

MINUTES
TOWN OF EAST FISHKILL
TOWN BOARD MEETING
FEBRUARY 13, 2025
6:00 p.m.

REGULAR BOARD MEETING

The Town of East Fishkill's Town Board Meeting on February 13, 2025, 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 started the month with the Dutchess County Mayors and Supervisors Association meeting. This month it was in the Town of LaGrange. There were a few guest speakers. The first was the CEO from Central Hudson who spoke about all the changes going on. The second speakers were the Commissioner of Dutchess County Planning and the assistant Commissioner from the Board of Health. They were discussing a new law passed by Dutchess County Legislature which is a new aquifer protection law that will prohibit certain businesses that use contaminating products from functioning within a certain distance from a public water source. There are a lot of pre-existing businesses that they have to take into account. This law was passed 100% unanimously. Supervisor D'Alessandro attended a meeting with Dutchess County Transportation Council. This is the committee that is looking at the new Beacon-Hopewell Rail Trail. They will be here next month at the workshop to give a presentation.

The Wappinger Central School District held a meeting with all supervisors and mayors within the district. This is usually a quarterly meeting and they discussed the upcoming budget. They will be under the 2% tax cap. They are looking to put a capital project referendum on the ballot. He does believe the school Superintendent will be coming to the town board to make another budget presentation this year.

Supervisor D'Alessandro met with the new County Executive Assistant Greg Pulver. It was a very good meeting to discuss many projects going on in East Fishkill.

There have been many meetings with the Grant Director recently. There are a lot of grants coming up and there is a lot of work that goes into writing them. The Town is looking for ideas for the Community Block Grant.

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

Board Members in attendance were:

Craig Arco	Emanuele Marinero	Tom Franco	Marianne Flores	Nicolas D'Alessandro
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Also, in attendance were:

Thomas Wood, Attorney; Derrick Cuccia, Police Chief; Ken Williams, Highway Superintendent; Michael Cunningham, Attorney; Scott Bryant, Engineer; Michelle Robbins, Town Planner; and Danielle Carney, Deputy Comptroller.

Presentation:

Patrick Manning, the Development Director, was present to give a presentation. The president of the Rotary, Nicole Magro was also present. They have put together the East Fishkill Business Milestone Awards. He stated that East Fishkill has the lowest taxes in the tri-county area of any town with a full-time police department. He stated that starts with the businesses. He feels it is time to reward some of the businesses that have stayed in the town through the economic crisis and pandemic. The East Fishkill Business Milestone Awards will begin on Monday on the East Fishkill website. A form will be able to be filled out. It will get information about the business such as how long they have been in town and other information. In March they will start announcing businesses that will be part of this award. With help and thanks from the East Fishkill Rotary they will get decals for the windows and doors as acknowledgment. They will get proclamations from the Town Board and getting their names out there in social media. There will be posts teaching other business owners what these businesses did and how they did it. He thanked the Supervisor for allowing them to move forward with this and know that there will be no major cost to taxpayers for it. If anyone has any questions they can contact him. Supervisor D'Alessandro thanked Mr. Manning and the Rotary for coming up with this program.

Public Hearing:

1. Re-open Public Hearing Omnibus Zoning Amendment

a) Re-Open Public Hearing Omnibus Zoning Amendments

Motion to re-open the Public Hearing on the Omnibus Zoning Amendments: Board Member Franco. Seconded: Board Member Flores. All voted in favor. Motion carried.

Supervisor D'Alessandro stated they have been working on this for several months. This is to help clean up the Zoning Code. Sometimes laws and codes need to be revisited to make them work the best and they need to move with the times. They need to make a nice environment for the residents and businesses as well. Supervisor D'Alessandro asked if the Town Planner, Michelle Robbins, would like to review some of the things they have been going over. He requested she discuss

the Mixed-Use Special Permit which has businesses on the first floor and residential use above that. They are still waiting for the first applicant to apply for this. It was approved during Covid and there is a large cost to do these type renovations. They are now seeing more applications with questions to the Planning Department.

