

Supervisor Pagones opened the On The Road Town Board meeting at 10:00am, Shephard Memorial Park, Route 82, 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; Town Engineer – John Andrews; County Legislator – Alison MacAvery; Housing Director – John Darcy; Eagle Scout – Joseph Bernstein; Residents – Azem Albra, Kevin Cromer, Sean Carpenter, Maureen Cotter, Sean Brady, Joseph Cardonia, Andrea Burke, Linda Lafayette, Aida Pagan, and Town clerk – Darlene Bellis

Absent: Town Board member - Ronald Leenig

Joseph Bernstein was introduces as the Eagle Scout working at Camp Forster on the walkway and Supervisor Pagones presented a plaque to Mr. Bernstein. He was working on his Eagle Scout award and in doing so he had community projects that help the Town of Fishkill.

PUBLIC HEARING(s)

Establishment of Rivercrest Lighting District

Supervisor Pagones read (**copy attached to original minutes**) the notice for public hearing on the establishment of the Rivercrest Lighting District. Public hearing opened at 10:20am

Town Engineer, John Andrews gave brief history of the Rivercrest Lighting District.

Supervisor Pagones asked the audience if anyone would like to speak on this, hearing none she stated she would entertain a motion to close the hearing.

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 at 10:21am

Supervisor Pagones read (**copy attached to original minutes**) a resolution approving the establishment of a lighting district to be known as the Rivercrest Lighting District.

Motion made by Councilman Ferguson **to approve the resolution that establishes a lighting district known as the Rivercrest Lighting District. Seconded** by Councilman Zack

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	absent – out of state
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Motion made by Councilman Ferguson **to authorize the supervisor to sign work order with Central Hudson for the installation of said lighting. Seconded** by Councilwoman Malvarosa Pagonis (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 4-0

Rombout Sewer District Wastewater Treatment Plant

Supervisor Pagonis read (**copy attached to original minutes**) the notice for public hearing on the construction of a new Wastewater Treatment Plant for the Rombout Sewer District and the expenditures for associate engineering and legal fees and expenses at an estimated cost of \$12,176,775.00.

Public hearing opened at 10:22am

John Andrews gave a brief history of the acquisition of the Rombout Sewer District. He continued stating that the proposal is to expand the facility and replace it in its entirety and the cost estimate at this time is \$12,176,775.00

Azem Albra asked which areas of Rombout Sewer District does consist of.

Town Engineer, John Andrews, answered the westerly side of Route 9D extending from Castle Point VA Medical Center south to Romeowers (Rombout Village) and from there to the river. It is the Waterfront at Fishkill, the two water developments, also includes the new Stonykill View Subdivision and Stonykill Woods Subdivision.

Mr. Albra asked with the cost being \$12, 176,775, why doesn't the developer pay for the district.

Town Engineer, John Andrews, answered that the Waterfront at Fishkill and other developments, in the past, in order to acquire the facility is that the Waterfront at Fishkill developer did pick a large percentage of that and reduced the cost to the then existing residents, he assisted in both the water and sewer and paid a heavy price.

Town Attorney, Ronald Blass, stated that consistent with customary policy of this board achieves developers contribution to defray homeowners expenses for sewer and water. There is no other Town that he represents/works with, that gets more money from developers than this Town.

John Andrews stated that the total cost to a resident that includes their maintenance and operation bill, if the plant goes through with no developer contribution would be about \$840.00 per year. When the Town took over the Rombout Water and Rombout Sewer Districts, the Town disclosed to the then residents that the total for those two districts would probably end up to being close to \$1,000 a year.

Supervisor Pagonis stated that what this doesn't include or the possibility of state or federal grant monies which the Town will also be seeking to keep the cost down to the rank and file homeowners.

Alison MacAvery, Dutchess County Legislator, asked if there is a time line.

John Andrews answered yes there is a time line and proposed to start construction early 2008 with completion by June 2009.

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

Seconded by Councilman Zack

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

Motion Carried unanimously 4-0

Public hearing closed at 10:34 am

Beacon Hills Building Moratorium

Supervisor Pagones read (**copy attached to original minutes**) the notice for public hearing on the local law adding a new Section 150-99 entitled "Regulation for an Interim Period of Development and Use Within the Beacon Hills Area of the Town of Fishkill". She then read (**copies in Town Clerk's file – local law**) the following: Petition(s) in favor of the referendum to stop building in Beacon Hills and comments from D.C. Department of Planning and Development stating it was a matter of local concern.

