

**MINUTES**  
**TOWN OF EAST FISHKILL**  
**TOWN BOARD MEETING**  
**OCTOBER 22, 2020**  
**7:00 p.m.**

**REGULAR BOARD MEETING**

The Town of East Fishkill's Town Board Meeting on October 22, 2020 was called to order at 7:00 p.m. by Supervisor D'Alessandro.

**Supervisor's Announcements**

Supervisor D'Alessandro stated last month at the beginning of the workshop meeting they discussed the budget. Again this year there is a very low tax increase of approximately \$19 on an average home. It is below the New York State mandated tax cap. East Fishkill has never broken the tax cap because they have very rigid and stringent spending protocols in place. The number one concern is the safety and fiscal health of the residence.

Last month Councilman Franco and the Supervisor attended a meeting at the police department with the Chief and his advisory staff. They meet monthly to discuss things going on in the town and with the department. Supervisor D'Alessandro stated he is very proud of the Police Department. There is a new state police reform looking at policy changes and procedures to fostering a more community-based mindset and recruit a more diverse workforce. East Fishkill is an accredited police agency. There are only three in Dutchess County. They had a group to discuss this proposed police collaborative and everyone is in good shape with the timeline that the Governor has put forth. There were several meetings this month with the Community Advisory Development Committee for Dutchess County. They oversee the Community Development Block Grant Program. This year there will also be a grant related to Covid. It has many requirements and the Supervisor is working with the County and other municipalities to see if they can qualify.

At the last monthly meeting they also discussed school taxes. The Town of East Fishkill only collects school taxes for Wappinger's Central Schools. The town does not set those budgets. It represents about 77% of your actual tax bill. The town taxes are approximately 10%. After speaking with the towns of Wappinger's, Fishkill, and Poughkeepsie, they have all agreed to have a representative as a liaison to go to the Wappinger's school board meetings and budget hearings.

Supervisor D'Alessandro has had several discussions with the Town Engineer and his staff and a phone conference with FEMA. There is a FEMA Flood Mitigation Assistance Grant. It helps homeowners whose homes are totally in a flood plain be able to sell it for 75% of it's value. The Town does have to pay for the demolition of the house and the property would remain forever green.

East Fishkill has been part of the FEMA Community Ratings Systems Program which saves homeowners on their insurance premiums. He thanked Rick Witt and the Engineering Department for their assistance.

There was an issue with the Hopewell North Water District. The EPA has developed a multiphase plan in regards to missing plug covers. On September 4 they found three plugs within the water district distribution system. After sampling by VRI, it showed no degradation in the water quality with the exception of one very low level SOC that would have no adverse health effects. DC DOH has requested continuing monitoring of the SOC's.

Next week the Supervisor will be meeting with the collaborative water and sewer collaborative group, which includes East Fishkill, Town of Wappinger, Town of Poughkeepsie, Village of Fishkill, Wappingers, and LaGrange.

There has been work done at the police station by the Highway Department. They also repair all town vehicles and are doing a great job.

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

Board Members in attendance:

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

Also in attendance:

Thomas Wood, Attorney; Mark Pozniak, Comptroller; Scott Bryant, Engineer; Ken Williams, Highway Superintendent; Chief Bellino, East Fishkill Police Department. Clerk Hurray was attending via video.

**Public Hearing:**

Open Public Hearing with respect to the Town Budget.

Motion to open the Public Hearing: Board Member Franco. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

Supervisor D'Alessandro thanked the Comptroller for his assistance with the budget as well as all the Department heads. There have been a few changes since the work session 2 weeks ago. There were losses in revenues due to Covid, but they were able to fend them off. They have created a well-balanced and economical budget for the residents. This budget is approximately \$25 million including special districts. East Fishkill has never broken the tax cap and this budget does not either. They also will not be appropriating any fund balance this year as well. The fund balance total including Highway, General Fund, and Recreation Development Fund is \$3.9 million. Townwide debt is

only at approximately \$1.6 million. That is considered very little. The fiscal stress score, which is rated by the New York State Comptroller, is now at a score of nine for East Fishkill which is virtually zero, so that is very good. Several things the town did as soon as Covid happened was helpful in reducing spending and mitigating costs which helps mitigate the loss of revenue. The staff has been extremely helpful in cross training and picking up extra work from positions that were vacated and not rehired. Even though there will be a loss of revenue, there will be no decrease in services for the 2021 budget. There will be another police officer added next year. The town board and town support our Police Department. All elected officials in the town would be receiving a 0% raise. Paving and drainage were increased by \$200,000. The typical property owner will pay about 1.77% more than last year, which translates to approximately \$19 a year on an average \$350,000 home. He reviewed charts for the historical spending trends, the tax rate comparison to other municipalities, where your property taxes go, and how town money is being spent.

