

TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009

The Town of Dover Town Board held a public hearing and special meeting at 6:30 pm on Wednesday, April 29, 2009 at the Dover Town Hall, 126 East Duncan Hill Road, Dover Plains, NY with the following members present:

Present: Supervisor Ryan Courtien
Councilwoman Catherine Frame
Councilman Christopher Galayda
Councilman Richard Hawthorne
Councilwoman Kathryn Palmer-House

Others present: Caroline Reichenberg, Town Clerk; Thomas Jacobellis, Counsel for the Town; twenty interested citizens.

I. CALL TO ORDER

Supervisor Courtien called the meeting to order at 6:30 pm. Everyone stood for the pledge of allegiance to the flag.

**II. PUBLIC HEARING ON
RESTORE NEW YORK COMMUNITY INITIATIVES APPLICATION**

**RESOLUTION #1022009
OPEN PUBLIC HEARING FOR
NEW YORK STATE DEVELOPMENT CORP. FOR ESDC'S RESTORE NEW YORK PROGRAM**

The following Resolution was offered by Councilman Galayda, seconded by Councilwoman Palmer-House, to wit:

RESOLVED, to open the public hearing at 6:30 pm for the submission of an application to the New York State Development Corporation under the ESDC'S Restore New York Program.

The question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

Ryan Courtien	Voting <u>Aye</u>
Christopher Galayda	Voting <u>Aye</u>
Kathryn Palmer-House	Voting <u>Aye</u>
Catherine Frame	Voting <u>Aye</u>
Richard Hawthorne	Voting <u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

PUBLIC HEARING COMMENTS

Supervisor Courtien opened the public hearing for comment.

The Supervisor read the letter of support for this application from Senator Vincent Leibell that is here attached. *Attachment 1 Page 1-1*

Gerry Ronski, Esq., with the Benjamin Co, spoke of being familiar with the NYS Empire Development Corporation. He mentioned that it designed as a partnership between a developer and a municipality to remove blight that may be in the surrounding area. He said there is a 10% match that is paid by the developer with a signed letter of commitment. The project is such that follows the guidelines for funding. This will have a multiplier effect to give job to local workers and residents in Dutchess County.

J. Keys, H.G. Page a building supply house, spoke of his understanding of the plight of the contractors in this area, he indicated this work would give work to local residents. He supported the application and to move forward.

Ted Park, represents an environmental demolition company and spoke of being involved with the Restore New York projects that gives work to local people and he supports the project.

Donald Geramita, a resident, read his comments at the Public Hearing, that are attached. *Attachment 2 Page 1-3*

Valerie LaRobardier, a resident, spoke that we should stay focused on the NYS Development program, weather we like the project or like the developer. She spoke of the blight also mentioning that the grant money is a pool of money, some of which would have come from us, and we want some of the money to come back here.

Evelyn Chiarito, a resident, mentioned she is representing herself and her husband, Joseph Chiarito. Ms. Chiarito read her written comments that are included in this record. *Attachment 3 Page 1-2*

Donna Hearn, a resident, mentioned she read the application for the grant with the DEIS not completed. She is concerned about the buildings to be demolished for the building debris to be located on site. Ms. Hearn mentioned she believes there is a local law in the town that prevents the demolition materials from being kept on site. She spoke of the HVPC almost not being built because of the high water table. She expressed concern for something in the water table with a potential to leach out into the Great Swamp into our aquifer. We are jump-starting the project. It is important to hold the developer to some issues raised, including water issues that go back almost 10 years. By all means partner with the developer, to do something with the site.

Edith Flood, a resident, thanked the Town Board for making an application to Restore New York, adding that it is about time we get some money on this side of Dutchess County, weather it is for the Benjamin Co.; it is a very good cause. This grant would jump start the project, give jobs and bring money to the area. The DEIS has been on the burner for a very long time, she commended the Town Board and remarked it will be good to have some money come to this side of Dutchess County.

**TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:**

Russell Mohr, with the Benjamin Company, spoke on behalf of Alan Benjamin, who commends the Town Board for helping to "Jump Start" the project. He spoke of looking for the resolution from the Town Board to move the project forward tonight.

Richard Hawthorne, Councilman, read the written comments from the Coalition for Responsible Growth of Dover into the record with a copy here attached. *Attachment 4 Page 1-3*

Thomas Jacobellis, Counsel for the Town, spoke about the public notice for this public hearing that he included text for the maximum amount of money any municipality could receive for funding. He continued, that a grant application under SEQRA does not require any environmental review. However, if a Town were awarded any grant funding, then the project would be subject to the SEQRA review before spending any of the grant money.

Donna Hearn, spoke that our taxpayers have paid to keep the former Harlem Valley Psychiatric Center a viable economic development zone for about 12 years. The town has been waiting to move forward with this project.

Linda French, a resident, spoke about a grant writer using our taxpayer money. She spoke of deserving this project here and to start to move forward. She understands you can't do anything without watching out for polluting. She mentioned every taxpayer would benefit when this project moves forward and we get the revenue from that.

Councilman Galayda, mentioned he speaks for himself and does not feel the Town Board is not a job service, but feels it is their responsibility if the opportunity is there.

Councilman Hawthorne, spoke of this proposal and is not satisfied that this is not segmentation. He mentioned he has heard different opinions from different attorneys.

Thomas Jacobellis, Counsel for the Town, spoke of this project and that it is under the entire review. If awarded grant funding, the board would then have to do a SEQRA review for just the application of the buildings in the grant application.

Edith Flood, spoke of working with an application with NYS Economic Development, it is there for business owners, and it is there for all of us. She mentioned that she is for this project for the Benjamin Co. who has spent a lot of money and they still want to bring homes to this area.

Russell Mohr, spoke of all projects of this size come with subsidies.

