

**MINUTES**  
**TOWN OF EAST FISHKILL**  
**TOWN BOARD MEETING**  
**JANUARY 9, 2020**  
**7:00 p.m.**

**REGULAR BOARD MEETING**

The Town of East Fishkill's Town Board Meeting on January 9, 2020 was called to order at 7:00 p.m. by Supervisor D'Alessandro with the Pledge of Allegiance to the Flag.

Attorney Wood administered the Oath of Office to Town Clerk Carol Hurray.

**Supervisor's Announcements**

Supervisor D'Alessandro wished everybody happy new year. He said he has been meeting various companies that are interested in the purchase of the IBM West complex. There are also some companies interested in purchasing the dome site. The current owners are having financial difficulties finishing the project. They claim there is over \$20 million already invested in that site and they need several million dollars more to complete it. It is at a standstill. Hopefully things will be happening soon. The Economic Development Committee has been working very hard as well as the Town Board to encourage businesses here to East Fishkill and to try to finish that project for the dome. There is a very positive compound affect to the Town by encouraging new companies to come in. There is a building moratorium on the Route 52 corridor between Taconic State Parkway and Blue Hill Road as that is a high traffic congestion area that they are trying to address. The Supervisor wants the Town Board's permission to engage with Dutchess County Planning to lead the Town in an independent committee to review housing needs within the Town.

Supervisor D'Alessandro has met with the some of the Lomala community regarding the upkeep on their community center. It is a separate park district so any help the Town does give comes out of those funds. They rent this out and it is a nice facility if anyone is interested.

Several weeks ago Councilman Marinaro and the Supervisor had the monthly meeting at the police station. They had to address the retirement of Police Chief Matt Orsino and Lieut. Jon Wood. Everyone wishes them well on their future endeavors. There are two proclamations for them tonight but unfortunately neither of them were able to attend tonight's meeting. They were both tremendous assets that will be very missed. Tonight they have a resolution to appoint an acting chief and they do appreciate Lieut. Bellino for stepping up. He has been the officer in charge since December 31. The new Bail Reform Law has been something new to deal with.

Supervisor D'Alessandro attended Sheriff Butch Anderson's swearing-in ceremony on December 30 in Wappingers. It was a great event.

On January 4th the Supervisor attended the swearing-in ceremony for the elected officials in the Town of Wappinger. It was a very big event. He congratulated all of the elected officials.

This past Monday was the swearing-in ceremony at the Town Hall for all of the East Fishkill elected officials. Over 100 people attended and it was a very nice ceremony. He thanked everyone who came out to support all of the officials. He also thanked all the businesses that donated items for the event.

Sunday the Supervisor, Deputy Supervisor, and Councilman Marinaro attended a ceremony at St. Columba Church as they installed the new Bishop.

The EPA is coming close to the completion of the Hopewell North Water District. For people who have opted out of getting this water service, the Supervisor wants them to think about it and if they change their mind they can call his office. Right now the EPA's paying for all of the hookups. If you decide to hook up later the expense will be yours.

The Worley Homes project is still in the hands of the Public Service Commission. They have to do their review and give the approval for the sale of the system.

There has been much discussion regarding the cable provider for the Town. Cablevision is the sole cable provider. Although the Town would love to have additional providers, they would have to install their own infrastructures.

Renovations have started in the meeting room of the Town Hall. Supervisor D'Alessandro is waiting for approval of a grant application to the New York State Unified Court System for the J Cap Grant. They do qualify for that as the meeting room is also the courtroom. They could get possibly up to \$30,000. He thanked the Highway Department as they have been doing a lot of the work at Town Hall. He thanked the community for being patient as they do these renovations.

**Roll Call:** Supervisor D'Alessandro asked Town Clerk Hurray to call the rolls.

Board Members in attendance were

Anil	Peter	Thomas	Emanuele	Nicolas
Beephan	Cassidy	Franco	Marinaro	D'Alessandro

Also in attendance were:

Tom Wood, Attorney; Scott Bryant, Engineer; and Mark Pozniak, Comptroller.

**Approve Minutes:**

December 12, 2019

Motion to approve the minutes for the December 12<sup>th</sup> meeting: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Announcement of Additions to the Agenda:**

Supervisor D'Alessandro said there are no additions to the agenda.