Public hearing opened at 10:05 am

Sean Carpenter - 125 Greenwood Drive

He is in favor of the moratorium and study due to the flooding conditions.

He handed the Board photos of what happens to his property and neighboring properties during heavy rainstorms (**copies in Town Clerk's Local Law file**)

He stated there was over 3' of water and over \$ 5,200 in damages.

Maureen Cotter – Garden Place

Stated she has been circulating petitions asking for support for the moratorium. She was amazed and sad at what some of the residents had to go through. She would appreciate whatever the board can do to have a study done, will be so helpful.

Sean Brady – Joy Place

He stated that the residents think the Town is for them but they are not, they have obtained 5 acres in Beacon Hills and selling it to a developer.

Supervisor Pagones corrected Mr. Brady and stated that the property is not for sale and that the town is keeping the property.

Joseph Cordonia – 105 Greenwood Drive

He is concern with extra building on the few vacant lots that are left and concerned about the water supply for the fire departments

Andrea Burke – 129 Greenwood Drive

She was affected by the same flooding but only had 5' of water in her house. She then asked is the problem only in Beacon Hills or could it be on the other side by Wal-Mart.

Supervisor Pagones

Replied that the Army Corp of Engineers will be doing a study in that area and Beacon Hills area

Linda Lafayette – Greenwood Drive

Stated she has owned her lot for 29 years and now that she has the money and she wanted to build a house for herself and her concern now is she cannot build now

Aida Pagan – 22 Meadow Lane

She is for the moratorium and feels it is about due, she has no problems but is concerned for those with the flooding conditions.

Maureen Cotter

She is speaking on behalf of her daughter as she is out of town, and she is in favor of the moratorium and was Instrumental in setting up for this moratorium

Alison MacAvery

She stated she was contacted by several of the speakers here this morning and realizes it is a temporary thing but it is necessary to look at everything. She thanked the board for all their work in preparing this moratorium legislation.

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

Seconded by Councilman Ferguson

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

Motion Carried unanimously 4-0

Public hearing closed at 10:13 am

Supervisor Pagones read (**copy attached to original minutes**) a resolution adopting a local law amending Chapter 150 to add a new section 150-99 entitled "Regulation for an Interim period of development and use within the Beacon Hills area of the Town of Fishkill" to become effective immediately upon filing with the Secretary of State.

Motion made by Councilwoman Malvarosa **to adopt the local law amending Chapter 150 to add a new section 150-99 entitled “Regulation of an interim period of development and use within the Beacon Hills area of the Town of Fishkill”.** **Seconded** by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	absent – out of state
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	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 Councilwoman Malvarosa Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 4-0

None

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

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

ANNOUNCEMENTS

Letter of Gratitude to Christian Harkins from The Commons

Supervisor Pagones read (**copy attached to original minutes**) a letter from Bill Cullen, CMCA, AMS, PCAM Associate Manager for the Commons at Fishkill expressing his gratitude for Christian Harkins efforts on the assessment.

Town of Wappinger Public Hearing Notice

Town of Wappinger Public Hearing Notice

Supervisor Pagones read (**copy attached to original minutes public hearing notice**) and full text in Town Clerk’s file for the Town of Wappinger amending their zoning.

DISCUSSION(s)

Bond Reduction –Marquise Construction

Town engineer, John Andrews, stated this was already done at the last meeting.

Motion made by Councilman Zack **approved the reduction of labor and maintenance bond for Marquise Construction & Development Corp. Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 4-0

Magnolia Townhouses FEIS

Town Engineer, John Andrews, stated that GreenPlan issued their memo which should be referred to the applicant for their review and comments. They are not in a position to recommend the acceptance of the FEIS at this time, and gave the applicant direction.

MOTION(s) TO APPROVE/ADOPT

Local Law adopting new chapter 11 entitled “Private Well Testing
Supervisor Pagones read (**copy attached to original minutes**) the Negative Declaration Notice of Non-Significance for the adoption of a local law adding a new Chapter 11 entitled “Private Well Testing”.

