

MINUTES
TOWN OF EAST FISHKILL
TOWN BOARD MEETING
JANUARY 26, 2017
7:00 p.m.

REGULAR BOARD MEETING

The Town of East Fishkill's Town Board Meeting on January 26, 2017 was called to order at 7:00 p.m. by Supervisor John Hickman, Jr. with the Pledge of Allegiance to the Flag.

Supervisor's Announcements

Supervisor Hickman stated that they have received notification from the EPA from President Trump that all Grants and Contracts are on hold until further notice. The Ryan Drive Superfund Site had been selected to be funded, so now they will need to wait to hear what will happen.

Last night Supervisor Hickman swore in officers at the Wicoppee Fire Company and it was brought to his attention the great need for EMT's and drivers. Anyone willing to volunteer should contact the Fire District.

The Town is in receipt of a petition from 236 residents of Hillside Lake regarding the dissolution of the park district. Attorney Wood stated that this will be sent out to independent council for verification of the procedure. The Town has 30 days to adopt a resolution to schedule a vote.

Roll Call: Supervisor Hickman asked Town Clerk Hurray to call the rolls.

Board Members in Attendance were

Peter	Nicolas	Thomas	Emanuele	John
Cassidy	D'Alessandro	Franco	Marinero	Hickman

Also in attendance were:

Tom Wood, Attorney; and Mark Pozniak, Comptroller.

Approve Minutes:

November 10, 2016
December 8, 2016

Motion to approve the minutes from the November 10 and December 8, 2016 meeting: Board Member Franco. Seconded: Board Member Marinero. All voted in favor. Motion carried.

Receive and File:

Supervisor Hickman stated there was a petition from Hillside Lake.

Public Comments on Agenda Items Only:

Supervisor Hickman asked if there was anyone to speak on the agenda items only.

Michael Wahlers spoke about the petition from Hillside Lake.

Public Hearing:

1. Consider amendments to the Sign Law

Supervisor Hickman stated the Architectural Review is re-writing this. They have put in a lot of time on it, but need a little more. He asked that the Board consider tabling this.

Motion to table this Public Hearing until March 23, 2016: Board Member D’Alessandro. Seconded: Board Member Cassidy. All vote in favor. Motion carried.

Resolutions:

1. Authorize the acceptance of the Pension Resolution

Standard Work Day and Reporting Resolution

BE IT RESOLVED, that the **TOWN OF EAST FISHKILL** hereby establishes the following as standard workdays for these titles and will report the officials to the New York State and Local Employees' Retirement System based on the record of activities:

Standard Work Day and Reporting Resolution

RS 2417-A

Town of East Fishkill

Title	Standard Workday (hrs/days)	Name	Social Security No. (Last 4)	Reg. No.	Tier 1	Term Begins/ Ends	Days per Month (based on record of activities)
Elected Officials							
Supervisor	7 hours	John L. Hickman	4415	36596898		1/1/16 - 12/31/17	21.67

Town Clerk	7 hours	Carol Hurray	2909	12601175	X	1/1/16 - 12/31/17	N/A
Highway Superintendent	7 hours	William McClellan	9844	60091626		1/1/16 - 12/31/17	21.67
Councilman	6 hours	Peter J. Cassidy	2560	38026183		1/1/16 - 12/31/19	11.11
Councilman	6 hours	Nicholas D'Alessandro	0695	50569235		1/1/16 - 12/31/19	12.89
Councilman	6 hours	Thomas Franco	7218	60542214		1/1/14 - 12/31/17	7.33
Justice	6 hours	Frederick D. Romig	9872	50328657		1/1/15 - 12/31/18	15.11

_____ Date enacted: January 26,
 2017
 (Signature of Clerk)

I, **Carol Hurray** clerk of the governing board of the **TOWN OF EAST FISHKILL**, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 26 day of January 2017 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto Set my hand and the seal of the
TOWN OF EAST FISHKILL on this _____ day. _____ January 2017

Carol A. Hurray

Motion to authorize the acceptance of the Pension Resolution: Board Member Cassidy. Seconded: Board Member Franco. All voted in favor. Motion carried.

2. Authorize the hiring of a company to provide Court Officer Services

RESOLUTION

(AUTHORIZE THE HIRING OF COMPANY TO PROVIDE COURT OFFICERS)

WHEREAS, security is a priority by the Office of Court Administration of the State of New York with respect to local Justice Courts; and

WHEREAS, it is appropriate that both the court staff as well as the public who might attend a court session to conduct business, be in a safe environment; and

WHEREAS, in the past, Town Police Officers have been providing security to the Town Court; and

WHEREAS, it is appropriate to modify the process that has been utilized, both to provide additional staffing and to reduce the cost thereof;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the hiring of Pagones-O'Neill, Inc. to provide Court Officer services; and

BE IT FURTHER RESOLVED, that the cost for each officer shall be \$42.00/per hour.

