

## TOWN BOARD MEETING

SEPTEMBER 23, 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 – Steve Ferguson, Robert LaColla, Ronald Leenig; Town Attorney – Ronald Blass; Town Engineer – John Andrews; Pamela Garnot – Supervisor’s Assistant; John Darcy – Housing Assistant; Police officers - Frank Vidal, George Patsalos; Residents – Azem Albra; and Town Clerk – Darlene Bellis

Absent: Town Board member – Heather Malvarosa

### **PUBLIC HEARING(S)**

#### **Local Law amending portions of Chapter 150**

Supervisor Pagones read (**copy attached to original minutes**) the notice of public hearing introducing a local law amending portions of Chapter 150 to provide for and to regulate multifamily dwellings in the PSC Zone.

Public hearing opened at 9:35am

Supervisor Pagones opened it to the public to speak on the amendment  
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 9:37am

Town attorney, Ronald Blass, stated that additional care should be taken with respect to SEQRA and should be ready to adopt at the next town board meeting to be held on October 14<sup>th</sup>, 2009.

#### **Local Law amending Section 106-7 “Mobile Home Parks”**

Supervisor Pagones read (**copy attached to original minutes**) the notice of public hearing introducing a local law amending Section 106-7 of Chapter 106 “Mobile Home Parks”.

Public hearing opened at 9:39am

Town Attorney, Ronald Blass, explained the amendment for the modifications to Chapter 106 of Mobile Home Parks, to modify the general rule regarding calculation of maximum density of mobile home park development in how it exists today, to give the town the opportunity to increase the density of a blueprint of this type of qualifying land, and the qualifying land is limited to former industrial uses, etc.

Supervisor Pagones opened this to the public for comment

Azem Albra asked where the locations are.

Town attorney answered no where at this particular time, this is a general piece of legislation, the qualifying sites for this density would be former industrial sites and sites with former extractions of natural resources.

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

**Seconded** by Councilman Ferguson

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

Motion Carried unanimously 4-0

Public hearing closed at 9:42am

Public comment on Fishkill Comprehensive Plan

Supervisor Pagones read (**copy attached to original minutes**) the notice of public hearing for the purpose of public comment on revisions to the proposed document entitled Town of Fishkill Comprehensive Plan.

Public hearing opened at 9:43am

Only changes made from last version were those that addressed written comments from Chevron and were taken into consideration. Supervisor Pagones stated that Texaco and Chevron are good neighbors and the town is looking forward to working with Chevron

John Morabito, Town Planning Consultant, stated that some wording was placed in regards to the historic depot.

Supervisor Pagones asked the audience if anyone would like to speak on this public hearing.

Representative of Chevron thanked the board and stated they appreciated everything they have done.

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

**Seconded** by Councilman Ferguson

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

Motion Carried unanimously 4-0

Public hearing closed at 9:46am

Negative Declaration

Supervisor Pagones read (**copy attached to original minutes**) a resolution determining that the adoption of the Town of Fishkill Comprehensive Plan dated August 2009 will not have any significant adverse impact on the environment and issues the Negative Declaration pursuant to the requirements of SEQRA.

**Motion** made by Councilman Leenig **to adopt the Negative Declaration for the adoption of Comprehensive Plan for the Town of Fishkill dated August 2009.** **Seconded** by Councilman LaColla

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

Motion Carried

Adoption of the Town of Fishkill Comprehensive Plan

Supervisor Pagones read (**copy attached to original minutes**) a resolution adopting the Town of Fishkill Comprehensive Plan dated August 2009.

**Motion** made by Councilman Leenig **to adopt the Town of Fishkill Comprehensive Plan dated August 2009. Seconded** by Councilman LaColla

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

Motion Carried

Supervisor Pagones thanked all individuals, boards, and consultants who worked very hard at preparing the Comprehensive Plan that was just adopted.

**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 Councilman Ferguson

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

Motion Carried

Azem Albra asked about the ratification of the PBA contract, stated there must be retro-payment for the police and how will it be paid.

Councilman Ferguson answered that the monies in the budget and they will be paid.

