

Supervisor Pagonos 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. Pagonos; Town Board members – Steve Ferguson, Robert LaColla, Ronald Leenig, Heather Malvarosa; Town Attorney - Ronald Blass; Town Engineer – John Andrews; John Morabito – Planning consultant; Pamela Garnot – Supervisor Assistant; James A Foy – Receiver of Taxes; John McKinney – Captain Town Police; Resident - Jeff Ringer; and Town Clerk – Darlene Bellis

Absent: Town Board member - Heather Malvarosa

PRESENTATION

Supervisor Pagonos asked the Honorable Francois Cross to come up front and stated that the Town is celebrating 40 years of dedicated service by Judge Cross and thanked him for his service to the Town. Supervisor Pagonos then presented to Judge Cross a rendering of Town Hall and asked him that when he looks at remember his service to the town in over the 40 years.

ANNOUNCEMENT

Supervisor Pagonos announced that the DAR is having a Candlelight Ceremony at 6:30pm beginning at the Van Wyck Homestead in Fishkill and conclude near the burial grounds of the Fishkill Encampment and Supply Depot on Van Wyck Lake Road

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

none

APPROVAL OF MINUTE(S)

Motion made by Councilman Ferguson **to approve the following minutes as submitted by the Town Clerk June 24, 2009; July 25, 2009; July 30, 2009; August 29, 2009; Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

MOTION(s) TO APPROVE/ADOPT

Set public hearings for

Special District Assessment Rolls

2010 Town Budget

Motion made by Councilman Ferguson **to set the public hearing for the Special District Assessment rolls and the 2010 Preliminary Town Budget for November 04th, 2009 at 7:00pm. Seconded** by Councilman LaColla

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

Motion Carried unanimously 4-0

Magnolia Townhouses modified project

Town Attorney, Ronald Blass, state that since August 29th, 2009 meeting things have changed to in regards to the water/sewer contracts and the applicant is putting this on hold for a while.

Contract renewal – Camo Pollution

After discussion in regards to it being a five year contract verses a two year contract, the Board agreed to have the town attorney look at the contract, inform Mike of the discussion and have a contract constructed for two years.

Motion made by Councilman Ferguson **to extended the existing contract from December 13, 2009 to January 01, 2010 and have the town attorney look that constructing a two year contract. Seconded** by Councilman LaColla

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

Motion Carried unanimously 4-0

Local Law amending portions of Chapter 150 – PSC Zone

Supervisor Pagones stated that the Full Environmental Assessment Form has been accepted and is in the Town Clerk's office for review.

(copy attached to original minutes)

Negative declaration

Motion made by Councilman Ferguson **to approve the Negative Declaration amending portions of Chapter 150 to provide for and to regulate multifamily dwellings in the PSC Zone. Seconded** by Councilman Leenig

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

Motion Carried

(copy attached to original minutes)

Resolution of Adoption Local Law #4 of 2009

Supervisor Pagones read **(copy attached to original minutes)** the resolution of adoption for Local Law #4 of 2009 amending portions of Chapter 150 "Zoning" of the Town Code to provide for and to regulate multifamily dwellings in the PSC Zone.

Motion made by Councilman Ferguson **to adopt Local Law #4 of 2009 as read amending portions of Chapter 150. Seconded** by Councilman LaColla

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

Motion Carried

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

Supervisor Pagonis stated that the Full Environmental Assessment Form has been accepted and is in the Town Clerk’s office for review.

(copy attached to original minutes)

Negative Declaration

Motion made by Councilman Ferguson **to approve the Negative Declaration amending Section 106-7 of Chapter 106 “Mobile Home Parks” of the Town Code.** **Seconded** by Councilman Leenig

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

Motion Carried

(copy attached to original minutes)

Resolution of Adoption Local Law #5 of 2009

Supervisor Pagonis read **(copy attached to original minutes)** the resolution of adoption for Local Law #5 of 2009 amending Section 106-7 of Chapter 106 “Mobile Home Parks” of the Town Code.

Motion made by Councilman Ferguson **to adopt Local Law #5 of 2009 as read amending Section 106-7.** **Seconded** by Councilman LaColla

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

Motion Carried

Resolution approving the Justice Court Assistance Grant

Motion made by Councilman Ferguson **to approve the Justice Court Assistance Grant in the amount of \$30,000 for a copy machine, removal of carpeting, carpeting, and painting of the court room.**

Seconded by Councilman Leenig

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

Motion Carried unanimously 4-0

Certificate of Proclamation – “Iris Weekend”

Supervisor Pagonis read the proclamation **(copy attached to original minutes)**.

