

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; Pamela Garnot – Supervisor’s Assistant; James A. Foy – Receiver of Taxes; Paul Gromkowski – Housing Director; John Darcy – Assistant Housing Director; Robert Wheeling – Comptroller; Joel Hanig, Kurt Kuehner – Magnolia Townhouses; Bob Hoose – EAB; Scott Beall – DoRight; Residents – Brian Callahan, Angela Valles, Tom Adams, Al Campanaro, Alice Sipple, Azem Albra; and Town Clerk – Darlene Bellis

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

None

ANNOUNCEMENT(S)

Thank you letter to the Town of Fishkill Police Department

Supervisor Pagones read (**copy attached to original minutes**) a letter from Dr. Fern Aefsky, Superintendent of Schools, thanking the members of the Town of Fishkill Police Department with their assistance in handling the situation of helping children, the parents and employees during the accident that involved two busses.

PRESENTATION(S)

The DoRight Leadership Corps

Councilman LaColla stated that Scott Beall is here with two of the students that are in a leadership group. It is a curriculum program for grades 7-12 and college level which engages students on the economic and environmental impacts. They did a professional presentation and an audit at no cost to the town of the energy use here in Town Hall. He stated that the Board wanted to formally thank them for their professional presentation.

Scott Beall, DoRight informed the Board what the DoRight audit does. It creates knowledge and professionalism on the economic and environmental impacts.

Winfield Greene and Evan Green stated how it made an impact on them. They are students from the Town of Brewster and were able to be a benefit to Town of Fishkill.

APPROVAL OF MINUTES

Motion made by Councilman Ferguson **to approve the following minutes as submitted by the Town Clerk: 06/25/2008, 07/31/2008, 08/20/2008, 09/06/2008, 11/01/2008, 11/15/2008, 12/03/2008, 01/06/2009.** **Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

MOTION(s) TO APPROVE/ADOPT

Rocky Glen Sewer District MPR

Supervisor Pagones stated a copy of the Engineer's Report – Rocky Glen Sewer District has been received and on file in the Town Clerk's office.

Motion made by Councilman Ferguson **to set a public hearing on March 25th, 2009 @ 9:30am to consider the adoption of the petition and relevant matters on the establishment of Rocky Glen Sewer District.**

Seconded by Councilwoman Malvarosa

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

Motion Carried

Resolution constituting a conditional amendment – Magnolia Townhouses

Joel Hanig – Atty. Magnolia Townhouses, stated that there were good intentions when worked on this project last year, thing happen after the legislation was past that came to accelerate very rapidly, this made the sizing of the townhouse units too big for market, as well as financing, by the lending institutions. This mandated the re-visitation the sizing of the unit, the down sizing of the units but keeping the bedrooms the same. The March 1st date could not be met because the project would not have any liability and then require a substantial amount being encumbered by the banks.

Supervisor Pagones read (**copy attached to original minutes**) a resolution resolving to forbear from treating the March 01, 2009 date, set forth as part of a condition in Local Law #10 of 2008, from being applied to hinder or to prejudice the Town Board from entertaining possible modification of Local Law #10 of 2008 to extend its March 01, 2009 date to December 01, 2009.

Motion made by Councilman Leenig **to approve and adopt the resolution as read. Seconded** by Councilman Ferguson

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

Motion Carried

Introduction Local Law – modifying Local law #10 of 2008

Supervisor Pagones read (**copy attached to original minutes**) a resolution of introduction of Local Law modifying Local Law #10 of 2008, which amended the zoning map of Chapter 150 to change the district designation of Fishkill tax parcel 6055-01-00-320873, located at the east side of Route 9D near Castle Point Road, from R-40 to RMF-5 to accommodate a specific proposed multi-family use known as Magnolia Town houses, said modification of Local law #10 of 2008 serving to extend the date for fulfillment of conditions attached to Local Law #10 of 2008.

Motion made by Councilman Leenig **to set a public hearing for the proposed read local law on March 25, 2009 @ 9:30am.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried

Hudson River Valley Greenway Heritage Conservancy Resolution

Supervisor Pagones read (**copy attached to original minutes**) a resolution that urges Governor David Paterson to rescind and the State Legislature to oppose the elimination of the Hudson River Greenway Communities Council and Hudson River Valley Greenway Heritage Conservancy and made a **Motion to approve the resolution urging Governor David Paterson to rescind and the State Legislature to oppose the elimination of the Hudson River Greenway Communities Council and Hudson River Valley Greenway Heritage Conservancy.** **Seconded** by Councilman Ferguson

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

Motion Carried

The Howland Library Board Resolution

Supervisor Pagones read (**copy attached to original minutes**) a resolution opposing the changing of the school budget vote in May and the location for the Howland Library budget vote for those 15,000 registered voters who are residents of Fishkill in the Howland Library District.

Motion made by Councilman Ferguson **to approve the resolution as proposed.** **Seconded** by Councilman Leenig

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

Motion Carried

Appoint Town Engineer to be authorized representative – DCDH application submittal(s)

Motion made by Councilman Leenig **to appoint Town Engineer as the authorized representative and authorize his signature on the applications on behalf of the Blodgett Water District.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 5-0

(**copy of request attached to original minutes**)

Authorize preparation of out-of-district tenant agreement for Lori
Subdivision

Motion made by Councilman Ferguson **to authorize the Town Attorney to prepare a formal out-of-district tenant agreement with Lori Joseph Subdivision – Old Castle Point Road as requested. Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0
(copy attached to original minutes)

Authorize preparation of out-of-district tenant agreement for The Sunoco gas
station – 1314 Route 9D

Motion made by Councilman Ferguson **to authorize the Town Attorney to prepare a formal out-of-district tenant agreement with the Sunoco gas station located at 1314 Route 9D as requested. Seconded** by Councilwoman Malvarosa
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0
(copy attached to original minutes)

Announce New York State Trust Fund Corporation Office of Community
Renewal 2009 Annual Competitive Round application public hearings

Paul Gromkowski advised the Board that again they have to hold two public hearings for New York State Trust Fund Corporation Office of Community Renewal 2009 Annual Competitive Round application which would serve the Rocky Glen, BGB Mobile Home Park, The Crest, Fox Ridge, the Town of Fishkill Recreation center, the Town of Fishkill Police building and Town of Fishkill Town Hall.

