

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

**TOWN BOARD MEETING
October 22, 2008**

Present: Supervisor Jon Wagner
Councilman Joseph Luna
Councilman Gary Beck
Councilman Steve O'Hare
Councilman Dale Borchert

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

Others Present: Wanda Livigni, Administrator of Public
Peter Huff, Parks & Recreation
Steve Mance, Environmental Consultants
Rebecca Valk Esq., Van De Water & Van De Water

The regular meeting of the Town Board was held on Wednesday, October 22, 2008, at the LaGrange Town Hall, 120 Stringham Road. Supervisor Wagner called the meeting to order at 7:30 p.m. and the Town Clerk led the flag salute.

Supervisor Wagner asked for a motion to approve the minutes for October 8, 2008. Councilman Beck so moved, seconded by Councilman O'Hare and carried by all.

Correspondence

The Supervisor advised the Board that Karen Morley D/B/A Hideaway Café at Route 55 and Titusville Road.

RESOLUTION

To Waive 30 Day Notice for Liquor License

Applicant: Karen S. Morley, Inc. D/B/A Hideaway Café
Route 55
Poughkeepsie, New York 12603

Date: October 22, 2008

Supervisor Wagner introduced the following resolution. Councilman Beck moved its' adoption seconded by Councilman Borchert:

WHEREAS, Hideaway Café, Route 55, Poughkeepsie, NY 12603, which is located in the Town of LaGrange intends to file for a New York State Liquor License; and

WHEREAS, pursuant to Alcohol Beverage Control Law §64(2A), an Applicant must give the municipality thirty (30) days notice of the pending liquor license application unless the municipality consents to waive the thirty (30) day requirement; now therefore be it

RESOLVED, that the Town Board of the Town of LaGrange hereby waives the thirty (30) day notice period in regard to Hideaway Café, allowing an earlier submission of the liquor license application.

ROLL CALL VOTE:

Supervisor Wagner	AYE
Councilman Luna	AYE
Councilman Beck	AYE
Councilman O'Hare	AYE
Councilman Borchert	AYE

Supervisor Wagner stated that Time Warner had written about some additional channel changes. The list will be available for one week.

He also stated that the Town has a curfew for October 30th, 31st and November 1st from 7 p.m. to 6 a.m., during which time all children under the age of 18 must be accompanied by a parent or guardian while out walking or driving.

Supervisor's Report

The Town Board received the tentative budget on October 1st. The Board along with the Comptroller worked on it during several public workshop meetings and reduced. Supervisor Wagner stated that the preliminary budget is now ready. Due to the national mortgage crisis, the mortgage tax income in the Town has decreased by 27%. Fine revenues are down 30% from the projected figures that were submitted by the Justice Court.

The tentative budget held spending to 2% across the Town. The preliminary budget cut spending in many areas. All departments have been asked to cut spending for all non essential items. Actual spending in 2008 was examined and a budget line was set which we think is sustainable. There will be no salary increases for anyone in the Town, including elected officials. Part-time Parks & Recreation employees will have their salaries frozen at 2008 levels. The full time position of Legislative Aide will be reduced to part-time. The Supervisor's position will remain part-time. The Legislative aide assists both the Supervisor and the Town Board. Supervisor Wagner felt that the Town is operating with a skeletal staff in terms of the work which needs to be done and the manpower available to do it.

A vacancy in the Highway Department due to a retirement will remain vacant in 2009.

Permanent highway improvements such as paving will be limited to money received through CHIPS (State Highway Improvement Aid) which is allotted each year by the State. The Town

did not bond last year in anticipation of these types of problems and will not bond in 2009 so that there will be no interest payments for 2010.

Parks & Recreation's budget was reduced by 9 1/4 %.

The LaGrange Library asked for an increase of just under 8%. The Board asked the Library Trustees to try and reduce that and they did. Ultimately, the Board decided that there would be no increase over what was given in 2008.

Some costs saving measures have been decided upon. A new telephone system has been put in place and will save approximately \$2,500 annually. A centralized printing and copying system will reduce copying and other costs by about \$4,500 annually. Supervisor Wagner has negotiated better rates on both life insurance and disability insurance. In addition, a centralized system of purchasing and tracking supplies will be implemented in January.

