

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

**TOWN BOARD MEETING
May 14, 2014**

Present: Supervisor Alan Bell
Councilman 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, Planning & Public Works

The regular meeting of the Town Board was held on Wednesday, May 14, 2014, at 120 Stringham Road, Town of LaGrange. Supervisor Bell called the meeting to order at 7:00 pm. The Town Clerk led the flag salute.

Mr. Bell asked for a motion to accept the minutes for April 23, 2014. Councilman Jessup moved to do so, seconded by Councilman Luna. The motion carried unanimously.

Public Hearing

Councilman Jessup moved to open the Public Hearing for the proposed Town Center Lighting District, seconded by Councilman Luna. The motion carried unanimously.

Mr. Tornatore, a property owner on Route 55, addressed the Board at length. He is not in favor of the establishment of the Town Center Lighting District.

Mr. Covucci of Harden Drive stated that he agreed with the points made by Mr. Tornatore. He was not in favor of the Lighting District, and asked why property owners had not received written notice of the proposed District.

Mr. Bell replied that all legal requirements for notification had been met prior to the Public Hearing.

There were no other comments.

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

Councilman Dyal opened a discussion on alternative ways to fund and maintain the District. Funding the District could conceivably be done through the Town's General fund.

Councilman Luna was concerned that this solution would be problematic, especially since the LaGrange Lighting District is funded by the residents within that district.

Councilman Polhemus asked if it would be possible to have two distinct budget lines, one for the Town Center Lighting District and the other for LaGrange Lighting District.

Mr. Blass replied that this would not work since the Town Center District would be based on a benefit unit assessments and the LaGrange District was set up based on ad valorem.

Councilman Polhemus pointed out that lighting in Town Center would benefit a lot of people travelling through the area and not just property owners. He added that it would be a safety enhancement for the area as well.

All of the Lighting District's fixtures as well as the work to install them will be paid by the State. The Town will only be responsible to fund and maintain the District.

Councilman Luna moved to accept the Negative Declaration for the Town Center Lighting District, seconded by Councilman Jessup. The motion carried unanimously. (SEE ADDENDUM)

Councilman Luna moved to accept the Environmental Assessment Form, seconded by Councilman Dyal. The motion carried unanimously. (SEE ADDENDUM)

Councilman Luna, seconded by Councilman Jessup moved to establish the Town Center Lighting District. The motion did not carry. (SEE ADDENDUM)

The Board plans to discuss funding the District at the next workshop.

Public Hearing

Supervisor Bell asked for a motion to open the Public Hearing for a Zoning Amendment for the Daley Farm PDD Subdivision.

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

Mr. Kelly of Coleen Court voiced his concerns over the Daley Farm PDD. He stated that it is not compatible with the original neighborhood and will adversely affect property values. He asked the Board to consider traffic calming measures as a way to limit thru-traffic in his subdivision (Bray Farms).

There were no other comments.

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

Mr. Blass stated that there are infrastructure issues regarding water and sewer agreements in the Daley Farm PDD subdivision which the Town may wish to address prior to approving the Zoning Amendment. A discussion followed.

Mr. Bell concluded that the Board had two options, the first would be to take no action on the Zoning Amendment until the water and sewer agreements have been worked out. The second would be to pass the Zoning Amendment with a modification to section 6 which would make the amendment contingent on having the water and sewer agreements in place. Further discussion ensued.

Councilman Luna, seconded by Councilman Dyal moved to take no action at this time. The motion carried.

Monthly Reports

Mr. Bell asked for a motion to accept the monthly reports for April 2014. Councilman Luna moved to do so, seconded by Councilman Jessup. The motion carried unanimously.

• Building, Zoning, Public Works & Planning	Total \$15,500.00
• Highway Department	Total \$900.00
• Justice Hayes (incl. State Share)	Total \$21,354.00
• Justice O'Hare (incl. State Share)	Total \$22,349.00
• Recreation	Total \$13,483.00
• Town Clerk	Total \$901.25

Agenda

Bond Resolution: Highway Reconstruction and Repaving (SEE ADDENDUM)

Councilman Polhemus stated for the record that he had spoken with Superintendent Kelly and found out that he would be using pricing for the materials from an Orange County bid, which was below pricing which could be found on the general market. The work will be done by a LaGrange Company, BTM. Supervisor Bell added that the Town was not required to go out for bid if they used County or State contracts.

Resolution: Authorizing Clark Patterson Lee to conduct a traffic study on South Cross Road, which shall not exceed \$1,000.00. Councilman Jessup, seconded by Councilman Luna moved to authorize the study. The motion carried. (SEE ADDENDUM)

Resolution: Flag Pole Dedication at Highway Department Garage (SEE ADDENDUM)

Councilman Jessup wanted to thank all who attended the flag pole and monument dedication, adding that Mike Kelly had done an outstanding job erecting the pole and monument.

Resolution: Authorizing a Merchant Agreement to Accept Credit Card Payments. Councilman Luna, seconded by Councilman Polhemus moved to approve the agreement. The motion carried unanimously. (SEE ADDENDUM) There is no expense to the Town. Mr. Luna added that the acceptance of credit card payments was long overdue.

Supervisor Bell asked for a motion to amend the Town Procurement Policy to correct a typo in guideline item #2, which should state the amount of \$20,000 and not \$10,000. (SEE ADDENDUM)

Councilman Jessup stepped out of the meeting at 8:12 pm.

Councilman Dyal so moved, seconded by Councilman Polhemus and the motion carried. Councilman Jessup was not present.

Councilman Jessup returned at 8:14 pm.

Mr. Bell asked the Board to review a resolution on Climate change which had been given to him by CAC Chairman, Maung Htoo. The Board may vote on it at a future meeting.

Supervisor Bell asked for a motion to acknowledge that the Town Comptroller's annual report has been filed with the State. Councilman Jessup so moved, seconded by Councilman Luna. The motion carried unanimously. The report is on file in the Town Clerk's office and is available for review by the Public. Councilman Jessup noted that the summary of the report provided to the Board by Supervisor Bell is extremely positive.

Mr. Bell asked for a motion to select the RFP designating the Town's new auditors as O'Connor & Davies. Mr. Bell noted that three responses to the RFP had been received with a range of fees from \$12,000 to \$25,000. The Comptroller felt O'Connor & Davies would best suit the needs of the Town and their fee would be \$20,000, which is within the budgeted amount for Auditing Services. Mr. Bell added that the firm came highly recommended by Supervisor La Colla. Councilman Luna so moved, seconded by Councilman Jessup. The motion carried unanimously.

Supervisor Bell asked for a motion to approve an Out Of District Sewer Agreement between the Titusville Sewer District and JKF Properties LLC (A-1 Auto Parts). Councilman Jessup moved to authorize the Agreement, seconded by Councilman Dyal. The motion carried unanimously (SEE ADDENDUM)

Councilman Polhemus moved to establish an escrow of \$500 to cover legal fees associated with the Agreement. Councilman Dyal seconded the motion and it carried unanimously.