**Courtesy of the Floor:**

Supervisor D'Alessandro asked if there was anyone who wanted to speak about any general town issues.

John stated he was a longtime resident of East Fishkill. He voiced concerns on the monopoly Cablevision has in the area. Attorney Wood stated that the Verizon service area does not include most of East Fishkill so that impacts the ability for FIOS. It does make it an economic issue for incoming companies.

Robert Grasso asked if there was an incentive the town could offer for incoming cable companies. Attorney Wood stated whatever they do for one company they have to do for all. Mr. Grasso also spoke about the hemp farms.

### **Receive and File:**

Supervisor D'Alessandro stated there was nothing for receipt and file.

Supervisor D'Alessandro stated he was going to change the order of the resolutions to do number 17 first.

### **Resolutions:**

#### **1. Appoint an Acting Police Chief**

##### **RESOLUTION** **(APPOINTING ACTING CHIEF OF POLICE)**

**WHEREAS**, Matthew Orsino retired as Chief of Police; and

**WHEREAS**, there currently is no Civil Service List for Chief and the next test will be in March; and

**WHEREAS**, the Board needs to provide for continuity of management and leadership within the Police Department;

**NOW, THEREFORE, BE IT RESOLVED**, that Lt. Christopher Bellino be and hereby is appointed as Acting Chief of Police on a provisional basis, and shall continue in such position at the pleasure of the Town Board; and

**BE IT FURTHER RESOLVED**, that the Acting Chief will be paid \$137,500.00 and shall receive such other benefits as set forth within his Employment Agreement.

Motion to appoint an acting Police Chief: Board Member. Cassidy Seconded: Board Member Franco. All voted in favor. Motion carried.

#### **2. Confirm Receipt of Appointment of Deputy Supervisor and Administrative Assistant by Supervisor**

**RESOLUTION**  
**(CONFIRM RECEIPT OF APPOINTMENT OF DEPUTY SUPERVISOR  
AND SECRETARY TO THE SUPERVISOR)**

**WHEREAS**, the Town Supervisor has submitted his request to appoint Peter Cassidy as his Deputy Supervisor, and

**WHEREAS**, the Town Supervisor has also submitted his request to appoint Gina Grippo as Secretary to the Supervisor; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby confirm receipt of the Town Supervisor's appointments.

**BE IT FURTHER RESOLVED, BE IT FURTHER RESOLVED**, that said Gina Grippo be and hereby is to be compensated at the rate \$27.00/per hour and shall receive all other fringe benefits as provided to the CSEA members.

Motion to confirm the receipt of the appointment of the Deputy Supervisor and Administrative Assistant by the Supervisor: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

**3. Re-Appoint:**  
**a) Renew Shared Services for Planner**

**RESOLUTION**  
**(CONTINUING SHARED SERVICES FOR TOWN PLANNING)**

**WHEREAS**, the Town previously entered into an Intermunicipal Agreement with the Town of Cortlandt to share professional planning services; and

**WHEREAS**, Michelle Robbins AICP serves as a part-time Planner for the Town of East Fishkill on a two-fifths basis per week; and

**WHEREAS**, it is the desire of the Town to continue said arrangement;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Supervisor be and hereby is authorized to execute an agreement continuing the arrangement with the Town of Cortlandt sharing the services of a principal Planner, Michelle Robbins by paying two-fifths of her annual costs and salary; and

**BE IT FURTHER RESOLVED**, that the salary and benefits administration shall be with the Town of Cortlandt.

**b) Renew Shared Services for Assessor**

**RESOLUTION**  
**(AUTHORIZING THE CONTINUATION OF  
SHARED SERVICES FOR THE TOWN ASSESSOR)**

**WHEREAS**, at the time that the Town undertook re-evaluation, it entered into an agreement with the City of Beacon sharing the services of the Town Assessor who also serves as the City of Beacon Assessor; and

**WHEREAS**, it is the desire of the Town Board to continue the shared services wherein Beacon pays a prorated share of the costs of salary, benefits, etc. of the Assessor;

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be and hereby is authorized to execute any required extension agreements in order to continue the shared service of Assessor with the City of Beacon – Kathleen Martin.

