



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

**TOWN OF EAST FISHKILL
TOWN BOARD MEETING
JANUARY 19, 2023 @ 6:00 PM
REGULAR MEETING**

Call to Order

Pledge of Allegiance

Supervisor's Announcements

Roll Call

Public Hearings

Approve Minutes

December 8, 2022

Announcement of Additions to the Agenda

Courtesy of the Floor

Receive and File

Resolutions:

- (1) Confirm Receipt of Appointment of Deputy Supervisors and Administrative Assistant by Supervisor
- (2) Banking:
 - a) Designate Depositories
 - b) Designate Authorized Signatures
- (3) Reappoint and Designate Chairs of Various Boards
- (4) Confirm Supervisor's Designation of Liaisons to Various Boards, Committees and Departments
- (5) Authorize Supervisor to sign Personal Service Agreements within Approved Budgetary Lines

- (6) Designate Insurance Brokers for 2023
- (7) Authorize Supervisor to sign IMA's and Contracts for Services with Agencies as Budgeted in 2023
- (8) Adopt Fee Schedule for the Recreation Department for 2023
- (9) Accept Patriot Way as a Town Road
- (10) Schedule a Public Hearing to Set Employment Qualifications for Department Heads and Deputies
- (11) Establish Vapor Intrusion System Policy for New Construction within the Superfund Sites
- (12) Authorize Revision of the East Fishkill Police Department's Juveniles Policy
- (13) Accept Conveyance of 40 Warren Drive
- (14) Authorize the Promotion of a Current Highway Employee to a Shop Foreman
- (15) Update Procurement Policy
- (16) Adopt Retention and Disposition Schedule (LGS-1)
- (17) Declare Emergency to Rehab and Reconstruct Wells at Four Corners
- (18) Authorize the Hiring of Summer Camp Directors
- (19) Declare Personal Property Surplus and Authorize Disposition
- (20) Set Public Hearing for March 23, 2023 to Consider Increasing Senior & Volunteer Fire Fighters Exemptions
- (21) Authorize Bids for Maintenance and Rehabilitation of Fishkill Plains Wells
- (22) Declare Intent to be Lead Agency for Phillips Road Realignment at Route 216
- (23) Adjust Planning and Zoning Board Attendance Fees
- (24) Authorize a Change Order to Hopewell North Road Resurfacing Contract

Additions to the Agenda by Majority Vote

Budget Transfer - No

Board Member Comments

Adjournment

Next Town Board Meetings:

Regular Meeting: February 9, 2023

RESOLUTION-2023

**(CONFIRM RECEIPT OF APPOINTMENT OF DEPUTY SUPERVISOR
AND SECRETARY TO THE SUPERVISOR)**

WHEREAS, the Town Supervisor has submitted his request to appoint Thomas Franco as his Deputy Supervisor of Administration, and

WHEREAS, the Town Supervisor has submitted his request to appoint Emanuele Marinaro as his Deputy Supervisor of Inter Governmental Affairs, and

WHEREAS, the Town Supervisor has also submitted his request to appoint Gina Grippo as Secretary to the Supervisor; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby confirm receipt of the Town Supervisor's appointments.

BE IT FURTHER RESOLVED, BE IT FURTHER RESOLVED, that said Gina Grippo be and hereby is to be compensated as per the 2023 budget and shall receive all other fringe benefits as provided to the CSEA members.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION – 2023

(DESIGNATE THE OFFICIAL DEPOSITORIES OF THE TOWN)

WHEREAS, the Town Board must authorize the official depositories of the Town;
and

WHEREAS, the Town Comptroller has recommended that the Tompkins Mahopac Bank be continued as the principal depository of the Town and that other banking institutions be authorized by the Board for the deposit of money based upon competitive interest rates;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby designate the Tompkins Mahopac Bank, with offices at Route 82, Hopewell Junction, New York as the official depository for the Town of East Fishkill for all official accounts of all public offices; and

BE IT FURTHER RESOLVED, that the following banking institutions which have offices within the Town be and hereby are authorized to be depositories of the Town for funds to be deposited by the Town Supervisor based upon competitive interest rate quotes given at the time of investment, to wit: Key Bank, Route 52; Chase Bank, Route 82; Wells Fargo Bank, Route 376; M&T Bank, Route 376 and the Rhinebeck Bank, Route 52 as well as Putnam County Savings Bank. Within the limits of FDIC Insurance or third party reciprocal collateralization.

BE IT FURTHER RESOLVED, that the deposits shall all be secured in accordance with Town Law.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION-2023

(AUTHORIZING THE VARIOUS SIGNATORIES ON TOWN ACCOUNTS)

WHEREAS, the Town Board has previously designated the official depositories of the Town; and

WHEREAS, under NYS Town Law, the Supervisor is the authorized signer of said accounts; and

WHEREAS, Town Law authorizes the Town Board to establish alternate signers in the absence of the Supervisor; and

NOW THEREFORE BE IT RESOLVED, that all bank accounts maintained by the Town shall be subject to the control of the Town Supervisor who shall be the sole signer on said account; and

BE IT FURTHER RESOLVED, that Deputy Supervisor Thomas Franco be and hereby is an authorized signer on said accounts in accordance with law in the absence or inability of the Supervisor to sign said accounts; and

BE IT FURTHER RESOLVED, the Town Board does hereby continue the requirement that all checks in excess of \$500,000.00 be countersigned by the Town Clerk.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION-2023

(APPOINTING ALL BOARD CHAIRPERSONS)

WHEREAS, the Town Board on an annual basis appoints a Chairperson for each Town of East Fishkill Board; and

WHEREAS, it is the desire of the Town Board to appoint said Chairpersons for 2023;

NOW, THEREFORE, BE IT RESOLVED, that the following will be the Chairperson for each of the listed Boards/Council for the Town of East Fishkill for calendar year 2023:

John Eickman
Norma Drummond
Brent Feldweg
Paul Pesavento
Michael Kieser
Deborah McCaffery
Thomas Toub
David Palin

