

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

**TOWN BOARD MEETING
June 27, 2012**

Present: Deputy Supervisor Joseph Luna
Councilman Edward Jessup
Councilman Gary Polhemus
Councilman Andrew P. Dyal

Absent: Supervisor Jon Wagner

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 27, 2012, at the LaGrange Town Hall, 120 Stringham Road. The Deputy Supervisor called the meeting to order at 7:00 p.m. The Town Clerk led the flag salute.

Public Hearing

Proof of Publication for the Hearing was presented by the Clerk.

Mr. Luna asked for a motion to open the Public Hearing for the purchase of the Conservation Easement for Sleight Farm. The Town's portion of the purchase price will be \$700,000; with an additional \$22,016.60 for costs incidental to acquisition. Dutchess Land Conservancy's portion will amount to \$30,000.

Councilman Jessup moved to open the Public Hearing, seconded by Councilman Polhemus. The motion carried.

Ms. Karin Roux from the Dutchess Land Conservancy gave a brief presentation on Sleight Farm. A Public Hearing had been held in 2010; however the appraisal had not been completed at that time and the amount of the purchase price had not been determined.

The property is adjacent to Sprout Creek and consists of 118.98 acres; which includes 93 acres of prime farmland, 16 acres of statewide importance (4 of which are Federal wetlands). The proximity of the land to the Sprout Creek watershed adds value to the property for water quality as well as wildlife connectivity. Between the two properties there will be contiguous open space of more than 300 acres.

The Town of LaGrange and Dutchess Land Conservancy will be co-holders of the Conservation Easement, Dutchess Land Conservancy will conduct annual monitoring of the property to ensure compliance of the Conservation Easement; the intent of which is conservation of agricultural land and soil usage. Ms. Roux added that the purchase price of the Conservation Easement (\$730,000) is actually less the appraised value of \$832,860.

Mr. Duane Beyer of the Open Space Committee cited several articles which supported the purchase of Open Space as a wise investment which would not raise taxes or put a strain on municipal infrastructure. He noted that a *Poughkeepsie Journal* article from May 27, 2012 had cited a study which found that Open Space actually attracts small businesses and therefore has a positive effect on a municipality's tax base. He added that Open Space property remains on the tax rolls, so the Town can continue to collect taxes on it. He ended by stating that the Town's excellent bond rating makes this a very good time to secure bonding at a low interest rate and purchase the Easement.

Eleven residents came forward to voice their support of the purchase. Several were close neighbors of the property. Some points in favor of Open Space which were stated were: quality of life and availability of green space, maintaining wildlife habitation, flood control, control of Lyme Disease, traffic control and maintaining the rural quality of the Town. In addition, some residents expressed concern that development of the property would result in an increase in school taxes, should the property not be preserved.

Sister Margo Morris stated that Sprout Creek Farm, which abuts Sleight Farm, would benefit from its preservation and added that Elliot Sleight had expressed a wish that the farm or some part of it would be preserved as farmland.

Mr. James Bisceglia spoke as a representative of the Pierson Farm, which was the first property purchased by the Town for Open Space. He said that he was pleased that his property had been preserved. He was in support of the Conservation Easement.

Deputy Supervisor Luna agreed with all of the commentators and noted that all of the criteria for the purchase had been met, but that the resolution would not be voted on tonight. He asked for comments from the Board.

Councilman Jessup agreed with the commentators and added that a development of the property with a possibility of about 70 homes would negatively impact traffic on Noxon Road. He stated that he is strongly for the purchase.

Councilman Dyal: "I ran on Open Space, less development and this is the first I've seen this. I've opted not to vote on this tonight for reasons that 50 houses to me in one area is vastly different than Daly Farms and Bray Farms are gonna bring 3 or 4 hundred houses into an area. I think there needs to be a consistency and I just need to look at this more; and being newly elected I think it's my duty to do that."

Councilman Polhemus stated that he was probably the reason for the delay on the vote. His property is adjacent to Sleight Farm. Although there would be no financial gain to his property

by the purchase of the Conservation Easement for Sleight Farm, he has asked for time for the Ethics Committee to review the matter and determine if he should vote on it. He further stated that the acquisition of the property was a very good idea, especially since it is contiguous with sprout Creek Farm.

Councilman Dyal stated that if anyone wanted to call him and talk about any of this, his cell phone number is on the website and he would be happy to sit down with anyone and talk about any of this.

Mr. Luna asked Mr. Dyal if he would be comfortable having this piece of land developed with 50 houses on it.

Mr. Dyal: "I would rather have this go to 50 houses than listen those three developments at Noxon Road is a nightmare and I think everyone here knows it. Between what's going on from the Taconic to that intersection is a nightmare - with all these homes that are planned to be put up; which happened way before I got here - so if we're going into a match Joe that's fine, but I hope they could all go; I wish they all could be open spaces."

Mr. Luna attempted to speak more about the Sleight Farm property, but was interrupted by Mr. Dyal. Mr. Luna pointed out that they had been working for a long time to purchase this property.

Mr. Dyal asked if the Town knows about all the other issues we have in front of us with budgetary concerns and stated that he didn't think they did.

Mr. Luna answered that the Board does not work in a vacuum and added that every issue is discussed at every workshop meeting and every regular meeting. He asked for clarification from Mr. Dyal on his position and added that he was not trying to challenge Mr. Dyal.

Mr. Dyal stated he was absolutely for this Open Space, but was concerned with all the other things we have on our plate as a Town and said he was concerned about burdening the taxpayers. He further stated that he was concerned for the budget overall for the Town.

Councilman Jessup moved to close the Public Hearing, seconded by Councilman Polhemus. The motion carried.

Public Hearing

Proof of Publication was provided by the Clerk.

Mr. Luna asked for a motion to open the Public Hearing for the extension of the Sleight Farm Stormwater District.

Councilman Polhemus so moved, seconded by Councilman Jessup. The motion carried.

There were no comments from the Public.

Councilman Jessup moved to close the Public Hearing, seconded by Councilman Polhemus. The motion carried.

Mr. Luna stated that they had the Full Environmental Assessment attached to the Negative Declaration. (SEE ADDENDUM)

Councilman Jessup moved to accept the Negative Declaration, seconded by Councilman Polhemus. The motion carried. (SEE ADDENDUM)

RESOLUTION: To Extend the Sleight Farm Stormwater District (SEE ADDENDUM)

RESULT:	ADOPTED [UNANIMOUS]
MOVED:	Councilman Jessup
SECOND:	Councilman Dyal
AYES:	Jessup, Dyal, Luna, Polhemus
NAYS:	

Correspondence

Mr. Luna informed the Board that Justice Edmund Caplicki will be retiring as of July 2nd, after over 38 years of service to the Town. A press release about his retirement had been published in the *Poughkeepsie Journal*. The Board is seeking resumes from interested parties.

Councilman Polhemus acknowledged the resignation with regrets and stated that Justice Caplicki had done a fine job as Town Justice.

Councilman Jessup added that Justice Caplicki had been almost perfect during his tenure.

Agenda Items

Mr. Luna asked for a motion to accept the minutes for June 13, 2012.

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

Mr. Luna asked for a motion to adopt a Resolution for Standard Workday Reporting for the New York State Retirement System. (SEE ADDENDUM)

Councilman Jessup moved to adopt the Resolution, seconded by Councilman Dyal. The motion carried.