**c) Renew Registrar of Vital Statistics**

**RESOLUTION**  
**(RENEW THE REGISTRAR OF VITAL STATISTICS)**

**WHEREAS**, under NYS Law, the Town Board designates a Registrar of Vital Statistics to keep records of all births and deaths within the Town; and

**WHEREAS**, it is the desire of the Town Board to designate said official, deputy and sub-deputy;

**NOW, THEREFORE, BE IT RESOLVED**, that Carol Hurray be and hereby is designated as the Registrar of Vital Statistics for calendar years 2020-2021; and

**NOW, THEREFORE, BE IT RESOLVED**, that Caroline Ciaccio be and hereby is designated as the Deputy Registrar of Vital Statistics for calendar year 2020-2021; and

**BE IT FURTHER RESOLVED**, that Regina Ferrucci be and hereby is designated as the Sub-Registrar of Vital Statistics for calendar year 2020-2021; and

**BE IT FURTHER RESOLVED**, that said Registrar shall be compensated by receiving the payment tendered to the Town for the cost of the documents issued in accordance with NYS Law.

Motion to authorize the continuation of the shared services for the Planner and Town Assessor and renew the Registrar of Vital Statistics: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

**4. Banking:**  
**a) Designate Depositories**

**RESOLUTION**  
**(DESIGNATE THE OFFICIAL DEPOSITORIES OF THE TOWN)**

**WHEREAS**, the Town Board must authorize the official depositories of the Town; and

**WHEREAS**, the Town Comptroller has recommended that the Tompkins Mahopac Bank be continued as the principal depository of the Town and that other banking institutions be authorized by the Board for the deposit of money based upon competitive interest rates;

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby designate the Tompkins Mahopac Bank, with offices at Route 82, Hopewell Junction, New York as the official depository for the Town of East Fishkill for all official accounts of all public offices; and

**BE IT FURTHER RESOLVED**, that the following banking institutions which have offices within the Town be and hereby are authorized to be depositories of the Town for funds to be deposited by the Town Supervisor based upon competitive interest rate quotes given at the time of investment, to wit: Key Bank, Route 52; Chase Bank, Route 82; Wells Fargo Bank, Route 376; M&T Bank, Route 376 and the Rhinebeck Bank, Route 52. Within the limits of FDIC Insurance or third party reciprocal collateralization.

**BE IT FURTHER RESOLVED**, that the deposits shall all be secured in accordance with Town Law.

**b) Designate Authorized Signatures**

**RESOLUTION**  
**(AUTHORIZING THE VARIOUS SIGNATORIES ON TOWN ACCOUNTS)**

**WHEREAS**, the Town Board has previously designated the official depositories of the Town; and

**WHEREAS**, under NYS Town Law, the Supervisor is the authorized signer of said accounts; and

**WHEREAS**, Town Law authorizes the Town Board to establish alternate signers in the absence of the Supervisor; and

**NOW THEREFORE BE IT RESOLVED**, that all bank accounts maintained by the Town shall be subject to the control of the Town Supervisor who shall be the sole signer on said account; and

**BE IT FURTHER RESOLVED**, that Deputy Supervisor Peter Cassidy be and hereby is an authorized signer on said accounts in accordance with law in the absence or inability of the Supervisor to sign said accounts; and

**BE IT FURTHER RESOLVED**, the Town Board does hereby continue the requirement that all checks in excess of \$500,000.00 be countersigned by Carol Hurray Town Clerk.

Motion to designate the depositories of record and designate the authorized signatures: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

## **5. Designate Official Newspapers**

### **RESOLUTION** **(DESIGNATING THE OFFICIAL NEWSPAPER OF THE TOWN)**

**WHEREAS**, pursuant to Town Law the Town Board must designate an official newspaper to be used for the publication for all legal notices of various departments and agencies of the Town; and

**WHEREAS**, it is the desire of the Town Board to make such designations;

**NOW, THEREFORE, BE IT RESOLVED**, that the Southern Dutchess, a newspaper of general circulation, published within the County be and hereby is designated as the official newspaper of the Town of East Fishkill; and

**BE IT FURTHER RESOLVED**, that all legal notices of all boards within the Town shall be published in said newspaper; and

**BE IT FURTHER RESOLVED**, that when timing does not permit proper notice by the publication, Southern Dutchess News, then upon specific consent of the Supervisor, the Poughkeepsie Journal be and hereby is designated as the alternate official newspaper.

