

MINUTES TOWN OF EAST FISHKILL
TOWN BOARD MEETING
OCTOBER 24, 2019 7:00
p.m.

REGULAR BOARD MEETING

The Town of East Fishkill's Town Board Meeting on October 24, 2019 was called to order at 7:00 p.m. by Supervisor D'Alessandro with the Pledge of Allegiance to the Flag, led by members of the Cal Ripkin Mid Atlantic regional champs, the East Fishkill Patriots Baseball Team. Supervisor D'Alessandro thanked the coaches for their work and read a certificate that was presented to the team.

Supervisor's Announcements

Supervisor D'Alessandro stated he attended the Mayor's and Supervisor's Meeting to discuss the upcoming census.

The East Fishkill Business and Economic Development Committee met on October 3rd at iPark to discuss the iPark location. He thanked Michael O'Brien and National Resources for this event.

On the 8th there was a meeting with the Supervisors of Wappingers and Fishkill and the City of Beacon to discuss shared services for a Human Resources Director.

On the 10th there was the Town Workshop and representatives from EPA and DC Department of Health for questions and concerns regarding the Hopewell North Water District.

The Supervisor has met with several property owners around town regarding properties that are not safe or getting multiple complaints.

The East Fishkill Historical Society had a Revolutionary War re-enactment weekend that the Supervisor attended at the end of last month. It was very well done. He thanked them for their work. On October 22nd they will be hosting a Colonial Halloween at the Brinckerhoff House.

Supervisor D'Alessandro attended the East Fishkill Fire District Open House on October 12th. The Police Department was also represented. It was very well attended and he thanked all the volunteers for all they do.

Supervisor D'Alessandro visited the Senior Center and they voiced their concerns. He thanked the director for the wonderful job they do there.

Brown Road is getting re-claimed and it really looks great.

Tonight is the Dutchess County 2019 Think Dutchess Excellence Awards. The grand winner and business of the year is iPark.

Supervisor D'Alessandro was called by the Dutchess County District Attorney's Office regarding some funds that were missing from the Clerk's office several years ago. There is enough information for an arrest and they are moving forward.

Mr. Malcolm Mills has passed away. He was very involved with the history and preservation of East Fishkill.

Supervisor D’Alessandro stated that some information on social media is not correct, so please contact Board members for correct information. Towns need development to maintain lower taxes, as expenses continue to rise. They are working on water and sewer issues. All upcoming projects will need to go through all of the checks and processes as before. The Town is doing everything it can to try to lessen the tax burden. That’s why they push economic development. There is a paving referendum on the November ballot. Any money approved for this will stay in the paving budget forever.

Roll Call: Supervisor D’Alessandro asked to call the rolls.

Board Members in Attendance were

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

Also in attendance were:

Tom Wood, Attorney; Scott Bryant, Engineer; Mark Pozniak, Comptroller; Police Chief Orsino; and Highway Superintendent Williams.

Public Hearings:

1. Open adjourned Public Hearing on Issuing a Special Permit for over 55+ Housing Development

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

Attorney Wood stated a few years ago the Zoning Law was challenged regarding the housing development and diversity. A zoning law has to afford all types of housing options. The law at that time was heavily single family homes and did not allow various housing styles. The Board has since been working to create additional housing options within the zoning ordinance that will bring our law into compliance with the state standards and prevent future challenges. The Board has since allowed for workforce housing, congregate care, and assisted-living. These are all housing types that we did not have. The one before the Board today addresses residents ages 55 and older housing. This law before the Town Board would amend zoning ordinance to allow the Planning Board to review applications, which would be devoted to 55 and up. The only discrimination that you are allowed to make in zoning law is to allow a minimum age of 55 and up to live in a housing development based on the proposed law. That means if it is a couple one of the two partners has

