peter Huff did a great job with Community Day and thanked him. Mr. Jessup agreed.

The planned work by New York State DOT for the Route 55 corridor (Taconic State Parkway and Lauer Road) was discussed. Mr. Blass stated that he is in the process of reviewing several resolutions from the DOT which address issues associated with the project, such as sidewalk snow removal, landscaping within the roundabout and side walk lighting. The relocation of Stringham Road as well as the water main in front of the Presbyterian Church were also discussed.

## **Committee Reports**

### **Water and Sewer**

No report

### **Recreation**

Mr. Polhemus stated that Community Day was a great success and that the fireworks were nice. He wanted the Board to consider have a paramedic on site next year as well as a Police Officer.

He added that there was one injury which was handled by Fire Department personnel until paramedics arrived. He also noted that a resident called him after the event to let him know that access from the parking lot to the concert area is difficult to maneuver in a wheelchair. A discussion about the issue followed.

### **Open Space**

Mr. Jessup stated that the Conservation Easement for Sleight Farm is completed and the Public Hearing is set for June 27<sup>th</sup> at 7:00 pm.

### **Highway**

Mr. Jessup stated that it would be necessary to expend between \$68,000 and \$70,000 to purchase a tire changing machine and lifts.

Mr. Luna stated that he would discuss this with the Comptroller. The bond consolidation is complete, so the equipment should be procured by the end of July.

### **Town Attorney**

No comment

### **Administrator of Public Works**

No comment

### **Town Board Comment**

Mr. Polhemus stated that he, Mr. Luna and Mr. Jessup had visited the LaGrange Farmers' Market on Friday. There were quite a few vendors there.

Mr. Polhemus went on to state that the Building Inspector has expressed concern over the maintenance of the Town Hall. He suggested that a plan for scheduling maintenance should be put in place. A discussion followed.

Mr. Luna stated that the building was well built, but there are maintenance issues which need to be addressed. An "on-call" handyman, paid at an hourly rate, will be responsible for maintaining the building.

Mr. Polhemus went on to suggest that revenue from the property maintenance plan be used to sponsor concerts in the park.

Mr. Luna replied that the monies from this plan would not be available to the Town until February and further stated that he would rather not spend money which the Town did not have as yet.

## **Environmental Consultants**

Ms. Campaglione stated that there is a water main break at the corner of Mulberry Lane and Titusville Road which will be fixed on Thursday.

## **Public Comment**

Councilman Jessup moved to open the Public Comment, seconded by Councilman Polhemus. The motion was carried by all.

Ralph Rabasco thanked Mr. Huff for his work for Community Day.

Mr. Loatmann from the Library stated that the Library's brochure, which was mailed out to residents, contained information about the many programs and activities being offered this summer.

He added that the bill regarding the establishment of the Library as a District had passed the Senate and Assembly and was on Governor Cuomo's desk. If the bill is signed, a vote will be held in the September.

Carl Valentino asked if there was any truth to the rumor that the law regarding prevailing hourly wage had been changed and was no longer in effect.

Mr. Blass stated that he did not know.

Mr. Jessup stated that there was no truth to it.

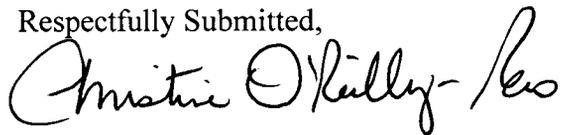
Mr. Rabasco offered to do a Google search on his phone. He stated that he did not see any change to the law.

Councilman Jessup moved to close the Public Comment, seconded by Councilman Polhemus. The motion was carried by all.

Councilman Jessup, seconded by Councilman Polhemus moved to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at 7:50 pm.

Respectfully Submitted,



Christine O'Reilly-Rao  
Town Clerk

## **ADDENDUM**

- Order For Hearing: Extension of Sleight Farm Stormwater (Drainage) District
- Resolution: Public Hearing for Purchase of Sleight Farm (Open Space)
- MEMO: Rail Trail Agreement

**ORDER BY TOWN BOARD FOR HEARING ON THE EXTENSION OF  
THE SLEIGHT FARM STORMWATER (DRAINAGE) MAINTENANCE DISTRICT**

WHEREAS, a petition for the extension of the Sleight Farm Stormwater (Drainage) District was filed with the Town Board of the Town of LaGrange, Dutchess County, New York.