Motion to designate the official newspapers: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

## **6. Authorize Retaining Consultants:** **a) Engineering**

### **RESOLUTION** **(AUTHORIZING CONSULTING ENGINEER SERVICES)**

**WHEREAS**, the Town has previously selected CPL: Architecture – Engineering – Planning as the consulting engineer for the Town of East Fishkill; and

**WHEREAS**, the Town has also used the engineering services of Renna Engineering Design, PLLC; and

**WHEREAS**, the Town Board is desirous of continuing their services; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Engineer and Town Supervisor be and hereby are authorized to effectuate the use of CPL: Architecture - Engineering - Planning and Renna Engineering Design, PLLC.

**b) Traffic**

**RESOLUTION**  
**(RE-APPOINT HUDSON VALLEY ENGINEERING AS THE OFFICAL TOWN TRAFFIC CONSULTANT)**

**WHEREAS**, the Town has previously selected Hudson Valley Engineering to be the Town's traffic consultant; and

**WHEREAS**, Hudson Valley Engineering, Beacon, New York has previously been authorized by the Town Board to perform the traffic survey with respect to the major state corridors and to make recommendations to the Town Board with respect to improvements to be requested by the Town of DOT; and

**WHEREAS**, it is the desire of the Town Board to have one traffic consultant to review any traffic issues that may need to be reviewed due to developments, applications, zoning changes, etc. that may be considered within the Town; and

**NOW, THEREFORE, BE IT RESOLVED**, that Hudson Valley Engineering of Beacon, New York be and hereby is designated as the official Town of East Fishkill traffic consultant for calendar year 2020;

**BE IT FURTHER RESOLVED**, that said traffic consultant shall be utilized by the Planning Board, Zoning Board and any other Board requiring traffic studies to be performed; and

**BE IT FURTHER RESOLVED**, that when the traffic studies are performed on behalf of an application pending before a Board, the cost of same shall be paid by the escrow account established by the applicant in accordance with other sections of Town Law and the applicant may utilize said traffic study as their own; and

**BE IT FURTHER RESOLVED**, that the Supervisor be and hereby is authorized to implement the policy to effectuate the use of Hudson Valley Engineering as the Town of East Fishkill's traffic consultants.

**c) Hydrogeologists**

**RESOLUTION**  
**(EXTEND CONTRACT FOR A HYDROGEOLOGIST)**

**WHEREAS**, the Town has previously selected WSP to be the Town's Hydrogeologist consultant; and



**WHEREAS**, WSP, Beacon has previously been authorized by the Town Board to perform hydrology studies; and

**NOW, THEREFORE, BE IT RESOLVED**, that WSP be and hereby is authorized by the Town Board with respect to hydrology studies in the Town; and

**BE IT FURTHER RESOLVED**, that the Town Engineer and Town Supervisor be and hereby are authorized to effectuate the use of WSP.

**d) Stormwater Consultant**

**RESOLUTION**  
**(AUTHORIZE RETAINING STORMWATER CONSULTANT)**

**WHEREAS**, the Town has previously selected Stormwater Management Consultants, Inc. to prepare the MS-4 annual report with respect to the MS-4 permit and requirements of the New York State DEC; and

**NOW, THEREFORE, BE IT RESOLVED**, Stormwater Management Consultants, Inc. be and hereby is authorized by the Town Board with respect to MS-4 requirements in the Town; and

**BE IT FURTHER RESOLVED**, that the Town Engineer and Town Supervisor be and hereby are authorized to effectuate the use of Stormwater Management Consultants, Inc.

