



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

**TOWN OF EAST FISHKILL
TOWN BOARD MEETING
AUGUST 24, 2023 @ 6:00 PM
AGENDA
TENTATIVE**

Call to Order

Pledge of Allegiance

Supervisor's Announcements

Roll Call

Presentation

Public Hearings

To Consider Regulating Airbnb Uses with the Town (Short Term Rentals)

- a) Close Public Hearing
- b) Adopt Neg Dec and Local Law

Approve Minutes

July 27, 2023

Announcement of Additions to the Agenda

Courtesy of the Floor

Receive and File

Rezone Request - JS1 Properties, LLC for 90 Old Route 52, Stormville, NY refer
to Planning & Zoning

Resolutions:

1. Appoint Police Officer
2. Adopt Zoning Map
3. Accept for Dedication of Recreation Land for Tucker Trails Subdivision
4. Acknowledge Commencement of Mental Health America Program
5. Appoint Full-Time Zoning Administrator
6. Approve CSEA 1 year Contract Extension
7. Appoint Full-Time Deputy Building Inspector
8. Authorize 5 year Water Storage Agreement with Town of Poughkeepsie and Authorize Contract with DCWWA for 8500gpd for West Campus Water District
9. Accept Gift of Equipment Donation for Recreation Uses
10. Appoint Seasonal Employees in Highway

Additions to the Agenda by Majority Vote (If any)

Budget Transfers - Yes

Board Member Comments

Adjournment

Next Town Board Meetings: Workshop/Voting Meeting: September 28, 2023

Local Law No. ____ of 2023

**(A LOCAL LAW TO IMPLEMENT SHORT-TERM RENTAL REGULATIONS
WITHIN THE TOWN OF EAST FISHKILL)**

Section 1. Legislative Intent

Like all communities, the Town of East Fishkill has noticed an increase in short-term rentals being advertised on websites such as Airbnb and VRBO. While the Supervisor and Town Board can understand the draw of short-term rentals in East Fishkill for both vacationers and owners of rental properties, it is imperative that safeguards are put in place to ensure that the general welfare of the community is protected.

Section 2. Regulation of Short-Term Rental Properties

The following provisions shall be added to the Town Code related to short-term rentals:

1. **Applicability:** these restrictions shall apply to all rentals of dwelling units for a term of thirty (30) days or less. These rental units shall be referred to as “Short-Term Rental Properties”.
2. **Restrictions:** The following restrictions shall apply to all Short-Term Rental Properties:
 - a. The owner of a Short-Term Rental Property shall register the property with the Building Department. The information provided shall include the name, address, and contact information for the owner as well as the name, address, and contact information for the local agent, if different from the owner. As part of the registration process, each applicant shall submit proof of compliance with State Building and Fire Codes from an inspector and shall complete an annual fire inspection.
 - b. Short-Term Rental Properties shall not be located in anything other than a single-occupancy building
 - c. Short-Term Rental Properties are allowed in all residential districts except in the R-1/2, the R-1/3, and the R-1/4 Zoning Districts. They shall also be prohibited on properties with non-conforming lots.
 - d. All Short-Term Rental Properties must provide proof to the Building Department that the sanitary sewer or septic system has the capacity for the number of bedrooms in the structure
 - e. Short-Term Rental Properties are prohibited from sharing a driveway with another property
 - f. Garbage and other refuse can only be left out for collection the night before pickup, and all refuse containers shall be removed from the curb once emptied
 - g. Short-Term Rentals may not advertise for occupancy greater than two (2) people per bedroom
 - h. The owner of the property or the owner’s agent must respond and be present at the property upon sixty (60) minutes notice when the property is rented
3. **Fees:** All properties used as a Short-Term Rental shall pay a yearly fee of \$500

4. Penalties: Any person or other legal entity found to be in violation of the Short-Term Rental Restrictions shall be fined \$350 for the first offense, \$700 for the second offense, and \$1,000 for all subsequent offenses. Upon the third offense, the Town of East Fishkill may revoke the permit for the owner to operate a Short-Term Rental Property.

Section 3. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 4. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF EAST FISHKILL
PETER CASSIDY, TOWN CLERK**

**Adopted August 24, 2023
At a Regular Meeting
Held at Town Hall**

RESOLUTION -xxx/2023
(APPOINTING POLICE OFFICER)

WHEREAS, the Acting Town Police Chief has interviewed candidates eligible from the Civil Service list for appointment as a Police Officer in The Town of East Fishkill; and

WHEREAS, the Acting Town Police Chief has recommended the appointment of Brandon Gonzalez for Police Officer in The Town of East Fishkill; and

NOW, THEREFORE, BE IT RESOLVED, that Brandon Gonzalez is hereby appointed to the position of Police Officer with his salary and benefits to be in accordance with the PBA contract. The start date will be August 28, 2023; and

BE IT FURTHER RESOLVED, that the said Officer is authorized to attend the Police Officer Training Program sponsored by the Bureau of Municipal Police or such other program at the direction of the Acting Town Police Chief.