Mr. Luna asked for a motion to adopt a Resolution for a proposed Agreement between the Town of LaGrange and Central Hudson Gas & Electric Company. (SEE ADDENDUM)

Councilman Polhemus moved to adopt the Resolution, seconded by Councilman Dyal. The motion carried.

Mr. Luna introduced a Resolution for a Proposed Freedom Plains Sewer District.

Councilman Dyal moved to adopt the Resolution, seconded by Councilman Jessup. The motion carried. (SEE ADDENDUM)

Mr. Luna asked for a motion to authorize signing the Revocable License Agreement between the Town of LaGrange and Titusville Properties, LLC and The Net Athletics. (SEE ADDENDUM)

Councilman Jessup moved to do so, seconded by Councilman Polhemus. The motion carried.

Mr. Luna asked for a motion to authorize signing the License Agreement between the Town of LaGrange, Sedgewick Road LLC and Brocom LLC.

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

Mr. Luna asked for a motion to waive the 30 Day Waiting Period for a Liquor License for Pizza Express, located at 1520 Route 55 in the Town of La Grange. The Building Inspector has no objections.

Councilman Jessup moved to do so, seconded by Councilman Dyal. The motion carried.

Bond Agreements

The Building Inspector is requesting the Town Board's approval to accept a Soil Erosion Bond for grid #6459-02-872690, 39 Arthursburg Road.

Councilman Dyal moved to do so, seconded by Councilman Polhemus. The motion carried.

The Building Inspector is requesting Town Board's approval to release the Soil Erosion Bond for grid #6360-04-80535, 17 South Cross Road.

Councilman Jessup moved to do so, seconded by Councilman Dyal. The motion carried.

Committee Reports

Water and Sewer

No Report

Recreation

No report

Open Space

No report

Highway

The tire changer and lift are on order.

Town Attorney

No comments

Public Works

Ms. Livigni stated that she will be sending out polling letters to ascertain interest in the proposed Romca Road Water District. She decided to do this after receiving two phone calls from residents on Daisy Lane who expressed interest in being able to hook into the water district. A brief discussion followed.

Town Board Comment

No comments

Public Comment

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

There were no comments.

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

Mr. Luna asked for a motion to adjourn the meeting.

Councilman Jessup so moved, seconded by Councilman Polhemus. The motion carried unanimously.

The meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Christine O'Reilly-Rao
Town Clerk

ADDENDUM

- Affidavit of Publication: Public Hearing for Conservation Easement for Sleight Farm
- Affidavit of Publication: Public Hearing for Sleight Farm Stormwater District
- Short Environmental Assessment: Sleight Farm Stormwater District
- Negative Declaration: Sleight Farm Stormwater District
- Resolution: Extension of Sleight Farm Stormwater District
- Resolution: Standard Workday Reporting for NYS Retirement System
- Affidavit of Posting: Standard Workday Reporting for NYS Retirement System
- Agreement with Central Hudson Gas & Electric
- Resolution: Freedom Plains Sewer District
- Notice of Adoption: Freedom Plains Sewer District
- Affidavit of Posting: Freedom Plains Sewer District
- Revocable License Agreement with Titusville Properties, LLC and The Net Athletics
- License Agreement with Sedgewick Road, LLC and Brocom, LLC
- MEMO: Pizza Express

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 2012 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 17th day of June in the year of 2012 and on the following dates thereafter, namely on:

And ending on the _____ day of _____ in the year of 2012, both days inclusive.

Rita Lombardi
Subscribed and sworn to before me this 19th day of June in the year of 2012.

Rose Ann Simpson
Notary Public

My commission expires 1/4/2014

ROSE ANN SIMPSON
Notary Public, State of New York
No. 01S16215893
Qualified in Dutchess County
Commission Expires January 4, 2014

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 11000 acres located on Nouse Road and depicted on 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 \$730,000.00 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
0793

PROJECT I.D. NUMBER

617.20

SEQR

Appendix C

**State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only**

PART 1-PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR TOWN OF LAGRANGE TOWN BOARD	2. PROJECT NAME SLEIGHT FARM SUBD. – PHASES 2, 3 and 4 Ext. of Stormwater District
3. PROJECT LOCATION: Municipality TOWN OF LAGRANGE County DUTCHESS	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Phases 2, 3 and 4 of the Sleight Farm Subdivision	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: Extension of the Sleight Farm Stormwater (i.e. Drainage) Maintenance District to cover the required maintenance of stormwater facilities for Phases 2, 3 and 4 of the Subdivision. The District currently includes Phase 1 of the Sleight Farm Subdivision.	
7. AMOUNT OF LAND AFFECTED: Initially 106 acres Ultimately 106 acres for Phases 2, 3 and 4.	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING AND OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agricultural <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency name and permit/approval: Conditional final subdivision approval from the Town of LaGrange Planning Board.	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: Town of LaGrange Town Board	Date: June 27 , 2012
Signature: 	
Joseph Luna, Deputy Supervisor	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A.	DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PARTY 617.47 If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
B.	WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN NYCRR, PART 617.67 If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C.	COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: NO. C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources: or community or neighborhood character. Explain briefly: NO. C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: NO. C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly. NO. C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: NO. C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: NO. C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: NO.
D.	WILL PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
E.	IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly

PART III – DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (1) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration. <input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:				
<p>TOWN OF LAGRANGE TOWN BOARD</p> <table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;"> <p>JOSEPH LUNA</p> <hr/> <p><small>Print or Type Name of Responsible Officer in Lead Agency</small></p> </td> <td style="width:50%; border: none; text-align: right;"> <p>DEPUTY SUPERVISOR</p> <hr/> <p><small>Title of Responsible Officer</small></p> </td> </tr> <tr> <td style="border: none;"> <p><i>[Signature]</i></p> <hr/> <p><small>Signature of Responsible Officer in Lead Agency</small></p> </td> <td style="border: none; text-align: right;"> <p>_____</p> <hr/> <p><small>Signature of Preparer (if different from responsible officer)</small></p> </td> </tr> </table> <p style="text-align: center;">JUNE 27, 2012</p> <hr/> <p style="text-align: center;"><small>Date</small></p>	<p>JOSEPH LUNA</p> <hr/> <p><small>Print or Type Name of Responsible Officer in Lead Agency</small></p>	<p>DEPUTY SUPERVISOR</p> <hr/> <p><small>Title of Responsible Officer</small></p>	<p><i>[Signature]</i></p> <hr/> <p><small>Signature of Responsible Officer in Lead Agency</small></p>	<p>_____</p> <hr/> <p><small>Signature of Preparer (if different from responsible officer)</small></p>
<p>JOSEPH LUNA</p> <hr/> <p><small>Print or Type Name of Responsible Officer in Lead Agency</small></p>	<p>DEPUTY SUPERVISOR</p> <hr/> <p><small>Title of Responsible Officer</small></p>			
<p><i>[Signature]</i></p> <hr/> <p><small>Signature of Responsible Officer in Lead Agency</small></p>	<p>_____</p> <hr/> <p><small>Signature of Preparer (if different from responsible officer)</small></p>			

TOWN OF LAGRANGE TOWN BOARD
EXTENSION OF THE SLEIGHT FARM STORMWATER
DISTRICT AFTER PUBLIC HEARING

NEGATIVE DECLARATION
NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

WHEREAS, the Town of LaGrange Town Board received a petition from the relevant property owner, SLEIGHT FARM LLC and LENNAR NY LLC, accompanied by a map and plan, for the extension of the Sleight Farm Stormwater Maintenance District.

