

**This is a proposed agenda. Items may be removed, added, or changed.
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
NOVEMBER 14, 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 Farmview Drainage District
 - a. Close Public Hearing
 - b. Adopt Neg Dec and Local Law

2. Open Public Hearing with respect to Route 52 Commercial Sidewalk District
 - a. Close Public Hearing
 - b. Adopt Neg Dec and Local law

3. Open Public Hearing with respect to Route 52 Commercial Lighting District Districts
 - a. Close Public Hearing
 - b. Adopt Neg Dec and Local Law

4. Open Public Hearing with respect to proposed Amendments to Chapter 63 "Animals" of the Town Code
 - a. Close Public Hearing
 - b. Adopt Neg Dec and Local Law

Approve Minutes

October 24, 2024

Announcement of Additions to the Agenda

Courtesy of the Floor

Receive and File

- 1) Acknowledge Small Business Saturday Nov 30, 2024

Resolutions:

- 1) Approve Sidewalk Snow Removal and Ice Control Sand Bids
- 2) Authorize Change Order for Legacy
- 3) Approve Hiring Part Time Typists
- 4) Authorize Hiring of Interns for Winter Break
- 5) Declaring Certain Property to be Surplus and Authorize Auction of Same
- 6) Authorize Emmadine Pond Access agreement
- 7) Designate No Parking or Standing on Patriot Way and South Drive

Additions to the Agenda by Majority Vote (If any)

Budget Transfers

Adjournment

Next Town Board Meetings: Regular Meeting December 12, 2024

RESOLUTION – XXX/2024

**ORDER ESTABLISHING
FARMVIEW DRAINAGE DISTRICT**

A MEETING was conducted by the Town Board of the Town of East Fishkill on Thursday, November 14, 2024 at 6:00 pm at the Town Hall located at 330 Route 376, Hopewell Junction, NY at which time the following were present:

NICHOLAS D’ALESSANDRO

Supervisor

THOMAS FRANCO

Deputy Supervisor

EMANUELE MARINARO

Councilperson

CRAIG ARCO

Councilperson

MARIANNE FLORES

Councilperson

WHEREAS, an application, and as required by the Subdivision Approval, was made to Form the Farmview Drainage District, and

WHEREAS, the Town Board on its own motion determined to form a district with the boundaries as set forth in Schedule “A” attached, and

WHEREAS, the Town Board on October 24, 2024 adopted an Order Calling a Public Hearing on the establishment of the above district; and

WHEREAS, copies of said order were duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

WHEREAS, a Map, Plan and Report prepared by Scott Bryant Town Engineer, a duly licensed professional engineer in New York State which is in the record; and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determination hereinafter made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board, in the County of Dutchess, that it be and hereby is determined as follows:

- (1) The notice of hearing was published and posted as required by law and is otherwise sufficient, and
- (2) That all of the property and property owners, within the proposed Drainage District are benefited thereby, and
- (3) That all of the property and property owners benefited are included within the proposed Drainage District, and
- (4) It is in the public interest to establish the proposed Drainage District as hereinafter described, and

BE IT FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a District as hereinafter described to be known as Farmview Drainage District, Town of East Fishkill, the boundaries of which are described in Schedule "A" annexed, and

BE IT FURTHER RESOLVED, that no improvements are being made as the Drainage facilities were constructed by the developer, and

BE IT FURTHER RESOLVED, that this resolution is subject to a 30-day permissive referendum; and

BE IT FURTHER RESOVLED, that the Town Clerk be and she hereby is authorized and directed to file a certified copy of this resolution, in duplicate in the office of the State Department of Audit and Control, at Albany, New York.

Voting As Follows:

COUNCILPERSON THOMAS FRANCO

VOTING

COUNCILPERSON EMANUELE MARINARO

VOTING

COUNCILPERSON CRAIG ARCO

VOTING

COUNCILPERSON MARIANNE FLORES

VOTING

SUPERVISOR NICHOLAS D'ALESSANDRO

VOTING

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF EAST FISHKILL,
DUTCHESS COUNTY, NEW YORK

Dated: East Fishkill, New York,
November 14, 2024

PETER J. CASSIDY

Town Clerk

RESOLUTION – XXX/2024

**ORDER ESTABLISHING
ROUTE 52 SIDEWALK DISTRICT**

A MEETING was conducted by the Town Board of the Town of East Fishkill on Thursday, November 14, 2024 at 6:00 pm at the Town Hall located at 330 Route 376, Hopewell Junction, NY at which time the following were present:

NICHOLAS D’ALESSANDRO

Supervisor

THOMAS FRANCO

Deputy Supervisor

EMANUELE MARINARO

Councilperson

CRAIG ARCO

Councilperson

MARIANNE FLORES

Councilperson

WHEREAS, the Town Board on its own motion proposed creation of the Route 52 Sidewalk District; and

WHEREAS, the Town Board on its own motion determined to form a district with the boundaries set forth in Scheduled “A” attached; and

WHEREAS, the Town Board on October 24, 2024 adopted an Order Calling a Public Hearing on the establishment of the above district; and

WHEREAS, copies of said order were duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

WHEREAS, a Map, Plan and Report prepared by Scott Bryant Town Engineer, a duly licensed professional engineer in New York State which is in the record; and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determination hereinafter made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board, in the County of Dutchess, that it be and hereby is determined as follows:

- (1) The notice of hearing was published and posted as required by law and is otherwise sufficient, and
- (2) That all of the property and property owners, within the proposed Sidewalk District are benefited thereby, and
- (3) That all of the property and property owners benefited are included within the proposed Route 52 Sidewalk District, and
- (4) It is in the public interest to establish the proposed Sidewalk District as hereinafter described, and

BE IT FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a Sidewalk District as hereinafter described to be known as Route 52 Sidewalk District, Town of East Fishkill, described in Schedule "A" annexed, and

BE IT FURTHER RESOLVED, that no improvements are being made as the Sidewalks are in place without cost, and

BE IT FURTHER RESOLVED, that this resolution is subject to a 30-day permissive referendum; and

BE IT FURTHER RESOLVED, that the Town Clerk be and she hereby is authorized and directed to file a certified copy of this resolution, in duplicate in the office of the State Department of Audit and Control, at Albany, New York.

Voting As Follows:

COUNCILPERSON THOMAS FRANCO

VOTING

COUNCILPERSON EMANUELE MARINARO

VOTING

COUNCILPERSON CRAIG ARCO

VOTING

COUNCILPERSON MARIANNE FLORES

VOTING

SUPERVISOR NICHOLAS D'ALESSANDRO

VOTING

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF EAST FISHKILL,
DUTCHESS COUNTY, NEW YORK

Dated: East Fishkill, New York,
November 14, 2024

PETER J. CASSIDY

Town Clerk

RESOLUTION – XXX/2024

ORDER ESTABLISHING
ROUTE 52 COMMERCIAL LIGHTING
DISTRICT

A MEETING was conducted by the Town Board of the Town of East Fishkill on Thursday, November 14, 2024 at 6:00 pm at the Town Hall located at 330 Route 376, Hopewell Junction, NY at which time the following were present:

NICHOLAS D’ALESSANDRO

Supervisor

THOMAS FRANCO

Deputy Supervisor

EMANUELE MARINARO

Councilperson

CRAIG ARCO

Councilperson

MARIANNE FLORES

Councilperson

WHEREAS, the Town Board on its own motion has determined that a District for Street Lighting and Traffic Signals is appropriate, and

WHEREAS, the Town Board on its own motion determined to form a district with the boundaries as set forth in Schedule “A” attached, and

WHEREAS, the Town Board on October 24, 2024 adopted an Order Calling a Public Hearing on the establishment of the above district; and

WHEREAS, copies of said order were duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

WHEREAS, a Map, Plan and Report prepared by Scott Bryant Town Engineer, a duly licensed professional engineer in New York State which is in the record; and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determination hereinafter made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board, in the County of Dutchess, that it be and hereby is determined as follows:

- (1) The notice of hearing was published and posted as required by law and is otherwise sufficient, and
- (2) That all of the property and property owners, within the proposed Lighting District are benefited thereby, and
- (3) That all of the property and property owners benefited are included within the proposed Lighting District, and
- (4) It is in the public interest to establish the proposed Drainage District as hereinafter described, and

BE IT FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a District as hereinafter described to be known as the Route 52 Commercial Lighting District, Town of East Fishkill, the boundaries of which are described in Schedule "A" annexed, and

BE IT FURTHER RESOLVED, that no improvements are being made as the Lighting system that exists is privately operated and will be turned over to the Town, and

BE IT FURTHER RESOLVED, that this resolution is subject to a 30-day permissive referendum; and

BE IT FURTHER RESOVLED, that the Town Clerk be and she hereby is authorized and directed to file a certified copy of this resolution, in duplicate in the office of the State Department of Audit and Control, at Albany, New York.

