

**MINUTES**  
**TOWN OF EAST FISHKILL**  
**TOWN BOARD MEETING**  
**OCTOBER 24, 2024**  
**6:00 p.m.**

**REGULAR BOARD MEETING**

The Town of East Fishkill's Town Board Meeting on October 24, 2024, was called to order at 6:00 p.m. by Supervisor D'Alessandro with the Pledge of Allegiance to the Flag.

**Supervisor's Announcements:**

Supervisor D'Alessandro stated he attended the Dutchess County Mayors and Supervisors' Association meeting. This month it was at the Culinary Institute of America and the guest speaker was County Executive Sue Serino. She gave an update on what's going on in the County and gave an update on the County EMS Plan to set up zones throughout the County and place additional ambulances in those zones, depending on the call volume. She is also looking at fly cars for less critical care. They are doing a feasibility study for the costs for this. She also discussed part of the County budget and the deficit. County Legislator Steve Caswell is the Chair of the County Budget & Finance Committee, so Supervisor D'Alessandro will be asking him to come to next month's meeting to give an update.

There have been several meetings with Congressman Michael Lawler this month. He held his quarterly meeting with the supervisors and mayors in his district. He is very willing to help the community. There was a press conference in Rockland County regarding the housing crisis, held by the Congressman that Supervisor D'Alessandro attended as well. There is a proposed bill to supply affordable housing and the Congressman is looking for sponsors. Supervisor D'Alessandro thanked him for the assistance in getting grants and funds that he has provided in the past.

The People's First Annual breakfast was held at Dutchess Community College. This foundation assists the community with various issues. It was very well attended.

There was a meeting with Assemblyman Beephan and the past Town of Wappingers Supervisor, Dr. Thurston, regarding the new HVFF project that will hopefully be going to the iPark east campus. They are applying for the Federal Chips Act for funding. They need a support letter from NYS as part of their application, so Assemblyman Beephan is assisting with that. This will be a great project.

The Putnam County Economic Development Committee had a breakfast that the Supervisor and several members of Dutchess County's Economic Development Committee attended. It was a very informative meeting with idea sharing.

Supervisor D'Alessandro met with a member of the East Fishkill Veterans Council Committee to discuss issues within the Committee and the progress of the Town's Memorial Park. He will keep the public informed as the project moves forward.

There was a meeting with the Town Engineer, Engineer Assistant, and the new MS4 officer at the Farm Center in Millbrook to discuss the new MS4 Laws. These unfunded mandates put a huge strain on local government.

There was a meeting with some staff and NYS Economic Development yesterday at the New Windsor regional office. East Fishkill received a \$2 million grant for the iPark Water District in addition to Congressman Lawler's \$2 million grant. They discussed the phasing and receipt of funds.

There was a DC Transportation Council meeting regarding the newly proposed Hopewell/Beacon Rail Trail. The County did fund the feasibility study. There is partial funding from the State. There are problems and mitigations that have to be dealt with. The Supervisor will keep everyone informed as this moves forward. The Building Department is in the midst of a new software upgrade. It will help residents with applications and payments as well as help the office staff. Please be patient with them as they work through any issues.

He thanked the residents that called and emailed in support of the letter he sent in regard to the Central Hudson rate increases. There was a meet and greet for the new Central Hudson CEO in Hyde Park this week and Supervisor D'Alessandro spoke with her there as well.

**Roll Call:** Supervisor D'Alessandro asked the Town Clerk to call the rolls.

Board Members in attendance were:

Craig	Emmanuel	Marianne	Nicholas
Arco	Marinero	Flores	D'Alessandro

Also, in attendance were:

Tom Wood, Attorney; Scott Bryant, Engineer; Derrick Cuccia, Police Chief; and Mark Pozniak, Comptroller.

### **Public Hearings:**

1. Open Public Hearing with respect to the 2025 Benefit Assessment

- a. Open Public Hearing

Motion to open the Public Hearing with respect to the 2025 Benefit Assessment: Board Member Marinero. Seconded: Board Member Flores. All voted in favor. Motion carried.