WHEREAS, the Town of LaGrange Town Board proposes to extend the Sleight Farm Stormwater Maintenance District to include Phases 2, 3 and 4 of the Sleight Farm Subdivision; and

WHEREAS, this negative declaration is prepared in accordance with Article 8 of the Environmental Conservation Law; and

WHEREAS, the name and address of the lead agency is: Town of LaGrange Town Board, 120 Stringham Road, LaGrangeville, New York 12540; and

WHEREAS, the Town of LaGrange Town Board has determined that this action is an unlisted action pursuant to 6 NYCRR Part 617 of the NY State Environmental Quality Review Act (SEQRA) and that the action need not be subject to optional coordinated review by all involved agencies; and

WHEREAS, the Town of LaGrange Town Board has caused the preparation of a Short Environmental Assessment Form (EAF); and

WHEREAS, the Town of LaGrange Town Board has reviewed the action and all relevant supporting documentation and has compared the action with 6 NYCRR 617 and has determined

that no significant adverse impacts associated with the proposed action have been identified. The Board offers the following information supporting and substantiating this determination:

1. The action will not result in a substantial adverse change in existing air quality, ground or surface water quality, traffic or noise levels, a substantial increase in solid waste production; or a substantial increase in potential for erosion, flooding, leaching or drainage problems.

2. The action will not result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movements of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial impacts on a threatened or endangered species of animal or plant or the habitat of such a species or other significant adverse impacts to natural resources.

3. The action will not create a material conflict with the community's current plans or goals as officially approved or adopted. The action is entirely consistent with and supportive of the goals and objectives of the Town of LaGrange.

4. The action will not result in the impairment of the character or quality of important historical, archeological, architectural or aesthetic resources of the existing community or neighborhood character.

5. The action will not create a hazard to human health.

6. The action will not cause a substantial change in the use or intensity of use of land, including agricultural, open space or recreational resources or in its capacity to support existing uses.

7. The action will not result in the creation of a material demand for other actions that would result in one of the above consequences.

8. The action does not involve changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.

NOW, THEREFORE, BE IT RESOLVED THAT the Town of LaGrange Town Board has examined the impacts which may be reasonably anticipated to result from the action, and has

determined that these actions will not have any significant adverse impact on the environmental and that a Draft Environmental Impact Statement need not be prepared.

BE IT FURTHER RESOLVED THAT the Town of LaGrange Town Board hereby issues a Negative Declaration pursuant to the requirements of the State Environmental Quality Review Act.

BE IT FURTHER RESOLVED THAT the Town of LaGrange Town Board hereby authorizes the filing of this Negative Declaration pursuant to the requirements of the State Environmental Quality Review Act as contained in its regulations at 6 NYCRR 617.12.

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	AYE

This Negative Declaration is adopted this 27th day of June, 2012 and is ordered into the record of the Town of LaGrange Town Board with respect to the extension of the Sleight Farm Stormwater District to include Phases 2, 3 and 4 of the Sleight Farm Subdivision.


CHRISTINE O'REILLY-RAO
TOWN CLERK

Contact Person:
Christine O'Reilly-Rao, Town Clerk
120 Stringham Road
LaGrangeville, NY 12540
845-452-1830

RESOLUTION

FOR THE EXTENSION OF THE SLEIGHT FARM STORMWATER
DISTRICT AFTER PUBLIC HEARING

WHEREAS, the Town Board received a petition from the relevant property owners, SLEIGHT FARM LLC and LENNAR NY LLC, accompanied by a map and plan, pursuant to Section 192 of the Town Law, for the extension of a stormwater (i.e. drainage) district to cover Phases 2, 3 and 4 of the Sleight Farm Subdivision ("Project"), by petition under Article 12 of the Town Law; and

WHEREAS, the Town Board has received a map and plan of Clark Patterson Lee dated January 26, 2012 (hereinafter the "Map and Plan"), and directed the Town Clerk to publish and post a notice for public hearing on the extension of the Sleight Farm Stormwater District in accordance with the applicable provisions of law; and

WHEREAS, the public hearing was duly held on June 27, 2012, 2012; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of LaGrange, in the County of Dutchess, that it be and hereby is determined as follows:

- (1) That the petition is signed, and acknowledged or proved, or authenticated, as required by law and is otherwise sufficient;
- (2) That all of the property and property owners within the proposed extension of the drainage district are benefited thereby.

(3) That all of the property and property owners benefited are included within the proposed extension of the drainage district.

(4) It is in the public interest to establish the proposed drainage district as hereinafter described, and

BE IT FURTHER RESOLVED AND DETERMINED, that the Town Board does hereby approve the extension of the Sleight Farm Drainage District to cover Phases 2, 3 and 4 of the Subdivision; that the improvements described in the Map and Plan be constructed by the Project at no cost to the District; that service described in the Map and Plan be provided; and that the District extension for Phases 2, 3 and 4 be bounded and described as set forth and as depicted on Exhibit "A".

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

Supervisor Wagner	<u>ABSENT</u>
Councilman Luna	<u>AYE</u>
Councilman Jessup	<u>AYE</u>
Councilman Polhemus	<u>AYE</u>
Councilman Dyal	<u>AYE</u>