to be at least 55 years old and that there are no children under the age of 18 unless they are disabled. The Town has various Hamlet districts defined and they are areas where development has occurred differently for various reasons. The only hamlet area in the town that has water and sewer available is the Hopewell Hamlet. In that district over the years they have allowed mixed-use, which means storefronts can now have apartments above them. This local law would be applicable to 1 mile within the center of the Hopewell Hamlet for any property that has water and sewer available and it would allow for the building of apartments and residences for 55 and older. They must be a minimum of 5 acres and have public water and sewer. It has a density of no more than 10 units per acre and must be on a state or county highway. As with any zoning board amendment the Town Board has referred this to the Dutchess County Planning Department but we do not have their comments back yet. The Town Board cannot act on this until those comments are received back. At this time they have identified four parcels within the vicinity of the Hopewell Hamlet to which this ordinance could be applied by the Planning Board. Then they would have to work through the traffic studies, water and sewer, site plan, Department of Health, DOT, and DEC for any environmentally sensitive issues. There are two parcels by Beekman Road, a parcel across the street, and a parcel by Palen Road.

Supervisor D'Alessandro stated they would have to adhere to all of the requirements of the law. This just allows the Town to have this type of housing on the books. He asked if there was anyone in the public to speak for or against this proposed law.

Resident #1 from Creamery Road stated she is not opposed to senior housing. She asked if the development across the street had senior housing. Supervisor D'Alessandro stated they could allow for seniors but it was not a development solely for seniors. She stated she has reviewed various senior developments and is concerned about the cost. She asked if the apartments could not be filled due to costs with seniors, would they then be opened to people under 55 and Attorney Wood stated no, that could not be done. She stated her main concern is the cost and that something needs to be done to protect the rights of the seniors. She feels that they did not do right by the disabled residents that went into the Mews. She is also concerned about not having the proper infrastructure as far as transportation and sidewalks in place. Attorney Wood stated that this would be set up so that once a year the owner of the property would have to submit documentation proving their compliance with the age restrictions for the rentals. Supervisor D'Alessandro stated that the Town did not make mistakes regarding the Mews. They are owned by private companies and the Town allows the zoning and for them to do the building. The Town does not manage or own anything after the fact. The rental amounts are set by the owners and contractors not by the Town. The property owner will be responsible for all extension of water and sewer for their project. All impacts to the community will be addressed during the SEQRA with the Planning Board. The applicant will have to mitigate any issues that are found during that process.

Resident #2 asked if a property had 9 acres but three of them were wetlands where the total acreage used for figuring out the 10 units per acre or just the usable acres. Attorney Wood stated that the law says that a subtraction is made from the gross acreage for any slopes in excess of 20% and New York State DEC or Federal wetlands on the property. She asked if once the Planning Board changes things does it come back before this Board and Attorney Wood said no, the Planning Board will hold Public Hearings.

Resident #3 from Beekman Road commended the Town Board for looking into senior housing. He asked how many acres were available across the street. Supervisor D'Alessandro stated the town owns approximately 140, but it is not all buildable. He stated he believes if there were 20 acres over there that could be used it could have nice open space. He stated some of the parcels could not have that. Supervisor D'Alessandro stated they cannot zone for a specific parcel. This is for various parcels that have been identified. He asked who all of the costs for Architectural Review Board, traffic studies, etc., all go back to and Supervisor D'Alessandro said it was the contractor. Attorney Wood stated the primary purpose for the purchase of property across the street was to develop a well field and that has been done in the center of the parcel. 20 acres were sold to absolve the workforce/affordable housing lawsuit. He stated it would be possible to sell part of the remaining property but it would have to be at market rate so it would not reduce the cost of the rentals. The Town Board would also have to be at a point where they feel that all of the municipal uses have been depleted from that site. It is in the works now but not there yet. Supervisor D'Alessandro stated if a contractor was interested in purchasing the property for this type use the Town Board would entertain it.

Resident #4 from Route 82 asked for an explanation of the special permit process. Supervisor D'Alessandro and Attorney Wood gave her a brief explanation of the process. She asked if there was any application submitted for this at this time and Attorney Wood said no. He stated they had to have the zoning ordinance before someone can make an application. She asked about the 3 three-story building allowance and Supervisor D'Alessandro stated the law has been changed to include up to three stories. She asked why it is only a 50-foot setback and if it could be 100-foot setback required by everybody else. She also questioned the parking requirement of the one spot per apartment. As a senior couple she does not believe if she and her husband were to move into a senior complex they would give up one car. Attorney Wood stated the Town Planner is looking into this and that part of it is still somewhat fluid before the final version is considered by the Town Board.

