

Town Board - 2007-04-25
DRAFT
STATE OF NEW YORK Town Board Meeting
COUNTY OF DUTCHESS April 25, 2007
TOWN OF LA GRANGE

Present Jon Wagner, Supervisor
Joe Luna, Councilman
Dale Borchert, Councilman.
Stephen O'Hare, Councilman
Gary Beck, Councilman

Recording Secretary: Kathleen Williams, Town Clerk

Others Present: Ron Blass, Esq., Van DeWater and Van DeWater
G.Bolner, The Chazen Companies (TCC)
Diana Ciampaglione, Environmental Consultants
P. Huff, Recreation Director

Supervisor Wagner called the Business Meeting to order at 8:00 PM with a flag salute. There were 22 citizens in attendance.

Supervisor Wagner asked if the board had reviewed the minutes of 4/11/07 and was prepared to accept them. Councilman Beck expressed his desire for a correction to the minutes since he had changed his mind on the prosecution motion determination. Supervisor Wagner stated the motion to prosecute was voted on last week there is no procedural way to change a vote. Councilman Beck stated he visited the site with a commercial truck parked and now was in favor of criminal proceedings. Councilman Borchert offered a motion to approve the minutes as presented for 4/11/07 seconded by Councilman Luna and carried unanimously.

Supervisor Wagner stated a public hearing was held on 4/11/07 to amend the Town Code section 240-84 with respect to authorized signatures on Certificate of Occupancy. With the amendment the only individual authorized to sign will be the Building Inspector. D.C. Planning Department has provided the referral comments. Councilman Beck offered a motion to adopt the legislation seconded by Councilman Luna.

RESOLUTION

Councilman Beck offered the following resolution which was seconded by Councilman Luna, who moved its adoption:

WHEREAS, a local law was introduced entitled A LOCAL LAW OF THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK TO amend Section 240-84 of the Town Code of the Town of LaGrange regarding Certificate of Occupancy; and

WHEREAS, a public hearing in relation to said local law was held on April 11, 2007 at 8:00 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. 1 OF THE YEAR 2007

Section 1. Section 240-84 of the Town Code of the Town of LaGrange is hereby amended to read as

follows:

A. General.

(1) No building hereafter erected shall be used or occupied in whole or in part until a certificate of occupancy shall have been issued by the Building Inspector.

(2) No building hereafter enlarged, extended or altered or upon which work has been performed that required the issuance of a building permit shall continue to be occupied or used for more than 30 days after the completion of the alteration or work unless a certificate of occupancy shall have been issued by the Building Inspector.

(3) No change shall be made in the use or type of occupancy of an existing building unless a certificate of
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occupancy authorizing such change shall have been issued by the Building Inspector.

(4) The owner or his agent shall make application for a certificate of occupancy to the Building Inspector. In the case of new construction pursuant to a project development plan, accompanying this application and before the issuance of a certificate of occupancy, there shall be filed with the Building Inspector an affidavit of the registered architect or licensed professional engineer who filed the original plans, or of the registered architect or licensed professional engineer who supervised the construction of the work, or the superintendent of construction who supervised the work and who, by reason of his experience, is qualified to superintend the work for which the certificate is sought. This affidavit shall state that the approved plans of the structure for which a certificate of occupancy is sought have been examined and that the structure has been erected in accordance with approved plans and, as erected, complies with the provisions of this chapter and all other laws governing building construction except insofar as variations therefrom have been legally authorized. Such variations shall be specified in the affidavit.

B. Inspection prior to issuance of certificate. Before the issuance of a certificate of occupancy, the Building Inspector shall examine or cause to be examined all buildings, structures and site for which an application has been filed for a building permit to construct, enlarge, alter, repair, remove, demolish, or change the use of occupancy, and he may conduct such inspections as he deems appropriate from time to time during and upon completion of the work for which a building permit has been issued. There shall be maintained by the Town a record of all such inspections and examinations, together with a record of findings in violations of the law.