Supervisor D'Alessandro explained that the benefit assessment is for homes that are in a water or septic district. Most homes have a benefit assessment of 1 unit.

This is not to set any rates or set how much it will cost homeowners. It is only if someone disagrees with what their benefit assessment is. Commercial properties can have multiple benefit units assessed to it. It is based upon the flow of water use multiplied by how much a normal home would use.

Comptroller Pozniak stated everyone receives the tax for general town wide services on their tax bill. There is a general tax which encumbers the Police, Recreation, and Town Hall activities as well as the Highway Department. Everyone pays into that fund. Some people belong to special districts. It could be a water special district, a sewer district, lighting, park, etc. and only people that lived within those special districts pay those taxes. Some are based on property assessed value and some are based on benefit units. The special district that used the benefit unit are water, sewer, drainage, and sidewalks. This is used in lieu of assessed property value. In most of these districts a residential home would be considered one benefit unit, and some are calculated at 100 as the base. A vacant lot is assigned a reduced value. Commercial properties are usually assigned a higher benefit unit. It is based upon square footage, business usage, etc. The special districts that have benefit units were shown on a spreadsheet for the public. He had a spreadsheet showing all the special districts with benefit units and separating the ones that are set at 100 BU and 1 BU. For almost all of the special benefit unit districts the tax they paid in 2024 will be the same that they pay in 2025. Engineer Bryant asked if this was for the debt and not the O&M. Comptroller Pozniak stated generally the taxes that you pay to a special district is for the debt incurred for the district for the bonding. He stated it could also be extended to large capital projects that were not included in the bonding but were necessary for the district. In a few districts it is also recapturing prior year deficits. Generally speaking the amount raised in taxes is meant to cover the capital investment in the district which is generally represented by a bond payment. Then there will be quarterly water or sewer payments that will go towards the operating expenses of the district. That would include the chemicals to treat the sewage and electricity to pump it. The purpose of this Public Hearing is to allow people who may disagree with their benefit unit assignment to make a statement to be considered.

Supervisor D'Alessandro stated that they would open up the podium for anyone who has questions or concerns regarding their benefit assessment.

Resident number one stated that he read that in Kansas or somewhere they ruled that fluoride is a poison so he feels that this Board should consider there being no fluoride in the water. Engineer Bryant said they don't add fluoride in the water. There might be some naturally occurring fluoride but there is none that is added.

A resident from Four Corners asked what happens if a senior or someone with limited income has a bill that comes in at \$80 but the sewer comes in at \$275.00. Comptroller Pozniak stated there is a New York State program that they can be directed to that will help subsidize or entirely pay someone's water or sewer bill if they meet all the criteria.

Supervisor D'Alessandro asked if there was anyone else to speak about their benefit unit's and there was no one. He asked if there was any questions or comments from Board members and there were none.

b. Close Public Hearing

Motion to close the Public Hearing with respect to the 2025 Benefit Assessment: Board Member Arco. Seconded: Board Member Flores. All voted in favor. Motion carried.

c. Adopt 2025 Benefit Assessment Roll

Motion to adopt the 2025 Benefit Assessment: Board Member Marinaro. Seconded: Board Member Arco. All voted in favor. Motion carried.

2. Open Public Hearing with respect to the Preliminary 2025 Town Budget and Special Districts Budget

a. Open Public Hearing

Motion to open the Public Hearing with respect to the Preliminary 2025 Town Budget and Special Districts Budget: Board Member Marinaro. Seconded: Board Member Flores. All voted in favor. Motion carried.

