

TOWN BOARD MEETING

September 20, 2006

Supervisor Pagones opened the Regular Town Board meeting at 9:30am, Town Hall, 807 Route 52, Fishkill, New York and led the audience with the "Pledge of Allegiance".

Present: Supervisor Joan A. Pagones; Town Board members, Steve Ferguson, Ronald Leenig, Heather Malvarosa, Dennis Zack; Town Attorney – Ronald Blass, Rebecca Valk; Town Engineer – John Andrews; Susan McGuire – Human Resource; Paul Gromkowski – Housing Director; Christopher Colsey – Municipal Development Director; James Moseman – Prospect Street; and Town Clerk – Darlene Bellis

PUBLIC HEARING(s)

Local Law amending Chapter 150-27(B)(3)

Supervisor Pagones read (**copy attached to original minutes**) the notice of public hearing for the enactment of a local law amending Chapter 150-27(B)(3).

Public hearing opened at 9:30am

Supervisor Pagones read (**copy attached to original minutes**) the Dutchess County Planning and Development comments stating it is a matter of local concern. She then asked the audience if anyone would like to speak on this matter. Hearing none

Motion made by Councilman Ferguson **to close the public hearing.**

Seconded by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Public hearing closed at 9:32am

Local Law amending Chapter 150-33(B) – Schedule of Regulations for Nonresidential Districts

Supervisor Pagones read (**copy attached to original minutes**) the notice of public hearing for the enactment of a local law amending Chapter 150-33(B), Schedule of Regulations for Nonresidential Districts, footnote (e) regarding an overall plan for the entire site area.

Public hearing opened at 9:33am

Supervisor Pagones read (**copy attached to original minutes**) the Dutchess County Planning and Development comments stating it is a matter of local concern. She then asked the audience if anyone would like to speak on this matter. Hearing none

Motion made by Councilwoman Malvarosa **to close the public hearing.**

Seconded by Councilman Zack

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Public hearing closed at 9:35am

Local Law amending Chapter 143, Section 143-16 to designate additional stop intersections

Supervisor Pagonos read (**copy attached to original minutes**) the notice of public hearing for the enactment of a local law amending Schedule A of Chapter 143, Section 143-16 to designate additional stop intersections. Public hearing opened at 9:35am

Audience

James Moseman – Prospect Street asked if the stop signs could be placed on the end of Prospect Street. He described how this would slow traffic down if they had three way stops due to the shift changes and the times.

Councilman Ferguson will go out with resident to visit the site and a survey will be taken at the shift change times.

Motion made by Councilwoman Malvarosa **to close the public hearing.**

Seconded by Councilman Zack

Pagonos (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Public hearing closed at 9:39am

ANNOUNCEMENTS

Town of Philipstown public hearing notice

Supervisor Pagonos read (**copy attached to original minutes**) a notice of public hearing from the Town of Philipstown amending their zoning law Section 175-61D.

Thank you letter from Robert C. Klein

Supervisor Pagonos read (**copy attached to original minutes**) a letter from Robert C. Klein thanking Paul Gromkowski for his willingness to share his knowledge and experience regarding “affordable” housing.

APPROVAL OF MINUTES

Supervisor Pagonos stated that the minutes of June 03, 2006 Summer and July 08, 2006 Summer meetings were distributed for review and would entertain a motion to approve said minutes.

Motion made by Councilwoman Malvarosa **to approve the minutes of June 03, 2006 and July 08, 2006 as submitted. Seconded** by Councilman Ferguson

Pagonos (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

DISCUSSION(s)

Chelsea Waterfront Development comments

Town of Fishkill Planning Board
Morris Associates
NYSDEC

Supervisor Pagones stated above mentioned letters have been received

John Andrews gave a brief history of the submittal of the rezoning of project. Stated next step is to have applicant in and have discussions with such.

Motion made by Councilman Leenig **to officially accept lead agency and have the project sponsor back before this board to discuss the application and to review comments.** **Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

MOTION(s) TO APPROVE/ADOPT

Request to change street sign at corner of Maple Avenue and Old Glenham Road

Supervisor Pagones read (**copy attached to original minutes**) a request from Highway Superintendent, Glenn Scofield, to have the "10 Minute Parking Here To Corner" to "No Parking Here To Corner".

