



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

**TOWN OF EAST FISHKILL
TOWN BOARD MEETING
APRIL 25, 2024 @ 6:00 PM**

SPECIAL JOINT PUBLIC HEARING WITH THE PLANNING BOARD AT 6:00 PM

Special Joint Public Hearing

Consider a Re-Use Special Permit for Lidl

- a) Close Public Hearing
- b) Adjourn Planning Board Meeting

Call to Order

Pledge of Allegiance

Supervisor's Presentation

Special Presentation by Brent Feldweg Conservation Advisory Council

Supervisor's Announcements

Roll Call

Public Hearings

- 1) Open Public Hearing to Consider the Joint Increase and Improvement of the Facilities of Various Water Districts
 - a. Close Public Hearing
 - b. Adopt Public Interest and Bond Resolution

Approve Minutes

March 28, 2024

Announcement of Additions to the Agenda

Courtesy of the Floor

Receive and File

Accept \$500.00 Hometown Heroes Donation from East Fishkill Rotary
Acknowledge May as Mental Health Awareness Month

Resolutions:

1. Appoint a Police Officer
2. Authorize Support for Amendment to the Designated Inland Waterways Act
3. Declare Intent Lead Agency for Veterans Memorial Park
4. Authorize Hiring Seasonal Red Wing Lifeguards
5. Hire Microcomputer System Specialist
6. Authorize Supervisor to Execute Out of District Usage Agreements for Water
7. Authorize Payment of the Town's Share of the Fishkill/East Fishkill Landfill Testing
8. Authorize Tax Receiver to Attend New York State Association of Tax Receivers and Collectors Conference
9. Authorize Hopewell Hamlet WD Pilot Study & Engineering Services
10. Appoint Permanent Part-Time Typist
11. Award Town Wide Paving Bid 2024
12. Set Rates for New Water Districts
13. Post Birch Dr, Roethal Dr, Lake Dr at 5 Ton Weight Limit
14. Adopt Negative Declaration for Phillips Rd and Route 216 Improvements

Additions to the Agenda by Majority Vote

Budget Transfer - Yes

Board Member Comments

Adjournment

Next Town Board Meetings:

Next Meetings

Workshop: May 9, 2024
Regular Meeting: May 23, 2024

RESOLUTION-XXX/2024

42459-2-707

At a regular meeting of the Town Board of the Town of East Fishkill, Dutchess County, New York, held at the Town Hall, 330 Route 376, in Hopewell Junction, New York in said Town, on April 25, 2024, 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
Councilman

<p>In the Matter of the Proposed Joint Increase and Improvement of the Facilities of Various Water Districts in the Town of East Fishkill, Dutchess County, New York</p>	<p>PUBLIC INTEREST ORDER</p>
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WHEREAS, the Town Board of the Town of East Fishkill, Dutchess County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed joint increase and improvement of the facilities of six water districts as hereinafter described (together, the "Water Districts"; each a

“Water District” or “District”), in the Town of East Fishkill, Dutchess County, New York, consisting of the construction of various system improvements to the water supply, treatment and distribution facilities to establish an interconnected water supply, treatment and distribution system, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, and

WHEREAS, at a meeting of said Town Board duly called and held on March 28, 2024, an Order was duly adopted by it and entered in the minutes specifying that said Town Board will meet on April 25, 2024 to consider the proposed joint improvement of the facilities of various Water Districts in said Town, with the cost allocable to each Water District as therein described, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in East Fishkill, New York, in said Town; and

WHEREAS, the apportionment of such cost between the following Water Districts shall be as follows: Beckman Water District (\$1,480,553.35), Four Corners Water District (\$8,442,199.80), Hopewell Hamlet Water District (\$3,178,298.30), Hopewell North Water District (\$545,232.05), Little Switzerland Water District (\$272,616.03), and Pinewood Knolls Water District (\$2,809,296) and the project cost components allocated to each Water District is as follows:

Beckman Water District:	Construction of new well and improvements to water treatment plant and interconnection improvements
Four Corners Water District:	Interconnection improvements
Hopewell Hamlet Water District:	Wells mitigation and ion exchange improvements
Hopewell North Water District:	Interconnection improvements
Little Switzerland Water District:	Interconnection improvements
Pinewood Knolls Water District:	Interconnection improvements

Which in each case includes original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses, and water main and water meter

buildings as interconnection improvements, as applicable; and

WHEREAS, said Order duly certified by the Town Clerk is to be duly published and posted as required by law; and

WHEREAS, a public hearing will be duly held at the time and place set forth in said notice, at which all persons desiring to be heard will be duly heard; and

WHEREAS, said capital project has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which, it has been determined, the implementation of such capital project, as proposed, will not result in any significant environmental impact; NOW, THEREFORE, BE IT

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

Section 1. It is hereby found and determined that it is in the public interest to make the joint increase and improvement of the facilities of various Water Districts as described above, in the Town of East Fishkill, Dutchess County, New York, consisting of the construction of construction of various system improvements to the water supply, treatment and distribution facilities to establish an interconnected water supply, treatment and distribution system, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$16,700,000, allocated amongst said Water Districts as have been described at said public hearing and as hereinabove provided.