Motion to authorize retaining consultants; Engineering; Traffic; Hydrogeologist; Stormwater Consultant: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**7. Appoint Members and Designate Chairs as Necessary**

**RESOLUTION**  
**(APPOINTING BOARD CHAIRPERSONS AND MEMBERS TO VARIOUS BOARDS/COUNCIL)**

**WHEREAS**, the Town Board on an annual basis appoints a Chairperson for each Town of East Fishkill Board/Council; and

**WHEREAS**, it is the desire of the Town Board to appoint said Chairpersons and Members;

**NOW, THEREFORE, BE IT RESOLVED**, that the following will be the Chairperson for each of the listed Boards/Council for the Town of East Fishkill for calendar year 2020:

Craig Smith	Planning Board
Norma Drummond	Zoning Board
Brent Feldweg	Conservation Advisory Council
Paul Pesavento	Architectural Review Council
Michael Kieser	Recreation Board

Deborah McCaffery  
Thomas Toub  
David Palin

Ethics Board  
Board of Assessment Review  
Fire Advisory Board

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, the following person be and hereby is re-appointed as a member of the Board of Assessment Review for 5 years

1. Andrew Donovan 09/30/2024

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the following person be and hereby is reappointed for four years as a member of the Planning Board;

1. Edwin Miyoshi (fill unexpired term of Steve Caswell 12/31/2020)

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the following person be and hereby is appointed for four years as an alternate of the Planning Board;

2. Richard Campbell 12/31/2023

Motion appointing members and designate Chairs as necessary: Board Member Cassidy.  
Seconded: Board Member Beephan. All voted in favor. Motion carried.

## **8. Confirm Supervisor's Designation of Liaisons**

### **RESOLUTION** **(CONFIRMING DESIGNATION OF LIAISONS)**

**WHEREAS**, the Town Supervisor on an annual basis indicates to the members of the Town Board which departments of the Town they will be the Board Liaison to; and

**WHEREAS**, in the role of a liaison they regularly meet with their department or agency and report back to the Town Board as a whole as to the status of any issues pertaining to those departments and agency; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be and hereby designates the following liaisons:

Councilman Cassidy – Emergency Services  
Councilman Franco – Police Department  
Councilman Marinaro – Highway Department  
Councilman Beephan – Recreation Department

**BE IT FURTHER RESOLVED**, that all members of the Town Board be and hereby are authorized to attend meetings of any departments or agency of the Town upon notice to the official liaison who may also be attending.

Motion to confirm the Supervisor's Designation of Liaisons: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**9. Authorize Supervisor to Sign Personal Service Agreements within Budgetary Lines**

**RESOLUTION**

**(AUTHORIZING THE SUPERVISOR TO SIGN PERSONAL SERVICE AGREEMENT WITHIN BUDGETARY LINES)**

**WHEREAS**, there are personal service agreements that are budgeted and require the Town Supervisor's signature; and

**WHEREAS**, the Town Board is asked to authorize the Supervisor to sign any personal service agreements within the budget; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be and hereby is authorized to execute all personal service agreements as budgeted for 2020.

Motion to authorize the Supervisor to sign Personal Service Agreements within budgetary lines: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**10. Designate Insurance Broker for 2020**

**RESOLUTION**

**(DESIGNATE INSURANCE BROKERS OF RECORD FOR CALENDAR YEAR 2020)**

**WHEREAS**, the Town Board on an annual basis needs to maintain insurance for coverage for the Town; and

**WHEREAS**, it is the desire of the Town Board to designate Town brokers of record;

**NOW, THEREFORE, BE IT RESOLVED**, that Spain Agency be and hereby are designated as the Town's brokers of record for Commercial Coverage and Worker's Compensation; and

**NOW, THEREFORE, BE IT RESOLVED**, that Dutchess County Agent be and hereby is designated as the Town's broker of record for Health Insurance; and

**BE IT FURTHER RESOLVED**, that Marshall & Sterling be and hereby is designated as the Town's insurance broker of record with respect to the Town's Disability insurance.

