

TOWN BOARD MEETING

JANUARY 06, 2007

Supervisor Pagones opened the Reorganization Meeting at 10:00 am, 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 – Rebecca Valk, Janis Gomez-Anderson; Town Engineer – John Andrews; Pamela Garnot – Supervisor’s Assistant; Susan McGuire – Human Resources; Paul Gromkowski – Housing Director; John Darcy – Assistant Housing; Christopher Colsey – Municipal Development Director; John Morabito – Morris Associates; Scott Volkmann – Planning Board Attorney; Robert Wheeling – Comptroller; James A. Foy – Receiver of Taxes; Joel Petrus – Building Inspector I; Nick DellaPorta
Residents - Peter Calabrese, Azem Albra, David Eberle, Darlene Bellis – Town Clerk

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 (aye)
Motion Carried unanimously 5-0

Azem Albra asked, in regards to the resolution establishing dates of regular monthly meetings, if there will be less or more. Answer was probably more. He asked in regards to the affordable housing, what are the amendments? Answer was the Board will be going over them during the meeting.

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 (aye)
Motion Carried unanimously 5-0

PRESENTATION(s)

Certificate declaring January 17th, 2007 as Edward S. Murphy Day
Supervisor Pagones announced that Edward s. Murphy is ill and will not be here this morning.

ANNOUNCEMENTS

Announcement of Public Hearing – T/ Newburgh Filtration Avoidance Status
Supervisor Pagones read (**copy attached to original minutes**) the announcement of Public Hearing from the Town of Newburgh for the Filtration Avoidance Status to be held on January 09, 2007 @ 6:30 pm

Announcement of Public Hearing – T/Newburgh proposed Local Law
Supervisor Pagones read (**copy attached to original minutes**) the announcement of Public Hearing from the Town of Newburgh for the introduction of a proposed local law to be held on January 16, 2007 @ 7:00 pm

MOTION(s) TO APPROVE/ADOPT

Resolution establishing dates of regular monthly meeting for 2007

Supervisor Pagones read (**copy attached to original minutes**) a resolution outlining the Town of Fishkill meeting dates and stated she would entertain a motion to approve said resolution.

Motion made by Councilman Ferguson **to adopt the resolution establishing the Town of Fishkill meeting dates as read. Seconded** by Councilwoman Malvarosa

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

2007 Designations

Supervisor Pagones read (**copy attached to original minutes**) the 2007 Town of Fishkill Designations and stated she would entertain a motion to approve said designations.

Motion made by Councilman Leenig **to adopt the 2007 Town of Fishkill Designations as read. Seconded** by Councilman Ferguson

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

Committee Assignments

Supervisor Pagones read (**copy attached to original minutes**) the committee assignments for the Town of Fishkill and stated this is just for information and no need for action.

Association of Towns – Certificate of Designation

Supervisor Pagones read (**copy attached to original minutes**) a resolution duly designating herself as voting delegate and Steve Ferguson as alternate voting delegate to attend the Annual Business Session of the Association of Towns on February 21, 2007 and to cast the vote for the Town of Fishkill pursuant to §6 of Article III of the Constitution and By-Laws of said Association and stated she would entertain a motion to approve said resolution.

Motion made by Councilwoman Malvarosa **to adopt the resolution duly designating herself as voting delegate and Steve Ferguson as alternate voting delegate for the Town of Fishkill as read.**

Seconded by Councilman Zack

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

Introduction Amendment to Affordable Housing – setting public hearing
Rebecca Valk reviewed the resolutions amending the affordable housing legislations.

Supervisor Pagones read (**copy attached to original minutes**) a resolutions introducing four local laws regarding the Affordable Housing legislation, Senior Citizen Housing and setting a public hearing on February 14, 2007 at 9:30 am

Motion made by Councilman Ferguson **to set a public hearing on February 14, 2007 at 9:30 am for the enactment of four local laws** 1. **to add Article IXC “Mandatory Affordable Housing”** 2. **amending Section 150-50.3 regarding Senior Citizen Housing Districts** 3. **amending Section 150-50.4 regarding Affordable Housing** 4. **amending Section 150-61(a) to exempt the senior citizen housing district from the limits on the number of units that may be on the ground level of buildings.** **Seconded** by Councilman Leenig

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

Motion Carried

Introduction Amendment to Zoning Map of Chapter 150 – setting public hearing

Supervisor Pagones read (**copy attached to original minutes**) a resolution introducing a local law amending the Zoning Map of Chapter 150, “Zoning” 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” and setting a public hearing on January 24, 2007 at 6:30 pm

Motion made by Councilman Ferguson **to set a public hearing on January 24, 2007 at 6:30 pm for the enactment of a local law amending the Zoning Map of Chapter 150, “Zoning” 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 Councilwoman Malvarosa

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

Motion Carried

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Re-adoption of the Town of Fishkill Procurement Policy

Supervisor Pagones read (**copy attached to original minutes**) a request to readopt the Town of Fishkill Procurement Policy submitted by James A. Foy, and stated she would entertain a motion to approve said policy.

