

Supervisor Pagones opened the Regular Town Board meeting at 9:00am, 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; Ronald Blass – Town Attorney; John Andrews – Town Engineer; Pamela Garnot – Supervisor's Assistant; Susan McGuire – Human Resource Director; Paul Gromkowski – Housing Director; Christopher Colsey – Municipal Development Director, and Town Clerk – Darlene Bellis

ANNOUNCEMENTS

2007 Preliminary Budget

Supervisor Pagones read (**copy attached to original minutes**) the 2007 Preliminary Budget outline dated 09-30-2006

She stated the following public hearings are scheduled for the Special District Assessment Rolls on 11-04-2006 @ 9:30am and the 2007 Town of Fishkill Budget on 11-04-2006 @ 9:45am

Letter of appreciation to the building department

Supervisor Pagones read (**copy attached to original minutes**) a letter from Hans Raj Nahata thanking the Municipal Development Department for their keen sense of responsibility and help they gave him.

Pomeroy Award Plaque

Supervisor Pagones announced that Christopher Colsey was awarded the award for the zoning achievement in Fishkill.

APPROVAL OF MINUTES

Supervisor Pagones advised the minutes of 09-22-2006 Bid Opening – Snook Road Well, 09-22-2006 Bid Opening – Police surplus vehicles, 09-29-2006 Bid Opening – Town of Fishkill Recreation Building, 08-16-2006 Regular Town Board were distributed for review and stated she would entertain a motion to approve said minutes.

Motion made by Councilwoman Malvarosa to approve the minutes of 09-22-2006 bid opening, 09-22-2006 bid opening, 09-29-2006 bid opening, and 08-16-2006 regular meetings as submitted. Seconded by Councilman Leenig

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

DISCUSSION(s)

Chelsea Waterfront
Not ready

MOTION(s) TO APPROVE/ADOPT

Acceptance of 2006 Special District Assessment Roll

Motion made by Councilman Leenig **to accept the 2006 Special District Assessment roll as submitted. Seconded** by Councilman Ferguson Pagonis (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Set public hearing for the 2006 Special District Assessment Roll

Motion made by Councilman Ferguson **to set a public hearing for the 2006 Special District Assessment Roll on 11-04-2006 at 9:30 am.**

Seconded by Councilman Leenig
Pagonis (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Set public hearing for the 2007 Town of Fishkill budget

Motion made by Councilman Ferguson **to set a public hearing for the 2007 Town of Fishkill Budget on 11-04-2006 at 9:45 am. Seconded** by Councilman Leenig

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

Bond resolution – treatment system Fishkill/East Fishkill Landfill

Supervisor Pagonis read (**copy attached to original minutes**) a bond resolution to pay the Town's share of the cost of the construction and installation of leachate treatment system at the site of the former Fishkill/East Fishkill landfill and the issuance of \$100,000 serial bonds.

Motion made by Councilman Ferguson **to approve authorize issuance of \$100,000 serial bonds to pay the Town's share of the cost of the construction and installation of leachate treatment system at the site of the former Fishkill/East Fishkill landfill. Seconded** by Councilwoman Malvarosa

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagonis	aye

Motion Carried

Overlook Pointe Townhouses

Supervisor Pagones read (**copy attached to original minutes**) a resolution which determines that ten (10) of the maximum 18 affordable units for the Overlook Pointe Townhouse project should be converted to contributions to the affordable housing trust fund at the rates set forth in the Planning Board resolution.

Motion made by Councilman Zack **to approve the resolution as stated above to determine that ten of the maximum 18 affordable units for the project should be converted to contributions to the affordable housing trust fund at the rates set forth in the Planning Board resolution.** **Seconded** by Councilman Leenig

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Award bid recommendation for the Fishkill Recreation Building

John Andrews reviewed his letter (**copy attached to original minutes**) regarding the bid recommendation for the Fishkill recreation building and the requirement that the contractor have in place apprentice programs registered and approved by the New York State Department of Labor. Failure to meet this requirement will render the bidder unqualified as a matter of local law. He went on to say that the low bidder, Nenni Equipment Corp. does not have in place the apprenticeship program, therefore appears to be an unqualified bidder. He recommended that the Town award the contract to Marquise Construction and Development Corp. in the amount of \$873,788.00

Motion made by Councilman Leenig **to award the Town of Fishkill Recreation Building contract No. 1 – Site Work to Marquise Construction and Development Corp. in the amount of \$873,788.00 and to authorize John Andrews to notify contractor and authorize the Supervisor to execute the contract.** **Seconded** by Councilman Ferguson

Roll call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried.

Award bid recommendation for the Bedford Hills Estate street tree installation

John Andrews reviewed (**copy attached to original minutes**) his letter regarding the bid recommendation for the Bedford Hills Estate street tree installation.

Motion made by Councilman Zack **to authorize a reduction in the number of trees to maintain the 4" size, to award the bid/contract to ER Baisley Tree and Landscaping Inc. in the amount of \$39,500 and to authorize the notification to the contractor and Town Supervisor to execute the contract documents and necessary Change Order document reducing the quantity of trees to be installed. Seconded** by Councilwoman Malvarosa

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagonis	aye

Motion Carried

Veterans Industries proposal for the Girl Scout camp property

Councilman Leenig introduced Mark Pursell and Mr. Bienkowski from the Veterans Industries and he gave a brief history on how the Town got involved with the Veterans Industries.

Mr. Bienkowski handed out literature and a brief description of their program (**copy attached to original minutes**). He reviewed the Veterans Industries/Compensated Work Therapy Hudson Valley Health Care System – Construction Training Project. Mr. Bienkowski stated that not only will they be building but also will help real people, the veterans.