Justice O'Hare requested Town Board approval to allow court clerk, Carolyn Harklerode to attend the Dutchess County Court Clerk Training on Friday, June 13, 2014 from 10:00 am to 2:30 pm in Poughkeepsie. The cost to the town is \$16.00.

Councilman Luna moved to approve the request, seconded by Councilman Dyal. The motion carried unanimously.

The Knights of Columbus requested approval to hold their annual carnival June 25, 2014 to June 28, 2014 at the field on Stringham Road, as well as approval to post a sign advertising the event. Set up will begin on Sunday, June 22, 2013.

Councilman Dyal moved to approve the request, seconded by Councilman Luna. The motion carried unanimously.

Laura Portaro requested Town Board's approval to close Gina and Rita Lane on Saturday, June 7, 2014 between the hours of 5:30 pm to 11:30 pm for a block party.

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

Committee Reports

Water and Sewer

No Report

Recreation

Councilman Dyal stated that Freedom Park is being readied for the season. The retaining wall has been fixed as well as the plumbing. The new Director, Sandy Washburn, is doing a good job. He added that Donna Lindo and Sandy Washburn should be credited for their work getting ready for the season.

Open Space

Councilman Jessup stated that he had been in contact with Carmine Istavan of Dutchess Hops with the goal of helping him find land to lease to grow hops. There was a ribbon cutting last Friday at the Noxon Road location.

Highway

Councilman Polhemus stated that he has updated the Capital Plan for both Highway and Recreation and will have it available for discussion next week.

Business Economic Development Committee

No report

Town Attorney

No comment

Planning & Public Works

The Noxon Road ball field chlorination system is now operational.

Public Comment

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

There was no comment.

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

Town Board Discussion

John Metzger of Cornell Farm gave a presentation for a proposed soil mining operation on the farm. Soil mining would be performed over a five (5) year period in stages and would not result in a pit. Approximately 18 acres would be excavated with the goal of eliminating the steep slope of the property, making it easier to cultivate. The area is not located in a wetland or flood plain. The excavation would not be readily visible from the street. Some type of soil erosion control will be placed at the bottom of the excavation. The operation would require a State Mining Permit.

Mr. Bell asked Ms. Livigni to contact DEC to see if there are any issues regarding the property since it is an agricultural parcel.

The Town Board had no objections to the plan and suggested that Mr. Metzger contact the Zoning Board as the next step.

Councilman Jessup stated he was in favor of re-zoning all four corners of the Taconic State Parkway and Route 55 from TC-B to C-1. This would include the Gasland property on Route 55. In addition, Mr. Jessup would like to see re-zoning to C-1 for the intersections of Routes 82 and 55 as well as Titusville and Noxon Roads.

Councilman Luna felt there was no need to change the zoning, adding that the Board had just addressed the problem of drive-throughs in that area due to traffic concerns.

Councilman Dyal asked if the re-zoning was to allow drive-throughs.

Mr. Bell stated that this discussion was in response to a request from the Shell Station to be re-zoned to C-1 which would enable the owner to make changes to the business that are currently not permitted for a non-conforming use designation.

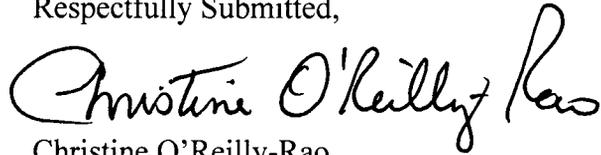
Mr. Luna stated that many years ago the Town had GS Districts designated at the corners of all the major intersections in Town which were for gas stations. After consideration of the potential of having so many gas stations, the Town Board removed that designation.

A discussion followed. Mr. Bell stated that he will get copies of the Zoning Map and Use Table for the workshop so that they can further discuss the matter.

Mr. Bell asked the Board to review the RFP for the Transfer Station. Item #14 regarding bulk drop off has been changed. Councilman Dyal authorized the Clerk to publish and resubmit the RFP if no changes are suggested by the Board by noon on May 21, 2014. Councilman Polhemus seconded the motion and it carried unanimously.

Councilman Luna moved to adjourn at 8:53 pm. Councilman Jessup seconded the motion and it was carried by all.

Respectfully Submitted,



Christine O'Reilly-Rao
Town Clerk

ADDENDUM

- Affidavit of Publication: Town Center Lighting District
- Negative Declaration: Town Center Lighting District
- EAF: Town Center Lighting District
- Resolution: Town Center Lighting District
- Affidavits of Publication & Posting: Zoning Amendment Daley Farms PDD
- Bond Resolution: Highway Reconstruction
- Resolution: Traffic Study for So. Cross Road
- Resolution: Flag Pole Dedication
- Resolution: Merchant Agreement for Credit Card Payments
- Town Procurement Policy
- Affidavits of Publication & Posting : Comptroller's Annual Report
- Out of District Sewer Agreement (JKF Properties, LLC)

Poughkeepsie Journal

Poughkeepsie, N.Y.

AFFIDAVIT OF PUBLICATION

State of New York
County of Dutchess
City of Poughkeepsie

**TOWN OF LAGRANGE
NOTICE OF ADJOURNED PUBLIC HEARING
FOR PROPOSED TOWN CENTER LIGHTING DISTRICT**

WHEREAS, on January 22, 2014, the Town Board of the Town of LaGrange adopted a resolution authorizing the preparation of a map, plan and report for the establishment of a lighting improvement district to be known as the Town Center Lighting District in the Town of LaGrange, as described below, and

WHEREAS, the map, plan and report, bearing date of March 19, 2014, has been prepared by Clark Patterson Lee and filed in the office of the LaGrange Town Clerk, and

WHEREAS, the boundaries of the proposed benefited area include the properties listed and identified on Exhibit "A" hereto, and

WHEREAS, the People of the State of New York, acting and through the Commissioner of Transportation, is constructing sidewalk and traffic circle lighting improvements, at no cost to the Town of LaGrange, along Route 55 between Lauer Road and the Taconic State Parkway within the municipality, and

WHEREAS, it is proposed to be the obligation of a lighting improvement district within the Town to operate, to maintain and to repair all of the aforesaid lighting system improvements, as more specifically set forth within the map, plan and report; and

WHEREAS, the maximum amount proposed to be expended annually in the first year following formation of the district is estimated to be \$10,500.00 for the operating, maintenance and repair of the improvements, and

WHEREAS, there will be no capital or construction costs incurred for the improvements, and

WHEREAS, the cost to the typical property, which is not one or two family residential, in the district in the first year following formation of the district is projected to be \$304.34 based on an assessment of two (2) benefit units under the method identified in the map, plan and report, and

WHEREAS, the cost to the typical one or two family residence property in the district in the first year following formation of the district is projected to be \$152.17 based on an assessment of one (1) benefit unit under the method identified in the map, plan and report, and

WHEREAS, the estimated cost for each actual property included within the district in the first year following formation of the district, based on the district's benefit assessment formulation, is identified within the map, plan and report, and

WHEREAS, the proposed method of apportioning the annual costs for the operation, maintenance and repair of such improvements is as follows: all costs are to be assessed, levied, and collected from the several parcels of land within the benefited area in proportion to the amount of benefit provided by the lighting improvements, and no part is to be apportioned to or collected from properties in the Town located outside of the benefited area's boundaries; and

WHEREAS, a map, plan and report dated March 19, 2014 and describing such lighting improvement district are on file in the office of the Town Clerk of the Town of LaGrange, 120 Stringham Road, LaGrangeville, New York 12540 and available for public inspection between 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., and

WHEREAS, the LaGrange Town Board previously issued an Order calling for public hearing at LaGrange Town Hall at 7:00 p.m. on April 23, 2014 for the establishment of the Town Center Lighting District, and said Order is on file with the Town Clerk; and

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 2014 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 2nd day of May in the year of 2014 and on the following dates thereafter, namely on:

And ending on the _____ day of _____ in the year of 2014, both days inclusive.

