



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

**TOWN OF EAST FISHKILL  
TOWN BOARD MEETING  
September 28, 2017 @ 7:00 pm  
AGENDA**

**Call To Order**

**Pledge To The Flag**

**Supervisors Announcements**

Sons of Italy Presentation

**Roll Call**

**Approve Minutes**

August 24, 2017

**Receive and File**

**Public Comments on Agenda Items Only**

**Public Hearings**

Consider a Re-zone application for a property on 89 Hosner Mountain Road, Hopewell Junction to R1

- a) Close Public Hearing
- b) Adopt a Negative Declaration and Local Law

Consider amending Local Law 5 of 1984 establishing the Ethics Board to Allow Alternate Members

- a) Close Public Hearing
- b) Adopt a Negative Declaration and Local Law

**Resolutions**

1. Authorize the settlement of two Tax Certioraris:  
Paradise Preserve and 46 Foster Road

2. Authorize reduction for the Hopewell Glen Performance Bond
3. Award Phase 2 of the Julie's Jungle Playground Contract
4. Authorize Assessor to attend a Seminar
5. Authorize the hiring of a Part Time Recreation/Senior Assistant
6. Recognize the hiring of 2 Highway Employees
7. Authorize the hiring of a Part Time Recreation Assistant at Lime Kiln

## **Budget Transfers**

## **Take Public Comments on General Town Issues**

## **Comments from Town Board Members**

## **Adjournment**

**Next Town Board Meetings:**      Workshop Meeting:      October 12, 2017  
October 26, 2017

**LOCAL LOCAL 3 OF 2017**  
**REZONING PARCEL NO. 6556-00-293362**

**SECTION ONE – LEGISLATIVE INTENT**

Under the Zoning Ordinance property owners are authorized to petition the Town Board to rezone their parcels. Leonard Stanley petitioned the Town Board to rezone a parcel property known as Grid No. 6556-00-293362 located at 89 Hosner Mountain Road from B1 Business Zone to R1 Residential Zone. The Town Board has reviewed the same and inasmuch as said parcel is adjoining other business parcels, it appears to be appropriate.

**SECTION TWO – REZONING**

The zoning map of the Town of East Fishkill be and hereby is amended so as to designate parcel Grid No. 6556-00-293362 to be in the R1 Zoning District.

**SECTION THREE – IMPLEMENTATION**

The Town Clerk is authorized to note on the official zoning map of the Town the above referenced designation of this parcel as R1.

**SECTION FOUR – EFFECTIVE DATE**

This Local Law will take effect immediately upon its filing with the NYS Department of State.

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

**Adopted:**

**Local Law No 4 of 2017**

**(AMENDING THE CODE OF ETHICS AND LOCAL LAW 5-1984)**

**Section 1: Legislative Intent**

The Town Board wishes to establish the position of Alternate Ethics Board Member so as to allow the Board to function in the absence or recusal of a permanent member.

**Section II: Alternates**

Add Section 15-9 to read as follows:

**Alternate Members:**

The Town Board may appoint up to two (2) Alternate Members to the Ethics Board. When a regular member is absent or recused and unable to participate or vote on an issue an alternate member may be designated by the Chairperson to participate in the absent or recused members place and instead. Alternates shall possess the same qualification as the regular member.

**Section III: Effective Date**

This Local Law will be effective immediately upon its filing with the New York State Secretary of State.

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

**DATED: SEPTEMBER 28, 2017  
EAST FISHKILL, NY**

**RESOLUTION**

**(AUTHORIZING THE SETTLEMENT OF TAX CERTIORARI  
PARADISE PRESERVE vs. TOWN OF EAST FISHKILL)**

**WHEREAS**, from time to time property owners file Article 7 proceedings challenging their assessments following denials by the Board of Assessment review; and

**WHEREAS**, following negotiations between the Town Attorney and the Town Assessor the tax certiorari set forth herein is able to be resolved; and

**WHEREAS**, it would appear to be in the best interest of the Town to resolve these upon these terms and conditions;

**NOW THEREFORE BE IT RESOLVED**, that the Town Attorney be and hereby is authorized to execute Stipulation of Settlement settling the following matter:

**Grid #6756-00-241319**

| <u>Assessment<br/>Roll</u> | <u>Current<br/>Assessment</u> | <u>Reduced<br/>Assessment</u> | <u>Amount of<br/>Reduction</u> |
|----------------------------|-------------------------------|-------------------------------|--------------------------------|
| 2016                       | \$150,000.00                  | \$100,000.00                  | \$50,000.00                    |

**BE IT FURTHER RESOLVED**, that the Town Attorney be and hereby is authorized to take all steps necessary and appropriate to effectuate the settlement of these matters; and

**BE IT FURTHER RESOLVED**, that all officials of the Town be and hereby are authorized and enabled to effectuate the intent of the Order once it is entered by a Justice of the Supreme Court.

