

## SPECIAL BOARD MEETING – FEBRUARY 28, 2012

The Special Board meeting of the Town Board of St. Armand was held on Thursday at 5:30 p.m. at the Town Hall, Bloomingdale, NY.

PRESENT: Supervisor Joyce W. Morency, Deputy Supervisor Samuel A. Grimone, Councilmen Earl J. Dakin, Jr. Charles Whitson, Jr. and Donald Amell.  
Town Clerk Cynthia A. Woodson. Highway Employee Douglas Snickles

GUESTS: Sandy Hayes

Supervisor Morency called the Special Board meeting to order at 5:35 p.m.

The Pledge of Allegiance was led by Councilman Grimone.

Notice of the meeting was published in the Community section of the Daily Enterprise.

### TOWN GARAGE

Supervisor Morency stated the purpose of this meeting is to pass three resolutions.

1. The plans for the new Town Garage building.
2. Purchase piece of property from Norman's Wholesale Grocery.
3. Hire Bond counsel for the financing of Town Garage.

Supervisor Morency stated that at one of the prior meetings on February 10<sup>th</sup>, Mr. Mike Marnell agreed to be the contractor to oversee the garage building. She stated that each specific part of the building will be out for bid; contracts would be smaller.

Councilman Whitson stated that his suggestion would be to have the new garage size to be 120 feet long by 60 feet wide; as this will allow the passage of the large trucks and equipment entering and exiting from the building. He also spoke with Artie Niederbuhl about selling a portion of the parcel he has.

Councilman Whitson stated that Artie Niederbuhl could not sell it all due to the embankment at the end of his building; and would like roughly five to six feet from the embankment so not to disturb it. Councilman Whitson stated that from the five/six feet line the Town would gain 15 to 17 feet for the building. Mr. Niederbuhl asked if the Town would pick up the costs of the survey and attorney fees. He will sell it for \$8,000. Councilman Whitson told him he would have to present it to the other board members. Councilman Grimone stated that Artie should pay for his attorney's fees.

Councilman Grimone asked about a prior resolution which the Town Clerk went to retrieve for him. Councilman Grimone asked if the garage could be 65 feet by 100 feet. Councilman Whitson stated that the pole barn is 32 feet by 48 feet. He stated that the pole barn would be used for cold storage. Councilman Grimone stated that there may be other places to build the garage where it would give more room to drive in instead of backing up, or possible to build another section to add on to the garage.

Councilman Whitson stated that the garage should be large enough for the men to put the trucks inside; the garage doors would be 16 feet wide. Doug Snickles stated that the larger size is to be able to put the trucks in and have room on both sides to work on. Supervisor Morency stated that Roger (Oliver) had that problem the other day at 3:00 in the morning. He slipped on a ladder from the top; landed on the cement floor and had to crawl to the office to call for help. Supervisor Morency stated that if the garage is larger; then the men could be using a rolling-ladder that is easier.

Supervisor Morency stated that the building may be approximately \$700,000, using the 25 year bond. She stated that Dan Manning will do the amortization list for 25 years and also have the figures from Essex County for taxes; the first year of debt is always the worse. Supervisor Morency stated that Sandy Hayes did his own plans for the garage that included the Judge's chamber; and when she spoke with Justice Sheridan Swinyer he said that he did not ask for that. Councilman Grimone asked the board members to consider having the Judge's chamber at the garage. Doug Snickles stated that it will be very noisy at the garage. Councilman Grimone stated that it would solve some of the problems for the Judge as there is not enough room here at the Town Hall.

Supervisor Morency stated that the Town Hall is going to be like it is for a very long time.

ABESTOS

Supervisor Morency stated she received the report that the Atlantic Testing Lab found only two areas of asbestos and it was in the calking of two windows.

INSURANCE

Supervisor Morency stated that she spoke with Jim Thomas from Scottsdale Insurance and he checked out the shoring the men did at the garage and was told the men did a good job of it. She is waiting on Mr. Thomas's estimates.

APA

Supervisor Morency has the APA Jurisdictional inquiry form and will fill it out.

BOND COUNSEL

Supervisor Morency stated that Essex County Attorney Dan Manning recommended Orrick & Harrington & Sutcliffe, LLP from New York City. Mr. Douglas Goodfriend will be the contact person.

Supervisor Morency asked for a Resolution on the Town Garage Plans.

RESOLUTION #27 – PLANS FOR THE TOWN GARAGE

Councilman Whitson, who moved its adoption, offered the following resolution.

WHEREAS A Resolution of the St. Armand Town Board accept the plans from North Hudson, with changes, and the addition of the engineer site map.

