

TOWN BOARD MEETING

MAY 14, 2008

Supervisor Pagones opened the 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; Town Engineer – John Andrews; Pamela Garnot – Supervisor’s Assistant; Paul Gromkowski – Housing Director; Susan McGuire – Personnel; Tim Cipollini – Police Officer; Captain Scott Bierce; Lt. Tom Lindhart; Matt Rudikoff – Beacon; and Town Clerk – Darlene Bellis

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

None

ANNOUNCEMENTS

American Cancer Mobile Blood Unit Ribbon Cutting – May 29th at noon
Supervisor Pagones announced that the American Red Cross Mobile Blood Unit Ribbon Cutting will be held on May 29th, 2008 at noon time at the Fishkill Town Hall Parking Lot.

Cablevision adjustment in equipment rates

Supervisor Pagones announced that Cablevision has informed the Town effective June 01st, 2008 there will be an adjustment in the equipment rates. Adjustment rates are cable cord from \$1.25 to \$2.00 per month and a digital box from \$6.03 to \$6.28 per month.

Letter of thanks to the recreation department

Supervisor Pagones read (**copy attached to original minutes**) a letter from Dawn Alexander thanking the Recreation Department for taking such wonderful care of her daughter, Alexia.

Notice of Public hearing from Town of LaGrangeville

Supervisor Pagones announced that the Town of LaGrangeville will be hold a public hearing this evening at 7:30pm for the introduction of a local law repealing their local law #3 of 2007 and adding a new Section 199-51(J).

PRESENTATION(s)

Recognize Officer Tim Cipollini for efforts of April 16th fire

Supervisor Pagones announced that the Fishkill Town Board is proud to honor Fishkill Police officer Timothy Cipollini in recognition of his heroic acts involving a house fire on Pappas Lane on the evening of April 16, 2008. Officer Cipollini observed flames visible from Route 9D and found the home fully engulfed when he arrived at the scene. The officer heard a person screaming in the rear of the structure. He subsequently broke through the gate and observed a man (Michael Riley) at the second-floor bedroom window, unable to escape. Officer Cipollini pulled a table over to the house, lifted Firefighter Brendon Hernandez onto this shoulders and he pulled Michael Riley from the house. Officer Cipollini then canvassed the area for witnesses and otherwise went about the business of police work at the scene. He had no thoughts about what he had just done – which is to save the resident’s life. Supervisor Pagones then represented a plaque of appreciation to Officer Cipollini.

MOTION(s) TO APPROVE/ADOPT

Introduction of local law amending zoning map to create district “Hudson River District”

Supervisor Pagones read (**copy attached to original minutes**) a resolution introducing a local law amending the zoning map of Chapter 150 “Zoning” to create a new zoning district to be known as the “Hudson River District” and to change the district designation of three parcels submerged within the Hudson River from residential multi-family (RMF-5) to Hudson River District (HRD) in their entirety and set a public hearing for said introduction of local law.

Motion made by Councilman Leenig **to adopt resolution and set a public hearing on 06-07-2008 at 9:30am – Camp Foster Pavilion to amend Chapter 150 to create a new zoning district to be known as the “Hudson River District” and to change the district designation of three parcels submerged within the Hudson River from residential multi-family (RMF-5) to Hudson River District (HRD) in their entirety.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried

Resolution conveying Moglia parcel to Town of Fishkill

Supervisor Pagones read (**copy attached to original minutes**) a resolution approving and authorizing the Supervisor to execute a proposed agreement for the purpose of conveying the Parcel owned by Rita Moglia to the Town.

Motion made by Councilman Leenig **to approve and authorize the Supervisor to execute a proposed agreement for the purpose of conveying the Parcel owned by Rita Moglia to the Town.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried

Letter of Credit reduction request – Van Wyck at Merritt Park

Supervisor Pagones read (**copy attached to original minutes**) a letter from Joseph B. Tacchino requesting a reduction in the L/C #515736019 for the VanWyck at Merritt Park – guarantee of payments for water system.

Motion made by Councilman Leenig **to approve the reduction of letter of credit in the amount of \$217,068.54 to a new value of \$651,206.35.** **Seconded** by Councilman Ferguson

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

Authorize signature of stipulation of settlement – Sour Mountain Realty, Inc.
Supervisor Pagones read (**copy attached to original minutes**) a resolution authorizing the Supervisor and Town Assessor to sign the Stipulation and Order for the tax assessment rolls of 2002 through 2007 for the tax review proceedings instituted by Sour Mountain Realty, Inc. to effectuate the settlement.

