



Town of East Fishkill
Dutchess County, New York
330 Route 376, Hopewell Junction,
New York 12533

**TOWN OF EAST FISHKILL
TOWN BOARD MEETING
April 27, 2017 @ 7:00 pm
AGENDA**

Call To Order

Pledge To The Flag

Supervisors Announcements

Roll Call

Approve Minutes

February 23, 2017

March 23, 2017

Receive and File

Public Comments on Agenda Items only

Public Hearings

Open Adjourned Public Hearing on Amending the Sign Law

- a) Adopt Negative Declaration
- b) Amend Current Law in order to Establish an Appeal Board regarding said Law

Resolutions

1. Award Lawn Mowing Bids
2. Award Concession Stand Bid for the Main Park
3. Authorize Brush Drop Off
4. Authorize DOT Maintenance Resolution for Robinson Lane and Rte. 376 Sidewalks
5. Authorize a Refund for a Zoning Application
6. Authorize Bathroom Renovation at Route 52 Complex
7. Authorize Animal Control Class for the Dog Warden
8. Acknowledge Seasonal Recreation Worker for the Highway Department and authorize Red Wing and Camp Seasonal Workers
9. Approve Change Orders for John Jay Sewer Project
10. Declare 2 Police Vehicles as surplus and authorize the auction of the same

11. Set the Public Hearing for Misc. Zoning Amendments which includes considering updating definitions, modifying setbacks for fences and sheds, etc. for June 22, 2017

Budget Transfers

Take Public Comments on General Town Issues

Comments from Town Board Members

Adjournment

Next Town Board Meetings: Workshop Meeting: **May 11, 2017**
Regular Meeting: **May 25, 2017**

LOCAL LAW _____ OF 2017
AMENDING LOCAL LAW 6 OF 2011 AMENDING THE SIGN LAW

SECTION ONE – LEGISLATIVE INTENT

The Town Board is desirous of modifying the Sign Law and regulations of the Town by granting greater latitude to administrative officials and modifying the process.

The Town Board will from time to time amend and modify this chapter so as to keep in up to date and streamline the process.

SECTION TWO – PERMIT AUTHORITY

(a) The permit issuing authority shall be an official designated by the Supervisor and be either the Zoning Administrator or the Town Planner.

(b) With respect to any site plan before the Planning Board. The Planning Board may grant sign approvals as part of its site plan approval.

(c) When a matter is before the Architectural Review Council for approval, part of the approval may include sign approval in accordance with this chapter.

SECTION THREE – PROHIBITED SIGNS

Section 153-5(F) is repealed and in its place the following is adopted:

(F) Signs with flashing, blinking or moving lights, shall be prohibited.

SECTION FOUR:

(A) SIGN REVIEW BOARD

There is hereby created a Sign Review Board to consist of three (3) members. One member will be designated by the Architectural Review Council; and two members will be designated by the Town Board. The members shall serve until a successor is chosen.

(B) REFERRAL

Whenever the Permit Authority deems it appropriate, a sign application will be referred to the Sign Review Board for consideration.

(C) MEETINGS

The Sign Review Board shall meet as necessary upon compliance with the Open Meetings Law. Minutes shall be taken.

(D) AUTHORITY

The Sign Review Board may authorize the issuance of a sign permit in accordance with this chapter.

(E) VARIANCES

The Sign Review Board is authorized to allow signs greater than or in excess of the provisions of this Law, but never greater than 100% more than the dimensional limits herein after considering the following:

- (i) In existing plazas and buildings after considering the other signs in the plaza, shapes and locations thereof;
- (ii) The shape and style of the structure upon which it is to be placed;
- (iii) Whether there is frontage on more than one public road;
- (iv) Such other architectural, terrain and unique circumstances or issues pertaining to a particular property.

SECTION FIVE - PERMIT

Upon approval by the Sign Review Board, the Permit Authority shall issue a sign permit in accordance therewith.

SECTION SIX – RATIFICATION

Except as modified herein, Local Law 6 of 2011 remains in full force and effect.

SECTION SEVEN - EFFECTIVE DATE

This Local Law will take effect immediately upon its filing with the New York State Secretary of State.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF EAST FISHKILL
CAROL HURRAY, TOWN CLERK**

**Dated: APRIL 27, 2017
East Fishkill, NY**

RESOLUTION

(AWARDING BIDS FOR LAWN MOWING SERVICE)

WHEREAS, the Town is responsible for mowing of certain cemeteries within the Town that have been previously abandoned by their owners; and

WHEREAS, the Town also is responsible for providing mowing services on behalf of special districts within the Town and to charge back those districts the cost thereof; and

WHEREAS, the Town Clerk duly advertised for the receipt of bids with respect to providing mowing services within the Town; and

WHEREAS, those bids have been received and it is the desire of the Town Board to consider the award thereof;