DATED: LaGrangeville, New York
June 27, 2012

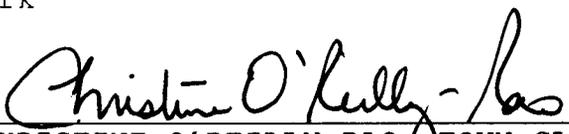

CHRISTINE O'REILLY-RAO, TOWN CLERK

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

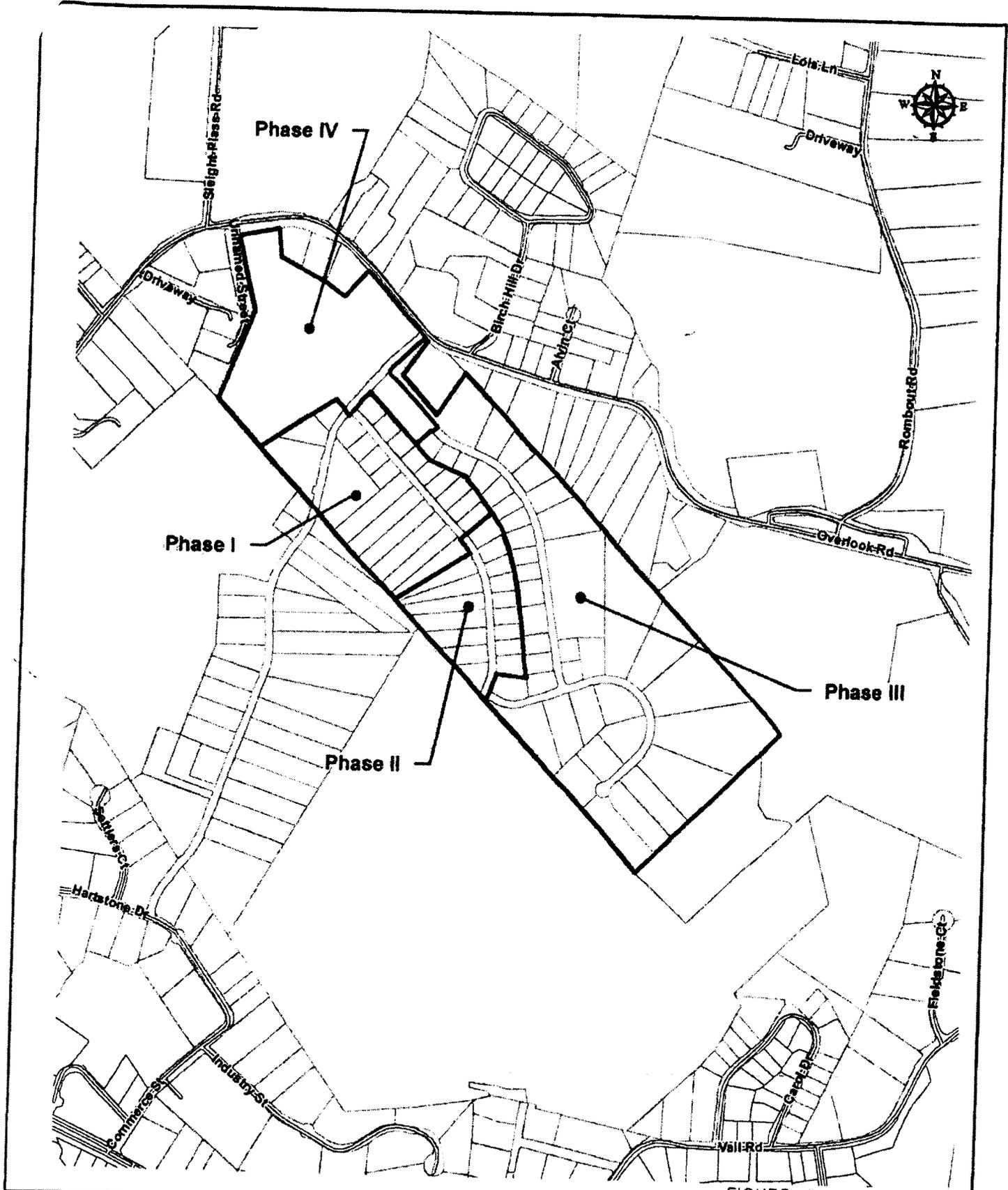


FIGURE #1



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

STANDARD WORK DAY AND REPORTING RESOLUTION

BE IT RESOLVED, that the **Town of LaGrange** hereby established the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Office	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (hrs/day)	Term Begins/Ends	Participates in Employer's Timekeeping System (Y/N)	Days/ Month (based on Record of Activities)
Elected Officials							
Receiver of Taxes	Jane Sullivan	2404	[REDACTED]	7 hrs/day	1/1/12 to 12/31/15	Y	
Town Clerk	Christine O'Reilly-Rao	8726	[REDACTED]	7 hrs/day	1/1/12 to 12/31/15	N	18.32
Appointed Officials							

On this 27th day of June, 2012

Christine O'Reilly-Rao
(Signature of clerk)

Date enacted: June 27, 2012

I, Christine O'Reilly-Rao, clerk of the governing board of the **Town of LaGrange**, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 27th day of June, 2012 on file as part of the minutes of such meeting, and that same is true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 4 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto Set my hand and the seal of the **Town of LaGrange**



AFFIDAVIT OF POSTING

STATE OF NEW YORK

SS:

COUNTY OF DUTCHESS

CHRISTINE O'REILLY-RAO, being duly sworn, says that she is the Town Clerk of the Town of LaGrange, Dutchess County, New York;

STANDARD WORK DAY AND REPORTING RESOLUTION

Was posted conspicuously on the sign board maintained by the Town Clerk, located at the main entrance to the office of the Town Clerk of the Town of LaGrange; pursuant to regulation 315.3 (c) of the New York State and Local Employees' Retirement System.

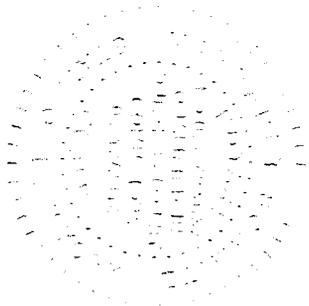


Christine O'Reilly-Rao
LaGrange Town Clerk
June 28, 2012

Sworn to before me this 28th
Day of June, 2012


NOTARY

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



RESOLUTION

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

WHEREAS, CENTRAL HUDSON GAS & ELECTRIC CORPORATION has provided the Town with a proposed AMENDED AND RESTATED LICENSE AGREEMENT, a copy of which is annexed hereto as Exhibit "A";

NOW, THEREFORE, BE IT RESOLVED that the Town Board approves, and authorizes the Supervisor/Deputy Supervisor to execute the proposed agreement between the Town of LaGrange and Central Hudson Gas & Electric Corporation, annexed hereto as Exhibit "A", or any other agreement having substantially the same or similar provisions.

The foregoing resolution was duly put to a vote which resulted as follows:

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

DATED: LaGrangeville, New York
June 27, 2012


CHRISTINE O'REILLY-RAO, TOWN CLERK

AMENDED AND RESTATED LICENSE AGREEMENT

THIS LICENSE, made as of this ____ day of _____, 2011 granted by **CENTRAL HUDSON GAS & ELECTRIC CORPORATION** having its principal office at 284 South Avenue Poughkeepsie, NY 12601 (hereinafter referred to as "Central Hudson") to **TOWN OF LAGRANGE** with an address at 120 Stringham Road Lagrangeville, NY 12540, (hereinafter referred to as "Licensee").

Licensee has requested that Central Hudson Gas & Electric Corporation ("Central Hudson") allow Licensee to have access to a specific portion of Central Hudson's electric transmission line easement corridor for the specific purpose(s) set forth below. Licensee has represented to Central Hudson that Licensee will exercise due care in conducting the specific purpose(s) allowed by this License.

Permission and license ("License") is hereby granted to Licensee, the owner(s) of premises located in the Town of Lagrange, County of Dutchess, State of New York, more particularly described as Dutchess County Real Property Tax Map Parcel Section 6460 Block 01 Lot 256952 (hereinafter referred to as "Premises"), to use a portion of said premises included within the confines of an easement acquired by Central Hudson from Sherman H. Jewell by instrument dated January 30, 1930 and recorded on January 31, 1930 in the Office of the Clerk of the County of Dutchess in Liber 503 of Deeds at page 174.

This Easement is further identified by Central Hudson as Right of Way # 39 on the Pleasant Valley to Stoneco electric transmission line. The portion of the Easement to which this License applies is shown and identified on the plan attached as Exhibit A, and the License granted herein shall not relate or apply to any other portion of the Premises. The portion of the Premises to which the License relates is hereinafter referred to as the "License Area."

Licensee's use of the License Area pursuant to this License is limited to the following purpose(s): (i) continued use and maintenance of a driveway and a poured concrete water storage tank with associated subsurface water pipes and electrical lines, with a trussed roof, measuring approximately 30' by 60', a wood fence on all four sides of the structure and (ii) installation, use and maintenance of a six foot long fiberglass antenna at the peak of the roof.

This License amends and restates, in its entirety, that certain letter agreement regarding "license for use" from Central Hudson dated on or about October 28, 1997 and accepted by Licensee on or about November 6, 1997, which letter details the terms of the current license covering the License Area.

