

Supervisor Pagones opened the On The Road Town Board meeting at 10:00am, Maurer-Geering Park, Geering Way, 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 – Ronald Blass; John Morabito – Town Planning Consultant; Dutchess County Legislatures – Alison MacAvery, James Miccio; Magnolia Townhouses representatives – Art Brod, Kurt Kuehner, Mark Day- P.E., Joel Hanig, Esq.; Christine Phillips, Sterling Gaston; Residents – Azem Albra, Brian Callahan; and Town Clerk – Darlene Bellis

Blodgett Memorial Library 75th Anniversary Proclamation
CERTIFICAT OF PROCLAMATION

Supervisor Pagones read the Certificate of Proclamation declaring September 26, 2009 as Blodgett Memorial Library Day in the Town of Fishkill and presented said proclamation to Christine Phillips and Sterling Gaston.

PRIVILEGE OF THE FLOOR FOR AGENDA ITEMS

Motion made by Councilwoman Malvarosa **to go into the privilege of the floor for agenda items. Seconded** by Councilman Leenig
Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Hearing none

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

ANNOUNCEMENTS

Letter of appreciation to the Town of Fishkill Police Department

Supervisor Pagones read (**copy attached to original minutes**) a letter from Rody and Jean Dwan thanking the department’s rapid response for an incident at their resident on the evening of 08/13/2009. They thanked Sgt. Richard Cullen and Officer John Cronin for their professional, considerate and efficient performance of their duties.

Letter of appreciation to Police personnel and Mobile Life Support personnel

Supervisor Pagones read (**copy attached to original minutes**) a letter from Walter Brozman thanking Sgt. Robert Hughes, Officer James Spratt, Police Assistant Chris Howley, and the Mobile Life Support personnel for their efficient and prompt reaction to his call for medical assistant.

MOTION(s) TO APPROVE/ADOPT

Siscar Sewer District map, plan and report

Supervisor Pagones stated that the Rocky Glen Sewer District Extension #1 map, plan and report has been submitted, there will be an informational meeting on August 31st, 2009 at 7:00pm on said map, plan and report. She also stated that a copy is available for review at the Town Clerk's office.

Introduction Local law – regulate multifamily dwellings in PSC Zone

Supervisor Pagones read (**copy attached to original minutes**) a resolution of introduction for a local law amending portions of Chapter 150 "Zoning" to provide for and to regulate multifamily dwellings in the PSC Zone.

Motion made by Councilman Ferguson **to set a public hearing on September 23, 2009 at 9:30am for the introduction of a local law 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	aye
	Supervisor Pagones	aye

Motion Carried

Introduction Local law – amending mobile home park regulations

Supervisor Pagones read (**copy attached to original minutes**) a resolution of introduction of a local law amending Section 106-7 of Chapter 106 "Mobile Home Parks".

Motion made by Councilman Leenig **to set a public hearing on September 23, 2009 at 9:30am for the introduction of a local law amending Section 106-7 "Mobile Home Parks". Seconded** by Councilman Ferguson

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

Motion Carried

Fixing a public hearing for the revised Comprehensive Plan

Supervisor Pagones read (**copy attached to original minutes**) a resolution to schedule a public hearing on the proposed revisions of the Town of Fishkill Comprehensive Plan to be held on September 23, 2009 at 9:30am.

Motion made by Councilman Ferguson **to set a public hearing on September 23, 2009 at 9:30am for the purpose of hearing public comments on the revised Town of Fishkill Comprehensive Plan.**

Seconded by Councilwoman Malvarosa

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

Motion Carried

Magnolia Townhouses Modified Project

Art Brod stated they are before the board to request a modification of the project that was approved by this board in the past. He gave an over view stating they request to change the number of dwelling units fro 70 to 78, substantially increase the number of 2 bedroom units within the development which would significantly decrease the number of 3 bedrooms, number of affordable units will be increased from 14 to 16, the total bedroom count is not being modified, there will be no impact at all in terms of additional sanitary sewer load and additional water supply demand, and it will be a reduction to school age children (22 from 26 school aged children). The back of the units face Route 9D. Mr. Brod continued saying they need to proceed with the planning board but have no standing with them until they are finished here, they then can have a formal application submitted to the planning board.

Councilman LaColla asked if they looked at pedestrian access.

Mark Day answered the project is quite a ways away from the stadium to have sidewalks put in but walkways going around the entire perimeter is proposed.

After discussion between Joel Hanig, Esq. (magnolia townhouse) and town attorney, Ronald Blass regarding a forbearance resolution and a one paragraph modification to the finding statement should be addressed at the next town board meeting on October 14th, 2009.

Housing Resolution

Supervisor Pagones read (**copy attached to original minutes**) a resolution approving the process of obtaining tax delinquent, vacant land parcels in the Town of Fishkill fromthe4 County of Dutchess for the purpose of expanding the existing program with free-standing homes(s).