NOW, THEREFORE, BE IT RESOLVED, that the bidder Beechtree Holdings, LLC be and hereby is awarded the mowing bids for the Lomala Park District and the Town cemeteries; and

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized to execute these bid documents and the Town Clerk shall notify the bidder as to the outcome of the bid.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY, TOWN CLERK**

**DATED: APRIL 27, 2017
EAST FISHKILL, NY**

RESOLUTION

(GRANTING CONCESSION FACILITY USE PRIVILEGES)

WHEREAS, on various recreational sites owned and operated by the Town, there are concession facilities; and

WHEREAS, the Town Board has reviewed request for proposals for various vendors to utilize the concession facilities on these sites to serve the users of the facilities over the summer months; and

WHEREAS, the Town Board has reviewed the references, the menus and other issues pertaining to the vendors; and

WHEREAS, it is the desire of the Town Board to authorize the use of the concessions;

NOW, THEREFORE, BE IT RESOLVED, that the Hopewell Recreation Area Concession Facility may be utilized from April 30, 2017 through October 1, 2017 by East Fishkill Provisions upon payment to the Town of the sum of **\$1,000.00** and upon agreement of the vendor to be open during all activities and events at the site as set forth in the annexed proposal; and

BE IT FURTHER RESOLVED, that all of the vendors shall sign a letter agreement as prepared by the Town Attorney and provide to the Town Attorney for approval, Certificates of Insurance prior to entering upon the use of the concession facilities.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY, TOWN CLERK**

**DATED: APRIL 27, 2017
EAST FISHKILL, NY**

RESOLUTION

(AUTHORIZE BRUSH DROP)

WHEREAS, the Town of East Fishkill has contracted with Lime Kiln Road, LLC for the 2016 Brush Drop Program; and

WHEREAS, the Lime Kiln Road, LLC has agreed to the same price of \$22,362.00 for the 2017 Brush Drop Program; and

NOW, THEREFORE BE IT RESOLVED, that the Lime Kiln Road, LLC be and hereby is approved to hold the 2017 brush drop location; and

BE IT FURTHER RESOLVED, that the Brush Drop Program will run from June 1, 2017 until June 30, 2017 and in the Fall from October 4, 2017 until October 28, 2017.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY, TOWN CLERK**

**DATED: APRIL 27, 2017
EAST FISHKILL, NY**

DRAFT

RESOLUTION

(AUTHORIZE DOT MAINTENANCE OF SIDEWALKS AND DRAINAGE FACILITIES)

WHEREAS, the New York State Department of Transportation proposes the construction of sidewalks and drainage facilities as part of the Department's project for intersection improvements on Route 376 (SH 1235) at Robinson Lane and Lake Walton Road in the Town of East Fishkill, Dutchess County; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvements of the above mentioned project the construction of sidewalks and drainage facilities, pursuant to Section 10, Subdivision 22, Section 46, or Section 349-c of the New York Highway Law, as shown on the contract plans relating to the project; and

WHEREAS, the service life of the relocated and/or replaced utilities has not been extended; and

WHEREAS, the State of New York is presently preparing contract plans for the construction, reconstruction, or improvement of the above mentioned work, as shown on the contract plans relating to the project.

NOW, THEREFORE, BE IT RESOLVED, that the Town of East Fishkill approve the construction of such sidewalks and drainage facilities and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Town of East Fishkill will maintain or cause to be maintained the sidewalks and drainage facilities performed as above stated and as shown on the contract plans, including the control of snow and ice.

BE IT FURTHER RESOLVED, that the Clerk of this Board is hereby directed to transmit five (5) certified copies of the forgoing resolution to the New York State Department of Transportation.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY, TOWN CLERK**

**DATED: APRIL 27, 2017
EAST FISHKILL, NY**

RESOLUTION

(AUTHORIZING A PARTIAL REFUND OF ZONING BOARD APPLICATION FEE)

WHEREAS, an application was made for a special permit by William J. Florence, Jr. Esq., on behalf of Russell Palmer to the Zoning Board with respect to Appeal #3813; and

WHEREAS, an application fee was paid to the Zoning Board; and

WHEREAS, the applicant has withdrawn the application; and

WHEREAS, the Clerk to the Zoning Board has recommended that a partial refund be approved; and

NOW, THEREFORE, BE IT RESOLVED, that the Clerk of the Zoning Board be and hereby is authorized to refund \$145.00 for a variance.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY, TOWN CLERK**

**DATED: APRIL 27, 2017
EAST FISHKILL, NY**

RESOLUTION

(AUTHORIZE BATHROOM RENOVATION AT THE HOPEWELL RECREATION FACILITY)

WHEREAS, the Recreation Department has discussed with the Town Supervisor and Town Engineer the need for repairs at the Route 52 Recreation Complex bathrooms; and

WHEREAS, the Recreation Advisory Board has requested proposals for the renovation of the bathrooms at the Route 52 Recreation Complex; and