The Supervisor remarked he hears no further public comments.

**RESOLUTION #1032009
CLOSE PUBLIC HEARING**

The following Resolution was offered by Councilman Galayda, seconded by Councilwoman Palmer-House to wit:

RESOLVED, to close the public hearing at 7:37 pm.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting <u>Aye</u>
Christopher Galayda	Voting <u>Aye</u>
Kathryn Palmer-House	Voting <u>Aye</u>
Catherine Frame	Voting <u>Aye</u>
Richard Hawthorne	Voting <u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

TOWN OF DOVER TOWN BOARD SPECIAL MEETING APRIL 29, 2009

Supervisor Courtien opened the Special meeting at 7:37 pm.

**I. REPORTS
OF COUNCILMEMBERS AND SUPERVISOR**

- a. Councilwoman Frame, mentioned about talking with Mr. Wing from the Dutchess County Economic Development Counsel. She reported they are glad the application is going forward. She added that the DCEDC would come to this area to answer any questions about the Empire Zone that brings business to the area.
- b. Councilman Galayda, reported the Easter Egg hunt was successful making the best out of bad weather. The Councilman remarked that he helped with about thirty-five people on a Working Together project to rebuild their home for person who was severely injured from an auto accident caused by a drunk driver.
- c. Councilman Hawthorne reported he has checked on the dirt roads after the flooding and they are back to normal.
- d. Councilwoman Palmer-House, spoke of the Adopt-A-Highway is now completed, she added she wrote a grant and submitted it for the Little League to Berkshire Taconic with the endorsement from this Town Board; she asked the Town Board members to attend a planning grant workshop for regional transportation. The All Hazards Mitigation Grant needs input for establishing priorities. She concluded that she arranged for a Senior Citizens speaker and has contacted Camp Beacon again for the painting of the Tabor Wing House.
- e. Supervisor Courtien, reported the Holsapple Road work would begin with CDBG funding. The Cablevision Company approved the contract that will now go to the NYS Public Service Commission for their approval. The Supervisor mentioned he attended the Hope Chest opening, that is run by Sister Maureen with the Center of Compassion in the village of Dover Plains. They accept food and clothing donations to help people in need. He also reported reviewing the long time repairs plan for Cart Road that have 4 areas of concern. The Highway Superintendent will give a report to the Town Board in May.

TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:

II. REPORT OF COUNTY LEGISLATOR

Dutchess County Legislator, Peter Wassell was not present.

III. DISCUSSION

a. ADVANCED POWER TOWN HALL MEETING

Supervisor Courtien spoke that the Advanced Power Company would like to build a natural gas power plant in the Town of Dover. He mentioned a meeting held on April 28th at Town Hall with about 40 people attending to hear the proposal. He spoke of several agencies that attended from town and county level. The Supervisor spoke of a town hall meeting some time in May to learn more about the proposed natural gas power plant.

IV. RESOLUTIONS

RESOLUTION #1042009

TO ACCEPT THE MINUTES OF THE TOWN BOARD MEETING FROM FEBRUARY 25, 2009 AND MARCH 25, 2009 AND SPECIAL TOWN MEETING OF APRIL 15, 2009

The following Resolution was offered by Councilwoman Palmer-House, seconded by Councilwoman Frame to wit:

BE IT RESOLVED, that the Town Board of the Town of Dover does hereby accept the minutes as offered from the Town Board meeting of February 25, 2009 and March 25, 2009 and Special Town Meeting of April 15, 2009.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

RESOLUTION #1052009

APPROVING TOWN CLERK'S MONTHLY REPORT TO THE TOWN BOARD

The following Resolution was offered by Councilman Galayda, seconded by Councilman Hawthorne, to wit:

WHEREAS, as the Town Board has reviewed the Town Clerk's monthly report to the Town Supervisor and Town Board showing the totals and the disbursements to all agencies and to the Supervisor for the month of March, 2009; and

THEREFORE BE IT RESOLVED, the Town Board, hereby approves said Town Clerk reports.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

RESOLUTION #1062009

APPROVING TOWN SUPERVISOR'S FINANCIAL REPORT FOR MARCH, 2009

The following Resolution was offered by Councilwoman Frame, seconded by Councilwoman Palmer-House, to wit:

BE IT RESOLVED, that the Town Board of the Town of Dover hereby approves said Town Supervisor's Financial Report for the month on March, 2009.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

**TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:**

**RESOLUTION #1072009
ACCEPTING THE VOUCHER ABSTRACT**

The following Resolution was offered by Councilman Hawthorne, seconded by Councilwoman Palmer-House, to wit:

BE IT RESOLVED, that the Town Board of the Town of Dover does hereby accept and approve Voucher Abstract number 432 thru number 446 of 2009; number 456 thru number 641, in the total amount of \$724,080.73 (vouchers number 447 thru 455 are void), and authorizes and directs the payment of said vouchers.

The Supervisor asked for amendment because the abstract number was not stated in the above resolution.