Rita Lombardi
Subscribed and sworn to before me this 2nd day of May in the year of 2014.

[Signature]

Notary Public

My commission expires _____

CONCETTA F DALIA-JONES
NOTARY PUBLIC-STATE OF NEW YORK
No. 01DA6285485
Qualified in Dutchess County
My Commission Expires July 08, 2017

WHEREAS, on April 23, 2014, the public hearing was opened; and

WHEREAS, on April 23, 2014, the Town Board adjourned the public hearing to May 14, 2014 commencing at 7:00 p.m. at the LaGrange Town Hall; and

WHEREAS, the Town Clerk is directed to publish and post notice of the adjourned date, time and place of the public hearing;

PLEASE TAKE NOTICE that the Town Board of the Town of LaGrange, shall meet at the Town Hall, 120 Stringham Road, LaGrangeville, New York 12540; on the 14th day of May, 2014, at 7:00 o'clock p.m., Prevailing Time, for the purpose of continuing a public hearing on the proposal to establish a Town Center Lighting District in accordance with the terms of the map, plan and report dated March 19, 2014 and the initial Order for Public Hearing on file with the Town Clerk, at which time and place all persons interested in the subject thereof may be heard concerning the same.

Dated: LaGrange, New York
April 23, 2014

MARGARET SCHMITZ, DEPUTY TOWN CLERK

Exhibit "A"

TAX PARCEL			PROPERTY OWNER
SECTION	BLOCK	LOT	
006460	0002	553816	B R H Land LLC
006460	0002	585905	Tax Sale In-Rem 2011
006460	0001	435981	Cy Management Inc
006460	0001	453982	Linda Cuatt
006460	0001	458981	1081 Route 55 LLC
006460	0002	702931	MarkA Tornatore
006460	0001	440956	B R H Land LLC
006460	0002	678933	Margarita Drivas
006460	0002	689930	Law Crosse LLC
006460	0002	548962	Savone Realty North LLC
006460	0002	715925	Robert D. Ferris
006460	0001	466978	Rodax Enterprises LLC
006460	0001	398951	Rieger Homes, Inc.
006460	0002	619920	Leemilts Petroleum
006460	0002	520966	Savone Realty North LLC
006460	0001	401979	GTY NY Leasing Inc
006460	0002	638947	Marene Management Group Inc
006460	0001	422782	B R H Land LLC
006460	0002	650904	Presbyterian Church & Grounds
006460	0001	489973	Savone Realty North LLC
006460	0002	538899	1110 Route 55 LLC
006460	0001	480927	1110 Route 55 LLC
006460	0002	604956	JSM Development LLC
006460	0002	611894	Full Gospel Center
006461	0004	668121	Arlington C S D #1

TOWN OF LAGRANGE TOWN BOARD

NEGATIVE DECLARATION NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

WHEREAS, the Town of LaGrange Town Board proposes to establish a Town Center Lighting District located generally along Route 55 between Lauer Road and the Taconic State Parkway; 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), that it is the only involved agency for the purposes of SEQRA review, and that the action will therefore not be subject to coordinated review; and

WHEREAS, the Town of LaGrange Town Board has caused the preparation of a 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 the criteria set forth in 6 NYCRR Part 617 and has determined that no significant adverse environmental impacts associated with the proposed action have been identified. The Board offers the following information supporting and substantiating this determination:

The proposed Town Center Lighting District is an administrative entity which will provide for the costs of operation, maintenance, and repair of sidewalk and traffic circle lighting improvements to be installed by the New York State Department of

Transportation at no cost to the Town, and consequently the action will not result in any direct or physical adverse environmental impact.

Accordingly, the Town Board finds as follows:

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.
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; and

BE IT FURTHER RESOLVED, that the Town of LaGrange Town Board hereby issues this Negative Declaration pursuant to the requirements of the State Environmental Quality Review Act; and

BE IT FURTHER RESOLVED, that the Town of LaGrange Town Board hereby authorizes the filing of this Negative Declaration.

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

Supervisor Bell	AYE
Councilman Jessup	AYE
Councilman Polhemus	AYE
Councilman Dyal	AYE
Councilman Luna	AYE

Dated: LaGrangeville, New York
May 14, 2014


CHRISTINE O'REILLY-RAO
TOWN CLERK

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

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Establishment of a LaGrange Town Center Lighting District			
Project Location (describe, and attach a location map): Along NYS Route 55 between Lauer Road and Taconic State Parkway. Map attached.			
Brief Description of Proposed Action: The NYSDOT is undertaking a project to improve Route 55 in the Town of LaGrange, generally between Lauer Road and the Taconic State Parkway. Included in this proposed project is the construction of certain enhancements, including sidewalks and lighting. Under the NYSDOT project, the State will furnish and install these enhancements and will require the local municipality to maintain such enhancements over the life of the project. Central Hudson will provide electricity for the lights at a metered rate. The lighting district will be responsible for metered usage, maintaining the light fixtures, and replacing light bulbs as required.			
Name of Applicant or Sponsor: LaGrange Town Board		Telephone: 845-452-1830	
		E-Mail:	
Address: 120 Stringham Road			
City/PO: LaGrangeville		State: New York	Zip Code: 12540
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ 250 acres	
b. Total acreage to be physically disturbed?		_____ 0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ 0 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

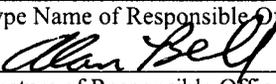
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Alan Bell, Supervisor	Date: <u>5/15/14</u>	
Signature: <u><i>Alan Bell</i></u>		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<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 may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" 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.
LaGrange Town Board	<u>5/15/14</u>
Name of Lead Agency	Date
Alan Bell	Supervisor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

TOWN OF LAGRANGE RESOLUTION
ESTABLISHING
THE TOWN CENTER LIGHTING DISTRICT

WHEREAS, on January 22, 2014, the Town Board of the Town of LaGrange adopted a resolution authorizing the preparation of a map, plan and report for the establishment of a lighting improvement district to be known as the Town Center Lighting District in the Town of LaGrange, as described below, and

WHEREAS, a map, plan and report, bearing date of March 19, 2014, has been prepared by Clark Patterson Lee and filed in the office of the LaGrange Town Clerk, and

WHEREAS, the boundaries of the proposed benefited area of the lighting district include the properties listed and identified on Exhibit "A" hereto, and

WHEREAS, the People of the State of New York, acting and through the Commissioner of Transportation, is constructing sidewalk and traffic circle lighting improvements along Route 55 between Lauer Road and the Taconic State Parkway within the municipality and at no cost to the Town, and

WHEREAS, it is proposed to be the obligation of a lighting improvement district within the Town to operate, to maintain and to repair all of the aforesaid lighting system improvements, as more specifically set forth within the map, plan and report; and

WHEREAS, the Town Board did, on March 26, 2014, adopt an order specifying that said Town Board would meet at the LaGrange Town Hall on the 23rd day of April, 2014, at 7:00pm for the purpose of conducting a public hearing on such proposal to establish the Town Center Lighting District and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, copies of said order were duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same.