Supervisor Pagonis stated it is a fantastic idea, this town leads a model apprentice program legislation and work very closely with skilled labor. She thinks everyone involved will like this idea.

Rebecca Valk stated the reason the Town is not moving forward today with a contract is they are working with Mr. Ratigan in getting a quote for the work.

Councilman Leenig added that a representative from the state for the carpenters union has approved this, and Mr. Ratigan and he will put together the cost estimate for the project they have at the Girl Scout Camp.

Court Disposition

Motion made by councilman Zack **to approve the court disposition submitted by Edward Peters, for Hudson Buffet, the Fox's, and (a third one)** . **Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

TOWN BOARD MEETING
Page 5

October 21, 2006

MOTION(s) TO ACCEPT RESIGNATION

Motion made by Councilman Ferguson **to accept the resignation of Police Officer – Robert Faust effective 10-20-2006, as submitted.**
Seconded by Councilman Leenig
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

MOTION(s) TO APPOINT

Motion made by Councilwoman Malvarosa **to appoint Kyle Buckley - In-School Personnel, effective 09-25-2006 as submitted.** **Seconded** by Councilman Zack
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:**

Recreation	\$ 9,845	to cover short falls between budget lines
Highway	\$ 684	transfer for negative balance in facility repair
Comptroller	\$ 4,835	to pay for excavation at 95 Longview due to damage to line
Comptroller	\$ 500,000	to record budget for capital improvements on roads
Comptroller	\$ 2,700	to transfer from contingency for joint landfill operating expenses
Comptroller	\$ 800	to cover cost of grant writing training (copies attached to original minutes)

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

NEW and OLD BUSINESS

Councilwoman Malvarosa

She stated that the youth winter basketball registering will be starting on Tuesday, 10-24-2006, they are asking for parental help, the cost is \$75/child.

She regretfully announced that the Town has to cancel the rabies clinic scheduled for 10-22-2006 and we will go forward with spring. She will be attending on this Thursday a Dial-a-ride meeting, stated if there are any comments, questions, or concerns contact her and she will take them up on Thursday.

TOWN BOARD MEETING
Page 6

October 21, 2006

Councilman Zack
Nothing

Councilman Ferguson
Starting the site preparation for the Veterans Memorial

Councilman Leenig
He stated for the Silver Ribbon Tour there is a meeting on 10-26-2006 at 10:00am and will track down and bring to the next meeting the Fishkill Business Association. He attended the Village Board meeting and was able to approach the board regarding Charlie Anderson and the Veterans request to have one celebration instead of two, and the average age is 84. There will be just one celebration in the Village on Veterans Day – November 11th, 2006

He announced that the Halloween Parade will be next Sunday.

Supervisor Pagones

Supervisor Pagones read (**copy attached to original minutes**) the negative declaration for adoption of Local law amending Chapter 150-33 (B) schedule of regulations for nonresidential districts, footnote (e) regarding an overall plan for the entire site area.

Motion made by Councilman Zack **to approve the negative declaration for the adoption of local law amending Chapter 150-33(B) as read.**

Seconded by Councilwoman Malvarosa

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Supervisor Pagones read (**copy attached to original minutes**) a resolution adopting the Local Law amending Chapter 150-33 (B) schedule of regulations for nonresidential districts, footnote (e) regarding an overall plan for the entire site area.

Motion made by Councilman Zack **to adopt the Local Law amending Chapter 150-33(B) schedule of regulations for nonresidential districts, footnote (e) regarding an overall plan for the entire site area.** **Seconded** by Councilman Leenig

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagonos	aye

Motion Carried

TOWN BOARD MEETING
Page 7

October 21, 2006

Supervisor Pagonos read (**copy attached to original minutes**) the negative declarations for adoption of a Local law amending Chapter 150-27 (B)(3) to clarify allowable projections into required yards.

Motion made by Councilman Zack **to approve the negative declaration for the adoption of a local law amending Chapter 250-27(B)(3) to clarify allowable projections into required yards.** **Seconded** by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagonos	aye

Motion Carried

Supervisor Pagonos read (**copy attached to original minutes**) a resolution adopting the Local Law amending chapter 150-27(B)(3).

Motion made by Councilman Zack **to adopt the Local Law amending Chapter 150-27(B)(3) as read.** **Seconded** by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagonos	aye

Motion Carried

Cooperative municipal agreement

Supervisor Pagonos read (**copy attached to original minutes**) a resolution authorizing the submission of a grant application for the “Artificial Wetland Treatment System for the Fishkill/East Fishkill Joint Landfill” to the Shared Municipal Services Grant Program for the 2006-2007 program year.

Motion made by Councilman Ferguson **to approve and authorize the submission of a grant application for the Artificial Wetland Treatment System as read above.** **Seconded** by Councilwoman Malvarosa

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Councilman Zack	aye

Motion Carried Supervisor Pagones aye

TOWN BOARD MEETING
Page 8

October 21, 2006

Resolution supporting the Maintaining the Dutchess County Hospitals
Supervisor Pagones read (**copy attached to original minutes**) a resolution approving and supporting the extension of the reclassification and the assurance that all three hospitals are classified permanently.

Motion made by Councilman Ferguson **to approve and support the assurance of the inclusion of Dutchess County Hospitals and the extension of the reclassification that all three hospitals are classified permanently. Seconded** by Councilwoman Malvarosa 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 10:53 am

Respectfully submitted,

Darlene Bellis
Town Clerk