

Supervisor Pagones opened the 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, Rebecca Valk; Town Engineer – John Andrews; James Miccio – D.C. Legislature; Paul Gromkowski – Housing Director; John Darcy – Assistant Housing Director; Joel Petrus – Building Inspector; Residents –Richard Shea, Linda Loffay, John Cozolino, Robert and Karl Moritz, Fred Cantor, Maximo Aponte, Azem Albra, Genoveffa Flagello; and Town Clerk – Darlene Bellis

PUBLIC HEARING(s)

Waiver of application – Ronald Wudarsky

Supervisor Pagones read (**copy attached to original minutes**) public hearing notice for the waiver of application submitted by Ronald Wudarsky. Public hearing opened 10:01am

Not in attendance

Waiver of application – Richard Shea

Supervisor Pagones read (**copy attached to original minutes**) public hearing notice for the waiver of application submitted by Richard Shea. Public hearing opened at 10:01am

Richard Shea made his presentation for his application of waiver to the moratorium of building in the Beacon Hills area on Pine View Road.

Waiver of application – Linda Loffay

Supervisor Pagones read (**copy attached to original minutes**) public hearing notice for the waiver of application submitted by Linda Loffay. Public hearing opened at 10:10AM

Linda Loffay made her presentation for her application of waiver to the moratorium of building in the Beacon Hills area on Greenwood Drive.

Waiver of application – John J. Cozolino

Supervisor Pagones read (**copy attached to original minutes**) public hearing notice for the waiver of application submitted by John J. Cozolino. Public hearing opened at 10:14am

John Cozolino made his presentation for his application of waiver to the moratorium of building in the Beacon Hills area on 1 Old Town Road right on the Fishkill Creek.

Waiver of application – Robert Moritz

Supervisor Pagonos read (**copy attached to original minutes**) public hearing notice for the waiver of application submitted by Robert Moritz. Public hearing opened at 10:17am

Motion made by Councilman Ferguson **to close all the public hearings held above for the waiver of application to Local Law #2 of 2008 Moratorium on building in Beacon Hills area. Seconded** by

Councilwoman Malvarosa

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

Motion Carried unanimously 5-0

Public hearings closed at 10:20am

Shepherd Memorial Park lighting

Supervisor Pagonos read (**copy attached to original minutes**) public hearing notice for the potential sports lighting of two baseball fields at Shepherd Memorial Park.

Public hearing opened at 10:20am

Rebecca Valk – Town Attorney, informed the board the criteria of the athletic lighting.

Michelle Robbins made a presentation on the environmental review for the Shepherd Memorial Park Athletic Lighting.

In favor of

Fred Cantor

Mario Castillo

Town board meeting room filled with supporters of the lighting.

Azem Albra

Leana Brannen

In opposition of

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

Seconded by

Councilwoman Malvarosa

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

Motion Carried unanimously 5-0

Public hearing closed at 10:25am

Shepherd Memorial Park Athletic Lighting

FEAF Parts 1, 2, 3 - Supervisor Pagonos stated they have in their possession the FEAF Parts 1, 2, and 3 for the Shepherd Memorial Park Athletic Lighting and it is accepted.

Negative Declaration

Supervisor Pagonos read (**copy attached to original minutes**) the negative declaration – Notice of Determination of Non-significance for the installation 14 light posts with a total of 68 light fixtures of sufficient intensity to host night-time athletic events to Little League lighting standards Robert Shepherd Memorial Park..

Motion made by Councilman Ferguson **to adopt the Negative Declaration for the installation of athletic field lighting in Robert G. Shepherd Memorial Park.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried

Resolution approving immunity from Town's local zoning laws

Rebecca Valk – Town Attorney read (**copy attached to original minutes**) a resolution determining that the municipal infrastructure improvements should be deemed exempt from local land use and related regulations.

