

MINUTES
TOWN OF EAST FISHKILL
TOWN BOARD MEETING
MAY 25, 2023
6:00 p.m.

REGULAR BOARD MEETING

The Town of East Fishkill's Town Board Meeting on May 25, 2023, was called to order at 6:00 p.m. by Supervisor D'Alessandro with the Pledge of Allegiance to the Flag.

Supervisor's Presentation

None.

Supervisor's Announcements

Supervisor D'Alessandro stated he wished everyone a happy belated Mother's Day.

The month started with the Dutchess County Supervisor and Mayor Association meeting. This month's meeting was at the Dutchess County 911 Center. They got a tour of the building and a presentation on how the County declares a State of Emergency.

Supervisor D'Alessandro attended John Jay High School's Spring Fest on Saturday, April 29. There were food trucks and vendors and farmers. It was the first annual events and it was very nice.

There was a meeting with Dutchess County Executive William O'Neill and his staff along with the Town Supervisor of Wappinger to discuss the potential of expanding water and sewer from East Fishkill into the Town of Wappinger to the Dutchess County Airport and filling East Fishkill water from the Wappinger's aqueduct.

On Tuesday, May 2 Supervisor D'Alessandro attended the Dutchess County's 10th Annual Prayer Breakfast. It is a very nice event.

There was a spring fling at East Fishkill's Community Center for our seniors. There was cake and coffee and music. He thanked Board Members Flores and Marinaro for their work on this. Next year the event will include lunch. He thanked the staff at the community center and recreation as well.

There have been several meetings with Dutchess County Water and Wastewater Authority and the Poughkeepsie Joint Water Board. They are trying to formalize several Water Use Agreements. Supervisor D'Alessandro is also working with Senator Schumer for funds to go towards infrastructure for separating iPark from On Semi.

Last month Supervisor D'Alessandro discussed the grant approval from New York State for the two roundabouts in the Hamlet. Hudson Valley Engineering helped the Town Engineering Department submit a change for the grant that was

received and New York State did approve it.

At the last Town Board workshop the school superintendents from Carmel and Wappinger's both gave their budget presentations. Supervisor D'Alessandro reiterated that the Town has nothing to do with any school district budgets. He would like representatives from Arlington and Pawling as well and will continue to try to get them there.

Friday the 12th Supervisor D'Alessandro and Councilman Arco attended the East Fishkill Fire District Inspection Dinner. He thanked the Fire Commissioners for inviting them. The fire district is 100% volunteer and do a wonderful job. Dana Smith, Dutchess County Emergency Response Coordinator, stated that East Fishkill Fire District is the number one volunteer fire district in the county. If anyone has time please consider joining the fire district.

Today was Dutchess County Sheriff's Annual Memorial Day Service at the Sheriff's office. It is a very nice ceremony and was well attended.

East Fishkill's Memorial Day parade starts at the Community Center and goes to the War Memorial at the intersection of Route 82 and Beekman Road at 10:30 AM on Monday.

Supervisor D'Alessandro stated he has fielded many calls about the migrant crisis. There are currently 86 migrants received into Dutchess County that are being housed at the Red Roof Hotel in Poughkeepsie. There have been many discussions with all of the mayors and supervisors with the County Executive. There was a joint press conference with the Dutchess and Putnam County Executive's on Tuesday. Dutchess County filed a temporary restraining order to stop more migrants from coming in and New York State Acting Supreme Court Justice Rosa did approve that. He discussed the difficulties facing the immigrants that are here.

Roll Call: Supervisor D'Alessandro asked the Deputy Town Clerk to call the rolls.

Board Members in attendance were:

Craig	Thomas	Emanuele	Marianne	Nicolas
Arco	Franco	Marinero	Flores	D'Alessandro

Also in attendance were:

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

Public Hearings:

1. Consider Amending LL5-2022 with Respect to Civil Penalties for Water Restrictions

Motion to open the Public Hearing to consider amending LL5-2022 with respect to civil penalties for water restrictions: Board Member Franco. Seconded: Board

Member Arco. All voted in favor. Motion carried.

Supervisor D'Alessandro stated that they have had prior discussions regarding water districts that may, from time to time, have to put restrictions on the water use. Sometimes it is done due to being down one well and sometimes it could be due to drought issues. If there is only one well going and it shuts down then water will need to be trucked into the residence and the cost to them for that is astronomical.

Attorney Wood stated that the local law deals with two aspects of irrigation. The first is that when restrictions are placed on the water district, many people do not heed the request not to irrigate their yards during that time. This law provides a penalty for excessive water usage. This means that during the time of the water restriction, any home that exceeds the normal usage for occupancy, as set by the Department of Health, on a regular basis will be notified they are exceeding the restriction and they will have a penalty imposed on their water bill. The fee will increase with each violation. The second part of the law adds a new provision to the water district regulations and requires that before anyone can install a lawn irrigation system on property within a water district they have to apply for a permit for that system so that a determination can be made that there is an adequate water supply. There will be certain sensors and electronics that will be required. It will also require a separate meter and a separate disconnect.

