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The Agenda will be posted in accordance with Open Meetings Law Section §103
and all records to be discussed made available to the extent practicable.**



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

**TOWN OF EAST FISHKILL
TOWN BOARD MEETING
OCTOBER 24, 2024
REGULAR VOTING MEETING @ 6:00PM**

Call to Order

Pledge of Allegiance

Supervisor's Announcements

Roll Call

Public Hearings

- 1) Open Public Hearing with respect to the 2025 Benefit Assessment Roll for Town Districts
 - a. Close Public Hearing
 - b. Adopt 2025 Benefit Assessment Roll

- 2) Open Public Hearing with respect to the Preliminary 2025 Town Budget and Special District Budgets
 - a. Close Public Hearing
 - b. Adopt 2025 Budget & Benefit Assessment Roll for Town Districts

Approve Minutes

September 26, 2024

Announcement of Additions to the Agenda

Courtesy of the Floor

Receive and File

Resolutions:

1. Approve New Snow Plow Removal Rates for Winter 2024-2025
2. Set Public Hearing for Omnibus Zoning Amendments for December 12, 2024
3. Authorize Relocating the December Town Board Meeting Location to the Brinckerhoff House
4. Refer a Request to the New York State Senator and Assemblyman to Designate a Portion of Route 376 as Veterans Memorial Highway
5. Set Public Hearing for Farmview Drainage for November 14, 2024
6. Set Public Hearing for Route 52 Commercial Sidewalk District for November 14, 2024
7. Set Public Hearing for Route 52 Commercial Lighting District for November 14, 2024
8. Authorize Grant Application to the Office of Court Administration for Justice Court
9. Set Public Hearing on proposed amendments to Chapter 63 "Animals" of the Town Code for November 14, 2024
10. Establish Water Source Connection Fee
11. Award WWTP Odor Control Systems Repairs
12. Authorize Out of District Water User Agreement
13. Authorize to Advertise for Sidewalk Snow Removal and Ice Control Sand Bids
14. Establish Committee for Bridge NY Grant for Warren Farm Bridge Replacement
15. Designate Deputy Chairpersons for Planning and Zoning Boards
16. Schedule Town Board Meeting Dates for 2025
17. Reimburse Deputy Building Inspector for Training/Course Expense
18. Authorize Staff to Apply for a NY Forward Grant
19. Authorize Attendance of Association of Towns for February 16-19, 2025

Additions to the Agenda by Majority Vote (If any)

Budget Transfers

Adjournment

Next Town Board Meetings: Regular Meeting November 14, 2024

**RESOLUTION – xxx/2024
(ESTABLISHING SNOW REMOVAL RATES WINTER)**

WHEREAS, NYS Highway Law §143 allows the Highway Superintendent to hire vehicles and operators to remove snow from Town Roads; and

WHEREAS, the hourly rates for the equipment and operators must be approved by the Town Board, and

WHEREAS, the owner of any equipment hired will sign a form agreement and provide a Certificate of Insurance naming the Town as an Insured, and

NOW, THEREFORE, BE IT RESOLVED, that the Highway Superintendent may hire equipment with operators herein at the following hourly rates;

- | | |
|--|----------|
| 1) Min. 9' with 4 YD Sander, 4 WD, with Driver | \$185.00 |
| 2) F250 or Equal: 8' Plow with 2-4 YD Sander, 4WD with Driver | \$175.00 |
| 3) F450 or Equal: 9' Plow with 2-4 YD Sander, 4 WD with Driver | \$175.00 |
| 4) Min. 10' Plow 11' Wing 4 YD Sander with Driver and Wing | \$310.00 |
| 5) 4 x 2 - 11' Plow 11' Wing 6-8 YD Sander | \$250.00 |
| 6) 4 x 4 - 11' Plow 11' Wing 8 YD Sander | \$270.00 |
| 7) Min. 10' Plow with 5 YD Sander, 4WD with Driver | \$240.00 |
| 8) Min. 10' Plow with 8 YD Sander with Driver | \$285.00 |
| 9) Min. 10' Plow with 4 YD Sander with Driver | \$220.00 |
| 10) Min. 10' Plow 11' Wing 9 YD Sander with Driver and Wing | \$355.00 |
| 11) Min. 10' Plow 11' Wing 9 YD Sander with Driver and No Wing | \$290.00 |

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION-2024

**(SCHEDULING A PUBLIC HEARING ON LOCAL LAW E-2024
“OMNIBUS AMENDMENTS TO THE ZONING ORDINANCE”)**

WHEREAS, the Town Board wishes to consider certain amendments to the Zoning Ordinance as recommended by the Town Planner on behalf of the Zoning and Planning Boards; and

WHEREAS, the proposed amendments seek to 1) codify standards and requirements for Outdoor Dining; 2) Update the Schedule of Permitted Uses; 3) establish Gateway Zoning District for Arthursburg Hamlet; and 4) correct minor inconsistencies and typos in the zoning Code; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board will conduct a Public Hearing to consider Local Law E-2024 “Omnibus Amendments to the Zoning Ordinance” on December 12, 2024 at 6:00 pm at Town Hall, 330 Route 376, Hopewell Junction, NY 12533 at its regularly scheduled Town Board Meeting.