This License for the Permitted Structure is granted subject to the following terms and conditions:

1. This License is a non-exclusive License and shall in no way be construed to contravene, limit or restrict the right, at all times, of Central Hudson to have access to and the use of the Premises, Easement and License Area for any reason whatsoever. This shall include the right to perform routine and emergency maintenance (including trimming, cutting and mowing of vegetation) and the right to inspect the Easement at its convenience through foot, vehicular or aerial patrols without prior written notification to Licensee, as well as the exercise of any other rights granted pursuant to the Easement.
2. The term of this License shall commence as of the date of Licensor's acceptance, and shall continue until revoked by Central Hudson or terminated by Licensee as provided for herein. This License shall be revocable at will by Central Hudson, its successors or assigns upon 30 days written notice to Licensee. This License may be terminated by Licensee at any time upon written

notice to Central Hudson. Upon termination or revocation of this License, Central Hudson, at its discretion, may require Licensee to return the License Area to its pre-encroachment and pre-permitted use condition ("Original Condition"). All costs involved in restoring the License Area to its Original Condition (e.g., removing the Permitted Structures and/or any other structures, encroachments and/or obstructions shall be borne by Licensee). Specifically, within thirty (30) days of the date of written notice of revocation by Central Hudson and/or termination by Licensee, Licensee shall remove the Permitted Structure from the License Area at Licensee's sole cost and expense and shall restore the easement area to its Original Condition. If Licensee shall transfer, convey, sell or change title to the Premises, the Permitted Structures and all other structures, encroachments and/or obstructions located within the Easement Area shall, on or before the date of any such transfer, conveyance, sale or change of title, be removed by Licensee at Licensee's sole cost and expense.

3. The Permitted Structure shall not be structurally changed or altered, nor shall it be enlarged, enhanced or expanded, nor shall it be relocated to any other site within the Easement without in each instance Licensee securing the prior written consent of Central Hudson. Should the Permitted Structures be dismantled, demolished, destroyed and/or substantially damaged or destroyed, it shall not be restored, rebuilt or reconstructed without the prior written consent of Central Hudson. If at any time the Permitted Structures is substantially damaged or destroyed and Central Hudson fails or refuses to grant to Licensee consent to have the Permitted Structures restored, rebuilt or reconstructed, then Licensee shall, at Licensee's sole cost and expense, promptly dismantle the Permitted Structures, remove it from the License Area, and restore the License Area to its Original Condition. The consents of Central Hudson as provided for in this paragraph 3, may be granted or denied in Central Hudson's sole discretion for any reason or no reason.
4. This License shall not be assigned by Licensee nor sub-licensed by Licensee, without the prior written consent of Central Hudson, which such consent may be granted or denied in Central Hudson's sole discretion.
5. The use of the License Area pursuant to this License shall not interfere with, obstruct or endanger Central Hudson's use of the Premises, Easement or License Area in any way whatsoever. The determination of whether any use of the License Area is interfering with, obstructing or endangering Central Hudson's use of the Premises, Easement, or License Area shall be made by Central Hudson in its sole discretion and any such decision by Central Hudson shall be binding on Licensee.
6. All costs and expenses associated with the use, operation, maintenance and removal of the Permitted Structures shall be borne by and be the sole responsibility of Licensee.
7. In recognition of the high voltage nature of the electric facilities within the Premises, Easement, and/or License Area, Licensee hereby agrees to exercise due care in any and all activities in and around the Permitted Structures, the Premises, the Easement, and the License Area. Any equipment or vehicles being used near, adjacent to or under the electric transmission line must maintain at least a ten (10) foot horizontal and vertical distance from such electric conductors at all times. Central Hudson's clearance requirements are that no vehicle or equipment having a vertical height of sixteen (16) feet or greater may travel beneath or be used beneath transmission lines. The buildings roof shall not be used for pedestrian access.
8. In the event of a default by Licensee of any of its obligations pursuant to the terms and provisions of this License, including the failure to remove the

Permitted Structure and/or any other structure, obstruction or encroachments placed within the confines of the Easement, upon demand by Central Hudson to remove same and/or after termination and/or revocation of this License in accordance with paragraph "2" thereof. Central Hudson shall be entitled to (i) exercise self-help in that Central Hudson may enter the Premises and License Area and disassemble and remove the Permitted Structure, at the cost and expense of Licensee, and place the disassembled Permitted Structure (other than any fixed foundation) on any portion of the Premises located outside the Easement, or (ii) seek an immediate restraining order and injunction enjoining and directing Licensee, its successors or assigns to comply with the terms and provisions of this License including the removal of the Permitted Structure and/or any other obstruction, encroachment or structure from the easement area, at Licensee's sole cost and expense. Licensee agrees that a default in the terms and provisions of this covenant, and particularly, its obligation to remove the Permitted Structure and/or other obstruction, encroachment or structure after revocation and/or termination in accordance with paragraph "2" hereof, will cause Central Hudson irreparable injury and harm, no adequate remedy at law exists and that Central Hudson shall be entitled to enjoin and restrain such default and failure to remove. The right of Central Hudson to pursue the self-help remedy or to seek a restraining order and/or injunction in accordance with this paragraph, shall be in addition to any and all other rights or remedies Central Hudson may have at law, or in equity by statute or otherwise, and all such rights shall be cumulative.

9. Licensee hereby agrees that Central Hudson owes no duty to Licensee or Licensee's invitees to keep the Permitted Structure, Premises, Easement or License Area safe, that Central Hudson does not give any assurance that the Permitted Structure, Premises, Easement or License Area are safe, and that Central Hudson is not responsible or liable for any injury or death to the person (or damage to any property) using or entering the Permitted Structure, Premises, Easement or License Area.
10. To the fullest extent permitted by law, Licensee hereby agrees to indemnify, defend (at the option of Central Hudson) and hold harmless Central Hudson, its directors, officers, shareholders, agents, servants, employees and contractors from and against any and all losses, charges, claims, demands, suits, actions, costs, expenses (including reasonable attorney's fees), damages, causes of action, judgments, and liabilities for personal injury (including death to any person) and/or for damage or injury to the property of any person (including Central Hudson's property) incident to or which may arise from or is alleged to arise in any manner from the exercise of Licensee's rights under this License or in any manner related to the use of the Permitted Use, Property or License Area by Licensee or any person authorized, hired or employed by Licensee or any person entering the Property or License Area with Licensee's knowledge or permission or using the facilities thereon, and that such indemnification shall apply only to the extent that Central Hudson, its employees agents or contractors, are not contributorily negligent. Licensee shall nevertheless remain liable hereunder on account of the negligence of a party other than Central Hudson, whether or not Licensee is partially negligent. Licensee shall not, however, be obligated to indemnify and hold harmless Central Hudson for damages to the extent such damages are determined to be solely caused by Central Hudson's negligence. In the event Central Hudson requests that Licensee provide the defense of any such matter as provided for above, Central Hudson shall have a reasonable right of approval with respect to Licensee's choice of attorneys.
11. Should Licensee intend or be contractually bound to transfer, convey, sell or change title to the Premises, then thirty (30) days prior to any such transfer, conveyance, sale or change of title, Licensee shall notify Central Hudson, in

writing, of such intended transfer, conveyance, sale or change of title and provide the name and address of the intended transferee, purchaser and/or successor. Licensee agrees and acknowledges that Central Hudson shall have the right to contact or communicate with any such transferee, purchaser and/or successor as to matters relating to the Permitted Structure and this License.