**RESOLUTION #1082009 AMENDED
AMEND RESOLUTION # 1072009 ACCEPTING THE VOUCHER ABSTRACT #4, 2009**

The following Resolution was offered by Supervisor Courtien, seconded by Councilwoman Palmer-House, to wit:

BE IT RESOLVED, that the Town Board of the Town of Dover does hereby accept and approve Voucher Abstract # 4, number 432 thru number 446 of 2009; number 456 thru number 641, in the total amount of \$724,080.73 (vouchers number 447 thru 455 are void), and authorizes and directs the payment of said vouchers.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

**RESOLUTION #1092009
ACCEPTING AND AUTHORIZING NEW YORK
COMMUNITY INITIATIVES APPLICATION**

The following resolution was offered by Councilman Galayda, seconded by Councilwoman Frame, to wit:

WHEREAS, Restore NY is a program designed to encourage economic development and neighborhood growth by providing municipalities with financial assistance for revitalization of commercial and residential properties; and

WHEREAS, Restore NY is seeking requests from municipalities, defined as cities, towns and villages, to submit a Request for Funding Proposals for projects to demolish, deconstruct, rehabilitate and/or reconstruct, vacant, abandoned, condemned and surplus properties; and

WHEREAS, a public hearing was held by the Town of Dover on April 29, 2009, where the public was permitted to discuss and give comment on the Restore NY application and the Property Assessment List for premises known generally as the Dover Knolls Project, which was formerly part of the Harlem Valley Psychiatric Center, to use funds in the demolition of certain structures on said properties (the "Demolition"); and

WHEREAS, the Town Board desires to authorize the submission of a Request for Funding Proposal for the Demolition, such funding to be referred to herein as the "Grant"; and

WHEREAS, the Town Board of the Town of Dover determines that the proposed Demolition is consistent with the municipality's local revitalization and development plan; that the proposed financing is appropriate for the Demolition; that the Demolition will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and that the project will develop and enhance the protection of the environment and will create and sustain employment opportunities; and

WHEREAS, the Restore NY requirement of ten percent (10%) of matching funds to be contributed by the benefiting municipality would be paid by the Town from a contribution to the Town to be made for this specific purpose by the Dover Knolls Development Co., II, LLC, which is a private contribution permitted pursuant to the terms of the regulations applicable to Restore NY grants; and

WHEREAS, the Dover Knolls Development Co., II, LLC, the owner of the property subject to the Restore NY application, has agreed as a condition of the grant to employ Dutchess County businesses for all work to be performed in connection with the Demolition, all of which will be subject to a written agreement by and among Restore NY, said LLC, the Town of Dover and such other parties as may be appropriate in form satisfactory in all respects to all of the parties thereto.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Dover hereby (i) accepts the projects listed in the Restore NY Application, authorizes the submission of the Restore New York Community Initiative Application (the "Application"), and authorizes and directs the Town Supervisor to sign any necessary documentation in connection with the Restore NY Community Initiatives Application consistent with the terms and provisions hereof and in such form as may be satisfactory to the Town Supervisor, (ii) determines that the submission of the aforementioned Application is a Type II Action pursuant to the New York State Environmental Quality Review Act, and its implementing regulations ("SEQRA"), which is precluded from SEQRA review pursuant to Section 617.5©(18) and (21) and (iii) acknowledges that if such Application is approved, the Town would be required to comply with SEQRA prior to receiving any funds and issuing the requisite Demolition approvals.

**TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:**

**Discussion: Councilwoman Palmer-House spoke of wishing she had been involved for her input with the preparation of grant application and that she only received the document on Friday. The question of the adoption of the foregoing Resolution was duly put to a vote of roll call which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Abstain</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Nay</u>

The Resolution was thereupon adopted on April 29, 2009.

RESOLUTION # 1102009

CONSOLIDATED RESOLUTION ON THE KNOLLS OF DOVER DETERMINING COMPLETENESS OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT ("DEIS"); SETTING PUBLIC HEARINGS ON THE DEIS AND SETTING PUBLIC HEARINGS ON PROPOSED ZONING TEXT AMENDMENTS PROPOSED AS PART OF THE PROJECT

The following resolution was offered by Supervisor Courtien, seconded by Councilman Galayda, to wit:

WHEREAS, the Town Board of the Town of Dover is serving as Lead Agency for the State Environmental Quality Review Act (SEQRA) review of the proposed Knolls of Dover project (the "Project"); and

WHEREAS, the Town Board issued a Positive Declaration requiring the preparation of a Draft Environmental Impact Statement ("DEIS") on April 6, 2006; and

WHEREAS, the Town Board determined to conduct a scoping process pursuant to 6 NYCRR 617.8 and conducted public hearings on a draft scope on May 7, 2008 and May 10, 2008, and a written comment period was held open until May 14, 2008; and

WHEREAS, the Town Board adopted a Final Scoping document on June 25, 2008; and

WHEREAS, the applicant, Dover Knolls Development II, LLC, has prepared a DEIS which document was submitted to the Town Board on December 24, 2008; and

WHEREAS, the Town Board directed its consultant, AKRF, Inc., to review the document prepared by the applicant and to advise the Town Board on the sufficiency of the document; and

WHEREAS, the Town Board held work sessions, which were duly noticed and open to the public on January 21, 2009, and February 11, 2009, to review the document prepared by the applicant; and

WHEREAS, AKRF, Inc. submitted a memorandum to the Town Board dated February 13, 2009 which memorandum incorporated the results of the Town Board work sessions and AKRF's own independent review of the document and indicated that the document prepared by the applicant was not, at the time, adequate with respect to the adopted scope and not ready for public review; and

WHEREAS, on February 11, 2009, the Town Board, by resolution, caused the AKRF, Inc. memorandum to be transmitted to the applicant with corrections discussed; and

WHEREAS, on March 31, 2009, the applicant submitted a revised DEIS to the Town Board for its review; and

WHEREAS, the Town Board directed its consultant, AKRF, Inc. to review the resubmitted document and to advise the Town Board on the sufficiency of the document; and

WHEREAS, the Town Board held a work session, which was duly noticed and open to the public on April 15, 2009, to review the resubmitted document and to identify deficiencies in the resubmitted document; and

WHEREAS, on April 17, 2009, AKRF, Inc. transmitted to the applicant a memorandum identifying minor typographical and editorial revisions as well as necessary revisions to the air quality and noise analyses; and

WHEREAS, between the work session on April 15, 2009, and April 28, 2009, AKRF, Inc. worked directly with the applicant to ensure that all appropriate modifications to the document had been made to address the identified deficiencies; and