Michelle Robbins stated a lot of these items are mistakes they have noticed that were not caught by General Code when they made changes in the past. Some of them are things that the Zoning Administrator and the Zoning Board have asked the Town to tweak because they have had issues with the way the zoning is interpreted and they need to clarify the intent of the zoning. Most of the changes are pretty simple and not very big changes but they will help clarify the code. In addition to that, the Board and the County Planning Department was copied and they gave some comments back. She did present a revised version of the zoning code that incorporates their comments that she thought were appropriate to incorporate. They were very minor changes as well.

They had suggestions on the redefining of the breweries and wine tasting to make sure they did not exclude agricultural farming for those purposes. They want to make sure there are no restrictions on the farmer that could affect operations in a downtown tasting style restaurant setting.

They have been talking about adding some language in regard to land disturbances. She does believe they will have the town arborist look at the land disturbances section. There is a definition of a tree that is not in the code right now. They will ask the arborist what his opinion is. Right now it states the tree has a diameter of greater than 4 inches which is pretty small. She stated she used four inches even though it is small because that is the size tree that is considered when they're looking at bat habitat. They are not including the land disturbances and the tree or definition with tonight's approvals.

She stated they have defined self-storage facilities and made a distinction indoor and outdoor self-storage facilities. Indoor are those that have no outside garage door access and no outside storage at all. Outdoor storage have no outside garage doors that are accessed from outside. They operate differently. She feels they require different considerations.

There is a new definition for portable storage units. A lot of residents have those at their homes so they are a little more regulated now. Supervisor D'Alessandro stated this is to correct someone from having a pod type unit on their property for an extended period of time. The idea is to use that for moving and then removing it. Ms. Robbins stated they added an amendment to the law a year ago regarding the sale of synthetic marijuana and other vaping products near educational institutions and houses of worship. They have broadened the definition of educational institutions to make sure that all youth facilities are included in that definition. Supervisor D'Alessandro stated it has also been changed to 1500 feet from 1000 feet. There was an issue last year with a business owner who challenged the code because he stated they were pre-existing before this law was passed. They did have their application in prior to the adoption of the law. There will be no more businesses allowed like that.

Ms. Robbins stated they broadened the location of where day care facilities can be

located in all business districts. She stated this was a result of land a few years ago in the Fishkill Plains area changed to a new B3 district and that was not noted on the table of permitted uses.

They changed one family occupancy apartments to caretaker apartments. It is just a name change for the business caretaker apartment. They try to reorganize the accessory structure action of the code which has caused a lot of problems with interpretation.

They have included a table that describes when sheds do or don't need a permit, and what their setbacks have to be. The table reads exactly as the old code did. They have not made any changes to it.

They created an Indoor Self-storage Facility Permit so they can more closely regulate where indoor self-storage facilities can be located. It also lists requirements they have to meet for where they are located. Right now they are limited to B1 and B2 districts with frontage on Route 82. There are a couple of other standards that they will have to comply with.

There is the creation of a new Mixed-Use Special Development Permit. There are a bunch of parcels that had pre-existing nonconforming uses like this in residential districts. The commercial uses have gone out of business and the structure has remained and is vacant or underutilized and is an eyesore. The owners cannot use it as a commercial business, as some of these areas would generate higher traffic than where they would want it. Small businesses or offices would be fine but he would not want larger, traffic inducing use in a residential area. They're looking at mixed-use of a small office with the residential apartments above in some of these older structures. They do have to meet pretty stringent requirements. This will allow these properties to hopefully be fixed up and redeveloped. Right now the code reads up to three units but she believes she has heard that they might want to increase that a little bit to whatever the septic will allow. Supervisor D'Alessandro stated he proposes to make a change to Section C under Mixed-Use Special Development Permit. Under 1E he proposes they put, where applicable, according to the septic capacities and that they add no extension or square footage for residential use. He stated some of those buildings are very large and the septic can hold up to five apartments. If the Board of Health gives the approval they could provide that option.