C. Issuance of Certificate of Occupancy.

(1) When, after final inspection, it is found that the proposed work has been completed in accordance with the applicable provisions of this chapter or other local laws, rules and regulations and also in accordance with the application, plans and specifications filed in connection with the issuance of the building permit, the Building Inspector shall issue a certificate of occupancy. If it is found that the proposed work has not been properly completed, the Building Inspector shall refuse to issue a certificate of occupancy and shall order the work completed in conformity with the building permit and in conformity with the applicable building regulations.

(2) The certificate of occupancy shall certify that the work has been completed and that the proposed use and occupancy is in conformity with the provisions of the applicable building laws, ordinances and regulations, and it shall specify the use or uses and the extent thereof to which the building or structure or its several parts may be put.

D. Upon request, the Building Inspector may issue a temporary certificate of occupancy for a specified term of months for a building or structure, or part thereof, or for landscape improvements, before the entire work covered by the building permit shall have been completed, provided that such portion or portions as have been completed may be occupied safely without endangering life or the public welfare, after review and approval has been given by the Town Board, and only after a cash bond equal to 1 1/2 times the value of the work to be completed has been posted with Town Clerk. Only the principal amount of this cash bond deposited will be refunded.

Section 2. 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 Aye
Councilman Borchert Aye
Councilman O'Hare Aye

DATED: LaGrangeville, New York
April 25, 2007

KATHLEEN WILLIAMS, TOWN CLERK

Supervisor Wagner reviewed recent correspondence:

- 1). Correspondence from the town engineer identifying leakage in the Sleight Frank Sewer District. Mr. Bolner stated the town created the pump and haul funding district to allow temporary hauling from the developers of Sleight Frank subdivision. The pump and haul costs are high and the town operator has reported there is inflow and infiltration into the system which is under construction, partially in service. Evidence between manholes of an increase in sewer not affiliated with connected homes was witnessed by the engineer, developer and operator. The cost is eleven cents /gallon for hauling and this is an issue that needs to be corrected by the developer. The concern is with the Frank Farm section of the development.
- 2). Supervisor Wagner stated flood issues will only be discussed as it relates to the town and tomorrow there is a county wide meeting being held at 7:00 P.M. with representatives from FEMA, Red Cross and Emergency Management.
- 3) Correspondence from County Executive Bill Steinhaus announced the award of a \$100,000 grant for the Freedom Park Handicap Bathrooms.
- 4). Time Warner announced a list of channel drops which is on file with the Town Clerk: Chinese Channel, CNN on Demand, Disney Channel, Greek Channel and Great American County on Demand
- 5) The Knights of Columbus has asked for permission to use the field for the carnival planned 7/11 to 7/14. This letter is to the Fire Commissioners seeking authorization
- 6) The D.C. Real Property Tax Service Agency has identified disclosure requirements for any member serving on the Board of Assessment Review, conflict of issues, ethics and a notification to Mr. Chu to attend training this year.
- 7) The town agreed to purchase electricity through Community Energy using windpower, a certificate and expression of appreciation has been received.
- 8) Assemblyman Marc Molinaro sent correspondence of support for flood funding issues.
- 9) A request was submitted by Steve Maine seeking a waiver from the engineer/architect requirement for a nonresidential water hookup application. Supervisor Wagner stated this was discussed in a workshop session and Mr. Wagner asked the engineer to explain the status. Mr. Bolner identified that the town's water connection control program was approved by the D.C. Department of Health and as such waivers being offered or considered would need the review and approval of the health department. The protocol requires an engineering set of plans be submitted documenting the hazards associated with the application and the cross connection controls implemented to protect the municipal water supply. Mr. Bolner would want to determine the health department's opinion on this before possibly recommending a waiver. Supervisor Wagner stated any time including this if the board offers a waiver they would be excluding safeguards implemented by the health department. Supervisor Wagner asked Mr. Bolner to contact the health department if the board desires to determine their position. Councilman Luna stated he would not consider a waiver noting eventually the applicant will use it as a commercial site; it is currently a mixed use. Mr. Bolner stated the applicant Mr. Maine is seeking a waiver on the site designated commercial ♦ an office building with restrooms. The residential and commercial site is different than what is being discussed presently. Councilman Luna did not see any reason to offer a waiver and Councilman Beck concurred. Councilman Luna offered a motion to deny the waiver seconded by Councilman Beck and carried unanimously.