Supervisor Morency and Councilman Dakin duly seconded this resolution, and adopted as follow by a roll call from the Town Clerk.

Supervisor Joyce W. Morency	AYE
Deputy Supervisor Samuel A. Grimone	AYE
Councilman Donald Amell	AYE
Councilman Earl J. Dakin, Jr.	AYE
Councilman Charles Whitson, Jr.	AYE

Dated February 28, 2012

\_\_\_\_\_  
Cynthia A. Woodson  
St. Armand Town Clerk

Supervisor Morency asked for a Resolution to purchase a piece of parcel from Norman's Wholesale Grocery.

RESOLUTION #28 – PURCHASE FROM NORMAN'S WHOLESALE GROCERY

Councilman Grimone, who moved its adoption, offered the following resolution.

WHEREAS A Resolution of the St. Armand Town Board have a verbal agreement from Councilman Whitson and Mr. Artie Niederbuhl on the purchase of a 17 foot lot from the Norman's Wholesale Grocery. The Town will pay for the survey cost. The cost of the parcel is \$8,000.

Councilman Whitson duly seconded this resolution, and adopted as follow by a roll call from the Town Clerk.

Supervisor Joyce W. Morency	AYE
Deputy Supervisor Samuel A. Grimone	AYE
Councilman Donald Amell	AYE
Councilman Earl J. Dakin, Jr.	AYE
Councilman Charles Whitson, Jr.	AYE

Dated February 28, 2012

\_\_\_\_\_  
Cynthia A. Woodson  
St. Armand Town Clerk

Supervisor Morency asked for a resolution on hiring for the Bond Counsel.

RESOLUTION #29 – HIRES BOND COUNSEL

Councilman Grimone, who moved its adoption, offered the following resolution.

WHEREAS A Resolution of the St. Armand Town Board has agreed to hire the bond counsel Orrick & Harrington & Sutcliffe, LLP for discussing of financing for the Town Garage building.

Councilman Whitson duly seconded this resolution, and adopted as follow by a roll call from the Town Clerk.

Supervisor Joyce W. Morency	AYE
Deputy Supervisor Samuel A. Grimone	AYE
Councilman Donald Amell	AYE
Councilman Earl J. Dakin, Jr.	AYE
Councilman Charles Whitson, Jr.	AYE

Dated February 28, 2012

\_\_\_\_\_  
Cynthia A. Woodson  
St. Armand Town Clerk

END OF MEETING

A motion was made by Councilman Grimone, and seconded by Councilman Whitson, to adjourn the meeting at 7:05 p.m.

I, Cynthia A. Woodson, Town Clerk for the Town of St. Armand, do hereby certify that the above is a true and correct transcript of the Special Board meeting minutes held on the above referenced date.

\_\_\_\_\_  
Cynthia A. Woodson  
St. Armand Town Clerk

\*Note\*See attachments of three detailed Resolutions done by Town Attorney, Daniel Manning, on Plans for Town Garage, Norman’s Wholesale Grocery, and Bond Counsel.

**Resolution No. 27**

**February 28, 2012**  
**Town Board Meeting**

**RESOLUTION AUTHORIZING DETAILED PLANS, SPECIFICATIONS, ESTIMATES AND MAPS FOR THE ERECTION, CONSTRUCTION AND ALTERATION OF A NEW TOWN OF ST. ARMAND HIGHWAY GARAGE AND ACCESSORY STRUCTURES, PURSUANT TO SECTION 222 OF THE TOWN LAW OF THE STATE OF NEW YORK**

The following resolution was offered by Councilman Whitson, who moved its adoption.

**WHEREAS**, the Town Board of the Town of St. Armand has determined that it is necessary for the Town to erect, construct, alter and build a new Town Highway Garage for the safety and general welfare of its residents and the necessary expansion of the capabilities of the existing garage; and

**WHEREAS**, incident thereto Section 222 of the Town Law requires a Town Board to cause detailed maps, plans, specifications and estimates for such work to be prepared and finally adopted by the Town Board; and

**WHEREAS**, the Town of St. Armand has been made aware that the Town of North Hudson has recently constructed a new Town Garage and has in its possession plans, specifications and estimates which is willing to allow the Town of St. Armand to use subject to the rights of others and subject to new plans, specifications and estimates being provided and certified by an engineer based upon the North Hudson plans.