WHEREAS, the Town Board extended the public hearing to May 14, 2014 at 7:00pm at LaGrange Town Hall, the Town gave posted and published notice of the additional opportunity for all interested persons to be heard at the extended public hearing, and the Town Board did, at that additional time and place, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of LaGrange that it is hereby finally determined as follows:

1. The notice of hearing was published and posted as required by law and is otherwise sufficient.
2. That all of the properties and property owners within the

proposed Town Center Lighting District are benefitted thereby.

3. That all of the properties and property owners benefitted are included within the proposed Town Center Lighting District.

4. That it is in the public interest to establish the proposed Town Center Lighting District, and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of the Town Center Lighting District covering the properties as described on Exhibit "A" annexed hereto, and be it

FURTHER RESOLVED, that the lighting improvements in said district will be constructed by the State of New York at no cost to the district; and be it

FURTHER RESOLVED, that district formation costs and the annual costs of annual operation, maintenance and repair will be assessed, levied, and collected from the parcels in the district in proportion to the amount of benefit which the lighting improvements will confer in accordance with the benefit formula set forth within the map, plan and report, and no portion of such costs shall be collected from properties outside the district; and it is

FURTHER RESOLVED, that this resolution is subject to permissive referendum in the manner provided in Section 209-e of the Town Law.

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

Supervisor Bell	NAY
Councilman Jessup	AYE
Councilman Polhemus	NAY
Councilman Dyal	NAY
Councilman Luna	AYE

Dated: LaGrangeville, New York
May 14, 2014


CHRISTINE O'REILLY-RAO
TOWN CLERK, TOWN OF LAGRANGE

Exhibit "A"

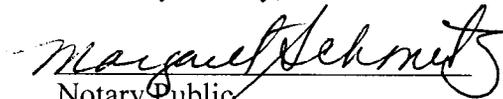
TAX PARCEL			PROPERTY OWNER
SECTION	BLOCK	LOT	
006460	0002	553816	B R H Land LLC
006460	0002	585905	Tax Sale In-Rem 2011
006460	0001	435981	Cy Management Inc
006460	0001	453982	Linda Cuatt
006460	0001	458981	1081 Route 55 LLC
006460	0002	702931	MarkA Tornatore
006460	0001	440956	B R H Land LLC
006460	0002	678933	Margarita Drivas
006460	0002	689930	Law Crosse LLC
006460	0002	548962	Savone Realty North LLC
006460	0002	715925	Robert D. Ferris
006460	0001	466978	Rodax Enterprises LLC
006460	0001	398951	Rieger Homes, Inc.
006460	0002	619920	Leemilts Petroleum
006460	0002	520966	Savone Realty North LLC
006460	0001	401979	GTY NY Leasing Inc
006460	0002	638947	Marene Management Group Inc
006460	0001	422782	B R H Land LLC
006460	0002	650904	Presbyterian Church & Grounds
006460	0001	489973	Savone Realty North LLC
006460	0002	538899	1110 Route 55 LLC
006460	0001	480927	1110 Route 55 LLC
006460	0002	604956	JSM Development LLC
006460	0002	611894	Full Gospel Center
006461	0004	668121	Arlington C S D #1

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 8th day of May, 2014, I duly caused a copy of the Notice of Public Hearing for a proposed Zoning Amendment for Daley Farm PDD (Local Law 3-2014) to be conspicuously posted on the sign-board maintained by the Clerk's Office at 120 Stringham Road, Town of LaGrange.


Christine O'Reilly-Rao, Town Clerk

Sworn to before me this
14th Day of May, 2014


Notary Public

MARGARET SCHMITZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SC6220139
Qualified in Dutchess County
My Commission Expires April 12, 2018

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 12540 on May 14, 2014, at 7:00 o'clock p.m. prevailing time, on a proposed Local Law No. ___ of the year 2014, A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, CONDITIONALLY AMENDING THE ZONING MAP DESIGNATION OF CERTAIN PROPERTY CURRENTLY ZONED R-40/60/80 AT OR NEAR TITUSVILLE ROAD AND DAVIS ROAD TO THE NORTH, NOXON ROAD TO THE EAST, COLLEEN COURT TO THE SOUTH AND DALEY ROAD TO THE WEST TO ALLOW FOR THE ESTABLISHMENT OF A PLANNED DEVELOPMENT DISTRICT ("PDD"), TO BE NAMED "PDD-DALEY FARMS" FOR A MIX OF RESIDENTIAL USES AND OPEN SPACE IN ACCORDANCE WITH AN OVERALL CONCEPT PLAN OF DEVELOPMENT, PREPARED BY MORRIS ASSOCIATES P.S., L.L.C., BEARING THE DATE OF OCTOBER 18, 2013 IN PLACE OF CONCEPT PLANS OF DEVELOPMENT BEARING DATES OF MAY 2, 2012 AND OCTOBER 18, 2102, AND REPEALING TOWN OF LAGRANGE LOCAL LAW NO. 1 OF 2013.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law, and the aforesaid concept plans for a PDD-Daley Farms will be available for examination at the office of the Clerk of the Town of LaGrange, at the aforesaid temporary offices of the Town between the hours of 8:30 a.m. and 4:00 p.m. on all business days with the exception of Tuesdays when the hours are 8:00 a.m. to 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
April 9, 2014

CHRISTINE O'REILLY-RAO,
TOWN CLERK 11397

AFFIDAVIT OF PUBLICATION
FROM



RITA LOMBARDI

_____ being duly sworn says that he/she is the principal clerk of **THE
POUGHKEEPSIE JOURNAL**, a newspaper published in the County of Dutchess and the State of New York, and the
notice of which the annexed is a printed copy, was published in the newspaper on the date (s) below:

Ad Number:	Start Date:	Run Dates:
0000011397	05/08/2014	05/08/14

Rita Lombardi

Signature

Sworn to before me, this 15th day of May 20 14

Rose Ann Simpson

Notary Signature

My Commission Expires 1/4/2018

ROSE ANN SIMPSON
Notary Public - State of New York
No. 01SI6215893
Qualified in Dutchess County
My Commission Expires January 04, 2018

