

Town Board - 2007-02-15
DRAFT
STATE OF NEW YORK Town Board Meeting
COUNTY OF DUTCHESS February 15, 2007
TOWN OF LA GRANGE

Present Jon Wagner, Supervisor
Joe Luna, Councilman
Stephen O'Hare, Councilman

Absent Gary Beck, Councilman
Dale Borchert, Councilman

Recording Secretary: Jon Wagner, Supervisor

Others Present: Ron Blass, Esq., Van DeWater and Van DeWater
G.Bolner, The Chazen Companies (TCC)

Supervisor Wagner called the special Business Meeting to order at 5:55 PM .with a flag salute. There were no (0) citizens in attendance. This meeting was called to handle certain agenda items from the cancelled meeting of February 14 2007 and to facilitate the publishing of required legal notices.

Rebecca Valk (attorney for the Town) introduced the following items.

- ◆ A map plan and report for the proposed expansion of the Sunset Ridge Sewer District facilities located on Angelo Blvd.
- ◆ An agreement between New Horizons and the Town of LaGrange in which New Horizons agrees to defray all costs associated with the expansion.

A motion was made by Councilman Luna to accept the Map Plan and Report, authorize the Supervisor to sign the agreement and set a public hearing on the expansion for 8PM on Wed. February 28 2007

Councilman O'Hare seconded the motion, which carried without opposition.

- ◆ A resolution authorizing a settlement of an additional \$1200.00 paid to Cheryl Lichtenberger regarding an easement to facilitate construction of the Titusville Trunk Sewer.

A Motion was made by Councilman O Hare and seconded by Councilman Luna to authorize said payment. The motion carried without opposition.

- ◆ A Resolution authorizing the settlement of an easement with George and Elfriede Maine to facilitate construction of the Titusville Trunk Sewer.

A Motion was made by Councilman O Hare and seconded by Councilman Luna to authorize said payment. The motion carried without opposition.

Copies of the previously noted resolutions are attached.

A motion to adjourn was made by Councilman Luna and seconded by Councilman O Hare. The meeting was adjourned at 6:45PM

RESOLUTION

Councilman Luna introduced the following resolution, which was seconded by Councilman O'Hare.
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WHEREAS, the Town Board acts by law as Commissioners of an existing sewer improvement district known as the Sunset Ridge Estates Sewer District in the Town of LaGrange; and
WHEREAS, the Town Board has received a map and plan dated February 13, 2007, along with estimate of cost, prepared by the Chazen Companies, which evidences the need for 202 LF of trench which will be added to an existing leach field.

NOW, IT IS HEREBY RESOLVED THAT:

1. The Town Board ratifies the preparation of the map and plan by the Chazen Companies.
2. The Town Board will consider the aforesaid map and plan for the proposed increase and improvement of the facilities of the Sunset Ridge Estates Sewer District at a public hearing pursuant to Section 202-b of the Town Law.
3. The aforesaid public hearing shall be held at Town Hall, 120 Stringham Road, LaGrangeville, New York on February 28, 2007 at 8:00 p.m., prevailing time in accordance with the annexed public hearing notice, at which time and place said Town Board will hear all persons interested in the subject.
4. The Town Clerk of the Town of LaGrange is hereby authorized and directed to cause the notice of said public hearing to be published in an official newspaper of said Town, and posted in the manner prescribed by law, which notice shall be given not less than 10 days, and not more than 20 days before the date of public hearing, in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of LaGrange, Dutchess County, New York, will meet at the Town Hall, 120 Stringham Road, LaGrangeville, New York on February 28, 2007 at 8 o'clock, p.m., prevailing time, for the purpose of conducting a public hearing relating to a map and plan bearing date of February 13, 2007 and on file with the Town Clerk at Town Hall, 120 Stringham Road, LaGrangeville, New York addressing the proposed increase of the facilities of the Sunset Ridge Estates Sewer District in said Town, under Town Law 202-b, consisting of the construction of 202 LF of trench which will be added to an existing leach field, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