Ms. Robbins stated they had created outdoor dining, which was created during Covid. Since then several restaurants have requested continuing it and there is nothing in the code to allow for that. They have created a special section for outdoor dining that requires any business doing that get a permit from the town that allows the Town to make sure they meet ADA accessibility and Fire Code. There are two different ways it can be done. The first is if there is less than 16 seats, they can go to the Building Department and get a permit. If there are more than 16 seats or they want to be more of a permanent thing they need to go to the Planning Board and get a Site Plan Approval and it would have to be reviewed every year. Supervisor D'Alessandro stated they want businesses to be able to have outdoor dining but they have to make sure they adhere to local and state rules and regulations. They also want to make sure there are proper safety precautions in place. Ms. Robbins stated some of these outdoor parking areas have been placed in parking lots so

they have to make sure that the proper amount of parking spaces is still maintained. They also need to make sure that they are not impacting site circulation or safety issues.

She stated the next section is the creation of an estate cottage. This applies to lots that are over 10 acres large. It will allow for a guest cottage on that property. This will allow for any property in R1, R2, or R3 zoning district that meets the criteria listed to have an accessory cottage on the property. Board Member Marinaro asked if the cottage was allowed between 600 ft.² and 1500 ft.² and Ms. Robbins said yes. No more or no less. That is consistent with the code right now. You don't want an accessory unit that rivals the size of the initial home. You want to scale it so that it does not become a principal use.

They have added a section for portable storage units, which includes time frames as to how long you are allowed to keep the storage unit on your property. Right now it is 180 days but you can also request for extension of 90 days. It has to be done through the Building Department and is regulated. It also addresses where it can be located to avoid impacts of the neighbors as much as possible.

They have included a section for the location of electric vehicle charging stations. These do take up parking spaces so they have to make sure that they still meet the parking requirements. There are also some health and safety issues with these as well. There are some charging stations in Wildflower and the Town did not even know they were there. Board Member Marinaro asked if the intent was to allow these in public parking lots. Ms. Robbins stated there are grants available from NYSERDA. Westchester County does have a grant program for electrical vehicle charging stations. If that is something the Town Board would like they can look for some grant opportunities. They could possibly put them in the Park, Town Hall, or library. Businesses can also get grants for them. They would have to apply for it on their own but the Town could certainly help them.

There is a section that has been added to clarify part of the Fence Law. There was a regulation that this is to be 2 feet off of the property line. It was to allow someone to have room to maintain the fence on both sides without having to step on their neighbors property. Now they have a different situation as there are other types of fence materials that don't require the same type of maintenance. There are also situations where the properties are very close together. If you have both properties having fences 2 feet off the property line, you now have a 4 foot void that ends up being a place where there is a lot of a vacant area that is not maintained. They have created new language that addresses that and allows people to request for a fence to be put on the property line under certain circumstances. That would require an agreement with the neighboring property. It would allow to get rid of that wasted 4 feet, especially if it is a smaller piece of property.

Ms. Robbins stated they also reviewed the Table of Permitted Uses and the Bulk Regulation Table to make any updates that needed to be made. She also alphabetized the permitted use table, which should make it easier to look through. They have been categorized as residential uses, nonresidential uses, and they made references to other code requirements the use may require as well.

Supervisor D'Alessandro asked if there was anyone in the public to speak for or

against this. There was no one. He asked if there were any questions or comments from Board members. There were none.

Supervisor D'Alessandro stated for tonight's approval the tree cutting and land survey will be removed. They will be working with the town arborist on the tree ordinance and it will be done separately. They are removing the shed size of the chart from 226 to 350. Board Member Flores asked if the shed size stays the same and Supervisor D'Alessandro said yes. He stated the amendments on the Mixed Use Redevelopment will be changed as he mentioned. Board Member Franco asked if that meant there was no cap and Supervisor D'Alessandro said yes. It will be what the Department of Health says they can allow. It also has to meet any other laws that are already in place such as parking. He stated that the Planner will give the Town Clerk an updated copy.

