

Supervisor Pagones opened the Regular Town Board meeting at 10:00am, 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; Town engineer – John Andrews; John Morabito – Town Planning Consultant; Joel Hanig – Attorney for Magnolia Subdivision; Robert Wheeling – Comptroller; Joel Hanig, Esq.; Mark Day, PE; Kurt Kuehner – Magnolia Townhouse; Residents – Kenneth Stenger, Azem Albra, and Deputy Town Clerk – Rebecca Tompkins

PUBLIC HEARING(s)

2009 Town of Fishkill Budget

Supervisor Pagones read (**copy attached to original minutes**) the public hearing notice for the proposed 2009 Town of Fishkill Budget.

Public hearing opened at 10:03am

Robert Wheeling, Comptroller, made a brief presentation outlining the tax rates, the modified budget and original budget, key factors for Cola, services - unchanged, salaries, pensions, health insurance, fuel, debt service, special districts, water and sewer districts, mortgage tax rates, trust and inter-funds, franchise fees, and the four major funds that represent the general funds. He showed several exact tax bills of unidentified residents of the Town of Fishkill to show what he just presented.

Mr. Albra stated it looked like his assess value dropped 13%, the tax rate went up 15% - you are saying I am paying the same taxes but paying more for a property which is worth less. How is that the same?

Supervisor Pagones stated that the facts don't lie when the bills come out. The facts are the facts.

After discussion between Mr. Albra, Robert Wheeling, and the Supervisor regarding whether it is an increase / decrease / property worth less, the Board continued with the public hearing.

Mr. Stenger spoke in support of the explanation Mr. Wheeling and the Supervisor were trying to say.

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

Seconded by Councilwoman Malvarosa

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

Motion Carried unanimously 5-0

Public hearing closed at 10:38am

Amending Zoning Map R-40 to RMF-5 – Magnolia Townhouses

Supervisor Pagones read (**copy attached to original minutes**) the public hearing notice for amending the zoning map to change the zoning district designation of a 14.76 acre parcel of land located east of Route 9D near Castle Point Road in the Town of Fishkill and more particularly identified as Fishkill Tax Parcel 6055-01-00-302873 from the R-40 district to the RMF-5 district for project known as Magnolia Townhouses.

Public hearing opened at 10:43am

Joel Hanig, Attorney for Magnolia Townhouses, stated an application has been made for a rezoning of the parcel, if application is granted the project sponsor will be applying to the planning board to seek approval for 70 townhouses which would include 14 townhouses classified as workforce housing (lower purchase price in accordance with Town Laws and Regulations. Then they would proceed to execute agreements with the Town Board with regards to providing water and sewer and affordable housing. The applicant prepared a DEIS, an FEIS and a Statement of Findings which was adopted by the Town Board on March 19, 2008.

Art Brod, Project Planner, suggested that he is available to answer any questions that may come up during this public hearing as Mr. Hanig did an excellent job on the overview of the project.

John Morabito, Town Planning Consultant, stated that the project will be visible but the Planning Board gets a full shot at this project and real opportunity to have a project that would serve very well for the Town.

John Andrews, Town Engineer, commented that the Project Sponsor has worked with them with respect to the utilities, both water and sewer. Stormwater management has been accomplished.

Supervisor Pagonos opened the public hearing to the public.
Hearing none

Motion made by Councilwoman Malvarosa **to close the public hearing.**
Seconded by Councilman Ferguson
Pagonos (aye, Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0
Public hearing closed at 10:48am

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

None

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

ANNOUNCEMENTS

Town of Wappingers public hearing on 11/24/2008

Supervisor Pagonos read (**copy attached to original minutes**) the notice of public hearing from the Town of Wappingers to be held on Monday, November 24, 2008 at 7:00pm.

Letter of appreciation to two Town of Fishkill Police officers

Supervisor Pagones read (**copy attached to original minutes**) a letter from Jonathan Dallar commending Sergeant Hurley and Captain McKinney for their presence and giving their board a sense of comfort and security at their meeting.

MOTION(s) TO APPROVE/ADOPT

Introduction of local law amending Chapter 150-(G) (2) (b) Signs –setting public hearing

Supervisor Pagones read (**copy attached to original minutes**) the Full Environmental Assessment Form for the amendment to Chapter 150(G)(2)(b) to change the allowed sign area for monument signs in the RB, PB, PSC, GB, POL, and PI Districts and stated the FEAF has been accepted.

