



Town of East Fishkill
Dutchess County, New York
330 Route 376, Hopewell Junction,
New York 12533

**TOWN OF EAST FISHKILL
TOWN BOARD MEETING
February 22, 2018 @ 7:00 PM
AGENDA**

Call to Order

Pledge of Allegiance

Supervisor's Announcements

Roll Call

Approve Minutes

January 25, 2018

7:15 p.m.

Courtesy of the Floor

7:45 p.m.

Receive and File

Public Hearings

Resolutions:

1. Appoint Chair to Fire Advisory Board (FAB)
2. Authorize Addition of East Fishkill Realty, LLC Parcel on Route 52 Into the John Jay Sewer Improvement Area
3. Appoint Member to the Conservation Advisory Council (CAC)
4. Set Public Hearing for March 22, 2018 to Consider Extending the Cold War Veterans Exemption for an Additional Ten Years with Respect to Town Taxes
5. Adopt Administrative Flow Chart with Respect to the Department of Engineering Code Administration
6. Adopt Hiring Policy for Full-time and Permanent Part-timers Requiring Pre-Employment Physicals and Drug Testing
7. Confirm Seasonal Employee Hires made by Highway Superintendent
8. Establish 20 mph School Zone Speed Limit on Lake Walton Road at Fishkill Plains Elementary School
9. Approve a Contract with the Dutchess County ASPCA for 2018 and Fees Therein
10. Authorize Mold Remediation at Four Corners Sewer Plant
11. Authorize Borrowing of \$225,000 for Town Hall Renovations and Repair

12. Recognizing “Music In Our Schools Month”

Budget Transfers (if any)

Additions to the Agenda by Majority Vote (if any)

Board Member Comments

Adjournment

Next Town Board Meetings:

March 8, 2018 - Workshop

March 22, 2018 - Regular Meeting

RESOLUTION

(APPOINTING A FIRE ADVISORY BOARD CHAIRPERSON FOR 2018)

WHEREAS, the Town Board on an annual basis must designate a Chairperson of the Fire Advisory Board (FAB); and

WHEREAS, it is the desire of the Town Board to exercise its right to appoint said Chairperson;

NOW, THEREFORE, BE IT RESOLVED, that Dave Palin be and hereby is designated as Chairperson of the Fire Advisory Board for calendar year 2018.

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

**DATED: FEBRUARY 22, 2018
EAST FISHKILL, NY**

DRAFT

RESOLUTION

(AUTHORIZE ADDITION TO JOHN JAY SEWER IMPROVEMENT AREA)

WHEREAS, East Fishkill Realty has granted the Town an easement for the installation of sewer manhole and piping; and

WHEREAS, the Town Engineer has received a request from East Fishkill Realty, LLC to be included in the sewer district;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board does authorize the addition of East Fishkill Realty, LLC into the John Jay Sewer improvement area.

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

**DATED: FEBRUARY 22, 2018
EAST FISHKILL, NY**

DRAFT



Town of East Fishkill

Dutchess County, New York
330 Rt. 376, Hopewell Junction, New York 12533

Town Engineer's Memo

Subject: East Fishkill Realty, LLC – Inclusion in the John Jay Sewer Improvement Area

Attn: Supervisor
Town Board Members

Date: February 15, 2018

From: Scott Bryant, P.E.

East Fishkill Realty had previously consented to providing the Town an easement for the installation of a sewer manhole and piping. In consideration for the granting of the easement they have now requested to be included in the sewer district.

The system has not been activated yet and they will pay the same fair share costs as others in the district. Accordingly, a special connection fee will not be required.

RESOLUTION

(APPOINTING MEMBER TO THE CONSERVATION ADVISORY COUNCIL)

WHEREAS, the Town has previously established a Conservation Advisory Council; and

WHEREAS, the Chairperson has recommended the appointment be made to the Board; and

WHEREAS, the Town Board has interviewed the recommended candidate;

NOW, THEREFORE, BE IT RESOLVED, that Michael Conrad be and hereby is appointed as a member of the CAC, whose term will end on 12/31/2018.

