

TOWN BOARD MEETING

APRIL 25, 2009

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; Town Attorney – Ronald Blass; Town Engineer – John Andrews; Town planning consultant – John Morabito; Supervisor Pagones’ Assistant – Pamela Garnot; James A. Foy – Receiver of Taxes; John Darcy - Assistant Housing Director; County Legislator – Alison MacAvery; Residents – Pat Fleming, Azem Albra, Lex Harvey, Maureen Cotter, Alice Sipple, Mara Farrell, Angela Valles, and Town Clerk – Darlene Bellis

Absent: Town Board member – Heather Malvarosa

PUBLIC HEARING(s)

Proposed Final Additions/Revisions – Town Comprehensive Plan

Supervisor Pagones read (**copy attached to original minutes**) the public hearing notice for the proposed additions/revisions of the Town Comprehensive Plan

Public hearing opened at 10:02 am

Councilman LaColla overviewed the process of the Town Comprehensive Plan, stated there were extensive questionnaires sent to the public for their input on the proposed plan to Hudsonia, Dutchess County Planning Development, the fire districts, and there were meetings opened to the public.

John Morabito commented the revisions reflected the smart growth of the Town.

John Andrews stated it has been a very detailed process and it started out with the members of the community, the goals and objectives were firmly grounded as to what the public was looking for and that John has done a good job pulling this all together.

Supervisor Pagones stated the rules of this public hearing.

Audience –

Mara Farrell

Read a statement on the town comprehensive plan including history on lands of the Town of Fishkill.

Azem Albra

Asked if the comprehensive plan was paid for by a \$100000 bond and it was stated there were public meetings, he asked where the notices of these meetings posted were.

Town Attorney, Ronald Blass, answered that this is beyond the scope of the Comprehensive Plan.

Councilman LaColla stated he knew notices were posted because the board was very disappointed because of the turnout of the public.

Azem Albra asked if they could upgrade the Aquifer protection, the critical environmental areas. Supervisor Pagones stated the board will note the aquifer. Texaco research recreation center, it is still zoned PI and was wondering if the town could try to get it for free park lands. He agrees with Marla in that the Town of Fishkill should work with the community to acquire the money to get the site and preserve it for a revolutionary war cemetery, the area should be excavated properly.

Maureen Cotter she reiterated what Mr. Albra said the Chevron property and about keeping the land as recreation purposes and not build on it.

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

Seconded by Councilman Leenig

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

Motion Carried unanimously 4-0

Public hearing closed at 10:18am

Local Law creating Chapter 126 "Social Host Law"

Supervisor Pagones read (**copy attached to original minutes**) the public hearing notice for the introduction of a local law creating Chapter 126 "Social Host Law".

Public hearing opened at 10:01am

Councilman Ferguson stated this law has been passed in many other communities, it is regards to under age drinking.

Supervisor Pagones asked the audience if they would like to speak.

Hearing none

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

Seconded by Councilman LaColla

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

Motion Carried unanimously 4-0

Public hearing closed at 10:02am

County legislature

Alison MacAvery stated she was appointed to the veterans committee and is looking for individuals to be part of the committee, if anyone is interested they could contact her. She is trying to meet with American legion and the VFW posts.

Councilman Leenig stated he reached out to the VFW posts and is trying to get new vets to get involved. He does not know what they can do to reach out to the new vets. He would like to work together with Alison MacAvery in that endeavor.

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

Motion Carried unanimously 4-0

Maureen Cotter apologized that she came late but asked what the social host law was. Councilman Ferguson answered that it is legislation to make people that serve minors under the age 16 responsible for penalties at private homes/parties and that would be anyone over 16 that serve them.

Azem Albra asked what Ecu Cleaning Co. will be paid
Supervisor Pagonos answered \$900

Regular Order of Business

Motion made by Councilman Leenig **to go into the regular order of business. Seconded** by Councilman Ferguson Pagonos (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (absent)

Motion Carried unanimously 4-0

ANNOUNCEMENTS

Town of LaGrange public hearing notice

Jap read (**copy attached to original minutes**) the public hearing notice for the Town of LaGrange to be held on May 13, 2009 at 7:30pm

Town of Wappinger public hearing notice

Jap read (**copy attached to original minutes**) the public hearing notice of the Town of Wappinger to be held on April 27, 2009 at 7:00pm

Fishkill Rural Cemetery Memorial Day Ceremony

Jap read (**copy attached to original minutes**) an announcement from the Fishkill Rural Cemetery that they will be hosting a Memorial Day Celebration following the parade in the Village of Fishkill.

MOTION(s) TO APPROVE/ADOPT

Contract – Ecu Cleaning Co., Inc. for new recreation building

Jap read (**copy attached to original minutes**) the contract from Ecu Cleaning Co., Inc.