Supervisor Pagones read (**copy attached to original minutes**) the resolution of introduction to amend Chapter 150(G)(2)(b) to change the allowed sign area for monument signs in the RB, PB, PSC, GB, POL, and PI Districts and to set a public hearing on December 03, 2008 at 9:30am.

Motion made by Councilman Ferguson to set a public hearing on December 03, 2008 at 9:30am on the local law amending Chapter 150(G)(2)(b) to change the allowed sign area for monument signs in the RB, PB, PSC, GB, POL and PI Districts. Seconded by Councilwoman Malvarosa

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

Motion Carried

Verizon Franchise Agreement

Councilman Ferguson read (**copy attached to original minutes**) the resolution authorizing the Supervisor to execute the franchise agreement with Verizon New York, Inc. with the sole exception that Section 5.6.2 of the agreement shall be deemed renumbered to Section 5.5.2 and made a **Motion to approve said resolution and authorize the Supervisor to execute the franchise agreement as read. Seconded by Councilwoman Malvarosa**

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

Motion Carried

Dedication and Release of Windsor Road

Motion made by Councilman Leenig to approve the Consent of Town Board for the dedication and release of Windsor Road in accordance with the provisions of §171 of the Highway Law of the State of New York as submitted by Cedar View Development, LLC. Seconded by Councilman Ferguson

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

Motion Carried unanimously 5-0

(copy attached to original minutes)

TOWN BOARD MEETING
Page 4

NOVEMBER 01, 2008

Permission to gate off entrance to Maurer-Geering Park 11/01/08 – 03/01/09

Motion made by Councilman Leenig **to approve the request from Parks Superintendent to gate off the entrance to Maurer-Geering Park from November 01st, 2008 through March 01st, 2009. Seconded** by Councilman Ferguson

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

Motion Carried unanimously 5-0

(copy attached to original minutes)

Permission to have a second EAB meeting per month

Motion made by Councilman LaColla **to approve the request to have a second EAB meeting per month as submitted by Bob Hoose, Chairman of the Environment Advisory Board. Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 5-0

BUDGET TRANSFERS

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

Recreation	\$ 727	to cover overtime and social security from fees taken in to run Youth Winter Basketball
Comptroller	\$200,000	to cover expenses Marquise & construction
Parks	\$ 63,469	to cover pay roll in parkland project

TOWN BOARD MEETING
Page 6

NOVEMBER 01, 2008

Parks \$ 11,676 to readjust line items in parks from payroll
(copies attached to original minutes)

Seconded by Councilman Ferguson

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

Motion Carried unanimously 5-0

NEW and OLD BUSINESS

Councilman LaColla

Met with Bill Ratigan, the contractor and engineer to review the progress of the recreation building; presented classes on technical theatre at John Jay High School's "Theatre Day"; attended the Congressional debate at Bardovan; participated in the "characterizing and engaging stakeholders workshop" at the NYSDEC Hudson River National Estuarine Research Reserve in Staatsburg; participated in a meeting to explore possible uses for the historic Fishkill Supply Depot and Encampment near the Dutchess mall; and the Environmental Board scheduled an energy audit of the town hall with "DoRight", a group of high school students working to address sustainability issues.

Councilwoman Malvarosa

Currently under the Dutchess County Interagency Purchasing Cooperative which helps the Town with savings. They are looking at changing it to regional which would include Dutchess, Rockland, Putnam, Westchester, Orange and Ulster. It will need a name change which will be Hudson Valley Municipal Purchasing Group (HVMPG). With that being said, she made a **Motion to approve the HVMPG and to appoint James A. Foy as the purchasing member / governing authority for the HVMPG.**

Seconded by Councilman Ferguson

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

Motion Carried unanimously 5-0

(copy attached to original minutes)

Councilman Ferguson

He made a **Motion to revise Sections 501, 502, 801, and 803 of the Personnel Policy as submitted.** **Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Motion made by Councilman Ferguson **to approve the Municipal Cooperation Agreement between the Town of Fishkill and the City of Beacon for ambulance service and authorize the Supervisor to execute the proposed agreement.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried

Councilman Leenig

Stated the Fall Festival went great. The Veterans Day ceremony will be held on November 11th, 2008 and they have four essays that were submitted and will be given awards.

ADJOURNMENT

Motion made by Councilwoman Malvarosa **to adjourn the meeting.**

Seconded by Councilman Ferguson

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

Motion Carried unanimously 5-0

Meeting adjourned at 11:13am

Respectfully submitted
Darlene Bellis
Town Clerk