Supervisor D'Alessandro asked if anyone in the audience wishes to speak for or against this. There was no one.

Supervisor D'Alessandro asked if there were any Town Board members with any questions or comments.

Board Member Marinaro stated many years ago when water districts were put in place this circumstance was not thought about. This Board has decided that something needs to be done because drinking water has to be supplied first. Irrigation of lawns is not a necessity like drinking water is.

Board Member Flores stated she did spend a day touring the water treatment facilities. She wants to verify that the process for finding the violators is based on a review of usage metrics, not a subjective conclusion or neighbor complaints. Attorney Wood stated yes. He stated that 30 years ago the Town started allowing cluster housing with central water. One was almost completely built out before they discovered this type of issue. In Hopewell Glen there is a separate irrigation line. Board Member Arco asked if a separate irrigation line was now a new requirement. Attorney Wood stated it will be a requirement for development of a specific size or on their own water. Supervisor D'Alessandro stated they did add that law and it is also required that they have three wells instead of just two.

a. Close Public Hearing

Short Form EAF

Supplemental Part III Information

Storm Water Pollution Prevention Plan (SWPPP)

Other (Describe)

Name of Action:

AMEND TOWN CODE WITH RESPECT TO CIVIL PENALTIES FOR WATER RESTRICTIONS AND REQUIREMENTS APPLICABLE TO IRRIGATION SYSTEMS

For Further Information:

Contact Person:

Peter J. Cassidy, Town Clerk
Town Hall, 330 Route 376
Hopewell Junction, New York 12533
(845) 221-4303

REASONS SUPPORTING THIS DETERMINATION:

The proposed action would result in regulations to ensure the integrity of the Town's water supply to prevent potential disruptions to water service through new penalties for violations and new requirements for the installation and operation of irrigation systems. The proposed action would not result in any significant adverse impacts for the following reasons:

1. It will not result in any significant fiscal impacts.
2. It will not generate a significant amount of additional vehicles, noise or emission levels.
3. It will not affect rare or endangered species of animal or plant, or habitat of such species.
4. It will not result in any impacts to historic or archeological resources.
5. It will not result in any impacts related to hazardous materials.
6. It will not result in a significant effect on air, water quality or ambient noise levels for adjoining areas.
7. It will not be subjected to unacceptable risk of flooding or major geological hazards.
8. It will not have a substantial aesthetic affect.
9. It will not involve adversely affect any surface water or groundwater.
10. It will not allow for improper uses within specified zoning districts.
11. It will not result in adverse cumulative impacts.

- 12. It will not result in adverse growth-inducing impacts.
- 13. It will not conflict with the Town’s Comprehensive Plan.

In conclusion, 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.

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 MAY 25, 2023.

Chairperson/Designee	Date
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- 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)

Local Law No. 2 of 2023
(A Local Law Amending Local Law 5-2022 with Respect to Civil Penalties for Water Restrictions and Requirements Applicable to Irrigation Systems)

Section 1: Legislative Intent

Pursuant to Local Law 5 of 2022, the Supervisor and Town Board voted in favor of regulations to ensure the integrity of the Town’s water supply. The intent of this Amended Local Law is to provide further clarifications and protections to prevent potential disruptions to water service.

Section 2: Amendments to Section 186-34: Enforcement

Section 186-34 of the Town Code contains penalties for violations of water regulations. Section 186-34(A) shall be replaced with the following language:
Pursuant to §§ 135 and 198, Subdivision 3(c), of the Town Law, a violation of any of the provisions of this article is hereby declared to be a violation, punishable by a fine for each violation not exceeding \$250 for the first offense; \$500 for the second offense; \$750 for the third offense; \$1,000 for the fourth offense; \$1,250 for the fifth

offense; \$1,500 for the sixth offense; or imprisonment for a period not to exceed 15 months, or both. These noncompliance penalties may, from time to time, be amended by the Town Board while setting annual district rates. Each day said violation continues shall constitute a separate violation. The proper local authorities of the Town, in addition to other remedies, may institute any appropriate action or proceeding to prevent unlawful violation of these rules and regulations to restrain, correct or abate such violation or to prevent any illegal action, conduct or use in or about said water district.