12. This License and the terms, provisions, covenants, duties and conditions contained herein shall bind Licensee and Licensee's heirs, personal representatives, successors, transferees and/or assigns.
13. This License and the terms, provisions, benefits and rights contained herein shall inure to the benefit of Central Hudson, its successors, transferees and/or assigns. Central Hudson shall have the right to record this Agreement in the Office of the County Clerk for Dutchess County, New York. The cost of any such recording shall be paid by Central Hudson.

Electric power lines represent only one source of electromagnetic fields ("EMFs"), and there have been public and scientific concerns about whether exposure to EMFs may have adverse health effects. It is generally agreed that further research is needed before firm conclusions can be reached about whether there are adverse health effects from exposure to EMFs.

Accompanying this License are the following brochures regarding EMFs:

1. Power Lines Project Questions and Answers by the NYS Department of Health.
2. Electric and Magnetic Fields from 60-Hertz Electric Power: What do we know about possible health risks? By Carnegie Mellon University.

This literature is being provided to Licensee to help inform Licensee about the issues regarding EMFs.

In addition, as part of Central Hudson's policy regarding EMFs, Central Hudson will, at Licensee's request, take EMF measurements on the Premises and/or License Area and provide Licensee with a record of such measurements. To request this service, Licensee may contact one of Central Hudson's local Customer Services Offices.

Please indicate Licensee's acceptance of the above terms and conditions by signing and having notarized both originals and returning them to Central Hudson. One License Agreement executed by Central Hudson will be returned to you.

CENTRAL HUDSON GAS & ELECTRIC CORPORATION

By: _____
Print Name: Anthony Campagiorni
Title: Vice-President – Business Development and Governmental Affairs

TOWN OF LAGRANGE

BY: 
Print Name: JOSEPH J LUNA
Title: DEPUTY SUPERVISER

ACKNOWLEDGMENT OF LICENSOR:

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

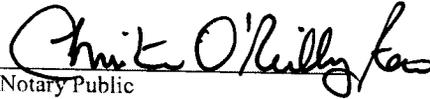
On the ____ day of _____, 2012 before me, the undersigned, a Notary Public in and for said State, personally appeared Anthony Campagiorni personally known to me or proved to me on the basis of satisfactory evidence to be the individual described whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.

Notary Public

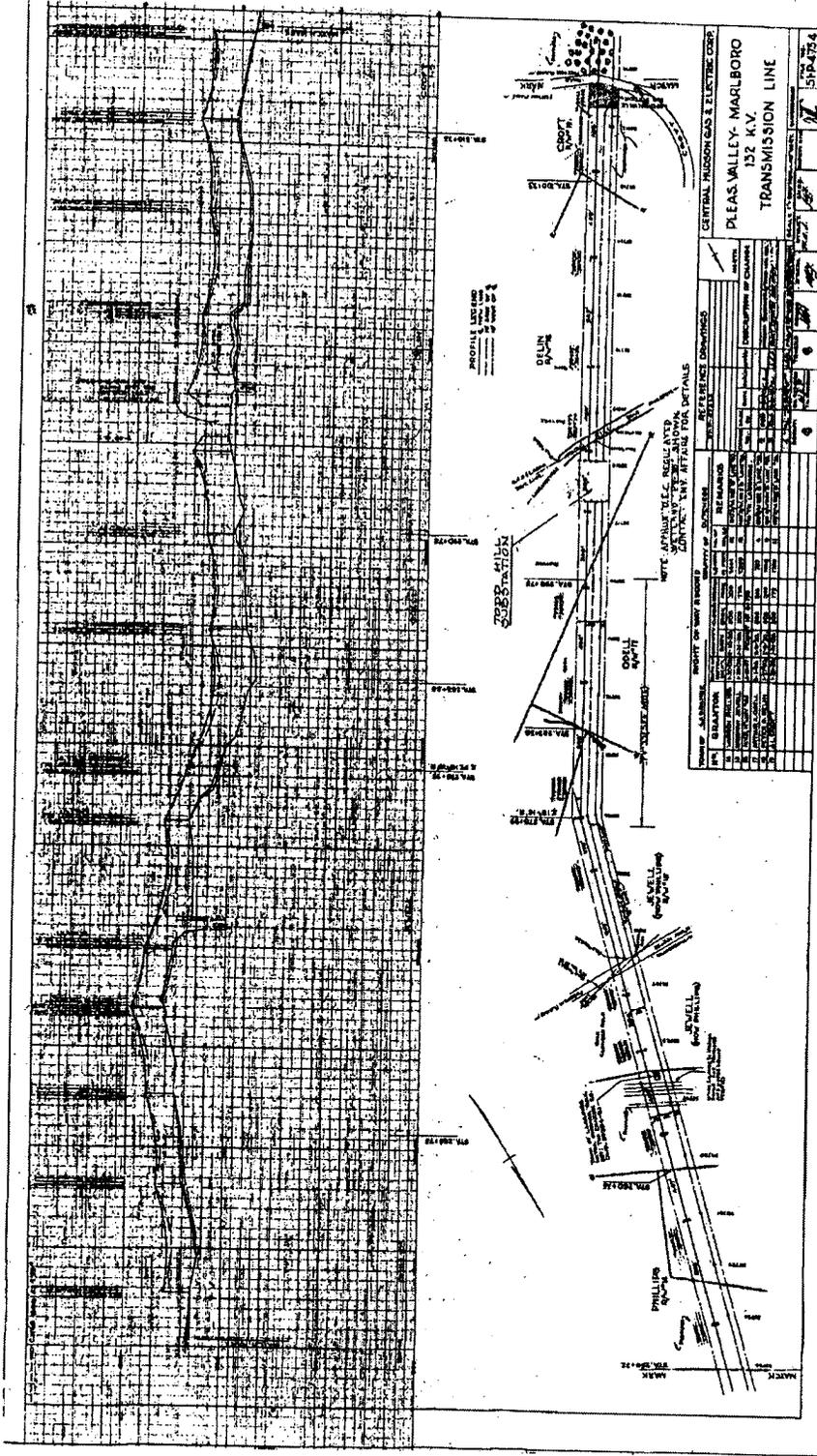
ACKNOWLEDGMENT OF LICENSEE:

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

On the 29th day of June, 2012 before me, the undersigned, a Notary Public in and for said State, personally appeared Joseph Lam personally known to me or proved to me on the basis of satisfactory evidence to be the individual described whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.


Notary Public

**CHRISTINE M. O'REILLY-RAO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01OR6169917
My Commission Expires July 02, 2015**



**TOWN BOARD RESOLUTION PURSUANT TO
TOWN LAW SECTION 191-a
REGARDING A PROPOSED "FREEDOM PLAINS SEWER DISTRICT"**

Deputy Supervisor Luna introduced the following resolution, which was seconded by Councilman Jessup, as follows:

WHEREAS, the Town Board has received a preliminary proposal for professional services from Clark Patterson Lee in the estimated sum of \$205,000.00 in connection with conceptual planning for and the preparation of a map, plan and report for a potential sewer district to be known as the Freedom Plains Sewer District in the Town of LaGrange, Dutchess County, New York, including study and concept development of means, methods and projected capital budget for contribution to the development of increased wastewater treatment plant capacity at the existing facility of the Titusville Sewer District; means, methods and projected capital budget for the development of a collection system for the proposed service area below and entailing locations associated with Route 55 and Stringham Road in Freedom Plains, and the means, methods and projected capital budget for establishment and relative capital contribution to a shared pumping station and force main collection system to convey wastewater in combination with a discrete service area and special improvement district or sewer improvement area to cover the Town Center property located to the south side of Route 55,

north of Todd Hill Bushwick Road and east of Lauer Road identified as a possibility in a wastewater Master Plan developed for the municipality in 2005; and the Town has budgeted the sum of \$30,000.00 for professional legal costs through the preparation of Map, Plan and Report;

NOW, IT IS HEREBY RESOLVED, as follows:

1. The Town Board hereby approves the preliminary planning for, and the preparation of a map, plan and report for the proposed sewer district, pursuant to Town Law Section 191-a, by the engineers and the attorneys to the Town of LaGrange, at a combined cost of professional services not to exceed the sum of TWO HUNDRED THIRTY FIVE THOUSAND AND 00/100 DOLLARS (\$235,000.00).

