

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

**TOWN BOARD MEETING
October 24, 2012**

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

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

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

The regular meeting of the Town Board was held on Wednesday, October 24, 2012, at 24 Firemen's Way, Town of LaGrange. Deputy Supervisor called the meeting to order at 7:00 p.m. The Town Clerk led the flag salute.

Mr. Luna reviewed the Emergency Exits for the room.

Mr. Luna asked for a motion to accept the minutes for October 10, 2012. Councilman Jessup moved to do so, seconded by Councilman Dyal. The motion carried unanimously.

Public Hearing: Saxon Road Pump Rehabilitation Project

A description of the project is included in the Addendum.

Mr. Luna asked for a motion to open the Public Hearing for the proposed Saxon Road Pump Rehabilitation Project. 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 Dyal. The motion carried.

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

Agenda

Mr. Luna stated that at this time the Board would listen to anyone who wished to comment on Property Maintenance re-levies. The Re-Levy Resolution to submit the re-levies to the County will be before the Town Board on November 7, 2012.

There were no comments.

Mr. Luna asked for a motion to set the Public Hearing for the 2013 Preliminary Budget.

Councilman Polhemus moved to set the Public Hearing for November 7, 2012 at 6:30 pm, seconded by Councilman Jessup. The motion carried. (SEE ADDENDUM)

Mr. Luna stated for the record that the Town Clerk has filed Interim Successor Supervisor forms with the County Clerk. All Town Board members have completed the forms which are also on file in the Clerk's office.

The Mid-Hudson Road Runners Club is requesting the Town Boards permission to use town roads (intersection of Dr. Fink Road and Cramer Rd) to hold its annual Turkey Trot road races on Thanksgiving Day, November 22, 2012, from 8:15am to 11:15am.

Councilman Jessup moved to allow use of the road, seconded by Councilman Dyal. The motion carried.

Mr. Luna asked the Town Board to consider returning the escrow balance of \$1,136.50 for the Dugout Grill. The owners have no intention of reopening the business. Ms. Livigni had double checked the amount with both the Comptroller and the Town attorney.

Councilman Jessup moved to return the escrow, seconded by Councilman Dyal. The motion carried.

Mr. Luna asked for a motion to settle a Tax Certiorari for William Reilly in the amount \$560.60. (SEE ADDENDUM)

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

Councilman Polhemus added that the agreement was recommended by the Assessor's Consultant, Mr. McGrath.

Mr. Luna asked the Board to consider a resolution to authorize expenditures related to accepting a property located on Milano Drive as a gift.

He stated that the property would be a gift and that it would be used to make a retention pond to divert run off from Overlook Road. The creation of the pond will benefit the Town by providing ROB material (bank run gravel) for the Highway Department.

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

Highway Superintendent Kelly requested approval of a budget transfer of funds in the amount of \$10,000.00 from account #5142.4 (snow) to account #5130.4 (mechanical).

Councilman Jessup moved to approve the transfer, seconded by Councilman Dyal. The motion carried.

Bond Agreements

Highway Superintendent Kelly requested approval to return the highway bond on Permit #09-28/Lot#2 Lois Lane in the amount of \$2,000.00.

Councilman Polhemus moved to approve the return, seconded by Councilman Dyal. The motion carried.

Committee Reports

Water and Sewer

No report

Recreation

The Committee continues to discuss how to best use the monies collected for the Jon Wagner Memorial Fund.

Open Space

No report

Highway

The next meeting is scheduled for November. They are moving forward on the purchase of narrow band radios.

Town Attorney

No comment

Public Works

No comment

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.

Donna Bolner, Dutchess County Legislator, addressed the Board. She stated that the County has decided to cap the amount of sales tax that goes back to the Town; but that the County will be paying election expenses for the Town.

Redistricting, according to the 2010 Census Bureau, statistics is almost completed and will be done by the March deadline or sooner.

Ms. Livigni asked about County DPW services.

Ms. Bolner stated the County Executive is trying to coordinate road services with Towns having County roads within their boundaries.

Ms. Bolner concluded by stating that the County budget process is "open ended" and that she will be looking out for the Town's interests, adding that she would like to be made aware of any specific concerns that the Board may have regarding the County budget.

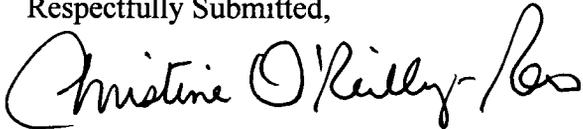
Councilman Jessup moved to close the Public Comment, seconded by Councilman Dyal. The motion was carried by all.

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

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

The meeting adjourned at 7:30 p.m.