Motion to authorize the hiring of a company to provide Court Officer Services: Board Member Franco. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

3. Authorize quarterly rates and fees for Water and Sewer and other fees as recommended

RESOLUTION

(AUTHORIZE QUARTERLY RATES AND FEES FOR WATER AND SEWER AND OTHER FEES AS RECOMMENDED)

WHEREAS, it is necessary for the Town Board to authorize the quarterly rates for the water and sewer districts and the recommended fee adjustments for the Lime Kiln Facility, Building, Planning and Zoning Departments; and

WHEREAS, the Town Board has received and reviewed the recommendations; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board does hereby authorize the water and sewer rates for 2017; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the recommended fee adjustments for the Lime Kiln Recreation Facility; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the Planning and Zoning Department's recommended fee adjustments; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the Building Department’s recommended fee adjustments.

Motion to authorize quarterly rates and fees for Water and Sewer and other fees as recommended: Board Member D'Alessandro. Seconded: Board Member Franco. All voted in favor. Motion carried.

4. Authorize Hazardous Mitigation Plan

RESOLUTION
**(ADOPTION OF JURISDICTIONAL ANNEX TO
DUTCHESS COUNTY HAZARD MITIGATION PLAN)**

WHEREAS, Town of East Fishkill has worked cooperatively with Dutchess County, with the assistance of Tetra Tech, Inc., in gathering information and preparing the Dutchess County Multi-Jurisdictional Hazard Mitigation Plan Municipal Annex (the Plan), a copy of which is annexed hereto, and

WHEREAS, the Dutchess County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000, and

WHEREAS, Dutchess County and Town of East Fishkill are units of government that have afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan, and

WHEREAS, Dutchess County and Town of East Fishkill has reviewed the Plan and affirms the Plan will be updated no less than every five years, and

NOW, THEREFORE BE IT RESOLVED, that this governing body approves and adopts the attached Dutchess County Hazard Mitigation Plan Municipal Annex as this jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions of the Plan.

Motion to authorize the Hazardous Mitigation Plan: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

5. Authorize the hiring of Part Time Personnel

RESOLUTION
(APPOINTING A PART TIME CLEANER)

WHEREAS, a part-time cleaner is needed at the Town facilities; and

WHEREAS, it is the desire of the Town Board to appoint Frank Agosta as cleaner; and

NOW, THEREFORE, BE IT RESOLVED, that Frank Agosta of Hopewell Junction be and hereby is hired as a part-time cleaner at the hourly rate of \$20.33; and

BE IT FURTHER RESOLVED, that said part-time position serves at the pleasure of the Town Board.

Motion to authorize the hiring of Part Time Personnel: Board Member Marinaro.
Seconded: Board Member Franco. All voted in favor. Motion carried.

6. Authorize the engagement of a credit card company for the Recreation Department

RESOLUTION

(AUTHORIZING THE ACCEPTANCE OF CREDIT CARDS)

WHEREAS, the Town Board has received a presentation from Government Payment Service, Inc., a provider of Credit Card services to municipalities; and

WHEREAS, based on said presentation, taxpayers could utilize credit cards for the payment of all Recreation fees and charges incurred by them in dealings with the Town; and

WHEREAS, the Town Board views this as a service to the residents to be used by the resident at their option and choice; and

WHEREAS, a service fee normally charged to the merchant by law cannot be paid by the government and would be charged to the user; and

WHEREAS, the taxpayer will be well aware of the additional fee for using a credit card by the Recreation Department; and

WHEREAS, payments of cash and check are still accepted;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to engage Government Payment Service, Inc. to provide credit card services to the Town of East Fishkill; and

BE IT FURTHER RESOLVED, that the Town Comptroller is authorized to utilize said credit card system in any department and for any fees as the Comptroller believes is appropriate; and

BE IT FURTHER RESOLVED, that the Comptroller be and hereby is authorized to supervise all arrangements for the processing of payments and deposits of money into the official depositories of the Town subject to the approval of the Town Supervisor

Motion to authorize the engagement of a credit card company for the Recreation Department: Board Member Marinaro. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

