

**SPECIALTOWN BOARD MEETING
27, 2007**

January

Supervisor Pagones opened the Special Town Board 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, Heather Malvarosa, Dennis Zack; Town Attorney – Ronald Blass, Rebecca Valk; Town Engineer – John Andrews; Pamela Garnot – Supervisor’s Assistant; Paul Gromkowski – Housing Director; John Darcy – Assistant Housing Director; Susan McGuire – Human Resource; Larry Wolinsky, Larry Regan, Audrey Scott, Dawn Kalisky – Views at Rocky Glen; Residents – Peter Lynch, Sandra, Ralph Johnson, Lois Burns, Azem Albra, Ralph Marinaccio, Consetta Leonardo, David Eberle, Mrs. Mosher, Jay Mosher, Diane Hayden, Linda Lafayette, Hope Gray; and Darlene Bellis – Town Clerk

Absent: Town Board member – Ronald Leenig

PUBLIC HEARING(s)

Introducing local law amending the zoning map

Supervisor Pagones read (**copy attached to original minutes**) the notice of public hearing for the amendment to the zoning map to change the designation of a parcel of land located at Route 52 from R-20 in part, GB in part, to the RMF-5 district for the construction of a proposed workforce housing project known “The Views at Rocky Glen”

Public hearing opened at 10:00am

Larry Wolinsky, Esq. for Regan Development Corp., made a brief presentation of the project “The Views at Rocky Glen” describing the following:

Property currently zoned part GB, and part R-20, requesting entire site be rezoned to RMF-5; there will be 82 units of rental affordable housing; it is a workforce project; rental ranges will be 1 bedroom (\$372 low end), 2 bedroom, and 3 bedrooms (\$1,093 maximum high end); there will be 32 one bedroom units, 38 two bedroom units, and 12 three bedroom units; it is located on 10.4 acres adjacent to Route 52; the Town Board has declared their intent to be lead agency for SEQRA process; a complete traffic study, a cultural resource study, a drainage analysis, an Army Corp. of Engineer Wetland study (no proposal to disturb), all have been done; this project has been structured and financed in a way that it will allow the possibility of extending sewer service to the surrounding Siscar Development; this project is a Green Building project which is designed in accordance with standard with NYS in regards to energy efficiency.

Dawn Kalisky described the topography of the project with following:

There will be three buildings, drainage, municipal water and sewer, a pump station by Route 52, there will be a 12” water main which the project will be tying into, the facilities will have recreational facilities (inside and out), the emergency access only will be paved, there will be 6’ stockade fence, there will be views along Route 52, and there will be staggered two and three story buildings.

Larry Regan, project developer, stated there will be one, two, and three bedroom apartments, there will be a limited amount of three's, it directed towards the workforce families, families starting off or seniors, it will be maintained by them (same as the Dogwood Lane project), it will have the same finishes and styles, same management, planning similar size amenity rooms on the facility, open community facilities to surrounding communities, and they plan to stay here on a long term stay.

Paul Gromkowski reviewed his memo (**copy attached to original minutes**) dated January 23, 2007 regarding the workforce housing.

Supervisor Pagonis asked the audience if they would like to speak on this item.

Consetta Leonardo

She asked the following questions: the entrance will be on Route 52 – where will be the exit (answer – access off Route 52 is both the entrance and exit); there was a study done on the traffic flow stating there is no impact – who hired whom to do the study (answer – Ms. Kalisy's firm did the traffic study); if there was no access for fire / police on Rockwell would this project go through (answer – could not answer that – any project they worked on there would be a means to provide an emergency access)

Hope Gray

Asked what kind of barrier will they put on Route 52 and what kind of noise barrier will there be (answer – the elevation has very steep slopes, it will be a couple hundred feet from their residence, the existing vegetation will serve as a buffer of the noise, they will be there if there were any issues and they would make sure they would do what they could do to help the negative impact on their community)

Linda Lafayette

Asked if they did a study on what a low income apartment complex on how it will affect the cost of the homes going for and would he like to live next to them (answer – the way they manage these projects and what is going to be, he would live there, suggested she visit their other communities and see how they manage them); did the community on Dogwood Lane want that project there (answer – worked with that community for 18 months before a shovel was even put in the ground to make sure the community was completely comfortable with the project, we would like to do the same here for example they are putting money into having a sewer district brought up to Siscar Development which in turn would bring the value of the properties up)

Consetta Leonardo

She stated that millions of dollars would not put sewers in the Siscar Development as there are rocks in there like you have never seen, that is why is called Rockwell.