The 100% assessment of property values by MJW was reduced by 9% prior to the preparation of the budget. The impact to taxpayers will vary according to whether or not they grieved their assessment. A home valued at \$400,000 will see an increase of \$727.64 which is a tax rate of \$1.8191 per thousand of assessed value or an average increase of 6%. On spending that equates to a 0% increase from 2008, despite the fact that Highway expenses such as salt and supplies (pipes, basins etc.) have increased 30% and 60% respectively.

Supervisor Wagner feels that the budget will be sustainable and pointed out that there will be no significant cuts in services and no layoffs.

He further stated that the Comptroller anticipates that her staff will have one extra full time job to do in order to monitor spending.

He asked for a motion to set the Public Hearing for the preliminary budget for Wednesday, November 5, 2008 at 7:00 p.m. which is usually a workshop meeting.

Councilman Borchert so moved, seconded by Councilman Luna and carried unanimously. Supervisor stated that the budget can be adjusted until November 19, 2008. Public comment during the Public Hearing and the final resolution of the Assessor's grievance cases may result in adjustments to the budget. The Board anticipates passing the budget November 19, 2008. He also voiced his concerns about State budget cuts after Election Day and their effect on municipalities.

Councilman Borchert commented that the Board worked very hard to get the spending increase to 0 and minimize the impact on homeowners; realizing that with the loss of revenue there would have to be a small property tax increase.

Councilman Luna commented that at one of the workshop meetings, someone complimented the Board on the diligent work they had done to prepare the budget.

Supervisor Wagner stated that he and the Comptroller had attended an energy seminar put on by Mid Hudson Patterns for Progress which presented cost saving concepts. He will pass this information on to the Highway Superintendent.

At the seminar they met the Director of MEGA (Municipal Electric and Gas Alliance) which helps municipalities and not for profit organizations to obtain gas and electric by providing bid specs. This has been possible due to the deregulation of these utilities. They feel that they can help us save a significant amount of money.

The Director of the DEC conducted a flood summit last week in Kingston. All levels of government attended. The summit was an indirect result from meetings that Supervisor Wagner put together for Dutchess County Municipalities after the 2006 -2007 flooding. A letter was sent to the DEC Commissioner requesting the assistance of the Army Corp of Engineers. The informational session was very helpful. An abbreviated presentation of the Army Corp of Engineers report on the Fishkill watershed was presented which emphasized flood abatement and a watershed approach. The best approach is to keep development out of flood plains.

He asked the Board to look at a Rail Trail Agreement. The County had expected that the municipalities through which the trails run would have certain responsibilities in maintaining the trails. The original agreement had been rather open ended so the municipalities and their attorneys looked into the financial implications of those responsibilities. The current agreement specifies the types of repairs which will be the responsibility of the municipality and their cost. He requested that the Board consider any other changes and then have it signed at the next regular meeting on November 12, 2008. There will be no cost for the Town in 2009 since the trail will not have a projected start date prior to late 2009.

Public Hearing

Supervisor Wagner asked for a motion to open the Public Hearing for Local Law 11-2008, Re-Approval of Final Subdivision Plat.

Ms. Valk stated that this law is essential for the Planning Board to ensure that developers who are seeking re-approval are not in need of any third agency approvals.

Councilman Borchert moved to open the Public Hearing, seconded by Councilman Luna. There was no comment from the public.

Councilman Luna moved to close the Public Hearing, seconded by Councilman Beck and carried by all.

Councilman Beck moved to accept the Negative Declaration, seconded by Councilman Borchert and carried by all.

RESOLUTION

Councilman Luna offered the following resolution which was seconded by Councilman

Borchert, who moved its adoption:

WHEREAS, a local law was introduced entitled A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK TO ADD A NEW SECTION 203-11 "REAPPROVAL OF FINAL SUBDIVISION PLAT"; and

WHEREAS, a public hearing in relation to said local law was held on October 22, 2008 at 7:30 p.m., prevailing time; and

WHEREAS, notice of said public hearing was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

WHEREAS, said local law has been on the desks of the members of the Town Board of the Town of LaGrange for at least seven (7) days, exclusive of Sunday;

NOW, THEREFORE, BE IT RESOLVED that the following local law is hereby enacted:

TOWN OF LAGRANGE LOCAL LAW NO. 11 OF THE YEAR 2008

Section 1. A new section 203-11 is created to read in its entirety as follows:

§203-11. Reapproval of Final Subdivision Plat

This section addresses the potential for reapproval of prior conditional final approval of subdivision plats by the Planning Board, in a fashion which avoids the need for full reapplication for subdivision approval due to the failure to comply with conditions attached to the earlier final approval despite the Planning Board's granting of the maximum periods of extension prescribed by law. The intent is to establish an expedited procedure, particularly where the circumstances do not include intervening changes in local or other agency regulations, intervening exhaustion of local or other agency permits and approvals which attached to the particular subdivision

project, or intervening change of circumstances related to the physical or environmental setting of the subdivision project and its surrounding neighborhood or relevant public road networks. The purpose of this procedure is to carry forward without amendment or modification the nature of the earlier approval, and the conditions attached to it.