Motion made by Councilman Ferguson **to approve the request to have the "10 Minute Parking Here To Corner" to "No Parking Here To Corner" sign changed.** **Seconded** by Councilman Leenig

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

BUDGET TRANSFERS

Motion made by Councilwoman Malvarosa **to approve the budget transfers as submitted as follows:**

Comptroller	\$ 137,000	to establish BANs authorized August 2006
Comptroller	\$ 484,378	to record transfer from Parklands and cover expenses for purchase of Girl Scout property

Comptroller \$ 412 to cover wet tap at Meadow Lane (Beacon Hills)

Highway \$ 1,005 to cover work done on Route 9 medians - unbudgeted

(copies attached to original minutes)

Seconded by Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

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NEW and OLD BUSINESS

Councilwoman Malvarosa

Motioned to appoint the In-School Recreation personnel effective 09-11-2006 as submitted. Seconded by Councilman Zack

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

She announced that the After School Program is up and running.

The Fall Festival will be held on 10-14-2006

The Rabies Clinic this fall will be Sunday 10-20-2006 from 1-4pm

Supervisor Pagones

Motioned to re-appoint Catherine Ferguson to the Board of Assessment Review for another five year term to expire on 09-30-2011

Seconded by Councilwoman Malvarosa

Pagones (aye), Ferguson (abstained), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Councilman Ferguson

The Veteran's Memorial plans have been completed. The bids for the recreation center site will be returned. The preparation of the ground site will start shortly after the 29th. The Highway department is working on a few drainage projects. Blacktopping will follow. The motorcycle event that was held a Splashdown Beach was very successful and didn't create any problems.

Councilman Leenig

He attended a POW/MIA ceremony at Castle Point and then attended a graduation for the Veterans who were working on the Van Wyck site.

Supervisor Pagones

Supervisor Pagones wanted to go on record to wish a speedy recovery for our first injury of a Fishkill Lieutenant in U.S. Army from an IUD in Iraq and is recovering, Lt. Jeffrey Donahue, and made a **Motion to have this get well**

wish to go to him and let him know this Board is here supporting him. **Seconded** by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Supervisor Pagones read (**copy attached to original minutes**) a memo from Edward peters requesting court disposition for Fishkill Glen.

Motion made by Councilman Zack **to approve the court disposition request for Fishkill Glen.** **Seconded** by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

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Councilman Zack
none

John Andrews, Town Engineer

He stated that he has updated street lighting authorities from Central Hudson for the Round Hill Lighting District. The street lighting authority covers the installation of 20 new lights by Central Hudson complete with the underground wiring that is associated with that. There will be a slight increase in character and fees for all Central Hudson lighting districts. The contractor is 85% complete with the rough installation, and he requested that the Supervisor to sign the street lighting authorities and to allow Central Hudson make the specified street lighting changes in the Round Hill Lighting District which is the installation of these new lights.

Motion made by Councilman Ferguson **to allow Central Hudson make changes to the specified street lighting in the Round Hill Lighting District which is the installation of new lights and to authorize the Supervisor to sign said Street Lighting Authorities for the Round Hill Lighting District.** **Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Christopher Colsey

He stated that the Town of Fishkill was awarded the New York Planning Federation's Zoning Award. It was referring to the Board's legislation passed the past three to four years including the Affordable Housing with the Town's initiative and foresight to go forward.

Supervisor Pagones

Supervisor Pagones read (**copy attached to original minutes**) a resolution adopting a local law amending Schedule A of Chapter 143, Section 143-16 to designate additional stop intersections.

Motion made by Supervisor Pagones **to adopt the local law amending Chapter 143-16 to designate additional stop intersections.** **Seconded** by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye

Councilman Zack aye
Supervisor Pagones aye

Motion Carried

Rebecca Valk

She stated that the Board approved the Seed Foundation Agreement on September 09th meeting. Since then, unfortunately, the time has since passed and potentially broken down, and requested that the Board take formal action to clearly revoke the contents of that contract.

Motion made by Councilman Ferguson **to revoke the terms of the Seed Foundation contract. Seconded** by Councilman Zack
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

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EXECUTIVE SESSION

Rebecca Valk stated she would like to go into executive session for a zoning enforcement matter where negotiating of a possible settlement with possible prosecution and litigation.

Motion made by Councilman Ferguson **to go into executive session as stated above. Seconded** by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0
Executive session at 10:00am

Regular Order of Business

Motion made by Councilman Zack **to go back into regular order of business. Seconded** by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0
Regular Order of Business at 10:09am

Motion made by Councilman Zack **to authorize town attorney's office to compromise a settling contract to avoid any prosecution and authorize the supervisor to sign the negotiation agreement. Seconded** by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

ADJOURNMENT

Motion made by Councilman Zack **to adjourn the meeting. Seconded**
by
Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)

Motion Carried unanimously 5-0

Meeting adjourned at 10:10am

Respectfully submitted

Darlene Bellis
Town Clerk