Supervisor D'Alessandro thanked the Comptroller for his assistance in preparing this budget. It was presented to the Town Board last month. He thanked all town department heads and Board members for their assistance in this project. He does feel this is a very quality budget with low tax increase with a typical house having an increase of \$28. This is a 2.6% increase. He is very proud of this budget. This is the most important action that this Town Board does. He is very happy that he has Town Board members who are just as caring about putting forward a quality budget as he is. The total town budget is a little more than \$32 million of which \$16.9 million of it comes from the tax levy. They continue to have a low tax record and continuing all full services. The Town has never broken the Tax Cap, and he does not foresee that happening. This is because of their strong economic development plans. They have attracted many large companies to come and build in the former East and West IBM campuses. It is very clear with this budget that with the new growth in town they were still able to do only a 2.6% tax increase. This does not include all of the new industrial development that is still coming onto the tax rolls. This does not count Frito-Lay or the new logistics center in front of Amazon. That will be even more tax revenue for the town, county, and school district. The Amazon Pilot for 2024 did commence this year and the town's share is roughly \$63,000. They pay over \$460,000 for their first year of their pilot. The first year is the year they get their largest tax assessment reduction. Every year they will pay more. Most of the taxes go to the school district. This is very beneficial to

the school district as Amazon does not have any students, they are adding into the district headcount, but they are paying their tax. The municipality is just like a residential home. The cost for interest rates, fuel, electricity, insurance, etc. has all increased for everyone. They have to get creative on how they get additional income to the town. They get income from the tax funds, sales tax, mortgage tax, and other benefits from the state. That is where their budget income comes from. All the special districts are not included in the pilots for large companies. They pay full taxes to all of those districts. Approximately 9% of your total tax bill is what you pay for your town portion. The entire town gets run off about 9%. Approximately 11% is the County, 3% for the fire district, 1% for the library district, and 76% is the school district. He thanked the town employees as they have been doing more work with less people. Everyone is providing the best service they can for the residents. They have saved a lot of money over the years with shared services. They shared services for the planner, and the attorney. They apply for federal and state grants as well as local grants whenever they can. They have hired two part-time grant directors who have helped tremendously. That is the equivalent of the town savings account. \$2 million of that is in a special reserve funds just for paving. As well as \$500,000 which will be towards the new Veterans Memorial Park across the road. The Town is in very good financial shape. We do have the lowest tax rate in Dutchess County, with a full-time police department.

Comptroller Pozniak stated this is a high-level summary of the 2025 budget. The total amount spent is budgeted to be approximately \$32 million. Of that almost \$17 million of it is to be raised by taxes. Almost \$15,000,000 of it is for the general and the Highway. \$1.9 million is for the special districts. The rate will be going down for the Town tax by approximately 3.4%. Generally for the special districts it will be at 0% increase. In 2024 an average property was approximately \$400,000 and would have paid approximately \$1,092 on the tax bill. In 2025 that same property will likely be increased by approximately 6% increase value so that property would now be \$424,250 its tax fee will be 2.64% with a tax bill of \$1,120. Supervisor D'Alessandro stated when people see their assessments, they assume the taxes are going up. It is not, because the Town has to collect the same amount of taxes. The taxes only go up when the Town raises them and this year, they are raising them by 2.6%. Comptroller Pozniak stated in 2010 they had a fund balance of \$4 million. That was considered a good fund balance. Over the next several years they did need to use some of the fund balance. They needed to find ways to save money and raise income. There was a pie chart that showed where the property taxes go to. In East Fishkill there are six different rates that you could be paying. There was a pie chart showing that approximately a third of your taxes go to the Highway Department for snow clearing and paving. Approximately a third goes to the Police Department. The remaining third is between Recreation Department and Town Hall itself. The tax cap was derived by New York State. It does allow for raising taxes to do with inflation but not to exceed 2%. This year inflation was calculated to 3.3% but they have to use the lower number of 2%. The Town's pension and health insurance costs are expected to increase significantly in 2025. That is a significant portion of the total budget. Mortgage tax revenue has seen a

downward trend since 2021, but sales tax revenues have gone up some. The Building Department revenue has roughly doubled, since 2020 due to activity at industrial sites. The PBA contract expired 12/31/23 the new terms are still being negotiated the CSEA contract expires 12/31/24 and negotiations are underway. The Town continues to hire and fill vacancies as needed so the residents can continue to receive the services that they need.

Supervisor D'Alessandro asked if there was anyone from the public to speak for or against this proposed local law. There was no one.

Supervisor D'Alessandro asked if any Board members had any questions or comments.