Motion made by Councilman LaColla **to approve the contract in the amount of \$900. submitted from Ecu Cleaning Co., Inc. for the services of cleaning the new recreation building to the end of the year. Seconded** by Councilman Ferguson

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

Motion Carried unanimously 4-0

Street Lighting Authority Order

Supervisor Pagonis read (**copy attached to original minutes**) the street lighting authority order for Merritt Park Lighting District.

Motion made by Councilman Ferguson **to authorize the supervisor to sign the street lighting authority orders for the Merritt Park Lighting District as submitted. Seconded** by Councilman Leenig Pagonis (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (absent)

Motion Carried unanimously 4-0

Liquor License renewal – Pizza Hut

Liquor License renewal – Frank’s Tavern

Motion made by Councilman Ferguson **to accept the liquor license renewals for Pizza Hut and Frank’s Tavern as submitted. Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

MOTION(s) TO ACCEPT RESIGNATION

Police Assistance – Eric Kline

Motion made by Councilman Ferguson **to accept the resignation of Eric Kline as Police Assistant. Seconded** by Councilman Leenig Pagonis (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (absent)

Motion Carried unanimously 4-0

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

Planning Board member

Motion made by Councilman Leenig **to accept the resignation from David Stenger as Planning Board member effective May 01, 2009.**

Seconded by Councilman Ferguson

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

Motion Carried unanimously 4-0

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

MOTION(s) TO APPOINT

Appoint Planning Board member

Motion made by Councilman Leenig **to appoint Flex Lopez as a permanent Planning Board member. Seconded** by Councilman Ferguson

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

Motion Carried unanimously 4-0

Re-appointment ZBA Alternate member

Motion made by Councilman LaColla **to re-appoint Marc Breimer as a Zoning Board of Appeals alternate member for a one year term.**

Seconded by Councilman Ferguson

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

Motion Carried unanimously 4-0

BUDGET TRANSFERS

Motion made by Councilman LaColla **to approve the budget transfers as submitted as follows:**

Comptroller \$ 4,400 to purchase graduation certificates with donated funds

Comptroller \$ 276.54 to appropriate funds in central garage for Supervisor vehicle

(copies attached to original minutes)

Seconded by Councilman Ferguson

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

Motion Carried unanimously 4-0

NEW and OLD BUSINESS

Councilman LaColla

He stated he attended an informational program at Norrie Point for “Energy Efficiency and Renewal Energy Projects – Federal Economic Recovery Funding for Energy Programs”; he met with a director to discuss taping an informational program about parks and recreation in regards to a municipal access channel; he reminded the community that the “March for Babies” fundraiser for the March of Dimes walk is being held at FDR home Sunday at 10:00am; he attended the Hudsonia presentation on their research and mapping of blanding turtles; and he received an offer from the Fishkill Creek Watershed Committee to plant trees along several barren portions of the Fishkill Creek in the Town of Fishkill

Councilwoman Malvarosa

Absent

Councilman Ferguson

Stated he had two item from Dutchess Stadium

Motion made by Councilman Ferguson **to approve the post-game fireworks dates as submitted Eban Yager, General Manager, Hudson Valley Renegades, Dutchess Stadium. Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

Motion made by Councilman Ferguson **to approve the K104 Fest as submitted Eban Yager, General Manager, Hudson Valley Renegades, Dutchess Stadium. Seconded** by Councilman Leenig
Pagonos (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (absent)
Motion Carried unanimously 4-0

Motion made by Councilman Ferguson **to approve the Gillette Carnival to be held at JW Mays property from 06/02-09/09 as submitted by George F. Supan, Treasurer, Rotary Club of Fishkill. Seconded** by Councilman Leenig
Pagonos (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (absent)
Motion Carried unanimously 4-0

Motion made by Councilman Ferguson **to approve the softball playoff at Shephard memorial Park on Sunday, 05/17/2009 as submitted by George F. Supan, Treasurer, Rotary Club of Fishkill. Seconded** by Councilman Leenig
Pagonos (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (absent)
Motion Carried unanimously 4-0

Councilman Leenig

He stated he has working more with VFW with the passing of Levi Horton. Levi was a big part of the VFW, every Veterans Day he would help us with the Pledge of Allegiance and working with the children, he has taken on the responsibility of Levi for the time being, on schedule for Memorial Day and working with the Village.

ADJOURNMENT

Motion made by Councilman Leenig **to adjourn the meeting. Seconded** by Councilman Ferguson
Pagonos (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (absent)
Motion Carried unanimously 4-0

Meeting adjourned at 10:43am

Respectfully submitted,

Darlene Bellis,
Town Clerk