A. Procedure

- (1) As soon as possible after any second ninety (90) day extension bestowed by the Planning Board to the subdivision applicant in order to fulfill conditions attached to the earlier, or next preceding, conditional final approval of subdivision plat by the Planning Board, and in no event later than sixty (60) days before the expiration of that ninety (90) day extension, the subdivision applicant shall apply, on forms established and prescribed by the Planning Board for its clerk, for potential reapproval of the earlier, or next preceding, conditional final approval.
- (2) The applicant shall address, in narrative form, and shall submit such professional reports and opinions as are deemed warranted by the applicant in the first instance, or as are requested by the Planning Board in the review of the application, addressing the following issues:
 - (a) Whether any local or other agency permits or approvals issued in connection with the subdivision project have expired, or will expire

prior to the expiration of the prevailing time extended to the applicant to fulfill conditions attached to the subdivision approval;

- (b) Whether any local laws, rules or regulations, or any relevant statutes, rules or regulations pertaining to federal, state, or other local agencies, and relevant to the subdivision project, have changed in a relevant and material way so as to affect the subdivision project in any way, since the earlier or next preceding conditional approval of the subdivision by the Planning Board;
- (c) Whether there have been any intervening, relevant and material changes in circumstances, including but not limited to, the physical and environmental setting of the land devoted to the subdivision project, adjoining or nearby lands, or relevant highway networks, wetlands and waterbodies, floodplains, slopes, and stormwater courses and concentrations;
- (d) A description of any intervening subdivision improvement work performed on the subject lands, or in proximity for the purpose of developing the project.

B. Based upon the content of the reapproval application, and the reports and recommendations of the Town Staff and/or their designee, the Planning Board shall determine whether ministerial reapproval of the conditional final subdivision plat approval should be made without the need for public hearing and without the need for further review under the State Environmental Quality Review Act ("SEQRA"). The

Planning Board may schedule a public hearing to address these issues at its option. In the event of a second or subsequent application for reapproval, the Planning Board shall solicit in writing the recommendation of the Town Board with respect to the granting of such reapproval.

- C. In the event that the Planning Board determines, on the basis of examining the criteria set forth in subsection (A)(2) above, that reapproval is warranted, it shall adopt a resolution so finding and defining the date on which the reapproval shall be effective and the date, six months thereafter, at which time the resulting extended period of time to fulfill conditions to the earlier or next preceding final approval shall expire. In the event that the Planning Board determines that reapproval under this section is not warranted absent more detailed review, it shall determine that the applicant or project sponsor at the time shall have the option of either relinquishing conditional final approval and restoring the matter to the status of its earlier issued preliminary approval, or to make full and complete reapplication for conditional final approval meeting all of the requirements of this Chapter pertaining to applications for final approval.
- D. The expense of work product of Town consultants on applications for reapproval under this section shall be defrayed by the applicant consistent with Section 240-88 of Chapter 240 of the Town Code.
- E. The Town Board shall establish in its fee schedule or schedules the applicable fee for application and or approval of a request for reapproval under this section.

F. Any application or approval fees earlier charged against the subdivision project at the time of earlier or next preceding conditional final approval shall be payable in full at the time of any resolution of the Planning Board granting reapproval but no later than 10 days after the said resolution absent which the said resolution shall be deemed a nullity.

Section 2. Pursuant to §22 of this state's Municipal Home Rule Law, the provisions of this law are intended to supersede any inconsistent provisions of state or local law, including those of the following sections of New York State Town Law governing Zoning Board of Appeals and Planning Boards, respectively: Town Law §§ 276, 277, 278 or 279.

Section 3. This local law shall take effect immediately upon filing with this state's Secretary of State.

RESOLVED that the Town Clerk shall file a certified original of this local law in the office of the Town Clerk and one (1) certified copy in the Office of the Secretary of State, State of New York, such certified copy to have attached thereto a certificate executed by the attorney for the Town of LaGrange that it contains the correct text and that all proper proceedings have been had or taken for the enactment of this local law.