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

**DATED: FEBRUARY 22, 2018
EAST FISHKILL, NY**

DRAFT

RESOLUTION

(SETTING A PUBLIC HEARING FOR THE COLD WAR VETERAN'S EXEMPTION)

WHEREAS, the Town Board previously adopted the Cold War Veterans' Exemption as authorized by State Law, and

WHEREAS, in 2017 the State removed the 10 year limit from the current Exemption; and

WHEREAS, the Assessor is requesting that the Town Board amend the Cold War Veterans' Exemption to remove the 10 year limit; and

WHEREAS, it is the desire of the Town Board to hold a public hearing to consider adopting said amendment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will conduct a Public Hearing at 7:00 p.m. on March 22, 2018 at its next regular Town Board meeting; and

BE IT FURTHER RESOLVED, that the Town Clerk be and hereby is authorized to advertise notice of said Public Hearing.

**BY ORDER OF THE TOWN BOARD
CAROL HURRAY
TOWN CLERK**

**DATED: FEBRUARY 22, 2018
EAST FISHKILL, NY**

RESOLUTION

**(ADOPT ADMINISTRATIVE FLOW CHART WITH RESPECT TO THE DEPARTMENT
OF ENGINEERING CODE ADMINISTRATION)**

WHEREAS, The Town Engineer is requesting administrative changes in the Department of Engineering Code Administration; and

WHEREAS, the Town Engineer has submitted an Administrative Flow Chart to the Town Board for their review; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board has reviewed the attached flow chart and authorizes the adoption thereof.

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

**DATED: FEBRUARY 22, 2018
EAST FISHKILL, NY**

DRAFT

RESOLUTION

(ADOPT A HIRING POLICY FOR FULL-TIME AND PERMANENT PART-TIME)

WHEREAS, the Town Supervisor is requesting the Town Board to adopt a hiring policy for Full-time and Permanent Part-time Employees; and

WHEREAS, the hiring policy will include Pre-Employment Physicals and Drug Testing; and

WHEREAS, that prior to employment the Town will send the applicant for testing at the Town's expense; and

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby adopt the hiring policy for Full-time and Permanent Part-time Employees.

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

**DATED: FEBRUARY 22, 2018
EAST FISHKILL, NY**

DRAFT

RESOLUTION

(ESTABLISHING A SCHOOL SPEED ZONE)

WHEREAS, the Town of East Fishkill has been declared a suburban Town government; and

WHEREAS, the Town Board previously has determined that it would be appropriate for the safety of the children and the residents of the Town to establish a school zone on Lake Walton Road in the vicinity of the Fishkill Plains School; and

WHEREAS, the Town Board determines that this is to be in the public interest;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby establish a 20 mph school speed zone on Lake Walton Road in front of the Fishkill Plains School and for a length extending from each property line of said School in a distance appropriately determined by the Highway Superintendent; and

BE IT FURTHER RESOLVED, that the Highway Superintendent shall post said School Zone; and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized to file this resolution with the Commissioner of Transportation of the State of New York.

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

**DATED: FEBRUARY 22, 2018
EAST FISHKILL, NY**

RESOLUTION

(ACKNOWLEDGE THE HIRING OF SEASONAL WINGMEN AND MEO FOR HIGHWAY)

WHEREAS, the Highway Superintendent has hired the following additional Seasonal Wingmen; and

WINGMEN	2018
Walter Brozman	\$11.75
Toni Barry	\$11.75
David Kelly	\$10.40
Sean Heckert	\$10.40
Andre Federici	\$10.40

WHEREAS, it is determined that the Seasonal Wingmen positions are limited and seasonal; and

WHEREAS, the Highway Superintendent has also hired Brian Higgs, effective February 5, 2018 as a Temporary Full-time MEO at a rate of \$20.98/per hr.;

NOW, THEREFORE, BE IT RESOLVED, the Town Board acknowledges the hiring of the Highway Wingmen and Temporary Full-time MEO and that upon completion of the Wingmen's tasks, they shall be removed from the payroll, unless further ordered by the Town Board.

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

**DATED: FEBRUARY 22, 2018
EAST FISHKILL, NY**

RESOLUTION

(AUTHORIZING THE 2018 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 2018 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.

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

**DATED: FEBRUARY 22, 2018
EAST FISHKILL, NY**

RESOLUTION

(AUTHORIZE MOLD REMEDIATION AT FOUR CORNERS SEWER PLANT)

WHEREAS, the Town has been assessing a mold problem at the Four Corners Wastewater Plant; and

WHEREAS, the Town Engineer requested quotes from three companies to remediate the problem; and

WHEREAS, it was determined that Expediant Environmental Solutions, LLC was the lowest quote of \$146,240; and

NOW, THEREFORE, BE IT RESOLVED, that Expediant Environmental Solutions, LLC be authorized to remediate the mold problem for \$146,240; and

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized to execute a contract in regard hereto.