2. The map, plan and report for a proposed sewer district is intended to cover a mixture of residential and commercial properties located near the following areas: Route 55 between Freedom Road and the Taconic State Parkway, and Stringham Road between Route 55 and Sprout Creek, and other properties in this general vicinity.

3. The planning work, and the map, plan and report for the proposed sewer district shall provide for the collection and treatment of wastewater by means of expansion of the wastewater treatment plant currently owned and operated by the Titusville Sewer District, and the map, plan and report shall

provide for, among other expenditure for the new district's contribution by agreement with the Titusville Sewer District or by means of capitalization of a shared facility to a share of the enlargement of the capacity of that existing facility, together with the collection and treatment from the new service area by collection system associated with Route 55 and Stringham Road, and the establishment and relative capital contribution to a shared pumping station and force main collection system connecting the new proposed sewer district to the treatment facilities identified as a possibility in the 2005 Sewer Master Plan.

4. (a) The plan for the financing of the specific object or purpose described in paragraphs 1, 2, and 3 above is by the issuance of TWO HUNDRED THIRTY FIVE THOUSAND AND 00/100 DOLLARS (\$235,000.00) serial bonds of said Town, hereby authorized to be issued therefore, pursuant to the Local Finance Law.

(b) It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five (5) years, pursuant to the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein will not exceed five (5) years.

(c) The faith and credit of said Town of LaGrange, Dutchess County, New York, are hereby irrevocably

pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

(d) Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent the provision of the Local Finance Law.

(e) The validity of such bonds and bond anticipation notes may be contested only if:

i) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money; or

ii) the provisions of law which should be complied with at the date of publication of this resolution are

not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

iii) such obligations are authorized in violation of the provisions of the Constitution.

5. This resolution is subject to permissive referendum in accordance with the provisions of Article 7 of the Town Law.

WHEREUPON, the following vote was taken:

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

DATED: LaGrangeville, New York
June 27, 2012


CHRISTINE O'REILLY-RAO, TOWN CLERK

CERTIFICATION FORM

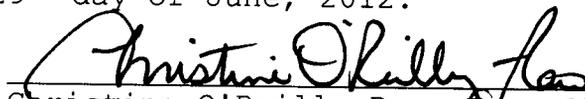
STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

I, the undersigned Clerk of the Town of LaGrange, County of Dutchess, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 27th day of June, 2012.
2. That such meeting was a regular meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (***the meeting at which the proceeding was adopted***) was caused to be given **PRIOR THERETO** in the following manner:
PUBLICATION: *Poughkeepsie Journal*
January 5, 2012

POSTING: Town Clerk's Sign Board
January 3, 2012

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 29th day of June, 2012.



Christine O'Reilly-Rao, Town Clerk

(CORPORATE SEAL)

NOTICE OF ADOPTION OF RESOLUTION

PLEASE TAKE NOTICE that the Town Board of the Town of LaGrange, Dutchess County, New York, has, on the 27th day of June, 2012, duly adopted a resolution authorizing the preparation of a map, plan and report for a potential Freedom Plains Sewer District in the Town of LaGrange and the financing thereof under the Local Finance Law of the State of New York, subject to a permissive referendum. An abstract of such resolution is published herewith. A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk of the Town for a period of thirty days from the date of publication of this Notice.

Dated: LaGrangeville, New York
June 27, 2012


CHRISTINE O'REILLY-RAO
Town Clerk, Town of LaGrange

TOWN BOARD RESOLUTION DATED JUNE 27, 2012

TOWN BOARD RESOLUTION PURSUANT TO TOWN LAW SECTION 191-A
REGARDING A PROPOSED "FREEDOM PLAINS SEWER DISTRICT"

Class of objects or purposes: Preparation of map, plan and report for proposed Freedom Plains Sewer Road Water District in the Town of LaGrange

Maximum estimated cost: \$235,000

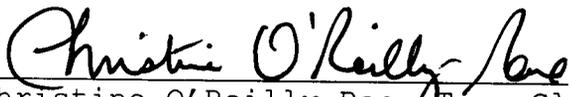
Period of probable usefulness: Five years

Maturity of obligations: Not to exceed Five years

Amount of obligations to be issued: \$235,000 bonds

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 29th day of June, 2012, I duly caused a copy of the attached Notice of Adoption 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
29th 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

REVOCABLE LICENSE AGREEMENT

AGREEMENT, dated June 27, 2012, between the TOWN OF LAGRANGE, 120 Stringham Road, LaGrangeville, New York, 12540 ("Town") and TITUSVILLE PROPERTIES, LLC, 982 Main Street, Fishkill, New York, 12524 and THE NET ATHLETICS LLC, 258 Titusville road, Poughkeepsie, New York, 12603 (collectively referred to as "Owner").

WHEREAS, Owner proposes to establish a summer day camp operation at the Gold's Gym facility at the Property, subject to obtaining any and all legislative and administrative approvals from the Town, and from other state, county or local agencies, required in order to establish and operate this use;

WHEREAS, the purpose of this Agreement is to outline overarching terms and conditions for the Owner's rights to use swimming facilities in furtherance of the summer day camp in summer of 2012 at Freedom Park, 212 Skidmore Road, Town of LaGrange; and

WHEREAS, the purpose of this Agreement is to outline the minimum requirements of the Town Board relative to this use of this Town recreational facility, as well as to confirm that administration of any and all more particular standards shall be delegated to the Town's Recreation Director; and

WHEREAS, this is a revocable license terminable at will by the Town; and

WHEREAS, this Agreement covers only the period of June 27, 2012 through Labor Day of 2012 (September 3, 2012), and future use of the Town's swimming facilities, if acceptable to the Town, shall be the subject of a later agreement; and

WHEREAS, this Revocable License shall be of no force and effect in the event that Owner does not receive any and all necessary local legislative and local approvals, or in the event that Owner does not receive any and all necessary approvals from other state, county or local agencies.

NOW, it is hereby agreed between the parties, as follows:

1. Owner shall have a revocable license to make use of the Freedom Park swimming facilities of the Town of LaGrange during the period July 9, 2012 through August 24, 2012.

2. Owner's use shall be limited to servicing participants in a 2012 summer day camp at the Gold's Gym facility located at 258 Titusville Road, LaGrangeville, New York.

3. Swimming opportunities shall not be available on Thursdays of the period covered by this Revocable License.

4. Swimming opportunities shall be limited to two (2) shifts per day, with a maximum of 36 campers per shift.

Shifts shall not overlap. Shift times shall be subject to advance approval or modification by the Recreation Direction, but all swimming shall start no earlier than 11:00 a.m. and cease no later than 2:30 p.m. The Recreation Director may agree in advance to alter the maximum number of shifts, on a day to day basis, but he may not alter the maximum number of swimmers per shift or alter the 11:00 a.m. to 2:30 p.m. window of opportunity for swimming; he may not increase the number of shifts for any day unless assured that the activities of one shift will not overlap another shift. Under no circumstances may more than 36 campers be present in the swimming area of the park at one time. One shift must leave the swimming area before the next may enter.