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

Supervisor Wagner	AYE
Councilman Luna	AYE
Councilman Beck	ABSTAIN
Councilman O'Hare	AYE
Councilman O'Hare	AYE

DATED: LaGrangeville, New York
October 22, 2008

Supervisor Wagner asked the Board to set a Public Hearing for a change of zoning request for 3V Builders for parcels along Titusville Road near Noxon Road.

RESOLUTION

WHEREAS, Supervisor Wagner introduced the following local law for the Town of LaGrange, entitled "Town of LaGrange Local Law No. ___ of the Year 2008, A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, AMENDING THE ZONING MAP OF CHAPTER 240, SECTION 240-22, OF THE TOWN CODE TO CHANGE THE DESIGNATION OF LAGRANGE TAX PARCEL 6360-01-271581, COMMONLY KNOWN AS 317 TITUSVILLE ROAD, FROM THE R-40/60/80 DISTRICT TO THE C-2 DISTRICT.

BE IT ENACTED by the Town Board of the Town of LaGrange as follows:

Section 1. The zoning map of Chapter 240, Section 240-22, of the Town Code is amended to change the district designation of LaGrange Tax Parcel 6360-01-271581, located on the west side of Titusville Road, consisting of approximately 0.87 acres and commonly known as 317 Titusville Road, from the R-40/60/80 District to the C-2 District.

Section 2. This local law will take effect upon the filing with the Secretary of State as prescribed by law.

WHEREAS, Supervisor Wagner advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it was necessary to hold a public hearing upon this local law. Councilman Luna offered the following resolution which was seconded by Councilman Borchert, who moved its adoption:

Whereas, on October 22, 2008, Supervisor Wagner has introduced this local law for the Town of LaGrange, to be known as "Town of LaGrange Local Law No. _____ of the Year 2008, a local law of the Town of LaGrange, Dutchess County, New York amending the Zoning Map of Chapter 240, Section 240-22, of the Town Code to change the designation of LaGrange Tax Parcel 6360-01-271581, commonly known as 317 Titusville Road, from the R-40/60/80 District to the C-2 District.

LET IT BE RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, LaGrangeville, New York on December 10, 2008, at 7:30 p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of LaGrange, by the Town Clerk, at least

five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on December 10, 2008, at 7:30 o'clock p.m. prevailing time, on a proposed Local Law of the Town of LaGrange, Dutchess County, New York, amending the Zoning Map of Chapter 240, Section 240-22, of the Town Code to change the designation of LaGrange Tax Parcel 6360-01-271581, commonly known as 317 Titusville Road, from the R-40/60/80 District to the C-2 District.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringham Road, LaGrangeville, New York, between the hours of 8:30 a.m. and 4:00 p.m. on all business days, except Tuesdays, 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

October 22, 2008

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

Supervisor Wagner	AYE
Councilman Luna	AYE
Councilman Beck	ABSTAIN
Councilman O'Hare	AYE
Councilman Borchert	AYE

Supervisor Wagner asked for a motion to set a new Public Hearing for a proposed updated Ethics Law which will govern the activities of LaGrange officials for November 12, 2008. The law needed to be re-circulated due to some typographical errors in the text.

LET IT BE RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, LaGrangeville, New York on November 12, 2008, at 7:30 p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of LaGrange, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on November 12, 2008, at 7:30 o'clock p.m. prevailing time, on a proposed Local Law No. __ of the year 2008, to Replace the Current Chapter 28 of the Town Code "Code of Ethics" with a New Chapter 28 "Ethics Law".

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringham Road, LaGrangeville, New York, between the hours of 8:30 a.m. and 4:00 p.m. on all business days except Tuesdays 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
October 22, 2008

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

Supervisor Wagner	AYE
Councilman Luna	AYE
Councilman Beck	AYE
Councilman O'Hare	AYE
Councilman Borchert	AYE

Supervisor Wagner then asked for a motion to set a new Public Hearing for a zoning change of Red Wing Properties due to a typographical error in the Legal Notice.