Board Member Marinaro asked if they get any comments within the next 30 days would they be discussable. Supervisor D'Alessandro stated no. They are voting on this tonight.

Board Member Flores stated she read through this in detail. She wanted to make sure that there was nothing in the Omnibus that would conflict with the Master Plan. She is comfortable with everything. She thanked Ms. Robbins for all her work on this.

Supervisor D'Alessandro thanked the Planner and the Town Attorney for all of the work he did as well. Attorney Cunningham stated the Building Department and the Town Engineer helped as well.

b) Close the Public Hearing

Motion to close the Public Hearing on the Omnibus Zoning Amendments: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

c) Adopt Negative Declaration and Local Law

LOCAL LAW NO. 1 OF 2025

A LOCAL LAW FOR OMNIBUS ZONING CODE AMENDMENTS

SECTION ONE: LEGISLATIVE INTENT

The Zoning Chapter is an extremely important part of the Town Code, as all property owners must comply with its provisions. It is important to ensure that the Zoning Chapter remains current and any unclear language is corrected in order to ensure that the Town remains a friendly place for business and a great place to live.

SECTION TWO: AMENDMENTS TO SECTION 194-3: DEFINITIONS

- A. **The following terms are already defined in the Town Code. The existing definitions shall be replaced with the following definitions in bold:**

SHED

A simple, single-story structure normally considered for utility use in conjunction with an existing residence used for garden and lawn tools or other storage, hobbies, and/or as a workshop. Sheds shall not exceed 350 square feet or 15 feet in height and shall not be placed in front of the front line of the principal residence. Refer to § 194-107 for additional shed requirements.

SWIMMING POOL

Any structure, basin, chamber or tank which is intended for swimming, diving, recreational bathing or wading and which contains, is designed to contain, or is capable of containing water more than 24 inches (610 mm) deep at any point. This includes but is not limited to, in-ground, above ground and on-ground pools, indoor pools, hot tubs, self-set pools, spas, and wading pools.

YARD, FRONT

The yard lying between the front lot line and the primary access point to the main entrance of the principal building. Each lot shall only have one front yard.

YARD, REAR

A yard extending across the full width of that portion of the lot situated between the rear line of the lot and the rear line of the building.

- B. The following Definitions in bold do not currently exist in Section 194-3, but shall be added to the Town Code:**

BREWERY/WINERY/DISTILLERY

An industrial operation involving the brewing and/or distillation and/or bottling for local, regional, or national distribution and packaged sales and which produces on the premises beer, wine, cider, vinous beverages, liquor or edible goods for off and/or on-site consumption in accordance with the New York State Liquor Authority, Department of Health and other applicable agency regulators. Such an establishment could include a public component, such as a tasting room, restaurant, and/or retail establishment. This

definition does not restrict farm operations which produce, prepare and market crops for wine, beer, cider and distilled spirits, meet the definitions and guidelines in New York State Agriculture and Markets Law (AML), and are protected as a “farm operation” for purposes of AML §305-a.

BREW PUB/WINE BAR/DISTILLERY TASTING ROOM

A bar or restaurant, as defined herein, that includes as an accessory use the brewing of malt beverages, vinous beverages cider, or liquor for consumption on premises. The area used for brewing, including bottling and kegging, shall not exceed 50% of the gross floor area of the commercial space and shall not produce more than 2,000 barrels of beer or 2,500 gallons of other beverages per year. This definition does not restrict farm operations which produce, prepare and market crops for wine, beer, cider and distilled spirits, meet the definitions and guidelines in New York State Agriculture and Markets Law (AML), and are protected as a “farm operation” for purposes of AML §305-a.

LANDSCAPING (CUSTOMARY)

Land maintenance involving tree trimming and pruning, the removal of dead and diseased vegetation, lawn and garden care and the planting of decorative trees, shrubs and plants.