Motion made by Councilman Ferguson **to authorize the Supervisor and Town Assessor to sign the Stipulation and Order to effectuate the settlement of the tax assessment rolls of 2002 through 2007 for the tax review proceedings instituted by Sour Mountain Realty Inc.**

Seconded by Councilwoman Malvarosa

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

Motion Carried

Authorize Town prosecutor for non-criminal vehicle/traffic violations
Supervisor Pagones read (**copy attached to original minutes**) a resolution authorizing the Van DeWater & Van DeWater, LLP firm to prosecute non-criminal vehicle and traffic violations that are filed by members of the Town of Fishkill Police on behalf of the Town.

Motion made by Councilman Ferguson **to authorize the Van DeWater firm to prosecute non-criminal vehicle and traffic violations that are filed by members of the Town of Fishkill Police on behalf of the Town.** **Seconded** by Councilman Leenig

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

Motion Carried

Resolution to sign Consent for Acquisition

The project Views @ Rocky Glen is going for state low interest tax financing, in that regard they have asked the supervisor to sign a pro-forma under the private housing findings law.

Motion made by Councilman Ferguson **to authorize the Supervisor to sign the consent and approval of the supervising agency under the private housing findings law for this purpose.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 5-0

Snook Road Water Improvement/Well Field Development area bid awards

John Andrews read (**copy attached to original minutes**) his letter recommending the bid awards for the three contracts in relation to the Snook Road Water Improvement area – Snook Road Well Field Development. He stated that contract 1 and 3 have the apprentice training program in place ; contract 2 (Lane Christianson) is a drilling company are non-apprenticeship and therefore are exempt from the program as no program exists for drilling companies.

Motion made by Councilman Ferguson **to award the Snook Road Water Improvement area – Snook road Well Field Development to Gardiner Excavation Inc. (contract #1 – General Construction) in the amount of \$424,519; Layne Christensen Company (Contract #2-Well Pump Installation & Accessories) in the amount of \$56,495; and Hudson Valley Electrical Construction & Maintenance, Inc. (contract #3 – Electrical Construction) in the amount of \$137,222. Seconded** by Councilwoman Malvarosa

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

Stormwater Management officer appointment

Motion made by Supervisor Pagones **to appoint Councilman Steve Ferguson as the Stormwater Management Officer for the Town of Fishkill. Seconded** by Councilwoman Malvarosa

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

Set public hearing for the MS4 Annual Report – 05/21/2008

John Andrews stated that the MS4 Annual report is due on 06-01-2008. a public hearing needs to be set on the draft report and before the submission of the final report.

Motion made by Councilwoman Malvarosa **to set a public hearing on 05-21-2008 at 9:30am for the purpose of hearing comments on the 2008 MS4 Annual Report. Seconded** by Councilman Ferguson

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

Bid awards for 2008 highway equipment

Councilman Ferguson read (**copy attached to original minutes**) a request from the Highway superintendent, Glenn Scofield, to approve the bid awards for the 2008 bond highway equipment as submitted and made a **Motion to approve the HD custom snow plow tilt hitch for use with front wing post to Amthors in the amount of \$33,939.00; the plow with hydraulics to Hudson River Truck & Trailer in the amount of \$11,950.00; and the 2009 GMC TC5500 to Ruge's GMC in the amount of \$48,914.00. Seconded** by Councilman Leenig

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

AXA Financial Advisors proposal

Supervisor Pagones read (**copy attached to original minutes**) a resolution authorizing the AXA Financial Advisors, LLC to offer their information and services to the Town of Fishkill employees without additional cost to the taxpayer, for the benefit of themselves and for their families.

Motion made by Councilman Ferguson **to authorize AXA Financial Advisors LLC to offer their information and services to the Town of Fishkill employees. Seconded** by Councilwoman Malvarosa Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Explore NY 400 Community Resolution

Councilman LaColla read (**copy attached to original minutes**) a resolution supporting the mission of the Hudson-Fulton-Champlain Quadricentennial Commission and requests designation as an Explore NY 400 Community and will be an active partner by establishing an Explore NY Committee and will cooperate to its fullest with the Commission to make the 400th anniversary a successful historic New York State event and made a **Motion to support the mission of the Hudson-Fulton-Champlain Quadricentennial Commission and to approve the resolution as read. Seconded** by Councilwoman Malvarosa Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Dog Control Housing agreement

Motion made by Councilwoman Malvarosa **to authorize the supervisor to execute the Dog Control Housing agreement with the Dutchess County SPCA on behalf of dogs seized by the Animal Control Officer of the Town of Fishkill as submitted. Seconded** by Councilman Ferguson Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Request for negotiations with Hudson Valley Youth Rugby organization

Supervisor Pagones read (**copy attached to original minutes**) request from the recreation department to begin negotiations with the Hudson Valley Youth Rugby organization to add rugby to their recreation programs.