Supervisor Wagner announced some commercial properties, residential and town land was damaged in the flooding but LaGrange fared better than some other communities. There is a voucher system in place for anyone who has damaged items to dispose of ♦ an assessment of cost needs to be identified and items can be disposed of free

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of charge at the transfer station. The cost of disposal associated with this will be put in from the town. Freedom Park incurred significant damage the lake sand, the walkways were mangled and the concession stand is full of mud. FEMA will visit this site tomorrow to see municipal damage tomorrow. Mr. Wagner thanked the fire department for their hours of service pumping flooded houses and properties throughout the rain event. It was suggested that perhaps the town would want to purchase pumps and house them at the town hall to be used in the future. Supervisor Wagner will research prices on this and perhaps mitigation funding is available. Bob Sears, county legislator along with other two other legislators has introduced two resolution before the county legislative which will allocate \$205,000 through the Governor♦s office for work in the Jackson Creek area of LaGrange and the other resolution designates the D.C. Soil and Water Conservation District as lead agency for the entire county for flood mitigation. These resolutions passed and Supervisor Wagner thanked Mr. Sears for his efforts.

Supervisor Wagner stated he has researched web casting for use at the town board meetings with a static camera capturing the meeting. Mr. Wagner identified the cost to be about \$350 per event or meeting and this will not require personnel. Mr. Wagner asked the town board to review the proposal information previously distributed.

Supervisor Wagner stated the electronic newsletter was functioning as a feature on the website but technical difficulties are occurring with having the website and newsletter functioning simultaneously. This is being addressed.

Supervisor Wagner stated the highway department and the recreation department is requesting going out to bid on equipment. Mr. Wagner set a goal for multi year financing, plow equipment, plow trucks, sanders, dump trucks, mowers and radios are being requested for a total cost of \$519,000. Mr. Wagner noted research was completed by the Comptroller with town counselor Mr. Comatos. A lease purchase agreement is being considered for the acquisition of the equipment noted. If the purchases were bonded over a period of seven years the interest cost would be \$113,142; on a lease purchase program the interest is \$93,000. If purchased and bonded over ten years the interest payments would be \$152,715 at 5%; if lease purchased over ten years the interest is \$135,294. The lease purchase is less expensive and is a fixed payment to be budgeted. At the end of the lease agreement the town owns the equipment at no additional cost. Councilman Borchert offered a motion to authorize going out to bid for the equipment seconded by Councilman Beck and carried unanimously. Councilman Borchert offered a motion to finance with the lease purchase option seconded by Councilman Luna and carried unanimously. It was discussed that the ten year lease option is preferred based on the fixed installment cost and the usefulness period of the equipment.

Supervisor Wagner stated a listing of roads the Highway Superintendent is interested in paving but first the town needs to get bids on paving materials since the cost has escalated. After bids are received it will be determines exactly what roads can be paved; eleven roads have been identified with an estimate of \$788,200. Some money will be available from CHIPS funds and multimodal funds so the full cost will not be bonded. Councilman O♦Hare offered a motion to authorize going out to bid for paving seconded by Councilman Beck and carried unanimously

Supervisor Wagner stated a discussion about the town♦s insurance carrier and their decision of not paying for damages caused to property during snow storms based on state law and case law. Mr. Wagner asked Councilman Beck to speak on the request submitted by Ray Swanno and damages to his property. Mr. Beck stated a large chunk of frozen snow that was on his property was pushed further onto his property causing damage to a wall and lighting. Councilman Beck thought the town should cover the cost of damages and the snowplow operator was clearly on private property and not in the right of way. Mr. Blass stated if the town is paying a claim it would be advisable to secure a release from the claimant.

Councilman Beck will handle getting the estimate on damages.

Supervisor Wagner stated the board has discussed getting key access for the Town Comptroller into the inactive records storage vault. Supervisor Wagner stated the Comptroller works evenings and weekends and has a need to get inactive records but doesn't know in advance what she might require. The Inactive Records Management Policy is being amended to allow the Records Manager Office and the Town Comptroller will be the only holders of a key to this vault area. All town employees removing inactive
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files must sign out the documents and the town comptroller must keep a log of her entry into the area additionally signing out files that are removed. Councilman Luna inquired if access to the key from other individuals in the town would still be handled through the Town Clerk and Supervisor Wagner confirmed this. Councilman Luna offered a motion to amend the policy as stated seconded by Councilman O♦Hare and carried unanimously.

