



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

**TOWN OF EAST FISHKILL
TOWN BOARD MEETING
SEPTEMBER 28, 2023 @ 6:00 PM
AGENDA**

Call to Order

Pledge of Allegiance

Supervisor's Presentations

Proclamation for Jim Forde - East Fishkill Fire District

Proclamation for Troop #3086 -The American Legion New York Boy Scout Troop of the year

Supervisor's Announcements

Roll Call

Presentation

Public Hearings

Open Adjourned Public Hearing To Consider Regulating Airbnb Uses with the
Town (Short Term Rentals)

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

Approve Minutes

August 24, 2023

Announcement of Additions to the Agenda

Courtesy of the Floor

Receive and File

Local Law No. ___ of 2023

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

Section 1. Legislative Intent

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

Section 2. Regulation of Short-Term Rental Properties

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

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

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

Section 3. Severability

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

Section 4. Effective date

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

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

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

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:

(See 617.7(c) for requirements of this determination; see 617.7(d) for conditioned Negative Declaration)

The proposed action would result in the adoption of a local law for short term rentals. The law includes provisions allowing short term rentals provided certain provisions are met to ensure that the general welfare of the community is protected. In addition, the law sets application and enforcement fees for short term rentals. The proposed local law is expected to support the regulation of short term rentals in the Town of East Fishkill and protect public health and safety. Therefore, the proposed action would not be expected to result in any significant adverse impacts for the following reasons:

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

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF EAST FISHKILL HELD ON AUGUST 24, 2023.

Chairperson/Designee

Date

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)

RESOLUTION-xxx/2023

(RECEIVE AND FILE AND DISTRIBUTE 2024 BUDGET)

WHEREAS, the Town Supervisor's budget must be filed with the Town Clerk within the time period prescribed by law; and

WHEREAS, it is necessary for the Town Clerk to present said budget to the Town Board at a public meeting prior to the 4th day of October; and

WHEREAS, it is the desire of the Supervisor and the Town Clerk to have the Town Board receive the Tentative 2024 Budget at this meeting; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will conduct a Budget Hearing on October 26, 2023.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

DRAFT

RESOLUTION

**(AUTHORIZE AGREEMENT WITH HUDSON RIVER HOUSING IN RESPECT TO
MANAGING THE AFFORDABLE HOUSING PROGRAM)**

WHEREAS, the Town of East Fishkill does have affordable for-sale units and may from time to time have additional units; and

WHEREAS, the “Affordable Units” have been developed in compliance with Article XXIII, Section 194-164 of the Town’s Zoning Code; and

WHEREAS, it is the desire of the Town Board to have the “Affordable Units” be administered and monitored in compliance with the Moderately Priced Housing Program; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to execute an agreement with the Hudson River Housing as per the attached proposal.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

Hudson River Housing, Inc.
NeighborWorks® HomeOwnership Center of Dutchess County
 313 Mill Street
 Poughkeepsie, NY 12601

A Proposal for the Town of East Fishkill

Proposal Summary

Hudson River Housing (HRH), through the NeighborWorks HomeOwnership Center of Dutchess County seeks to continue our work with the Town of East Fishkill (Town) to assist the Town in implementing Town Code Chapter 194, Part 3, Article XXIII (194 – 164 - Affordable Housing). HRH proposes to continue to act as administrator of this program on behalf of the Town. If allowed, HRH would renew its existing mutually agreed upon Memorandum of Understanding with the Town to continue this work. Duties may include; Assisting the Town in updating guidelines and processes as necessary; continuing to work with developers to create appropriate application timetables for allocation of units; updating application packages including guidelines and forms, as needed; updating outreach materials, as needed; continuing to respond to questions from potential applicants; continuing to maintain waiting lists, as needed; continuing to review applications for eligibility in accordance with the Town's ordinance and published procedures; continuing to notify priority households when units become available; maintaining a priority household list; monitoring progress of priority households towards purchase/lease-up; maintaining compliance documents and ensuring such documents are recorded at closing, if applicable; monitoring of ongoing occupancy requirements including re-sale; other tasks as necessary as identified by HRH, the Town and/or Dutchess County.