Section 3: Amendments to Section 194-165

Local Law 5 of 2022 created Section 194-165 of the Town Code with respect to future development projects in the Town. The following provisions shall be added as a separate section of the Town Code for all applications that relate to the installation of new, permanently installed irrigation facilities regardless of whether the principal structure on the property has been built:

- A. For all water districts, the property owner shall submit an irrigation application to the Town Engineer for the purpose of installing and/or operating an irrigation system.**
- B. The Town Engineer, or its designee, has the sole discretion to determine the availability of water for the application.**
- C. All Irrigation systems shall include the ability for the Water Department to shut off the irrigation water.**
- D. All irrigation systems shall have a meter installed which shall be separate from building water usage.**
- E. All irrigation systems shall utilize a rain sensor, soil moisture sensor, and controller to program irrigation timing and usage quantity.**
- F. All irrigation systems must meet cross connection requirements, such as a double check valve or RPZ, as approved by the Town Engineer.**

Section 4: Severability

If any section or subdivision, paragraph, clause, or phrase of this local law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

Section 5: 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 on the 25th day of

May, 2023

VOTE	VOTING
COUNCILPERSON FRANCO	AYE
COUNCILPERSON MARINARO	AYE
COUNCILPERSON ARCO	AYE
COUNCILPERSON FLORES	AYE
SUPERVISOR D’ALESSANDRO	AYE

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

Approve Minutes:

April 27, 2023

Motion to approve the minutes for the April 27, 2023, meeting as amended with a corrected number change: Board Member Arco. Seconded: Board Member Franco. All voted in favor. Motion carried.

Announcement of Additions to the Agenda:

Supervisor D’Alessandro said there are two additions to the agenda. One is to authorize a Fast New York Grant Application submission. The second is for the implementation of the roundabout grant in the Hamlet.

Courtesy of the Floor:

Supervisor D’Alessandro asked if there was anyone who wanted to speak about any general town issues.

Board Member Marinaro stated that in regard to the Supervisor’s last announcement, these are not migrants. These are illegal immigrants. He himself is a legal immigrant who went through the proper processes to come into this country. It is frustrating for him as someone who had to go through the whole

process to come in legally versus the entry of illegal immigrants.

Chip Reynolds wanted to thank Highway Superintendent Williams and his crew for putting up the banners. The veterans and their families really appreciate this.

Keith Dimaso spoke about the imminent situation. He did speak about the recent tax assessments and tax implications as well as multifamily dwellings in his neighborhood.

Robert Grasso questioned the school district budget and the electric buses.

Attorney Wood stated just because a property is listed as a two-family home on the assessment roll, that does not mean that it is a legal home.

Receive and File:

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

Resolutions:

1. Award RFP Records Management Services

RESOLUTION
(AUTHORIZING HIRING RECORDS MANAGEMENT CONSULTANT TO PERFORM INVENTORY OF TOWN RECORDS FROM IRON MOUNTAIN)

WHEREAS, the need does exist to have a complete inventory of Town Records for proper retention; and

WHEREAS, the Town Clerk has requested that he be able to hire a consultant to perform a Physical Inventory of 2000 cubic feet of records stored at Iron Mountain; and

WHEREAS, the Town Clerk has received one sole bidder in response to the RFP for such services; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby authorized to hire Barbara Warren and Alden Stevens for the Project with a bid sum not to exceed \$25,000.00; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to sign a contract to effectuate such services.

Motion to award the RFP for Records Management Services: Board Member Flores. Seconded: Board Member Franco. All voted in favor. Motion carried.

2. Appoint a Full-Time Clerk to Rotate within Various Departments

RESOLUTION
(APPOINTING FULL-TIME CLERK)

WHEREAS, the Town has multiple departments in need of a Clerk to assist with clerical functions necessary to operate; and

WHEREAS, Mary Joe Quinn has been interviewed and recommended to the Town Board to be hired as a Full-time Clerk, to be paid in accordance with the CSEA Union Contract; and

WHEREAS, Mary Joe Quinn will be hired provisionally until it is verified that she is reachable on the Clerk Civil Service list; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the provisional hiring of Mary Joe Quinn, as a Full-time Clerk; and

BE IT FURTHER RESOLVED, that that this Appointment shall take effect May 30, 2023.

Motion to appoint a Full-Time Clerk to rotate within various departments: Board Member Marinaro. Seconded: Board Member Flores. All voted in favor. Motion carried.

3. Appoint a Full-Time Recreation Director Provisionally Per Civil Service

RESOLUTION
(APPOINTING FULL-TIME RECREATION DIRECTOR)

WHEREAS, the Town Supervisor is requesting the Town Board authorize the provisional appointment of Christine Selback as Full-time Recreation Director; and

WHEREAS, Christine Selback will be hired provisionally until it is verified that she is reachable on the Recreation Director Civil Service list; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby appoint Christine Selback as Full-time Recreation Director with an annual salary of \$66,625, made retroactive to January 1, 2023; and

BE IT FURTHER RESOLVED, that this appointment shall be made effective May 26, 2023.

Motion to appoint a Full-Time Recreation Director provisionally per Civil Service: Board Member Franco. Seconded: Board Member Arco. All voted in favor. Motion carried.