WHEREAS, the Recreation Advisory Board has received two quotes and is requesting the Town Board to authorize the lowest quote; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize Chester Betz, who provided the lowest quote to renovate the restroom facilities at the Route 52 Recreation Complex; and

BE IT FURTHER RESOLVED, that Chester Betz will supply the Town with all insurance documentation that is required prior to work and will be paid after final approval by the Town Engineer.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY, TOWN CLERK**

**DATED: APRIL 27, 2017
EAST FISHKILL, NY**

RESOLUTION

(AUTHORIZE DOG WARDEN TO ATTEND CONFERENCE)

WHEREAS, Lieutenant Orsino has sent a request to the Town Board asking for the Town's Dog Warden, Matthew Chan to attend the 8th Annual DCO/ACO Conference in Guilderland, NY to be held May 9, 2017 through May 10, 2017; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the details of such conference is attached hereto and the expenses to the Town will be for tuition and lodging; and

BE IT FURTHER RESOLVED, that Matthew Chan is hereby authorized to attend the 8th Annual DCO/ACO Conference in Guilderland, NY from May 9, 2017 through May 10, 2017.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY, TOWN CLERK**

**DATED: APRIL 27, 2017
EAST FISHKILL, NY**

DRAFT

RESOLUTION

(ACKNOWLEDGE SEASONAL RECREATION WORKER FOR THE HIGHWAY DEPARTMENT AND AUTHORIZE RED WING AND CAMP SEASONAL WORKERS)

WHEREAS, the Highway Superintendent has interviewed and hired Ryan Araniva as a Full-time Seasonal Laborer for the Highway Department and submitted a memo, and

WHEREAS, the Director of Recreation has submitted to the Town Board a listing of the names of the employees for this summer program and the amounts of their salaries to be paid; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby acknowledge the hiring of Ryan Araniva as a Full-time Seasonal Laborer in the Highway Department. Ryan Araniva started April 17, 2017 and will be paid \$11.00 per hour.

BE IT FURTHER RESOLVED, that Ryan started on April 17, 2017 and that upon completion of his task, he will be removed from payroll.

WHEREAS, the Director of Recreation has submitted to the Town Board a listing of the names of the employees for this summer program and the amounts of their salaries to be paid; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Comptroller be and hereby is authorized to place on the Town payroll as temporary summer employees the seasonal recreation camp employees and Red Wing Park employees as set forth on the attached list; and

BE IT FURTHER RESOLVED, that upon completion of their tasks, the temporary summer employees and the Full-time Seasonal Laborer shall be removed from the payroll, unless further ordered by the Town Board.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY, TOWN CLERK**

**DATED: APRIL 27, 2017
EAST FISHKILL, NY**

RESOLUTION

(APPROVING A CHANGE ORDER FOR JOHN JAY SEWER PROJECT)

WHEREAS, the Town Board previously has awarded contracts for the construction of the John Jay Sewer Project; and

WHEREAS, the Town Engineer has recommended a change order be approved; and

WHEREAS, the Town Engineer's memo is attached hereto;

NOW, THEREFORE, BE IT RESOLVED, the Town Board does hereby approve the change order recommended by the Town Engineer in the letter attached hereto.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY, TOWN CLERK**

**DATED: APRIL 27, 2017
EAST FISHKILL, NY**

DRAFT

RESOLUTION

(DECLARING CERTAIN PROPERTY TO BE SURPLUS)

WHEREAS, the Town Police Chief has provided the Town Board with a listing of vehicles which he deems to be of no further use to the Town and thus, should be considered surplus; and

WHEREAS, there is a 2004 Ford Crown Victoria and a 1998 Ford Rescue that the Police Chief has requested be declared surplus material and sold; and

WHEREAS, the Town Board has reviewed said list and concurs; and

NOW, THEREFORE, BE IT RESOLVED, that the two vehicles hereby are declared to be surplus and is to be disposed of by participating in an auction process held by Absolute Auctions & Realty without cost to the Town; and

BE IT FURTHER RESOLVED, that the sale of said vehicle shall be further approved by this Board.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY, TOWN CLERK**

**DATED: APRIL 27, 2017
EAST FISHKILL, NY**

RESOLUTION

(SET A PUBLIC HEARING TO MISCELLANEOUS ZONING AMENDMENTS)

WHEREAS, the Town Planner has recommended a number of minor modifications to the zoning law to clarify certain provisions of the code, to improve efficiency, support economic development, reduce the need for certain area variances and to correct minor errors in the Zoning; and

WHEREAS, it is the desire of the Town Board to hear comments of the public with respect to the proposal; and

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby set a Public Hearing for June 22, 2017 at 7:00 PM at the beginning of their regularly scheduled Town Board Meeting to hear public comments on the proposal by the Town Board to amend the zoning; and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized and directed to advertise and publish appropriate notices with respect hereto.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY, TOWN CLERK**

**DATED: APRIL 27, 2017
EAST FISHKILL, NY**