Supervisor Wagner stated a resident Josephine Shapiro has requested permission to purchase a town owned piece of property 6560-02-654605 which is one acre in the Dogwood Trail. Apparently the neighborhood is dumping on it and Ms. Shapiro stated this is not a build able lot. Ms. Shapiro is interested in purchasing it and maintaining the lot. Supervisor Wagner asked if there were any concerns ♦ would the town be required to hold a public hearing. Mr. Blass stated a public hearing is not necessary, the town should be of the opinion that a fair price is being offered with possibly valuation services. The approval of the transaction is subject to permissive referendum so a publication would be necessary. The town would need to wait thirty days to confirm if any objections surfaced. Councilman Borchert asked why the town owned the land and if it was park land. Supervisor Wagner was not familiar with the details. Mr. Blass stated if there is any chance it is park land this needed to be determined since a special act of the NYS Legislature does not allow towns to dispose of park land. Councilman O♦Hare offered to look at the parcel and will report back to the board on the specifics of the parcel.

Supervisor Wagner stated the town is looking to increase the capacity on the website and data offered. Mr. Donnellan has managed the website free of charge during its existence. A quoted was secured from BTC Information Systems Consulting the firm that handles the town's technology. Mr. Shaquine is currently paid \$482 per month to maintain the computers and the fee will increase to this fee to \$572.53 per month to handle the website also. Councilman Luna asked if the volunteer will still provide service. Supervisor Wagner thought the workload will continue to increase with additional costs expected in the future and possibly more services offered through the website and this is more than one volunteer can handle. The board was in favor of the cost expenditure.

Supervisor Wagner stated the board needed to set a public hearing on the Open Space Plan since the document. Councilman Luna offered a motion to set the public hearing for May 23 seconded by Councilman O♦Hare and carried unanimously. The draft Open Space Plan is in the editing phase and a presentation to the board was done on 4/18/07; D.C. Planning Department will need to review the documents. Mr. Blass stated the procedure that needed to be followed would be an amendment to the Comprehensive Plan to incorporate the Open Space Plan. Mr. Blass asked if the consultant has done this work yet. Supervisor Wagner stated the plan is a separate document. Councilman Borchert confirmed Mr. Blass's statement that the Comprehensive Plan needs to be amended as identified by the consulting firm. Mr. Blass stated some minimal work needs to be done to reference and the public hearing will be on the amendment of the Comprehensive Plan and not on the Open Space document. The consulting firm has not done this work according to Councilman Borchert. The board can adopt the Open Space Plan as a policy document but amending the Comprehensive Plan and a formal public hearing notice will be required ♦ this resolution will introduced at the May 9th meeting.

Supervisor Wagner asked Gary Polhemus if he had any comments on the topic. Mr. Polhemus who has chaired the Open Space Committee inquired who would be doing the SEQRA documentation on this. Councilman Borchert stated the consulting firm was contracted to do this. Mr. Blass was uncertain of this based on his conversation with the firm and suggested either his firm or the consulting firm can process this documentation. EAF forms prepared by Mr. Polhemus were presented to Mr. Blass. Supervisor Wagner thanked Mr. Polhemus and the committee for their work on the project.

Supervisor Wagner asked for committee reports. Councilman O'Hare reported on the Recreation Committee meeting held on 4/23. Recent proposals include a challenge bowling league similar to the challenge baseball league for handicap children. A request was also submitted to the committee seeking approval for the baseball league to hold clinics on the park facilities. A request for the money to be applied to the league itself was noted but money splits were not identified. Mr. Huff and Councilman O'Hare were not certain of the dollar amount which goes to the soccer league when they hold clinics of this nature. Proposals on this will be formally submitted to the recreation committee. The senior league field will not be able to be used for this level of play and will most likely be converted to a little league or girls softball field due to fencing requirements. The town
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land in Scenic Hills was looked at by the individual proposing a dog park and determined this was not enough land and not appropriate. Discuss on the proposed dog park will continue. A suggestion of outdoor basketball leagues was discussed by the recreation committee which would require at least two additional outdoor courts to be created. The next meeting of the committee is June 25th at town hall.