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

**DATED: FEBRUARY 22, 2018
EAST FISHKILL, NY**

DRAFT



Town of East Fishkill

Dutchess County, New York
330 Rt. 376, Hopewell Junction, New York 12533

Town Engineer's Memo

Subject: Four Corners WWTP – Mold Remediation

Attn: Supervisor
Town Board Members

Date: February 15, 2018

From: Scott Bryant, P.E.

We have been assessing a mold problem at the WWTP for several months since being notified by the operator JCO. We have met with several remediation companies, a mold inspector and have had samples taken and tested to determine the exact extent of the problem.

Expediant has provided the lowest quote of \$146,240. This is to remove an entire layer of ceiling sheetrock that is contaminated with mold, treat the layer beneath it with Calbrite and replace the removed layer with a special foam board that is resistant to mold and that can be pressure washed for continued maintenance.

The problem is due to the moist environment in the process room where the open treatment tanks are located and the material used on the ceiling when the plant was constructed. It also appears that the HVAC system had not been working properly which contributed to this problem. The HVAC has since been repaired.

Access to the ceiling is difficult due to the tanks and ceiling height which is why the remediation is so expensive. We have tried very hard to get the work completed for the least amount which is why we took the time to perform extensive testing and invasive inspections to verify the extent of the mold.

FOUR CORNERS WASTEWATER PLANT REMEDIATION				
<u>Company</u>	<u>Quote 1</u>	<u>Quote 2</u>	<u>Quote 3</u>	<u>Quote 4</u>
Expediant Environmental Solutions, LLC.	\$146,240.00	-	-	-
ServPro	\$1,004,045.81	\$1,013,624.54	\$1,048,197.35	\$1,061,911.23
First Call Restoration w/Nurzia Construction Corporation	\$368,208.68	-	-	-

**BOND RESOLUTION
(SUBJECT TO PERMISSIVE REFERENDUM)**

At a regular meeting of the Town Board of the Town of East Fishkill, Dutchess County, New York, held at the Town Hall, in East Fishkill, New York, in said Town, on the 22nd day of February, 2018, at _____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by _____, who moved its adoption, seconded by _____, to-wit:

BOND RESOLUTION DATED FEBRUARY 22, 2018.

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO TOWN BUILDINGS IN AND FOR THE TOWN OF EAST FISHKILL, DUTCHESS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$225,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$225,000 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of East Fishkill, Dutchess County, New York, as follows:

Section 1. The construction of improvements to Town buildings, in and for the Town of East Fishkill, Dutchess County, New York, including incidental costs and expenses, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$225,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by the issuance of up to \$225,000 serial bonds of said Town hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty-five years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of East Fishkill, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * * *

RESOLUTION

(RECOGNIZING “MUSIC IN OUR SCHOOLS MONTH”)

WHEREAS, the study of music is basic to a complete education, provides the competitive edge for successful educational reform, engages students in individual and group activity, develops creativity, problem solving, critical thinking and evaluative skills; and

WHEREAS, music education helps students acquire skills in the production and performance of music, as well as an understanding of history and culture; and

WHEREAS, the Wappingers Central School District is concerned with maintaining and improving school music programs for all students, regardless of their socio-economic status or their abilities; and

WHEREAS, the Town of East Fishkill strives to instill a higher level of awareness and knowledge of music; and

WHEREAS, the Town of East Fishkill strives to support fine musical experiences through the participation of over 11,000 students in the district’s music program;

THEREFORE, BE IT RESOLVED, that the Town of East Fishkill, with the Honorable Supervisor Nicholas D’Alessandro, strongly support quality music education in the Wappingers Central School District and that all students, Kindergarten through 12th grade, should have access to a well-balanced, comprehensive, high quality, sequential program of music taught by teachers certified in music education; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the East Fishkill Town Board recognizes and commends the Wappingers Central School District for its concern and efforts to enhance the quality of music education in the Town of East Fishkill;

BE IT FURTHER RESOLVED, the Town of East Fishkill and the Honorable Supervisor Nicholas D’Alessandro hereby proclaim the month of March 2018 as “Music In Our Schools Month” and endorse this observance as an opportunity to support the purpose and practices of music education and encourage teachers, parents, students and all citizens to participate.

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

**DATED: FEBRUARY 22, 2018
EAST FISHKILL, NY**