Section 2. This Order shall take effect immediately.

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

**DATED: APRIL 25, 2024
EAST FISHKILL, NY**

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.

* * * * *

RESOLUTION – XXX/2024

BOND RESOLUTION DATED APRIL 25, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$16,700,000 SERIAL BONDS OF THE TOWN OF EAST FISHKILL, DUTCHESS COUNTY, NEW YORK, TO PAY THE COST OF THE JOINT INCREASE AND IMPROVEMENT OF THE FACILITIES OF VARIOUS WATER DISTRICTS, IN THE TOWN OF EAST FISHKILL, DUTCHESS COUNTY, NEW YORK.

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which, it has been determined, the implementation of such capital project, as proposed, will not result in any significant environmental impact; and

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to jointly improve the facilities of various Water Districts, in the Town of East Fishkill, Dutchess County, New York, at a maximum estimated cost of \$16,700,000; NOW, THEREFORE, BE IT

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

Section 1. The joint increase and improvement of the Water Districts as described in the Public Interest Order of even date herewith, in the Town of East Fishkill, Dutchess County, New York, consisting of the construction of various system improvements to the water supply, treatment and distribution facilities to establish an interconnected water supply, treatment and distribution system, including original furnishings, equipment, machinery, apparatus, appurtenances

and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$16,700,000, said cost to be allocated amongst said Water Districts as described in the Public Interest Order of even date herewith.

Section 2. It is hereby determined that the plan for the financing of such class of objects or purposes is by the issuance of \$16,700,000 serial bonds hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of the first bond anticipation note issued therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of East Fishkill, Dutchess County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from monies raised from said joint Water Districts by assessments upon the properties therein benefitted thereby and as otherwise provided

by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of East Fishkill, Dutchess County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Town shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates,

place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

Section 9. The Supervisor is hereby further authorized, at the Supervisor's sole discretion, to execute a project financing and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. This resolution, which takes effect immediately, shall be published in full or summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81 of the Local Finance Law.

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

**DATED: APRIL 25, 2024
EAST FISHKILL, NY**

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

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

The resolution was thereupon declared duly adopted.

* * * * *

RESOLUTION-xxx/2024

(APPOINTING POLICE OFFICER)

WHEREAS, the Town Police Chief has identified a Police Officer vacancy in the Town of East Fishkill Police Department; and

WHEREAS, the Town Police Chief has interviewed transfer candidates for Police Officer in The Town of East Fishkill; and

WHEREAS, Councilman Craig Arco has interviewed the transfer candidate recommended to the Town Board by the Town Police Chief; and

NOW, THEREFORE, BE IT RESOLVED, that John Rispoli is hereby appointed to the position of Police Officer with a salary and benefits to be in accordance with the PBA contract. His start date will be April 29, 2024; and

BE IT FURTHER RESOLVED, such person shall serve the required probationary period set forth in the Rules for the Classified Civil Service of Dutchess County.

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

**DATED: APRIL 25, 2024
EAST FISHKILL, NY**

RESOLUTION-xxx/2024

**(EAST FISHKILL SUPPORT FOR AMENDMENT TO THE
DESIGNATED INLAND WATERWAYS ACT)**

WHEREAS, water exists in watersheds that extend beyond municipal borders, and Dutchess County's municipalities are working together to protect water resources; and

WHEREAS, communities in Fishkill Creek watershed have demonstrated a strong interest in comprehensive watershed management; and

WHEREAS, the federal government through the Environmental Protection Funds and the New York State (N.Y.S.D.O.S) Division of Coastal Resources has provided monies to assist communities in protecting the designated waterbody and revitalizing the community; and

WHEREAS, N.Y.S Assembly person Jonathan Jacobson has agreed to sponsor an amendment to the Designated Inland Waterways Act to include Fishkill Creek in the list of designated waterways; and

NOW, THEREFORE, BE IT RESOLVED, therefore be it resolved that the Town of East Fishkill supports said amendment to the Designated Inland Waterways Act and is hopeful for passage of this bill in the N.Y. State Legislature.