Planning Board
Zoning Board
Conservation Advisory Council
Architectural Review Board
Recreation Board
Ethics Board
Board of Assessment Review
Fire Advisory Board

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION-2023

(CONFIRMING DESIGNATION OF LIAISONS TO BOARDS & COMMITTEES)

WHEREAS, the Town Supervisor on an annual basis indicates to the members of the Town Board which committees and agencies of the Town they will be the Board Liaison to; and

WHEREAS, in the role of a liaison they regularly meet with their department or board, or committee and report back to the Town Board as a whole as to the status of any issues pertaining to those agencies or boards;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby designates the following liaisons to boards and committees:

Councilman Franco – Recreation, Veterans Committee, Building Dept.
Councilman Marinaro – Police Dept., Assessors Dept., Economic Dev.
Councilman Arco – Highway Dept., Emergency Services, Court

BE IT FURTHER RESOLVED, that all members of the Town Board be and hereby are authorized to attend meetings of any board or agency of the Town upon notice to the official liaison who may also be attending.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION – 2023

(AUTHORIZING THE SUPERVISOR TO SIGN PERSONAL SERVICE AGREEMENT WITHIN BUDGETARY LINES)

WHEREAS, there are personal service agreements that are budgeted and require the Town Supervisor's signature; and

WHEREAS, the Town Board is asked to authorize the Supervisor to sign any personal service agreements within the budget; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute all personal service agreements as budgeted for 2023.

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

**DATED: JANUARY 19, 2023
 EAST FISHKILL, NY**

DRAFT

RESOLUTION- 2023

(DESIGNATE INSURANCE BROKERS OF RECORD FOR CALENDAR YEAR 2023)

WHEREAS, the Town Board on an annual basis needs to maintain insurance for coverage for the Town; and

WHEREAS, it is the desire of the Town Board to designate Town brokers of record;

NOW, THEREFORE, BE IT RESOLVED, that Spain Agency be and hereby are designated as the Town's brokers of record for Commercial Coverage and Worker's Compensation; and

NOW, THEREFORE, BE IT RESOLVED, that Dutchess County Agent be and hereby is designated as the Town's broker of record for Health Insurance; and

BE IT FURTHER RESOLVED, that Marshall & Sterling be and hereby is designated as the Town's insurance broker of record with respect to the Town's Disability insurance.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION-2023

(AUTHORIZING THE SIGNING OF AN INTERMUNICIPAL AGREEMENT AND CONTRACTS FOR SERVICES WITH AGENCIES)

WHEREAS, The Supervisor signs Intermunicipal Agreements and contracts annually for services with agencies as budgeted; and

WHEREAS, the Town Board is asked to authorize the Supervisor to sign all Intermunicipal Agreements and contracts that are in the 2023 budget;

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute all Intermunicipal Agreements and contracts for services with agencies as budgeted in 2023.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

DRAFT

RESOLUTION – 2023

(SETTING RECREATION FEES FOR 2023)

WHEREAS, the Town Board from time to time reviews all fees charged by the various departments of the Town; and

WHEREAS, a current fee schedule has been requested for our Recreation Department; and

NOW, THEREFORE, BE IT RESOLVED, that the annexed list of fees shall be established for the calendar year 2023 as the fees to be charged for the such named department; and

BE IT FURTHER RESOLVED, the Town Board approves the attached list of fees for 2023.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

DRAFT

**RED WING
FEE SCHEDULE**

ANNUAL SEASON PASS	2023 Proposed Resident Fee	2023 Proposed Non-Resident Fee	2022 Resident Fee	2022 Non-Resident Fee	2020 Resident	2020 Non-Resident Fee	2019 Resident	2019 Non-Resident Fee
Adult	\$99.00	\$199.00	\$85.00	\$160.00	\$85.00	\$160.00	\$85.00	\$160.00
Child 5-16 yrs	\$70.00	\$130.00	\$70.00	\$130.00	\$70.00	\$130.00	\$70.00	\$130.00
Family of 2	\$125.00	\$250.00	\$110.00	\$210.00	\$110.00	\$210.00	\$110.00	\$210.00
Family of 3	\$140.00	\$265.00	\$115.00	\$215.00	\$115.00	\$215.00	\$115.00	\$215.00
Family of 4	\$150.00	\$280.00	\$120.00	\$220.00	\$120.00	\$220.00	\$120.00	\$220.00
Family of 5	\$160.00	\$295.00	\$125.00	\$225.00	\$125.00	\$225.00	\$125.00	\$225.00
Family of 6	\$170.00	\$310.00	\$130.00	\$230.00	\$130.00	\$230.00	\$130.00	\$230.00
Family of 7	\$180.00	\$325.00	\$135.00	\$235.00	\$135.00	\$235.00	\$135.00	\$235.00
Senior 62+	No Charge	\$60.00	No Charge	\$60.00	No Charge	\$60.00	No Charge	\$60.00
All Veterans/Active Military Family	No Charge	Half Price	No Charge	Half Price	No Charge	Half Price	No Charge	Half Price
All Veterans/Active Military Individual	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge	No Charge
DAILY ADMISSION								
Adult	\$12.00	\$19.00	\$10.00	\$15.00	\$10.00	\$15.00	\$10.00	\$15.00
Child 5-16 yrs	\$5.00	\$10.00	\$4.00	\$8.00	\$4.00	\$8.00	\$4.00	\$8.00
Senior 62 +	No Charge	\$6.00	No Charge	\$6.00	No Charge	\$6.00	No Charge	\$6.00
Adult after 5:00 p.m.	1/2 daily fees apply	1/2 daily fees apply	\$5.00	\$8.00	\$5.00	\$8.00	\$5.00	\$8.00
Child after 5:00 p.m.	1/2 daily fees apply	1/2 daily fees apply	\$2.00	\$4.00	\$2.00	\$4.00	\$2.00	\$4.00
CAMPS - SCHOOLS - PARTIES								
Camps and Schools	\$5.00		\$5.00		\$5.00		\$4.00	
Parties	\$6.00		\$6.00		\$6.00		\$5.00	
SWIM INSTRUCTION								
Child 4+ yrs.	\$110.00	\$125.00	\$110.00	\$125.00	\$110.00	\$125.00	\$110.00	\$125.00
Child 4+ yrs (3rd + child in same family)	\$55.00	\$75.00	\$55.00	\$75.00	\$55.00	\$75.00	\$55.00	\$75.00
Child 4+ yrs. Late Fee	\$135.00	\$150.00	\$135.00	\$150.00	\$135.00	\$150.00	\$135.00	\$150.00
Child 4+ yrs Late Fee (3rd + child in same family)	\$80.00	\$100.00	\$80.00	\$100.00	\$80.00	\$100.00	\$80.00	\$100.00
SWIM TEAM								
Child 5+ yrs	\$90.00	\$125.00	\$85.00	\$110.00	\$85.00	\$110.00	\$80.00	\$100.00