RESOLUTION

WHEREAS, Supervisor Wagner introduced the following local law for the Town of LaGrange, entitled "Town of LaGrange Local Law No. ___ of the Year 2008, A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, AMENDING THE ZONING MAP OF CHAPTER 240, SECTION 240-22, OF THE TOWN CODE TO CHANGE THE DESIGNATION OF THREE (3) PROPERTIES ALONG THE NORTH OF ROUTE 55, AND TO THE WEST OF ROUTE 82, IN THE TOWN OF LAGRANGE FROM THE R-120 DISTRICT TO THE C-2 DISTRICT

BE IT ENACTED by the Town Board of the Town of LaGrange as follows:

Section 1. The zoning map of Chapter 240, Section 240-22, of the Town Code is amended to change the district designation of the following properties generally situated at NYS Route 55, west of Route 82, from the R-120 district to the C-2 District:

- a) LaGrange Tax Parcel 6560-02-515970;
- b) LaGrange Tax Parcel 6560-02-501968; and
- c) An approximate 7.5 acre portion of LaGrange Tax Parcel 6561-03-423054 located between Route 55 to the south and the existing course of a stream located to the north of

Route 55 and running in a generally southwest to northeast direction across the tax parcel.

Section 2. This local law will take effect upon the filing with the Secretary of State as prescribed by law.

WHEREAS, Supervisor Wagner advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it is necessary to hold a public hearing upon this local law. Councilman Borchert offered the following resolution which was seconded by Councilman Luna, who moved its adoption:

LET IT BE RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, LaGrangeville, New York on November 12, 2008, at 7:30 p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of LaGrange, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on November 12, 2008, at 7:30 o'clock p.m. prevailing time, on a proposed Local Law No. ___ of the Year 2008 to change the district designation of the following properties generally situated at NYS Route 55, west of Route 82, from the R-120 district to the C-2 District:

A) LaGrange Tax Parcel 6560-1-02-3-515970;

B) LaGrange Tax Parcel 6560-02-501968; and

C) An approximate 7.5 acre portion of LaGrange Tax Parcel 6561-03-423054 located between Route 55 to the south and the existing course of a stream located to the north of Route 55 and running in a generally southwest to northeast direction across the tax parcel.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law, and the concept plan for Overlook Place, will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringham Road, LaGrangeville, New York, between the hours of 8:30 a.m. and 4:00 p.m. on all business days, except Tuesdays, 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.

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

Supervisor Wagner	AYE
Councilman Luna	AYE
Councilman Beck	ABSTAIN
Councilman O'Hare	AYE
Councilman Borchert	AYE

Dated: LaGrangeville, New York
October 22, 2008

Recreation Committee

There was no report.

Water and Sewer Committee

There was no report.

Open Space Committee

Councilman Borchert wanted to inform the Board that the campaign for the Open Space Proposition is being run by a private group of residents and funding for the signs and mailings is through private donations.

Supervisor Wagner added that there would be an informational seminar on the Open Space Proposition on Saturday, October 26, 2008 from 11:00 a.m. to 2:00 p.m. at Sprout Creek Farm.

Highway Committee

Councilman Beck stated that there have been several responses regarding the vacancy on the Committee. The names have been forwarded to Rudy Macak and they will plan on a date to interview the applicants.

General Comments

There were no comments from the Board.

Administrator of Public Works

Ms. Livigni asked for the Board to approve a change order in the amount of \$56,293.82 for the Maplevue Water District. (SEE ADDENDUM)

There will be approximately \$68,000 left in the budget after paying this change order. It will be distributed between the Maplevue and Manchester Water Districts. The bulk of this change

order is due to the necessity of rerouting the water main on Overlook as well as the purchasing of materials such as pipes and valves.

Councilman Luna moved to approve the change order, seconded by Councilman O'Hare and carried by all.

Supervisor Wagner wanted to state that in the past the Town has had very few projects come through on time and under budget. He thanked Ms. Livigni for time and hard work she put into get this project completed on time and under budget. She worked to accommodate residents to avoid cutting down trees. He further stated that it was well worth having Ms. Livigni, as a Town employee, on site and supervising Town projects rather than relying on consultants to look out for the interests of Town residents. The other Councilmen echoed his sentiments.

Ms. Livigni added that the Town needed to decommission the Titusville Wastewater Treatment Plant. Mike Kelly has volunteered to have the Highway Department to do the job based on the value of the salvage materials. It will likely take two winters to accomplish this.

A resident living near the Noxon Knolls Booster Station is concerned about partying, parking and debris in the area. Ms. Livigni recommended decommissioning that station and again Mike Kelly would do the job.