Councilman Luna stated that during the flood three water districts Manchester, Grandview and Town Center water were tested and everything came back positive. The certificates of license for Environmental Consultants operators were provided to the Town Clerk for filing. Mr. Luna stated he has been meeting with the Building Inspector and they are working on preparing a packet of information to provide to applicants interested in developing a parcel.

Councilman Beck stated he looked at 2 Hartstone Drive during the rain storm. This homeowner has never been flooded but was flooded with water coming from Sleigh Frank Farm runoff and since there are no curbs on the homeowner's side of the road basement was flooded. Mr. Beck stated the homeowner needs to repair a swale on his property to prevent this but asked for the town engineers to field inspect this area. Councilman Beck stated the developer Sleigh Frank should incur the cost of damages to this property. Supervisor Wagner stated he was aware that temporary sand bags were in place by DEC but Mr. Beck stated this had no impact to the homeowner due to the sandbags. Mr. Bolner will handle this and report back to the board.

Mr. Blass presented a resolution of correction establishing the Town Center Development Sewer Improvement Area. There were a couple of tax parcel numbers identified wrong initially. Councilman Luna offered a motion to adopt the resolution establishing the district seconded by Councilman O'Hare.

RESOLUTION

FOR ESTABLISHMENT OF THE TOWN CENTER DEVELOPMENT SEWER IMPROVEMENT AREA AFTER PUBLIC HEARING

WHEREAS, the Town Board of the Town of LaGrange has received a general map, plan and report for establishment of the Chorney Farm Sewer Improvement Area (now known as the Town Center Development Improvement Area) in the Town of LaGrange to encompass the properties described below; and

WHEREAS, said map, plan and report, bearing date of March 7, 2007 has been filed in the Office of the Town Clerk of the Town of LaGrange, and

WHEREAS, the Town Board, on March 7, 2007, accepted the proposed map, plan and report of the Chazen Companies dated March 7, 2007 (hereinafter the AMap Plan and Report@), and directed the Town Clerk to publish and post a notice for public hearing on the establishment of the Chorney Farm Sewer Improvement Area (now known as the Town Center Development Improvement Area) in accordance with the applicable provisions of law; and

WHEREAS, when the public hearing notice was published it did not include the date of the public hearing and, therefore, did not comply with the legal requirements of Article 12-C of the Town Law; and

WHEREAS, on March 14, 2007, the Town Board of the Town of LaGrange resolved to change the name of the proposed Sewer Improvement Area from the Chorney Farm Sewer Improvement Area to the

◆Town Center Development Sewer Improvement Area◆; and
WHEREAS, due to: (1) the defect in the original public hearing notice; and (2) the Town Board◆s decision to change the name of the proposed Sewer Improvement Area from the ◆Chorney Farm Sewer Improvement Area◆ to the ◆Town Center Development Sewer Improvement Area◆, the Town Board, on March 14, 2007, again accepted the proposed Map, Plan and Report, dated March 7, 2007, and directed the Town Clerk to publish and post a notice for public hearing on the establishment of the ◆Town Center Development Improvement Area◆ (formerly known as the ◆Chorney Farm Sewer Improvement Area◆) in accordance with the applicable provisions of law;
WHEREAS, the public hearing was duly held on the March 28, 2007; and
WHEREAS, on March 28, 2007, the Town Board enacted a resolution establishing the Town Center Development Sewer Improvement Area; and
WHEREAS, the resolution of March 28, 2007 included a ministerial error, carried forward from the map, plan and report, and from the underlying sewer agreement between the Town and all owners of the subject real property in the improvement area, with respect to the tax map
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identification number of two of the eight parcels, in that a) parcel 6460-01-553816 is actually numbered 6460-02-553816, and (b) parcel 6460-01-538899 is actually numbered 6460-02-538899, and
WHEREAS, the subject property owners have heretofore agreed to the addition of these actual parcels to the entity being formed for the purposed of providing said parcels with municipal sewer service, and the purpose of this supplemental resolution is to correct the tax parcel numbers.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of LaGrange, County of Dutchess, that it be and hereby is determined that it is in the public interest to provide the sewer improvement as hereinafter described; and be it