Motion to designate Insurance Broker for 2020: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Authorize Attendance at NYS Association of Towns Training for Town Officials**

**RESOLUTION  
(AUTHORIZING THE ATTENDANCE AT THE ASSOCIATION OF TOWN FOR VARIOUS  
TOWN OFFICIALS)**

**WHEREAS**, the Association of Towns of the State of New York, of which the Town of East Fishkill is a member, conducts their annual meeting and training sessions on February 16, 2020 to February 19, 2020; and

**WHEREAS**, by Town Law officers and officials of the Town are authorized to attend said function;

**NOW, THEREFORE, BE IT RESOLVED**, the Town Board does hereby authorize officials and employees as approved by the Town Supervisor to attend the Association of the State of New York Annual Meeting on February 16, 2020 to February 19, 2020; and

**BE IT FURTHER RESOLVED**, that one voting member is hereby designated as the official voting delegate of the Town of East Fishkill; and

**BE IT FURTHER RESOLVED**, that the 2020 membership for the Town is approved.

Motion to authorize attendance at NYS Association of Towns Training for Town Officials: Board Member Beephan. Seconded: Board Member Franco. All voted in favor. Motion carried.

**11. Authorize Supervisor to sign IMA's and Contracts for Services with Agencies as Budgeted for 2020**

**RESOLUTION  
(AUTHORIZING THE SIGNING OF AN INTERMUNICIPAL  
AGREEMENT AND CONTRACTS FOR SERVICES WITH AGENCIES)**

**WHEREAS**, The Supervisor signs Intermunicipal Agreements and contracts annually for services with agencies as budgeted; and

**WHEREAS**, the Town Board is asked to authorize the Supervisor to sign all Intermunicipal Agreements and contracts that are in the 2020 budget;

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be and hereby is authorized to execute all Intermunicipal Agreements and contracts for services with agencies as budgeted in 2020.

Motion to authorize Supervisor to sign IMA's and contracts for services with agencies as budgeted for 2020: Board Member Cassidy. Seconded: Board Member Franco. All voted in favor. Motion carried.

## 12. Authorize refunds of Fees by Supervisor

### **RESOLUTION** **(AUTHORIZING THE SUPERVISOR TO REFUND FEES IN BUILDING AND PLANNING APPLICATIONS)**

**WHEREAS**, from time to time applicants apply to the Planning and Zoning Boards and pay their requisite application fees; and

**WHEREAS**, sometimes they later decide not to pursue the application, or in the alternative they realize they cannot make the modifications proposed and request that their application fee be refunded; and

**WHEREAS**, there are other situations where certain equity would provide that the Town modify the existing fee and give credit for prior fees, etc.

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be and hereby is authorized to refund fees on withdrawn building and planning permits and to modify building permit fees where necessary in amounts not to exceed \$1,000.00 without the further approval of the Town Board; and

**BE IT FURTHER RESOLVED**, that said adjustments shall reflect retaining sufficient funds to cover any Town expenses incurred up to the point of the withdrawal of the application or modification of the building permits.

Motion to authorize refunds of Fees by Supervisor: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

## 13. Declare an Emergency for Revere Park Water District

### **RESOLUTION** **(AUTHORIZE EMERGENCY REPAIRS FOR REVERE PARK WATER DISTRICT)**

**WHEREAS**, the Revere Park Water District has exceeded the recommended limits for Iron and Manganese.

**WHEREAS**, the State Health Department has approved an interim connection to Fishkill Plains Water District; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town must declare an emergency at the Revere Park and will solicit a minimum of 3 quotes for the new project; and

**BE IT FURTHER RESOLVED**, the Town Engineer Memo and Dutchess County Board of Health Certified Letter are hereby attached to detail the recommendations for such district.

Motion to declare an emergency for Revere Park Water District: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

**14. Set Hearing for 2 Hosner Mountain Rd for Demolition for February 13, 2020 Meeting**

**RESOLUTION**  
**(AUTHORIZE EMERGENCY REPAIRS FOR REVERE PARK WATER DISTRICT)**

**WHEREAS**, the Revere Park Water District has exceeded the recommended limits for Iron and Manganese.

**WHEREAS**, the State Health Department has approved an interim connection to Fishkill Plains Water District; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town must declare an emergency at the Revere Park and will solicit a minimum of 3 quotes for the new project; and

**BE IT FURTHER RESOLVED**, the Town Engineer Memo and Dutchess County Board of Health Certified Letter are hereby attached to detail the recommendations for such district.