Resident #5 is in favor of this and feels it would be a great thing.

A non-resident stated he lives in Orange County. He lived and worked in this area for many years. He stated that 55 and older communities are very necessary. If this were to be something that went through he would seriously consider coming back over here.

Resident #6 from Fishkill Road asked who would be responsible for the installation of sidewalks and Supervisor D'Alessandro stated that it would go back to the contractor if they were required. She asked about turning lanes and the State installing them and Supervisor D'Alessandro stated the State is in flux. She stated she is concerned about the density and a three-story building. She asked if the Master Plan has been amended for any of this and Supervisor D'Alessandro said no. They are working on small sections of the Master Plan as they address issues. Attorney Wood stated they do feel that there is wording in the Master Plan to allow for this change. To change a Master Plan is very expensive. She asked if they had any idea how much this would cost. Attorney Wood stated market rate is between \$1500 to \$2200. She asked when they felt they would have a conclusion on this. Supervisor D'Alessandro stated they hope to have the comments back from Dutchess County. They plan on closing the Public Hearing tonight and putting it on the agenda for a decision at the next meeting. If a project comes up the Planning Board would have a Public Hearing on that specific project. Attorney Wood stated this is to put a law on the books. The issuing of a Special Permit would be done by the Planning Board and they would have to meet all of the criteria for that Special Permit as well as a SEQRA review.

Resident #1 asked if the developer could get an amendment if they could not fill the apartments with 55 and older residents. Attorney Wood stated that the law could be changed if necessary but it would be a whole process with Public Hearings and determinations. Supervisor D'Alessandro stated it is a very intense process to verify residence qualifications for staying in specific zoning such as workforce/affordable zoning. The Town does do that every year with the affordable housing that is set aside from each development. The Town is very diligent.

Resident #4 stated there is nothing in the law that addresses disabilities. She asked if there would be units specific for disabled individuals. Attorney Wood stated there is specific building codes that require a specific number of units have to be designated fully handicapped and others are modified.

Resident #7 asked about the Planning Board members and how they get designated. Supervisor D'Alessandro stated they are chosen by the Town Board for four-year terms. The Town Board has no authority over them. Board Member Marinaro stated they try to appoint people that have some building knowledge.

Supervisor D'Alessandro asked if there was anyone else to speak for or against this application. There was no one. He asked if there were any board members who

had any questions or comments on this application. There were none. He stated they do have to wait for Dutchess County's comments.

a. Close Public Hearing

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

Supervisor D'Alessandro stated this would be on the agenda for November 7 to discuss the findings from Dutchess County.

2. Open Public Hearing to Consider a Route 52 Moratorium

Motion to open the Public Hearing to consider a Route 52 moratorium: Board Member Cassidy. Seconded: Board Member Franco. All voted in favor. Motion carried.

Supervisor D'Alessandro stated that Route 52 from the Taconic State Parkway to Blue Hill Road has a lot going on right now. There are contaminated wells and very bad traffic problems. The Town Board is considering putting a building moratorium on that area to get some research done to see what the proper zoning for this area would be. Several businesses are getting notices from the Department of Health regarding their water quality and need for filtering and it is very costly for business owners over there.

Attorney Wood stated the moratorium would be until June 30, 2020 and a lot will have to be done in that time. Supervisor D'Alessandro stated this is not the first moratorium they have done. He believes they need to hire a consultant and review how they can improve things going on in that corridor. He asked if there was anyone in the public to speak for or against this Public Hearing.

David Cooper stated he represents Gasland Petroleum Inc. He stated he is here to state their opposition to this moratorium. They are in contract for a parcel in this area for a permitted use business. They have been before the Planning Board and have been working on this since July and have invested a significant amount of money and time in this application. They are asking that the Board not pursue the moratorium at this time or to at least postpone closing that Public Hearing until the next meeting so they have more time to review this.