**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: AUGUST 24, 2023
EAST FISHKILL, NY**

RESOLUTION

(APPROVE AND ADOPT REVISED OFFICIAL ZONING MAP)

WHEREAS, the Town is divided into zones or districts, as shown on the Official Zoning Map titled "Zoning Map for the Town of East Fishkill"; and

WHEREAS, in accordance with the provisions of Chapter §194-5 of the East Fishkill Zoning Code the Zoning Map shall be amended, from time to time, to depict subsequent zoning amendments which modify the Town Zoning Map; and

WHEREAS, the Town has worked with Dutchess County Planning to update the Official Zoning Map to reflect recent amendments approved by the Town Board and to make it easier to read by improving the visual presentation of the map; and

WHEREAS, the Draft Zoning Map was referred to the Planning Board on April 18, 2023 and a public hearing on the Draft Zoning Map was held on July 27, 2023; and

WHEREAS, once the amendments are approved the following entry will be promptly placed on the Official Zoning Map, "On August 24, 2023, by official action of the Town Board, the following change (changes) were made in the Official Zoning Map: the B1-A Zoning District, the B-3 Zoning District, the Hamlet Center District, and the Taconic Parkway Overlay District were added to the map; and

WHEREAS, the Official Zoning Map shall be located in the office of the Town Clerk and available for public review; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board has reviewed and approved the revisions to the Official Zoning Map, and hereby adopts the "Zoning Map for the Town of East Fishkill" dated August 24, 2023.

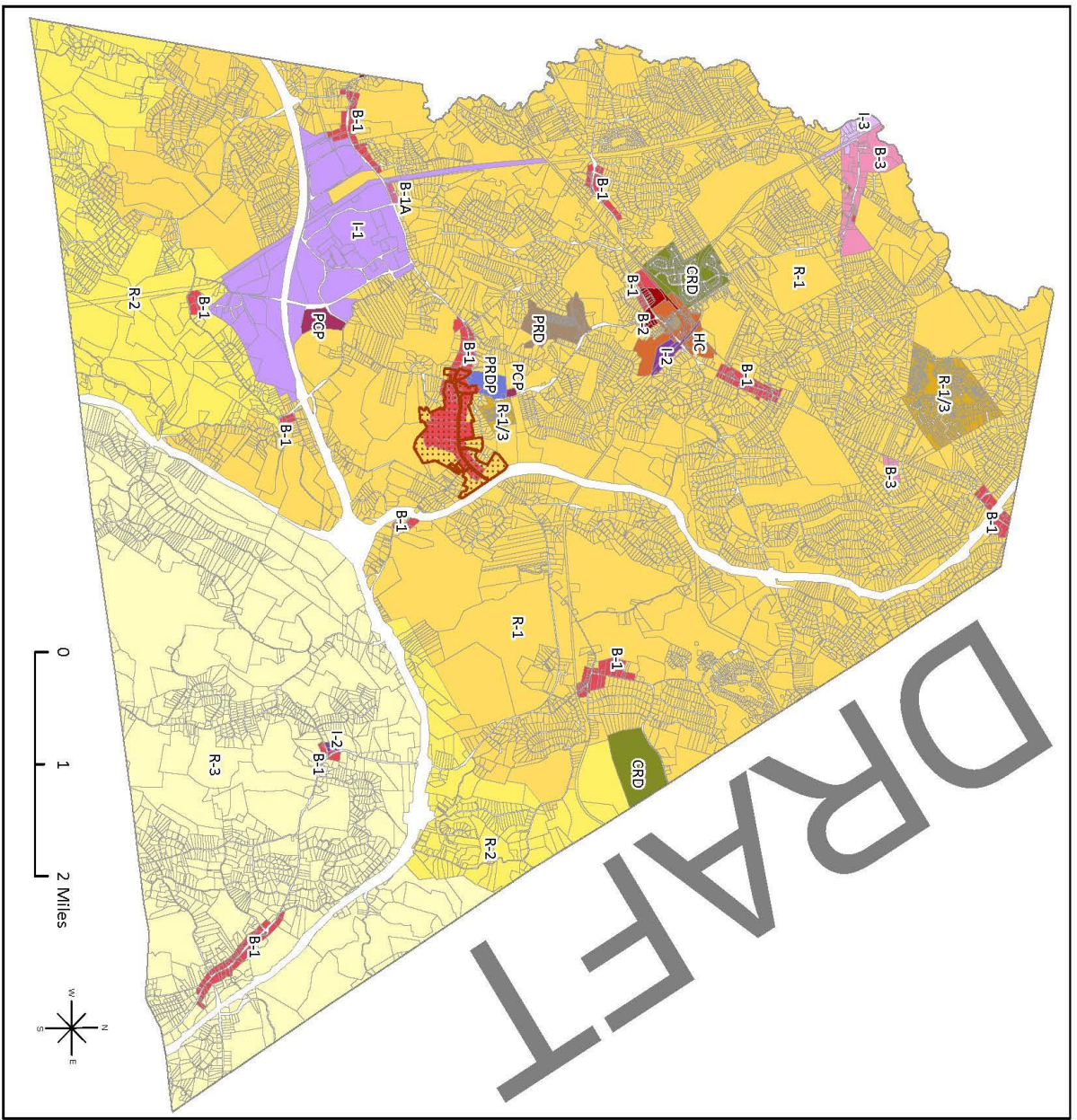
**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: AUGUST 24, 2023
EAST FISHKILL, NY**