HRH's Mission & Vision

Mission Statement

Through a continuum of services for the homeless to the homeowner, Hudson River Housing is dedicated to building strong, sustainable communities by developing and preserving quality affordable housing and helping families and individuals obtain and maintain housing through education, advocacy, and support services.

Vision Statement

Housing will be seen as a basic human right that should be available to all, regardless of income, family makeup, physical or mental health issues, or any other defining factors. As a result, all inhabitants of our region will have access to decent, cost-appropriate housing that meets their needs. Communities, including their residents and governing bodies, will value attractive, affordable, and well-designed housing and neighborhoods as essential to everyday life.

Guiding Principles

In accordance with our mission and vision, HRH has identified the following organizational outcomes that guide the whole of our work:

- Increase the availability of affordable rental and homeownership housing for low and moderate-income households in our region.
- Ensure that quality and affordable housing stock exists in our region for the long-term.

- Contribute to the stabilization of families and neighborhoods in our region by creating and facilitating access to opportunities for families to move from rental housing to homeowner housing, and maintain that housing.

HRH's Experience with Municipal Inclusionary Housing Programs

In 2007, through a Request for Proposal process, Hudson River Housing (HRH) through the NHC-DC, entered into an eighteen month Memorandum of Understanding with the Dutchess County Department of Planning and Development (DCDPD), the Dyson Foundation, and the Dutchess County Economic Development Corporation to implement administration of the County's Inclusionary Housing Program. This MOU enabled HRH to serve as a central administrative agency to support municipality's efforts to develop inclusionary housing units by alleviating concerns about administrative burden at the municipal level. In this capacity, HRH worked with the Town of Amenia, the Town of East Fishkill, the Village of Pawling, and the Town of Rhinebeck. In the years that followed, HRH additionally also worked with The Village of Wappingers Falls and the City of Beacon.

HRH's Fee Structure

To ensure the long-term ability to provide oversight and management for municipalities to operate their Affordable Housing programs, thereby instituting their zoning code, HRH collects transaction fees to cover costs associated with this work. **It is the responsibility of the Town of East Fishkill to inform all developers of these fees prior to providing public approvals.**

HOMEOWNERSHIP PROJECTS:

Two Percent (2%) of the sale price of the unit will be paid to HRH at closing, by the property seller (developer as new unit, homeowner at re-sale). For all potential re-sales or re-finances of programmatic units, HRH requires a fee of **Fifty Dollars (\$50)** from the homeowner to prepare a sale-price calculator. In the instance of a re-sale, Fifty dollars (\$50.00) will be deducted from the 2% fee collected at closing.

RENTAL PROJECTS:

A fee equal to **one-month rent** will be paid to HRH by the property owner/developer for each new household that moves into a programmatic rental unit.

HRH Municipal Inclusionary Housing Program Contact Information

Lashonda Denson, Director of Homeownership & Education
NeighborWorks® HomeOwnership Center of Dutchess County
(845) 454-5176 ext. 118
ldenson@hudsonriverhousing.org

Mary F. Linge, V.P. of Real Estate Development & Homeownership
(845) 454-5176 ext. 114
mlinge@hudsonriverhousing.org

RESOLUTION - /2023

(AUTHORIZE AWARD FOR PROFESSIONAL SERVICES FOR RT 52 WIA)

WHEREAS, The ROUTE 52 COMMERCIAL WATER IMPROVEMENT AREA is seeking funding support that requires Engineering Plans and Reports for the improvement of a water system; and

WHEREAS, the Improvements will include watermain extensions, booster pumps, water storage tank, and water treatment; and

WHEREAS, the Town has followed State and Federal guidelines for identifying and recommending a professional services consultant, including qualifications review, interviews, and proposal evaluations with expectations that these services may be reimbursed in the future; and