Voting As Follows:

COUNCILPERSON THOMAS FRANCO

VOTING

COUNCILPERSON EMANUELE MARINARO

VOTING

COUNCILPERSON CRAIG ARCO

VOTING

COUNCILPERSON MARIANNE FLORES

VOTING

SUPERVISOR NICHOLAS D’ALESSANDRO

VOTING

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF EAST FISHKILL,
DUTCHESS COUNTY, NEW YORK

Dated: East Fishkill, New York,
November 14, 2024

PETER J. CASSIDY

Town Clerk

Local Law No. ___ of 2024

(AMENDMENTS TO CHAPTER 63 (“ANIMALS”) OF THE TOWN CODE)

Section 1. Legislative Intent

The Supervisor and Town Board support responsible animal ownership. This Local Law seeks to ensure that there are proper safeguards in place to protect the health, safety, and welfare of the community.

Section 2. Amendments to Town Code Section 63-5: Restrictions

There shall be a new Section 63-5(H) of the Town Code to read as follows:

It shall be unlawful for any owner of any dog in the Town to permit or allow such dog to:

H. Be at any park on Town of East Fishkill property unless such owner is a resident of the Town of East Fishkill and the dog has a valid license.

Section 3. Amendments to Section 63-6: Licensing Required; Fees

1. Section 63-6(C) shall be amended to read as follows:

Fees for licensing dogs. Licensing fees shall be set by resolution of the Town Board with such fees being reviewed by the Town Board periodically and may be changed by a resolution of the Town Board, if deemed necessary.

Section 4. Amendments to Section 63-7: Procedure for Seizure of Dogs

Section 63-7(A) shall be amended to read as follows:

A. Seizure, keeping, and disposal.

(1) The Dog Control Officer or any peace officer shall seize:

(a) Any unlicensed dog, whether on or off the owner's premises;

(b) Any dog not wearing a tag, and after June 15, 1985, not identified, and which is not on the owner's premises;

(c) Any dog whose Defendant-Owner fails to appear for a scheduled Court Date provided that the Judge signs a written order of seizure; and

(d) Any dog found in violation of Subsections A through H of § 63-5 of this article.

(2) Such seized dog shall be kept in accordance with the provisions of Article 7 of the Agriculture and Markets Law, and see that the order of the Town Justice of the Town of East Fishkill in such case is carried out.

Section 5. Amendments to Section 63-8: Penalties for Offenses

Section 63-8 shall be amended to read as follows:

Any violation of this Chapter shall be punishable by a fine not to exceed \$350 for a first offense, \$700 for the second offense, and \$1,000 for each subsequent offense or by imprisonment not to exceed 15 days, or both such fine and imprisonment. Each day’s continued violation shall constitute a separate additional violation. Any violation of this Chapter may also be filed as a civil matter.

Section 6. Addition of New Provision Limiting the Number of Dogs per Property

A new Section shall be added to Chapter 63 as follows:

The maximum number of dogs permitted per dwelling unit on a property shall be determined by the following table. Dogs less than six months of age shall be exempt from this limitation. Any owner with more dogs than permitted by this section shall be allowed to keep all of their current dogs if all current dogs at the property become licensed within 90 days of the date of passage of this Local Law. No owner with a total number of dogs exceeding the table in this section may replace one of the current dogs upon its death unless the total number of dogs would be compliant with the table in this section upon the addition of the new dog.

Lot Size	Maximum Number
Lot of any size	3
At least 2 acres	4
At least 5 acres	5
10 or more acres	6 or more

Section 7. 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 8. 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 November 14,
2024 At a Regular
Meeting Held at Town
Hall**

DRAFT

RESOLUTION -2024

**TOWN OF EAST FISHKILL
WATER AND SEWER DEPARTMENT
HYDRANT/VALVE REPLACEMENTS CONTRACT EXTENSION**

WHEREAS, the Town of East Fishkill oversees maintenance and operations for the various water special districts and is seeking hydrant and valve replacements; and

WHEREAS, the Town previously awarded Legacy Supply, Inc. a contract to perform hydrant and valve projects; and