Comptroller Pozniak gave a presentation. All the special districts have virtually 0% tax increase. There will be a decrease in Brettview 2 water district. In Wildflower and Sagamore there will be a \$52 and \$65 increase respectively. If anybody wants a copy of his presentation, they can get them from his office, the Town Clerk, or on the town website. From the first budget workshop to now there is a proposed \$30,000 net increase in revenue and a matching \$30,000 increase in appropriations. From 2011 to 2014 spending was kept low but there was a significant decrease in income, so the fund balance was drawn down. They have been slowly rebuilding it since then. The school share percentage of your budget comes from an average of all of the differential rates that are combined within the town. Minimum wage will increase from \$11.80 per hour to \$12.50 per hour primarily impacts camp and Red Wing operating costs. User fees will be adjusted accordingly. Minimum wage will continue to increase by \$.70 each year until it reaches \$15 per hour.

Supervisor D'Alessandro asked if there were any questions or comments from the Board. He asked if there were any members from the public to speak on the budget. There were none.

Board Member Franco thanked the Comptroller for his hard work on this and all of the town employees who have pitched in to help this year. He had asked the Comptroller to review staffing and was told that the town is at its lowest point in 20 to 25 years.

Supervisor D'Alessandro stated shared services have worked out very well for East Fishkill. We have shared services for the assessor, the town attorney, the HR director, and the planner.

Board Member Marinaro stated this is a sound budget. Addressing expenses

at the beginning has really paid off. They hope that one day they will be able to not race the tax percentage. A lot depends on environmental issues. He thanked the Supervisor for his work and the staff as well. Everybody's doing more with less.

Supervisor D'Alessandro stated they probably will not know the true effects of Covid until after the first quarter of 2021. There is almost \$1 million worth of lost revenue.

Board Member Cassidy stated this was a good budget. He thanked the chief of police for doing labor on the building upgrades as well.

Board Member Beephan thanked the Comptroller for his work on this budget. Between staff pitching in and doing double duty and watching other departments they were able to get through the year in pretty good shape.

#### Close Public Hearing

Motion to close the Public Hearing: Board Member Cassidy. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

#### Adopt 2021 Budget

Motion to adopt the amended 2021 Budget: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

Open Public Hearing to consider updating a law with respect to Deputy Clerk, Town Comptroller as well as others

Motion to open the Public Hearing: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**LOCAL LAW 8 OF 2020**  
**ADMINISTRATIVE UPDATES**  
**(AMENDING LOCAL LAW 7 OF 2013)**

### **SECTION ONE: LEGISLATIVE INTENT**

The Town Board from time to time amends laws and adopts laws to update its operations, etc.

In 2013 the Town Board authorized the Comptroller to do budget transfers (moving funds within departments not above approved appropriations) of up to \$2,000.00 without prior Board approval. At this time increasing that limit is appropriate.

Additionally, to eliminate confusion under the Collective Bargaining and Civil Service Process, the Board chooses to formally establish the Offices of Deputy Town Clerk and Deputy Receiver of Taxes, both of which have existed and are appointed by the respective elected officials. So as to clarify various issues the formal establishment is needed.

### **SECTION TWO: BUDGET TRANSFERS**

§ 172-2(c) of the Town Code is amended by increasing the Budget Transfer amount to \$5,000.00. All other provisions remain in full force and effect.

### **SECTION THREE: DEPUTIES**

There is hereby established in the offices of the Town Clerk and the Receiver of Taxes the office of Deputy Town Clerk. This supercedes and replaces § 20, § 30 and § 23 of the Town Law and Public Offices Law § as applicable to the Town of East Fishkill and Deputies appoint pursuant hereto.

### **SECTION FOUR: SEVERALABILITY**

Should any provisions hereof be found to be unenforceable said determination shall not affect any other provisions.

### **SECTION FIVE: EFFECTIVE DATE**

This Law will take effect on January 1, 2021.