WHEREAS, the proposed extension area is described and bounded to include the real property identified by reference to subdivision map number for Phases 2 and 3, tax grid numbers for Phase 4, and a reference map dated August 15, 2011, all forming Exhibit "A" annexed hereto and made a part hereof, and the extension has the effect of adding the extension area to the pre-existing stormwater district for Phase 1.

WHEREAS, the proposed drainage improvements consist of items specified in a Map and Plan prepared by Clark Patterson Lee on January 26, 2012, and on file with the Town Clerk. The improvements shall be made by the owner as developer of the project; 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 extended drainage district comprising the initial district and the current and prior district extensions; 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 \$29,760.00 per year, and the annual benefit assessment cost to the typical property, which will be a one-family home, shall initially approximate \$310 per year based upon that annual budget spread over ninety six (96) benefit units; and

ORDERED, this Board will hold a public hearing to consider the adoption of the petition and relevant matters on June 27,

2012, 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 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	ABSENT
Councilman Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	AYE
Councilman Dyal	ABSENT

DATED: LaGrangeville, New York  
June 13, 2012

  
CHRISTINE O'REILLY-RAO  
TOWN CLERK

EXHIBIT A

Sleight Farm Phase 2 – Filed Map No. 10964F

Lot	Also known as tax grid number:
89	133400-6361-01-219661
90	133400-6361-01-221651
91	133400-6361-01-221641
92	133400-6361-01-222631
93	133400-6361-01-228619
94	133400-6361-01-234609
95	133400-6361-01-237596
97	133400-6361-01-260602
98	133400-6361-01-259613
99	133400-6361-01-257623
100	133400-6361-01-256633
101	133400-6361-01-255644
102	133400-6361-01-254655
103	133400-6361-01-251666
104	133400-6361-01-247678
105	133400-6361-01-241688

Sleight Farm Phase 3 – Filed Map No. 10964G

Lot	Also known as tax grid number:
96	133400-6361-01-259586
118	133400-6361-01-203744
119	133400-6361-01-214738
120	133400-6361-01-226732
121	133400-6361-01-238724
122	133400-6361-01-248714
123	133400-6361-01-254704
124	133400-6361-01-260695
125	133400-6361-01-265684
126	133400-6361-01-267672
127	133400-6361-01-269662
128	133400-6361-01-272648
129	133400-6361-01-274631
130	133400-6361-01-277615
131	133400-6361-01-279604
132	133400-6361-01-280590

133	133400-6361-01-278559
134	133400-6361-01-297563
135	133400-6361-01-314573
136	133400-6361-01-334578
137	133400-6361-01-338557
138	133400-6361-01-324542
139	133400-6361-01-309527
140	133400-6361-01-339492
141	133400-6361-01-348506
142	133400-6361-01-358512
143	133400-6361-01-377532
144	133400-6361-01-395559
145	133400-6361-01-373587
146	133400-6361-01-359612
147	133400-6361-01-337632
148	133400-6361-01-315607
149	133400-6361-01-302598
150	133400-6361-01-299611
151	133400-6361-01-302651
152	133400-6361-01-295698
153	133400-6361-01-280714
154	133400-6361-01-271728
155	133400-6361-01-260739
156	133400-6361-01-247753
157	133400-6361-01-226767

Sleight Farm Phase 4 – known by the following tax grid numbers: 133400-6361-01-124809;  
133400-6361-01-185766