WHEREAS, the Consultant will provide engineering plans, reports, documents to be submitted to the Department of Health as well as provide services that comply with SEQR; and

WHEREAS, it is recommended that the services from Barton & Loguidice D.P.C. be retained in an amount not to exceed \$ 742,000.00; and

NOW THEREFORE, IT IS RESOLVED, that the Town Board hereby declares and Authorizes Nicholas D'Alessandro, Town Supervisor, be provided the authority to authorize a contract with Barton & Loguidice D.P.C. for professional services with the Rt 52 Water Improvement Area.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION

(AUTHORIZING TRAVEL AND TRAINING FOR POLICE ASSISTANT)

WHEREAS, Lieutenant (Acting Chief) Cuccia is requesting that Alyssa Ashley attend training for the new software that the Police Department will be using; and

WHEREAS, a training program is available for her to attend in Clifton, New York from October 11, 2023 through October 12, 2023; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to send Alyssa Ashley to attend the overnight training for the new Police Department software to be held out of the area requiring an overnight stay; and

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

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION

(AUTHORIZE SALE OF SURPLUS PROPERTY)

WHEREAS, the Town Board authorized for surplus property to be auctioned off;
and

WHEREAS, there was a Kohler Fast Response II Indoor Generator, a Generac LP Indoor Generator, Generac KW Diesel Outdoor Generator, and a Dell Server Cabinet that were auctioned off within the guidelines of Town Board approval; and

WHEREAS, the Town Board has reviewed the auction results; and

NOW, THEREFORE, BE IT RESOLVED, the auction results for the three generators and the server cabinet that was auctioned off by Absolute Auctions & Realty without cost to the Town have been accepted.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION - /2023

**(AUTHORIZE AWARD FOR CONSTRUCTION SERVICES OF
DWSRF 18090 PHASE 3A BUILDINGS RAZING)**

WHEREAS, the Town previously sought and has been awarded funding for the interconnection of several water districts, the replacement of a portion of watermains at Hopewell West WD, as well as the razing of several non-functional water plants; and

WHEREAS, the Town prepared plans and specifications for the demolition and material disposal at Revere Park water treatment plant, Hopewell West water treatment plant, Brettview water treatment plant, and minor material disposal at Fishkill Plains water treatment plant, known as Phase 3A; and

WHEREAS, the New York State Department of Health and Dutchess County Department of Health have reviewed and approved the plans and specifications describing the proposed construction work on August 21, 2023; and

WHEREAS, the Town publicly advertised the bid package on BIDNET and Southern Dutchess news starting on August 23, 2023 and performed a public site walk on September 12, 2023, followed by receiving bids on September 18th, 2023; and

WHEREAS, the Town received one bid response and has determined that SUNCO, INC is the lowest cost, qualified, responsive bidder that agrees to comply with New York State Environmental Facilities Corporation requirements include M/WBE goals, use of American Steel, etc.; and

NOW THEREFORE, IT IS RESOLVED, that the Town Board hereby declares and Authorizes Nicholas D'Alessandro, Town Supervisor, be provided the authority to authorize a contract with SUNCO, INC. for services described in Contract WS2023.01 Hopewell West, Revere, Brettview Water Districts Buildings Razing in an amount not to exceed \$163,450.00.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION-xxx/2023
(APPOINT SEASONAL EMPLOYEE IN TAX OFFICE)

WHEREAS, the Acting Receiver of Taxes has interviewed Elizabeth Singh; and

WHEREAS, the Acting Receiver of Taxes is requesting the Town Board to authorize the hiring of Elizabeth Singh as Seasonal Tax Record Clerk; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the hiring of Elizabeth Singh, effective September 29, 2023; and

BE IT FURTHER RESOLVED, that Elizabeth Singh will be paid an hourly rate of \$16.28.

