

SPECIAL TOWN BOARD MEETING

July 31, 2008

Supervisor Joan A. Pagones opened the Special 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. Pagones; Town Board members – Steve Ferguson, Robert LaColla, Ronald Leenig, Heather Malvarosa; Town Attorney – Ronald Blass, Rebecca Valk; Town Engineer – John Andrews; Pamela Garnot – Assistant Supervisor; Paul Gromkowski – ; Joel Petrus - ; Robert Wheeling – Comptroller; James A. Foy – Receiver of Taxes; Residents – Azem Albra, Pauline Reirdan, Maureen Cotter, Dan Armstrong, Town Clerk – Darlene Bellis

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), LaColla (aye), Leenig (aye), Malvarosa (aye) Motion Carried unanimously 5-0

Azem Albra asked if the consent judgments are decreases. Town Attorney, Ronald Blass answered that the amount will be announced during the meeting.

Regular Order of Business

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

MOTION(s) TO APPROVE/ADOPT

Set public hearing Local Law amending Section 50-23

Supervisor Pagones read (**copy attached to original minutes**) a resolution introducing a local law amending Section 50-23 of the Code of the Town of Fishkill and setting a public hearing on 08-20-2008 at 9:30am

Motion made by Councilman Leenig **to set a public hearing on August 20, 2008 at 9:30am for the purpose of introducing a local law amending Section 50-23. Seconded** by Councilman Ferguson

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

Motion Carried

Set public hearing Local Law amending Chapter 143 entitled “Vehicles and Traffic”

Supervisor Pagones read (**copy attached to original minutes**) a resolution introducing a local law amending Chapter 143 entitled “Vehicles and Traffic” and setting a public hearing on 08-20-2008 at 9:30am

Motion made by Councilman Ferguson **to set a public hearing on August 20, 2008 at 9:30am for the purpose of introducing a local law amending Chapter 143 entitled “Vehicles and Traffic”**. **Seconded** by Councilman Ferguson

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

Motion Carried

Christian Harkins, Assessor, addressed the following consent judgments and the amounts of settlements (**copies attached to original minutes**).

Resolution authorizing David Hagstrom to enter into a Consent Judgment – Preshrock Realty Corp

Motion made by Councilman LaColla **to authorize David Hagstrom to enter into a Consent Judgment settling the tax certiorari proceedings brought by Preshrock Realty Corp. for the tax rolls of 2005 through 2008**. **Seconded** by Councilman Leenig

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

Resolution authorizing David Hagstrom to enter into a Consent Judgment – Builder Development Corp

Motion made by Councilman LaColla **to authorize David Hagstrom to enter into a Consent Judgment settling the tax certiorari proceedings brought by Builder Development Corp. for the assessment rolls 2002 through 2008**. **Seconded** by Councilman Leenig

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

Resolution authorizing settlement - Mauro and Adoracion Elevado

Motion made by Councilman LaColla **to authorize David Hagstrom and Christian Harkins to settle the 2007 tax certiorari proceedings and the 2008 grievance complaint brought by Mauro and Adoracion Elevado**. **Seconded** by Councilman Leenig

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

Request release of \$25,000 Bond for Stadium Plaza

John Andrews addressed the request for release of the \$25,000 bond for the Stadium Plaza and stated they have completed all site work, it is 100% complete and recommend releasing the bond back to the developer.

Motion made by Councilman Leenig **to approve the release of the Stadium Plaza Bond in the amount of \$25,000.** **Seconded** by Councilwoman Malvarosa

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

Request new connection to existing water main located at 1432 Route 9D

Town Engineer, John Andrews, reviewed letter (**copy attached to original minutes**) from Ron Fortune requesting permission to make a new connection to the existing water main located across from their property and that it will require an Out-of-District contract.

Motion made by Councilman Ferguson **to authorize the Town Attorney and Town Engineer to draft up an Out-of-District Tenant agreement for the connection to the existing water main as requested.**

Seconded by Councilman Leenig

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

Request permit to use part of parking lot at Dutchess Stadium for 33rd Annual Poker Run - Lost wheels Motorcycle Club

Councilman Ferguson read (**copy attached to original minutes**) a request from the Lost Wheels Motorcycle Club for a permit to use part of the Dutchess Stadium parking lot as their starting point for their 33rd Annual Poker Run on Sunday, September 07, 2008 and made a **Motion to approve the request as submitted.** **Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

K104 Car Show @ Dutchess Stadium 08-03-2008

Councilman Ferguson read (**copy attached to original minutes**) a request to hold a K104 Car show at the Dutchess Stadium on 08/03/2008 with rain date of 08/10/2008 and made a **Motion to approve the request as submitted.** **Seconded** by Councilwoman Malvarosa

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

WPDH Roof-a-thon / fireworks @ Dutchess Stadium 08-09-2009

Councilman Ferguson read (**copy attached to original minutes**) a request to hold a WPDH Roof-a-thon and fireworks at the Dutchess Stadium on 08/09/2008 and made a **Motion to approve the request as submitted pending police department approval.** **Seconded** by Councilwoman Malvarosa

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

Waiver of Downstream Drainage Fee – Fresh Air Fund

Town Engineer, John Andrews, reviewed request (**copy attached to original minutes**) for relief from the Town's "Downstream Drainage Fee" and recommend approving the waiver.