BOND RESOLUTION

At a regular meeting of the Town Board of the Town of LaGrange, Dutchess County, New York, held at the Town offices at 120 Stringham Road, in LaGrangeville, New York, in said Town, on the 14th day of May, 2014, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Bell, and upon roll being called, the following were

PRESENT: Supervisor Bell

Councilman Luna

Councilman Jessup

Councilman Polhemus

Councilman Dyal

The following resolution was offered by Supervisor Bell, who moved its adoption, seconded by Councilman Polhemus, to-wit:

BOND RESOLUTION DATED MAY 14, 2014

A RESOLUTION AUTHORIZING THE RECONSTRUCTION AND RESURFACING OF TOWN HIGHWAYS AND PARKING AREAS IN AND FOR THE TOWN OF LaGRANGE, DUTCHESS COUNTY, NEW YORK, AND AUTHORIZING THE ISSUANCE OF \$430,000.00 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of LaGrange, Dutchess County, New York, as follows:

Section 1. The following are hereby authorized in and for the Town of LaGrange, Dutchess County, New York:

- a) The reconstruction and resurfacing of Town Highways at a maximum estimated cost of \$300,000, being a class of objects or purposes having a period of probable usefulness of fifteen years pursuant to subdivision 20 of paragraph a of Section 11.00 of the Local Finance Law;
- b) The reconstruction and resurfacing of parking areas at Town Hall and Freedom Park at a maximum estimated cost of \$130,000.00, being a class of objects or purposes having a period of probable usefulness of ten years pursuant to subdivision 20 of paragraph a of Section 11.00 of the Local Finance Law;

It is hereby further determined that the class of objects or purposes authorized pursuant to this resolution are of a Type II Action as defined in the SEQRA Regulations of the State of New York and that such class of objects or purposes will have no significant impact upon the environment.

Section 2. The total maximum estimated cost of the aforesaid objects or purposes is \$430,000.00, and the plan for the financing thereof is by the issuance of \$430,000.00

bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 3. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years with respect to the objects or purposes described in Section 1 above.

Section 4 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 of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. 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 with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor,

the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) 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 days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein. This resolution amends and restates in its entirety the Bond Resolution adopted on January 9, 2013 regarding the same objects and purpose.

Section 9. This resolution shall be published in summary form in The Poughkeepsie Journal, which is hereby designated as the official newspaper for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. This resolution is adopted subject to permissive referendum.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Supervisor Bell	AYE
Councilman Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	AYE
Councilman Dyal	AYE

The resolution was thereupon declared duly adopted.

TOWN BOARD OF THE TOWN OF LAGRANGE

**NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM**

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 14th day of May, 2014, the Town Board of the Town of LaGrange, Dutchess County, New York (the "Town") duly adopted a resolution, an abstract of which follows, which resolution is subject to permissive referendum pursuant to Town Law Article 7.

BOND RESOLUTION DATED MAY 14, 2014

A RESOLUTION AUTHORIZING THE RECONSTRUCTION AND RESURFACING OF TOWN HIGHWAYS AND PARKING AREAS IN AND FOR THE TOWN OF LaGRANGE, DUTCHESS COUNTY, NEW YORK, AND AUTHORIZING THE ISSUANCE OF \$430,000.00 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

Class of objects or purposes: highway reconstruction and resurfacing
Maximum estimated cost: \$300,000.00
Period of probable usefulness: fifteen years
Maturity of obligations: fifteen years
Amount of obligations to be issued: \$300,000.00 bonds

Class of objects or purposes: parking area reconstruction and resurfacing
Maximum estimated cost: \$130,000.00
Period of probable usefulness: ten years
Maturity of obligations: ten years
Amount of obligations to be issued: \$130,000.00 bonds

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 hereof.

Dated: May 14, 2014


CHRISTINE O'REILLY-RAO, TOWN CLERK
TOWN OF LAGRANGE

AFFIDAVIT OF POSTING

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 15th day of May, 2014, 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 offices, 120 Stringham Road, LaGrangeville, New York.


Christine O'Reilly-Rad
Town Clerk

Sworn to before me this
15 day of May, 2014


Notary Public

MARGARET SCHMITZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SC6220139
Qualified in Dutchess County
My Commission Expires April 12, 2018

U:\DOCS\00070\00921\RESOLUTION\2140851.DOC

TOWN BOARD OF THE TOWN OF LAGRANGE

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 14th day of May, 2014, the Town Board of the Town of LaGrange, Dutchess County, New York (the "Town") duly adopted a resolution, an abstract of which follows, which resolution is subject to permissive referendum pursuant to Town Law Article 7.

BOND RESOLUTION DATED MAY 14, 2014

A RESOLUTION AUTHORIZING THE RECONSTRUCTION AND RESURFACING OF TOWN HIGHWAYS AND PARKING AREAS IN AND FOR THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, AND AUTHORIZING THE ISSUANCE OF \$430,000.00 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

Class of objects or purposes: and resurfacing	highway reconstruction
Maximum estimated cost:	\$300,000.00
Period of probable usefulness:	fifteen years
Maturity of obligations:	fifteen years
Amount of obligations to be issued:	\$300,000.00 bonds

Class of objects or purposes: and resurfacing	parking area reconstruction
Maximum estimated cost:	\$130,000.00
Period of probable usefulness:	ten years
Maturity of obligations:	ten years
Amount of obligations to be issued:	\$130,000.00 bonds

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 hereof.

Dated: May 14, 2014
CHRISTINE O'REILLY-RAO, TOWN CLERK
TOWN OF LAGRANGE

15966

AFFIDAVIT OF PUBLICATION
FROM



RITA LOMBARDI

_____ being duly sworn says that he/she is the principal clerk of **THE
POUGHKEEPSIE JOURNAL**, a newspaper published in the County of Dutchess and the State of New York, and the
notice of which the annexed is a printed copy, was published in the newspaper on the date (s) below:

Ad Number:	Start Date:	Run Dates:
0000015966	05/19/2014	05/19/14

Rita Lombardi

Signature

Sworn to before me, this 22ND day of May 2014

Rose Ann Simpson

Notary Signature

My Commission Expires 1/4/2018

ROSE ANN SIMPSON
Notary Public - State of New York
No. 01SI6215893
Qualified in Dutchess County
My Commission Expires January 04, 2018

RESOLUTION

WHEREAS, a proposed local law was introduced on April 9, 2014 entitled A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK TO AMEND TOWN OF LAGRANGE TOWN CODE SECTION SCHEDULE "A" TO ADD STOP SIGNS ON SOUTH CROSS ROAD, A TOWN ROAD IN THE TOWN OF LAGRANGE and,

WHEREAS, a Public Hearing was held on April 23, 2014 and all residents who wished to be heard were given an opportunity to speak;

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes Clark Patterson Lee to conduct a traffic study on South Cross Road, which shall not exceed \$1,000.

Motion: Councilman **JESSUP**
Second: Councilman **LUNA**

The foregoing resolution was voted upon with the following result:

Supervisor Bell	AYE
Councilman Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	AYE
Councilman Dyal	AYE

The resolution was duly passed.