Respectfully Submitted,



Christine O'Reilly-Rao
Town Clerk

ADDENDUM

- **Resolution: Saxon Road Pump Rehabilitation**
- **Affidavit of Publication**
- **Map Plan & Report: Saxon Road Pump Rehabilitation**
- **Notice of Public Hearing: 2013 Preliminary Budget**
- **Resolution: Tax Certiorari (William Reilly)**
- **Resolution: Milano Drive Property**

RESOLUTION AUTHORIZING THE INCREASE AND
IMPROVEMENT OF THE FACILITIES OF THE
TITUSVILLE SEWER DISTRICT IN THE TOWN
OF LAGRANGE, DUTCHESS COUNTY, NEW YORK
AT A MAXIMUM ESTIMATED COST OF \$238,000.00

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

WHEREAS, the Town Board of the Town of LaGrange has received a plan and report dated October 5, 2012 prepared by Clark Patterson Lee (the "Report") which describes the proposed increase and improvement of the facilities of the Titusville Sewer District including replacement of pumping system and controls, plus emergency generator at the District's Saxon Drive facility; and

WHEREAS, according to the Report, the estimated cost of such increases and improvements of the facilities of the Titusville Sewer District is \$238,000.00 including professional and design costs; and

WHEREAS, the Town Board of the Town of LaGrange accepted such Report and a public hearing on the Report and the proposed increase and improvement of the facilities of the Titusville Sewer District was duly noticed for, and conducted on, October 24, 2012 at 7:00 p.m., prevailing time; and

WHEREAS, pursuant to Section 202-b of the Town Law, the Town Board has found it to be in the public interest to increase and improve the facilities of the Titusville Sewer District in

said Town at a maximum estimated cost of \$238,000 consisting of the increases and improvements described in the Report.

NOW, THEREFORE, IT IS RESOLVED as follows:

1. The increase and improvement of the facilities of the Titusville Sewer District in the Town of LaGrange, Dutchess County, New York, consisting of the aforesaid improvements and costs identified in the Report, is hereby authorized at a maximum cost of \$238,000.00, which sum includes capital costs and associated engineering and legal expenses.

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

Supervisor	VACANT
Councilman Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	AYE
Councilman Dyal	AYE

DATED: LaGrangeville, New York
October 24, 2012


CHRISTINE O'REILLY-RAO
TOWN CLERK



October 5, 2012

Mr. Joseph Luna, Supervisor
and Town of LaGrange Board
120 Stringham Road
LaGrangeville, New York 12540

**Re: Town of LaGrange
Titusville Sewer District – Map, Plan Report
Replacement of Saxon Drive Pumps, Controls, and Generator**

Dear Supervisor Luna and Members of the Town Board:

Pursuant to the Town's request, this map, plan, report describes the proposed improvement work to be included within a funding resolution for the existing Titusville Sewer District. The improvements are to be completed in accordance with the procedures of Town Law Section 202-b.

The proposed project to be completed is recommended and necessary repair and maintenance work to respond to Dutchess County Department of Health Correspondence. A specific description of work follows.

Area to be Served: Map

The proposed improvement work will serve the existing Titusville Sewer District in the Town of LaGrange. The existing District currently serves residential and commercial properties in the western portion of the Town of LaGrange.

Plan

The proposed Titusville Sewer District repair work includes the replacement of the existing pumps, control system and emergency generator which are undersized and prone to frequent failures due to the age of the equipment. The Town is proposing to install a modified pumping system with integrated controls and a new emergency generator with automatic transfer. Completion of the above work will improve operating performance and reliability.

Report

The Total Estimated Improvement Cost for the proposed Titusville Sewer District improvements is \$238,000 as itemized on the attached table.

The project is proposed to be funded by moneys currently available to the district so there will be no change to the existing benefit unit assessment or operating costs to the district.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Clark Patterson Lee

A handwritten signature in black ink that reads "Greg W. Bolner". The signature is fluid and cursive, with a long horizontal stroke at the end.

Greg W. Bolner, P.E.
Principal

Attachments

cc: Christine O'Reilly-Rao, Town Clerk
Wanda Livigni, Administrator of Public Works
Ronald Blass, Jr., Van DeWater & Van DeWater
Steven Mance, Environmental Consultants

Town of LaGrange
Titusville Sewer District
Saxon Drive Pump System Replacement
Estimated Improvement Cost

Description	Units	\$/Unit	Quantity	Cost
Booster Pump System	L.S.	\$ 40,000	1	\$ 40,000
Electrical & Controls	L.S.	\$ 30,000	1	\$ 30,000
Installation	L.S.	\$ 25,000	1	\$ 25,000
Emergency Generator	L.S.	\$ 50,000	1	\$ 50,000
Miscellaneous Piping, Valves, and Meter	L.S.	\$ 15,000	1	\$ 15,000
Remove Existing Pumps and Equipment	L.S.	\$ 5,000	1	\$ 5,000
Subtotal				\$ 165,000
Contingency	%	20%		\$ 33,000
Subtotal of Contact Cost				\$ 198,000
Design Evaluation, Approvals, MP&R, Bidding & Construction Support	%	15%	1	\$ 30,000
Legal & Bonding	%	5%		\$ 10,000
Total Estimate of Cost				\$ 238,000