Motion to set Hearing for 2 Hosner Mountain Road for demolition for February 13, 2020 meeting: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**15. Adopt Fee Schedule for 2020**

Supervisor D'Alessandro stated there is a new industrial fee that has been implemented and some changes in some commercial fees as well. He stated he will also be possibly proposing a new law whereas the Town Board can review that fee and possibly trade off that fee amount for some community betterment.

**RESOLUTION**  
**(SETTING FEES FOR 2020)**

**WHEREAS**, the Town Board from time to time reviews all fees charged by the various departments of the Town; and

**WHEREAS**, a current fee schedule has been requested for the Recreation Department, Building Department, Planning and Zoning Department and the Town Clerk's Department; and

**NOW, THEREFORE, BE IT RESOLVED**, that the annexed list of fees shall be established for the calendar year 2020 as the fees to be charged for the above named departments; and

**BE IT FURTHER RESOLVED**, the Town Board approves the attached list of fees for 2020.

Motion to adopt Fee Schedule for 2020: Board Member Cassidy. Seconded: Board Member Franco. All voted in favor. Motion carried.

**16. Declare Opposition to the MTA Pending Fee Increases**  
**RESOLUTION-023/2020**

**Resolution Of Opposition To MTA Parking Fare Increases At The Beacon And New Hamburg Train Stations**

WHEREAS, the Metro-North Transit Authority (MTA) has announced that it is considering increasing parking fares at 25 station parking facilities and lots that are owned/controlled by the MTA; and

WHEREAS, many residents and businesses of the Town of East Fishkill depend on train services from/to the MTA stations located at the Beacon and New Hamburg train stations for their work, education, business, medical services, etc.; and

WHEREAS, the MTA is proposing parking fare increases at both the Beacon and New Hamburg stations, according to the following rate scale:

METER PARKING:	Station	Current	<u>Proposed Rate</u>
	• Beacon.	\$3.50	\$4.25
	• New Hamburg	\$3.50	\$4.25
12 MONTH PARKING			
	• Beacon	\$2.98	\$3.28
	• New Hamburg	\$3.58	\$3.94

WHEREAS, the MTA also proposes to charge parking fees for Saturday parking, which parking is currently free of charge; and

WHEREAS, if approved, the proposed MTA increases would take effect on January 1, 2020; and

WHEREAS, the MTA's area of service includes the Town of East Fishkill and the proposed MTA parking fare increase will cause unnecessary financial hardship for numerous residents of the Town, particularly those with fixed or limited incomes, and the proposed parking fare increase will place an additional financial burden on the taxpayers of the Town East Fishkill; and

WHEREAS, if approved, the proposed MTA parking fare increase will increase significantly the daily two-way traffic moving through the Town to those stations because fewer people would be able to afford to pay the increased fares, thereby Requiring them to be dropped off and picked up at the stations; and

WHEREAS, the proposed fare increases will impact significantly our environment by increasing the level of traffic and traffic congestion and thereby increasing the level of fossil fuel omissions; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of East Fishkill in its capacity as governing body of the Town, does hereby oppose the fare increase for parking fees now being proposed by the MTA; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be delivered by the Town Clerk to the MTA Board, NY Governor Andrew Cuomo, the Hon. Sue Serino, Senator representing the 41st District, and the Hon. Kieran Lalor, Assemblyman representing the 105<sup>th</sup> District, as well as the chief executives of our surrounding municipalities served by the MTA; and

BE IT FURTHER RESOLVED, that the aforesaid resolution shall take effect immediately.

Motion to declare opposition to the MTA pending fee increases: Board Member Franco Seconded: Board Member Beephan. All voted in favor. Motion carried.

### **17. Authorize Dutchess County ASPCA Contract**

#### **RESOLUTION** **(AUTHORIZING THE 2020 CONTRACT WITH THE DUTCHESS COUNTY ASPCA)**

**WHEREAS**, the Town of East Fishkill is charged with animal control within its boundaries; and

**WHEREAS**, it is necessary for the Town to have a proper shelter for any dogs seized by it; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be and hereby is authorized to execute a contract for calendar year 2020 with the Dutchess County ASPCA providing for the care of seized dogs; and

**BE IT FURTHER RESOLVED**, that the Town shall be reimbursed by any dog owner the sum of \$70.00 fee for the seizure of any unlicensed or stray dogs.