**Adult/Youth
Programs**

GOLF WEEKLY SESSION	2023 Proposed Resident	2023 Proposed Non-Resident	2022 Resident	2022 Non-Resident	2020 Resident	2020 Non-Resident	2019 Resident	2019 Non-Resident
Toddler 4 & 5 yrs	\$50.00	\$75.00	\$40.00	\$60.00	\$40.00	\$60.00	\$40.00	\$60.00
Child 6+ yrs	\$60.00	\$95.00	\$60.00	\$80.00	\$60.00	\$80.00	\$60.00	\$80.00
Adult 18+ (At Beekman Golf)	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
TENNIS WEEKLY SESSION Conj w/Taconic Racquet			\$2,020.00		\$2,020.00			
Child 5yrs +	n/a	n/a	n/a	n/a	n/a	n/a	\$75.00	\$75.00
Child 5yrs + enrolled in Summer Camp	Included with Camp	Included with Camp					\$60.00	\$60.00
Adult 18+	n/a	n/a					\$75.00	\$75.00
Senior	n/a	n/a					\$75.00	\$75.00
MEN'S WINTER BASKETBALL								
Adult 18+	\$50.00	\$75.00	\$40.00	\$60.00	\$40.00	\$60.00	\$35.00	\$55.00
CO-ED WINTER VOLLEYBALL								
Adult 18+	\$50.00	\$75.00	\$40.00	\$60.00	\$40.00	\$60.00	\$35.00	\$55.00
FISHING CAMP								
Child 7yrs -12yrs	\$75.00	\$100.00	\$60.00	\$80.00	\$60.00	\$80.00	\$60.00	\$80.00
SUMMER BASKETBALL CAMP								
Child 4th Grade - 9th Grade	\$75.00	\$100.00	\$60.00	\$80.00	\$60.00	\$80.00	\$60.00	\$80.00
WINTER BASKETBALL YOUTH								
Early Registration 8/1/23-9/29/23	\$150.00	\$175.00	\$120.00	\$145.00	\$120.00	\$145.00	\$110.00	\$135.00
Registration Fee (as of 9/30/23)	\$165.00	\$190.00						
Coach's Child Registration Fee	\$125.00	\$150.00	\$145.00	\$170.00	\$145.00	\$170.00	\$135.00	\$160.00
YOUTH VOLLEYBALL	\$50.00 Youth \$30.00 H.S.	\$60.00 Youth \$40.00 H.S.	\$50.00 Youth \$30.00 H.S.	\$60.00 Youth \$40.00 H.S.	\$50.00 Youth \$30.00 H.S.	\$60.00 Youth \$40.00 H.S.	New 2020	

**FIELD RENTAL
FEE SCHEDULE**

LEAGUES	2023 Proposed Designated E.F.Town Leagues	2023 Proposed Out of Town Leagues	2022 Designated E.F.Town Leagues	2022 Out of Town Leagues	2020 Designated E.F.Town Leagues	2020 Out of Town Leagues	2019 Designated E.F.Town Leagues	2019 Out of Town Leagues
Any field with exception of McGrath Field = baseball/softball, utility, 1/4 of Route 52 complex, Lime Kiln all purpose								
Up to 3 Hours	\$55.00	\$110.00	\$55.00	\$110.00	\$55.00	\$110.00	\$50.00	\$100.00
Up to 3 Hours with Lights	\$110.00	\$165.00	\$110.00	\$165.00	\$110.00	\$165.00	\$100.00	\$150.00
4 - 7 Hours	\$80.00	\$165.00	\$80.00	\$165.00	\$80.00	\$165.00	\$75.00	\$150.00
4 - 7 Hours with Lights	\$135.00	\$220.00	\$135.00	\$220.00	\$135.00	\$220.00	\$125.00	\$200.00
8 + Hours	\$165.00	\$330.00	\$165.00	\$330.00	\$165.00	\$330.00	\$150.00	\$300.00
8 + Hours with Lights	\$220.00	\$385.00	\$220.00	\$385.00	\$220.00	\$385.00	\$200.00	\$350.00
McGrath Field								
Up to 3 Hours	\$80.00	\$165.00	\$80.00	\$165.00	\$80.00	\$165.00	\$75.00	\$150.00
Up to 3 Hours with Lights	\$135.00	\$220.00	\$135.00	\$220.00	\$135.00	\$220.00	\$125.00	\$200.00
4 Hours	\$135.00	\$275.00	\$135.00	\$275.00	\$135.00	\$275.00	\$125.00	\$250.00
4 Hours with Lights	\$190.00	\$330.00	\$190.00	\$330.00	\$190.00	\$330.00	\$175.00	\$300.00
8 Hours	\$275.00	\$550.00	\$275.00	\$550.00	\$275.00	\$550.00	\$250.00	\$500.00
8 Hours with Lights	\$330.00	\$600.00	\$330.00	\$600.00	\$330.00	\$600.00	\$300.00	\$550.00
Tournaments, Camps, Special Events (Excluding McGrath)								
Up to 8 Hours		Individual Basis Determined by Recreation Dept.		Individual Basis Determined by Recreation Dept.		Individual Basis Determined by Recreation Dept.		Individual Basis Determined by Recreation Dept.
Up to 8 Hours with Lights	\$375.00*	\$475.00*	\$375.00*	\$475.00*	\$375.00*	\$475.00*	\$350.00	xxx
*May incur additional costs								