LaGrangeville, New York
May 14, 2014


Christine O'Reilly-Rao, Town Clerk

RESOLUTION

WHEREAS, Councilman Edward P. Jessup financed the purchase and erection of a flag pole and plaque at the entrance to the Highway Department at 130 Stringham Road, and

WHEREAS, a dedication of the flag pole and plaque was held on May 2, 2014, and

WHEREAS, the pole and plaque were designated in memory of World War II Navy Veteran, Albert C. Jessup, and

WHEREAS, Councilman Jessup erected the flag pole in recognition of the service of all of our U.S. Military men and women;

NOW THEREFORE BE IT RESOLVED, that the Town Board acknowledges the dedicated flag pole and plaque in honor of Albert Jessup

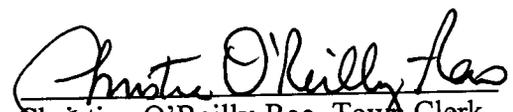
Motion: Councilman **LUNA**
Second: Councilman **POLHEMUS**

The foregoing resolution was voted upon with the following result:

Supervisor Bell	AYE
Councilman Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	AYE
Councilman Dyal	AYE

The resolution was duly passed.

LaGrangeville, New York
May 14, 2014


Christine O'Reilly-Rao, Town Clerk

RESOLUTION

WHEREAS, the State of New York has passed a law whereby a Town Board is authorized to permit the Receiver of Taxes to accept credit cards for payment of taxes, and

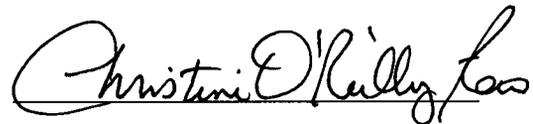
WHEREAS, the Receiver of Taxes wishes to offer this service to residents of the Town to pay school and property taxes as well as water and sewer bills using all major credit cards through Government Payment Service, Inc. (d/b/a GovPayNet) which will be at no cost to the Town.

BE IT RESOLVED, the Town of LaGrange will enter into an agreement with GovPayNet to provide electronic payment options for the payment of school taxes, real property taxes, and water & sewer bills.

The Following Vote was Taken:

Supervisor Bell	AYE
Councilman Luna	AYE
Councilman Jessup	AYE
Councilman Polhemus	AYE
Councilman Dyal	AYE
Councilman Luna	AYE

Dated: May 14, 2014



Christine O'Reilly-Rao
LaGrange Town Clerk

Adopted on May 12, 2011
Amended July 27, 2011

Town of LaGrange Procurement Policy

Whereas, Section 104-b of the General Municipal Law, (GML) requires every town to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML, §103 or any other law; and

WHEREAS, comments have solicited from those officers of the town involved with procurement; NOW THEREFORE, be it

RESOLVED: That the Town of LaGrange does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, §103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2. All purchases of a) supplies or equipment which will exceed \$20,000 in the fiscal year or b) public works contracts over \$35,000 shall be formally bid pursuant to GML, §103. These thresholds shall be deemed to change as and when the state legislature amends them.

Guideline 3. All estimated purchases of:

- *Less than \$20,000 but greater than \$3,000 require preparation of a written quote sheet/request for purchase ("RFP"). Written or faxed quotes must be solicited from at least three (3) vendors, and the results entered on the quote sheet. Approval of the Supervisor shall be required.*
- *Less than \$3,000 but greater than \$1,000 require receipt of at least two (2) oral or faxed quotes from two (2) vendors which shall be entered on a quote sheet.*
- *Less than \$1,000 may be based on one (1) oral quote, which shall be entered upon a quote sheet. Approval of a Department Head is required.*

All estimated public works contracts of:

- Less than \$35,000 but greater than \$10,000 require a written RFP and fax/proposals from three (3) contractors.
- Less than \$10,000 but greater than \$3,000 require a written RFP and fax/proposals from two (2) contractors.
- Quotes for less than \$3,000 are left to the discretion of the town officer or employee.

All public works contracts require advance approval of the Town Board.

Any written quote sheets/request for purchase shall describe the desired goods, quantity and the particulars of delivery. The proposed Purchaser shall compile a list of all vendors from whom quotes have been requested and the quotes received.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the proposed Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. (For example, the second low bidder is a business in the town, paying town property taxes, and their quote was within 5% of the low bidder which is an out-of-state business or supplier.) If a quote provider is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the proposed Purchaser is unable to obtain the required number of the proposals or quotations, the Purchaser shall document the efforts made. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6. Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a) Acquisition of professional services
- b) Emergencies
- c) Sole source situations
- d) Goods purchased from agencies for the blind or severely handicapped
- e) Goods purchased from correctional facilities
- f) Goods purchased from another governmental agency
- g) Goods purchased at auction

Guideline 7. All purchase requests must go to the Comptroller after approval. The Comptroller will subtract the approved purchase amount from the appropriate budget line, then issue a Purchase Order in a form acceptable to the Town Board. Purchase requests that are not possible due to the lack of budget funds in a particular budget line will be referred to the Supervisor and Town Board to make the appropriate budget transfer if possible prior to the purchase order being issued.

Guideline 8. This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonable practicable.

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 30th day of April, 2014, I duly caused a copy of the Notice of Filing with the New York State Comptroller of the ANNUAL FINANCIAL REPORT for the Town of LaGrange to be conspicuously posted on the sign-board maintained by the Clerk's Office at 120 Stringham Road in the Town of Lagrange.


Christine O'Reilly-Rao, Town Clerk

Sworn to before me this
30th Day of April, 2014


Notary Public

**MARGARET SCHMITZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SC6220139
Qualified in Dutchess County
My Commission Expires April 12, 20**

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 2014 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 2nd day of May in the year of 2014 and on the following dates thereafter, namely on:

And ending on the _____ day of _____ in the year of 2014, both days inclusive.

Rita Lombardi
Subscribed and sworn to before me this 2nd day of May in the year of 2014.

[Signature]

Notary Public

My commission expires _____

Public Notice

NOTICE is hereby given that the Chief Financial Officer's ANNUAL FINANCIAL REPORT for the Town of LaGrange, year ending December 31, 2013 has been filed by the Town Comptroller with the State of New York Office of the State Comptroller.

NOTICE is also given that the Annual Financial Report is on file with the Town Clerk at 120 Stringham Road, Town of LaGrange, New York, and is available for inspection during regular business hours: Monday, Wednesday, Thursday, Friday 8:30 a.m. - 4:00 p.m. and Tuesdays 8:00 a.m. - 3:30 p.m.

Christine O'Reilly-Rao
LaGrange Town Clerk
April 30, 2014

6951

CONCETTA F DALIA-JONES
NOTARY PUBLIC-STATE OF NEW YORK
No. 01DA6285485
Qualified in Dutchess County
My Commission Expires July 08, 2017

AGREEMENT

AGREEMENT made this _____ day of _____, ~~2013~~ ²⁰¹⁴

between the Town of LaGrange, on behalf of itself, on behalf of a proposed sewer district, district extension or improvement area to be formed, and the Titusville Sewer District which is an existing sewer district in the Town of LaGrange, all of which above parties maintain offices at the Town Hall, 120 Stringham Road, LaGrangeville, New York (said parties hereinafter being referred to as the "Town"), and

JKF Properties LLC whose address is 733 Freedom PLAINS Rd. (hereinafter referred to as "Owner").