WHEREAS, AKRF, Inc. presented a review memorandum to the Town Board at its regular meeting on April 29, 2009, indicating that, in its opinion, the resubmitted and revised DEIS document, including resubmitted air quality and noise analyses, was adequate with respect to the scope and ready for public review; and

WHEREAS, the Town Board, as Lead Agency, has reviewed the applicable standards of 6 NYCRR 617.9(a)(2) to evaluate the adequacy of the DEIS;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Dover, as Lead Agency, hereby determines that the DEIS for the Knolls of Dover project is adequate for purposes of commencing public review and issues a Notice of Completion for the DEIS, a copy of which is annexed hereto; and

BE IT FURTHER RESOLVED, that the Town Board hereby schedules two public hearings on the DEIS for May 30, 2009, at 9:00 a.m. at Dover Middle School Auditorium, located at 2368 Route 22, Dover, New York; and for June 3, 2009, at 6:30 p.m. at Dover Middle School Auditorium, located at 2368 Route 22, Dover, New York; and,

BE IT FURTHER RESOLVED, that concurrent and simultaneously with the two aforementioned public hearings, public hearings will be opened and public comment will also be heard on the proposed zoning text amendments proposed as part of the Project and reviewed as part of the DEIS and a joint notice of public hearing shall be published by the Town Clerk in the Poughkeepsie Journal at least fourteen (14) days in advance of the hearing dates; and

BE IT FURTHER RESOLVED, that a copy of the attached Notice of Completion of DEIS and Notice of SEQRA Public Hearing shall be distributed with each DEIS circulated; and

BE IT FURTHER RESOLVED, that a copy of the DEIS Completeness and SEQRA Public Hearing is hereby authorized to be published in the Environmental Notice Bulletin as set forth in 6 NYCRR Section 617.12(c)(1); and

**OWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:**

BE IT FURTHER RESOLVED, that copies of the DEIS Notice of Completeness, this Resolution and Notice of Completion and Notice of Public Hearing shall be filed and provided to those agencies, and individuals, as set forth in the Notice of Completion; and

BE IT FURTHER RESOLVED, that a complete copy of the DEIS shall be posted on the Town's official website at www.townofdover.us and copies of the DEIS shall be made available for inspection at the Town Hall located at 126 East Duncan Hill Road, Dover, New York, and at the Dover Plains Library located at 1797 Route 22, Wingdale, New York.

****Discussion:** Supervisor Courtien discussed an amendment to the resolution that follows: no vote on above resolution

**RESOLUTION #1112009 AMENDMENT,
9TH PARAGRAPH, BEGINNING WITH "WHEREAS"**

The following resolution was offered by Supervisor Courtien, seconded by Councilwoman Frame, to wit:

WHEREAS, on February 25, 2009, the Town Board, by resolution, caused the AKRF, Inc. memorandum to be transmitted to the applicant with corrections discussed; and

Vote for Amendment:

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

**AMENDED RESOLUTION #1122009
CONSOLIDATED RESOLUTION ON THE KNOLLS OF DOVER DETERMINING COMPLETENESS
OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT ("DEIS"); SETTING PUBLIC
HEARINGS ON THE DEIS AND SETTING PUBLIC HEARINGS ON PROPOSED ZONING TEXT
AMENDMENTS PROPOSED AS PART OF THE PROJECT**

The following resolution was offered by Supervisor Courtien, seconded by Councilman Galayda, to wit:

WHEREAS, the Town Board of the Town of Dover is serving as Lead Agency for the State Environmental Quality Review Act (SEQRA) review of the proposed Knolls of Dover project (the "Project"); and

WHEREAS, the Town Board issued a Positive Declaration requiring the preparation of a Draft Environmental Impact Statement ("DEIS") on April 6, 2006; and

WHEREAS, the Town Board determined to conduct a scoping process pursuant to 6 NYCRR 617.8 and conducted public hearings on a draft scope on May 7, 2008 and May 10, 2008, and a written comment period was held open until May 14, 2008; and

WHEREAS, the Town Board adopted a Final Scoping document on June 25, 2008; and

WHEREAS, the applicant, Dover Knolls Development II, LLC, has prepared a DEIS which document was submitted to the Town Board on December 24, 2008; and

WHEREAS, the Town Board directed its consultant, AKRF, Inc., to review the document prepared by the applicant and to advise the Town Board on the sufficiency of the document; and

WHEREAS, the Town Board held work sessions, which were duly noticed and open to the public on January 21, 2009, and February 11, 2009, to review the document prepared by the applicant; and

WHEREAS, AKRF, Inc. submitted a memorandum to the Town Board dated February 13, 2009 which memorandum incorporated the results of the Town Board work sessions and AKRF's own independent review of the document and indicated that the document prepared by the applicant was not, at the time, adequate with respect to the adopted scope and not ready for public review; and

WHEREAS, on February 25, 2009, the Town Board, by resolution, caused the AKRF, Inc. memorandum to be transmitted to the applicant with corrections discussed; and

WHEREAS, on March 31, 2009, the applicant submitted a revised DEIS to the Town Board for its review; and

WHEREAS, the Town Board directed its consultant, AKRF, Inc. to review the resubmitted document and to advise the Town Board on the sufficiency of the document; and

WHEREAS, the Town Board held a work session, which was duly noticed and open to the public on April 15, 2009, to review the resubmitted document and to identify deficiencies in the resubmitted document; and

WHEREAS, on April 17, 2009, AKRF, Inc. transmitted to the applicant a memorandum identifying minor typographical and editorial revisions as well as necessary revisions to the air quality and noise analyses; and

WHEREAS, between the work session on April 15, 2009, and April 28, 2009, AKRF, Inc. worked directly with the applicant to ensure that all appropriate modifications to the document had been made to address the identified deficiencies; and

