

## TOWN BOARD MEETING

MAY 13, 2009

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 – Robert LaColla, Ronald Leenig, Heather Malvarosa; Town Attorney – Ronald Blass; Town Engineer – John Andrews; Town Planning Consultant – John Morabito; James A. Foy – Receiver of Taxes; Paul Gromkowski – Housing Director; Residents – Azem Albra; and Town Clerk – Darlene Bellis

Absent: Town Board member – Steve Ferguson

### **PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS**

**Motion** made by Councilman Leenig **to go into the privilege of the floor for agenda items. Seconded** by Councilwoman Malvarosa  
Pagones (aye), Ferguson (absent), LaColla (aye), Leenig (aye), Malvarosa (aye)

Motion Carried unanimously 4-0

Hearing none

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

Motion Carried unanimously 4-0

### **ANNOUNCEMENTS**

City of Beacon resolution in opposition to Central Hudson rate increase  
Supervisor Pagones read (**copy attached to original minutes**) a resolution submitted by the City of Beacon City Council in opposition to Central Hudson rate increase.

#### Letter of appreciation to Highway Department

Supervisor Pagones read (**copy attached to original minutes**) a letter from Paul Annetts giving the Highway Department his appreciation in how they addressed a situation quickly that was in front of his house.

#### Letter of appreciation to Captain Bierce and Officer Passineau

Supervisor Pagones read (**copy attached to original minutes**) a letter from Jeannette O’Hare thanking Captain Scott Bierce and Officer David Passineau for their kindness and efficiency in helping her in a situation she had.

**MOTION(s) TO APPROVE/ADOPT**

Social Host Law

Short EAF

Supervisor Pagones read (**copy attached to original minutes**) the Short EAF for the adoption of a Local Law to create Chapter 126 “Social Host Law”

**Motion** made by Councilwoman Malvarosa **to accept the Short EAF as submitted. Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

Negative Declaration

Supervisor Pagones read (**copy attached to original minutes**) the Negative Declaration Notice of Determination of Non-Significance for the adoption of Local Law creating Chapter 126 “Social Host Law”

**Motion** made by Councilman Leenig **to adopt the Negative Declaration as read and submitted. Seconded** by Councilwoman Malvarosa

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

Motion Carried

Resolution of adoption

Supervisor Pagones read (**copy attached to original minutes**) the resolution of adoption creating Chapter 126 “Social Host Law”.

**Motion** made by Councilwoman Malvarosa **to adopt Local law #2 of 2009 creating Chapter 126 “Social Host Law”. Seconded** by Councilman Leenig

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

Motion Carried

Local Law Amending Chapter 143 – Schedule A and B

**Motion** made by Councilman Leenig **to authorize the Town Attorney to prepare a local law amending Chapter 143, Article VI, Schedule A and B to change the following intersections from “yield”**

**intersections controlled by yield signs to “stop” intersections to be controlled by stop signs – Riverview Drive and Cumberland Road;**

**Van Wyck Lake Road and Cary Road. Seconded** by Councilwoman Malvarosa

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

Motion Carried

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

Set public hearing for Final Town of Fishkill Comprehensive Plan

Supervisor Pagones read (**copy attached to original minutes**) a resolution setting another public hearing to be held on June 20<sup>th</sup>, 2009 at 10:00am, located at Maurer-Geering Park.

**Motion** made by Councilwoman Malvarosa **to hold a public hearing to receive public comment on the proposed Town of Fishkill Comprehensive Plan on June 20, 2009 at 10:00am, Maurer-Geering Park. Seconded** by Councilman LaColla

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

Motion Carried

Recommendation from Planning Board – Westage Medical Building

John Andrews gave a brief history of the Westage Medical Building Amended Site Development Plan and stated the site impacts are minor, all issues have been addressed and the Planning Board needs a recommendation from the Town Board for the re-adoption of a Site Development Plan Approval.

**Motion** made by Councilman Leenig **to recommend to the Planning Board to approve the re-adoption of a Site Development Plan submitted by Westage Medical Building. Seconded** by Councilwoman Malvarosa

Roll call	Councilman Ferguson	absent
	Councilman LaColla	aye
	Councilman Leenig	aye
	Councilwoman Malvarosa	aye
	Supervisor Pagones	abstained – trustee of Vassar Medical Center

Motion Carried

Liquor License renewal – Maya Café and Cantina

**Motion** made by Councilwoman Malvarosa **to accept the liquor license renewal submitted by Maya Café and Cantina. Seconded** by Councilman LaColla

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

Motion Carried unanimously 4-0

**MOTION(s) TO APPOINT**

Appoint

Councilman Leenig read (**copy attached to original minutes**) a list of Recreation summer personnel submitted by Cindy Starke, Recreation Director and made a **Motion to appoint said individuals effective May 11, 2009. Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 4-0

**TOWN BOARD MEETING**  
**Page 4**

**MAY 13, 2009**

**BUDGET TRANSFERS**

**Motion** made by Councilwoman Malvarosa **to approve the budget transfers as submitted as follows:**

Comptroller	\$ 13,598.	to reallocate expenses within recreation dept with off setting surpluses
Police	\$ 1,666.	insurance check for damages to vehicle
Recreation	\$ 27,642.	to cover In-School recreation cost from January 2009 to date with off setting revenues

**(copies attached to original minutes)**

**Seconded** by Councilman LaColla

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

Motion Carried unanimously 4-0

**NEW and OLD BUSINESS**

Councilman LaColla

No new business

Councilwoman Malvarosa

Announced the 5<sup>th</sup> Annual Dog Show Off on May 17<sup>th</sup> 1-4 rain or shine, she stated there are demonstrations, vendors, low cost rabies clinic, and licensing clinic; there will be donations for shelters, donation drive starting for Frankie's fund; there will be new ID Dog Tags associated with dog park which officially opens on June 01<sup>st</sup>. fees are for user fee. She read the fee scheduled which was adopted by the Town Board last month.

Funds garnered from this is for maintenance and improvements

Councilman Ferguson

Absent

Councilman Leenig

Stated that Memorial Day line up is at 10 am on Church Street, the Parade will start at 10:30, then the ceremonies; Pete Phillips selected Pete Seeger as guest speaker and Paul Gromkowski will drive Pete in front of the parade. Pete is 90 years old and he prefers to walk but he will ride this one. The Town will provide refreshments afterwards donated by Joes Bagel Shoppe

Addition to Consultant's list

Town Attorney, Ronald Blass, submitted a resolution appointing the firm of Drake, Loeb, Heller, Kennedy, Gogerty, and Gaba & Rodd of New Windsor (James R. Loeb) for the purpose of providing legal advice and counsel in multi-party matters, and to add them to the designated Town consultant's list.

**Motion** made by Councilwoman Malvarosa **add James R. Loeb's firm as read above to the Town's consultant's list. Seconded** by Councilman LaColla

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

Motion Carried unanimously 4-0

**ADJOURNMENT**

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

**Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

Meeting adjourned at 10:08am

Respectfully submitted,

Darlene Bellis  
Town Clerk