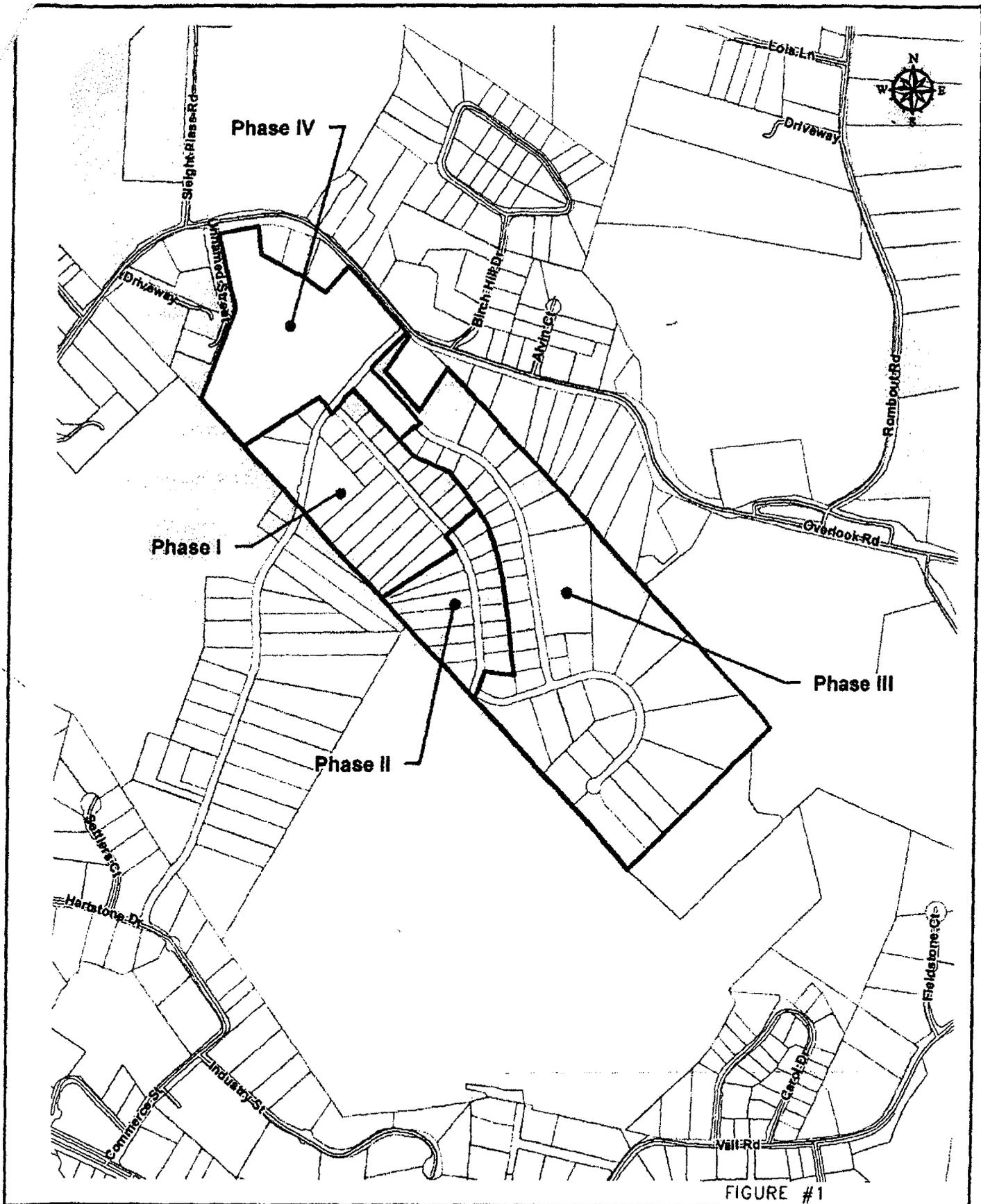


FIGURE #1



**Clark Patterson Lee**  
DESIGN PROFESSIONALS

900 CORPORATE BOULEVARD  
NEWBURGH, NEW YORK 12550  
(845) 567-6700  
www.clarkpatterson.com

DATE:	8/15/11
DRAWN:	JWS
CHECKED:	GWB
SCALE:	1"=800'
PROJ. #:	11278.02

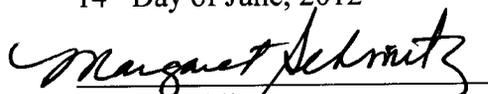
**SLEIGHT FARM PHASES I-IV**  
**STORMWATER MAINTENANCE DISTRICT**  
LaGrange, New York