WHEREAS, AKRF, Inc. presented a review memorandum to the Town Board at its regular meeting on April 29, 2009, indicating that, in its opinion, the resubmitted and revised DEIS document, including resubmitted air quality and noise analyses, was adequate with respect to the scope and ready for public review; and

**TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:**

WHEREAS, the Town Board, as Lead Agency, has reviewed the applicable standards of 6 NYCRR 617.9(a)(2) to evaluate the adequacy of the DEIS;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Dover, as Lead Agency, hereby determines that the DEIS for the Knolls of Dover project is adequate for purposes of commencing public review and issues a Notice of Completion for the DEIS, a copy of which is annexed hereto; and *Attachment 5 Page 1-24*

BE IT FURTHER RESOLVED, that the Town Board hereby schedules two public hearings on the DEIS for May 30, 2009, at 9:00 a.m. at Dover Middle School Auditorium, located at 2368 Route 22, Dover, New York; and for June 3, 2009, at 6:30 p.m. at Dover Middle School Auditorium, located at 2368 Route 22, Dover, New York; and,

BE IT FURTHER RESOLVED, that concurrent and simultaneously with the two aforementioned public hearings, public hearings will be opened and public comment will also be heard on the proposed zoning text amendments proposed as part of the Project and reviewed as part of the DEIS and a joint notice of public hearing shall be published by the Town Clerk in the Poughkeepsie Journal at least fourteen (14) days in advance of the hearing dates; and

BE IT FURTHER RESOLVED, that a copy of the attached Notice of Completion of DEIS and Notice of SEQRA Public Hearing shall be distributed with each DEIS circulated; and

BE IT FURTHER RESOLVED, that a copy of the DEIS Completeness and SEQRA Public Hearing is hereby authorized to be published in the Environmental Notice Bulletin as set forth in 6 NYCRR Section 617.12(c)(1); and

BE IT FURTHER RESOLVED, that copies of the DEIS Notice of Completeness, this Resolution and Notice of Completion and Notice of Public Hearing shall be filed and provided to those agencies, and individuals, as set forth in the Notice of Completion; and

BE IT FURTHER RESOLVED, that a complete copy of the DEIS shall be posted on the Town's official website at www.townofdover.us and copies of the DEIS shall be made available for inspection at the Town Hall located at 126 East Duncan Hill Road, Dover, New York, and at the Dover Plains Library located at 1797 Route 22, Wingdale, New York.

****Report:** Supervisor Courtien asked the planner to explain the memorandum for the completeness, as identified, the worked with the applicant identified issues were addressed.

Mr. Trelstad, Planner for the Town, spoke of the response from the applicant that was submitted to make sure the identified issues were addressed. He reviewed by chapters for noise and process of review which is done. The reviews were emailed to the Supervisor on Monday, April 27, 2009. This is a review of a 24 page document, about how the applicant has complied with the requests. He mentioned this completeness review is according to scope and ready for public review and issue notice of public hearings. He mentioned there are issues that will be addressed, that is the nature of a DEIS. The document is complete and ready for the public to have an opportunity to review and make comment.

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

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

RESOLUTION #1132009

REFERRING THE KNOLLS OF DOVER MASTER/COMPREHENSIVE DEVELOPMENT PLAN AND ACCOMPANYING DRAFT ENVIRONMENTAL IMPACT STATEMENT TO THE TOWN OF DOVER PLANNING BOARD

The following resolution was offered by Supervisor Courtien, seconded by Councilman Galayda, to wit:

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Dover, in accordance with Chapter 145-16C of the Town of Dover Code, hereby refers the Knolls of Dover Master/Comprehensive Development Plan and accompanying Draft Environmental Impact Statement to the Town of Dover Planning Board for its review and comment.

BE IT FURTHER RESOLVED, that the Planning Board shall have up to 62 days to complete its review and submit its comments to the Town Board.

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

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:

RESOLUTION #1142009
IN SUPPORT OF BIODIVERSITY MAPPING IN THE TOWN OF DOVER

The following Resolution was offered by Councilwoman Palmer-House, seconded by Councilman Galayda, to wit:

WHEREAS, the Town Board of the Town of Dover was presented with a presentation by Dr. Kiviat of Hudsonia, regarding Hudsonia's biodiversity mapping project; and

WHEREAS, Hudsonia has completed biodiversity mapping projects in other Dutchess County towns; and

WHEREAS, the Town Board of the Town of Dover believes that biodiversity mapping would benefit the town in future development and in identifying, highlighting and locating biodiversity in the Town of Dover; and

NOW, THEREFORE BE IT RESOLVED, that the Town of Dover hereby support Hudsonia and Dr. Kiviat with their biodiversity mapping project; and

BE IT FURTHER RESOLVED, that if financially possible, the Town of Dover would be in favor of participating in the Hudsonia Biodiversity Mapping Project.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

RESOLUTION #1152009
AUTHORIZING SUPERVISOR TO SIGN AGREEMENT WITH COMMUNITY ENERGY

The following Resolution was offered by Supervisor Courtien, seconded by Councilman Galayda to wit:

WHEREAS, there is a movement in this country to utilize clean reusable emission-free energy; and

WHEREAS, by utilizing clean, reusable emission-free energy, the dependency on foreign oil will decrease; and

WHEREAS, the estimated annual environmental benefit resulting from this commitment to emission-free energy is equivalent to preventing the release of 119,641 pounds of CO2 into the atmosphere.