Motion made by Councilwoman Malvarosa **to approve the Procurement Policy as submitted. Seconded** by Councilman Zack

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

Motion Carried unanimously 5-0

Request to salvage old highway truck equipment

Supervisor Pagones read (**copy attached to original minutes**) a request from Superintendent of Highway to salvage the old highway truck equipment and stated she would entertain a motion to approve said request.

Motion made by Councilman Ferguson **to approve the request from Superintendent of Highway as read. Seconded** by Councilman Leenig

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

Motion Carried unanimously 5-0

Service Contract for Software Consulting Assoc, Inc

Supervisor Pagones read (**copy attached to original minutes**) the service contract for Software Consulting Assoc., Inc submitted by James A. Foy and stated she would entertain a motion to approve said service contract.

Motion made by Councilman Zack **to approve the service contract for Software Consulting Assoc., Inc. as submitted. Seconded** by

Councilwoman Malvarosa

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

Motion Carried unanimously 5-0

Service Contracts submitted by Town Clerk

Supervisor Pagones read (**copy attached to original minutes**) a memo requesting the service contracts for the Town Clerk's office be approved and stated she would entertain a motion to approve said service contracts.

Motion made by Councilwoman Malvarosa **to approve the service contracts submitted by the Town Clerk's office.** **Seconded** by Councilman Zack

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

Request for court disposition

Supervisor Pagones read (**copy attached to original minutes**) a request from Edward Peters for approval of court disposition and stated she would entertain a motion to approve said request.

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Motion made by Councilman Zack **to approve the request for court disposition as submitted by Edward Peters.** **Seconded** by Councilwoman Malvarosa

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

Request for six month leave of absence

Supervisor Pagones read (**copy attached to original minutes**) a request for six months leave of absence from Susan McGuire – Human Resources and stated she would entertain a motion to approve said request.

Motion made by Councilman Ferguson **to approve the request for six months leave of absence effective February 01, 2007 from Susan McGuire from her position of Director of Personnel / Personnel Assistant.** **Seconded** by Councilman Leenig

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

MOTION(s) TO ACCEPT RESIGNATION

Motion made by Councilman Ferguson **to accept the resignation of Police Officer, Renee Knapp, effective January 22, 2007.** **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 transfer(s) as submitted as follows:**

Recreation \$ 750 to cover year end expenses for supplies with savings in overtime labor

(copies attached to original minutes)

Seconded by Councilman Zack

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

NEW and OLD BUSINESS

Councilwoman Malvarosa

He stated there is a press release out for the first dog park at Doug Philips Park, the opening ceremony is at 12 Noon today.

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Councilman Zack
nothing

Councilman Ferguson

Received a grant (the second time) for the rebed at the Fishkill / East Fishkill landfill and the project is paid for in whole.

Councilman Leenig

He stated he continues to work on two projects, the Camp Foster with Veterans Industry and the Silver Ribbon Award.

Personnel Handbook Changes

Motion made by Councilman Ferguson to approve the changes to personnel handbook to reflect a change from three days personal time to five days personal time per year and to include recognition as an employee birthday as a holiday for the Town of Fishkill employees to be retroactive back to January 01, 2007. Seconded by Councilman Leenig

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

EXECUTIVE SESSION

Motion made by Councilman Ferguson to go into executive session for the purpose of amendments in a legal nature to the sign ordinance and ongoing contractual attorney/client privilege. Seconded by Councilwoman Malvarosa

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

Executive Session at 10:30am

Regular Order of Business

Motion made by Councilman Zack **to go into the regular order of business.** **Seconded** by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Introduction Amendment to Sign Ordinance – setting public hearing
Supervisor Pagones read (**copy attached to original minutes**) a resolution introducing a local law amending the Sign Ordinance legislation and setting a public hearing on February 14, 2007 at 9:30 am
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Motion made by Councilman Zack **to set a public hearing on February 14, 2007 at 9:30 am for the enactment of a local law amending the Sign Ordinance legislation.** **Seconded** by Councilman Ferguson

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

Motion Carried

Motion made by Councilman Zack **to deny the extension to Ross's pursuant to the contract signed approximately November 2006.** **Seconded** by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (aye), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 5-0

Motion made by Councilman Ferguson **to deem the contract extension with Bill Ross to be in breach and authorize authorities to bring to court for violations.** **Seconded** by Councilman Zack

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

Motion made by Councilman Ferguson **to amend the 2007 designations to include the Zoning Board of Appeals Attorney – Janis Gomez-Anderson.** **Seconded** by Councilman Zack

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 11:08am

Respectfully submitted,

Darlene Bellis

Town Clerk