Town of East Fishkill Zoning Map



DRAFT



- Legend**
- Parcels
 - Zoning Districts**
 - B-1 (General Business)
 - B-1A (Transitional Business)
 - B-2 (Central Business)
 - B-3 (Mixed Use)
 - CRD (Conservation Residential)
 - HC (Hamlet Center)
 - I-1 (Light Industrial)
 - I-2 (Heavy Industrial)
 - I-3 (Light Industrial/Retail)
 - PCP (Planned Commercial Park)
 - PRD (Planned Residential Development)
 - PRDP (Planned Research & Development)
 - R-1 (Residential 1 Acre)
 - R-1/3 (Residential 1/3 Acre)
 - R-2 (Residential 2 Acre)
 - R-3 (Residential 3 Acre)
 - TP0D (Taconic Parkway Overlay)

Map prepared by the Dutchess County Department of Planning and Development based on information supplied by the municipality. Issued April 2023.

RESOLUTION

(ACCEPT CONVEYANCE OF PARCEL FROM TUCKER TRAILS SUBDIVISION)

WHEREAS, the Planning Board approved a seven-lot subdivision consisting of six building lots and one open space lot known as the Tucker Trails Subdivision at its September 13, 2022 Meeting; and

WHEREAS, condition number two of the approval stated that the “applicant shall either deed the open space lot to the Town or file a restriction with the Dutchess County Clerk’s Office to ensure it remains as open space”; and

WHEREAS, the Applicant has offered to convey the parcel to the Town;

NOW, THEREFORE, BE IT RESOLVED that the Town Board accepts the conveyance of a portion of lot 6557-04-579147 as open space for recreation purposes and the installation of Town infrastructure and utilities.

**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: AUGUST 24, 2023
EAST FISHKILL, NY**

RESOLUTION

(ACKNOWLEDGE COMMENCEMENT OF MENTAL HEALTH AMERICA PROGRAM)

WHEREAS, the Town Board approved a contract with Mental Health America at its May 25, 2023 meeting pursuant to Resolution Number 105/2023; and

WHEREAS, this service will help the Police Department handle calls that involve emotionally distressed people; and

WHEREAS, the Town Board desires to alert the community that the program will begin within the next two weeks;

NOW, THEREFORE, BE IT RESOLVED that the Town Board acknowledges the commencement of the Mental Health America Program.

**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: AUGUST 24, 2023
EAST FISHKILL, NY**

RESOLUTION-xxx/2023
(APPOINTING FULL-TIME ZONING ADMINISTRATOR)

WHEREAS, Dutchess County has granted the Town with authorization to provisionally appoint a Zoning Administrator; and

WHEREAS, the Town Engineer has interviewed candidates and is requesting the Town Board authorize the Full-time hiring of Robert Serino; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby appoint Robert Serino as Full-time Zoning Administrator, to be paid an hourly salary of \$33.26; and

BE IT FURTHER RESOLVED, that this appointment shall take effect September 12, 2023 and is provisional until it is verified that he is reachable on the Zoning Administrator Civil Service list.

BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK

DATED: AUGUST 24, 2023
EAST FISHKILL, NY

RESOLUTION
**(AUTHORIZING AN EXTENSION OF THE CSEA COLLECTIVE
BARGAINING AGREEMENT)**

WHEREAS, the current agreement with CSEA expires December 31, 2023; and

WHEREAS, it is the desire of both the Town and the CSEA to extend said agreement for an additional year with certain changes and modifications; and

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to sign a one year extension of the CSEA Agreement with the following changes:

- 1) Switching from the NYSHIP Plan to the Excelsior Plan for Health Coverage
- 2) Increase Wages by 3%

**BY ORDER OF THE TOWN BOARD
PETER CASSIDY, TOWN CLERK**

**DATED: AUGUST 24, 2023
EAST FISHKILL, NY**

RESOLUTION-xxx/2023
(APPOINTING FULL-TIME DEPUTY BUILDING INSPECTOR)

WHEREAS, Dutchess County granted the Town authorization to provisionally appoint a Deputy Building Inspector; and

WHEREAS, Matthew Rickett currently holds the provisional title of Zoning Administrator for the Town; and

WHEREAS, the Town Engineer has interviewed candidates and is requesting the Town Board appoint Matthew Rickett as Deputy Building Inspector; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby appoint Matthew Rickett as Full-time Deputy Building Inspector, to be paid in accordance with the CSEA contract; and

BE IT FURTHER RESOLVED, that this Appointment shall take effect September 12, 2023 and be provisional until it is verified that he is reachable on the Deputy Building Inspector Civil Service list.

BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK

DATED: AUGUST 24, 2023
EAST FISHKILL, NY

RESOLUTION
**(AUTHORIZING A WATER STORAGE AGREEMENT WITH
THE TOWN OF POUGHKEEPSIE)**

WHEREAS, some Town Water Districts obtain their Water from the Dutchess County Water and Wastewater Authority; and

WHEREAS, it is necessary to have water storage within the system; and

WHEREAS, the Town of Poughkeepsie has excess water storage available; and

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to sign a Water Storage Agreement with the Town of Poughkeepsie for 200,000 gallons of water for 5 years at a cost of \$10,000.00 with the right to extend; and

BE IT FURTHER RESOLVED, that the cost of same will be allocated to the Districts utilizing the storage.

**BY ORDER OF THE TOWN BOARD
PETER CASSIDY, TOWN CLERK**

**DATED: AUGUST 24, 2023
EAST FISHKILL, NY**

RESOLUTION
(AUTHORIZING THE ACCEPTANCE OF DONATIONS TO RECREATION)

WEREAS, two town residents have graciously offered to donate equipment to the Recreation Department; and

WHEREAS, one item is a golf cart that can be beneficial for Recreation to travel the recreation grounds at the main Town Park. The second item is a skate park rail to be added to our Skate Park; and

WHEREAS, the Town Board feels that these donations are in the Town's best interest;

NOW, THEREFORE, BE IT RESOLVED, that the East Fishkill Town Board does accept the donations of the golf cart and the skate park rail.

BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK

DATED: AUGUST 24, 2023
EAST FISHKILL, NY

RESOLUTION-xxx/2023

(APPOINT SEASONAL EMPLOYEES IN HIGHWAY)

WHEREAS, the Town has interviewed Anthony Rapa and Tyler Pirone; and

WHEREAS, the Town is requesting the hiring of Anthony Rapa and Tyler Pirone as Seasonal Laborers for the Highway Department; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the hiring of Anthony Rapa and Tyler Pirone, subject to receipt of a pre-employment background check, drug screening, and validation of driver's license; and

BE IT FURTHER RESOLVED, that Anthony Rapa and Tyler Pirone will be paid an hourly rate of \$17.00; and

BE IT FURTHER RESOLVED, upon completion of seasonal tasks, they shall be removed from the payroll.

**BY ORDER OF THE TOWN BOARD
PETER J. CASSIDY, TOWN CLERK**

**DATED: AUGUST 24, 2023
EAST FISHKILL, NY**



Town of East Fishkill - Highway Department
2484 Route 52
Hopewell Junction, New York 12533
Phone: 845-221-2681 Fax: 8454-226-6229

Kenneth Williams
Highway Superintendent

TO: East Fishkill Town Board
FROM: Kenneth Williams, Highway Superintendent
DATE: August 15, 2023

I, Kenneth Williams, respectfully request that the East Fishkill Town Board recognize the hiring of Anthony Rapa and Tyler Pirone as seasonal laborers for the East Fishkill Highway Department, subject to a background checks and pre-employment drug screens.

Thank you.

Kenneth Williams
East Fishkill Highway Superintendent
KW/JI