WHEREAS, wind power offers reusable, as well as emission-free energy; and

WHEREAS, the Town of Dover desires to participate with Community Energy in the purchase of wind energy to be at the forefront in the use of clean reusable emission-free energy with its citizens, as well as other municipalities.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Dover hereby authorizes and directs the Town Supervisor to sign the agreement for wind energy with Community Energy at an annual cost to the Town of Dover of \$2,250.00 for 7,500 kwh/month to be paid on a monthly basis of \$187.50.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Nay</u>

The Resolution was thereupon adopted on April 29, 2009.

RESOLUTION #1162009
AUTHORIZING TOWN SUPERVISOR TO SIGN TACONIC DEVELOPMENTAL DISABILITIES SERVICES OFFICE PROVISIONAL PERMIT

The following Resolution was offered by Councilwoman Palmer-House, seconded by Councilwoman Frame, to wit:

WHEREAS, the residents of the Town of Dover currently use the Taconic Developmental Disabilities Services Office pool for therapeutic activities; and

WHEREAS, the Town Board believes that such provisional permit for the short-term occupancy of facility space help serve the residents of the Town of Dover;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Dover hereby authorizes and directs the Town Supervisor to sign the Taconic Developmental Disabilities Services Office Provisional Permit and to provide the Taconic Developmental Disabilities Services Office with the necessary Certificate of Insurance required under the permit.

The question of the adoption of the foregoing Resolution was duly put to a vote call which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

**RESOLUTION #1172009
AUTHORIZING SUPERVISOR TO EXECUTE MUNICIPAL
LEASE AGREEMENT FOR 2008 INTERNATIONAL 5600i TRUCK**

The following Resolution was offered by Councilman Hawthorne, seconded by Councilwoman Palmer-House, to wit:

WHEREAS, in 2008 the Town of Dover purchased a 2008 International 5600i Truck via a bond anticipation note (BAN) from M&T Bank; and

WHEREAS, the BAN is coming due and it is more economical for the Town of Dover to enter into a municipal lease agreement to complete the payment of the 2008 International 5600i truck; and

WHEREAS, Town of Dover (the "Lessee"), a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State of New York, is authorized by the laws of the State of New York to purchase, acquire and lease personal property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, the Lessee desires to purchase, acquire and lease certain equipment constituting personal property necessary for the Lessee to perform essential governmental functions; and

WHEREAS, in order to acquire such equipment, the Lessee proposes to enter into that certain Equipment Lease-Purchase Agreement (the "*Agreement*") with Real Estate, Inc. (the "*Lessor*"), the form of which has been presented to the governing body of the Lessee at this meeting; and

WHEREAS, the governing body of the Lessee deems it for the benefit of the Lessee and for the efficient and effective administration thereof to enter into the Agreement for the purchase, acquisition and leasing of the equipment therein described on the terms and conditions therein provided;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED;

Section 1. Approval of Documents. The form, terms and provisions of the Agreement are hereby approved in substantially the form presented at this meeting, with such insertions, omissions and changes as shall be approved by counsel of the Lessee or other members of the governing body of the Lessee executing the same, the execution of such documents being conclusive evidence of such approval; and the **Supervisor** of the Lessee is hereby authorized and directed to execute, and the **Town Clerk** of the Lessee is hereby authorized and directed to attest and countersign the Agreement and affix the seal of the Lessee to such documents.

Section 2. Other Actions Authorized. The officers and employees of the Lessee shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and deliver of any closing and other documents required to be delivered in connection with the Agreement.

Section 3. No General Liability. Nothing contained in this Resolution, the Agreement nor any other instrument shall be construed with respect to the Lessee as incurring a pecuniary liability or charge upon the general credit of the Lessee or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement or any other instrument or document execution in connection therewith impose any pecuniary liability upon the Lessee or any charge upon its general credit or against its taxing power, except to the extent that the Rental Payments payable under the Agreement are special limited obligations of the Lessee as provided in the Agreement.

Section 4. Section 265(b)(3) Designation. Lessee hereby designates the Agreement as a "qualified tax-exempt obligation" for the purposes and within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. Lessee further represents that Lessee reasonably anticipates that Lessee and other entities that Lessee controls will not issue tax-exempt obligations (including the Agreement) that exceed the aggregate principal amount of \$10,000,000 during the calendar year in which the Agreement is executed and delivered.

Section 5. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. Repealer. All bylaws, orders and resolutions or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as revived by bylaw, order, resolution or ordinance or part thereof.

Section 7. Effective Date. This Resolution shall be effective immediately upon its approval and adoption.

****Discussion:** Supervisor Courtien discussed an amendment to the resolution that follows: no vote on above resolution

TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:

RESOLUTION #1182009 AMENDMENT,
5TH WHEREAS, CHANGE THE WORD "ESTATE" TO "LEASE"

The following resolution was offered by Supervisor Courtien, seconded by Councilwoman Frame, to wit:

WHEREAS, in order to acquire such equipment, the Lessee proposes to enter into that certain Equipment Lease-Purchase Agreement (the "Agreement") with Real Lease, Inc. (the "Lessor"), the form of which has been presented to the governing body of the Lessee at this meeting; and

Vote for Amendment:

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

AMENDED RESOLUTION #1192009
AUTHORIZING SUPERVISOR TO EXECUTE MUNICIPAL
LEASE AGREEMENT FOR 2008 INTERNATIONAL 5600i TRUCK

The following Resolution was offered by Councilman Hawthorne, seconded by Councilwoman Palmer-House, to wit:

WHEREAS, in 2008 the Town of Dover purchased a 2008 International 5600i Truck via a bond anticipation note (BAN) from M&T Bank; and

WHEREAS, the BAN is coming due and it is more economical for the Town of Dover to enter into a municipal lease agreement to complete the payment of the 2008 International 5600i truck; and

WHEREAS, Town of Dover (the "Lessee"), a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State of New York, is authorized by the laws of the State of New York to purchase, acquire and lease personal property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, the Lessee desires to purchase, acquire and lease certain equipment constituting personal property necessary for the Lessee to perform essential governmental functions; and