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION-xxx/2024

(AUTHORIZE CHANGE OF DECEMBER TOWN BOARD MEETING LOCATION)

WHEREAS, the Supervisor is requesting to change the location of the December 12, 2024 meeting location to the East Fishkill Historical Society Site; and

NOW, THEREFORE, BE IT RESOLVED, that the regular monthly meeting of the Town of East Fishkill Town Board scheduled to be held at 330 Route 376, be changed to The Brinkerhoff House located at 68 Kensington Drive, Hopewell Junction, NY; and

BE IT FURTHER RESOLVED, that the Town Clerk shall duly advertise said meeting location change.

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION-xxx/2024

**(A RESOLUTION REQUESTING CONSIDERATION TO
DESIGNATE A PORTION OF ROUTE 376 TO VETERANS MEMORIAL HIGHWAY)**

WHEREAS, the East Fishkill Veterans Committee has made a request to have a section of Route 376 between Route 82 and Route 52 designated as Veterans Memorial Highway; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of East Fishkill hereby requests that the New York State Department of Transportation designate this section of Route 376 as Veterans Memorial Highway; and

BE IT FURTHER RESOLVED, that said change be made effective as soon as possible.

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

DRAFT

RESOLUTION-2024

**(SCHEDULE A PUBLIC HEARING FOR NOVEMBER 14, 2024 TO CONSIDER
FORMATION OF FARMVIEW DRAINAGE DISTRICT)**

WHEREAS, the Farmview Estates Subdivision project located on Route 82 requires the formation of a drainage district; and

WHEREAS, the Property Owner and Project Sponsor has requested the formation of a drainage district; and

WHEREAS, all costs associated with this district will be borne solely by the district; and

WHEREAS, the Supervisor and Town Board wish to schedule a public hearing to solicit feedback from the public for the formation of district; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board schedules a Public Hearing for the formation of Farmview Drainage District for November 14, 2024 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: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION-2024

**(SCHEDULE A PUBLIC HEARING FOR NOVEMBER 14, 2024 TO CONSIDER
FORMATION OF ROUTE 52 COMMERCIAL SIDEWALK DISTRICT)**

WHEREAS, the Route 52 Commercial area from Palen Road to Corporate Park, the West side of Patriot Way and South Drive to I-Park Blvd requires the formation of a sidewalk district; and

WHEREAS, the proposed district will provide winter maintenance and routine repairs; and

WHEREAS, all costs associated with this district will be borne solely by the district; and

WHEREAS, the Supervisor and Town Board wish to schedule a Public Hearing to solicit feedback from the public for the formation of district; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board schedules a Public Hearing for the formation of Route 52 Commercial Sidewalk District for November 14, 2024 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: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION-2024

**(SCHEDULE A PUBLIC HEARING FOR NOVEMBER 14, 2024 TO CONSIDER
FORMATION OF ROUTE 52 COMMERCIAL LIGHTING DISTRICT)**

WHEREAS, along Route 52 from John Jay High School to Roethal Drive and the traffic signal at South Drive and I-Park Blvd requires the formation of a lighting district; and

WHEREAS, the proposed district will provide winter maintenance and routine repairs; and

WHEREAS, all costs associated with this district will be borne solely by the district; and

WHEREAS, the Supervisor and Town Board wish to schedule a Public Haring to solicit feedback from the public for the formation of district; and

NOW, THEREFORE, BE IT RESOLVED that the Town Board schedules a Public Hearing for the formation of Route 52 Commercial Lighting District for November 14, 2024 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: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION-2024
**(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 2024-2025 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 Court Office equipment and supplies and to securely retain Criminal, Civil and Traffic records and also properly destroy records once they have reached their retention period; and

NOW, THEREFORE, BE IT RESOLVED, the Board of the Town of East Fishkill authorizes the East Fishkill Town Court to apply for a JCAP grant in the 2024-25 grant cycle up to \$30,000.00.