4. Award 40 Warren Drive Demolition

RESOLUTION

(AWARD DEMOLITION OF RESIDENTIAL STRUCTURE AT 40 WARREN DRIVE)

WHEREAS, the Town Engineer is in receipt of bids for the Demolition of Residential Structure at 40 Warren Drive; and

WHEREAS, it was determined that Gentile Construction Inc was the lowest responsible bidder for Contract NO. ED2023-08 with a bid sum of \$30,500.00; and

NOW, THEREFORE BE IT RESOLVED, that the bid be and hereby is awarded to Gentile Construction Inc; and

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

Motion to award 40 Warren Drive Demolition: Board Member Arco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

5. Appoint an Engineering Aide Provisionally pending Civil Service

RESOLUTION

(AUTHORIZE ADVERTISEMENT FOR RFQ FOR PROFESSIONAL PLANNING SERVICES)

WHEREAS, the Planning Department is requesting Town Board authorization for advertisement of a Request for Qualifications (RFQ) for Professional Services; and

WHEREAS, the RFQ will seek professional planning consultant services for large scale projects.

WHEREAS, it is the desire of the Town Board to advertise for responses; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor and the Town Clerk be and hereby are authorized to advertise for responses for the RFQ of Professional Planning Services; and

BE IT FURTHER RESOLVED, that said responses shall be received and evaluated by the Supervisor and Town Engineer so that a recommendation be provided to the Town Board for authorization.

Motion to appoint an Engineering Aide provisionally pending Civil Service: Board Member Flores. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

6. Authorize the Supervisor to Sign and File MS4 Annual Report

RESOLUTION
(AUTHORIZING THE SUPERVISOR TO SIGN AND FILE THE MS4 ANNUAL REPORT)

WHEREAS, the Town has prepared the 2023 Annual Stormwater Management Plan Report with respect to the MS4 permit and requirements of the New York State DEC; and

WHEREAS, said report has been made available to the public; and

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby authorize the Town Supervisor to sign and file the above named MS4 Report as prepared by the Town, with the New York State DEC in accordance with law.

Motion to authorize the Supervisor to sign and file the MS4 Annual Report: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

7. Authorize Retaining HVEA for East Hook Road Bridge and Route 52 Side Walks

RESOLUTION
(AUTHORIZING HVEA FOR ARCHITECTURAL/ENGINEERING CONSULTANT CONTRACTS)

WHEREAS, the Town Board has previously entered into an Architectural/Engineering service contract with HVEA Engineers of Beacon, NY to provide consulting services; and

WHEREAS, it is the desire of the Town Board to designate said firm of HVEA Engineers as the Town's consulting engineers for the design of the Route 52 Sidewalk Project near John Jay at cost not to exceed \$391,712 which will be paid for with the Tap Grant; and

WHEREAS, it is the desire of the Town Board to designate said firm of HVEA Engineers as the Town's consulting engineers for the design of the East Hook Road Bridge Replacement at cost not to exceed \$361,858 which will be paid for by FEMA Disaster Relief Funding as a result of Hurricane Ida (8/26/21); and

NOW, THEREFORE, BE IT RESOLVED, that HVEA Engineers be and hereby is designated as a consulting engineering firm for the Town of East Fishkill for these projects.

Motion to authorize retaining HVEA for East Hook Road Bridge and Route 52 sidewalks: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

8. Approve New Planning Zoning Software

RESOLUTION
(AWARD THE BID FOR NEW SOFTWARE FOR THE DEPARTMENT OF ENGINEERING)

WHEREAS, the Town Engineer has requested that we purchase a new software program to modernize and streamline operations in multiple departments; and

WHEREAS, the Town Engineer has received the attached bids; and

WHEREAS, the Town Engineer has requested the Town Board to authorize the bid that OPENGOV has submitted for software and services; and

BE IT FURTHER RESOLVED, that OPENGOV be and hereby is awarded the bid for a one-time set up fee in the amount of \$38,190.00 and an annual subscription fee of \$34,452.00.

Motion to approve the new Planning and Zoning Software: Board Member Arco.
Seconded: Board Member Marinaro. All voted in favor. Motion carried.

9. Set Preliminary Budget for Comprehensive Master Plan Review

RESOLUTION
(AUTHORIZING ORGANIZATION OF MASTER PLAN COMMITTEE)

WHEREAS, NYS Law requires a Town to adopt and maintain a comprehensive Master Plan and for said plan to be used by the Town Board as its guide in developing its Zoning Law; and

WHEREAS, NYS Law recommends that the Master Plan be updated every 10 years to stay current with the needs of the Town; and

WHEREAS, it has been well in excess of 10 years since the Town was updated; and

WHEREAS, to begin preparation for setting up a Master Plan Committee to assist the Town Board with the process a coordinator/consultant must be engaged to establish the process and seek candidates for the Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is hereby authorized to seek consultants for the Town Board’s consideration; and

BE IT FURTHER RESOLVED, that there is hereby appropriated the sum of \$50,000.00 for the initial expenses.