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 14th day of June, 2012, I duly caused a copy of the ORDER BY TOWN BOARD FOR HEARING ON THE EXTENSION OF THE SLEIGHT FARM STORMWATER (DRAINAGE) MAINTENANCE DISTRICT 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  
14<sup>th</sup> Day of June, 2012

  
Notary Public

MARGARET SCHMITZ  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01SC6220139  
Qualified in Dutchess County  
My Commission Expires April 12, 2014

## RESOLUTION FIXING PUBLIC HEARING

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

WHEREAS, Allen R. Sleight, Cynthia E. Cornell, and Elliott N. Sleight (the “Owners”) are the owners of a certain parcels of real property in the Town of LaGrange, County of Dutchess and State of New York, consisting of approximately 118.98 acres located on Noxon Road and designated as Tax Map No. 6360-04-917874 on the Tax Map of the Town of LaGrange (the “Property”); and

WHEREAS, the Property is part of the “Sprout Creek South” priority core farm area and is identified as a priority for protection in the Town of LaGrange Open Space Plan adopted on June 13, 2007; and

WHEREAS, the Town of LaGrange (the “Town”) and Dutchess Land Conservancy, Inc. (“DLC”) (collectively, the “Grantees”) wish to purchase, as tenants in common, a conservation easement over the Property subject to the terms and conditions set forth in a proposed Deed of Conservation Easement from the Owners to the Grantees (the “Conservation Easement”) for the sum of \$730,000.00, of which sum \$700,000.00 is payable by the Town and \$30,000.00 is payable by DLC; and

WHEREAS, by Bond Resolution dated September 3, 2008, the Town Board authorized the financing of the acquisition of various parcels of land, or rights or interests in such land, for passive and active park purposes and the preservation of open space and farmland; and

WHEREAS, the Bond Resolution was approved by a majority of the qualified voters at a special Town election held on November 4, 2008; and

WHEREAS, prior to authorization of the purchase of the Conservation Easement and the financing of such purchase, a public hearing must be held in accordance with the provisions of (a) Town Law Section 247 and (b) the Bond Resolution.

NOW, THEREFORE, IT IS HEREBY RESOLVED that a public hearing be held regarding the proposed purchase of the Conservation Easement as set forth in the following form of notice, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 120 Stringham Road, LaGrangeville, New York, on June 27, 2012, at 7:00 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the *Poughkeepsie Journal* by the Town Clerk, at least five (5) days before such hearing and that notice shall be substantially in the following form:

**NOTICE OF PUBLIC HEARING**

TAKE NOTICE, that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on June 27, 2012 at 7:00 o'clock, p.m., regarding the proposed purchase of a conservation easement by the Town of LaGrange and Dutchess Land Conservancy, Inc., as tenants in common, encumbering certain parcels of land in the Town of LaGrange consisting of approximately 118.98 acres located on Noxon Road and designated as Tax Map No. 6360-04-917874 on the Tax Map of the Town of LaGrange, from Allen R. Sleight, Cynthia E. Cornell, and Elliott N. Sleight, for the sum of \$730,000.00, of which sum \$700,000.00 is payable by the Town of LaGrange and \$30,000.00 is payable by Dutchess Land Conservancy, Inc.

TAKE FURTHER NOTICE, that copies of the aforesaid conservation easement will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringham Road, LaGrangeville, New York between the hours of 8:30 a.m. and 4:00 p.m. on

all business days, except Tuesdays when the hours are between 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  
June 13, 2012

  
CHRISTINE O'REILLY-RAO, TOWN CLERK

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

Supervisor Wagner	ABSENT
Councilman Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	AYE
Councilman Dyal	ABSENT