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John Andrews

Stated that there is a substantial amount of rock but the numbers seem to be reasonable, between now and the final design things may change but he feels they did a fairly incredible job in taking that into account for the pricing of this project.

Diane Hayden

Stated she has two points she is concerned about and then one question. She stated they did address the working family issues and did admit they could not keep assisted family out of there. So there is no way you could exclude them so there is a potential you could wind up with people who have public assistance directly to them as part of their income.

She then asked what will the people who live on Rockwell see.

Larry Regan answered Diane's concern about public assistance being there. He stated there are folks out there who do get a public assistance check from a variety of sources including Social Security; we cannot by law ignore that it is part of their income; they have a targeted workforce community – teachers, fire departments, people who work for the Town of Fishkill, and younger individuals who are just starting out. He stated whatever they could do to limit the impact on the individuals of Siscar Development, they will do.

Larry Wolinsky stated that what the people of Rockwell see is pretty much nothing, the one building which is a two story elevation is 24' in height, there will be screening as well with 10' three types of evergreen pine trees, plus the six foot fence; there shouldn't be anyone see anything.

Peter Lynch

He asked about the three story building (answer was to the mean of the roof it was typical of what they had over on Dogwood Lane (30 less).

Azem Albra

He asked what is the value of the property now what is will be the value of the property after the rezoning (answer - they have not made that calculations, it will be more than a vacant piece of property)

Louis Burns

She asked why this property is not feasible as commercial use; that is what was said Thursday night; (there was no comment on that statement).

Mrs. Mosher

Stated the buildings will be very close and you will definitely see something, the roof line and people, you will be able to hear cars going in and out and the trees do not block out Route 84 and Route 52 noise now (answer – buffers will be fencing and trees and you cannot compare the noise of an interstate highway to a parking lot).

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Jay Mosher

He stated he lives on Sandra Lane and that there is considerable amount of buffer between Red Schoolhouse Road and you can hear every noise that is made from I-84 and Red Schoolhouse Road.

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

Seconded by Councilwoman Malvarosa

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

Motion Carried Unanimously 4-0

Public Hearing closed 10:45am

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

Motion made by Councilman Zack **to go into the privilege of the floor for agenda items. Seconded** by Councilwoman Malvarosa

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

Motion Carried Unanimously 4-0

Azem Albra in regards to the Crossroad at Fishkill, he asked what is that all about.

Town Engineer, John Andrews, stated that it is a commercial development located on Route 9, it is under review by Planning Board, the Planning Board has declared their intent to be lead agency for this project, it was circulated to all appropriate agencies, and there will be ample time for review and comment on it by the public.

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

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

Motion Carried Unanimously 4-0

ANNOUNCEMENT(s)

Commendations to Syndi Scott from Garry Lavena

Supervisor Pagonis read (**copy attached to original minutes**) a letter from Garry Lavena commending Officer Syndi Scott for her professionalism and concern regarding an auto accident he had on November 21, 2006.

DISCUSSION(s)

Cherrywood Drive water proposals

Councilman Zack stated this has been in discussion this for a long time and stated there are two residents who have asked for this to go to vote.

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Daniel Messina

Last couple of years the partnership between the community and the Town Board was trying to reach a maximum cost of the extension. He stated it has come to a head now and would request that it goes to a vote, the vote could go through certified mail, write in vote, and if the proposal does pass they are hopeful to get assistance from other builders which would be greatly appreciated.

Town Attorney, Ronald Blass, stated that this is a petition process and the Town would need notarized signatures, the distribution could be a number of different ways

Town Engineer, John Andrews, stated that preliminary numbers have been done but a map, plan and report has not been prepared and needs to be done. He stated that the preparation of the map, plan and report is not an easy thing to do and the expense would be between 25-45 thousand dollars.

Supervisor Pagonis suggested that another informal vote be done to see if there is enough interest and then we will authorize John Andrews to do a map, plan and report then. You can set something up for the community room for an informal vote.

MOTION(s) TO APPROVE/ADOPT

Bond Reduction for Polo Fields Subdivision

Supervisor Pagones read (**copy attached to original minutes**) a letter from Town Engineer, John Andrews, recommending the Town Board approve the performance security reduction request for Polo Fields Subdivision.