Motion made by Councilman Leenig **approve the resolution determining that the municipal infrastructure improvements should be deemed exempt from local land use and related regulations.**

Seconded by Councilman Ferguson

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

Motion Carried

Motion made by Councilman Leenig **to authorize the Town Attorney and Town Engineer to prepare and go out to bid for the lighting.**

Seconded by Councilman Ferguson

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

Motion Carried

James Miccio – D. C. Legislature

James Miccio stated 03-31-2008 special meeting they passed a resolution in regards to dorms at DCCC

Agenda items for this month are negotiations for the property near the jail, local law on table to require stores to recycle plastic bags, local law requesting bi-partisan legislation protecting wetlands down to one acre for development, memorialization of Town of Milan, introduce legislation to keep county court out of local land use issues, setting a public hearing for local law of pesticides for commercial and non-commercial, setting a public hearing on the licensing of electricians, and authorize the payment of the surplus dog licensing fees.

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 stated the Beacon Hills moratorium was adopted for the first six months and asked if it will be extended continually.

Supervisor Pagones answered that when the engineering and legal study is done, then they will decide about the moratorium.

John Andrews described items that the town would like to address regarding the moratorium. They are researching back where it started, where it is going and on-going records are kept as far as what is going on in Beacon Hills.

Regular Order of Business

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

ANNOUNCEMENTS

2007 Annual Report & 10-K from Central Hudson

Supervisor Pagones announce that the Town Clerk has in her files the 2007 Annual Report & 10-K submitted by Central Hudson.

Public hearing notice – Town of Newburgh

Supervisor Pagones announced that the Town of Newburgh will be holding a public hearing on April 07, 2008 at 7:00pm for the introduction of a local law amending their Chapter 185

DISCUSSION(s)

Comments received regarding amendment to Sign Code

Supervisor Pagones stated the Board took into consideration the comments (**copies attached to original minutes**) from the following agencies - D. C. Planning and Development, Town of Fishkill Planning Board, Thomas F. Perna – Stadium Plaza Associates, LLC, and NYSDOT.

MOTION(s) TO APPROVE/ADOPT

Local Law amending sign Code

Full Environmental Assessment Form – Local Law – Signs

Town Attorney, RB, presented to the Supervisor the Full environmental Assessment Form adopting local law #3 of 2008 to amend Chapter 150 of the Town Code to change certain zoning code provisions pertaining to signs.

Negative Declaration

Supervisor Pagones read (**copy attached to original minutes**) the negative declaration – Notice of Determination of Non-significance for the adoption of a local law to amend zoning provisions governing signage within the Town.

Motion made by Councilman Ferguson **to adopt the Negative Declaration for the local law #3 of 2008 amending Chapter 150 of the Town Code to change certain zoning code provisions pertaining to signs.** **Seconded** by Councilman Leenig

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

Motion Carried

Resolution of Adoption – Local Law #3 of 2008

Supervisor Pagones read (**copy attached to original minutes**) the resolution adopting Local Law #3 of 2008 amending Chapter 150 of the Town Code to change certain zoning code provisions pertaining to signs.

Motion made by Councilman Ferguson **to adopt the Local Law #3 of 2008 amending Chapter 150 of the Town Code to change certain zoning code provisions pertaining to signs.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried

Approval of \$3,000 funded for the purchase of speed measuring devises and \$4,500 for the Selective Traffic Enforcement Program Targets Aggressive Drivers

Supervisor Pagones read (**copy attached to original minutes**) an e-mail from Police Chief – Donald Williams regarding the funded amount of \$3,000 for the purchase of speed measuring devises and \$4,500 for Selective Traffic Enforcement Program Targets Aggressive Drivers.

Motion made by Councilman Ferguson **to approve the \$3,000 and \$4,500 funded as stated above.** **Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (absent), Malvarosa (aye)

Motion Carried unanimously 5-0

Small Cities grant for the NYS Housing Trust fund corporation

Supervisor Pagones read (**copy attached to original minutes**) an e-mail from Paul Gromkowski – Housing Director advising her that the Town has to apply for the NYS Housing Trust Fund Corporation Office for Small cities 2008 Annual Competitive Round Application. This will be funding for the Senior and Recreation Center. A public hearing needs to be set for this item.