Motion to set preliminary budget for Comprehensive Master Plan review: Board Member Flores. Seconded: Board Member Franco. All voted in favor. Motion carried.

10. Approve Settlement of Tax Certiorari Lemenze vs Town of East Fishkill

RESOLUTION-100/2023
(AUTHORIZING THE SETTLEMENT OF A TAX CERTIORARI – KENNETH B. LEMENZE)

WHEREAS, Kenneth B. Lemenze, filed a tax certiorari for the year 2022; and

WHEREAS, after discussions and review with the Town Assessor it was deemed that a reduction in the roll would be appropriate; and

WHEREAS, it is necessary to review and approve this reduction;

NOW, THEREFORE, BE IT RESOLVED, that the Town Attorney be and hereby is authorized to execute a Consent Judgment and Stipulation of Settlement with respect to the above referenced tax certiorari proceedings as follows:

Tax Map No.: 6457-01-442693-0000

Assess.	Assessed Valuation		Amount of
<u>Year</u>	<u>Reduced From</u>	<u>Reduced To</u>	<u>Reduction</u>
2022	\$700,000	\$540,000	\$160,000

BE IT FURTHER RESOLVED, that upon approval of the Justice of the Supreme Court, all appropriate steps will be taken by the appropriate Town Officials to effectuate the changes herein.

Motion to approve settlement of Tax Certiorari Lemenze vs Town of East Fishkill: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

11. Approve Body Worn Camera Policy

Supervisor D'Alessandro stated this was being tabled until next month.

12. Approve Hiring Temporary Typists

RESOLUTION
(APPOINT TOWN HALL TEMPORARY PART-TIME TYPISTS)

WHEREAS, the Town is in need from time to time of temporary employees commonly referred to as Floaters to assist in the clerical functions necessary to operate Town Departments; and

WHEREAS, Nerina Pirrelli and Rebecca Santos have been interviewed and are recommended to be hired as Temporary Typists; and

NOW, THEREFORE, BE IT RESOLVED, that the applicants are hereby appointed as Temporary Part-time Typists in the Town, being paid at the hourly rate of \$16.28; and

BE IT FURTHER RESOLVED, that said typists shall work at the pleasure of the Town Supervisor in accordance with all the previously established rules and regulations and will be removed from the payroll upon completion of their tasks.

Motion to approve hiring temporary typists: Board Member Franco. Seconded: Board Member Flores. All voted in favor. Motion carried.

13. Set Public Hearing for August 24, 2023 to Consider Regulating Airbnb Uses with the Town

RESOLUTION

(SCHEDULE A PUBLIC HEARING FOR AUGUST 24, 2023 TO CONSIDER ADOPTING NEW RESTRICTIONS WITH RESPECT TO SHORT-TERM RENTALS)

WHEREAS, residents have voiced concerns pertaining to short-term rentals in the community; and

WHEREAS, the Supervisor and Town Board seek to ensure that its residents are able to live in safe and peaceful neighborhoods; and

WHEREAS, the Supervisor and Town Board have directed staff to research potential regulations pertaining to short-term rentals; and

WHEREAS, the Supervisor and Town Board wish to schedule a public hearing to solicit feedback from the public on short-term rentals;

NOW, THEREFORE, BE IT RESOLVED that the Town Board schedules a Public Hearing for a local law concerning short-term rental regulations for August 24, 2023 at 6:00 PM at Town Hall located at 330 Route 376, Hopewell Junction, New York 12533.

Motion to set a Public Hearing for August 24, 2023 to consider regulating Airbnb uses with the Town: Board Member Arco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

14. Appoint Seasonal Employees In Highway and Water Sewer Department

RESOLUTION

(APPOINT SEASONAL EMPLOYEES IN HIGHWAY AND WATER SEWER)

WHEREAS, the Town has interviewed Wayne Mayes, Charlie Harris, Philip Napolitano, and Naythan Williams-Johnson; and

WHEREAS, the Town is requesting the hiring of Wayne Mayes as Seasonal Motor Equipment Operator (MEO) for the Water Sewer Department, and the hiring of Philip Napolitano, Charlie Harris, and Naythan Williams-Johnson as Seasonal Laborers for the Highway Department; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the hiring of Wayne Mayes, Philip Napolitano, Charlie Harris, and Naythan Williams-Johnson, subject to receipt of a pre-employment drug screening; and

BE IT FURTHER RESOLVED, that Naythan Williams-Johnson, Charlie Harris, and Philip Napolitano will be paid an hourly rate of \$17.00, and that Wayne Mayes will be paid in accordance with the attached rate table; and

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

Motion to appoint seasonal employees in Highway and Water Sewer Department: Board Member Arco. Seconded: Board Member Franco. All voted in favor. Motion carried.