Motion made by Councilman Ferguson **to accept the Full Environmental Assessment Form, and to adopt the Negative Declaration for the adoption of a local law adding a new Chapter 11 entitled “Private Well Testing”.** **Seconded** by Councilwoman Malvarosa

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	absent – out of state
	Councilwoman Malvarosa	aye
	Councilman Zack	aye
	Supervisor Pagones	aye

Motion Carried

Supervisor Pagones read (**copy attached to original minutes**) the resolution adopting the local law creating a new Chapter 11 entitled “Private Well Testing” and she made a **Motion to adopt said local law to become effective immediately upon filing with the Secretary of State.**

Seconded by Councilman Ferguson

Roll Call	Councilman Ferguson	aye
	Councilman Leenig	absent – out of state
	Councilwoman Malvarosa	aye

Councilman Zack aye
Supervisor Pagones aye

Motion Carried

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Bid Award Recommendation – Rombout Village Lighting District

Supervisor Pagones read (**copy attached to original minutes**) a letter from John Andrews recommending the bid award for the Rombout Village Lighting District.

Motion made by Councilman Ferguson **to reject the bid of P&D Electric without penalty thereby including the full release of their Bid Bond as they are not properly qualified under the Apprenticeship Training Program language. Seconded** by Councilman Zack

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

Motion Carried unanimously 4-0

Motion made by Councilwoman Malvarosa **to award the contract to the second low bidder, Nenni Equipment Corp., in the amount of \$68,542.97 and to authorize the Town Engineer to notify the contractor for the Tow Supervisor to execute the contract documents for this work. Seconded** by Councilman Ferguson

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

Motion Carried unanimously 4-0

Resolution to support the New York State Property Taxpayer Protection Act

Supervisor Pagones read (**copy attached to original minutes**) a resolution urging the immediate passage and chaptering of the New York State Property Taxpayer Protections Act and made a **Motion to approve the resolution. Seconded** by Councilman Ferguson

Roll Call Councilman Ferguson aye
 Councilman Leenig absent – out of state
 Councilwoman Malvarosa aye
 Councilman Zack aye
 Supervisor Pagones aye

Motion Carried

Request the installation of a community sign – Streamside Knolls H.O.A.

Supervisor Pagones read (**copy attached to original minutes**) a letter requesting approval for the installation of a community sign to be placed between / on the island at the intersection of Brockway Road and Holly Loop.

Motion made by Councilman Zack **to authorize the town attorney to formulate a license agreement with the Streamside Knolls Homeowners Association for the installation of a community sign to be placed between on the island at the intersection of Brockway Road and Holly Loop. Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 4-0

Road name proposed by Toll Brothers at Regency at Fishkill – Regency Drive
Supervisor Pagones read (**copy attached to original minutes**) a letter from James Tompkins, Program Assistant D. C. Emergency Response, requesting the approval of road name for the Regency At Fishkill subdivision of Regency Drive.

Motion made by Councilwoman Malvarosa **to approve the road name of Regency Drive as submitted for the Regency at Fishkill subdivision.**
Seconded by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 4-0

MOTION(s) TO APPOINT

Brian Ross from camp counselor to Director of Basketball camp

Motion made by Councilman Zack **to appoint Brian Ross from camp counselor to Director of Basketball Camp effective 06-01-2007 at \$14.00/hour.** **Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 4-0

Planning Board appointments and re-appointments

Motion made by Councilman Zack **to re-appoint Brian Callahan for another term on the Planning Board as a member.** **Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 4-0

Motion made by Councilman Zack **to appoint Tom Chang as a Planning Board member to replace Robert LaColla who stepped down from the board.** **Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 4-0

Motion made by Councilman Zack **to appoint Mary Hendricks as an alternate Planning Board member.** **Seconded** by Councilman Ferguson
Pagones (aye), Ferguson (aye), Leenig (absent), Malvarosa (aye), Zack (aye)
Motion Carried unanimously 4-0

Motion made by Supervisor Pagones **to appoint Kevin Cromer as an alternate Planning Board member.** **Seconded** by Councilman Ferguson
Roll Call Councilman Ferguson aye
 Councilman Leenig absent – out of state
 Councilwoman Malvarosa aye

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 11:01 am

Respectfully submitted,

Darlene Bellis,
Town Clerk