

SPECIAL TOWN BOARD MEETING

JANUARY 21, 2010

Supervisor Pagones opened the Special 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 – Brian Callahan, Steve Ferguson, Robert LaColla, Heather Malvarosa; Town Attorney, Ronald Blass; Paul Gromkowski – Housing Director; John Darcy – Assistant Housing Director; James A. Foy – Receiver of Taxes; Birches @ Fishkill – Steven L. Aaron, Kate Thomas – Elant, Kenneth Stenger, Esq.; Residents - Azem Albra, David Eberle, Lynn Eberle; and Town Clerk – Darlene Bellis

PUBLIC HEARING(S)

Local Law amending Chapter 143-13

Supervisor Pagones read (**copy attached to original minutes**) the public hearing notice for the introduction of a local law amending Chapter 143 to authorize the Town Justices to implement amnesty for penalties of up to two times the maximum fine.

Public hearing opened at 9:30am

Councilman Ferguson reviewed the local law regarding the implementation amnesty for penalties up to two times the maximum fine.

Supervisor Pagones asked the audience if anyone would like to speak on this public hearing. Hearing none

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

Seconded by Councilwoman Malvarosa

Pagones (aye), Callahan (aye), Ferguson (aye), LaColla (aye), Malvarosa (aye)

Motion Carried unanimously 5-0

Public hearing closed at 9:35am

PRESENTATION

Salt committee findings

Paul Gromkowski and Dr. David Eberle made a presentation regarding the findings of the salt committee dated December 2009. They reviewed the bulleted items listed below (**copy of Power Point presentation on CD in Town Clerk's office**)

- Effect on Humans
- Environmental effects above 10mg
- Effects on infrastructure and vehicles
- Alternatives and choices
- It's all about the Storm"
- Snow Removal Practices
- Available Materials
- Salt and Safe Roads
- Summary of salt effects
- Conclusions
- Recommendations

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 LaColla Pagonis (aye), Callahan (aye), Ferguson (aye), LaColla (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Hearing none

Motion made by Councilwoman Malvarosa **to go back into the regular order of business. Seconded** by Councilman LaColla Pagonis (aye), Callahan (aye), Ferguson (aye), LaColla (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

ANNOUNCEMENT(S)

Letter of thanks – Sgt. Robert Hughes, Police Officer David Passineau
Councilman Ferguson read (**copy attached to original minutes**) a letter from Eric Schiller, General Manager, Hotel Sierra, thanking Sgt. Robert Hughes and Police Officer David Passineau for their professionalism in helping removing several persons from their property due to excessively poor behavior.

Letter of recommendation – Officer Morrill, Adam Kangas

Councilman Ferguson read (**copy attached to original minutes**) a letter from Loretta Adams, thanking Police Officer Morrill and Police Officer Kangas for their professionalism in handling the investigation of two blotter reports that she had filed with the police department regarding harassment by Thomas Manganero.

DISCUSSION(S)

Birchez at Fishkill

Steve Aaron, Managing Member – Birchez Associates, made a presentation highlighting the following:

Birchez Associates has been primarily active in Ulster County

Completed five (5) affordable housing communities

Chambers Court in the Town of Ulster

Birchwood Village is the 1st workforce family housing in Ulster County

Birchez @ Esopus has an energy star award

Birchez @ Chambers – Town of Ulster

Acquired awards and recognition for Birchez communities

Mr. Aaron reviewed the area map of Birches at Elant of Fishkill

Reviewed a quick rendering of Birches @ Elant of Fishkill being on the campus of Elant

There is an age restriction of 62 and older

There is additional undeveloped property on site with the potential of building other senior facilities

They have a proposed rent and income schedule of income of \$18,000 – \$30,000

1 bedroom with heat and hot water included

2 bedroom units (keep families together and caretakers)

Birchez Associates will work with everyone and will work with a waiting list when ready to open

Kate Thomas, representative for Elant at Fishkill, introduced herself and gave a brief description of her qualifications. Ms. Thomas then gave a brief description of what her duties are with Elant at Fishkill. She is before the Board today because part of her job is to assist folks in agent placing so they can live in the community and to provide the care they need in a safe and confident way. Health and housing solutions is what Elant does, Steve and his corporation is taking care of the housing portion for Elant in this case. Elant is partnering with Birchez Associates to provide the health services. This would be a cost effective manner in which housing and health care services would be provided.