Board Member Flores stated this is a sound budget. She appreciates all of the work that went into it. She went through it line by line and got many answers from the Comptroller. She does know that the Board takes this very seriously as this is their most important responsibility. They are committed to focusing on increasing revenue through economic development activities and keeping prudent expenditures. She appreciates the work of all the Department heads of the town employees that will work so hard to look for new ways to reduce costs.

Board Member Arco stated he did miss the workshop, but he met with Comptroller Pozniak prior. The budget is the budget, and it is achievable to get the numbers that they need to hit. If they can save money on the line items, they can shift that money to other areas where they may need new trucks, equipment, or software. He does urge everyone to participate in any tax saving activities that they can so they can utilize those funds on another budget line that might need additional funding. He thanked them for doing an awesome job on this budget and thanked the Supervisor for his time on it as well.

Board Member Marinaro stated he met with the Town Supervisor to go over the budget. His main concerns were regarding paving lagging behind due to financial issues. He does feel they have put the money aside for paving for next year with this budget. If prices stay stable this year, they will be able to get a lot more done. These were issues that have been brought to the Board's attention for three years from the taxpayers, so they are trying to address it. There are expenses that the Town has to deal with that continue to go up. They try to keep an eye on their spending future tax dollars as best as they can. They try to save as much as they can whenever they can. He believes this is a well put together document.

Supervisor D'Alessandro asked if there was anyone from the public to speak for or against the budget. There was no one.

b. Close Public Hearing

Motion to close the Public Hearing with respect to the Preliminary 2025 Town

Budget and Special Districts Budget: Board Member Arco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

c. Adopt 2025 Budget & Benefit Assessment Roll for the Town Districts

Motion to adopt the 2025 Budget & Benefit Assessment Roll for the Town Districts: Board Member Arco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

**Approve Minutes:**

September 26, 2024, Town Board Minutes

Motion to approve the minutes for the September 26, 2024, Town Board meeting minutes: Board Member Marinaro. Seconded: Board Member Flores. All voted in favor. Motion carried.

**Announcement of Additions to the Agenda:**

Supervisor D'Alessandro said there are additions to the agenda.

**Courtesy of the Floor:**

Supervisor D'Alessandro asked if there was anyone who wanted to speak about any general town issues.

Resident number one stated this past Monday, the deli at Route 82 and Old Hopewell Road had an annual event that causes cars to park into the road and into the development this gentleman lives in. There was a deli employee directing traffic within the development. It took him over 20 minutes to get from Route 82 into his home. He and multiple residents did call the police, who sent one officer to write down license numbers. This is an annual event that happens every year. He stated he would like the Town to take some action on this. Supervisor D'Alessandro stated he will speak with the business owner.

Resident number two asked about resolution number 10 and if it had anything to do with Treetop Development trying to tap into the Shenandoah Water District and Supervisor D'Alessandro said no. This is for people who come in and tap into an established water district. Resident number two stated that there any number of residents that would be impacted if Treetop Development were allowed to tap into their water district. Attorney Wood stated there are 12 water districts within the town and other projects and this will be a policy that will apply to all of them. There are no plans in discussion with the developer of Treetop for connection to the district. Griffin Lane is a private road, and the Town does not have any right to grant anyone the right to go onto the road. It was barely possible to get the

easements required to get water to those people there now through the Environmental Protection Agency.

**Resolutions:**

**1. Approve New Snowplow Removal Rates for Winter 2024-2025**

**RESOLUTION  
(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        |
| <b>11) Min. 10’ Plow 11’ Wing 9 YD Sander with Driver and No Wing</b> | <b>\$290.00</b> |

Motion to approve the new snowplow removal rates for winter 2024-2025: Board Member Arco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

**2. Set Public Hearing for Omnibus Zoning Amendments for December 12, 2024**

**RESOLUTION-148/2024**

**(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.

Motion to set a Public Hearing for Omnibus Zoning amendments for December 12, 2024: Board Member Flores. Seconded: Board Member Arco. All voted in favor. Motion carried.