Supervisor D'Alessandro stated that East Fishkill is a little unique in that there are three Superfund Sites. It is unusual to have just one let alone three. It is very important that the Town Board protect the town's water sources. He does believe this is a fair proposed action. He asked if there was anyone else from the public to

Speak for or against this and there was no one. He asked if there were any questions or comments from Town Board members.

Board Member Beephan stated with three Superfund sites in the town it is important to protect the public and businesses in that area to ensure that they have safe water and that the area is safe to travel through as well.

Board Member Franco stated traffic is definitely an issue in that area.

Board Member Cassidy asked if this moratorium would affect applications that are already in process. Attorney Wood stated with the way that it is worded now yes it would. The Planning Board will not be able to give any approvals until after June 2020.

a. Close Public Hearing

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

b. Adopt Negative Declaration and Law

LOCAL LAW NO. 9 OF 2019

A LOCAL LAW ESTABLISHING A MORATORIUM ALONG THE ROUTE 52 CORRIDOR FROM THE TACONIC STATE PARKWAY TO BLUE HILL ROAD

SECTION 1: LEGISLATIVE INTENT

There have been many complaints about traffic congestion on Route 52 from the Taconic State Parkway to the intersection of Blue Hill Road and all of the intersections along Route 52 in this area. In addition to traffic, there are other critical infrastructure concerns, such as excess sodium in wells that provide water and a lack of sewers to service the area. Additional development has been proposed which could exacerbate these issues. The Town of East Fishkill believes that a moratorium would be appropriate to allow the Town to proceed with an orderly development plan for the Route 52 corridor.

SECTION TWO: APPLICATION

No application shall be considered and no approvals shall be granted by any board or agency of the Town with respect to any property on the Route 52 Corridor between the Taconic State Parkway and Blue Hill Road (“Moratorium Area”).

SECTION THREE: STAFF DIRECTIVE

The Town’s planning and engineering staff shall develop and propose to the Town Board a plan to evaluate and orderly redevelop the Moratorium Area.

SECTION FOUR: EVALUATION

The Town Supervisor will recommend a Planning consultant to the Town Board within 45 days to assist with the evaluation of the Moratorium Area.

SECTION FIVE: DURATION

The moratorium shall expire on June 30, 2020, unless further extended or shortened by this Board.

SECTION SIX: AUTHORITY

The Zoning Board of Appeals is hereby vested with the authority to issue interpretations and variances from this law as it may deem appropriate on the particular facts and circumstances.

SECTION SEVEN: EFFECTIVE DATE

This Local Law shall take effect immediately upon its filing with the Secretary of State of the State of New York.

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

**Adopted on the 24th day of October,
2019.**

**NEGATIVE DECLARATION
Notice of Determination**

Date: October 24, 2019

For Further Information:

Contact Person: Gina Grippo, Secretary to the Town Supervisor
Town Hall, 330 Route 376
Hopewell Junction, New York 12533
(845) 221-4303

REASONS SUPPORTING THIS DETERMINATION:

The Proposed Action would establish a temporary moratorium on development along the Route 52 corridor between the Taconic State Parkway and Blue Hill Road (“Moratorium Area”) until June 30, 2020. The moratorium will result in a temporary pause in the processing of development applications within the “Moratorium Area” until the Town’s planning and engineering staff in consultation with a consultant provide recommendations to the Town Board with regards to the corridor’s critical transportation, water, and sewer infrastructure. Due to the short-term and temporary nature of the moratorium, no significant adverse fiscal impacts would be expected to result. Since the Proposed Action will allow for the Town to evaluate and proactively plan for safe and orderly growth, it is anticipated that the moratorium would have a beneficial impacts on future development of the Route 52 corridor. Further, the moratorium would not result in any new development and any future development proposed along the corridor would be required to comply with a site-specific SEQR analysis. Therefore, the proposed moratorium would not result in a significant effect on the environment and no significant potential impacts were identified as a result of the Proposed Action.