WHEREAS, in order to acquire such equipment, the Lessee proposes to enter into that certain Equipment Lease-Purchase Agreement (the "Agreement") with Real Lease, Inc. (the "Lessor"), the form of which has been presented to the governing body of the Lessee at this meeting; and

WHEREAS, the governing body of the Lessee deems it for the benefit of the Lessee and for the efficient and effective administration thereof to enter into the Agreement for the purchase, acquisition and leasing of the equipment therein described on the terms and conditions therein provided;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED;

Section 1. Approval of Documents. The form, terms and provisions of the Agreement are hereby approved in substantially the form presented at this meeting, with such insertions, omissions and changes as shall be approved by counsel of the Lessee or other members of the governing body of the Lessee executing the same, the execution of such documents being conclusive evidence of such approval; and the **Supervisor** of the Lessee is hereby authorized and directed to execute, and the **Town Clerk** of the Lessee is hereby authorized and directed to attest and countersign the Agreement and affix the seal of the Lessee to such documents.

Section 2. Other Actions Authorized. The officers and employees of the Lessee shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and deliver of any closing and other documents required to be delivered in connection with the Agreement.

Section 3. No General Liability. Nothing contained in this Resolution, the Agreement nor any other instrument shall be construed with respect to the Lessee as incurring a pecuniary liability or charge upon the general credit of the Lessee or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement or any other instrument or document execution in connection therewith impose any pecuniary liability upon the Lessee or any charge upon its general credit or against its taxing power, except to the extent that the Rental Payments payable under the Agreement are special limited obligations of the Lessee as provided in the Agreement.

Section 4. Section 265(b)(3) Designation. Lessee hereby designates the Agreement as a "qualified tax-exempt obligation" for the purposes and within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. Lessee further represents that Lessee reasonably anticipates that Lessee and other entities that Lessee controls will not issue tax-exempt obligations (including the Agreement) that exceed the aggregate principal amount of \$10,000,000 during the calendar year in which the Agreement is executed and delivered.

**TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:**

Section 5. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

Section 6. Repealer. All bylaws, orders and resolutions or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as revived by bylaw, order, resolution or ordinance or part thereof.

Section 7. Effective Date. This Resolution shall be effective immediately upon its approval and adoption.

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

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

**RESOLUTION #2002009
AUTHORIZING APPLICATION FOR THE OFFICE OF THE AGING COMMUNITY
ENPOWERMENT PLANNING GRANT**

The following Resolution was offered by Councilwoman Palmer-House, seconded by Councilman Galayda, to wit:

WHEREAS, the Town of Dover, Amenia, and Northeast, seek to establish a partnership to investigate the feasibility of providing a regional transportation service for older adults residing in their respective communities; and

WHEREAS, the Town of Dover, Amenia, and Northeast have participated in collaborative and shrewd service initiatives in the past; and

WHEREAS, Dutchess County Office for the Aging (OFA) has available grant funds for community empowered planning; and

WHEREAS, The Town of Dover desires to apply for the OFA Community Empowerment Planning Grant to assist with the establishment of an eastern Dutchess County Regional Service Transportation initiative.

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Dover hereby authorizes the Town of Dover to make application to the OFA Community Empowerment Planning Grant; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Dover hereby authorizes and directs the Town Supervisor to sign any and all necessary grant application documents.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

**RESOLUTION #1212009
APPROVING THE NAMING OF VALLEY VIEW FARMS ROAD FOR THE PURPOSE OF
DUTCHESS COUNTY EMERGENCY 911 SERVICES**

The following Resolution was offered by Supervisor Courtien, seconded by Councilwoman Palmer-House, to wit:

WHEREAS, Dutchess County Enhanced 911, Department of Emergency Response has reviewed the proposed road name of Valley View Farms Road and has requested that the Town Board officially accept the name of Valley View Farms Road, for Emergency 911 purposes; and

WHEREAS, Dutchess County Enhanced 911 has informed the Town of Dover that the following proposed road name is not in conflict with any other road names in the Town of Dover; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Dover hereby approves the road name of Valley View Farms Road.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Discussion: The Supervisor mentioned this is a private road. The Town Clerk mentioned the resolution was not sufficient to identify the location of the road. There was no vote on the above resolution.

TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:

**RESOLUTION #1222009
AMENDMENT TO NAMING OF VALLEY VIEW FARMS ROAD**

The following Resolution was offered by Supervisor Courtien, seconded by Councilman Galayda, to wit:

WHEREAS, Valley View Farms Road, a private road, is located off from West Dover Road within in the Town of Dover.

The question of the adoption of the foregoing amendment was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

**RESOLUTION #1232009
AMENDED RESOLUTION
APPROVING THE NAMING OF VALLEY VIEW FARMS ROAD
FOR THE PURPOSE OF DUTCHESS COUNTY EMERGENCY 911 SERVICES**

The following Resolution was offered by Supervisor Courtien, seconded by Councilwoman Palmer-House, to wit:

WHEREAS, Dutchess County Enhanced 911, Department of Emergency Response has reviewed the proposed road name of Valley View Farms Road and has requested that the Town Board officially accept the name of Valley View Farms Road, for Emergency 911 purposes; and *Attachment*

WHEREAS, Dutchess County Enhanced 911 has informed the Town of Dover that the following proposed road name is not in conflict with any other road names in the Town of Dover; and

WHEREAS, Valley View Farms Road, a private road, is located off from West Dover Road within in the Town of Dover.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Dover hereby approves the road name of Valley View Farms Road.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

**RESOLUTION #1242009
APPROVING THE DISSOLUTION OF HEATHER HILL LANE**

The following Resolution was offered by Councilwoman Frame, seconded by Councilman Galayda, to wit:

WHEREAS, the Town of Dover has been contacted by Dutchess County Enhanced 911, Department of Emergency Response requesting documentation from the Town of Dover approving the naming of Heather Hill Lane, a private road located off of Cricket Hill Road in the Town of Dover; and

WHEREAS, after thorough review by the Town Supervisor's Office and by the Town Clerk, no official resolution authorizing Heather Hill Lane could be located; and

WHEREAS, Dutchess County Enhanced 911 has approved the naming of Lots #4, #5, and #6 of Heather Hill Lane as follows:

Lot 4	-	250 Cricket Hill Road
Lot 5	-	248 Cricket Hill Road
Lot 6	-	246 Cricket Hill Road

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Dover hereby authorizes the dissolution of Heather Hill Lane and authorizes the use of a Cricket Hill road address as assigned by Dutchess County Enhanced 911; and

BE IT FURTHER RESOLVED, that upon approval by the Town Board of the Town of Dover, the Dutchess County 911 Addressing Office will make said property address changes and notify the property owners, telephone company and post office.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:

RESOLUTION #1252009
TO AUTHORIZE AND DIRECT SUPERVISOR TO SIGN AGREEMENT FOR TOWN OF DOVER
ANNUAL LANDFILL SAMPLING

The following Resolution was offered by Councilman Hawthorne, seconded by Councilwoman Palmer-House, to wit:

WHEREAS, The Chazen Companies has provided the Town of Dover with a Technical Change Order (TSCO) for continued professional sampling services at the Town of Dover Landfill for the 2009 sampling year; and

THEREFORE BE IT RESOLVED that the Town Board of the Town of Dover hereby authorizes and directs the Town Supervisor to execute and sign the Technical Services Change Order Agreement of 2009 with the Chazen Companies. Said letter agreement is attached hereto.

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

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

RESOLUTION #1262009
AUTHORIZING BUDGET TRANSFER

The following Resolution was offered by Councilman Galayda, seconded by Councilwoman Frame, to wit:

BE IT RESOLVED, that the Town Board of the Town of Dover hereby authorizes the following budget transfers:

<u>Account Description</u>		
Machinery	Transfer from	\$35,548.00
	5130.2D	
Installment Purchase	Transfer to	\$29,548.00
Debt Principal	9785.6D	
Installment Purchase	Transfer to	\$ 6,000.00
Debt Interest	9785.7D	

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

Ryan Courtien	Voting	<u>Aye</u>
Christopher Galayda	Voting	<u>Aye</u>
Kathryn Palmer-House	Voting	<u>Aye</u>
Catherine Frame	Voting	<u>Aye</u>
Richard Hawthorne	Voting	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009.

V. SET PUBLIC MEETINGS

- Special Meeting for Advanced Power Presentation on Wednesday, May 13 or May 20, 2009.
- Regular Meeting – Wednesday, May 27, 2009
- Public Hearing for Dover Knolls DEIS – Saturday, May 30, 2009 held at Dover Schools
- Public Hearing for Dover Knolls DEIS – Wednesday, June 3, 2009 held at Dover Schools
- Regular Meeting – Wednesday, June 24, 2009

VI. EXECUTIVE SESSION

RESOLUTION #1272009
ENTER EXECUTIVE SESSION

The following Resolution was offered by Councilman Hawthorne, seconded by Councilman Galayda, to wit:

BE IT RESOLVED, to enter into executive session at 8:51pm to interview a candidate to volunteer on a committee; discuss the local union # 456 contract; discuss personnel and litigation Dover v. Cascino.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Supervisor Courtien	<u>Aye</u>
Councilman Galayda	<u>Aye</u>
Councilwoman Palmer-House	<u>Aye</u>
Councilwoman Frame	<u>Aye</u>
Councilman Hawthorne	<u>Aye</u>

The Resolution was thereupon adopted on April 29, 2009

TOWN OF DOVER TOWN BOARD PUBLIC HEARING AND SPECIAL MEETING APRIL 29, 2009
CONTINUED:

**RESOLUTION #1282009
RETURN TO THE REGULAR MEETING**

The following Resolution was offered by Councilman Galayda, seconded by Councilwoman Frame, to
whit:

BE IT RESOLVED, to return to the regular meeting at 9:41 pm. No decisions made and no money was
spent.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

Supervisor Courtien	<u>Aye</u>
Councilman Galayda	<u>Aye</u>
Councilwoman Palmer-House	<u>Aye</u>
Councilwoman Frame	<u>Aye</u>
Councilman Hawthorne	<u>Aye</u>

The Resolution was thereupon adopted on February 25, 2009.

VII. PUBLIC COMMENTS/QUESTIONS

Elisa Sumner, a resident, spoke of her concern about the gas power plant.

The Supervisor remarked this will require about thirty-five permits.

Thomas Jacobellis, the Counsel for the Town spoke of permits from state and federal agencies, additionally a
special town board permit would be required..

Ms. Sumner asked if the state has control of the project would the town have the power to stop it.

Mr. Jacobellis mentioned he has not seen an application.

Ms. Sumner spoke of safeguarding ourselves.

VIII. RESOLUTION #1292009

ADJOURN

The following Resolution was offered by Supervisor Courtien, seconded by Councilman Galayda, to wit:

RESOLVED, to adjourn the regular business meeting at 9:45 pm.

The question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

Supervisor Courtien	<u>Aye</u>
Councilman Galayda	<u>Aye</u>
Councilwoman Palmer-House	<u>Aye</u>
Councilwoman Frame	<u>Aye</u>
Councilman Hawthorne	<u>Aye</u>

The Resolution was thereupon adopted on February 25, 2009.

Respectfully submitted,

Caroline Reichenberg
Dover Town Clerk