Motion to authorize the Dutchess County ASPCA contract: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**18. Authorize Supervisor to Transfer Duty Weapons to Police Department Retirees (2)**

**RESOLUTION**  
**(AUTHORIZING TRANSFER OF SERVICE WEAPON)**

**WHEREAS**, Matthew Orsino and Jon Wood recently retired from the Police Department; and

**WHEREAS**, it is customary to allow a retiring officer to retain his service weapon;

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be and hereby is authorized to transfer the weapons to the above retirees.

Motion to authorize Supervisor to transfer duty weapons to police department Retirees (2): Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

**19. Request New York State Commissioner of Agriculture to Review Hemp Farms in Residential Areas**

**RESOLUTION**  
**(REQUESTING REVIEW BY THE COMMISSIONER OF AGRICULTURE)**

**WHEREAS**, certain properties within the Town are within the Dutchess County Agricultural District; and

**WHEREAS**, properties within the Agricultural District are not subject to full Town Regulation under Zoning and other Town Laws; and

**WHEREAS**, commencing in 2019 the Commissioner of Agriculture issued licenses to certain owners of property within Agricultural Districts allowing them to grow Hemp; and

**WHEREAS**, Hemp emits a fowl odor during its growing cycle; and

**WHEREAS**, in East Fishkill and adjoining towns the crops were planted in close proximity to private residences causing a public nuisance due to the fowl odor; and

**WHEREAS**, the growing of Hemp in more populated areas should be subject to restrictions to prevent causing discomfort to adjoining neighbors; and

**WHEREAS**, many residents have filed complaints with the Town with regard to this issue; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby requests the NYS Commissioner of Agriculture and the Health Commissioner review the regulations allowing Hemp crops and modify the same to locate the crops so that the odor emitted does not impact adjoining residential properties; and

**BE IT FURTHER RESOLVED**, that the Town Clerk transmit a certified copy of this resolution to the aforesaid Commissioners as well as the Governor and local legislative representatives.

Motion to request New York State Commissioner of Agriculture to review Hemp Farms in residential areas: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Comments from Town Board Members:**

Board Member Beephan stated that today was National Law Enforcement Appreciation Day. On behalf of the Board he thanked the chief and the Department for their service.

Board Member Franco thanked the Recreation Department. He has enjoyed working with them over the last six years. He looks forward to working with the Chief of Police and that department moving forward.

Board Member Marinaro congratulated the elected officials and also stated the Fire Department is looking for active volunteers. He thanked past Chief Orsino and the Lieut. Wood for their years of service and dedication. He thanked the Town Supervisor for assigning him as liaison to the Highway Department and looks forward to working with them going forward. He stated he had a list and letter from the Highway Superintendent that he read. It reviewed all the activities of the Highway Department for the past month. They have been very busy. It also reminded people of the winter parking regulations and safe locations for garbage can pick up as the winter continues.

Board Member Cassidy thanked past Chief Orsino and Lieut. Wood. He congratulated Chief Bellino on his promotion to chief and wished everyone a happy new year.

Police Chief Bellino stated there have been several burglaries in Southern Dutchess County, three of which have been in East Fishkill. It is his belief that they are connected and they are following up on several credible leads. He asked the community to call if they see any suspicious or out of place vehicles.

Supervisor D'Alessandro stated the Police Department does a wonderful job. He stated snow is coming and he asked that people clean off their cars before they drive. He congratulated all of the elected officials, especially the Deputy Supervisor as he is the longest-serving official in East Fishkill history. He stated for the month of February the Town Board meeting will be held at the East Fishkill Fire District Headquarters at 2502 Route 52 in Hopewell junction since they will not be able to use the Town Hall meeting room due to construction. It will not be aired live but it will be streamed later on Channel 22.

**Motion for Adjournment:** **Time:** Motion to adjourn the regular meeting at 8:06 PM: Board Member Cassidy. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

**Town Board Meetings:**                      **Regular Meeting:**                      **February 13, 2020**

Respectfully submitted by Julie J. Beyer on behalf of Town Clerk Carol A. Hurray  
– January 21, 2019