Motion made by Councilman Ferguson **to approve to go forward with the 2008 Annual Competitive Round Application for the Small Cities Grant. Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 4-0

Resolution of Decision / Record of Findings for Maximo Aponte

Rebecca Valk – Town Attorney read (**copy attached to original minutes**) the Record of Findings and a resolution of Decision of the Application of Maximo Aponte for a variance from Local Law #2 of 2008 / Interim Development Law in Beacon Hills granting the variance with conditions.

Motion made by Councilman Ferguson **to grant the variance with conditions and the Record of Findings for the application submitted by Maximo Aponte. Seconded** by Councilwoman Malvarosa

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

Motion Carried

Agreement for Professional Services – John Taylor

Tabled

Approval of extension to Site Development Plan – The Crest @ Fishkill

Supervisor Pagones read (**copy attached to original minutes**) a resolution stating that the Town Board does not make a favorable recommendation under Section 150-59(D) in regards to “The Crest @ Fishkill” extension to Site Development Plan.

Steve Gaba, Attorney for the applicant, stated his case for the Crest @ Fishkill describing the approvals they received, how many units, and the procedures they have been going through. He requested this be put off to next meeting.

Ronald Blass, Town Attorney, stated this Board is not making a decision on the extension in this resolution, just making their recommendation to the planning board.

Motion made by Supervisor Pagones **to approve the resolution stating that the Town Board does not make a favorable recommendation under Section 150-59(D) in regards to “The Crest @ Fishkill” extension to Site Development Plan. Seconded** by Councilman

Ferguson

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

Motion Carried

Request to use Town Hall parking lot for a fund raising trip

Supervisor Pagones read (**copy attached to original minutes**) a letter from Matilda Hayward requesting use of the Town Hall parking lot for a bus trip to Foxwoods on April 21, 2008.

Motion made by Councilman Ferguson **to approve the use of town hall parking lot as requested. Seconded** by Councilwoman Malvarosa Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (absent), Malvarosa (aye)

Motion Carried unanimously 4-0

Fee Schedule amendment

Councilwoman Malvarosa read the fee schedule amendments for dog and animal control standards and stated the Town is trying to keep in line with our neighboring municipalities and made a **Motion to adopt the new fees regarding the dog and animal control standards as submitted.**

Seconded by Supervisor Pagones

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

Motion Carried unanimously 4-0

MOTION(s) TO ACCEPT RESIGNATION

Motion made by Councilman Ferguson **to accept the resignation of April Callahan as an alternate ZBA member. Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 4-0

MOTION(s) TO APPOINT

One (1) Environmental Advisory Board member

Motion made by Councilman LaColla **to appoint Bill Murnane to the Environmental Advisory Board. Seconded** by Councilman Ferguson Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (absent), Malvarosa (aye)

Motion Carried unanimously 4-0

TOWN BOARD MEETING
Page 8

APRIL 05, 2008

Two (2) Alternate ZBA members

Motion made by Councilwoman Ferguson **to appoint Marc Briemer and Genoveffa Flagello as alternates to the Zoning Board of Appeals.**

Seconded by Councilman Ferguson

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

Motion Carried unanimously 4-0

Meter Reader – Michael Zubini

Motion made by Councilman Ferguson **to appoint Michael Zubini as a Meter Reader. Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 4-0

Parks/Building employee - Trevor Dhalla

Motion made by Councilman Ferguson **to appoint Trevor Dhalla as an employee for the Parks Department. Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 4-0

NEW and OLD BUSINESS

Councilman LaColla

Mt. Gulian is having a seminar for James Brown

Councilwoman Malvarosa

Dog show off is April 27th 1-4 at the dog park

Bring donations of newspapers, paper towels, etc for the ASPCA

Talked to the seniors and they had questions about dial-a-ride

Councilman Ferguson

Reminded everyone that Saturday, May 24th is the first clean up day for the year at Maurer-Geering Park from 8-1

ADJOURNMENT

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

Seconded by Councilman Ferguson

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

Motion Carried unanimously 4-0

Meeting adjourned at 11:23am

Respectfully submitted,

Darlene Bellis,
Town Clerk