Supervisor Wagner thought about making a park there, but the resident was not happy about the idea. Ms. Livigni thought that the Town should try and sell the lot which is 3.5 acres. A discussion followed.

Environmental Consultants

Steve Mance stated that after 4 years of manually operating the Manchester Water District controls, the system is finally on line. Two storage tanks are on line now. There is more water for fire protection and if there is a water main break. There is also flexibility to shut down a specific area rather than the entire Town if repairs are necessary. The actual alarm system will require an internet connection which is not yet in place.

Public Comment

Councilman Luna moved to open the meeting to the public seconded by Councilman Borchert and carried unanimously.

Rudy Macak addressed the Board and thanked them for their work on the budget. He hopes that there will be no increase and possibly have some reduction as well. He stated that the *Poughkeepsie Journal* had an article about Verizon. He is interested in getting IOS and asked the Board about it.

Supervisor Wagner replied that Verizon would need to approach the Town for a franchise agreement.

Ed Mulford, Chairman of the Board of Fire Commissioners had a question regarding the budget as to the anticipated revenues of \$24,900 from the Fire District. He wanted to know what those fees are.

Supervisor Wagner stated that he would have to check and that the only thing different from past budgets are the charge backs that are received from the County.

Mr. Mulford asked for information regarding MEGA and Supervisor Wagner stated he would get that information to him. He then asked about bids for gasoline and diesel.

Supervisor Wagner stated that the Town does better with local bids rather than State bid. He is working to get other municipalities together to possibly get an even lower bid. Mr. Mulford stated that being able to use the Town gas tanks would benefit the fire department since they currently use commercial gas stations and have to have the taxes reimbursed.

Karl Loatman, a library trustee, addressed the Board. He thanked the Board for approving the budget. He noted that circulation was up by 17%. He also let the Board know that their landlord began to charge for utilities this year. He asked about MEGA. Supervisor Wagner wasn't sure about the program working through the landlord, but felt it might be worth looking into. Mr. Loatman stated that representatives from the library attended the open house at of the area schools to ensure that residents knew about the library and where it is located.

Ernie Underal asked about the Benefit Assessment letter he had received. Supervisor Wagner stated that the Public Hearing can be set for November 5, 2008 and will be done after the close of the Public Comment.

Councilman Borchert moved to close the Public Comment, seconded by Councilman O'Hare and carried unanimously.

Councilman Luna moved to set the Public Hearing for Special Districts Assessment for November 5, 2008. Councilman O'Hare seconded the motion and it carried unanimously. Councilman O'Hare moved to adjourn the meeting, seconded by Councilman Borchert and carried by all.

The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Christine O'Reilly-Rao 

Christine O'Reilly-Rao

ADDENDUM

Mapleview Water District Change Order

Affidavits of Posting:

Local Law 11-2008 Re-Approval of Final Subdivision Plat

Ethics Law

Red Wing Properties Re Zoning

Change Order

No. 1

Date of Issuance: October 22, 2008

Effective Date: October 22, 2008

Project: Mapleview W.D. construction	Owner: Town of LaGrange	Owner's Contract No.:
Contract: Mapleview Water District Construction		Date of Contract: June 9, 2008
Contractor: Metra Industries		Engineer's Project No.:

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

Description: **See attached**

Attachments: (List documents supporting change):

Supporting Documents for Claims 1 through 7

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 518,407.50

Increase from previously approved Change Orders
No. 001 to No. 001:

\$ 0.00

Contract Price prior to this Change Order:

\$ 518,407.50

Increase of this Change Order:

\$ 56,293.82

Contract Price incorporating this Change Order:

\$ 574,701.32

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working days Calendar days

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

[Increase] [Decrease] from previously approved Change Orders
No. NA to No. NA:

Substantial completion (date): August 12, 2008

Ready for final payment (date): July 19, 2009

Contract Times prior to this Change Order:

Substantial completion (days or date): August 12, 2008

Ready for final payment (days or date): September 12, 2008

Increase of this Change Order:

Substantial completion (days or date): NA

Ready for final payment (days or date): NA

Contract Times with all approved Change Orders:

Substantial completion (days or date): August 12, 2008

Ready for final payment (days or date): September 12, 2008

RECOMMENDED:

By: 
Engineer (Authorized Signature)