5. Vehicles used to transport children shall be subject to parking directions of the Recreation Director at Freedom Park.

6. The Recreation Director of Freedom Park shall retain the jurisdiction to prematurely end any swimming session or shift early, within his discretion, in furtherance of public health, safety and welfare, or general enforcement of practices and policies at Freedom Park.

7. The Recreation Director shall reserve the right to revoke the privileges of any particular summer camper

affiliated with the Gold's Gym 2012 summer day camp facility from use of the Town's swimming facilities at Freedom Park.

8. This License arrangement is experimental, and it may be terminated at will by the Town Board in consultation with the Recreation Director.

9. The Recreation Director shall be entitled to collect releases and waivers from all participants of the Gold's Gym 2012 summer day camp relative to each participant's right to use the Town Park's facilities. These waivers and releases shall be signed by parents or guardians of each child in advance of admission of that child to use of the swimming facilities.

10. Owner shall defend and indemnify, with defense being by counsel of the Town's choosing, the Town from any and all claims for injury or property damage arising out of the subject matter of this revocable license, and the Owner shall obtain suitable policies of liability insurance found acceptable to the Town, in the Town's sole discretion, as to amount and coverage, and naming the Town of LaGrange as an additional insured in furtherance of Owner's obligations to fully defend and indemnify the Town.

11. This represents the full and complete Agreement between the parties, and may not be modified except in writing by the parties hereto.

LICENSE AGREEMENT

This AGREEMENT made this 27th day of ~~May~~^{June} 2012, among the TOWN OF LAGRANGE with an address at 120 Stringham Road, LaGrangeville, New York (hereinafter the "Town"), and SEDGEWICK ROAD LLC and BROCOM LLC, both having a place for the transaction of business at 2 Sedgewick Road, Poughkeepsie, New York (collectively hereinafter "Brothers").

WITNESSTH

1. Pursuant to the submission of a special use permit application by Brothers Communications LLC ("Brothers"), the Town of LaGrange Planning Board issued the required special use permit allowing for the proposed co-location of up to four (4) panel antennas on a wireless communications tower (the "Project"). The proposed antenna arrays will be located at 191 feet agl (AT&T), 179 feet agl (Verizon), 65 feet agl (proposed additional carrier), and 50 feet agl (proposed additional carrier).
2. The Project 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 (the "Property").
3. Per Town Code Section 240-49(L), in the event the Special Use Permit has expired, Brothers or any user of the wireless communication tower has lost its FCC license, or a continued need for the facility has not been demonstrated to the satisfaction of the Town, the wireless communications tower must be dismantled and removed by Brothers.
4. Brothers shall completely remove the wireless communications tower within ninety (90) calendar days of the Zoning Administrator's decision to require removal pursuant to

Section 3 of this Agreement. Site remediation shall be completed to the satisfaction of the Planning Board within one hundred eighty (180) calendar days of the removal of the wireless communications tower.

5. In the event Brothers fails to completely remove the wireless communication tower within ninety (90) calendar days of the Zoning Administrator's decision to require removal pursuant to Section 3 of this Agreement, and in accordance with Town Code Section 240-49(L), Brothers agrees to allow the Town access to the wireless communications tower thereon so that the Town's contractor may dismantle and remove the wireless communications tower; provided that the Town shall notify Brothers of such failure and its desire to have the wireless communications tower dismantled and removed. Upon receipt of such notice, Brothers shall arrange and provide the Town with the necessary access to the wireless communications tower, including access through any locks, gates and other security systems. In the event such access is not promptly provided, Brothers shall each be individually liable to the Town for the Town's reasonable attorneys fees in connection with obtaining such access.

6. Brothers shall at all times provide the Town with security to cover the cost of removal of the facility. Brothers has obtained and hereby delivers to the Town of LaGrange the following security:

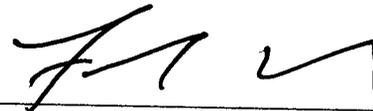
\$12,000.00 Cash Deposit

Borthers agrees to execute and/or endorse and deliver to the Town and/or the aforesaid Bank any documents required for the Town to call upon said cash deposit.

7. The covenants contained in the aforesaid agreement shall be binding on the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the parties have duly executed this License Agreement the day and year first above written.

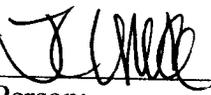
SEDGEWICK ROAD LLC

By: 
Frank Redl, Manager, Member

BROCOM LLC

By: 
Mark Redl, Manager, Member

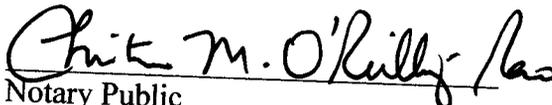
TOWN OF LAGRANGE

By: 
Person:
Title: Deputy Supervisor

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

On the 11th day of June / 2012, before me, the undersigned, a notary public in and for said state, personally appeared Frank Redl personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, the person on behalf of which the individual acted, executed the instrument.

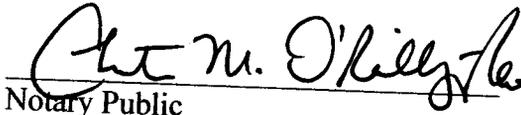
CHRISTINE M. O'REILLY-RAO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01OR6169917
My Commission Expires July 02, 2015


Notary Public

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

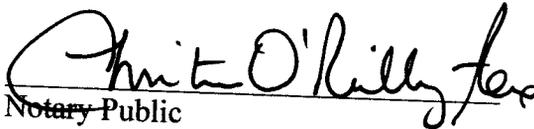
On the 11th day of June / 2012, before me, the undersigned, a notary public in and for said state, personally appeared Mark Redl personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, the person on behalf of which the individual acted, executed the instrument.

CHRISTINE M. O'REILLY-RAO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01OR6169917
My Commission Expires July 02, 2015


Notary Public

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

On the 28th day of June, 2012, before me, the undersigned, a notary public in and for said state, personally appeared JOSEPH LUNA personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, the person on behalf of which the individual acted, executed the instrument.


Notary Public

RECORD & RETURN:

TOWN OF LAGRANGE
OFFICE OF THE BUILDING INSPECTOR
120 Stringham Road, LaGrangeville, NY 12540; (845) 452-1872

TO: Christine O'Reilly-Rao
Town Clerk

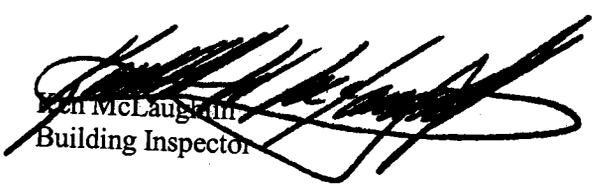
FROM: Kenneth W. McLaughlin
Building Inspector

DATE: June 25, 2012

RE: Pizza Express, Country Commons
Grid No: 6560-02-575903

Please be advised that the proper permits for the Pizza Express are in order and construction for the new restaurant is substantially underway. Therefore, this office has no objections to their obtaining their liquor license.

Respectfully Submitted,


Kenneth W. McLaughlin
Building Inspector

KWM/sh