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

**DATED: SEPTEMBER 28, 2017  
EAST FISHKILL, NY**

**RESOLUTION**

**(AUTHORIZING THE SETTLEMENT OF TAX CERTIORARI  
46 FOSTER ROAD LLC vs. TOWN OF EAST FISHKILL)**

**WHEREAS**, from time to time property owners file Article 7 proceedings challenging their assessments following denials by the Board of Assessment review; and

**WHEREAS**, following negotiations between the Town Attorney, the Town Assessor and the Town's appraisal consultant, the tax certiorari set forth herein is able to be resolved; and

**WHEREAS**, it would appear to be in the best interest of the Town to resolve these upon these terms and conditions;

**NOW THEREFORE BE IT RESOLVED**, that the Town Attorney be and hereby is authorized to execute Stipulation of Settlement settling the following matter:

**Grid#6458-04-663029**

| <u>Assessment<br/>Roll</u> | <u>Current<br/>Assessment</u> | <u>Reduced<br/>Assessment</u> | <u>Amount of<br/>Reduction</u> |
|----------------------------|-------------------------------|-------------------------------|--------------------------------|
| 2016                       | \$950,000.00                  | \$850,000.00                  | \$100,000.00                   |

**BE IT FURTHER RESOLVED**, that the Town Attorney be and hereby is authorized to take all steps necessary and appropriate to effectuate the settlement of these matters; and

**BE IT FURTHER RESOLVED**, that all officials of the Town be and hereby are authorized and enabled to effectuate the intent of the Order once it is entered by a Justice of the Supreme Court.

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

**DATED: SEPTEMBER 28, 2017  
EAST FISHKILL, NY**

**RESOLUTION**

**(BOND REDUCTION FOR HOPEWELL GLEN, PHASE 4)**

**WHEREAS**, there was a Bond from Toll Brothers, Inc. that was previously posted for the Hopewell Glen, Phase 4; and

**WHEREAS**, the Planning Board has voted on September 5, 2017 to reduce the bond for the Hopewell Glen, Phase 4 from \$2,291,000 to \$1,218,794; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does agree to reduce the said bond to \$1,218,794 as recommended by the Planning Board;

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Town Attorney shall approve the above bond.

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

**DATED: SEPTEMBER 28, 2017  
EAST FISHKILL, NY**

**DRAFT**

**RESOLUTION**

**(AUTHORIZING TRAVEL AND TRAINING FOR TOWN ASSESSOR)**

**WHEREAS**, the Town Assessor has advised the Town Supervisor that in order to remain certified by the New York State Assessors Association she must attend annual training programs; and

**WHEREAS**, a training program is available for her to attend in Lake Placid, NY from October 1, 2017 through October 4, 2017; and

**WHEREAS**, it is the desire of the Town Board to authorize the Supervisor to approve said travel;

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be and hereby is authorized in accordance with Section 77b of the General Municipal Law of the State of New York to authorize the Assessor to attend a training program sponsored by the New York State Assessors Association to be held out of the area requiring an overnight stay; and

**BE IT FURTHER RESOLVED**, that all reasonable and necessary expenses incurred by the Assessor may be approved by the Supervisor for reimbursement by the Town.

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

**DATED: SEPTEMBER 28, 2017  
EAST FISHKILL, NY**



**RESOLUTION**

**(AUTHORIZING CONSTRUCTION OF HANDICAP ACCESSIBLE PLAYGROUND PHASE II)**

**WHEREAS**, the bids for Julie's Jungle phase I and II was held on March 31, 2015; and

**WHEREAS**, Raymond Michael LTD was awarded the bid for both Phase I and II; and

**WHEREAS**, Raymond Michael LTD completed Phase I in November 2015 and is ready to begin Phase II; and

**NOW, THEREFORE, BE IT RESOLVED**, that Raymond Michael LTD is authorized to construct Phase II of Julie's Jungle in the amount of \$226,990.00; and

**BE IT FURTHER RESOLVED**, that the Supervisor be and hereby is authorized to execute any documents required; and

**BE IT FURTHER RESOLVED**, that \$200,000.00 is from CDBG funds from Dutchess County and the balance of the funds for Phase II will be from the Rec Development Fund.

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

**DATED: SEPTEMBER 28, 2017  
EAST FISHKILL, NY**

**RESOLUTION**

**(APPOINT PART-TIME RECREATION ASSISTANT)**

**WHEREAS**, due to staffing changes in the Senior Citizens Program, a Part-Time Recreation Assistant is needed at the Community Center; and

**WHEREAS**, the Recreation Supervisor for the Senior Citizens Program has submitted a request to hire Lina Reynolds as the Recreation Assistant; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby appoint Lina Reynolds as Part-Time Recreation Assistant. Lina will not work more than 20 hours a week and will be hired under the CSEA agreement at Level 3 paid \$13.83 per hour.

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

**DATED: SEPTEMBER 28, 2017  
EAST FISHKILL, NY**

**RESOLUTION**

**(ACKNOWLEDGE HIRING OF SEASONAL LABORERS FOR HIGHWAY DEPARTMENT)**

**WHEREAS**, the Highway Superintendent has interviewed and hired two Full-time Seasonal Laborers for the Highway Department, and

**WHEREAS**, the Highway Superintendent has submitted memos to the Town Board; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby acknowledge the hiring of Jeff Vincent and Lori Calciono as Full-time Seasonal Laborers in the Highway Department.

**BE IT FURTHER RESOLVED**, upon completion of their task, Jeff Vincent and Lori Calciono will be removed from payroll.

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

**DATED: SEPTEMBER 28, 2017  
EAST FISHKILL, NY**

**DRAFT**

**RESOLUTION**

**(APPOINT PART TIME RECREATION ASSISTANT)**

**WHEREAS**, a Part-time Recreation Assistant is needed at the Lime Kiln Recreation Facility; and

**WHEREAS**, the Recreation Director has interviewed the applicant and recommends the Town Board hire Kathleen Intravaia.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby appoint Kathleen Intravaia who resides in the Town of East Fishkill, as Part-Time Recreation Assistant. She will not work more than 20 hours a week and will be paid \$9.75 per hour.

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

**DATED: SEPTEMBER 28, 2017  
EAST FISHKILL, NY**

**DRAFT**