Motion made by Councilman Ferguson **to approve the performance security reduction for the Polo Fields Subdivision requiring a performance security in the amount not less than Two Hundred Five Thousand Dollars (\$205,000).** **Seconded** by Councilwoman Malvarosa Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

Lead Agency Status – Planning Board – Crossroads at Fishkill

Supervisor Pagones read (**copy attached to original minutes**) a Lead Agency Coordination Request for the Crossroads at Fishkill – site Development Plan submitted by the Planning Board.

Motion made by Councilman Zack **to consent to the Town of Fishkill Planning Board serving as Lead Agency on the above stated application.** **Seconded** by Councilwoman Malvarosa Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

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Town of Fishkill Little League contract

Supervisor Pagones read (**copy attached to original minutes**) the contract between the Town of Fishkill and the Town of Fishkill Little League, Inc.

Motion made by Councilman Zack **to approve the contract as read between the Town of Fishkill and the Town of Fishkill Little League, Inc in the amount of \$8,000.00.** **Seconded** by Councilman Ferguson Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

Town of Fishkill Babe Ruth contract

Supervisor Pagones read (**copy attached to original minutes**) the contract between the Town of Fishkill and the Town of Fishkill Babe Ruth League, Inc.

Motion made by Councilman Zack **to approve the contract as read between the Town of Fishkill and the Town of Fishkill Babe Ruth League, Inc in the amount of \$1,500.00.** **Seconded** by Councilman Ferguson Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

Fee Schedule Amendments

Supervisor Pagones read (**copy attached to original minutes**) the requested amendments to the Fee Schedule as submitted by Christopher Colsey, Municipal Development Director.

Motion made by Councilman Zack **to approve the amendments to the Fee Schedule as submitted. Seconded** by Councilman Ferguson Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

Service contracts submitted by Police Chief

Supervisor Pagones read (**copy attached to original minutes**) the service contracts submitted by the Police Chief, Donald Williams.

Motion made by Councilman Ferguson **to approve the service contracts as submitted and read. Seconded** by Councilman Zack Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

Liquor license renewal from Fishkill Golf

Motion made by Councilman Ferguson **to approve/accept the liquor license renewal from Fishkill Golf as submitted. Seconded** by Councilman Zack Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

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Seasonal Recreation Salary Plan

Motion made by Councilman Zack **to approve the Seasonal Recreation Salary Plan as submitted which would include but not be limited to the Summer and In School Staff. Seconded** by councilman Ferguson Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

MOTION(s) TO ACCEPT RESIGNATION

EAB member – Bernie Ruf

Councilman Zack read (**copy attached to original minutes**) a resignation letter submitted by Bernie Ruf from the Environmental Advisory Board in February and made a **Motion to accept the said resignation with regrets. Seconded** by Councilman Ferguson Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

MOTION(s) TO APPOINT

Intern for CAP Assessor @\$10.00/ 15 hr week

Motion made by Councilman Zack to **appoint Thomas Bahr as the intern for CAP Assessor @ \$10.00/hour – 15 hours/week retroactive back to January 22, 2007.** **Seconded** by Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

Recreation Program Personnel

Councilman Zack read (**copy attached to original minutes**) the names of Recreation Personnel requested to be hired and made a **Motion to appoint Amy Heatherly, Allison Cochran and Melissa McCann as submitted.** **Seconded** by Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

NEW and OLD BUSINESS

Councilwoman Malvarosa

She sated the Dial-a-ride has had a 7.5% increase which is due to the revamps with personnel and phone system

Councilman Zack

none

Councilman Ferguson

Arbitration hearings over

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EXECUTIVE SESSION

Motion made by Councilwoman Malvarosa to **go into executive session for the purpose of discussing a legal contract currently pending.**

Seconded by Supervisor Joan A. Pagones

Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

Executive session 11:15am

Regular Order of Business

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

Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

Motion made by Councilman Ferguson to **appoint John McGrath for the purpose of appraisal on the property of Old Town Road. Seconded** by Councilman Zack

Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

ADJOURNMENT

Motion made by Councilman Zack to **adjourn the meeting. Seconded** by Councilman Ferguson

Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried Unanimously 4-0

Meeting adjourned at 11:30am

Respectfully submitted,

Darlene Bellis
Town Clerk