Regular order of business

**Motion** made by Councilman Leenig **to go back into the regular order of business. Seconded** by Councilman Ferguson

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

Motion Carried unanimously 4-0

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

Three year renewal contract for telephone service – Cornerstone

**Motion** made by Councilman Ferguson **to renew a three year contract with Cornerstone with more services. Seconded** by Councilman

LaColla

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

Motion Carried unanimously 4-0

NYCOMCO Radio contract

**Motion** made by Councilman Ferguson **to renew the NYCOMCO contract for the police radio with a \$2000 savings and is a great deal for the Town of Fishkill. Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

The Crest @ Fishkill's request for six (6) month extension

Dominic Cordisco, Esq. for The Crest at Fishkill stated that the contract has been signed last week, Toll brothers is purchasing and building the property, the property is sold with all approvals, approvals are transferal with the new owners, there are modifications to the plan, Toll Brothers is in the process of due diligence exploring that, the modifications would not be substantial, all remains the same, expect some slight modifications, and the overall impact of the project will be slightly less.

**Motion** made by Councilman Leenig **to recommend to the planning board the six (6) month extension for the Crest at Fishkill be approved. Seconded** Councilman LaColla

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

Motion Carried unanimously 4-0

Ratify PBA contract

Supervisor Pagones thanked PBA President, Frank Vidal and George Patsalos, and Captain Scott Bierce for being on the negotiation team

Councilman Ferguson gave a brief description of the contract (**copy attached to original minutes**) with the following:

It is a three year contract; paid out of existing budget money; beginning two full payroll periods (from today)

**Motion** made by Councilman Ferguson **to approve the ratification of the PBA contract for three years (08, 09, 10) as submitted. Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

Request to hook up to Village water

Town Engineer, John Andrews, informed the board that he spoke with the individual and stated that there is no need to address this as the owner has some homework to do before she comes before the board.

August 2009 Police monthly statistic report

Defer to next month

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**MOTION(s) TO ACCEPT RESIGNATION(s)**

Termination of seasonal camp employees

Councilman Leenig read (**copy attached to original minutes**) a list of seasonal camp employees for termination and made a **Motion to terminate said employees. Seconded** by Councilman Ferguson  
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (absent)

Motion Carried unanimously 4-0

**MOTION(s) TO APPOINT**

After school personnel

Councilman Leenig read (**copy attached to original minutes**) a list of names to be appointed as after school personnel and made a **Motion to appoint said individuals. Seconded** by Councilman Ferguson  
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (absent)

Motion Carried unanimously 4-0

Recreational Specialist – Michael Bangert

**Motion** made by Councilman Leenig **to appoint Michael Bangert as a recreational specialist. 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 Ferguson **to approve the budget transfers as submitted as follows:**

Comptroller	\$ 3,916	to add additional coverage to Town Clerk Ins. For one child originally not budgeted
Recreation	\$ 10,688	to cover any overages and the next session of the In-School Recreation Program
Recreation	\$ 15,000	revenue from building usage
Comptroller	\$ 6,620.55	to re-establish budget for grant monies received in 2008

(copies attached to original minutes)

**Seconded** by Councilman Leenig  
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (absent)

Motion Carried unanimously 4-0

**NEW and OLD BUSINESS**

Supervisor Pagones congratulated Councilman LaColla on his appointment to the Dutchess County Planning board

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Councilman LaColla

Stated that the EAB is excited about getting started on trail; he is working with comptroller to restore a \$5,000 grant that was received previously; he has been working with the folks on the walkway to head up a contingent of City of Beacon, and Village of Fishkill to head up to the grand opening.

Councilwoman Malvarosa

absent

Supervisor Pagones

Stated that she has a report on the Siscar Rocky Glen Sewer District No.1 Extension; as of right now the interest of the Siscar residents is about 43%; the town has done, under the signature of Mr. Blass, is to send out letters to those individuals who have not responded to the Town Clerk (one way or the other); the Deadline date is 10/01/2009; if the Town is no more than 43% or do not reach the 51% assessment grouping that the Town would expect, this will be a dead issue.

Councilman Ferguson

Stated that the Town clean up day is Saturday, September 26, 2009 and there will be a dumpster down at Dutchess Junction.

Councilman Leenig

Stated that he has been working with VFW Post 1286 for Veterans Day; they have a request from the VFW members in whom they want for a speaker and he will be getting in contact with the individual, the members are requesting that John Hall be the speaker and he will be invited to speak.

**ADJOURNMENT**

**Motion** made by Councilman LaColla **to adjourn the meeting.**

**Seconded** by Councilman Ferguson

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

Motion Carried unanimously 4-0

Meeting adjourned at 10:09am

Respectfully submitted,

Darlene Bellis  
Town Clerk