Based on a review of 6NYCRR 617.7, there appear to be no significant adverse environmental impacts.

(See 617.7(c) for requirements of this determination; see 617.7(d) for conditioned Negative Declaration)

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed.

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF EAST FISHKILL HELD ON OCTOBER 24, 2019.

Chairperson/Designee

Date

For Type I Actions and Conditioned Negative Declarations, a Copy of this Notice Sent to:

- Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York 12233-0001
- Appropriate Regional Office of the Department of Environmental Conservation.
- Office of the Chief Executive Officer of the political subdivision in which the action will be principally located. □ Applicant (if any)
- Other involved agencies (if any)

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

Approve Minutes:

September 26, 2019

Special Meeting October 22, 2019

Motion to approve the minutes for the September 26th meeting and the Special Meeting of October 11, 2019: Board Member Cassidy. Seconded: Board Member Franco. All voted in favor. Motion carried.

Announcement of Additions to the Agenda:

Supervisor D'Alessandro said there was one addition to the agenda. It is to authorize a Hearing on an unsafe structure.

Courtesy of the Floor:

Supervisor D'Alessandro asked if there was any one to speak.

Bill from Binnewater Road stated there was pollution being dumped on a neighboring property since 2011. It stopped on the one property after Engineer Bryant made a trip out but has since started on a different property and today alone 21 trucks came in to dump. Engineer Bryant stated that the neighbor does have a permit and is an Environmental Monitor. He will check into it further tomorrow. Attorney Wood recommends they reach out to DEC to have them come back out and give a report as to their findings.

Ms. Covert thanked Board Member Beephan and Board Member Franco for coming to their community to check in with the residents to see how they were doing. Board Member Marinaro stated he has been to that neighborhood. Supervisor D'Alessandro stated he has been in that neighborhood also.

Anthony Russo had concerns regarding smoking on the town park property. There does not appear to be any laws regarding this but there are neighboring towns with regulations. Supervisor D'Alessandro stated this is the first complaint that has been brought before them in a long time and it can be addressed if it needs to be.

Robert Grasso spoke about the smell of the new hemp farms. Supervisor D'Alessandro stated the Department of Health has said they would investigate reactions to the odor and to please report any health issues directly to the Department of Health. Any complaints can be addressed to Jeff Palmer the New York State Commissioner of Agriculture's Office at 518-485-7728. Supervisor D'Alessandro stated they can put that on the website as well.

Receive and File:

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

Resolutions:

1. Approve Maintenance of the Route 52 Park and Rides at the Intersection of Taconic State Parkway

RESOLUTION

Resolution for Maintenance of the Route 52 Park and Rides at the Intersection of the Taconic State Parkway

WHEREAS, the Town of East Fishkill ("MUNICIPALITY") desires to have park and ride facilities and associated amenities included within the geographical jurisdiction of the Town and requests that the COMMISSIONER include such facilities and amenities in connection with work performed under NYSDOT P.I.N. 8006.84; and

WHEREAS, the aforementioned park and ride facilities and their amenities are of mutual benefit to the PARTIES, to the traveling public, and to the People of the STATE of New York; and

WHEREAS, the COMMISSIONER deems it practical to perform such work for and at the expense of the MUNICIPALITY; and

WHEREAS, it is recognized by the MUNICIPALITY and the COMMISSIONER that the STATE does not have the funds and resources available to maintain and perform minor repairs to the above noted features; and

WHEREAS, it is recognized by the MUNICIPALITY and the COMMISSIONER that if the MUNICIPALITY desires to have such features included in this project, the MUNICIPALITY must undertake maintenance thereof and perform minor repairs to these features at its own expense for the useful life of the project as defined by the applicable provision of Sec. 61 of the State Finance Law Sec. 61 and reasonably in compliance with the “Description, Parameters and Schedule for Maintenance and Minor Repairs of the Park and Ride Facilities together with Amenities” annexed hereto and made a part hereof as Exhibit #1 ; and

NOW, THEREFORE, BE IT RESOLVED:

1. The Town of East Fishkill is authorized to enter into “MAINTENANCE AGREEMENT FOR PARK AND RIDES AS PART OF NY ROUTE 52 AT TACONIC STATE PARKWAY PROJECT CONSTRUCTED UNDER P.I.N. 8006.84” (“the AGREEMENT”) and will be responsible for, among other things, any maintenance work and repairs to the park and ride once constructed. The scope of maintenance work and repairs are more fully described in the AGREEMENT, specifically in Exhibit #1 thereto.
2. The Town of East Fishkill shall defend, indemnify and hold harmless the COMMISSIONER, the STATE and STATE’s agents, servants and or employees from any and all claims, suits, actions, damages and costs, including attorneys fees, of every name and description resulting from the negligent performance of the Municipality’s obligations under this Agreement including the acts or omissions of Municipal agents, servants and or employees as well as any discontinuance of the maintenance and minor repair of these features by the MUNICIPALITY.
3. Town of East Fishkill is in all other respects authorized to commit to and undertake all obligations set forth in the AGREEMENT, and a duly authorized representative of the MUNICIPALITY may enter into said AGREEMENT.

BE IT FURTHER RESOLVED: that the clerk of this Town Board is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

Motion to approve maintenance of the Route 52 Park and Rides at the intersection of Taconic State Parkway: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

2. Approve an alternate member for the Architectural Review Council

RESOLUTION
(APPOINTING A MEMBER TO THE ARCHITECTURAL REVIEW COUNCIL)

WHEREAS, the Town Board designates and appoints all members of the Architectural Review Council (ARC); and

WHEREAS, said Council has requested that the Town Board appoint one member; and

WHEREAS, the Town Board has interviewed Edward Carbone; and

BE IT FURTHER RESOLVED, that Edward Carbone be and hereby is appointed as a member of the Architectural Review Council.

Motion to approve an alternate member for the Architectural Review Council: Board Member Cassidy. Seconded: Board Member Franco. All voted in favor. Motion carried.

3. Approve Fixed Asset Deletions

RESOLUTION
(DECLARING FIXED ASSETS DELETIONS)

WHEREAS, the Town Comptroller has requested that the attached list of Fixed Assets be deleted from the Town inventory; and

WHEREAS, the attached list has been submitted to the Town Board; and

WHEREAS, the Town Board has reviewed said list and concurs; and

BE IT FURTHER RESOLVED, that the attached list of inventory be and hereby is to be deleted from the Town's inventory

Motion to approve Fixed Asset deletions: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

4. Approve Road Dedications for Hopewell Glen

RESOLUTION
(ACCEPTING HOPEWELL GLEN SUBDIVISION ROADS)

WHEREAS, the Planning Board previously had approved the Hopewell Glen Subdivision within the Town; and

WHEREAS, the contractors building the same have indicated that within the Hopewell Glen Subdivision the below listed roads are now available for dedication; and

WHEREAS, it is the desire of the Town Board to accept Pitcher Way, West Van Buren Way, East Van Buren Way and Clark Place and part of Lewis Road from Governors Blvd to Pitcher Way; and

NOW, THEREFORE, BE IT RESOLVED, Pitcher Way, West Van Buren Way, East Van Buren Way and Clark Place and part of Lewis Road from Governors Blvd to Pitcher Way in the Hopewell Glen Subdivision be and hereby are accepted as public highways

BE IT FURTHER RESOLVED, that the Town of East Fishkill will reduce and release Performance Bond #58667116 to \$0.00 upon the approval of the Maintenance Bond #30081728. The Maintenance bond will be held for a 1 year term upon the town's acceptance of the Road Dedication.

Motion to approve road dedications for Hopewell Glen: Board Member Cassidy. Seconded: Board Member Beephan. All voted in favor. Motion carried.