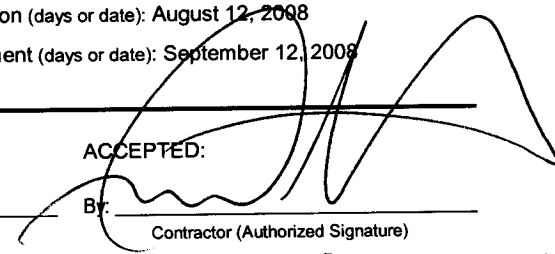
Date: 10/22/08

ACCEPTED:

By: 
Owner (Authorized Signature)

Date: 10/30/08

ACCEPTED:

By: 
Contractor (Authorized Signature)

Date: 10-29-2008

Approved by Funding Agency (if applicable): _____

Date: _____

EJCDC No. C-941 (2002 Edition)

Prepared by the Engineers' Joint Contract Documents Committee and endorsed by the
Associated General Contractors of America and the Construction Specifications Institute.

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 printed and published every day in the year
2008 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
13th day of Oct. in the year of 2008
and on the following dates thereafter, namely on:

and ending on the _____ day of _____ in
the year of 2008, both days inclusive.

Rita Lombardi

Subscribed and sworn to before me this 15 day
of October in the year of 2008

Janice Sheraden
Notary Public

NOTICE OF PUBLIC HEARING
TAKE NOTICE that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on October 22, 2008 at 7:30 o'clock, p.m., on Local Law No. _____ of the Year 2008, to add a new section 203-11 "REAPPROVAL OF FINAL SUBDIVISION PLAT".
TAKE FURTHER NOTICE that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringham Road, LaGrangeville, New York between the hours of 8:30 a.m. and 4:00 p.m. on all business days except Tuesdays 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
September 24, 2008
CHRISTINE O'REILLY-RAO
TOWN CLERK
7297

LESLIE SHERADEN
Notary Public, State of New York
No. 01SH5018755

Qualified in Dutchess County
Commission Expires 10/4/20 09

My commission expires 10/4/09

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13th day of Oct. in the year of 2008
 and on the following dates thereafter, namely on:

and ending on the _____ day of _____ in
 the year of 2008, both days inclusive.

Rita Lombardi

Subscribed and sworn to before me this 15 day
 of October in the year of 2008

Leslie Sheraden

 Notary Public

NOTICE OF PUBLIC HEARING
 TAKE NOTICE that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on October 22, 2008, at 7:30 o'clock p.m. prevailing time, on a proposed Local Law No. ___ of the year 2008, to Replace the Current Chapter 28 of the Town Code "Code of Ethics" with a New Chapter 28 "Ethics Law".
 TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringham Road, LaGrangeville, New York, between the hours of 8:30 a.m. and 4:00 p.m. on all business days except Tuesdays 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
 October 8, 2008
 CHRISTINE O'REILLY-RAO
 TOWN CLERK
 7296

LESLIE SHERADEN
 Notary Public, State of New York
 No. 01SH5018755
 Qualified in Dutchess County
 Commission Expires 10/4/20 09

My commission expires 10/4/09

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Rita Lombardi
 Subscribed and sworn to before me this 15 day
 of October in the year of 2008

Leslie Sheraden

 Notary Public

NOTICE OF PUBLIC HEARING
 TAKE NOTICE that the Town Board of the Town of LaGrange will hold a public hearing at the Town Hall, 120 Stringham Road, LaGrangeville, New York on October 22, 2008, at 7:30 o'clock p.m. prevailing time, on a proposed Local Law No. of the Year 2008 to change the district designation of the following properties generally situated at NYS Route 55, west of Route 52, from the R-120 district to the C-2 District:
 A) LaGrange Tax Parcel 6560-02-515790;
 B) LaGrange Tax Parcel 6560-02-501968; and
 C) An approximate 7.5 acre portion of LaGrange Tax Parcel 6561-03-423054 located between Route 55 to the south and the existing course of a stream located to the north of Route 55 and running in a generally southwest to northeast direction across the tax parcel.
 TAKE FURTHER NOTICE that copies of the aforesaid proposed local law, and the concept plan for Overlook Place, will be available for examination at the office of the Clerk of the Town of LaGrange, at the Town Hall, 120 Stringham Road, LaGrangeville, New York, between the hours of 8:30 a.m. and 4:00 p.m. on all business days except Tuesdays 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
 October 8, 2008
 CHRISTINE O'REILLY-RAO,
 TOWN CLERK
 7295

My commission expires 10/4/09

LESLIE SHERADEN
 Notary Public, State of New York
 No. 01SH5018755
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