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

DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY



TOWN OF EAST FISHKILL
Receiver of Taxes
2464 Route 52
Hopewell Junction, New York 12533
845- 221-2160



To: East Fishkill Town Board

From: Ann Goldsmith, Receiver of Taxes

Date: September 6, 2023

I, Ann Goldsmith, respectfully request that the East Fishkill Town Board authorize the hiring of Elizabeth Singh as Seasonal Tax Clerk for the East Fishkill Receiver of Taxes office.

Thank you,

Ann Goldsmith
E. F. Receiver of Taxes

RESOLUTION
**(AUTHORIZING A GRANT APPLICATION TO
THE OFFICE OF COURT ADMINISTRATION)**

WHEREAS, the Town Justices have advised the Town Supervisor that the Office of Court Administration is making available grants for Justice Courts during the 2023-2024 cycle for a range of activities; and

WHEREAS, it will be the desire of the Town Justices to apply on behalf of the Town of East Fishkill Justice Court for said grants to provide improvements to the Courtroom (multi-use) including audience seating and removable security equipment; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor and Town Justices be and hereby are authorized to make applications for grants to the Office of Court Administration for up to \$30,000 maximum amount allowed.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION

(AUTHORIZING TRAVEL AND TRAINING FOR TOWN JUSTICES)

WHEREAS, the Town Justices have requested that the Town Board authorize for them to attend the New York State Magistrates Association annual training program; and

WHEREAS, the training program is in Syracuse, NY from October 1, 2023 through October 3, 2023; and

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

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

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

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION

(APPOINTING SARATOGA ASSOCIATES AS THE PLANNING CONSULTANT TO ASSIST IN THE UPDATE OF THE COMPREHENSIVE MASTER PLAN)

WHEREAS, the Town of East Fishkill desires to update their Comprehensive Master Plan last adopted in 2002, and

WHEREAS, The Town wishes to engage professional services to assist in that effort, and

WHEREAS, the Town has received proposals from 3 different planning firms and the Master Plan Staff Committee conducted a thorough analysis of these proposals, and recommends the hiring of Saratoga Associates, and

WHEREAS the Town of East Fishkill Town Board has also appointed a volunteer Comprehensive Plan Committee (CPC) comprised of a cross-section of East Fishkill residents and stakeholders to assist in this effort,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the hiring of Saratoga Associates in an amount not to exceed \$105,000.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION

(APPOINTING THE MEMBERS OF THE COMPREHENSIVE PLAN COMMITTEE)

WHEREAS, the Town of East Fishkill has begun the process of updating their Comprehensive Master Plan, and

WHEREAS, The Town has hired Saratoga Associates to assist the Town in the creation of the Updated Comprehensive Master Plan, and

WHEREAS the Town of East Fishkill Town Board wishes to appoint a volunteer Comprehensive Plan Committee (CPC) comprised of a cross-section of East Fishkill residents and stakeholders to assist in this effort,

NOW, THEREFORE, BE IT RESOLVED, that the following individuals are hereby appointed to the East Fishkill Comprehensive Plan Committee ("CPC"):

John Eickman, Chairman
Levon Bedrosian
Patrick Blanchfield
Jackie Coffman
Norma Drummond
Bobby Grasso
Delbert Lee
Maria Mahoney
Felicia Walker

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION

(SET PUBLIC HEARING FOR OCTOBER 26, 2023 FOR CONSIDERATION OF FINAL SENIOR CITIZEN AND VOLUNTEER FIREMEN TAX EXEMPTIONS)

WHEREAS, the Town Board previously held a Public Hearing to consider increasing the tax exemptions for income qualified seniors as well as volunteer firemen; and

WHEREAS, the final information from the State has been received; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will hold a Public Hearing at its regular meeting of October 26, 2023 at 6:00PM to consider the above local law.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

DRAFT

RESOLUTION - /2023

**(AUTHORIZE CHANGE ORDER FOR DEMOLITION
SERVICES OF TOWN OWNED BUILDING)**

WHEREAS, the Town previously purchased land located at the Southeast Corner of NYS Rt 52 and Taconic Parkway with a property address of 2670 NY Rt 52 that included multiple structures that needed to be removed; and