DATED: LaGrangeville, New York
February 15, 2007

Jon J. Wagner, Supervisor

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

Supervisor Wagner Aye
Councilman Luna Aye
Councilman Beck Absent
Councilman Borchert Absent
Councilman O'Hare Aye

DATED: LaGrangeville, NY
February 15, 2007

Jon J. Wagner, Supervisor

RESOLUTION

Councilman O'Hare introduced the following resolution, which was seconded by Councilman Luna, who moved its adoption:

WHEREAS, the Town Board of the Town of LaGrange (the Town) previously issued a final order adopting the Titusville Sewer District Wastewater Master Plan, among other things, review under the State Environmental Quality Review Act (SEQRA) and

WHEREAS, construction of the Titusville Trunk Sewer Line is a portion of the overall Wastewater Master Plan; and

WHEREAS, the Town requires easements over the lands of certain property owners in order to construct and maintain the sewer district improvements for the Titusville Trunk Sewer Line; and

WHEREAS, Town representatives have arrived at mutually acceptable terms for a relocated easement needed from the property owner Cheryl Lichtenberger for the additional compensation of \$1,200.00.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board

authorizes the payment of \$1,200.00 of added compensation to Cheryl Lichtenberger for the relocated easement.

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

Supervisor Wagner Aye

Councilman Luna Aye

Councilman Beck Absent

Councilman Borchert Absent

Councilman O'Hare Aye

DATED: LaGrangeville, New York

February 15, 2007

Jon J. Wagner, Supervisor

RESOLUTION

Councilman O'Hare introduced the following resolution, which was seconded by Councilman Luna, who moved its adoption:

WHEREAS, the Town Board of the Town of LaGrange (the Town) previously issued a final order adopting the Titusville Sewer District Wastewater Master Plan, among other things, review under the State Environmental Quality Review Act (SEQRA) and

WHEREAS, construction of the Titusville Trunk Sewer Line is a portion of the overall Wastewater Master Plan; and

WHEREAS, the Town requires easements over the lands of certain property owners in order to construct and maintain the sewer district improvements for the Titusville Trunk Sewer Line; and

WHEREAS, Town representatives have attempted to arrive at mutually acceptable terms for the various easements needed with the property owners; and

WHEREAS, Town representatives have been unsuccessful in their attempts to acquire easements from certain property owners; and

WHEREAS, it is necessary for the Town make a final offer to those property owners from which easements have not been obtained, pursuant to Sections 303 and 304 of the New York Eminent Domain Procedure Law; and

WHEREAS, if such final offer is not accepted by a property owner, then the Town shall take the necessary steps for condemnation relief under the New York Eminent Domain Procedure Law to obtain ownership

of the easement.

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NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the following final offers to property owners within the Titusville Trunk Sewer Line, in accordance with the appraisals prepared by McGrath & Company, as follows:

1. To George & Elfriede Maine, as Trustees under Agreement with George Maine dated January 17, 1992
♦ For a perpetual easement and a temporary easement on a parcel known by tax grid #6261-04-902206, a sum of FIVE THOUSAND FIVE HUNDRED AND 00/100 (\$5,500.00) dollars.
2. To George & Elfriede Maine, as Trustees under Agreement with George Maine dated January 17, 1992
♦ For a perpetual easement and a temporary easement on a parcel known by tax grid #6261-04-899218, a sum of FIVE THOUSAND AND 00/100 (\$5,000.00) dollars.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that, if such final offer is not accepted by a property owner, the Town Board authorizes Town representatives to take the necessary steps for condemnation relief under the New York Eminent Domain Procedure Law to obtain the required perpetual easements and, if necessary, temporary construction easements from the aforesaid property owners.

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

Supervisor Wagner Aye

Councilman Luna Aye

Councilman Beck Absent

Councilman Borchert Absent

Councilman O♦Hare Aye

DATED: LaGrangeville, New York

February 15, 2007

Jon J. Wagner, Supervisor