**ADOPTED BY THE TOWN BOARD  
OF THE TOWN OF EAST FISHKILL  
CAROL HURRAY, TOWN CLERK**

**Dated: East Fishkill, NY  
October 22, 2020**

Attorney Wood stated that now that they have adopted the budget if there is a need to transfer money between budget lines they would normally have to be approved separately by the Town Board. A few years ago the Town enacted a local law to allow the Comptroller to transfer within a department up to \$2000 from line to line and then notify the Town Board. This law would increase that \$2000 to \$5000. The second part of it is an outgrowth of the union negotiations. Independently elected officials like the Town Clerk and Receiver of Taxes are allowed to have a Deputy Town Clerk appointed. By enacting this law it is being formalized in the town code and takes them out of the union issues they had with deputy designations.

Supervisor D'Alessandro asked if anybody from the public had any comments regarding this local law. There were none. He asked if there were any questions or comments from Board members.

Board Member Marinaro asked what changes would be to Deputy Town Clerk from what they are doing currently. Attorney Wood stated currently if a deputy clerk is appointed from a current town employee it would be under that collective bargaining agreement and there was a salary dispute. This would allow the latitude that it does not have to be a civil service employee. The salary is controlled by the Board.

#### Close Public Hearing

Motion to close the Public Hearing: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

#### Adopt Negative Declaration and Adopt Local Law 8

Motion to adopt the Negative Declaration and Local Law 8: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

#### **Approve Minutes:**

September 24, 2020

Motion to approve the minutes for the September 24<sup>th</sup>, 2020 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 is one addition to the agenda. It will be appointing a permanent part-time clerk for the Building Department. It is a title change only.

### **Courtesy of the Floor:**

Supervisor D'Alessandro asked if there was anyone who would wish to speak on agenda items or town items.

Robert Grasso asked if there was any money left in the budget to put a light at the entrance to the town hall driveway. He also asked that people clean off the frost from the windshields before driving.

County Legislator Steve Caswell stated that even due to Covid the County Legislature successfully continued doing business. Communication between the Legislature and County Executive has been excellent. He highlighted many significant issues that the legislature has addressed. This covered new bail reform, roadway projects, the Justice Transition Center, the Lake Walton Project, and the 2021 County budget will be released next week and the County Executive has committed that it would be a zero increase and there would be no layoffs.

Board Member Marinaro suggested they have a Public Hearing for the residents around Lake Walton in case they have traffic concerns.

### **Receive and File**

Supervisor D'Alessandro stated there was a memo from Engineer Bryant regarding 1 Hosner Mountain Road for the house and barn and to schedule a Hearing on the matter for December 10, 2020

Engineer Bryant stated that the property owner originally had intended to take down the barn and then Town took action to have the house repaired/demolished. The property owner has not done either of those, so now the Town is taking action on both. The property manager from the bank does intend to submit a demolition permit for the barn. Engineer Bryant told the property manager that the house needed to be addressed as well. A structural assessment needs to be done.

Motion to schedule a Hearing for 1 Hosner Mountain Road house and barn for December 10, 2020: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

### **Resolutions:**

#### **Authorize fees for Filming Permits**

**(FILMING FEES IN THE TOWN OF EAST FISHKILL EFFECTIVE OCTOBER 23, 2020)**

**WHEREAS**, there is a great desire to film in the Town of East Fishkill and Local Law 7 of 2020 has determined that fees will be set by Resolution of the Town Board,

**NOW, THEREFORE, BE IT RESOLVED**, that the fees per day for filming will be as follows, effective October 23, 2020, until updated by future resolution:

Private Property	1 property (Per Day)	\$500.00
Private Property	Additional property (Per Day)	\$200.00
Public Property	Minimum Per Day	\$800.00
Public Property	Use Fee Per Day	As set by Town Board

Motion to authorize fees for Filming Permits: Board Member Franco.  
 Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Authorize Lisa Argyle’s reappointment to the Board of Assessment Review**

**(REAPPOINTING A MEMBER TO THE BOARD OF ASSESSMENT REVIEW)**

**WHEREAS**, the Town Assessor has advised that the term of a member of the Board of Assessment Review has expired on September 30, 2020; and

**WHEREAS**, it is the desire of the Town Board to reappoint;

**NOW, THEREFORE, BE IT RESOLVED**, that Lisa Argyle of Hopewell Junction, NY be and hereby is reappointed to the Board of Assessment Review. The term for her reappointment is from 10/01/2020 to 9/30/2025.