Motion made by Councilman LaColla **to approve the resolution as read.**

Seconded by Councilman Ferguson

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

Motion Carried

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Variance to Chapter 108 (noise)

Supervisor Pagonos read (**copy attached to original minutes**) a request for a variance to Chapter 108 (noise) by Splashdown Beach and Kevin McCurdy for the operation of a Halloween/haunted island theme attraction.

Motion made by Councilwoman Malvarosa **to approve the variance request for the purpose of operating a Halloween/haunted island theme attraction by Splashdown Beach and Kevin McCurdy.**

Seconded by Councilman Leenig

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

Motion Carried unanimously 4-0

Fee schedule change request

Supervisor Pagonos read (**copy attached to original minutes**) a request from Building Inspector to consider a change in the commercial fire inspection fees for the smaller business.

Motion made by Councilman Leenig **to approve the fee schedule change for commercial section to consider a change in the commercial fire inspection fees for the smaller business.** **Seconded** by Councilman Ferguson

Ferguson

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

Motion Carried unanimously 5-0

Snow & Ice Control work – 2009/2010 Winter Season resolution

Supervisor Pagonos read (**copy attached to original minutes**) a resolution authorizing the Town Highway Superintendent to perform removing snow from designated County highways for the renting and hiring of such equipment for the Winter season of 2009/2010

Motion made by Councilman Ferguson **to approve the 2009/2010 Winter Season resolution as read.** **Seconded** by Councilman Leenig

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

Motion Carried unanimously 5-0

Liquor license renewal – I-84 Diner

Liquor license renewal – Gino's Café

Motion made by Councilman Ferguson **to accept the liquor license renewals submitted by the I-84 Diner and Gino's Café.** **Seconded** by Councilwoman Malvarosa

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

Motion Carried unanimously 5-0

MOTION(s) TO ACCEPT RESIGNATION(s)

Termination of Summer Recreation personnel, effective 08/31/2009

Councilman Leenig read (**copy attached to original minutes**) a memo from Cindy Starke requesting the termination of the 2009 summer recreation personnel effective 08/31/2009 and made a **Motion to terminate said 2009 summer recreation personnel as submitted.** **Seconded** by Councilman Ferguson

Ferguson

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

Motion Carried unanimously 5-0

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MOTION(s) TO APPOINT

In-School Recreation personnel – effective 08/17/2009

Councilman Leenig read (**copy attached to original minutes**) a memo from Cindy Starke requesting the appointment of the In School Recreation program personnel effective 08/17/2009 and made a **Motion to appoint said In School Recreation program personnel. Seconded** by Councilman Ferguson

Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Mike Bangert – In-School recreation program, effective 08/17/2009

Councilman Leenig read (**copy attached to original minutes**) a memo from Cindy Starke requesting the appointment of Mike Bangert to work the In School Recreation program effective 08/17/2009 and made a **Motion to appoint Mike Bangert as requested. Seconded** by Councilman Ferguson

Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Christine Maietta – effective 08/10/2009

Councilman Leenig read (**copy attached to original minutes**) a memo from Cindy Starke requesting the appointment of Christine Maietta effective 08/10/2009 to help staff the building and made a **Motion to appoint Christine Maietta as requested. Seconded** by Councilman Ferguson

Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

BUDGET TRANSFERS

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

Recreation	\$ 700	to cover overtime for running the summer basketball program
Highway	\$ 1,200	negative balance in signs
Highway	\$ 11,007	negative balance in snow accounts, overtime, part time and social security

(copies attached to original minutes)

Seconded by Councilman Ferguson

Pagones (aye), Ferguson (aye), LaColla (aye), Leenig (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

NEW and OLD BUSINESS

Councilman LaColla

nothing

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Councilwoman Malvarosa

She stated she attended the Village meeting and they are tweaking their comprehensive plan

The Senior picnic is on 09/17 from 10:30 to 12:30 and is by invitation only

Seniors who responded will bring one item for the Fishkill food pantry

Employees are also taking part of donating to the Fishkill food pantry

911 ceremony will follow village's ceremony

Councilman Ferguson

He wanted to thank Councilwoman Malvarosa for all her hard work in preparing for the 911 ceremony

Councilman Leenig

He thanked Bill Brooks for donating the hot dogs to the after school program and will send letter to him

He read (**copy attached to original minutes**) a resolution stating that the Town Board is in favor of Bill H.R. 2254; Agent Orange Equity Act of 2009

and urges congress to act on and pass this Bill and made a **Motion to approve said resolution and to have said resolution sent to the House Committee on Veterans' Affairs, the subcommittee on Disability Assistance and Memorial Affairs, Congressman John Hall, Senator Steve Saland, Assemblyman Joel Miller and the Dutchess County Legislatures. Seconded** by Councilman Ferguson

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 11:01 am

Respectfully submitted,

Darlene Bellis
Town Clerk