BE IT FURTHER RESOLVED, that the Town Board does hereby approve and authorize the improvement, as hereinafter described, to be known as the Town Center Sewer Improvement Area (the ◆improvement area◆), that the improvements described in the Map, Plan and Report be constructed and the service therein described be provided for upon the required funds being made available or provided for; and that the improvement area be bounded and described as set forth on the map forming a part of the Map, Plan & Report filed with the Town Clerk, and that the boundaries of the proposed benefited area falling within the Sewer Improvement Area are:

Parcel ID Acres

133400-6460-01-422782 109.27
133400-6460-01-494643 40.98
133400-6460-02-553816 15.99
133400-6460-01-480927 10.18
133400-6460-02-538899 13.55
133400-6460-01-398951 2.46
133400-6460-01-440956 0.71
133400-6460-01-250688 0.48; and be it

FURTHER RESOLVED, that the costs of the sewer improvement area are to be apportioned based on a benefit unit formulation, as set forth in the map, plan & report filed with the Town Clerk.

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

Supervisor Wagner Aye

Councilman Luna Aye

Councilman Beck Aye

Councilman Borchert Aye

Councilman O◆Hare Aye

DATED: LaGrangeville, NY

April 25, 2007

KATHLEEN WILLIAMS, TOWN CLERK

Mr. Blass presented a bonding resolution for the \$800,000 affiliated with the Town Center Development

Sewer Improvement Area. The funds will go into the Titusville plant improvements and will be paid for by the developers of the district. Councilman O'Hare offered a motion to adopt the bond resolution of \$800,000 seconded by Councilman Borchert.

BOND RESOLUTION DATED APRIL 25, 2007

A RESOLUTION AUTHORIZING THE ACQUISITION OF RESERVE CAPACITY IN THE FACILITIES OF THE TITUSVILLE SEWER DISTRICT BY THE TOWN CENTER DEVELOPMENT SEWER IMPROVEMENT AREA IN THE TOWN OF LAGRANGE, DUTCHESS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$800,000.00, AND AUTHORIZING THE ISSUANCE OF \$800,000.00 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF

WHEREAS, all proceedings having been duly had and taken by the Town Board of the Town of LaGrange, Dutchess County, New York, pursuant to Article 12-C of the Town Law, to establish the Town Center Development Sewer Improvement Area (the Improvement Area) and the Improvement Area having been established by resolution of said Town Board dated April 25, 2007; and WHEREAS, the improvements to serve the requirements of the Improvement Area, consisting of reserved capacity in the sewer system and facilities of the Titusville Sewer District (the Improvements), are particularly described in the Map, Plan and Report dated March 7, 2007 prepared by The Chazen Companies, which Map, Plan, and Report is on file with the Town Clerk of the Town of LaGrange; and Town Board Meeting April 25, 2007 Page 8

WHEREAS, pursuant to such proceedings, the fixed portion of the maximum amount to be expended for the Improvements to serve the Improvement Area is \$800,000.00; and

WHEREAS, it is now desired to authorize the acquisition of such Improvements and to provide for the financing thereof;

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

Section 1: The acquisition of Improvements by the Town Center Development Sewer Improvement Area in the Town of LaGrange, Dutchess County, New York, consisting of the Improvements described in the Map, Plan and Report dated March 7, 2007 prepared by The Chazen Companies, is hereby authorized at a maximum estimated cost of \$800,000.00.

Section 2: The plan for the financing of such specific object or purpose is by the issuance of \$800,000.00 serial bonds of said Town, hereby authorized to be issued therefore, pursuant to the Local Finance Law.

Section 3: It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years, pursuant to subdivision 4 or paragraph (a) of Section 11 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein will exceed five (5) years.

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. Such bonds shall be payable from a levy on property in the Improvement Area in the manner provided by law, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of an ad valorem tax, without limitation as to rate or amount, sufficient to pay the principal of and interest on said bonds.

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