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

**DATED: APRIL 25, 2024
EAST FISHKILL, NY**

RESOLUTION-xxx/2024

**(SEEKING LEAD AGENCY UNDER SEQRA FOR THE
VETERANS MEMORIAL PARK)**

WHEREAS, the Town Board is planning to construct a Veterans Memorial Park on Route 376 across from the Town hall; 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: APRIL 25, 2024
EAST FISHKILL, NY**

DRAFT

RESOLUTION -2024

(AUTHORIZING HIRING OF SEASONAL RED WING PARK EMPLOYEES)

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

WHEREAS, it is the desire of the Town Board to authorize the hiring of temporary part-time workers for the summer season to assist in various programs; and

WHEREAS, the Director of Recreation has submitted to the Town Board the names of the temporary summer employees for Red Wing Park to be paid the hourly rate as per the attached table; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Comptroller is hereby authorized to place temporary summer employees on the Town payroll as approved by the Town Supervisor for Red Wing Park that are required to meet the needs necessary to run the summer programs not to exceed the budgeted amount; and

BE IT FURTHER RESOLVED, that these temporary summer employees shall be hired subject to receipt of a background check and their start date will be set by the Supervisor; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be and hereby is authorized to hire additional Lifeguards as requested by the Recreation Director to fill vacancies, and will notify the Town Board of such hiring; and

BE IT FURTHER RESOLVED, that said employment shall only be during the summertime employment for the amounts listed in the letter and 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 J. CASSIDY, TOWN CLERK**

**DATED: APRIL 25, 2024
EAST FISHKILL, NY**



*Town of East Fishkill
Recreation Department
4 Anne Avenue
Hopewell Jct, NY 12533
845-226-8395*



April 11, 2024

Dear Supervisor D'Alessandro and the East Fishkill Town Board,

In preparation for the upcoming summer season, we are requesting the hiring of our summer staff for Red Wing Lake.

Attached please find the list for your approval.

Thank you for your time and consideration.

Best Regards,

Christine

Christine Selback
Recreation Director

*EAST FISHKILL RECREATION
4 Anne Avenue
Hopewell Junction, NY 12533*

Faughnan	Christopher	Head Guard	\$ 17.75
Vail	Isaac	Head Guard	\$ 17.75
Bergstraser	Ella	Lifeguard	\$15.35
Bredthauer	Ava	Lifeguard	\$15.60
Cryslar	Alex	Lifeguard	\$15.60
Forlivio	Anthony	Lifeguard	\$15.35
Hamdi	Jayden	Lifeguard	\$15.35
Henning	Stevie	Lifeguard	\$15.35
Jendras	Aidan	Lifeguard	\$15.35
Kilduff	Christina	Lifeguard	\$15.35
Killeen	Stephen	Lifeguard	\$15.35
McKeon	Anthony	Lifeguard	\$15.35
McKeon	Matthew	Lifeguard	\$15.60
Paiva	Nicholas	Lifeguard	\$15.35
Porteous	Tayla	Lifeguard	\$15.85
Sweeney	Madelyn	Lifeguard	\$15.60
Hofbauer	Amari	Sub-guard	\$15.00
McDonald	Jordan	Sub-guard	\$15.00
McKeon	Aiden	Sub-guard	\$15.00
Stelter	Kyle	Sub-guard	\$15.35
Wong	Karen	Sub-guard	\$15.00
Yap	Kylie	Sub-guard	\$15.00
Perch	Meghan	Swim Lessons Only	\$18.00
Conn	Riley	Gate Attendant	\$15.35
Faughnan	Patrick	Gate Attendant	\$15.35
Sinno	Summer	Gate Attendant	\$15.85

RESOLUTION-xxx/2024

(APPOINT MICROCOMPUTER SYSTEM SPECIALIST)

WHEREAS, the Town Comptroller has interviewed James Canepa and submitted a memo to the Town Board; and

WHEREAS, James Canepa has been recommended to the Town Board to be hired as Full-Time Microcomputer System Specialist, effective May 13, 2024; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the hiring of James Canepa as Full-Time Microcomputer System Specialist, with an annual salary of \$120,000; and

BE IT FURTHER RESOLVED, that James Canepa will be hired provisionally until it is verified that he is reachable on the Microcomputer System Specialist Civil Service list.

