

Supervisor Joan A. Pagonos 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. Pagonos; Town Board members, Steve Ferguson, Ronald Leenig, Heather Malvarosa; Town Attorney – Ronald Blass, Janis Gomez-Anderson; Town Engineer – John Andrews; John Morabito – Morris Associates; Paul Gromkowski – Housing Director; John Darcy – Assistant Housing Director; Christopher Colsey – Municipal Development Director; Nancy Lecker – secretary ZBA; Larry Wolinsky, Esq., Larry Regan, Dawn Kalisky, Audrey Scott – Views at Rocky Glen; and Town Clerk – Darlene Belli

Absent: Town Board member, Dennis Zack

RESCHEDULING PUBLIC HEARING(S)

- Public hearing Enactment of an amendment to the Affordable Housing
- Public hearing Enactment of an amendment to Section 150-50.3
- Public hearing Enactment of an amendment to Section 150-50.4
- Public hearing Enactment of an amendment to Section 150-61(16)(a)
- Public hearing Enactment of an amendment to the Sign Ordinance

Because of the snow storm these public hearings need to be rescheduled and Janis Gomez-Anderson advised the Supervisor that the four local laws for the housing amendments need to be reintroduced again and the same with the sign ordinance.

Supervisor Pagonos read (**copies attached to original minutes**) resolutions setting public hearings for the following: Local Law amending Section 150 of the Town Code to change certain zoning code provisions pertaining to signs, Local Law adding Article IXC “Mandatory Affordable Housing” to the Town Code of the Town of Fishkill, Local Law amending Section 150-50.3 regarding senior citizen housing districts, Local Law amending Section 150-50-.4 regarding affordable housing, Local Law amending Section 150-61(6)(a) to exempt the senior citizen housing district from the limits on the number of units that may be on the ground level of building to be held on March 10, 2007 at 10:00 am.

Motion made by Councilman Leenig **to set the public hearings as stated above to be held on March 10, 2007 at 10:00 am.** **Seconded** by Councilman Ferguson

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

Motion Carried

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

Motion made by Councilman Ferguson **to go into the privilege of the floor for agenda items. Seconded** by Councilman Leenig Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (absent)
Motion Carried unanimously 4-0

Hearing none

Motion made by Councilwoman Malvarosa **to go back into the regular order of business. Seconded** by Councilman Ferguson Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (absent)
Motion Carried unanimously 4-0

ANNOUNCEMENTS

Thank you letter to Donald Coker

Supervisor Pagones read (**copy attached to original minutes**) a letter from Patrick J. and Carolyn D. Costanzo thanking Mr. Donald Coker for his extremely helpful, knowledgeable and professionalism throughout their project.

APPROVAL OF MINUTES

Supervisor Pagones advised the Board that the minutes of December 20, 2006 – Regular; December 29, 2006 – Special; January 06, 2007 – Reorganization; January 12, 2007 – Special; January 27, 2007 – Special; February 09, 2007 Bid Opening were distributed for their review and she would entertain a motion to approve said minutes.

Motion made by Councilwoman Malvarosa **to approve the minutes as stated above as submitted. Seconded** by Councilman Ferguson Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (absent)
Motion Carried unanimously 4-0

DISCUSSION(s)

The Views at Rocky Glen – SEQRA (comments received)

Supervisor Pagones read (**copies attached to original minutes**) the following comments received from Dutchess County Department of Planning and Development, New York State Department of Transportation, New York State Housing Finance Agency, and the Dutchess County Department of Health.

John Andrews reviewed (**copy attached to original minutes**) the conditional negative declaration amending the zoning map involving a parcel located on NYS Route 52 from R-20 in part, GB in part to RMF-5.

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Ronald Blass, Town Attorney, stated there are several actions on table which are as follows: SEQRA determination, approval of an out of district tenant sewer agreement, approval of an out of district tenant water agreement, and the passage of local legislation of rezoning. He then reviewed the three SEAR conditions of the negative declaration.

Larry Wolinsky, Esq., stated that the project sponsor is ready to meet those conditions if the Board so chooses to impose them.

Supervisor read resolution (**copy attached to original minutes**) for the adoption of the conditioned negative declaration.

Motion made by Councilman Ferguson **to adopt the Conditioned Negative Declaration in connection with the proposed action “The Views at Rocky Glen”.**

Seconded by Councilman Leenig

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

Motion Carried

Supervisor read (**copy attached to original minutes**) a resolution for the approval of a Sewer out of district tenant agreement.

Motion made by Councilman Leenig **to approve and authorize the supervisor to execute a proposed out of district tenant agreement between Rocky Glen and the Dutchess Park Sewer District.**

Seconded by Councilwoman Malvarosa

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

Motion Carried

Supervisor read (**copy attached to original minutes**) a resolution for the approval of a Water out of district tenant agreement.

Motion made by Councilman Leenig **to approve and authorize the supervisor to execute a proposed out of district tenant agreement between Rocky Glen and the Glenham Water District. Seconded** by Councilwoman Malvarosa

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

Motion Carried

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Supervisor read (**copy attached to original minutes**) the resolution for the adoption of the local law amending the rezoning from R-20 in part and GB in part to RMF-5.