Motion made by Councilman Leenig **to approve the request to begin negotiations with the Hudson Valley Youth Rugby organization to add rugby to their recreation programs. Seconded** by Councilman Ferguson Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Post game fireworks display by Legion Fireworks on 04-30-2008

Motion made by Councilman Ferguson **to approve the post game fireworks display by Legion Fireworks on 04-30-2008 as requested.**

Seconded by

Councilman Leenig

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

Motion Carried unanimously 5-0

Cole Brothers Circus at Dutchess Stadium – 05/29-31/2008

Motion made by Councilman Ferguson **to approve the Cole Brothers Circus at Dutchess Stadium on 05/29-31/2008 with big top and ancillary facilities as requested.** **Seconded** by Councilman Leenig

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

Motion Carried unanimously 5-0

Fishkill Rotary Carnival at JW Mays – 06/02-08/2008

Motion made by Councilman Ferguson **to approve the Fishkill rotary Carnival at the Dutchess Mal, JW Mays property on 06/02-08/2008 as requested.** **Seconded** by

Councilman Leenig

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

Motion Carried unanimously 5-0

Hudson Valley Renegades fireworks display on eleven (11) specific nights

Motion made by Councilman Ferguson **to approve the post-game fireworks display on 06/17, 26, 07/01, 05, 28,25, 08/08, 15, 29 09/01, 06/2008 as requested by Hudson Valley Renegades General Manager, Eben Yager.** **Seconded** by

Councilman Leenig

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

Motion Carried unanimously 5-0

Hudson Valley Renegades/Pamal Broadcasting K104Fest concert 06/01/2008

Motion made by Councilman Ferguson **to approve the K104 Fest at the Dutchess Stadium on 06/01/2008 from 11am-7pm as requested by the Hudson Valley Renegades General Manager, Eben Yager and Pamal Broadcasting.** **Seconded** by

Councilman Leenig

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

Motion Carried unanimously 5-0

Liquor license renewal – C.I.A. Food Mart

Liquor license renewal - Ruby Tuesday

Motion made by Councilman Ferguson **to accept the liquor license renewals for the C.I.A. Food Mart and the Ruby Tuesday as submitted and ok'd by Police Chief, Donald Williams.** **Seconded** by Councilwoman Malvarosa

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

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Liquor license renewal – Sidewinders Tex-mex Grill

Motion made by Councilman Ferguson **not to accept the liquor license renewal for the sidewinders Tex-mex Grill as submitted and advised by Police Chief, Donald Williams that he cannot support the renewal based on the blotter entries for the past year. Seconded** by Councilwoman Malvarosa

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

MOTION(s) TO ACCEPT RESIGNATION

Environmental Advisory Board member – Jinny Goff

Motion made by Councilman LaColla **to accept the resignation of Jinny Goff from the Environmental Advisory Board as requested.**

Seconded by Councilwoman Malvarosa

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

MOTION(s) TO APPOINT

Parking Enforcement Officer – Nicholas Salomone

Motion made by Councilman Ferguson **to appoint Nicolas Salomone as the new Parking Enforcement Officer. Seconded** by Councilwoman Malvarosa

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

Building & Parks part-time seasonal help

Motion made by Councilman Leenig **to appoint John f. King IV, Trevor Dhalla, David Valentino , Kenneth Voltz as part-time seasonal help at \$10.00 per hour. 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 \$ 90,010 to combine revenues of 2 camps into our
revenue for one camp – second camp not
being run this year (2008)

Assessor \$ 3,480 to cover cost of new contractor for data collection

Recreation \$ 17,720 to cover costs of the last session of In-School Recreation 2007-2008 school year

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Parks \$ 300 to reimburse park for damage done by vandalism

Parks \$ 100,000 for new playground equipment and related project

Parks \$ 6,495 to recover funds fro Wood Place repairs
(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

Nothing new attended several meetings in regards to the quadricentennial

Councilwoman Malvarosa

Thanked everyone who helped in the dog show off, everyone had a great time and the demonstrations were fantastic

Councilman Ferguson

Town received an award from the Dutchess County Department of Planning & Development for Camp Foster

Veterans' memorial is coming along

Supervisor Pagones stated that on behalf of the board and the residents of the Town we give condolences to Councilman Leenig for the loss of his father

Councilman Leenig

Attending a lot of meetings on the comprehensive plan

Memorial day ceremony is to be held in the village

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 10:00am

Respectfully submitted,

Darlene Bellis
Town Clerk