WHEREAS, the Town completed hydrant and valve inspection and testing throughout the Spring and Summer of 2024 and identified additional valve and hydrant replacement locations needed at the Hopewell Hamlet WD, Shenandoah WD, Beekman WD, and the Fishkill Plains WD that need replacement; and

WHEREAS, the Town can approve a contract extension through 2024 with Legacy Supply, Inc, for a third and final year; and

WHEREAS, the Hydrant replacements total cost is \$56,343.00; and

WHEREAS, the scope of work is classified as a SEQR Type 2 Action; and

WHEREAS, the project costs are funded through the Water Districts only;

NOW THEREFORE, IT IS RESOLVED, that the Town agrees to extend the Water & Valve Replacement term with Legacy Supply, Inc. for a third and final year; and

NOW THEREFORE, IT IS FUTHER RESOLVED, that the agreement is to be increased to add the additional \$56,343.00; and

NOW THEREFORE, IT IS FURTHER RESOLVED, that the Town Board hereby declares and authorizes Nicholas D'Alessandro, Town Supervisor, be provided the authority to authorize a contract change order with Legacy Supply, Inc.

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

**DATED: NOVEMBER 14, 2024
EAST FISHKILL, NY**

RESOLUTION

(APPOINT TOWN HALL TEMPORARY PART-TIME TYPIST)

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

WHEREAS, Laura Clark and Danielle Mangone have been interviewed and are recommended to be hired as Temporary Typists; and

NOW, THEREFORE, BE IT RESOLVED, that Laura Clark and Danielle Mangone are hereby appointed as a Temporary Part-time Typists in the Town, being paid at the hourly rate of \$16.69; and

BE IT FURTHER RESOLVED, that said typist shall work at the pleasure of the Town Supervisor in accordance with all the previously established rules and regulations.

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

**DATED: NOVEMBER 14, 2024
EAST FISHKILL, NY**

RESOLUTION

(APPOINTING TEMPORARY SEASONAL INTERNS)

WHEREAS, the Town is looking to hire back seasonal interns to assist in town offices; and

WHEREAS Daniel Alba has worked as an intern for the Town in the past; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby appoint Daniel Alba as a Temporary Part-Time Seasonal Intern. The position is to be paid \$15.00 per hour; and

BE IT FURTHER RESOLVED, that said Internship position shall work at the pleasure of the Town Supervisor and will be removed from the payroll upon completion of his tasks.

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

**DATED: NOVEMBER 14, 2024
EAST FISHKILL, NY**

RESOLUTION

**(DECLARING CERTAIN PROPERTY TO BE SURPLUS
AND AUTHORIZE AUCTION OF SAME)**

WHEREAS, the Town has certain property that is requested to be declared surplus; and

WHEREAS, said property consists of miscellaneous items such as a projector, desks, cabinet and tables; and

WHEREAS, the Town Board concurs; and

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

BE IT FURTHER RESOLVED, that the sale of the items shall be further approved by this Board.

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

**DATED: NOVEMBER 14, 2024
EAST FISHKILL, NY**

RESOLUTION-xxx/2024

(APPROVING ACCESS AGREEMENT TO EMMADINE POND)

WHEREAS, the Town owns Emmadine Pond as a Town Park, and

WHEREAS, to properly maintain its spillway access is provided over the adjacent property owned by "Taylor", and

WHEREAS, it is the desire of the Town to formalize this right of access, and

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign an access agreement as prepared by the Town Attorney to effectuate the intent herein.

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

**DATED: NOVEMBER 14, 2024
EAST FISHKILL, NY**

DRAFT

RESOLUTION-xxx/2024

(DESIGNATING NO PARKING ON PATRIOT WAY AND SOUTH DRIVE)

WHEREAS, the Town recently took over Patriot Way & South Drive as Town Roads, and

WHEREAS, it is appropriate to regulate parking along said roads, and

NOW, THEREFORE, BE IT RESOLVED, that there will be “No Parking/Standing” along the East side of Patriot Way at any point from Route 52 along the property of the Wappingers Central School District, and

BE IT FURTHER RESOLVED, that there will be “No Parking/Standing” along the West side of Patriot Way from Route 52 till the second driveway entering the Amazon Facility, and

BE IT FURTHER RESOLVED, that there will be No Parking/Standing on South Drive its entire length from iPark Boulevard to Patriot Way, and

BE IT FURTHER RESOLVED, that the Highway Superintendent shall erect the appropriate signage.

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

**DATED: NOVEMBER 14, 2024
EAST FISHKILL, NY**