7. Authorize the referral of the Hillside Lake Park District Petition to outside Counsel for further review

RESOLUTION
(REFERRING PETITION SEEKING TO
DISSOLVE THE HILLSIDE LAKE PARK DISTRICT)

WHEREAS, on January 12, 2017, a Petition was filed with the Town Clerk seeking to dissolve the Hillside Lake Park District pursuant to Article 17-A Title 3 of the General Municipal Law; and

WHEREAS, the Town Attorney had previously suggested an alternate procedure due to concerns that Article 17-A does not fully address the limits on the transfer of park land; and

WHEREAS, the Town Clerk determined that the Petition contains sufficient signatures to be considered under the General Municipal Law;

NOW, THEREFORE, BE IT RESOLVED, that the Petition and the questions presented be referred to Thomas Myers, Esq. of Orrick Herrington and Sutcliffe, LLP, experts in Special District creation and dissolutions; and

BE IT FURTHER RESOLVED, that their recommendations be received by the Town Attorney who will keep this Board advised

Motion to authorize the referral of the Hillside Lake Park District Petition to outside counsel for further review: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

8. Authorize the rates for the Seasonal Recreation and Lime Kiln Personnel for the year 2017

RESOLUTION
(AUTHORIZING THE RATES FOR THE SEASONAL AND PART-TIME HIRES FOR
2017)

WHEREAS, during the year, the Town hires temporary part-time workers to assist in the various programs; and

WHEREAS, the Town Board has received rates for all of the Seasonal and Part-time positions for 2017; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize rates for the Seasonal and Part-time employees for 2017.

Motion to authorize the rates for the Seasonal Recreation and Lime Kiln Personnel for the year 2017: Board Member Franco. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

9. Authorize reserving 200,000 gallons daily of water for the East Campus

RESOLUTION-022/2017

(AGREEING TO RESERVE 200,000 GPD OF WATER CAPACITY FOR THE USE OF THE EAST CAMPUS)

WHEREAS, Global Foundries U.S. 2 LLC has a pending assignment of 500,000 gpd of water from their county contract to the Town of East Fishkill to be used for economic redevelopment in the Priority Economic Redevelopment Zone; and

WHEREAS, Global Foundries U.S. 2 LLC has received Final Subdivision approval for an 8 lot subdivision of the East Complex on Route 52 and Lime Kiln Road; and

WHEREAS, a requirement of that approval is that a public water system be created; and

WHEREAS, the Dutchess County Water Authority will form a district to include the six proposed lots which are already improved; and

WHEREAS, the Town will form a water improvement area to serve the vacant lots created on the East Campus, including the 6 acre lot on Lime Kiln Road and Rt. 52, the West Complex and the Sports Dome; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board agrees, upon closing on the property, the reservation of 200,000 gpd of the aforesaid allotment to be used by National Resources in redevelopment of the lots as described above in the Global Foundries Subdivision; and

BE IT FURTHER RESOLVED, that the Town will set the rates for water consistent with the process used to set water rates in other Town-owned water districts.

Motion to authorize reserving 200,000 gallon of water daily for the East Campus: Board Member D'Alessandro. Seconded: Board Member Franco. All voted in favor. Motion carried.

Budget Transfers:

Supervisor Hickman stated there were no transactions requested at this time.

Take Public Comments on General Town Issues:

Supervisor Hickman asked if there was anybody in the audience who would like to speak on general Town issues.

John Curzio spoke on Lake Carmel School District issues.

Mr. Wahlers spoke on general town issues.

Keith DiMaso spoke on cell tower issues.

Comments from Town Board Members:

Board Member Marinaro asked when the new recreation fees would be in effective. Supervisor Hickman said it would be in April. Board Member Marinaro asked if the increase in fees caused a decrease in membership, would this location be considered for closing and those funds used towards the handicap bathrooms that will need to be constructed. Supervisor Hickman said it would be reviewed.

Board Member Marinaro stated that Hillside Lake had their quarterly meeting and there was good representation. They asked questions regarding the start time of their project. Supervisor Hickman said the bid documents should be back within the next two weeks. Board Member Marinaro asked if it would be presented to the public before construction started. He thought there had been a change to the original plans. Supervisor Hickman said he will speak with Renewage to see if they can do it.

Motion for Adjournment: Time: Motion to adjourn the regular meeting at 8:16 PM: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

Town Board Workshop Meeting:

February 9, 2017

Town Board Regular Meeting:

February 23, 2017

Respectfully Submitted by Julie J. Beyer on behalf of Town Clerk Carol A. Hurray
– January 30, 2017