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

**DATED: APRIL 25, 2024
EAST FISHKILL, NY**

RESOLUTION-xxx/2024

(AUTHORIZE OUT OF DISTRICT WATER USERS)

WHEREAS, the Town has received water use requests from four out of district water users (6358-02-796546, 6458-04-701142, 6458-04-702115, 6458-04-714134, 6458-04-720105, 6458-04-861170, 6458-04-887068) for an average daily demand of 16,590 GPD; and

WHEREAS, the Town Engineer and Water and Sewer Department have confirmed the requested domestic water usage quantities; and

WHEREAS, the Water and Sewer Department has confirmed adequate available domestic water capacity to be supplied from the Cannon Wells; and

WHEREAS, the Town will need to enter into an Out-of-District Agreement that will authorize the domestic use for a quantity of water as well as a water source fee (\$11,050/BU), connection fee, out-of-district user fee adjustment (125%), and ongoing water use fees; and

WHEREAS, this is a Type II SEQR Classification and no further SEQR action is needed; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the following parcels, with the water demand and water source fees to be Out Of District Users; and

User	Water Demand	Water Source Fee
6358-02-796546	970 GPD	4 BU x \$11,050 = \$44,200
6458-04-701142, 6458-04-702115, 6458-04-714134, 6458-04-720105,	300 GPD	1 BU x \$11,050 = \$11,050
6458-04-861170	11,360 GPD	44 BU x \$11,050 = \$486,200
6458-04-887068	3,960 GPD	14.4 BU x \$11,050 = \$159,120

BE IT FURTHER RESOLVED, that the Town Attorney is authorized to prepare an out of district agreement with each user and the Town Supervisor is hereby authorized to enter into agreement with each request.

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

**DATED: April 25th, 2024
EAST FISHKILL, NY**



Town of East Fishkill

Sewer and Water Department

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

Engineer's Memo

Subject: Out of District Water Use Requests
From: George Cronk, P.E.
Date: April 17, 2024

It is the Water and Sewer Department's recommendation that the requested water services, listed herein, be authorized.

The Town of East Fishkill has been approached for permission to allow for various water service and usage connections. Each of these Users would be considered Out of District. As an Out of District User, the User is responsible for a connection (buy-in) fee, water source fee, out-of-district fee, and ongoing water use fees. These fee amounts are set annually and may change. Below is a summary and comments associated with each request;

Table 1: Summary of Water Requests

District	Requesting Entity	Tax ID	Amount of Water	Comments
Fishkill Plains WD	893 Rt 376 (Former Gas Station/Auto Body)	6358-02-796546	970 GPD – Domestic 380 GPM for 1 Hour – Fire (22,800 GAL)	Applicant extending watermain
Hopewell North WD	Rt 82 Stack-n-Store	6458-04-701142 6458-04-702115 6458-04-714134 6458-04-720105	300 GPD – Domestic (User request is 75 GPD)	Project partially out of district
Hopewell North WD	Pinewood Knolls WD	6458-04-861170	11,360 GPD – Domestic	Part of DWSRF #19146 WIIA Grant/Lawlor Grant
Pinewood Knolls WD	Clove Branch Apartments	6458-04-887068	3,960 GPD – Domestic	Part of DWSRF #19146 WIIA Grant/Lawlor Grant

The Fishkill Plains, Hopewell Hamlet, and Pinewood Knolls Water Districts are interconnected and rely on the Cannon Well Field and the Fishkill Plains Well Field for water sources. While meeting all of the Dept. of Health redundancy requirements, etc. the combined well fields can provide an average daily demand of 403,200 GPD. The current average daily usage is 315,000 GPD. Therefore, the Cannon Well Fields can provide the additional water source for the properties listed herein for a total average demand of 16,590 Average GPD for domestic use.

RESOLUTION-2024
(WITH RESPECT TO THE FISHKILL/EAST FISHKILL JOINT LANDFILL)

WHEREAS, the Town has previously entered into an Intermunicipal Agreement with the Town of Fishkill with respect to the maintenance and closure of the Fishkill/East Fishkill Landfill in Wiccopee; and

WHEREAS, there are reoccurring costs and expenses associated with said facility which need to be paid jointly by both Towns; and

WHEREAS, the Town has previously authorized \$24,000 annually to be paid in advance in semi-annual installments to fund such expenses; and

WHEREAS, a component of the renewed SPDES permit has changed and now 2 new tests are required for effluent toxicity and for emerging contaminants several times a year at a cost of \$26,000.00 per year; and

WHEREAS, administratively it would be easier for the Town to authorize a semi-annual payment to the Town of Fishkill of funds, which would then be utilized by the Town of Fishkill to pay the bills of the landfill and said funds would be reconciled on an annual basis; and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to pay an additional \$13,000.00 annually in advance to the Town of Fishkill for the regular operating expenses of the Fishkill/East Fishkill Joint Landfill and shall obtain a reconciliation of the use of said funds at the end of each fiscal year from the Comptroller of the Town of Fishkill who operates as the fiscal officer of this Intermunicipal venture.