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION- 2024

**(SCHEDULE A PUBLIC HEARING FOR NOVEMBER 14, 2024 TO AMEND CHAPTER
63 OF THE TOWN CODE)**

WHEREAS, Chapter 63 of the Town Code pertains to “Animals”; and

WHEREAS, this Chapter has not been updated since 2011; and

WHEREAS, in order to promote responsible animal ownership, Town staff have recommended changes to this Chapter of the Town Code; and

WHEREAS, the Town Board wishes to hear public comment on these proposed changes;

NOW, THEREFORE, BE IT RESOLVED that a Public Hearing on proposed amendments to Chapter 63 “Animals” of the Town Code is scheduled for November 14, 2024 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: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION-xxx/2024

(ESTABLISH WATER SOURCE CONNECTION FEE)

WHEREAS, the Town periodically receives requests for water service connections for properties that are located out of a Town Formed Water District or a request for substantial increase in water usage typically associated with a change in property use.; and

WHEREAS, these additional water demands continue to require a request and approval via Town Board. As part of the approval, confirmation of flow demand and available capacities are performed by the Town Engineer; and

WHEREAS, the Town periodically develops or obtains new water sources to ensure that there is adequate water source available for current users and growth for additional users; and

WHEREAS, the process to develop a new water source often takes several years and significant resources to develop a new water sources that meets Health Department regulations; and

WHEREAS, new water sources should be the responsibility of new water users; and

WHEREAS, the proposed Water Source Connection Fee meets the criteria of Type II SEQR classification as defined in NYS Law 6 NYCRR Section 617.5 and requires no further action; and

NOW, THEREFORE, BE IT RESOLVED, that the Town adopts a Water Source Connection Fee based upon a Benefit Unit; and

BE IT FURTHER RESOLVED, that the Water Source Connection Fee be effective immediately and be set to \$11,050 per benefit unit for all Special Water Districts; and

BE IT FURTHER RESOLVED, that the Water Source Connection Fee be recommended by the Comptroller and established by the Town Board annually at the same meeting as the establishment of the Annual District Water Usage Fee(s);

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION - /2024

**(TOWN OF EAST FISHKILL
WATER AND SEWER
AWARD WWTP ODOR CONTROL SYSTEMS REPAIRS CONTRACT)**

WHEREAS, the Town of East Fishkill operates multiple wastewater treatment systems that utilize air handling systems that assist with the waste water treatment process; and

WHEREAS, the project scope includes repairs to the Hopewell Hamlet WWTP, Sagamor WWTP, and the Four Corners WWTP Odor Control Systems, part of the facility air handlers; and

WHEREAS, the Town circulated a public bid on October 4, 2024 for services, advertised as WS2024.005 – Odor Control Repairs Contract”, where one bid was received on October 21, 2024; and

WHEREAS, the proposed repairs meet the criteria of Type II SEQR classification as defined in NYS Law 6 NYCRR Section 617.5 and requires no further action; and

WHEREAS, the Town Board previously allocated budget for these repairs as part of the 2024 Operation and Maintenance of these Special Districts not to exceed \$100,000.00; and

WHEREAS, the Town performed an evaluation of the response received, determining that DOER PRODUCTS & SERVICES, INC., located at PO Box 51870 Myrtle Beach, SC 29579 is providing a reasonable fee that is also the lowest and qualified; 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 DOER PRODUCTS & SERVICES, INC, in an amount not to exceed \$83,081.00.

AND BE IT FURTHER RESOLVED, that the fees be assigned to the three Special Sewer Districts as follows; Sagamor WWTP \$12,300; Hopewell Hamlet WWTP \$9,336, and Four Corners WWTP \$61,445.

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION-xxx/2024

(AUTHORIZE OUT OF DISTRICT WATER USERS)

WHEREAS, the Town has received water use requests from one (1) out of district water users (6456-03-488053) for an average daily demand of 440 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 Shenandoah Water District; 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
6456-03-488053	440 GPD	1 BU x \$11,050 = \$11,050

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: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION-xxx-2024

(AUTHORIZE THE BID FOR SIDEWALK SNOW MAINTENANCE)

WHEREAS, the Town Supervisor has requested that the sidewalk bid for snow removal, salting and/or sanding within the Town be advertised; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and hereby is authorized to advertise for the sidewalk snow maintenance bid; and

BE IT FURTHER RESOLVED, once bids are received, the Town Board will review all bids and consider an award.