ESTATE COTTAGE

An estate cottage is a detached accessory dwelling unit, but rather than being contained within another accessory structure such as a barn, garage or carriage house, shall be a detached structure separate and apart from the single-family dwelling and/or other accessory structures on the lot. Estate cottages must meet the requirements of § 194-55.8. Estate Cottage.

EXCAVATION

Any act by which earth, sand, gravel, rock, or any other similar material is mechanically cut into, dug, quarried, uncovered, removed, displaced or spread.

GENERAL OFFICE

A site for business or administrative offices who may invite clients from both local and regional areas. Typical uses include business offices; management, travel, telemarketing, corporate, or other organization and association offices.

HOME OFFICE

A space designated in a person's residence for official business purposes. It provides a space for those that are self-employed or work remotely for an employer

SELF-STORAGE FACILITIES, INDOOR

Indoor storage units are located inside a building and may only be accessed from within a building which is typically climate controlled and protects the units from weather and humidity. The units are for rent or lease and restricted solely for the temporary storage of goods and wares. The conduct of sales, business, or any activity other than storage within the individual storage units is not permitted.

SELF-STORAGE FACILITIES, OUTDOOR

Establishment that permits customers to store their own materials in private storage space with individual lockable units accessible from the outside driveway or indoor hallways. The units are for rent or lease and restricted solely for the temporary storage of goods and wares. The conduct of sales, business, or any activity other than storage within the individual storage units is not permitted.

PORTABLE STORAGE UNITS

A temporary structure in the form of a container greater than 10 cubic yards and not more than 8 feet wide, 16 feet long, and 8 feet high which is designed for the storage of personal property, and which is typically rented to the owner and/or occupant of the premises for his or her temporary use and which is typically delivered by truck. Portable Storage Units are subject to the general use regulations in §194-55.9.

MEDICAL OR DENTAL OFFICE, PRIVATE PRACTICE

The private office of not more than two physicians, dentists, or similar professionals, such as physical, occupational or speech therapist, chiropractor, where persons are examined or treated on an outpatient basis only.

TEMPORARY STRUCTURE(S)

A structure without any foundation or footings that requires a permit from the Building Department and cannot remain for greater than a six-month time period. Temporary structures include portable storage units designed and used primarily for temporary storage of building materials, household goods, personal items and other materials for use on a limited basis on residential property. Portable Storage Units are subject to the general use regulations in §194-55.9. Accessory structures, such as sheds and liquid or gas containers, complying with all building codes and land use requirements, are not considered temporary structures or portable on-demand storage units.

- C. The following exist in in Section 194-3 of the Town Code and shall be removed without replacement:

BUILDING, ACCESSORY

A subordinate building, the use of which is customarily incidental to that of the main building on the same lot.

SECTION FOUR: AMENDMENTS TO SECTION § 194-95. PRIVATE SWIMMING POOLS AND TENNIS COURTS.

Section 194-95 (C) shall be amended to include “Pools, pool equipment, and/or tennis courts” in its setback requirements, and shall read as follows:

- C. **Setback requirements. All swimming pools, pool equipment, and/or tennis courts shall be set back at least 25 feet from side and rear lot lines. Pools, pool equipment, and/or tennis courts shall not be located in any front yard.**

SECTION FIVE: AMENDMENTS TO SECTION 194-55.6: SALE OF SYNTHETIC MARIJUANA AND OTHER VAPING AND TOBACCO PRODUCTS NEAR EDUCATIONAL INSTITUTIONS AND HOUSES OF WORSHIP

Section 194-55.6(A) and B shall be amended to read as follows:

- A. **No individual, corporation, limited-liability company, unincorporated association, proprietorship, firm, partnership, joint venture, joint-stock association, or other entity or business organization of any kind shall be permitted to sell, offer for sale, possess with intent to sell or manufacture**

within the Town of East Fishkill any tobacco products, vaping products, synthetic cannabinoids, synthetic cannabinoid analogues, or any products containing one or more synthetic cannabinoids or analogues within 1,500 feet of the property line of the parcel containing the business selling synthetic marijuana and other vaping and tobacco product and the property line of the parcel containing “Educational Institutions” as defined below or a house of worship.