WHEREAS, Owner is the sole owner of certain improved real property known by tax map Grid No. 08-6360-02-569873 located at 733 Freedom PLAINS Rd. in the Town of LaGrange, County of Dutchess, State of New York (hereinafter the "Property"); and

WHEREAS, Owner has expressed an interest to receive an interim source of municipal sewer service for the Property on a contract basis from the Titusville Sewer District (sometimes hereafter "TSD" or the "District"), in exchange for payment of sums equivalent to the annual benefit assessments and usage charges which would generally prevail to the

Property in the event that it were a parcel included within the Titusville Sewer District; and

WHEREAS, the Town is currently gathering information and technical material to assess the terms for establishment of one or more sewer districts, sewer district extensions or sewer improvement areas (hereinafter sometimes collectively referred to as "future sewer entities"), as well as to assess terms for shared facility arrangements between the existing Titusville Sewer District and such future sewer entities for the shared use of sewer collection and treatment facilities of the Titusville Sewer District, or of excess sewer collection and treatment facilities of the Town or of sewer collection and treatment facilities of such future sewer entities to be established, or any combination of such facilities; and

WHEREAS, the Town maintains both the authority to enter into contracts involving the Titusville Sewer District and properties located outside of said district for purposes of providing municipal sewer service; and

WHEREAS, in consideration of this Agreement, the Owner is willing to consent that the Property shall, at the option of the Town, become a part of a future extension of the Titusville Sewer District, or a part of an independent future sewer district or sewer improvement area, any and all of which

may be making shared use of sewer collection and treatment facilities of the Titusville Sewer District, of excess sewer collection and treatment facilities of the Town, or of sewer collection and treatment facilities of such future sewer entities to be established by the Town, or any combination of such sewer collection and treatment facilities. The Owner herein commits to sign an irrevocable petition to effect these commitments, and to otherwise provide that its signature of this Agreement shall stand as a commitment for the Property to be included in such future sewer entities when and if established at the option of the Town; and

WHEREAS, in consideration of the Owner's commitments, the Town is willing to enter into an agreement with the Owner to provide the Property with interim municipal sewer service from the Titusville Sewer District's existing wastewater treatment and collection facilities on a basis which recognizes (a) the finite capacity and future inadequacy of those facilities at this time in relation to the Town's pre-existing obligations to provide service to others when their demand ripens, (b) the Town's need to increase facilities in order to continue to make service available to the Property, and (c) the potential need of the Town to terminate interim use by the Property of the District's

facilities if an increase in the Town's future facilities is not effected timely.

NOW, the respective parties hereby agree as follows for mutual consideration:

1. Subject to the terms and conditions of this agreement, the TSD shall provide municipal sewer service to the Property, and the Owner shall accept and compensate the TSD for providing municipal sewer service to the Property. The maximum average daily wastewater generation of the Property shall be _____ gallons per day, average daily flow. Owner may not exceed that usage. Exceeding that usage shall be a material breach and grounds for the Town's termination of this Agreement.

2. Owner shall continue to own, operate, maintain and repair any sewer collection line and appurtenances located within the boundaries of the Property at Owner's expense pursuant to prevailing District rules and regulations. The Town shall have no obligation to fund, to establish, to maintain or to repair new facilities to collect wastewater from the Property and to convey it to the District's existing wastewater collection facilities.

3. The Town and the District have made no prior representations regarding the sewer service and adequacy of

continuing service to meet Owner's requirements, and the Town and District make no such representations or warranties in this Agreement.

4. With the making of this agreement, Owner shall deposit the sum of \$500.00 with the Town. That sum shall be accepted by the Town as Owner's contribution to defray the actual engineering, legal and administrative costs of the preparation of this agreement, the execution of this agreement, and any costs associated with obtaining the approval of other local, state or federal agencies as may be necessary to execute the provisions of this agreement. This sum shall be deemed an escrow deposit and shall not be deemed a cap upon the Owner's obligation, hereby undertaken and agreed to by the Owner, to defray actual and necessary expenses of the Town in regard to the actual costs identified in this paragraph, with the exception of legal expenses for this Agreement which shall be capped at \$500.00. This obligation to defray is separate and independent of the Owner's responsibility, or shared proportionate responsibility if other properties are collectively included, to cover the future capital costs of establishing any future sewer entity which includes the Property or the capital costs of improving that future sewer entity with such collection and treatment.

facilities, or rights to service by shared facilities, as may be reasonable and necessary in the judgment of the Town.

5. The method and manner of connection of the Property to any existing sewer collection facilities of the TSD or the Town shall be subject to the advance approval of the Town, and the point of connection shall be subject to advance approval by the Town. The connection to any existing sewer collection facilities is further subject to all local laws and regulations of the Town of LaGrange concerning the disturbance of its municipal streets or highways. Connection shall be without cost the Town or the District.

6. The Town shall have the right, in its sole discretion, to extend the boundaries of the District to include Owner's Property, and the Town shall have the right, in its sole discretion, to form another sewer district or sewer improvement area, the boundaries of which future sewer entity may include Owner's Property. If the Town Board, acting pursuant to Article 12 of the Town Law, determines to extend the boundaries of the District to include the Property or to create a new sewer district the boundaries of which will encompass the Property, Owner will execute an irrevocable petition for the inclusion of the Property in the extension of the District or in any other sewer district formed by the Town

to include the Property. If the Town Board, pursuant to Article 12-A of the Town Law, determines to extend the boundaries of the District to include the Property or to create a new district the boundaries of which will encompass the Property, Owners will not take any action to oppose the Town Board's actions or to petition the Town to conduct a permissive referendum. The Town may place the Property in a sewer improvement area under Article 12-C of the Town Law, and Owner waives all rights to take action to oppose such future action of the Town Board. Owner expressly waives any right to object to, challenge by any means, or pursue by petition a permissive referendum in regard to the Town's undertaking any of such alternatives, and such waiver shall include but not be limited to the timing, geographic, land area, capital costs and user costs of establishment and improvement of any such future sewer entity. This paragraph of the Agreement, and the Agreement in its entirety, shall constitute an obligation running with the land and notice of this continuing obligation shall be memorialized by recording this agreement, or a memorandum of this agreement with the Clerk of Dutchess County.

7. Upon connection to District's municipal wastewater facilities, and during duration of this Agreement,

the Owner shall pay to the District for the availability and the usage of the municipal source of sewer service of the District in the following fashion and manner:

n Operation and Maintenance Fee at the then prevailing rate in the District as though the property were located within the District. Any water meter servicing the Property shall be made accessible to be monitored and read by the District's designee, whose determination shall be conclusive and binding upon the Owners. These fees shall be billed to the Owners in arrears on a quarter-annual basis.