15. Authorize Hiring of Interns for Various Departments

RESOLUTION

(AUTHORIZING THE HIRING OF INTERNS FOR VARIOUS DEPARTMENTS)

WHEREAS, the Town Board has previously authorized Interns to assist in clerical functions for Town Departments; and

WHEREAS, the Town, at the discretion of the Town Supervisor, may hire Interns for the 2023 summer season; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby acknowledges the hiring of Sebastian Kaldor, Salena Gafur, DeShawn Primarolo-Ratliff, Jeffrey Shah, Alexandra Webb, Fiona Mohl, Stephanie Jean-Baptiste, Stephan Jean-Baptiste, Stephanie Risucci, and Ava Michaelides; and

BE IT RESOLVED, that the interns are hereby appointed as seasonal employees in the Town, first year interns will be paid an hourly rate of \$14.20 and returning interns will be paid an hourly rate of \$15.20; and

BE IT FURTHER RESOLVED, that said Interns shall work at the pleasure of the Town Supervisor in accordance with all the previously established rules and regulations and will be removed from the payroll upon completion of their tasks.

Motion to authorize hiring of interns for various departments: Board Member Flores. Seconded: Board Member Arco. All voted in favor. Motion carried.

16. Approve Contract with Mental Health America

RESOLUTION
**(AUTHORIZING CONTRACT WITH MENTAL
HEALTH AMERICA TO ASSIST TOWN POLICY)**

WHEREAS, over the last few years there has been a significant increase in calls to the Police for assistance with emotionally distressed persons; and

WHEREAS, even when it is determined no violence is eminent the Police must remain sometimes on the site for a substantial period of time; and

WHEREAS, even though the Police have been trained to handle mental health situations often times more detailed training and skills are needed; and

WHEREAS, Mental Health America assists the Police Departments in the County by providing greater services and follow up in these situations; and

WHEREAS, the communities utilizing these services have had greater success in preventing repeated calls thus eliminating Police involvement as well as overtime, etc.; and

WHEREAS, the Town Board would like to have a Pilot Program during 2023;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to retain Mental Health America, as a professional service, to establish a Pilot Program in 2023.

Motion to approve the contract with Mental Health America: Board Member Marinaro. Seconded: Board Member Arco. All voted in favor. Motion carried.

17. Reject Lime Kiln Recreation Maintenance Garage – Pole Barn Kit Bid

RESOLUTION
**(AUTHORIZING THE REJECTION OF LIME KILN RECREATION
MAINTENANCE GARAGE – POLE BARN KIT BID)**

WHEREAS, the Town Board previously advertised for bids with respect to Lime Kiln Recreation Maintenance Garage – Pole Barn Kit (Contract ED2023.07); and

WHEREAS, the Town Clerk received said bids and opened the same; and

WHEREAS, upon a review of said bids, the Town Board is rejecting all bids at this time for cost reasons; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and hereby is authorized to notify all bidders that said bids have been rejected.

Motion to reject the Lime Kiln Recreation Maintenance Garage – Pole Barn Kit: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

18. Authorize Installation of Town Hall Security Cameras

RESOLUTION **(AUTHORIZE SECURITY CAMERAS FOR TOWN HALL)**

WHEREAS, the current cameras at the Town Hall need to be replaced along with installing new ones both inside and outside the building; and

WHEREAS, three quotes were received and the lowest quote is from A&R Security; and

WHEREAS, the cost for installing security cameras in and around the Town Hall will be \$8,195.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does authorize the installation of security cameras at the Town Hall by A&R Security in the amount of \$8,195.00

Motion to authorize installation of Town Hall Security Cameras: Board Member Arco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

19. Appoint Full-Time Police Assistants

RESOLUTION **(APPOINTING PROVISIONAL POLICE ASSISTANTS)**

WHEREAS, the Town of East Fishkill Police Department is requesting the Town Board authorize the provisional appointments of Dylan Sala, Omar Vega, and Nicholas McSorley as Full-time Police Assistants; and

WHEREAS, Nicholas McSorley currently holds the position of Part-time Police Assistant; and

WHEREAS, Dylan Sala and Omar Vega currently hold provisional appointments as Full-time Police Assistants; and

WHEREAS, an Eligible List has been canvassed, exhausted, and deemed non-mandatory by Dutchess County, therefore granting second provisional appointments to Dylan Sala and Omar Vega; and

WHEREAS, Nicholas McSorley, Dylan Sala and Omar Vega will be hired provisionally until it is verified that they are reachable on the Police Assistant Civil Service list; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby appoint Nicholas McSorley, Dylan Sala and Omar Vega as Full-time Police Assistants, to be paid in accordance with the CSEA Union Contract; and

BE IT FURTHER RESOLVED, that this appointment shall be made effective May 28, 2023.