**3. Authorize Relocating the December Town Board Meeting Location to the Brinckerhoff House**

**RESOLUTION**

**(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 Brinckerhoff 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.

Motion to authorize relocating the December Town Board meeting location to the Brinckerhoff House: Board Member Marinaro. Seconded: Board Member Arco. All voted in favor. Motion carried.

**4. Refer a Request to the New York State Senator and Assemblyman to Designate a Portion of Route 376 as Veterans Memorial Highway**

**RESOLUTION**

**(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 this request be referred to Senator Rolison and Assemblyman Beephan for their authorization to designate a portion of Route 376 between Route 82 and Route 52 as Veterans Memorial Highway; and

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

Motion to refer a request to the New York State Senator and Assemblyman to designate a portion of Route 376 as Veterans Memorial Highway: Board Member Arco. Seconded: Board Member Flores. All voted in favor. Motion carried.

**5. Set Public Hearing for Farmview Drainage for November 14, 2024**

**RESOLUTION**

**(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.

Motion to set a Public Hearing for Farmview Drainage for November 14, 2024: Board Member Flores. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

**6. Set Public Hearing for Route 52 Commercial Sidewalk District for November 14, 2024**

**RESOLUTION**

**(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 East Fishkill Corporate Park, the West side of Patriot Way from Route 52 to the County Bus stop at Amazon 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

Motion to set a Public Hearing for Route 52 Commercial Sidewalk District for November 14, 2024: Board Member Marinaro. Seconded: Board Member Flores. All voted in favor. Motion carried.

**7. Set Public Hearing for Route 52 Commercial Lighting District for November 14, 2024**

**RESOLUTION**

**(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 East Fishkill Corporate Park 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 maintenance and routine repairs; and

**WHEREAS**, all costs, including electrical charges 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 Lighting District for November 14, 2024 at 6:00 PM at Town Hall located at 330 Route 376, Hopewell Junction, New York 12533.

Motion to set a Public Hearing for Route 52 Commercial Lighting District for November 14, 2024: Board Member Arco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

**8. Authorize Grant Application to the Office of Court Administration for Justice Court**

**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 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.

Motion to authorize grant application to the Office of Court Administration for the Justice Court: Board Member Flores. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

**9. Set Public Hearing on proposed amendments to Chapter 63 “Animals” of the Town Code for November 14, 2024**

**RESOLUTION**  
**(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; and

**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.

Motion to set a Public Hearing on the proposed amendments to Chapter 63 “Animals” of the Town Code for November 14, 2024: Board Member Marinaro. Seconded: Board Member Arco. All voted in favor. Motion carried.

**10. Establish Water Source Connection Fee**

**RESOLUTION**  
**(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).

Motion to establish a Water Source Connection Fee: Board Member Arco.  
Seconded: Board Member Marinaro. All voted in favor. Motion carried.

## **11. Award WWTP Odor Control Systems Repairs**

### **RESOLUTION (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.

Motion to award the WWTP Odor Control Systems repairs: Board Member Flores. Seconded: Board Member Arco. All voted in favor. Motion carried.

## **12. Authorize Out of District Water User Agreement**

### **RESOLUTION** **(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.

Motion to authorize out of district water user agreement: Board Member Marinaro. Seconded: Board Member Arco. All voted in favor. Motion carried.

**13. Authorize to Advertise for Sidewalk Snow Removal and Ice Control Sand Bids**

**RESOLUTION**  
**(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.

Motion to authorize to Advertise for sidewalk snow removal and ice control sand bids: Board Member Arco. Seconded: Board Member Flores. All voted in favor. Motion carried.

**14. Establish Committee for Bridge NY Grant for Warren Farm Bridge Replacement**

**RESOLUTION**  
**(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.

Motion to establish committee for Bridge NY Grant for Warren Farm bridge replacement: Board Member Flores. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

#### **15. Designate Deputy Chairpersons for Planning and Zoning Boards**

**RESOLUTION**  
**(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.

Motion to designate Deputy Chairpersons for Planning and Zoning Boards: Board Member Marinaro. Seconded: Board Member Flores. All voted in favor. Motion carried.