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

DATED: APRIL 25, 2024
EAST FISHKILL, NY

RESOLUTION-xxx/2024

(AUTHORIZING ATTENDANCE TO A CONFERENCE)

WHEREAS, the Tax Receiver, Ann Goldsmith, has indicated her desire to attend the New York State Association of Tax Receivers and Collectors Conference being held in Lake George, New York from June 9, 2024 through June 12, 2024; and

WHEREAS, additional expenses to the Town will be for tolls and meals; 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 Town Board does hereby authorize Ann Goldsmith to attend the New York State Association of Tax Receivers and Collectors Conference held in Lake George, New York to include the overnight stay and expenses for tolls and meals from June 9, 2024 through June 12, 2024; and

BE IT FURTHER RESOLVED, that in addition to the cost of tolls and meals they shall be paid their normal salary during said period.

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

**DATED: APRIL 25, 2024
EAST FISHKILL, NY**

RESOLUTION-xxx/2024

(AUTHORIZE HOPEWELL HAMLET WD PILOT STUDY & ENGINEERING SERVICES)

WHEREAS, the Town recently received and confirmed acceptance of a WIIA grant award that includes project scope to provide Emerging Contaminant treatment of Hopewell Hamlet Wells; and

WHEREAS, the project funding is roughly 35% WIIA grant and 65% Bond; and

WHEREAS, the Town previously qualified multiple professional engineering firms to perform professional services of this nature and authorized WSP USA, Inc, in the amount of \$9,500, to develop a pilot study program acceptable to the Department of Health; and

WHEREAS, the next steps of the project include the completion the Emerging Contaminants Pilot Study, then provide an engineering design, followed by construction services; and

WHEREAS, at the request of the Town, WSP USA, Inc. has provided a proposal of services to support the Pilot Study as well the Engineering Services for the design and construction oversight for the Emerging Contaminants treatment project; and

WHEREAS, the selected consulting firm will need to meet the requirements of the funding source, including, but not limited to MWBE thresholds; and

NOW THEREFORE, IT IS RESOLVED, that the Town Board authorizes WSP, USA, Inc. to complete the Pilot Study and provide engineering & construction consulting services; and.

BE IT IS FURHER RESOLVED, that the Town Board hereby declares and Authorizes Nicholas D'Alessandro, Town Supervisor, be provided the authority to authorize a contract WSP USA, INC in the amount of \$191,000 as well as additional allowance for operations during the Pilot Study and Design of \$25,000 for a total sum not to exceed \$216,000.

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

**DATED: April 25th, 2024
EAST FISHKILL, NY**



Town of East Fishkill

Sewer and Water Department

330 Route 376, Hopewell Junction, New York 12533

Telephone 845-223-5114

Engineer's Memo

To: Town Board of East Fishkill
From: George Cronk, P.E.
Subject: DWSRF PROJECT 19146 Hamlet Pilot and Engineering Award
Date: April 17, 2024

The Town previously authorized Engineering Services from WSP USA, Inc for the preparation of a pilot study program for the four wells located at Hopewell Hamlet. The Pilot Study was developed and reviewed extensively with the State and County Health Departments. The purpose of the study is to confirm the ability to utilize an Ion Exchange treatment process to mitigate the Emerging Contaminants discovered at the Hamlet Wells, in lieu of a granulated activated treatment (GAC) system.

WSP previously completed the preparation of the Pilot Study plan for \$9,500. The proposal of services includes executing the pilot study, preparing design plans, and supporting construction for an additional amount of \$191,000. WSP also anticipates some minor additional costs including local survey, pilot testing waster water disposal, etc. for an allowance of \$25,000, bringing the additional budget to roughly \$216,000.

WSP has confirmed the Pilot Program with the Health Department and is prepared to complete the study. Upon completion of the study, WSP will then prepare a set of design documents and eventually oversee the construction of the treatment system.

This project is part of the DWSRF 19146 project that includes 4 phases. The Ion Exchange Treatment System is part of Phase 2. The funding for this project will be partially through the \$5M NYSEFC Grant as well as the Bond. These costs are assigned to the Hamlet Water District. Once the project is completed, the Hamlet WD, via the Enterprise Fund, will recoup expenditures when a water source is allocated and fees are received.