League Fees

	2023 Proposed Town League Fee	2022 Town League Fee	2020 Town League Fee	2019 Town League Fee
1 Season	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
Multiple Seasons (Spring/Fall/Summer)				
Leagues under 400 players	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
Leagues with more than 400 players	\$2,000.00			
	2023 Proposed Non Resident Fee	2022 Non Resident Fee	2020 Non Resident Fee	2019 Non Resident Fee
Per player	\$60.00	\$50.00	\$50.00	\$50.00

RESOLUTION- 2023

(A RESOLUTION ACCEPTING PATRIOT WAY AS A TOWN ROAD

WHEREAS, The Town has obtained Patriot Way from Bluewater Property Group;
and

WHEREAS, it is the desire of the Town Board to accept Patriot Way as a Town
Road; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of East Fishkill hereby
accepts Patriot Way nunc pro tunc as a Town Road as of January 1, 2023 upon final
approval from the Town Engineer.

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the appropriate
School, postal and emergency officials of the acceptance and dedication of said road.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

Town of East Fishkill

Dutchess County, New York

330 Rt. 376, Hopewell Junction, New York 12533

Town Engineer's Memo

Subject: Dedication of Patriot Way
Attn: Supervisor and Town Board Members
From: Scott Bryant, P.E.
Date: December 5, 2022

Patriot Way has been substantially completed and is in full conformance with Town Highway Specifications. Accordingly, the Engineering Department recommends that the Town Board accept Patriot Way as a Town Road as of January 1, 2023.

In addition, the new student drop-off for John Jay High School will be ready for use at the same time.

RESOLUTION

(SCHEDULE A PUBLIC HEARING TO SET EMPLOYMENT QUALIFICATIONS FOR DEPARTMENT HEADS AND DEPUTIES)

WHEREAS, the Town of East Fishkill has a dedicated group of employees that serves the Town's residents; and

WHEREAS, in order to attract and retain the best talent, the Supervisor and Town Board seek to confirm qualifications needed for all Department Heads and Deputies;

NOW, THEREFORE, BE IT RESOLVED that the Town Board will schedule a Public Hearing for a local law concerning qualifications of Department Heads and Deputies for March 23, 2023 at 6:00 PM at Town Hall located at 330 Route 376, Hopewell Junction, New York 12533.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

DRAFT

RESOLUTION

**(AUTHORIZING BUILDING DEPARTMENT TO REQUIRE
VAPOR BARRIERS WITHIN SUPERFUND SITE RECLAMATION AREA)**

WHEREAS, the USEPA has installed and turned over to the Town the Hopewell North Water District to remediate contamination caused within the Ryan Drive Superfund Site; and

WHEREAS, in order to further protect residents within this area from the negative effects of the contamination, the EPA has requested that the Town require the installation of a Vapor Barrier in all new construction within the area;

NOW, THEREFORE, BE IT RESOLVED, that the Building Department will require as part of any new construction within the Ryan Drive Superfund area that a Vapor Barrier in installed as is appropriate; and

BE IT FURTHER RESOLVED, that the Town Engineer in conjunction with the Supervisor shall implement this requirement.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION-2023

(APPROVING REVISED POLICY ON JUVENILES IN THE POLICE DEPARTMENT)

WHEREAS, the definition of Juvenile Delinquent was amended by the New York State Family Court; and

WHEREAS, a revision to the Police Departments Juveniles Policy & Procedures is required to comply with the amended New York State Family Court definition of a Juvenile Delinquent; and

NOW THEREFORE BE IT RESOLVED, that the Annexed Policy on Juveniles be and hereby is adopted and approved by this Town Board.

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

**DATED: JANUARY 19, 2023
 EAST FISHKILL, NY**

DRAFT

N4. CHAPTER 3 - JUVENILES

In Effect: 01/30/1992

Review Date: 01/30/1992 @ 0000

DIRECTIVE

92-50.4
(Revised 2013)
(Revised 2020)
(Revised 2023)
(Ref. 92-8.2)
(Ref. 19-01)

DATE: JANUARY 30, 1992

SUBJECT: JUVENILES

POLICY:

Officers of the Town of East Fishkill Police Department shall dispose of juvenile matters in the least constraining manner, based upon the officer's discretion. All personnel share the responsibility of investigating juvenile incidents.

All members are to be following the Raise the Age Legislation that went into effect on October 1, 2019. (See directive 19-01-Raise the Age Legislation)

DEFINITION:

Juvenile Delinquent - A person at least twelve (12) years of age, and less than eighteen (18) years of age who commits an act that would constitute a crime if committed by an adult.

Juvenile Offenders – A person who is 13, 14, or 15 years old and is charged with committing a serious or violent felony offense listed in Penal Law 10.00 (18).

Adolescent Offenders – As of October 1, 2019, a 16 or 17 year old who commits a felony. The case is originally heard in the Youth Part of the Supreme of County Court. However, the case may be transferred to Family Court, where the youth will be considered a Juvenile Delinquent.

PROCEDURES

(As outlined in Directive 19-01 Raise the Age Legislation)

Members of the Department shall adhere to the following procedures when handling these defendants:

1) 16- And 17-Year-Old Charged With A Misdemeanor, Traffic Infraction, or Violation Misdemeanors: (Other than VTL Misdemeanors and Misdemeanors accompanied with a Felony Charge)

Upon the relevant effective dates, a 16- or 17-year-old arrested for a misdemeanor will be considered a juvenile delinquent and the case heard in Family Court. Law enforcement should utilize the same arrest procedures for juvenile delinquents when processing 16- and 17-year-olds charged with a qualifying misdemeanor and should use the juvenile delinquent custody determinations set forth in Family Court Act 305.2. If, pursuant to Family Court Act 305.2(4)(b), law enforcement takes the child directly to family court and **court is not in session, the statute now requires the youth be taken to the most accessible magistrate, if any, designated by the Appellate Division of the Supreme Court.** A 16- or 17-year-old may not be housed with adults in these circumstances.