WHEREAS, the Town Highway Department removed one structure and a second structure remains to be removed; and

WHEREAS, the Town received a proposal of services for the additional work described herein, including hazardous materials mitigation from Gentile Construction in the amount of \$30,000.00; and

WHEREAS, the previously executed contract amount with Gentile Construction will need to increase from \$24,300.00 to \$54,300.00; and

NOW THEREFORE, IT IS RESOLVED, that the Town Board hereby declares and Authorizes Nicholas D'Alessandro, Town Supervisor, be provided the authority to authorize a change order in the amount of \$30,000.00 for a total of \$54,300.00 with Gentile Construction for the demolition of a structure located at the intersection of Rt 52 and Taconic Parkway.

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

**DATED: SEPTEMBER 28TH, 2023
EAST FISHKILL, NY**

RESOLUTION-xxx/2023

(AUTHORIZE ON-CALL STIPEND FOR BUILDING DEPARTMENT EMPLOYEE)

WHEREAS, the responsibility of the Building Department to occasionally respond to emergencies after business hours creates the need for an on-call employee; and

WHEREAS, the Town Engineer is requesting the Town Board to authorize Matthew Rickett to receive the standard on-call stipend; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize Matthew Rickett to receive the on-call stipend, effective January 1, 2023.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION

(AUTHORIZING CERTAIN DECLARED SURPLUS PROPERTY TO BE RE-AUCTIONED)

WHEREAS, the Director of Recreation has provided the Town Board with a letter of gym equipment that was deemed surplus January 19, 2023. The equipment was auctioned and was left abandoned; and

WHEREAS, the Director of Recreation is requesting the Town Board to authorize a second auction for the equipment; and

WHEREAS, the attached list of items being requested to be re-auctioned 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 authorized to be re-auctioned 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: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION-XXX/2023

At a regular meeting of the Town Board of the Town of East Fishkill, Dutchess County, New York, held at the Town Hall, in Hopewell Junction, New York, in said Town, on September 28, 2023, at 6:00 o'clock P.M., Prevailing Time.

PRESENT:

NICHOLAS D’ALESSANDRO
Supervisor

TOM FRANCO
Councilperson

EMANUELE MARINARO
Councilperson

CRAIG ARCO
Councilperson

MARIANNE FLORES
Councilperson

In the Matter
of

The Joint Increase and Improvement of
Revere Park Water District, Fishkill Plains
Water District and Hopewell West Water
District in the Town of East Fishkill,
Dutchess County, New York

ORDER CALLING
PUBLIC HEARING

WHEREAS, the Town Board of the Town of East Fishkill, Dutchess County, New York, has under consideration a joint increase and improvement of the facilities of Revere Park Water District, Fishkill Plains Water District and Hopewell West Water District (the “Water Districts”; each a “Water District”) with respect to construction of interconnection and related facilities, in East Fishkill, New York, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith pursuant to Section 202-b of the Town Law; and

WHEREAS, the maximum amount proposed to be expended for said improvements is \$5,145,635, and the method of financing the cost of said improvements shall be by the issuance of serial bonds of said Town maturing in annual installments over a period not exceeding forty years, such bonds to be payable from assessments levied upon all the taxable real property in the Water Districts, apportioned between the three Water Districts by the Town Board and the amounts so apportioned levied and collected in each Water District from the several lots and parcels of land as provided by law by the Town Board, in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due; and

WHEREAS, the apportionment of said \$5,145,635 shall be as follows:

Revere Park Water District:	\$1,285,145
Fishkill Plains Water District:	723,102
Hopewell West Water District:	3,137,388

	Allocation of Maximum Estimated Cost	Bonds to be Authorized*	Grants to be Allocated	Anticipated Bonds to be Issued*
Revere Park Water District	\$1,285,145	\$1,285,145	\$ 771,087	\$ 514,058
Fishkill Plains Water District	\$723,102	\$723,102	\$402,441	\$320,661
Hopewell West Water District	\$3,137,388	\$3,137,388	\$1,882,433	\$1,254,955

* Bonds authorized at maximum estimated cost, including grant portion to permit borrowing in anticipation of receipt of grants.