Town of East Fishkill

Sewer and Water Department

330 Route 376, Hopewell Junction, New York 12533

Telephone 845-223-5114

We anticipate the Pilot Study to take 30 to 90 days and are hopeful that the design and construction will follow and be completed in 2026. Additionally, we are hopeful the study and project outcomes will benefit the Town in the future by utilizing the same treatment practice for Emerging Contaminants.

We are recommending that WSP USA, INC be awarded a contract in the amount of \$191,000 and future authorizations up to \$225,000.

RESOLUTION

(APPOINT PERMANENT PART-TIME TYPIST)

WHEREAS, the Town Engineer has requested to hire a part-time Typist for the Building and Planning Departments; and

WHEREAS, Amy Martin has been interviewed and is recommended to be hired as a Permanent Part-Time Typist; and

NOW, THEREFORE, BE IT RESOLVED, that Amy Martin is hereby appointed as a Permanent Part-Time Typist for the Building and Planning Departments; and

BE IT FURTHER RESOLVED, that said typist shall be paid at an hourly rate of \$20.24 in accordance with the CSEA Union Contract effective April 26, 2024.

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

**DATED: APRIL 25, 2024
EAST FISHKILL, NY**

**RESOLUTION – XXX/2024
(AWARD TOWN WIDE PAVING BID)**

WHEREAS, the Town Engineer and Highway Superintendent are in receipt of bids for the resurfacing of several town roads; and

WHEREAS, it was determined that Clove Excavators, Inc. was the lowest responsible bidder for Contract No. ED2024.12 with a bid sum of \$1,495,772.80; and

NOW, THEREFORE BE IT RESOLVED, that the bid be and hereby is awarded to Clove Excavators, Inc.; and

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

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

**DATED: APRIL 25, 2024
EAST FISHKILL, NY**



Town of East Fishkill

Dutchess County, New York

330 Route 376, Hopewell Junction, New York 12533

Telephone 845-226-6836, Fax 845-227-4018

Scott Bryant, P.E.
Town Engineer

Subject: Town Wide Paving Bid (ED2024.12)

Attn: Supervisor
Town Board Members

From: Scott Bryant, P.E. Town Engineer

Date: April 23, 2024

The Highway Superintendent and I solicited bids for the resurfacing of several town roads.
The results are as follows:

- | | |
|--------------------------------------|-----------------------|
| 1. Clove Excavators, Inc. | \$1,495,772.80 |
| 212 Van Wagner Rd., Poughkeepsie, NY | |
| 2. A. Colarusso & Son, Inc, | \$1,619,560.50 |
| 3. Intercounty Paving Co., Inc | \$1,689,069.50 |
| 4. Avello Asphalt & Const. | \$1,747,747.00 |
| 5. Waters Const. Co., Inc. | \$1,906,829.00 |
| 6. Argenio Bros., Inc. | \$2,055,055.00 |
| 7. Tilcon New York, Inc. | \$2,337,000.00 |

Clove Excavators, Inc. has satisfactorily paved other town roads therefore it is our recommendation that the Town Board award the project to Clove Excavators, Inc.

RESOLUTION xxx/2024

(AUTHORIZE NEW WATER DISTRICTS QUARTERLY RATES AND FEES)

WHEREAS, it is necessary for the Town Board to authorize the quarterly rates for the new water districts; and

WHEREAS, the Town Board has received and reviewed the water rates; and

WHEREAS, the rates will be effective for the 2024 year, including minimums; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board does hereby authorize the new water districts rates for 2024

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

**DATED: April 25th, 2024
EAST FISHKILL, NY**



Town of East Fishkill

Sewer and Water Department

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

Engineer's Memo

Subject: 2024 New Districts Water Rates

From: George Cronk, P.E.

Date: April 22, 2024

Summary

Provided below is a summary of District Costs, # Benefit Units, and Usage Rates.

District	2024 Annual District Fixed Operational Costs	2024 Minimum Usage Rates (Min. based on # of Benefit Unit)
West Campus* *	\$114,226	\$7.25
Swartout	\$56,113	\$10.25
Rt 52 Commercial (PARK)	\$34,500	\$1.50

** - West Campus Amazon Min. Quarterly Usage is 3,131,016 Gal/Qtr = \$22,699.86

- West Campus Canam Min. Quarterly Usage is 855,469 Gal/Qtr = \$6,202.15

Following pages are supporting calculations for each district. Each district herein includes minimum usage charges.