VTL Misdemeanors:

If a custodial arrest is made, a 16- or 17-year-old charged with a VTL misdemeanor should continue to be processed as an adult since the case will be heard in local criminal court.

Traffic Infractions and Violations:

Like VTL misdemeanors, the process will remain the same for any 16- and-17-year-old charged with a traffic infraction or a violation. The case will be heard in local criminal court. **Note that, unlike persons 15 years of age or less, 16- and 17-year-olds may still be charged with violations and traffic infractions.**

**2) 16 And 17 Year-Old Charged With Felonies - Adolescent Offenders (AOs)
Violent Felonies and Non-Violent Felonies:**

A 16 or 17 year-old charged with a felony is an AO. AOs will be arraigned in the newly established Youth Part of the County Court, when court is in session or when Court is not in session they must be brought before the designated magistrate for arraignment. Prior to transporting any AO or JO you must contact the District Attorney's Office and fax the paperwork to (845) 486-2324.

The Criminal Procedure Law authorizes a police officer to issue appearance tickets, instead of a physical arrest, when a person is charged with most E felonies as designated in CPL § 150.20. Appearance Tickets should be returnable to **10 Market Street, Poughkeepsie NY 12601, Monday through Friday at 1:00 PM.**

Misdemeanor Charges Accompanied with a Felony:

A 16- or 17-year-old charged with a misdemeanor and a felony, alleged to have been committed as a part of the same criminal transaction, will be considered an AO and processed as an adult prior to arraignment in the Youth Part.

3) 13- To 15-Year-Olds

Juvenile Delinquents (JD):

The processing and custody determination of juvenile delinquents, ages 13 to 15, will generally remain the same. However, as mentioned previously, in custodial arrest situations where Family Court is not in session, the

statute now requires law enforcement to take the child before the most accessible magistrate.

Juvenile Offenders (JO):

The processing of JO's, will remain the same for youths ages 13 to 15 who commit certain qualifying serious crimes. However, all 13- to 15-year-olds charged as JO's will now have their cases adjudicated in the Felony Youth Part. When the Felony Youth Part is not in session, they must be brought before a designated magistrate for arraignment.

4) Arrest Procedures

Arrest on a Warrant:

CPL § 120.30 has been amended to add that an AO or JO arrested on a warrant issued from the Youth Part must be brought before the Felony Youth Part of the County Court in which the warrant is returnable, provided that court is in session. If the Felony Youth Part is not in session, the officer must bring the individual before the designated magistrate for arraignment purposes.

Fingerprinting:

Traffic Infractions, Violations, and Misdemeanors:

Similar to adults, 16 and 17 year-olds charged with traffic infractions and violations may not be fingerprinted. Misdemeanors (other than VTL misdemeanors) will no longer be printable offenses for 16 or 17 year-olds since they will be considered JDs. As such, any attempts to submit fingerprints via Livescan for these non-printable offenses will be rejected.

A juvenile violator should not be issued a uniformed traffic ticket for any type of traffic infraction. The juvenile should be returned to the station and his/her parent notified to respond.

Felonies or Fingerprintable VTL Misdemeanors

A 16 or 17 year-old charged with a felony or VTL printable misdemeanor should still be fingerprinted pursuant to CPL 160.10 Sub 1.

Parental Notification

A parent or other person legally responsible for the 16 or 17 year old's care must be immediately notified that the individual has been arrested, and the location of the facility where he or she is being detained.

Questioning

If questioning of a 16 or 17 year old is to occur, it must be held in a facility suitable for the questioning of a juvenile pursuant to the requirements of 22 N.Y.C.R.R. 205.20. The youth may also be questioned for a reasonable period of time at his or her residence, upon consent of a parent or other legally responsible person. Miranda rights are always required during a custodial interrogation, with some exceptions, regardless of age. If present during questioning, a parent or other person legally responsible for the care of the juvenile, must also be advised of the Miranda warnings.

Video Recording of Custodial Interrogation

A custodial interrogation must be recorded if a 16 or 17 year-old, regardless of classification, is alleged to have committed one of the qualifying offenses:

- A) Class A-1 non drug felony
- B) All A-2 felonies in the Penal Law sections 130.95 and 130.96 (ex. Predatory Sexual Assault and Predatory Sexual Assault against a Child)
- C) All Class B violent felonies codified in Section 125 of the Penal Law (ex. Attempted Murder 2nd, Manslaughter 1st, and Aggravated Manslaughter 1st)
- D) All Class B Violent felonies codified in Section 130 of the Penal Law (ex. Rape 1st, Criminal Sexual Act 1st, Aggravated Sexual Abuse 1st)

Confinement of Adolescent Offenders

If the remand of an Adolescent Offender or a Juvenile Offender is a possibility, Officers should contact an on-call Detention Worker at (914) 475-4314 to arrange for a bed and the Sheriff's Office Corrections Division to arrange for transport as soon as possible in order to effectuate the most efficient transition of custody as possible. Any AO or JO awaiting appearance before an Accessible Magistrate **may not** be held in a jail cell. AO and JO offenders **may not** be co-mingled with adult defendants (New York Family Court Act section 304.1). All AO and JO detainees who are remanded should be detained at the Woodfield Secure Detention Facility, 20 Hammond House Road, Valhalla NY 10595, phone number (914) 231-1103. Juveniles arrested for an AO or JO offense may not be brought to the Dutchess County Jail

PERSONS IN NEED OF SUPERVISION (PINS)

As per Section 712 subsection A of the Family Court Act. A person less than 18 years of age who does not attend school in accordance with the provisions of part one of article 65 of the Education Law or who is incorrigible, ungovernable, or habitually disobedient and beyond the lawful control of a parent or other person legally responsible for such child's care, or other lawful authority, or who violates the provisions of section 221.05 or 230.00 of the penal law, or who appears to be a sexually exploited child as defined in paragraph (a), (c) or (d) of subdivision one of section four hundred forty-seven-a of the social services law, but only if the child consents to the filing of a petition under this article.