Motion to appoint Full-Time Police Assistants: Board Member Flores. Seconded: Board Member Marinaro. All voted in favor. Motion carried

20. Authorize Installation of No Parking Signs along Patriot Way

RESOLUTION
(AUTHORIZE REQUEST TO
INSTALL NO PARKING SIGNS ALONG PATRIOT WAY)

WHEREAS, a request was made by John Jay High School Administration to install no parking signage on Patriot Way along the John Jay side the length of the John Jay Drop Off Area; and

WHEREAS, the Highway Superintendent concurs with the John Jay High School Administration and requests the Town Board to authorize the installation of such; and

NOW, THEREFORE, BE IT RESOLVED, that the Highway Superintendent is authorized to install the appropriate no parking signs on Patriot Way along the John Jay side the length of the John Jay Drop Off Area.

Motion to authorize installation of No Parking Signs along Patriot Way: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried

21. Authorize an agreement with East Fishkill Public Library District for use of part of their property, as well as joint maintenance

(AUTHORIZING THE SIGNING OF AN INTERMUNICIPAL AGREEMENT FOR SERVICES WITH EAST FISHKILL LIBRARY)

WHEREAS, the Town has property (Baseball Field 5) that encroaches on the Library’s property; and

WHEREAS, the Town currently and will continue to maintain the Library’s property; and

WHEREAS, the Town and Library have come together and prepared an Intermunicipal Agreement for the services to be rendered regarding the Library’s property and Field 5; and

WHEREAS, the Town Board is asked to authorize the Supervisor to sign the Intermunicipal Agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute the Intermunicipal Agreement for services with the East Fishkill Library.

Motion to authorize an agreement with East Fishkill Public Library District for use of part of their property, as well as joint maintenance: Board Member Franco. Seconded: Board Member Arco. All voted in favor. Motion carried

22. Authorize a FAST New York Grant Application

RESOLUTION
(AUTHORIZE FAST NY GRANT APPLICATION SUBMISSION)

WHEREAS, the Town of East Fishkill previously applied for a Congressional Allocation for the use of infrastructure expansion at the ONSemi / iPark location; and

WHEREAS, the Town of East Fishkill has identified the FASTNY Track B grant path as a funding method intended for the pre-development site planning and engineering design for infrastructure projects, making the project “shovel-ready”; and

WHEREAS, the intended water infrastructure will encourage the development of additional facilities to be built at the iPark properties, bringing additional jobs and a higher ratable to the Town of East Fishkill; and

WHEREAS, the water infrastructure improvements will include a water storage tank, watermain extensions, and water source redundancy via district interconnection; and

WHEREAS, the Track B grant program will align the project to be eligible and better positioned to apply for a Track C grant program. Track C grants are intended to be utilized for utility construction projects.; and

WHEREAS, the FAST NY application process will require an application fee, fund match and commitment fee throughout the process; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Town Staff to prepare an application and accompanying documents for the FASTNY Track B Grant; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the funds for the submission, match and commitment fee; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the submission of the Grant Application and necessary accompanying documents; and

BE IT FURTHER RESOLVED, that the Town Supervisor, Nicholas D'Alessandro, is authorized to represent and provide authorization on behalf of the Town for the Project.

Motion to authorize a FAST New York Grant application: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

23. Authorize implementation and funding for the federal aid project for Route 376 and Route 82

RESOLUTION

(AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE)

WHEREAS, a Project for the Route 82/Route 376 Intersection Improvements, Town of East Fishkill, Dutchess County, NY, PIN 8762.86 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended,

that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Town of East Fishkill desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidentals.

NOW, THEREFORE, the East Fishkill Town Board, duly convened does hereby RESOLVE, that the East Fishkill Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the East Fishkill Town Board hereby authorizes the Town of East Fishkill to pay in the first instance 100% of the federal and non-federal share of the cost of the preliminary engineering and right-of-way incidentals work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$1,346,000 is hereby appropriated from Bond Proceeds and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the East Fishkill Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the East Fishkill Town Board thereof, and it is further

RESOLVED, that the Supervisor of the Town of East Fishkill be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Town of East Fishkill with the New York State Department of Transportation in connection with the advancement or approval of the

Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Town Supervisor the following municipal titles: Town Engineer, Town Comptroller are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

Motion to authorize implementation and funding for the federal aid project for Route 376 and Route 82: Board Member Marinaro. Seconded: Board Member Flores. All voted in favor. Motion carried.

Additions to the Agenda by Majority Vote:

Budget Transfer:

Supervisor D'Alessandro stated there were no budget transfers.

Comments from Town Board Members:

Highway Superintendent Williams stated they did get all of the banners up in time for Memorial Day. He thanked the crew that did the work. They have been doing some in-house paving in the Wiccopee area. They are doing pipe work and preparation of Jeffries Road and Pamela. They are doing extensive pipework and catch basin replacement in preparation of paving on Blueberry, Kim and Ivy Lane.

The Jet Vac has been in the water shed area to stay in compliance with those issues. They have been working with the roadside mower. Red Wing Park will be ready to open this weekend. They are continuing to do pothole repair and tree work as needed.