**BE IT RESOLVED**, that the Town Board of the Town of St. Armand pursuant to the provisions of Section 222 of the Town Law of the State of New York has determined that it is necessary to erect, construct, alter and build a new Town Highway Garage on property where the existing Highway Garage is situate; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of St. Armand hereby authorizes its Supervisor to enter into a contract with a licensed engineer to review the plans of the Town of North Hudson as they relate to their Town Highway Garage and, if permissible, use those plans as a basis for the Town of St. Armand plans, specifications and estimates; and

**BE IT FURTHER RESOLVED**, the Town of St. Armand, upon receipt from the engineer of the plans, specifications and estimates shall make the necessary environmental and SEQRA determinations, and pass a resolution for the erection, construction and building of the new Highway Garage and the acquisition of any necessary lands therefore together with equipment and furnishing for such buildings which resolution shall be subject to permissive referendum pursuant to Section 220 of the Town Law of the State of New York.

Supervisor Morency and Councilman Dakin duly seconded this resolution, and adopted upon a roll-call vote from the Town Clerk, as follows:

Supervisor Joyce W. Morency	AYE
Deputy Supervisor Samuel A. Grimone	AYE
Councilman Donald Amell	AYE
Councilman Earl J. Dakin, Jr.	AYE
Councilman Charles Whitson, Jr.	AYE

Dated February 28, 2012

---

Cynthia A. Woodson  
St. Armand Town Clerk

**Resolution No. 28**

**February 28, 2012**  
**Town Board Meeting**

**RESOLUTION AUTHORIZING THE PURCHASE OF LAND FROM NORMAN'S WHOLESALE GROCERY FOR THE CONSTRUCTION OF A NEW TOWN HIGHWAY GARAGE, SUBJECT TO PERMISSIVE REFERENDUM**

The following resolution was offered by Councilman Grimone, who moved its adoption.

**WHEREAS**, the Town Board of the Town of St. Armand has determined that it is necessary for the Town to construct a new Town Highway Garage for the safety and public welfare of its residents and for the necessary expansion of the current facilities located on NYS Route 3/East Main Street in the Village of Bloomingdale, Town of St. Armand, County of Essex; and

**WHEREAS**, bordering the westerly property of premises owned by the Town of St. Armand (Deed Book 549, Page 94), currently owned by Norman's Wholesale Grocery Company, Inc. exists; and

**WHEREAS**, Norman's Wholesale Grocery has offered to sell to the Town of St. Armand a small parcel of land adjacent to the westerly bounds of St. Armand property being 17.30 feet x 233.71 feet as described on the attached legal description; and

**WHEREAS**, the purchase of this premises will be contingent upon proper SEQRA determination and in compliance with all other legal and regulatory requirements.

**BE IT RESOLVED**, that the Town Board of the Town of St. Armand hereby authorizes the Supervisor of the Town of St. Armand to enter into a contract for the purchase of the 17.30 x 233.71 foot parcel from Norman's Wholesale Grocery Company, Inc. for the agreed upon amount of \$8,000.00 as

described on the attached Schedule, contingent upon satisfactory environmental review and inspection, availability of satisfactory funding, passage of the permissive referendum period required under law without a petition, and all other contingencies deemed and considered necessary by the attorney for the Town of St. Armand; and

**BE IT FURTHER RESOLVED**, that this resolution shall be subject to a permissive referendum as required by Section 220 of the Town Law and subject to all of the requirements of Section 222 of the Town Law.

Councilman Whitson duly seconded this resolution, and adopted upon a roll-call vote from the Town Clerk, as follows:

Supervisor Joyce W. Morency	AYE
Deputy Supervisor Samuel A. Grimone	AYE
Councilman Donald Amell	AYE
Councilman Earl J. Dakin, Jr.	AYE
Councilman Charles Whitson, Jr.	AYE

Dated February 28, 2012

\_\_\_\_\_  
Cynthia A. Woodson  
St. Armand Town Clerk

**Resolution No. 29**

**February 28, 2012**  
**Town Board Meeting**

**RESOLUTION AUTHORIZING THE TOWN OF ST. ARMAND TO HIRE BOND COUNSEL**

The following resolution was offered by Councilman Grimone, who moved its adoption.

**BE IT RESOLVED**, that the Town Board of the Town of St. Armand hereby authorizes the entry into an agreement relative to bond counsel services with the firm of Orrick, Harrington & Sutcliffe, LLP for the purposes of obtaining financing for the construction of a new Town Garage building and any ancillary expenses, including, but not limited to the purchase of real property.

Councilman Whitson duly seconded this resolution, and adopted upon a roll-call vote from the Town Clerk, as follows:

Supervisor Joyce W. Morency	AYE
Deputy Supervisor Samuel A. Grimone	AYE
Councilman Donald Amell	AYE
Councilman Earl J. Dakin, Jr.	AYE
Councilman Charles Whitson, Jr.	AYE

Dated February 28, 2012

\_\_\_\_\_  
Cynthia A. Woodson  
St. Armand Town Clerk