RAISING THE LOWER AGE OF A JUVINILE DELINQUENCY DIFFERENTIAL RESPONSE REFERRAL FORM (RTL)

New York State passed legislation that raised the lower age (RTL) of juvenile delinquency from 7 to 12 years of age, except for alleged homicide related offenses (Chapter 810 of the Laws of 2021, as amended by Chapter 38 of the Laws of 2022). As of December 29th, 2022, the new law requires that each local department of social services (LDSS)

establish an RTLA differential response (DR-RTLA) program for children under 12 years old who no longer fall under the definition of juvenile delinquent under section 301.2 of the Family Court Act (FCA), and whose behavior would otherwise bring them under the jurisdiction of the family court pursuant to Article 3 of the FCA.

The investigating officer of an incident involving a child less than 12 years of age that has committed an offense can complete a New York State Office of Children and Family Services Differential Response Referral Form (Form # OCFS-2210) and submit it to Dutchess County Youth Services Unit at fax number 845-486-3288. Dutchess County Youth Services would then contact the family to gather information to determine eligibility, make an assessment and develop a supportive plan for the child and family.

RESOLUTION

(ACCEPT CONVEYANCE OF 40 WARREN DRIVE)

WHEREAS, the New York State Division of Homeland Security and Emergency Services (the "DHSES") is able to accept and distribute funding on behalf of the Federal Emergency Management Agency ("FEMA"); and

WHEREAS, DHSES has been working with Town representatives to provide funding for the Town to acquire 40 Warren Drive; and

WHEREAS, 40 Warren Drive has experienced flood damage, and FEMA and DHSES have allotted \$243,750 for the Town to acquire 40 Warren Drive; and

WHEREAS, the current owners of 40 Warren Drive have agreed to convey the property to the Town;

NOW, THEREFORE, BE IT RESOLVED that the Town Supervisor and staff are authorized to execute all necessary paperwork to effectuate the conveyance of 40 Warren Drive to the Town.

BE IT FURTHER RESOLVED that this Resolution shall be subject to Permissive Referendum and will be posted and published as required by law.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION

(ACKNOWLEDGE THE APPOINTMENT OF A FOREMAN IN THE HIGHWAY DEPARTMENT)

WHEREAS, the Highway Superintendent has requested that the Town Board acknowledges the promotion of Kevin Higgs to Shop Foreman; and

WHEREAS, it is the desire of the Town Board to confirm the Highway Superintendent's appointment; and

NOW, THEREFORE, BE IT RESOLVED, that Kevin Higgs be and hereby is appointed as Shop Foreman in the Highway Department with a start date to be of January 23, 2023 by; and

BE IT FURTHER RESOLVED, that Kevin Higgs shall receive the same salary and benefits as the other General Foreman as this is a non-union position; and

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

**DATED: JANUARY 19, 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: January 12, 2023

I, Kenneth Williams, request that the East Fishkill Town Board recognize the promotion of the of Kevin Higgs to Shop Foreman for the East Fishkill Highway Department, effective January 23, 2023.

Thank you.

Kenneth Williams
East Fishkill Highway Superintendent
KW/jl

RESOLUTION-2023

(AMENDING THE TOWN'S PURCHASING POLICY)

WHEREAS, the State Legislator has recently increased the bidding limits set in the General Municipal Law; and

WHEREAS, formal bids are required with respect to purchases in any amount in excess of \$20,000.00 and with respect to public works contracts for any amounts over \$35,000.00; and

WHEREAS, the Town Board has previously, and wishes to continue, to have a policy governing purchases under the formal bid thresholds;

NOW, THEREFORE, BE IT RESOLVED, that the following be and hereby are the requirements for purchasing in the Town of East Fishkill for Commodities:

<u>Dollar Amount</u>	<u>Requirement</u>
\$0.00 - \$4,999.99	Department Head Approval
\$5,000.00 - \$9,999.99	3 Verbal Quotations
\$10,000.00 - \$19,999.99	3 Written Quotations
\$20,000.00 & Above	Formal Bid Process

BE IT FURTHER RESOLVED, that with respect to public works contracts:

<u>Dollar Amount</u>	<u>Requirement</u>
\$0.00 - \$7,499.99	Department Head Approval
\$7,500.00 - \$14,999.99	2 Written Quotations
\$15,000.00 - \$34,999.99	3 Written Quotations
\$35,000.00 & Above	Formal Bid Process

BE IT FURTHER RESOLVED, that verbal quotations shall be written and documented in the file maintained by the Town and all amounts with respect to bidding shall be reviewed in relationship to the Town's annual cumulative volume; and

BE IT FURTHER RESOLVED, that the Supervisor be and hereby is authorized and required to amend the Town's purchasing process and notify all departments thereof.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION – 2023

(ADOPT REVISED 2022 LGS-1 SCHEDULE)

WHEREAS, Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.; and

NOW, THEREFORE, BE IT RESOLVED, The Town Board of East Fishkill adopt the Retention and Disposition Schedule (LGS-1); and

BE IT FURTHER RESOLVED, that in accordance with Article 57-A:

- (a) Only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein;
- (b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION-xxx/2023

**(DECLARE EMERGENCY TO REHABILITATE AND CONSTRUCT WELLS
AT FOUR CORNERS)**

WHEREAS, The Four Corners Water District has previously identified a shortage of potable water supply.; and

WHEREAS, The Four Corners Water District has only two wells in operation. Well #4, one of the two active wells, is experiencing a decline in production, leaving one active well; and

WHEREAS, in an emergency effort, Well #5, under review by the NYSDEC and Department of Health, could be completed and brought on line as a second water source; and