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

DRAFT

RESOLUTION – xxx/2024

**(ESTABLISHING A COMMITTEE TO APPOINT A CONSULTANT FOR
WARREN FARM RD BRIDGE REPLACEMENT)**

WHEREAS, the Town Supervisor has received proposals from consulting civil engineering firms from the Region 8 LDSA list to assist in all phases under the BridgeNY Program with respect to replacing the Warren Farm Road Bridge; and

WHEREAS, in order to comply with 2023 BridgeNY grant requirements, a Selection Committee must be formed for the purpose of choosing a consulting firm; and

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby authorize to form such committee and that the committee will consist of Town Engineer Bryant, Highway Superintendent Williams, and Councilman Marinaro.

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION – xxx/2024

(APPOINTING DEPUTY CHAIRPERSONS FOR PLANNING AND ZONING BOARDS)

WHEREAS, the Town of East Fishkill Planning and Zoning Boards hold regular meetings conducted by their Chairpersons; and

WHEREAS, the Town has the need to appoint Deputy Chairpersons due to the occasional times when the Chairperson is unable to attend a meeting or needs to recuse themselves; and

NOW, THEREFORE, BE IT RESOLVED, that Richard Campbell be appointed as Deputy Chairperson to the Planning Board and Aziz Ashan be appointed as the Deputy Chairperson to the Zoning Board.

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

DRAFT

**RESOLUTION – 2024
(SCHEDULING TOWN BOARD MEETINGS FOR 2025)**

WHEREAS, the Town Board has determined to review and schedule meetings for 2025; and

WHEREAS, it is the desire of the Town Board to have regularly scheduled meetings;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board shall conduct their monthly workshop and regular meetings per the following schedule; and

January 16– Regular Meeting
February 13 – Workshop/Regular Meeting
March 13 – Workshop
March 27- Regular Meeting
April 10 Workshop
April 24 - Regular Meeting
May 8 - Workshop
May 22 - Regular Meeting
June 26 - Regular Meeting/Workshop
July 24- Regular Meeting/Workshop
August 28- Regular Meeting/Workshop
September 25 – Workshop/Regular Meeting
October 9 – Workshop/Budget Discussion
October 23 – Regular Meeting
November 13– Regular Meeting
December 11- Regular Meeting

BE IT FURTHER RESOLVED, that the said meetings shall be held at the Town Hall and shall commence at **6:00 PM**.

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION-XXX/2024

**(REIMBURSE DEPUTY BUILDING INSPECTOR FOR TRAINING/COURSE
EXPENSE)**

WHEREAS, Deputy Building Inspector Robert Dunstan has identified and been admitted to an Engineering Sciences program with Dutchess Community College; and

WHEREAS, the Town of East Fishkill promotes employee development to better serve the public; and

WHEREAS, the Town Engineer has endorsed the curriculum of courses; and

NOW, THEREFORE, BE IT RESOLVED, that the upon successful completion of any heretofore identified courses with a grade of "B" or above, that the Town will reimburse Robert Dunstan an amount up to \$440 per credit in accordance with the CSEA contract.

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION -XXX/2024

(AUTHORIZE TOWN STAFF TO APPLY FOR A NY FORWARD GRANT FROM NEW YORK STATE FOR THE HOPEWELL JUNCTION HAMLET)

WHEREAS, the NY Forward (NYF) program is a competitive New York State grant program that awards \$4,500,000 to communities 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 full application for the NY Forward grant program for the Hopewell Junction Hamlet as a downtown area benefiting from such an application; and

WHEREAS, a successful NYF application requires the formation of a local planning committee with 5 to 10 community leaders and stakeholders should the community receive the 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 an 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 for the NY Forward (NYF) grant programs for up to \$4,500,000 in grant money.
- b) Work with the Town Supervisor and Town Board to form the local planning committee to assist the Town with the NYF application

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**

RESOLUTION

**(AUTHORIZING THE ATTENDANCE AT THE ASSOCIATION OF TOWNS FOR
VARIOUS TOWN OFFICIALS)**

WHEREAS, the Association of Towns of the State of New York, of which the Town of East Fishkill is a member, conducts their annual meeting and training sessions on February 16, 2025 to February 19, 2025; and

WHEREAS, by Town Law officers and officials of the Town are authorized to attend said function;

NOW, THEREFORE, BE IT RESOLVED, the Town Board does hereby authorize officials and employees as approved by the Town Supervisor to attend the Association of the State of New York Annual Meeting on February 16, 2025 to February 19, 2025; and

BE IT FURTHER RESOLVED, that one voting member is hereby designated as the official voting delegate of the Town of East Fishkill; and

BE IT FURTHER RESOLVED, that the 2025 membership for the Town is approved.

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

**DATED: OCTOBER 24, 2024
EAST FISHKILL, NY**