WHEREAS, compliance with the provisions of the State Environmental Quality Review Act, has been performed and it has been determined pursuant to the regulations promulgated thereunder by the New York State Department of Environmental Conservation that said capital project is an Unlisted Action, the implementation, as proposed, the Town Board has determined will not result in any significant adverse environmental impacts; and

WHEREAS, it is now desired to call a public hearing upon the question of the joint increase and improvement of the facilities of Revere Park Water District, Fishkill Plains Water District and Hopewell West Water District in the manner aforesaid pursuant to Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of East Fishkill, Dutchess County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of East Fishkill, Dutchess County, New York, shall be held at the Town Hall, in Hopewell Junction, New York, in said Town, on October 26, 2023, at 6:00 o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the joint increase and improvement of Revere Park Water District, Fishkill Plains Water District and Hopewell West Water District of said Town as described in the preambles hereof, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the attached Notice of Hearing to be (i) published in the official newspaper of said Town, and (ii) posted on the Town sign board not less than ten nor more than twenty days prior to the date of the public hearing.

Section 3. This order shall take effect immediately.

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

COUNCILPERSON FRANCO	VOTING _____
COUNCILPERSON MARINARO	VOTING _____
COUNCILPERSON ARCO	VOTING _____
COUNCILPERSON FLORES	VOTING _____
SUPERVISOR D'ALESSANDRO	VOTING _____

The order was thereupon declared duly adopted.

* * * * *

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

DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY

RESOLUTION
**(AUTHORIZE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE DCWWA
FOR 8500gpd OF WATER FOR THE RTE 52 COMMERCIAL WATER DISTRICT)**

WHEREAS, the Town Board previously established two water improvement areas to service the Hudson Valley Research Park; and

WHEREAS, additional water supply must be obtained; and

WHEREAS, the DCWWA has sufficient capacity to provide the needed 8500gpd of water; and

WHEREAS, the cost will be borne by the users; and

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to sign the standard agreement with DCWWA for 8500gpd of water.

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

**DATED: SEPTEMBER 28 2023
EAST FISHKILL, NY**

RESOLUTION
**(AUTHORIZE TOWNS PARTICIPATION IN A CLASS ACTION UNDER THE
FEDERAL TRAILS ACT TAKINGS CLAIM)**

WHEREAS, as Rail Road ROW is abandoned to be used as walking trails, etc. certain funds are available to compensate adjoining property owners; and

WHEREAS, a national law firm is offering to handle the Towns claims, if any, for no fee unless they obtain funds for the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Town Attorney is authorized to arrange for the Towns participation in the recovery program

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

DRAFT

RESOLUTION-xxx/2023

(AUTHORIZE EDA GRANT APPLICATION SUBMISSION)

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

WHEREAS, the Town of East Fishkill received a letter of award intention, identifying an amount of \$2M to fund a portion of the intended water system improvements and expansion for the Rt 52 Commercial Water Improvement Area; and

WHEREAS, the intended water infrastructure will encourage the development of additional facilities to be built at the iPark properties, bringing nearly 1,500 additional permanent jobs as well as a higher ratable to the Town of East Fishkill; and

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

WHEREAS, the Grant being sought from the US Department of Commerce Economic Development Administration (EDA) could provide up to \$1.1M towards the project; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Town Staff to prepare an application and accompanying documents for the EDA 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.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION-xxx/2023

(AUTHORIZE CDBG GRANT SUBMISSION FOR DRINKING FOUNTAIN PROJECT)

WHEREAS, we are requesting Town Board provide authorization for submission of a grant application for a Community Block Development Grant (CDBG); and