Supervisor Pagones read (**copy attached to original minutes**) a resolution of support for the Birches at Elant of Fishkill for purposes of inclusion in the project sponsor's application to state agencies for public funding or support and that this resolution of support is non-binding and does not commit the Town to a definite course of action.

Motion made by Councilman LaColla **to approve the resolution of support consistent with discussions.** **Seconded** by Councilman Ferguson

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

Motion Carried

MOTION(s) TO APPROVE/ADOPT

Reject bid for Trash and Clean-up Days

Motion made by Councilman Ferguson **to reject the trash and clean-up bid of December as requested and to approve to go out to rebid on 02/04/2010 for the trash and cleanup days as there will be only one clean up day this year.** **Seconded** by Councilwoman Malvarosa Pagones (aye), Callahan (aye), Ferguson (aye), LaColla (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Liquor License renewal – Nonna Concetta

Motion made by Councilman Ferguson **to accept the liquor license renewal submitted by Nonna Concetta.** **Seconded** by Councilwoman Malvarosa Pagones (aye), Callahan (aye), Ferguson (aye), LaColla (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

MOTION(s) TO APPOINT

Leave of absence – Syndi Acamora

Councilman Ferguson read (**copy attached to original minutes**) a request for leave of absence from Police Officer Syndi Acampora and made a **Motion to approve said leave of absence.** **Seconded** by Councilwoman Malvarosa Pagones (aye), Callahan (aye), Ferguson (aye), LaColla (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

BUDGET TRANSFERS

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

Parks \$18,000 to clear line shortage with overages
(copy attached to original minutes)

Seconded by Councilman Ferguson

Pagones (aye), Callahan (aye), Ferguson (aye), LaColla (aye), Malvarosa (aye)

Motion Carried unanimously 5-0

NEW and OLD BUSINESS

Supervisor Pagones

Presented the new 2010 committee assignments and stated that there is a Salt Committee in whom Councilman LaColla and Councilman Ferguson will be part of.

Amnesty local law

Supervisor Pagones read (**copy attached to original minutes**) a resolution adopting Local Law #1 of 2010 amending Section 143-13 to authorize Town Justices to implement amnesty for penalties of up to two times the maximum fine.

Motion made by Councilman Ferguson **to adopt Local Law #1 of 2010 amending Section 143-13 as read above. Seconded** by Councilman Callahan

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

Motion Carried

Councilman Ferguson

Councilman Ferguson made a **Motion that commencing 02/01/2010 and ending 05/01/2010 the amnesty law (Local Law #1 of 2010) will take effect. Seconded** by Councilwoman Malvarosa

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

Motion Carried

EXECUTIVE SESSION

Motion made by Councilman LaColla **to go into executive session for reasons of contractual issues. Seconded** by Councilwoman Malvarosa Pagonis (aye), Callahan (aye), Ferguson (aye), LaColla (aye), Malvarosa (aye)
Motion Carried unanimously 5-0
Executive session at 11:30am

Regular order of business

Motion made by Councilman LaColla **to back into the regular order of business. Seconded** by Councilwoman Malvarosa Pagonis (aye), Callahan (aye), Ferguson (aye), LaColla (aye), Malvarosa (aye)
Motion Carried unanimously 5-0
Regular order of business at 11:59am

ADJOURNMENT

Motion made by Councilwoman Malvarosa **to adjourn the meeting. Seconded** by Councilman Ferguson Pagonis (aye), Callahan (aye), Ferguson (aye), LaColla (aye), Malvarosa (aye)
Motion Carried unanimously 5-0

Meeting adjourned at 12:00pm

Respectfully submitted,

Darlene Bellis
Town Clerk