WHEREAS, the Water and Sewer Department is recommending that Well #4 be rehabilitated; and

NOW, THEREFORE, BE IT RESOLVED, that due to the severe shortage of water supply, the Water District is in a State of Emergency; and

BE IT FURTHER RESOLVED, that the Town Engineer and Water and Sewer Department are authorized to obtain and engage services needed to re-establish potable water supplies; and

BE IT FURTHER RESOLVED, that the Town Engineer and Water and Sewer Department are authorized to bring Well #5 for emergency use; and

BE IT FURTHER RESOLVED, that the Town Engineer and Water and Sewer Department are authorized to rehabilitate Well #4; and

BE IT FURTHER RESOLVED, that the Town Supervisor, Nicholas D'Alessandro, and Town Attorney, Tom Wood, are authorized to represent and provide authorization on behalf of the Town; and

BE IT FURTHER RESOLVED, that the State of Emergency will continue until a satisfactory amount of potable water supply is developed and available to the District.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**



Town of East Fishkill

Engineering Department

330 Route 376, Hopewell Junction, New York 12533
Telephone 845-223-5114

Memo

Subject: Four Corner Water District State of Emergency
From: George Cronk, P.E., Asst. Town Engineer
Date: January 12, 2023

The Town of East Fishkill Water and Sewer Department manages the Four Corners Water District (WD). The WD services approximately 289 homes. The District includes two active wells, a failed well, and a shortage of water. We have recently discovered that Well #4, one of the two active wells is experiencing a decrease in production and is no longer in use.

The District was constructed with three (3) well sources. Several years ago, Well#1A failed as the well water quality no longer meets the standards for safe drinking water. More recently, the District is relying on Well #2 and Well #4. The District continues experiencing a shortage of water supply. With the loss of Well #4, the entire district is relying on a single well source. This is an extremely undesirable situation and may lead to an unsafe set of circumstances for the District.

Fortunately, the Town has been progressing with a new well, Well #5. Although Well #5 will not have enough capacity to supply all of the districts water demand short comings, the well will help reduce some of the unfulfilled demand. Well #5 Engineering plans and reports are in the process of being reviewed and approved by both the Health Department and the NYSDEC. Due to the emergency created by the loss of Well #4, we are recommending that well #5 be completed and brought on line.

As Well #5 is brought online, we also recommend that Well #4 be rehabilitated and evaluated for use. It is imperative that Well #4 and Well #5 be usable prior to the higher demands of the summer months. We also recommend that the Board clearly state that the Emergency will continue until a satisfactory amount of potable water supply is developed and available to the District.

George Cronk, P.E.
Asst. Town Engineer

cc: Scott Bryant, P.E., Town Engineer

RESOLUTION

(AUTHORIZING HIRING OF CAMP DIRECTORS)

WHEREAS, the Town of East Fishkill conducts extensive summertime programs for the Town; and

WHEREAS, the Recreation Director has submitted a letter to the Town Board with the name of a Camp Director and Assistant Camp Directors and the seasonal salaries attached hereto; and

WHEREAS, the Recreation Director recommends that the Town Board rehires Danielle Keenan as Camp Director and Nicholas Howe, Connor Wade, and Kathleen Intravaia as Assistant Camp Directors; and

WHEREAS, it is the desire of the Town Board to authorize the hiring of a Camp Director and Assistant Directors for the 2023 summer season; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby appoints Danielle Keenan as Camp Director at a seasonal salary of \$10,500.00 and Nicholas Howe, Connor Wade, and Kathleen Intravaia as Assistant Camp Directors at the seasonal salary of \$20.00/per hr.; and

BE IT FURTHER RESOLVED, that employment shall be for the period of time from which they are hired until the conclusion of their summertime program; and

BE IT FURTHER RESOLVED, that upon completion of their task they shall be removed from the payroll unless further ordered by the Town Board.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION

(DECLARING CERTAIN PROPERTY TO BE SURPLUS)

WHEREAS, the Director of Recreation has provided the Town Board with a letter of gym equipment that are deemed to be of no further use to the Town and thus, should be considered surplus; and

WHEREAS, the town also has two candy machines that are recommended to the Town Board to be declared surplus; and

WHEREAS, the attached list of items being requested to be declared surplus material and sold by Absolute Auctions & Realty; and

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

NOW, THEREFORE, BE IT RESOLVED, that the items listed are hereby declared to be surplus and are to be disposed of by participating in an auction process held by Absolute Auctions & Realty without cost to the Town; and

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

Equipment #	Equipment
1	True - Bicycle
2	True - Bicycle
4	Star Trace Elite-Elliptical
7	Bench Curler
8	Matrix Elliptical
9	Machine Lift Up - Abdominal
10	BH Fitness Treadmill - OUT OF SERVICE
13	Star Trac - Treadmill
14	Cybex— Leg Curl
20	True — Seated leg curl
23	Nautilus — Lat Pull Down machine
24	True — Ab curl/back extension machine
25	Nautilus — Overhead Press machine
34	Abcore
35	Weight Rack Lift
36	Quantum Leg Lift
53	Body Solid - Sit-up bench
55	Hoist Fitness — Hi-Lo Pulley
56	Schwinn — Home Trainer
67	Leg Bench

Equipment #	Equipment
70	Cybex Treadmill
71	Cybex Treadmill
73	AB Coaster
74	Concept2 Rowing Machine
75	Concept 2 Cycle
76	Roque- Pushup Bench
81	Weight Curl Bench
82	Weight leg machine
83	Tuff Stuff
	True - Bicycle
85	Stairmaster
86	Flat Bench
98	Bench
Not Labelled	NordicTrack Bicycle
Not Labelled	Tread Climber
Not Labelled	Tuffs Stuff Leg/Crunch Bench
Not Labelled	Host Fitness Hi-Lo Pulley
	Racks to hold weights
	Numerous Floor Mats
	Numerous weights to add on machine various weights