Capital Debt Reduction Fee based on the prevailing or later amended Benefit Unit formulation for the District. The Property shall be assigned the equivalent of ^{JKF-2.5} eight Benefit Units, and Owner shall pay the prevailing periodic rate per Benefit Unit as calculated from time to time by the District. The Capital Debt Reduction Fee shall be billed to Owner on a quarterly or annual basis at the option of the Town and, if quarterly, the fee shall be billed with the sewer usage fee.

Late Payment Fee, as adopted from time to time by the Town Board in the Town's Schedule of Fees, in the event the Fees

have not been paid by Owners within thirty (30) days of the payment date stated on the District's voucher.

In the event that any watering metering device is found to read incorrectly or is out of service, the District shall bill Owner for each day the meter is not functioning at the average daily consumption rate as determined by the records for the previous four quarters actually billed by the District. If four quarters of data are not available, the calculation will employ all of the data that is available. The charge shall be added to the regular billing to Owners.

8. Owner's usage of the District's sewer system and municipal sewer service shall be governed by all prevailing rules and regulations established by the Town of LaGrange.

9. In the event of Owner's failure to pay the Fees or otherwise to fulfill any obligation under this Agreement, and in addition to the option of terminating this Agreement, the District and/or Town may exercise the following options in its discretion:

a. Charging any unpaid Fees against the Property by adding that charge to and making it part of the next annual property tax assessment roll of the Town of LaGrange, after giving the Owner, or the last known successor

owner of record, reasonable notice and opportunity to be heard before the Town Board, and such charges shall be levied and collected at the same time and in the same manner as Town-assessed real property taxes;

b. Recovery of legal or equitable relief by action venued in New York State Supreme Court, Dutchess County, and Owner shall be responsible for the reasonable and necessary attorney's fees, investigative costs and court costs expended by the District and/or the Town in successfully prosecuting such action to recover monies, to obtain specific performance, or to achieve any other legal or equitable relief.

10. The term of this agreement shall be forty (40) years. This Agreement shall be superseded by the Property's inclusion in a future sewer entity which is both established and improved by the Town to a point that such entity is has the actual capacity and ability to provide sewer collection and treatment service to the Property.

11. Owner enters into this Agreement with the disclosed understanding and acknowledgement that (a) the District's existing facilities and treatment capacity are less than the total of the Town's commitments to its residents and other properties which have made arrangements to reserve

capacity in the Town's facilities, (b) the Town is currently assessing the increase(s) in the capacity of the existing wastewater collection and/or treatment facilities of the District or of future sewer entities to achieve up to the 1.0M GPD anticipated to be established when those pre-existing commitments were established, (c) the pre-existing commitments shall have priority even as to earlier connection to and use of the District's facilities by the Property as a contract user under this Agreement, and (d) the Town in the exercise of its judgment shall be entitled to implement all remedies reasonable and necessary, including the termination of service to the Property as a contract user under this Agreement, in order for the Town to honor and fulfill those pre-existing commitments. Owner hereby waives and releases all claims against the Town or the District that arise out of, or are in any way related to, the termination of service for these reasons. Owner acknowledges and represents that it has prepared, or that it will consider and prepare, a contingency plan for providing wastewater management at the Property in the event of the need for termination of service by the Town under this paragraph.

12. All terms of this Agreement are binding upon the heirs, successors and assigns of Owners, and it shall run with

the land comprising the Property, and the parties shall record this Agreement or a Memorandum of this Agreement with the Clerk of Dutchess County, indexed to the Property.

13. MISCELLANEOUS MATTERS.

a. Nothing in this Agreement, express or implied, is intended to confer upon any third-party any rights or remedies under or by reason of this Agreement. Each party represents that it is entering into this transaction as principal for its own account and not as an agent for any other party.

b. This Agreement is deemed to be a contract entered into and shall be interpreted under the laws of the State of New York, except the provisions thereof pertaining to the conflicts of laws.

c. Each party will, at any time and from time to time, at the request of any other party, make, execute, acknowledge and deliver, or cause to be done, all such further acts, deeds or other documents as may reasonably be necessary or appropriate to complete the transactions contemplated by this Agreement.

d. This Agreement, together with the terms and conditions in effect from time to time, constitutes the entire agreement of the parties as to the subject matter hereof,

supersedes all prior understandings (whether written or oral) and may not be amended or modified except by a written document signed by both parties and stating that it is intended to amend this Agreement.

e. Each party represents to the other party that it has the power and authority to execute, deliver and perform this Agreement, that all actions necessary to authorize the execution, delivery and performance of this Agreement have been duly taken, that it has duly executed and delivered this Agreement and that this Agreement is legal, valid and binding on it, and enforceable against it, in accordance with its terms.

f. This Agreement and the right, duties and obligations contained herein shall be solely for the benefit of the parties hereto and their permitted assignees and transferees, and no customer, resident, property owner or other users or prospective users of sewer service within the service area of the District or otherwise, third-person or entities shall have any rights hereunder as a third-party beneficiary, or otherwise.

g. The parties understand that the Supreme Court, Dutchess County, New York, shall have exclusive jurisdiction of any disputes arising therefrom and that all disputes shall

be tried before the Court without a jury.

h. All notices and written communications between the parties concerning this Agreement, except the Town's invoices and Owner's remittances, shall be deemed to have been delivered upon receipt or refusal of delivery to the following addresses:

If to the Town: Supervisor
 Town of LaGrange
 120 Stringham Road
 LaGrangeville, NY 12540

If to Owner:

Either party may change the address to which notice is to be sent by like notice. In the event of transfer by Owners of the Property or any lot making up the Property, Owners shall notify the Town of such transfer within ten days of the transfer and supply the Town with the name and mailing address of the transferee. Any successor elected official shall be deemed to have been changed as to this notice provision by virtue of his or her assumption of their office.

i. This Agreement may only be amended by a written agreement of the Town and Owners. If any provision, clause or part of this Agreement or the application thereof under certain circumstances, is held invalid, the remainder of this

Agreement, or the application of each provision, clause or part under other circumstances, shall not be affected thereby.

j. The failure of the Town or Owners to insist, in any one or more instances, upon performance of any of the terms or conditions of this Agreement, shall not be construed as a waiver or relinquishment of any rights or benefits granted hereunder or the future performance of any such term, covenant or condition.

14. The Town and District's obligation under this Agreement are conditioned upon the obtaining of all federal, state, and local regulatory approvals required by law.

TOWN OF LAGRANGE

By: _____



Supervisor

By: _____

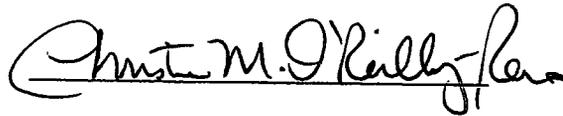
STATE OF NEW YORK, COUNTY OF DUTCHESS) ss.:

On the ____ day of _____, ²⁰¹⁴~~2013~~, before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

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

On the 15th day of May, 2013, ^{2014/Jan} before me, the undersigned, a notary public in and for said state, personally appeared Alan Bell, SUPERVISOR, TOWN OF LAGRANGE, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



NOTARY PUBLIC

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