5. Approve Emergency Repair Costs for Pinewood Water District

RESOLUTION
(AUTHORIZE EMERGENCY REPAIRS AT PINEWOOD KNOLLS WATER DISTRICT)

WHEREAS, Pinewood Knolls Water District has experienced operational issues with such district; and

WHEREAS, the description of such issues are outlined in the Town Engineer's Memo that is attached; and

NOW, THEREFORE, BE IT RESOLVED, that the Town must address such issues for emergency repairs within said district; and

BE IT FURTHER RESOLVED, the Engineer is hereby authorized to effectuate any such repairs as outlined in the attached memo.

Motion to approve emergency repair costs for Pinewood Water District: Board Member Franco. Seconded: Board Member Beephan. All voted in favor. Motion carried.

6. Approve East Fishkill Police Use of Force Protocol

RESOLUTION

(APPROVE USE OF FORCE POLICY FOR THE EAST FISHKILL POLICE DEPARTMENT)

WHEREAS, the Town Police Chief has submitted a Use of Force Policy to the Town Board for their respective consideration; and

WHEREAS, the Police Chief has submitted the attached documents to be recognized as the official Use of Force Policy; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board has reviewed the attached Use of Force Policy and authorizes the adoption thereof.

Motion to approve the East Fishkill Police Use of Force Protocol: Board Member Marinaro. Seconded: Board Member Beephan. All voted in favor. Motion carried.

7. Schedule a Hearing regarding an Unsafe Structure

RESOLUTION

(AUTHORIZING HEARING ON UNSAFE STRUCTURE)

WHEREAS, the Town Board is vested with the power to declare certain structures unsafe in accordance with law; and

WHEREAS, the Town Engineer has recommended that the Town Board consider condemnation action on unsafe structures at 16 Fishkill Hook Road as per his attached memo; and

WHEREAS, it is now the recommendation of the Town Supervisor that the Board authorize a hearing regarding unsafe structure proceedings; and

BE IT FURTHER RESOLVED, the Town Board will conduct a hearing regarding the above named structures on December 12, 2019

Motion to schedule a Hearing regarding an unsafe structure for December 12, 2019: Board Member Cassidy. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

Additions to the Agenda by Majority Vote (if any):

Budget transfers:

Supervisor D'Alessandro stated there are no budget transfers at this time.

Comments from Town Board Members:

Highway Superintendent Williams stated they been paving Brown Road and Lime Kiln Road. Snow ordinance will go into effect in November for on street parking.

Police Chief Orsino stated they would like to move forward with getting a mental health/addiction forum to present at Town Hall. The purpose would be to bring as much information and resources as possible to the public. They have a tentative date of December 10 at 7 PM. They are working on the presenters to bring the best quality information to the residents. Supervisor D'Alessandro stated they would advertise this on the Town website and on Channel 22.

Board Member Beephan thanked the Director for Economic Development Michael O'Brien for the great business forum at iPark. Brush drop-off ends October 31st. Thanks to Highway as Brown Road looks phenomenal.

Board Member Franco stated last month was the Veteran's Luncheon and it was very well attended by both veterans and local officials. He thanked the committee for all of their help, especially Diane Curzio who secured many donations and Gina Grippo for all the hard work. Every Board member donated also, so he thanked them too. It was a great day.

Board Member Marinaro stated November 5th is the vote for the Paving Referendum. He thanked the Board for all of their work on that. He expressed

concerns regarding the high cost of the school taxes. He has joined the Rotary to try to start conversations to address these rising costs.

Board Member Cassidy stated the Halloween party is Sunday from 3:00 PM to 5:00 PM at Mill Creek. Everyone be careful out there, it gets darker earlier..

Supervisor D'Alessandro did do an informational filming on the Paving Referendum. They showed good, medium, and bad roads. He hopes everyone takes it seriously and does what's best for the Town. It will cost more later. On October 31st there is a Trick or Treat at Town Hall from 9 AM to 3 PM.

Motion for Adjournment: Time: Motion to adjourn the regular meeting at 9:20 PM: Board Member Franco. Seconded: Board Member Cassidy. All voted in favor. Motion carried.

Town Board Meetings:

Regular Meeting/Budget Hearing:

November 7, 2019

Respectfully submitted by Julie J. Beyer on behalf of Town Clerk Carol A. Hurray –
November 4, 2019