- B. For the purpose of this chapter “Vaping” consists of the inhaling and exhaling of vapor produced by an electronic cigarette or similar device and “Synthetic cannabinoid” shall mean any chemical which reacts with cannabinoid receptors and has been permanently or temporarily placed in the federal Schedule of Controlled Substances. For the purpose of this chapter “Schools” shall include any building whose primary use is for the care, development or education of children. For the purposes of this chapter “Educational Institutions” shall be defined as a place where people of different ages gain an education, including preschools, childcare, primary-elementary schools, secondary-high schools, and universities. They provide a large variety of learning environments and learning spaces. This definition would include but is not limited to the following types of establishments:
- a. Public schools,
 - b. Public parks and outdoor recreational facilities,
 - c. Physical education or athletic fields,
 - d. Private schools and school grounds,
 - e. Pre-school or nursery,
 - f. Day-care facility,
 - g. Tutoring or exam preparatory business,
 - h. Music schools,
 - i. Vocational, technical or trade schools,
 - j. College or university, and/or
 - k. Dance schools
 - l. Other youth facilities

SECTION SIX: AMENDMENTS TO SECTION 194-63. DAY-CARE FACILITIES.

Section 194-63(E)(2) shall be amended to include B-2 and B-3 districts in the location section and shall read as follows:

(2) Location. Day-care centers shall only be located within the B-1, B-2, B-3, and PRDP Districts fronting on, and with access to, state or county roads or major local roads providing an arterial or collector function as determined by the Planning Board.

SECTION SEVEN: AMENDMENTS TO SECTION § 194-87. ONE-FAMILY-OCCUPANCY APARTMENTS.

Section 194-87 shall be amended to rename one-family occupancy apartments with “Caretaker’s Apartments” and shall be amended to include B-3 districts and read as follows: **A caretaker apartment may constitute a part of the land use in B-1, B1-A, B-2, and B-3 and HC districts, subject to § 194-44 and the following additional requirements:**

- A. Such caretaker apartment shall not exceed 50% of the total usable floor area or 1,800 square feet, whichever is the lesser of the improvement contained within the land parcel of the owner-special use applicant.**
- B. Only one such special use permit for an apartment shall be permitted where the same owner-applicant owns contiguous parcels in the B-1, B1-A, B-2, and B-3 and HC districts, whether such ownership resulted from single or multiple conveyances.**
- C. In order to minimize residential use in a B-1, B1-A, B-2, and B-3 and HC districts, it shall be a condition that such an apartment constructed or maintained pursuant to a special use permit be owner-occupied or be occupied by an agent of the owner, and if by an agent, his function, in whole or part, shall be that of a custodial or caretaker nature.**

SECTION EIGHT: AMENDMENTS TO SECTION § 194-91. ACCESSORY RESIDENTIAL UNITS IN RESIDENTIAL DISTRICTS.

Section 194-91(C)(2) shall be amended to read as follows:

- (2) The issued permit does not automatically transfer to new owners. Subsequent owners shall apply to the Building Inspector for a permit renewal. The Building Inspector shall issue the permit if the accessory apartment is in compliance with this chapter and the NYS Uniform Fire Prevention and Building Code.**

SECTION NINE: AMENDMENTS TO SECTION § 194-107. Accessory Structures.

Section 194-107 shall be amended to read as follows:

§ 194-107. Accessory structures.