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 14th
day of Oct. 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 15th day
of October 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
PLEASE TAKE NOTICE that the Town Board of the Town of LaGrange, Dutchess County, New York, will meet at 24 Firemen's Way, in the Town of LaGrange, New York, on the 24th day of October, 2012, at 7:00 o'clock P.M. Prevaling Time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of the Titusville Sewer District in said Town, at an estimated cost of \$238,000; consisting of the replacement of a pumping system and controls, plus emergency generator, at the Saxon Drive facility, inclusive of design, engineering and other professional fees, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.
Dated: LaGrangeville, New York
October 18, 2012
Christine Kelly-Rae,
Town Clerk
3885

**NOTICE OF PUBLIC HEARING ON THE PRELIMINARY BUDGET FOR THE
TOWN OF LA GRANGE FOR THE YEAR 2013**

NOTICE IS HEREBY GIVEN that the Preliminary Budget of the Town of LaGrange, Dutchess County, NY for the fiscal year beginning January 1, 2013 has been completed and filed in the office of the Town Clerk of the Town of LaGrange, 24 Firemen's Way, in said Town, where it is available for inspection by an interested person during the hours of 8:30 A.M. to 4:00 P.M., Monday, Wednesday, Thursday & Friday, and Tuesday from 8:00 A.M. to 3:30 P.M.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of said Town of LaGrange will meet and review said Preliminary Budget which includes Water and Sewer Rates for 2013, and hold a public hearing thereon at 6:30 P.M. on November 7, 2012 at 24 Firemen's Way in the Town of LaGrange, and that at such hearing any person may be heard for or against the Preliminary Budget as compiled, or any item or items contained therein.

AND FURTHER NOTICE IS HEREBY GIVEN pursuant to Section 113 of the Town Law, that the following are proposed yearly salaries of Town Officers of the Town: Supervisor - \$ 61,000; Councilmen – 4 @ \$7,800: \$31,200; Town Clerk - \$51,395; Receiver of Taxes \$50,526 - Superintendent of Highways - \$ 77,646.00; and Town Justice – 2 @ \$23,795: \$47,590. All citizens attending the public hearing have the right to provide written and oral comments concerning the entire budget.

By Order of the LaGrange Town Board

Christine O'Reilly-Rao

LaGrange Town Clerk

October 24, 2012

RESOLUTION

IT IS HEREBY RESOLVED that Van DeWater & Van DeWater, LLP, Kyle W. Barnett, Esq., of counsel, is authorized to enter into a Stipulation settling the tax certiorari proceedings brought by William Reilly against the Town of LaGrange for the 2011 and 2012 tax years and Robert Taft and Mr. Barnett are authorized to sign such other and further papers as are necessary to effectuate the settlement, no refunds are required said refund to be without interest if paid within ninety (90) days of service of a copy of the Judgment with notice of entry.

Dated: LaGrangeville, New York
October 24th, 2012

MOVED BY Councilman Polhemus

SECONDED BY Councilman Jessup

AYES 4

NAYS 0

Christine O'hilly-Ross
La Grange Town Clerk

RESOLUTION

Councilman Polhemus moved to adopt the following resolution, which was seconded by Councilman Jessup as follows:

WHEREAS, the Town of LaGrange has been offered a gift of real property by Dolores Kernochan, comprising approximately 2.2 acres, located at Milano Drive in the Town, and bearing Tax Identification Number 08-6261-02-865912, and

WHEREAS, the Town wishes to accept the donation, and to incur such costs as are necessary to close the transaction with title insurance and appropriate recordation of the deed and related documents.

NOW, IT IS HEREBY RESOLVED, as follows:

1. The Town Board accepts the donation of the aforesaid real property.
2. The Town authorizes the expenditure up to \$1,000.00 to cover charges for title insurance and the recording of relevant instruments of conveyance of the real property.
3. The Town Board authorizes the Town to take title to the gifted real property subject to an open Arlington Central School District tax bill in the amount of \$2,072.14, as of October 9, 2012.

4. The Town Board accepts the donor's limitation on use of the real property, i.e. that the real property may be used by the Town only for purposes of providing public services.

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

Councilman Luna AYE

Councilman Jessup AYE

Councilman Polhemus AYE

Councilman Dyal AYE

DATED: LaGrangeville, New York
 October 24, 2012


CHRISTINE O'REILLY RAO
TOWN CLERK