	Numerous barbells various weights
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RESOLUTION

(SCHEDULE A PUBLIC HEARING FOR MARCH 23, 2023 TO CONSIDER INCREASING SENIOR, DISABLED, AND VOLUNTEER FIREFIGHTER EXEMPTIONS)

WHEREAS, periodically, the State updates permissible tax exemption limits for various groups; and

WHEREAS, to effectuate these changes, a local law must be passed by the Town Board; and

WHEREAS, the Supervisor and Town Board wish to schedule a public hearing to solicit feedback from the public on increasing certain exemptions;

NOW, THEREFORE, BE IT RESOLVED that the Town Board will schedule a Public Hearing for a local law concerning increasing exemptions for qualifying residents for March 23, 2023 at 6:00 PM at Town Hall located at 330 Route 376, Hopewell Junction, New York 12533.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

DRAFT

RESOLUTION-xxx/2023

(AUTHORIZE BIDS FOR MAINTENANCE & REHABILITATION OF FISHKILL PLAINS WELLS)

WHEREAS, The Fishkill Plains Water District has two wells in operation. The two wells are experiencing a decline in production due to ongoing use; and

WHEREAS, the Water and Sewer Department is recommending that the we engage WSP, to prepare a scope of services and solicit bids to rehabilitate the two wells, and seek Department of Health approvals; and

WHEREAS, we estimate that the rehabilitation efforts will require a budget of \$100,000 to perform the anticipated rehabilitation efforts; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Engineer and Water and Sewer Department are authorized to engage WSP for professional services, to prepare a scope services and solicit bids to rehabilitate the two wells as well as apply and seek Department of Health approvals for anticipated work.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**



Town of East Fishkill

Engineering Department

330 Route 376, Hopewell Junction, New York 12533
Telephone 845-223-5114

Memo

Subject: Fishkill Plains Bid for Well Rehabilitation
From: George Cronk, P.E., Asst. Town Engineer
Date: January 12, 2023

The Town of East Fishkill Water and Sewer Department manages the Fishkill Plains Water District (WD). The WD services approximately 281 homes as well as Revere Park, Brettview, and Hopewell West water districts. The District includes two active wells that provide the majority of the water needed for these districts.

Over time, groundwater wells can lose production due to plugging of the waterways that supply water to the well. Plugging can occur from fine sediment becoming lodged in the waterways or minerals accumulate also restricting flow through the waterways. In both scenarios, well production will decline. In the Hudson Valley it is very typical for wells to need rehabilitation because of loss of production. When wells are rehabilitated, they are brought off line for a period of time while the work is being performed.

The rehabilitation work is performed by well drillers and overseen by a Professional Hydrogeologist. The methods to rehabilitate each well can vary depending on the type of well. Well rehabilitation is regulated by the Department of Health and NYSDEC. WSP is one of the Professional Services firms that has been selected in 2022 as part of our RFQ process. WSP is well qualified to support this type of project.

We are recommend engaging WSP to prepare a bid package and solicit bids to perform the well rehabilitation. WSP will also seek Department of Health and NYSDEC approval to perform rehabilitation efforts.

George Cronk, P.E.
Asst. Town Engineer

cc: Scott Bryant, P.E., Town Engineer

RESOLUTION

**(SEEKING LEAD AGENCY UNDER SEQRA FOR THE
REALIGNMENT OF PHILIPS ROAD AND ROUTE 216)**

WHEREAS, the Town Board is desirous of making safety improvements at the intersection of Route 216 and Philips Road; and

WHEREAS, the project is in the design stage and must be reviewed under SEQRA; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Planner be and hereby is directed to circulate notice of the Town's intent to be lead agency for this project to all the necessary parties.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

DRAFT

RESOLUTION

**(MODIFYING SYSTEM OF COMPENSATION FOR
PLANNING AND ZONING BOARD MEMBERS)**

WHEREAS, Community Members give generously of their time to serve on the Planning and Zoning Boards; and

WHEREAS, the Town has for many years given them a small stipend for their service; and

WHEREAS, it is the desire of the Town Board to fix the stipends for 2023;

NOW, THEREFORE, BE IT RESOLVED, that members of the Planning and Zoning Boards will receive \$2,500. per annum and the Chairperson will receive \$3,500. per annum; and

BE IT FURTHER RESOLVED, that if any member attends less than 85% of the total number of meetings within the year, their compensation will be reduced to \$50. per meeting attended.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

RESOLUTION-XXX/2023

**(AUTHORIZING A CHANGE ORDER TO HOPEWELL NORTH ROAD
RESURFACING CONTRACT)**

WHEREAS, the Town has previously entered into an agreement with Intercounty Paving Co. to pave certain roads; and

WHEREAS, it is the Town's responsibility to have the final asphalt top course installed on Patriot Way; and

WHEREAS, the Intercounty Paving Co has agreed to perform this work at the same unit price that we pay for Town roads in the Hopewell North area; and

WHEREAS, the Town Engineer's recommendation to the Town Board is to approve a change order for Intercounty Paving Co in an amount not to exceed \$275,000.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approve the change order that is budgeted and will be paid for as part of the Route 52 Traffic Improvement Project.

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

**DATED: JANUARY 19, 2023
EAST FISHKILL, NY**

Town of East Fishkill

Dutchess County, New York

330 Rt. 376, Hopewell Junction, New York 12533

Town Engineer's Memo

Subject: Change Order #2 for Hopewell North Road Resurfacing Contract

Attn: Supervisor and Town Board Members

From: Scott Bryant, P.E.

Date: January 13, 2023

The Town Board previously approved change order # 1 for Intercounty Paving in an amount not to exceed \$275,000 for the paving of Patriot Way of which \$174,068.13 was spent.

Change Order #2 is for asphalt price escalation and miscellaneous extra work including driveway aprons in the Hopewell North Water District Area. The amount of Change Order #2 is \$276,356.89

The original contract amount was \$798, 133. The EPA contributed \$900,000 and the final cost to resurface all the roads was \$1,074,489.89