Motion to authorize Lisa Argyle’s reappointment to the Board of Assessment Review: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.



**Schedule a Public Hearing with regards to CDBG funding and take public comments to solicit project ideas for such grants on November 5, 2020**

**(AUTHORIZING THE SCHEDULING OF A PUBLIC HEARING ON  
COMMUNITY DEVELOPMENT BLOCK GRANT)**

**WHEREAS**, the Town has received information from Dutchess County regarding applying for a Community Development Block Grant; and

**WHEREAS**, the board is interested in holding a public hearing to take comments to solicit project ideas for such grants; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board shall conduct a Public Hearing at its regular meeting of November 5, 2020 at 7:00 P.M. at the Town Hall to consider hearing comments for a Community Development Block Grant; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall duly advertise said public hearing.

Motion to schedule a Public Hearing with regards to CDBG funding and take public comments to solicit project ideas for such grants on November 5, 2020: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Authorize a municipal agreement with Dutchess County Planning in regard to referral exemptions**

**(APPROVE REFERRAL REDUCTION AGREEMENT)**

**WHEREAS**, per General Municipal Law §§ 239-1 and 239-m, on occasion the Town Board has determined it to be appropriate to refer matters to the Dutchess County Planning Board for review and comment; and

**WHEREAS**, the Dutchess County Department of Planning and Development has requested that the Town enter into a Referral Reduction Agreement. The agreement would eliminate actions that are not of a countywide and/or inter-municipal concern; and

**WHEREAS**, the Town Board has reviewed said agreement; and

**NOW THEREFORE BE IT RESOLVED** that the Town Supervisor be and hereby is authorized to sign the agreement on behalf of the Town.

Motion to authorize a municipal agreement with Dutchess County Planning in regard to referral exemptions: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Authorize Agreement with FEMA to acquire two lots for Open Space and Flood Plain Protection on Warren Drive**

**(AUTHORIZING TOWN’S PARTICIPATION IN  
FEMA FUNDED PROPERTY ACQUISITIONS)**

**WHEREAS**, in 2017 the Town submitted a letter of intent to participate in a program to purchase two residences that repeatedly flood on Warren Drive rendering the properties difficult to utilize; and

**WHEREAS**, the property owner requested the Town’s assistance; and

**WHEREAS**, the Town awarded the grant to acquire the homes (2) on Warren Drive, demolish them and hold them as open space for flood plain mitigation;

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor is authorized to accept Grant No. PDMC-PJ-NY-2017-005(P) from FEMA.

Motion to authorize an agreement with FEMA to acquire two lots for open space and flood plain protection on Warren Drive: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Authorize the Supervisor to sign a Shared Services with Dutchess County for Procurement Services**

**(AUTHORIZING THE SIGNING OF SHARED SERVICES AGREEMENT FOR  
PROCUREMENT SERVICES WITH DUTCHESS COUNTY)**

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

**WHEREAS**, the Town Board is asked to authorize the Supervisor to sign a Dutchess County Shared Services Agreement for Procurement Services; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be and hereby is authorized to execute such contract for shared services with regards to procurement services.

Motion to authorize the Supervisor to sign a Shared Services with Dutchess County for Procurement Services: Board Member Beephan. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

**Authorize Shared Services Agreement with NYS DOT for salt and sand supplies**

**(AUTHORIZING SHARED SERVICES AGREEMENT WITH NYS DOT FOR SAND AND SALT SUPPLIES)**

**WHEREAS**, the Town is over 52 square miles in size; and

**WHEREAS**, having supplies of salt and sand in remote areas of the Town creates a more efficient snow clearing operation; and

**WHEREAS**, NYS DOT has two sand and salt facilities that can be utilized during storms, one on Ludington Road and the other on I Park Blvd.;

**NOW, THEREFORE, BE IT RESOLVED**, that the Highway Superintendent be and hereby is authorized to sign a Shared Services Agreement with NYS DOT to allow access to the sand and salt supplies.