Motion made by Councilman Leenig **to declare October 02, 03 as Iris Weekend.** **Seconded** by Councilman Ferguson

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

Motion Carried unanimously 4-0

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Recommendation awarding surplus highway equipment

Councilman Ferguson read (**copy attached to original minutes**) a recommendation from Highway Superintendent to award the highway surplus bids as submitted and made a **Motion to approve the recommendation of bid awards as submitted. Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

2010 service contracts from Highway

Motion made by Councilman Ferguson **to approve the 2010 service contracts submitted by Highway Superintendent. Seconded** by Councilman LaColla

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

Motion Carried unanimously 4-0

(copy attached to original minutes)

Inventory of highway machinery, tools and equipment

Motion made by Councilman Ferguson **to approve the inventory of highway machinery, tools and equipment submitted by Highway Superintendent. Seconded** by Councilman LaColla

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

Motion Carried unanimously 4-0

(copy attached to original minutes)

Request to hook into Town water and sewer systems

Supervisor Pagones read (**copy attached to original minutes**) a request from Benjamin Rhee for the evaluation of connecting to the water and sewer system of the Town.

After discussion

Motion made by Councilman Ferguson **to refer this request to John Andrews for the feasibility and evaluation of hooking into the water and sewer system as requested by Benjamin Rhee. Seconded** by Councilman LaColla

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

Motion Carried unanimously 4-0

2010 Holiday Schedule

Councilman Ferguson read (**copy attached to original minutes**) the 2010 Holiday schedule for the Town of Fishkill and made a **Motion to approve read 2010 Holiday and Observance Schedule. Seconded** by Councilman Leenig

Pagones (aye); Ferguson (aye); LaColla (aye); Leenig (aye); Malvarosa (absent)
Motion Carried unanimously 4-0

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Police Monthly Statistic Report(s)

Councilman Ferguson read (**copy attached to original minutes**) the August and September monthly statistic reports as submitted by the Police Department and made a **Motion to accept said reports. Seconded** by Councilman Leenig

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

Motion Carried unanimously 4-0

MOTION(s) TO ACCEPT RESIGNATION(s)

none

MOTION(s) TO APPOINT

Police Officers - Michael J. Ball; and Jacqueline Blumfield

Motion made by Councilman Ferguson **to appoint Michael J. Ball and Jacqueline Blumfield as Police Officers. Seconded** by Councilman LaColla

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 transfer as submitted as follow:**

Comptroller \$ 500 to increase repair line by insurance check received

(**copy 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

Motion made by Councilman LaColla **to appoint Jody Cleveland to the Environmental Advisory Board. Seconded** by Councilman Ferguson

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

Motion Carried unanimously 4-0

He updated the board in regards to a four way cap assessor program for the Towns of Fishkill, Wappingers, Union Vale and LaGrange. There has been one supervisor that has been holding up the process but seems to be on board now. A letter of intent to investigate the possibility of a four way cap assessor should be done by next week.

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As far as the budget for the Assessor's department, the town plans to have the existing civil service staff stay on, eliminate the data collector that was a 1099 person but keep Louise and Shirley knowing that if this come to play, and we take the personnel over and above what the four that we would have enough people.

Revised Current and Adjusted Base Proportions

Motion made by Councilman LaColla **to approve the amended the Current and Adjusted Base Proportions as submitted. Seconded** by Councilman Ferguson

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

Motion Carried unanimously 4-0

(copy attached to original minutes)

He informed the board that the Walkway over the Hudson folks asked the town to get involved in putting together a contingent of people to participate in the parade over the walkway for opening day; we did; we had 20 people show up for Town of Fishkill; the event went off very well; and it will help spur trail growth in the area.

Councilwoman Malvarosa

absent

Councilman Ferguson

Motion made by Councilman Ferguson **to amend the personnel hand book – Section 502 meal and rest break as submitted. Seconded** by Councilman LaColla

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

Motion Carried unanimously 4-0

(copy attached to original minutes)

Councilman Leenig

He wanted to take this time to thank the VFW for donating \$200.00 for the children for the fall festival.

ADJOURNMENT

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

Seconded by Councilman Leenig

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

Motion Carried unanimously 4-0

Meeting adjourned at 10:27am

Respectfully submitted,

Darlene Bellis
Town Clerk