DATED: LaGrangeville, New York  
June 13, 2012

  
CHRISTINE O'REILLY-RAO, TOWN CLERK

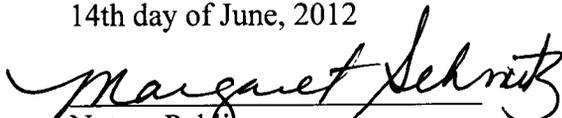
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STATE OF NEW YORK            )  
  ) ss.:  
COUNTY OF DUTCHESS        )

I, the undersigned Clerk of the Town of LaGrange, Dutchess County, New York, DO HEREBY CERTIFY that on the 14th day of June, 2012, I duly caused a copy of the RESOLUTION FIXING A PUBLIC HEARING FOR THE PURCHASE OF THE CONSERVATION EASEMENT FOR SLEIGHT FARM 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  
14th day of June, 2012

  
Notary Public

**MARGARET SCHMITZ**  
**NOTARY PUBLIC-STATE OF NEW YORK**  
**No. 01SC6220139**  
**Qualified in Dutchess County**  
**My Commission Expires April 12, 2014**

**MEMORANDUM**

TO: LAGRANGE TOWN BOARD  
FROM: RONALD C. BLASS, JR., ESQ.  
SUBJECT: TOWN OF LAGRANGE (DUTCHESS COUNTY RAIL TRAIL)  
DATE: JUNE 13, 2012

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**INTRODUCTION**

The County Attorney's office has provided me with the current proposed version of the Rail Trail Agreement for 2012.

It differs from a set of changes shared by Charlie Traver of DPW with the Town earlier this year. I am told that the County Attorney version overrides what Charlie Traver presented.

Below, I summarize the issues grouped by Original Agreement, Charlie Traver's Version, and County Attorney's Version.

CHANGE NO. 1 PROPOSED BY COUNTY  
ELIMINATION OF \$7,500 TOTAL ESTIMATED COST

**ORIGINAL AGREEMENT:**

Total Town "Scope of Services" was "... estimated not to exceed \$7,500" per calendar year. The \$7,500 amount was related to all services of the Town, including (a) minor repairs, (b) trash removal, (c) vegetative clearing, (d) mowing, and (e) plowing or sweeping the parking areas.

**CHARLIE TRAVER'S VERSION:**

Eliminated \$7,500 total estimated cost.

**COUNTY ATTORNEY'S VERSION:**

Eliminated \$7,500 total estimated cost.

CHANGE NO. 2  
TERM OF THE AGREEMENT

**ORIGINAL AGREEMENT:**

The term started as early as January 1, 2010, and included ambiguous language that agreement “may be renewed for successive one year terms unless either party to the agreement provides written notice of its intention not to renew no later than January 31 of each calendar year ....” This is odd and imprecise language. Regardless, Supervisor advised Steve Olson on October 20<sup>th</sup> by email that there was no authority to renew the Agreement for 2012. Agreement expired as of the December 31, 2011.

**CHARLIE TRAVER’S VERSION:**

Three year contract running from January 1, 2012 to December 31, 2012.

**COUNTY ATTORNEY’S VERSION:**

Two year contract running from January 1, 2012 to December 31, 2013.

CHANGE NO. 3  
CAP ON "MINOR REPAIRS" BY TOWN

**ORIGINAL AGREEMENT:**

Minor repairs (to fence railings, stations, benches, etc.) were capped at \$3,500 per year. A minor repair was defined as any repair costing \$100 or less in materials to be supplied by the Town, or requiring less than five man hours.

**CHARLIE TRAVER'S VERSION:**

Deleted \$3,500 cap. County to provide materials. Minor repairs defined solely as repairs requiring less than five man hours.

**COUNTY ATTORNEY'S VERSION:**

Deletes \$3,500 cap. Restores original definition of minor repairs.

CHANGE NO. 4  
LITTER REMOVAL

**ORIGINAL CONTRACT:**

The Town was obligated to remove garbage, litter and other small debris weekly. The Town was to empty trash cans in the parking areas.

**CHARLIE TRAVER'S VERSION:**

The Town was relieved of these obligations.

**COUNTY ATTORNEY'S VERSION:**

The Town would continue these obligations.

:nlbg

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