WEST CAMPUS WD

The West Campus WD includes the Amazon and Canam warehouses. The properties were assigned 54.9 BU and 15 Bu, respectively, for a total of 69.9 BU, based on the 2022 MPR.

There is no debt in this District.

The District has a DCWWA agreement for a minimum purchase of 34,950 gpd + 8,500 gpd = 43,450 gpd



Town of East Fishkill

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The minimum annual water cost is 15,859,250 gal x \$5.50/1000gal = \$87,225.88

Minimum Annual Water Usage = 27,450 + 8,500 = (35,950) x 365 days = **13,121,750**gal

Annual District Fixed costs include;

Water:	\$87,226
Electricity:	\$1,000
Calibrations:	\$500
Snow/Lawn:	\$500
Sampling:	\$500
Operator:	\$12,000
W&S Dept:	\$10,000
Equipment:	\$0
<u>Domestic Storage:</u>	<u>\$2,500</u>
	\$27,000

Minimum Annual cost \$114,226 / 69.9 BU = \$1,634.13/BU/Yr or \$408.53 BU/Qtr

Min. Water Usage: Rate: \$7.25/1,000 gal

Additional Water Usage Rate: \$5.50/1,000 gal

Min Annual Amazon: \$90,800 or \$22,700/Qtr

Min Annual Canam: \$24,809 or \$6,202/Qtr

West Campus Water	B.U.	Min Gal per B.U. Per day	Min Gal Per qtr	Rate	Minimum Quarterly Charge	Minimum Annual Charge
Lot 1	15.0	9,375	855,469	\$7.25	\$6,202.15	\$24,808.59
Lot 2	54.9	313	3,131,016	\$7.25	\$22,699.86	\$90,799.45
TOTAL	69.9		3,986,484		\$28,902.01	\$115,608.05
County Contract Minimum/Qtr			3,964,813			
Operations			\$27,000			$=(34950+8500)*365/4$
Water Purchase			\$87,226			See Above
Estimated Annual Cost			\$114,226			$(34,950+8500) \times 365 \times \$5.50/1000$

Town of East Fishkill

Sewer and Water Department

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SWARTOUT CAMPUS WD

The Swartout WD includes the senior housing facility. The property includes 84 residential units, staff, and a caretaker home. The residential units are 0.6 BU/each, the staff is 1 BU, and the care taker house is 1 BU, for a total of 52.4 W.

There is no debt in this District.

The District has a DCWWA agreement for a minimum purchase of 15,000 gal/day at \$5.50/gal.

Minimum Annual Water Usage = 15,000 x 365 days = ~~5,475,000~~gal

The minimum annual water cost is 5,475,000 gal x \$5.50/1000gal = \$30,112.50

Swartout		Min Gal Per B.U. per Day	Min Gal Per qtr	Rate	Minimum Quarterly Charge	Minimum Annual Cha
Lot 1	42.5	15,000	1,368,750	\$10.25	\$14,029.69	\$56,118.75
TOTAL	42.5		1,368,750		\$14,029.69	\$56,118.75
County Contract Minimum/Qtr			1,368,750			



Town of East Fishkill

Sewer and Water Department

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Operations	26,000
Water Purchase	30,113
Estimated Annual Cost	\$56,113

$=(15,000) * 365/4$

See Memo

$(15,000) \times 365 \times \$5.50/1000$

Annual
District
Fixed costs
include;

Water:	\$	30,113
Electricity:		\$0
Calibrations:		\$500
Snow/Lawn:		\$500
Sampling:		\$500
Operator:		\$12,000
was Dept:		\$10,000
Equipment:		\$0
<u>Domestic Storage:</u>		<u>\$2,500</u>
		\$26,000

Minimum Annual cost $\$56,113 / 52.4 \text{ BU} = \$1,320.29 / \text{BU}/\text{Yr}$ or $\$330.07 \text{ BU}/\text{Qtr}$

Min. Water Usage: Rate: $\$10.25/1,000 \text{ gal}$

Additional Water Usage Rate: $\$5.50/1,000 \text{ gal}$

Min Annual: $\$56,119$ or $\$14,030/\text{Qtr}$

RT 52 COMMERCIAL WD (PARK)

The RT 52 COMMERCIAL WD includes the properties generally known as IPARK. The properties were assigned 318 BU, based on the 2023 MPR assignments.

There is debt in this District and the debt is not part of the usage rates

The District currently has an ONSEMI water agreement for a portion of the District's water demand. However, the ONSEMI agreement is limited and only identifies Frito Lay as not paying water source.