Motion to authorize Shares Services Agreement with NYS DOT for salt and sand supplies: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Appointing a permanent part-time clerk in the Building Department**

**(APPOINTING PERMANENT PART TIME CLERK FOR BUILDING DEPARTMENT TITLE CHANGE ONLY)**

**WHEREAS**, a full-time position for a Clerk is open in the building department; and

**WHEREAS**, the Town is going to fill part of this position with a Permanent Part Time employee who is currently working as a Temporary Typist in that department; and

**NOW, THEREFORE, BE IT RESOLVED**, that the following person is hereby appointed. The Permanent Part Time Clerk is Mary Gehrlein residing in Hopewell Junction, NY and is to be paid an hourly rate of \$15.04, and cannot exceed working 17.5 hours per week. This appointment will be effective August 31, 2020

Motion to appoint a permanent part-time clerk in the Building Department: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Budget Transfer:**

Supervisor D'Alessandro stated there was a budget transfer at this time. This was provided by the Comptroller and reviewed by the Board.

Motion to approve this budget transfer as presented by the Comptroller: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor.  
Motion carried.

**Comments from Town Board Members:**

Highway Superintendent Williams stated they have completed paving at Hosner Mt. and Wonderland. They will be doing some additional work around town as long as the weather stays good. They have done their plantings at the Hillside Lake Project. They are finishing the project at the police station. They've done catch basin work and almost completed the town wide drainage projects. Tree work has been done in various locations and potholes are being filled as they are found.

Police Chief Bellino stated since the last meeting they have been over 1800 calls for service. There have been 76 offense reports, 32 arrests, and 39 accidents. There have been five overdoses resulting in Narcan uses, which revived or saved the lives of those individuals. Four sergeants participated in the civil service exam for promotion to the position of lieutenant and those results should be out in the Spring. He thanked the Highway Department for their work on the station. The NYS Police Reform and Reinvention Collaborative has taken up a tremendous amount of time to meet the needs of the Governor's Order. They have partnered with Hope Not Handcuffs to help with drug addiction. They have also done a lot of training. Their Use of Force Policy has been rated very well, with one adjustment that they are waiting for attorney approval. They will need to schedule a hearing at Town Hall for community input, but they are about 70% to achieving the Governor's goals.

Board Member Beephan stated that on October 30, Friday, they will be showing Hocus Pocus at 6:15 PM at the Rec. A letter was sent to the Superintendent of the Wappinger's Central School District in regards to some of the decisions from his office and the Board of Education over the past few days. Board Member Beephan has received numerous complaints from residents that decisions are being made last-minute without notice. He has tried to reach out to the superintendent before and has not received any responses. The superintendent did say he was confident they would make the November 9 deadline for the secondary schools to begin a hybrid structure. Board Member Beephan also received a letter from Ed Slosower, which was read. If any of the residents have any questions or concerns, he will try to pass them on but recommends that residents write letters to all of the school board members.

Board Member Marinaro thanked Board Member Beephan for getting involved with the school district. The school district needs to get its act together and work on the budget and expenses as well as scheduling for teaching during this pandemic. He is happy to see other towns are willing to approach the school board also. He is very happy with all the work the Highway Department is getting done. This year is a very important year as far as elections. There have been two people apprehended for removing political signs. These were not young people, and they were not from East Fishkill. Freedom of speech is a constitutional right, and these people are allowed to put their signs out. He asked parents to please come out or e-mail the school to continue to let them know residents' opinions. He did ask about outside dining for the colder season. Attorney Wood stated that as long as the heaters are compliant, they are fine. Supervisor D'Alessandro stated they could administratively allow the continuation of outside dining.

Board Member Cassidy reiterated the importance of everyone getting out to vote. He reminded everyone to be careful during Halloween weekend. He reminded residents that there is no overnight parking on the roads starting November 15. He also reminded people to not plow across the road ways.

Board Member Franco thanked Chief Bellino and Superintendent Williams for doing such great jobs. He reminded everybody to get out and vote. He is hoping kids are still able to have a good time on Halloween.

Supervisor D'Alessandro wished everyone a happy and safe Halloween. He reminded everyone to turn over their ballots as there are three propositions on the back.

**Motion for Adjournment: Time:** Motion to adjourn the regular meeting at 8:55 PM and enter into executive session to discuss a personnel issue: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

**Town Board Regular Meetings:**

**November 5, 2020  
December 10, 2020**

Respectfully submitted by Julie J. Beyer on behalf of Town Clerk Carol A. Hurray – October 26, 2020