Motion made by Councilman Ferguson **to approve the request for relief from the Downstream Drainage Fee as submitted by The Fresh Air Fund, Seconded** by Councilwoman Malvarosa

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

Peddling and Soliciting application – Michael R. Borowitz

Michael Borowitz addressed the Board regarding his application for a Peddling and Soliciting application to have a cart at the intersection of Geering Way and Route 52.

After discussion of the right-of-way the cart will be on, it was determined that Michael has to contact NYSDOT to get approval to have cart in that location.

Motion made by Councilman Ferguson **to approve the application of Peddling and Soliciting submitted by Michael Borowitz pending approval of NYSDOT. Seconded** by Councilman Leenig

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

EAB – Police Community room @ 7:00 pm 1st Tuesdays of every month

Motion made by Councilman LaColla **to approve the Police Community room for the Environmental Advisory Board use for their meetings. Seconded** by Councilman Ferguson

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

Liquor license renewal – Schneider's Fishkill Bowl

Liquor license renewal – Courtyard by Marriott

Liquor license renewal – Home Town Deli

Motion made by Councilman Ferguson **to Approve/accept the liquor license renewal(s) as submitted. Seconded** by Councilman Leenig

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

New mileage rate – 58.5 cents

Motion made by Councilman Leenig **to approve the amendment to designation list to have the new mileage rate as 58.5 cents per mile. Seconded** by Councilwoman Malvarosa

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

MOTION(s) TO ACCEPT RESIGNATION

Myra L. MacDonald - Court Clerk – retirement effective 07-17-2008

Announced that Myra L. MacDonald retired after many years of service –
Dispatched and court clerk

MOTION(s) TO APPOINT

John Taylor - Data Collector – extension of three month term

Motion made by Councilman LaColla **to extend John Taylor's contract with the Town of Fishkill for another three months with an expiration date of 10/17/2008. Seconded** by Councilwoman Malvarosa Pagonos (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Sarah Jensen - Court Clerk effective 07-21-2008

Announced that Sara Jensen was appointed to court clerk

BUDGET TRANSFERS

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

Comptroller	\$ 2,500	to establish budget for defribulator donation and equipment purchase
Recreation	\$ 4,520	to cover extended day overtime at camp
Recreation	\$ 285	to purchase softballs for new Women's Softball program
Recreation	\$ 525	to cover expenses for the new Women's Softball program

(copies attached to original minutes)

Seconded by Councilman Leenig

Pagonos (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)

Motion Carried unanimously 5-0

NEW and OLD BUSINESS

Councilman LaColla

Met with the Environmental Advisory Board on 07/01/2008

Met with the Quadcentennial Committee at Van Wyck Building / Village Hall on 07-09 – village hall

On 07/20/2008 attended a lunch at Mt. Gulian with Bache & Connie Bleeker, the folks who donated the property to Mt. Gulian Society

On 07/21/2008 there was a County Legislative Environmental Committee meeting in East Fishkill

On 07/24/2008 a Dial-a-Ride meeting in Poughkeepsie

Met with Alison MacAvery, County Legislator, on 07/24/2008, in a meeting in the interest of securing the site of the Fishkill Depot on Route 9

Councilwoman Malvarosa

Moving forward on the Senior Picnic to be held on 09/18/2008 from 10:30 – 12:30 - Vendors are coming in and the list not closed for senior picnic
The County will have their senior picnic on 08-20-2008 at the Sarah Taylor Park
Working on 911 ceremony

Councilman Ferguson

The Veterans Memorial is coming along and should be done by Veterans Day

Reviewed memo from Robert Wheeling in regards to the flex scheduling program and announced the 4 day work week pilot plan is going well and the Town will continue the 4 day work week on an on-going basis – new hours will be 8:00am – 5:00pm M-Fri., Thanksgiving and Christmas holidays that landed on Friday will be taken the Wednesday before
Effective this Monday 08-04-2008 and made a **Motion to approve said pilot plan. Seconded** by Councilman Leenig
Pagonis (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Councilman Leenig

Beacon hills moratorium committee letters will go out appointing the following to that committee:

Pauline O'Reardon – 19 Garden Place
Maureen Cotter – 17 Garden Place
Carolyn Cordoni – 105 Greenwood Drive
Linda Caruso – 21 Fairview Road
Laura Good – 6 May Place
Ronald Leenig – 8 Garden Place
Chairman – Steve Ferguson – 122 Greenwood Drive

Announced that the Renegades donated 500 hotdogs and rolls and the A-1 Deli is donating salads for the Senior Picnic

ADJOURNMENT

Motion made by Councilwoman Malvarosa **to adjourn the meeting.**
Seconded by Councilman Ferguson
Pagonis (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Meeting adjourned at 10:09 am

Respectfully submitted,

Darlene Bellis
Town Clerk