Motion made by Councilwoman Malvarosa **to set a public hearing on March 25th, 2009 and the second public hearing in April before the deadline of the 15th, for the comments on the 2009 Annual Competitive Round Application. Seconded** by Councilman LaColla
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Acceptance of grant funds for the SFY 2008/09 Operation IMPACT Tools

Motion made by Councilman Ferguson **to accept the grand funds of \$30,000 for the SFY 2008/09 Operation IMPACT Tools and to authorize the match of \$3,333 from the Town of Fishkill to support the acquisition of LiveScan. Seconded** by Councilman Leenig
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0
(copy of letter attached to original minutes)

Fee Schedule Change submitted by Joel Petrus, Building Inspector

Motion made by Councilman Leenig **to adopt the fee schedule change as outlined in the submittal by Joel Petrus, Building Inspector. Seconded** by Councilman LaColla
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0
(copy of change attached to original minutes)

Proposed Fee Schedule Change due to adoption of Local Law #12 of 2008

Motion made by Councilman Leenig **to adopt the proposed fee schedule changes as outlined in the submittal due to the adoption of Local Law #12 of 2008 – Beacon Hills District.** **Seconded** by Councilwoman Malvarosa

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

(copy of change attached to original minutes)

Clean up days May 09, 2009 and September 26, 2009

Motion made by Councilman Ferguson **to set the Clean up days for 2009 as follows: May 09, 2009 and September 26, 2009 8:00am – 2:00pm.** **Seconded** by Councilwoman Malvarosa

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

Liquor license renewal submitted by Fishkill Golf

Liquor license renewal submitted by Hotel Sierra

Motion made by Councilman Ferguson **to accept the Liquor license renewals for Fishkill Golf and Hotel Sierra as submitted.** **Seconded** by Councilman Leenig

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

Service contracts

Motion made by Councilwoman Malvarosa **to approve the service contracts as submitted by the Accounting Dept.** **Seconded** by Councilman LaColla

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

Motion made by Councilwoman Malvarosa **to approve the service contracts as submitted by the Planning Board/Network**

Administrator. **Seconded** by Councilman LaColla

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

Motion made by Councilwoman Malvarosa **to approve the service contracts as submitted by the Town Clerk.** **Seconded** by Councilman LaColla

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

MOTION(s) TO APPOINT

Part time recreation leader - Rachael Jackman effective 01/20/2009

Motion made by Councilman LaColla **to appoint Rachael Jackman as part time Recreation Leader – non-competitive, starting salary \$13.01.** **Seconded** by Councilman Ferguson

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

Environmental Advisory Board appointment

Motion made by Councilman LaColla **to appoint Alice Sipple to the Environmental Advisory Board with the term ending 12/31/09, and Tom Kelly as a member of said board. Seconded** by Councilwoman Malvarosa

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

Reappointment of Planning Board member – Tom Knips

Motion made by Councilman Leenig **to re-appoint Thomas Knips as Chairman and Planning Board member for another four (4) year term. Seconded** by Councilman Ferguson

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

Reappointment of Alternate Planning Board members – Felix Lopez and Tom Adams

Motion made by Councilman Leenig **to appoint Felix Lopez and Tom Adams as Alternate Planning Board members. Seconded** by Councilman Ferguson

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

Alternate ZBA member – Al Campanaro

Motion made by Councilman Robert LaColla **to appoint Al Campanaro as an Alternate Zoning Board of Appeals member. Seconded** by Councilman Ferguson

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:**

Comptroller	\$ 9,000	to cover legal and engineering bills
Comptroller	\$ 20,000	to correct budget
Comptroller	\$ 250	to pay for cost of emergency pump repair with available supplies in highway administration
Police	\$ 1,000	Sam's Club Grant fund for purchase of camera for Detective Bureau

Comptroller \$ 600 to record check received for damages to
Shepherd Field

Comptroller \$ 252 to cover cost of Micro Imaging

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(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

Stated the town has a lot of volunteers who do the right thing, and he personally wanted to thank all of them for their help and volunteerism.

Councilwoman Malvarosa

Stated she is working with Cindy Starke on opening of new Recreation Building. The Grand opening is 04/25th and 26th with the ribbon cutting on 04/26 @2:00pm

Annex property – Wood Street

Councilwoman Malvarosa read **(copy attached to original minutes)** a resolution and made a **Motion to determine the annexation of the garage and lot located at 4 Wood Street by the Village of Fishkill is in the over all public interest and that the Town of Fishkill consents to the annexation.** **Seconded** by Councilman Ferguson

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

Motion Carried

Iron metal scrap yard resolution

Motion made by Councilwoman Malvarosa **to retain Michael Peters, Esq. of Albany as an outside counsel in regards to the iron metal scrap and to authorize the Supervisor to sign said retainer.** **Seconded** by Councilman Ferguson

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

Motion Carried unanimously 5-0

Councilman Ferguson

He stated that he has been working on new laws that will be announced by end of month.

Councilman Leenig

Stated he had the honor of representing the Supervisor at the Eagle Scout Court of Honor (it is his second one). He commented that the achievements and leadership skills that they have and show is just amazing.

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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 10:45am

Respectfully submitted,

Darlene Bellis
Town Clerk