- A. General. No building permit shall be issued for the construction of any detached accessory structure/building, inclusive of garages, utility sheds, storage sheds, accessory residential structures or any other outbuildings, but not including construction sheds, until such time as the principal building has been substantially completed in all respects, conforming to all applicable provisions of this chapter.**

- (1) Standards. Residents are permitted no more than three (3) accessory structures inclusive of sheds of any size. No more than two (2) accessory structures meeting the definition of a shed are permitted and no more than one detached garage is permitted.**

- B. Sheds.**

- (1) Building permit. No building permit is required for a shed less than 144 square feet in size and 10 feet in height. Any shed greater than 144 feet in size and/or 10 feet in height must obtain a building permit and must meet New York State Building Code. A shed shall be no larger than 350 square feet. A building permit must be obtained for all electric service to a shed or accessory structure. See Table Below.**

Shed Size	Building Permit Required¹	Setback	Maximum Height
1 sf to 144 sf and up to 10 feet in height	No, unless electric is installed	15 feet	10 feet
1 sf to 144 sf and over 10 feet in height	Yes	15 feet	15 feet
145 sf to 350 sf	Yes	15 feet	15 feet
¹ A Building Permit must be obtained for electric service to any shed or accessory structure.			

- 1) **Deadline for construction. Sheds must be of completed construction within a six-month period and must meet New York State Uniform Building and Fire Prevention Code requirements with what is considered finished siding and roofing.**
- 2) **Any shed containing a garage door must meet the requirements of a detached garage.**
- 3) **Shed Setbacks. Sheds shall not be erected within 15 feet of a side or rear property line, and shall not be placed in front of the front line of the principal residence (see table above for additional shed setback requirements).**

C. Detached garages. One detached garage is allowed by building permit only and shall meet all applicable bulk regulations of the district in which it is located. Detached garages shall not be located in front of the front line of a house. Detached garages must be permanent and not a fabric-covered structure and may in no event exceed 750 square feet or 60% of the square footage of the footprint of the principal structure, whichever is greater in size and 1.5 stories or 25 feet in height. All detached garages must contain a floor comprised of an approved noncombustible material approved by the Town Engineer. In cluster subdivisions, the Planning Board may authorize detached garages to be placed within the rear yard, so long as the garage is set back at least 10 feet from the rear inside property lines.

D. Other detached accessory structures. One additional detached accessory structure meeting New York State Building Code and all applicable bulk regulations of the district in which it is located is allowed by building permit on a residential lot for uses customarily associated with a primary residence such as a pool cabana, playhouse, and workshop. The structure shall not be located in front of the front line of a house and shall not exceed 350 square feet or 15 feet in height. Application may be made to the ZBA to allow for a larger accessory structure, but under no conditions shall the structure exceed 750 square feet or 60% of the footprint of the principal structure, whichever is greater in size and 1.5 stories or 25 feet in height.

SECTION TEN: CREATION OF SECTION § 194-46.11. INDOOR SELF-STORAGE FACILITY SPECIAL PERMIT

The following language in shall be added to the Town Code:

A. Purpose. The Town permits Self-Storage Facilities in the B-1 and B-2 Districts by Planning Board Special Permit, subject to the standards and conditions set forth in subsection (B) below.

B. Standards and Conditions:

- (1) Indoor self-Storage facility as defined in § 194-3 is limited to lots within the B-1 and B-2 Districts with frontage on Route 82.**
- (2) No more than one Self-Storage facility building per lot.**
- (3) Outdoor storage, including but not limited to boats, equipment, and motor vehicles, is prohibited.**
- (4) All Self-Storage Facility uses shall comply with the following dimensional requirements:**

- (a) Minimum Lot Area: The larger of 40,000 square feet or the minimum Lot Area required in the underlying zoning district per Attachment 3 – Schedule of Bulk Regulations.**
- (b) Minimum Lot Width: 200 feet**
- (c) Maximum Building Height: 35 feet**
- (d) Minimum Front Yard: The larger of 30 feet or what is otherwise required in the underlying zoning district per Attachment 3 – Schedule of Bulk Regulations**
- (e) Minimum Side Yard: The larger of 20 feet or what is otherwise required in the underlying zoning district per Attachment 3 – Schedule of Bulk Regulations**
- (f) Minimum Rear Yard: The larger of 20 feet or what is otherwise required in the underlying zoning district per Attachment 3 – Schedule of Bulk Regulations**