Motion made by Councilman Ferguson **to adopt the local law amending the zoning map of Chapter 150 to change the district designation of certain real property from R-20 in part, and GB in part to RMF-5 to accommodate a workforce housing project known as “The Views at Rocky Glen”.** **Seconded** by Councilman Leenig

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

Motion Carried

MOTION(s) TO APPROVE/ADOPT

Home Rule Resolution

Supervisor Pagones read (**copy attached to original minutes**) a resolution for the Home Rule which would establish the Town of Fishkill Industrial Development Agency.

Motion made by Councilman Ferguson **to adopt the home rule resolution establishing the Town of Fishkill Industrial Development Agency.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 4-0

Rhinebeck Savings Bank

Town Engineer, John Andrews, reviewed (**copy attached to original minutes**) his letter recommending the Town Board accepts the application as complete, adopt their intent to be lead agency, to circulate their intent to be lead agency to other potentially involved agencies, and to refer the action to

the Town Planning Board, the Town Attorney, the Town Planner, and the Town Engineer for substantive comments.

Motion made by Councilman Leenig **to accept the application as complete, to circulate lead agency intent to involved agencies, and to refer this action to the Town’s consultants for substantive comments.**

Seconded by Councilwoman Malvarosa

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

Motion Carried unanimously 4-0

Resolution supporting the establishment of a Community Preservation Fund
Supervisor Pagones read (**copy attached to original minutes**) a resolution supporting the enactment of New York State Legislation authorizing the Town of Fishkill to establish a Community Preservation Fund.

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Motion made by Councilman Ferguson **to recommend the adoption by the State Legislature and approval by the Governor of legislation that grants the Town of Fishkill the option of establishing a Community Preservation Fund.** **Seconded** by

Councilwoman Malvarosa

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

Motion Carried

Explore NY 400 Community Resolution

Supervisor Pagones read (**copy attached to original minutes**) a resolution supporting the mission of the Hudson-Fulton-Champlain Quadricentennial Commission and requests the designation as an Explore NY 400 Community.

Motion made by Councilman Leenig **to recommend the adoption of the resolution supporting the mission of the Hudson-Fulton-Champlain Quadricentennial Commission and requests the designation as an Explore NY 400 Community.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 4-0

Proposed Fee Schedule – Merritt Park Water & Sewer District

Supervisor Pagones read (**copy attached to original minutes**) a request for fee schedule amendments for the Merritt Park Water and Sewer Districts.

Motion made by Councilman Ferguson **to approve the fee schedule amendments to the Merritt Park Water and Sewer Districts as submitted.** **Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

2007-2009 Bid recommendation for trash collection

Councilwoman Malvarosa made a **Motion to approve the request for 2007-2009 Trash Collection Bid recommendation to be awarded to Royal Carting as submitted by William Ratigan, Facilities Manager.**

Seconded by Councilman Ferguson

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

Motion Carried unanimously 4-0

Liquor License renewal – Southern Dutchess Bowl

Liquor License – SplashDown Beach

Councilman Ferguson made a **Motion to accept the Liquor License renewal for Southern Dutchess Bowl and the new application for liquor license for Splashdown Beach as submitted.** **Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

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2006 Yearly Police Statistic Report

Councilman Ferguson made a **Motion to accept the Police Yearly Statistic Report for 2006 as submitted.** **Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

Police Monthly Statistic Report – January 2007

Councilman Ferguson made a **Motion to accept the January 2007 Police Monthly Statistic Report as submitted.** **Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

MOTION(s) TO APPOINT

Motion made by Councilman Ferguson **to appoint the Highway Seasonal workers - David Brewer, Leonard Brooks, Stephen Buchman, Richard Runion, and Troy Chadwick as submitted.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 4-0

BUDGET TRANSFERS

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

Comptroller \$ 19,950 to use parklands money to cover construction of
recreation building Marquis Construction

Recreation \$ 1,2085 to adjust budget for 2007 expenses with revenues
already received

(copies attached to original minutes)

Seconded by Councilman Ferguson

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

Motion Carried unanimously 4-0

NEW and OLD BUSINESS

Councilwoman Malvarosa

Dog park is up and running very well, received ideas for improvement and additions, and receiving calls from other municipalities

Dog show off will be held on May 06th 2007

Councilman Zack

absent

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Councilman Ferguson

Still investigating the provision of wireless internet in the Town of Fishkill and working hard to make that available

Councilman Leenig

Working on the Silver Ribbon Tour

Supervisor Pagones

February 28th will be the State of the Town Address at 7:30pm

Special meeting for Views at Rocky Glen to be held on Friday, 02-23-2007, afternoon at 4:00 pm

EXECUTIVE SESSION

Motion made by Councilman Ferguson **to go into executive session.**

Seconded by Councilwoman Malvarosa

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

Motion Carried unanimously 4-0

Executive Session at 10:17 am

Regular Order of Business

Motion made by Councilman Ferguson **to go back into the regular order of business. Seconded** by Councilwoman Malvarosa

Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (absent)
Motion Carried unanimously 4-0
Regular Order of Business at 11:30am

ADJOURNMENT

Motion made by Councilwoman Malvarosa **to adjourn the meeting in memory of Paul Lynch. Seconded** by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (absent)
Motion Carried unanimously 4-0

Meeting adjourned at 11:33am

Respectfully Submitted,

Darlene Bellis
Town Clerk