WHEREAS, the Town requested public input at Town Board May 2023 Meeting and received public input to evaluate various projects that would benefit low and moderate level income communities and identified a drinking and bottle fill fountain along the rail trail; and

WHEREAS, the Town has identified a location that is in close proximity to the target income community and the existing rail trail system that can also a public water source; and

WHEREAS, the grant program is administered through Dutchess County; and

WHEREAS, the Town will need to meet and adhere to all grant requirements; and

WHEREAS, the Town will need to maintain the fountain as part of the Town Wide Water District; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the project with the use of Town and Grant funds; 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 Drinking and Bottle Fill Project.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION-xxx/2023

(APPOINT SEASONAL EMPLOYEES IN HIGHWAY)

WHEREAS, the Town has interviewed Michael Tavares and Adam Burns; and

WHEREAS, the Town is requesting the hiring of Michael Tavares and Adam Burns as Seasonal Laborers for the Highway Department; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the hiring of Michael Tavares and Adam Burns; and

BE IT FURTHER RESOLVED, that Michael Tavares and Adam Burns will be paid an hourly rate of \$17.00; and

BE IT FURTHER RESOLVED, upon completion of seasonal tasks, and no later than December 31, 2023, they shall be removed from the payroll.

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

**DATED: SEPTEMBER 28, 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: September 13, 2023

I, Kenneth Williams, request that the East Fishkill Town Board recognize the hiring of Miguel Melenciano, Michael Tavares and Adam Burns as a seasonal laborers for the Highway/Parks and Recreation Department, effective September 29, 2023.

Thank you.

Kenneth Williams
East Fishkill Highway Superintendent

RESOLUTION -XXX/2023

(AUTHORIZE TOWN STAFF TO APPLY FOR A DOWNTOWN REVITALIZATION INITIATIVE (DRI) AND/OR NY FORWARD GRANT FROM NEW YORK STATE FOR THE HOPEWELL JUNCTION HAMLET)

WHEREAS, the Downtown Revitalization Initiative (DRI) and NY Forward (NYF) programs are competitive New York State grant program that awards up to \$10,000,000 to community as part of the Consolidated Funding Application (CFA) program, to plan for and fund a variety of projects to improve downtown areas; and

WHEREAS, the Town of East Fishkill has submitted a letter of intent to apply for the DRI and/or NYF grant program for the Hopewell Junction Hamlet as a downtown area and will be submitting the full application on or before September 29, 2023; and

WHEREAS, a successful DRI or NYF application requires the formation of a local planning committee with 5 to 10 community leaders and stakeholders should the community receive a DRI or NYF award to support in the development of a list of projects to be funded by the grant award; and

WHEREAS, the Town Board is authorizing the creation of a local planning committee to support in the identification of projects to be funded should the Town receive a DRI or NYF grant; and

WHEREAS, the Town has already completed several studies and projects in the Hopewell Junction Hamlet that will form the basis for a successful grant application.

NOW THEREFORE BE IT RESOLVED, that Town Staff is hereby authorized to do the following:

- a) Apply to the Downtown Revitalization Initiative (DRI) and/or NY Forward (NYF) grant programs for up to \$10,000,000 in grant money.
- b) Work with the Town Supervisor and Town Board to form the local planning committee to assist the Town with the DRI application.

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

**DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY**

RESOLUTION XXX/2023
(AUTHORIZING HVEA FOR ARCHITECTURAL/ENGINEERING CONSULTANT CONTRACT)

WHEREAS, the Town Board 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 Route 82/Route 376 Intersection Improvements Project at cost not to exceed \$1,091,621 which will be funded through the TAP/CMAQ grant.

NOW, THEREFORE, BE IT RESOLVED, that HVEA Engineers be and hereby is designated as the consulting engineering firm for the Town of East Fishkill for this project and authorize the Town Engineer to execute said contract.

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

DATED: SEPTEMBER 28, 2023
EAST FISHKILL, NY

DRAFT