Minimum Annual Water Usage = 0

Annual District Fixed costs include;

Water:	
Electricity:	\$1,000
Calibrations:	\$500
Snow/Lawn:	\$500
Sampling:	\$500
Operator:	\$12,000
W&S Dept:	\$10,000

Town of East Fishkill

Sewer and Water Department

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Equipment: \$0
Domestic Storage: \$10,000
 \$34,500

Minimum Annual cost \$34,500 / 318 BU = \$108.494BU/Yr or \$27.12 BU/Qtr

Min. Water Usage: Rate: \$1.50/1,000

Additional Water Usage Rate: \$5.50/1,000 gal

Min usage = 200 GAL per assigned BU

		Min Gal Per B.U. Per Day	Min Gal Per qtr	Rate	Minimum Quarterly Charge	Minimum Annual Charge
Rt 52 Commercial						
Lot 1	4.0	800	73,000	\$1.50	\$109.50	\$438.00
Remaining	314	62,800	5,730,500	\$1.50	\$8,595.75	\$34,383.00
TOTAL	318	45,625	14,508,750		\$8,705.25	\$34,821.00
County Contract Minimum						
Operations			\$34,500.00	See Memo (0) x 365 x \$5.50/1000		
Water Purchase			\$0.00			
Estimated Annual Cost			\$34,500.00			

RESOLUTION-2024

(POST A WEIGHT RESTRICTION ON BIRCH DR, ROETHAL DR AND LAKE DR)

WHEREAS, Birch Drive, Roethal Drive and Lake Drive are Town Roads within the Town of East Fishkill Town line; and

WHEREAS, recently many large and heavy trucks have been regularly traversing this road; and

WHEREAS, the truck traffic passes thru the area and does not deliver materials to any property along the road; and

WHEREAS, the Town Highway Superintendent and Engineer have expressed safety concerns as well as concerns for the infrastructure of the road;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board imposes a weight limit of 5 tons, local delivery excluded on Birch Drive, Roethal Drive and Lake Drive; and

BE IT FURTHER RESOLVED, that the Highway Superintendent will post said roads.

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

**DATED: APRIL 25, 2024
EAST FISHKILL, NY**

RESOLUTION – XXX/2024
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: April 25, 2024

This notice is issued pursuant to Part 617 of the implementing regulation pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of East Fishkill Town Board has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Phillips Road at Route 216 Roadway Realignment

Description of Action:

The Proposed Action is the realignment of Route 216 and Phillips Road to improve safety and function of the roadways and the creation of four new lots (the buildable lots).

SEQR Status: Type I Conditioned Negative Declaration? Yes
Unlisted No

Location of Action: Town of East Fishkill, County of Dutchess

Street Address:
Tax Map Parcel(s) No.: **132800-6657-01-013591-0000**
Attach location map.

The following documentation was analyzed in making this negative declaration:

- X EAF
- Supplemental Part III Information
- Storm Water Pollution Prevention Plan (SWPPP)
- Other (Describe)

Name of Action: Phillips Road at Route 216 Roadway Realignment

For Further Information:

Contact Person: Peter Cassidy, Town Clerk
Town Hall, 330 Route 376
Hopewell Junction, New York 12533
(845) 221-2428

REASONS SUPPORTING THIS DETERMINATION:

The proposed action would result in the realignment of Phillips Road and Route 216 to improve safety and function of the roadway. In addition, the proposed new road would result in the creation of an approximately 7.0 acre parcel which will be subdivided into four new residential lots. Three of the proposed lots would be buildable. The proposed new road would require a permit from NYSDEC for a 0.075 acre amount of disturbance to the adjacent area of wetland HJ-32. To avoid the potential for significant adverse impacts, the proposed project will comply with all NYSDEC permit requirements.

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

The proposed project would not be expected to result in any significant adverse impacts on the environment for the following reasons:

1. It will not generate a significant amount of additional vehicles, noise or emission levels.
2. It will not significantly 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 have a substantial aesthetic affect.
8. It will not involve adversely affect any surface water or groundwater.
9. It will not allow for improper uses within specified zoning districts.
10. It will not result in adverse cumulative impacts.
11. It will not result in adverse growth-inducing impacts.
12. It will not conflict with the Town's Comprehensive Plan

THIS NEGATIVE DECLARATION WAS AUTHORIZED AT A MEETING OF THE TOWN BOARD OF THE TOWN OF EAST FISHKILL HELD ON APRIL 25, 2024.

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)

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

**DATED: APRIL 25, 2024
EAST FISHKILL, NY**

DRAFT