#### **16. Schedule Town Board Meeting Dates for 2025**

**RESOLUTION**  
**(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**.

Motion to schedule Town Board meeting dates for 2025: Board Member Arco.  
Seconded: Board Member Flores. All voted in favor. Motion carried.

**17. Reimburse Deputy Building Inspector for Training/Course Expense**

**RESOLUTION**  
**(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.

Motion to reimburse Deputy Building Inspector for training course expense: Board Member Flores. Seconded: Board Member Arco. All voted in favor. Motion carried.

**18. Authorize Staff to Apply for a NY Forward Grant**

**RESOLUTION**

**(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

Motion to authorize staff to apply for a NY Forward Grant: Board Member Marinaro. Seconded: Board Member Flores. All voted in favor. Motion carried.

**19. Authorize Attendance at Association of Towns for February 16-19, 2025**

**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; and

**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.

Motion to authorize Attendance at Association of Towns for February 16-19, 2025: Board Member Arco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

**Budget Transfer:**

Supervisor D'Alessandro stated there are no budget transfers.

**Comments from Town Board Members:**

Board Member Arco stated he had the Highway Superintendent's report for the night. Supervisor D'Alessandro stated that Councilman Arco has had a rough few weeks and is on crutches. Board Member Arco stated, per the Highway Superintendent, they have completed the installation of 50+ dry wells for the

Worley homes drainage project. The road cuts have been blacktopped back in. A new drainage pipe was installed on Warren Farm Road. They have completed the shoulder work on Hillside Lake Road. They have begun work on the site clearing and foundation for the new recreation shed at Hopewell Recreation Park. They have begun pre-winter tree trimming. They have also begun painting road lines. Please be aware of safety concerns and do not distract the flaggers. Trucks are being prepared for the winter season. The entire department participated in a countywide Highway Safety Day sponsored by the Dutchess County Association of Superintendent of Highways on October 3 at the Dutchess County Fairgrounds. All county highway departments that participated attended a full day of classes by Central Hudson, Dig Safe, New York State DOT, Rhinebeck Rescue, New York State Department of Labor, and DEC. It was a great program covering many topics. Board Member Arco stated that under New York State traffic law you are not allowed to rake or blow your leaves on the road nor have your grass trimmings going into the road. It is very dangerous for motorcycle riders and cars. You are also not allowed to push your snow across the road. Please educate your contractors if you see them doing that. Police Officer Froud is now Heart Saver Certified. He does have one additional part to do for BLS. Board Member Arco stated, on a personal note, he is sorry he missed the previous workshop. He did require surgery for his leg. He thanked the East Fishkill Fire District, First Responders and the Hillside Lake Fire Station. They were professional, caring, and compassionate. He is beyond appreciative to the men and women of this area. He thanked the hundreds of employees and community members who have reached out to offer assistance and check on him as well.

Board Member Marinaro attended a fire district demonstration at the fire district open house. It was very well attended, and the kids had a wonderful time. Local law enforcement and New York State police were there. It was very well organized. He also thanked them for helping Councilman Arco. He stated today there was a very informative meeting with Dutchess County Agricultural Navigator. There have been some concerns regarding local farms and relationships with the neighbors. It was important to get some clarifications and a good exchange of information. It is important to realize that there are a lot of farms in East Fishkill. These cannot be over regulated, and the Town has to work with the farmers. There was a meeting this afternoon to discuss prior issues with the lights being left on at the recreation fields. They contacted a company that will help address this, and it should be a large money saver. By next spring they should have a very good handle on this. There is a very important election coming up next month. He asked everyone to remember what is important to everyone as they place their votes.

Board Member Flores stated they updated the Board on their progress for the Master Plan at the last workshop meeting. They have met with Joe Cotter from National Resources at iPark. It was a very good dialogue and sharing of ideas. They had their committee meeting last week. It was supposed to be the last one, but they decided to add one more in January. The Town Attorney was at the last meeting sharing some legal considerations and processes moving forward with the