Police Chief Bellino thanked the Board for the approvals for his new hires. They have had a little over 1400 calls for service this month. There were also 25 arrests. He discussed a medical emergency call with an 11-year-old female who stopped breathing. Officers on scene started CPR. Please keep her in everyone's prayers and she continues to heal. They have recertified all officers in Child Safety Seat Certification. They do approximately 55 of these a year. The entire department has been trained in the New World Public Safety Software, which will go live June 1. Officer Brandon White is the newest field training officer. There are two new officers graduating from Westchester County Police Academy tomorrow. Officer White will help get them trained. He congratulated Officer Barechia and Officer Bailey on their successful completion of the Police Academy. Next week officers will be scheduled for firearm training and qualifications. The dispatch stations have been updated. They were at St. Denis/St. Columba School for Meet the Blue Day. It went very well. There was a bicycle helmet exchange at Fishkill Plains Elementary School. He thanked all the vets for their service. He asked motorists and individuals to be careful coming through the village during the Memorial Day Festivals. The Stormville Flea Market is happening this weekend and the largest soccer tournament in the state is happening on our fields on Route 52. Route 82 be closed for approximately 15 minutes during the Memorial Day parade.

Board Member Arco stated they have begun securing much-needed equipment. The vacuum truck has been ordered and is in the process of being built with a completion date of October/November. They have requested updated photos and to include a maintenance book. They have also taken delivery of a service van and multiple trailers for the Recreation Department. The Highway Superintendent is assisting him with researching fleet maintenance programs. They are also researching safety companies to assist in establishing a safety plan to try to capture some workers compensation savings. He thanked all of the people involved in keeping the Hometown Heroes Banners program going. Board Member Arco and Attorney Wood are scheduled to meet with the Board of Fire Commissioners on June 28. Supervisor D'Alessandro stated he would be attending as well. Board Member Arco stated he was included in walking through all the equipment during the annual fire district inspection. He stated the time put in by these volunteers is very appreciated. He was honored to be invited to the inspection dinner. He thanked all the EMS volunteers as this is EMS week. He congratulated all the seniors on prom and graduation season. And he wished Board Member Franco a very happy birthday.

Board Member Marinaro stated there is a lot going on this weekend in the community. He asked that everyone take extra precautions remaining safe. A few

weeks ago, on Facebook there were complaints about some road issues on Brescia Blvd. He went and spoke to the residents they are and then met with the Highway Superintendent. Together they went to speak to the same residents to address the issues. He asked that people please call their offices instead of resorting to Facebook posts as the entire Board's numbers are posted for people to contact them. He thanked all the veterans for their service and wished everyone a safe Memorial Day.

Board Member Franco stated there is a new inter-town coed adult beach volleyball group. The Town's participating are East Fishkill, Pawling, Beekman, Pleasant Valley, and Dover. Men's basketball will be starting in June and plays at Hopewell Recreation at Lime Kiln. Adult golf lessons are \$100 and meets on Tuesdays and Thursdays in July. Red Wing Park will be opening this Saturday. They will be open every weekend until the season opening date on June 17. Red Wing Lake passes can be received only at the recreation office. There are no online sales. Red Wing swim lessons and swim team summer camp registration is still open. Summer camp trips, basketball camp, fishing camp sessions are all full. There are still tickets available for the city field trip to see the Mets versus Brewers on June 28. They are \$80 each. The Yankees versus Mets game is sold out. You can register online or by calling the recreation office. The summer concert Series starts Friday, June 16. The first concert will be at the stage area and all other concerts will be by the Davis home. The recreation office is open late on Wednesdays from 8 AM to 6:30 PM. He hopes everyone will enjoy the Sons of Italy Festival this weekend. Fireworks will be Monday night. The new Town Field 5 looks spectacular.

Board Member Flores stated it has been a busy first month. She has met with many of the town employees. She thanked the Supervisor for his tour and introductions. She thanked the board members for their time, support, and guidance. She met with Assemblyman Beephan to get his views and what his priorities were as she is filling out his term. She has been spending time with each department learning what they do. Everyone has been very helpful, and she appreciates it. Most enjoyable was spending time at the Senior Center Spring Fling. She is looking forward to participating in the Memorial Day ceremonies.

Supervisor D'Alessandro stated the Memorial Day ceremony is Monday at 10:30 AM. It starts at the Community Center and ends at the War Memorial. It is a nice event every year. The fireworks are Sunday evening at the carnival. He wished a belated birthday to Board Member Marinaro and wished Board Member Franco a happy birthday today. Board Member Marinaro wished Supervisor D'Alessandro a happy birthday also.

Motion for Adjournment: Time: Motion to adjourn the regular meeting at 7:44 PM: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

Town Board Meetings:

Workshop/Voting Meeting:

June 22, 2023

Respectfully submitted by Julie J. Beyer on behalf of Town Clerk Peter Cassidy –
May 30, 2023