

TOWN BOARD MEETING

APRIL 01, 2009

Supervisor Pagones opened the 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 – Rebecca Valk; Town Engineer – John Andrews; James A. Foy – Receiver of Taxes; Paul Gromkowski – Housing Director; and Town Clerk – Darlene Bellis

PUBLIC HEARING

NYS Trust Fund Corporation Office of Community Renewal 2009 Application

Supervisor Pagones read (**copy attached to original minutes**) the public hearing notice for the NYS Trust Fund Corporation Office of Community Renewal 2009 Application

Public hearing opened at 9:35am

Paul Gromkowski described what the NYS Trust Fund Corporation Office Community Renewal application is for. He continued stating that the Town wants to put a sidewalk to run from Town Hall to Rocky Glen Workforce housing. These programs will help individuals of low income and would benefit from HEAP.

Councilman LaColla stated that the sidewalk would help in that there are no sidewalks in the Town of Fishkill and it would be great from the Recreation Building to the Workforce housing.

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 9:46am

Fee Schedule Change

Councilwoman Malvarosa stated that the dog park is very well attended the majority of the time. The town had looked at different things in terms of maintenance, improving, etc. of the dog park. There is a small group of people willing to help the Town for items for the dog park so we came up with the user fee for the dog park. This will give leverage to Fishkill residents, we will be catering to our own residents, and the funds would go directly to only the dog park(s). The Fee scheduled is as follows:

\$25	Town of Fishkill residents
\$50	Dutchess County residents
\$75	Out-of-County residents
\$100	Out-of-State residents

The town would like to adopt the stated fees into the fee schedule and launch it at the Dog Show Off on May 17, 2009

There are improvements that are in the planning. This fee would be like a user fee.

Motion made by Councilwoman Malvarosa **to adopt the fee schedule changes that will launch at the dog show off on May 17, 2009. Fees are as following as user fees - \$25 Town of Fishkill residents; \$50 Dutchess County Residents; \$75 New York State residents; \$100 Out of State residents. Seconded** by Councilman Ferguson Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

EXECUTIVE SESSION

Motion made by Councilman Ferguson **to go into executive session for an on-going consolidated iron site contract and an appeal to FOIL request. Seconded** by Councilman Leenig Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0
Executive Session at 9:53am

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
Regular order of business at 10:11am

Consolidated iron

Town Attorney, Rebecca Valk, advised the Board that the attorney for the settling defendants have agreed to a settlement of \$20,000, this is down from the original amount of \$45,000, Michael Peters, Esq. negotiated a favorable settlement and at this point she requested the Board to adopt a resolution approving the settlement amount of \$20,000 subject to acceptable agreements to both town attorney and special counsel, Michael Peters.

Motion made by Councilman Ferguson **to approve the settlement amount of \$20,000 subject to acceptable agreements to both the town attorney and special counsel, Michael Peters. Seconded** by Councilman Leenig

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

Motion Carried

Frank Rizzi – Foil Appeal

Town Attorney, Rebecca Valk, paraphrased foil request, the answer given to him, was advised that any study would be redundant of the knowledge and experience of the town planners and the engineering consultants. He has appealed this board, he is looking for a decision as to whether or not you will overturn Ms. Bellis' decision letter or to uphold it.

Motion made by Councilwoman Malvarosa **to accept the decision as stated and to authorize the town attorney to draft letter from comments at this meeting. Seconded** by Councilman LaColla

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

Motion Carried

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 10:17am

Respectfully submitted,

Darlene Bellis
Town Clerk