- (g) **Maximum Building Coverage: The lesser of 40% of the lot area or what is otherwise required in the underlying zoning district per Attachment 3 – Schedule of Bulk Regulations**
 - (h) **Landscaping requirements are subject to § 194-109 of the Town of East Fishkill Zoning Code.**
- (5) **Split zoned parcels. Where a B-1 zoning district boundary line divides a lot or land fronting on Route 82, the district requirements on either side of the boundary may be construed, at the property owner's option, as extending up to 150 feet into the remaining portions of the property. Where a commercial district is extended into a residential district, a 100-foot setback shall be maintained between any commercial uses on the site and any adjoining residential parcel.**
- (6) **Parking. Self-storage facilities must provide a minimum of 1 space for every 10,000 square feet of storage space.**
- (7) **All Self-Storage Facilities shall comply with all other requirements of § 194-44, unless specifically modified by this Section.**

SECTION ELEVEN: CREATION OF SECTION § 194-46.12. MIXED-USE REDEVELOPMENT SPECIAL PERMIT (MURSP)

The following language in **bold** shall be added to the Town Code:

- A. Purpose. It is the intent of this section to allow the Planning Board the authority to permit a Mixed-Use Redevelopment Special Permit ("MURSP"). The Mixed-Use Redevelopment Special Permit allows for underused parcels along well-established, high-volume transportation corridors that contain structures historically used for non-conforming commercial uses or which contain both a residential use and a commercial use to be redeveloped with small-scale multi-family residential and/or low intensity office uses or a mix of both uses in a manner that is compatible and complementary with the surrounding residential character. The Mixed-Use Redevelopment Special Permit is intended to encourage a desirable mix of compatible, neighborhood-scale land uses and to provide opportunities for property owners to reinvest, redevelop and upgrade their non-conforming, underused properties along highly traveled transportation corridors where the variety of services and the appearance**

of the sites contribute to the character of adjacent residential neighborhoods.

B. Applicability and general requirements.

- (1) The underlying parcel must be residentially zoned and have at least 150 feet of frontage on Route 82, Route 52, or Route 376.
- (2) The parcel must have contained a pre-existing non-conforming commercial use for a period of at least 10 years.

C. Permitted and accessory uses.

- (1) Permitted uses under the Mixed-Use Redevelopment Special Permit:
 - a. Apartments or multifamily dwelling units as part of a mixed-use building according to the septic capacity.
 - b. Home Office within a single-family residential home with no more than a total of 4 employees.
 - c. General Office limited to 4 employees.
 - d. Professional office limited to 4 employees
 - e. Private Practice medical or dental Office (limited to no more than two medical/dental practitioners and two staff members)
 - f. Live-work buildings.
- (2) Accessory Uses.
 - a. Private garages, attached or detached
 - b. Shed

D. Area and dimensional requirements.

- (1) Parcel Size: 1.0 acre minimum
- (2) Setbacks:
 - a. Any existing non-conforming structures are exempt from setback requirements.
 - b. Any new construction and/or change to the footprint of an existing structure must meet the following setbacks:
 - i. Front: 25 feet
 - ii. Rear: 50 feet
 - iii. Side: 25 feet
 - iv. Reduced setback determination. The Planning Board, during its site plan review, may make a finding that certain or all setbacks shall be required to be less than set forth herein. Such finding shall be based upon the consideration of compatibility of adjacent buildings

and structures, current setbacks of existing buildings in the area, availability of ingress and egress, including vehicle and pedestrian access, visual access, lighting, drainage and utilities, public safety, whether reduced setbacks would fulfill the intent and purpose of this article, and any other factors the Board finds relevant.

- (3) Building Height: 35 feet and 2.5 stories**
- (4) Maximum Building Coverage: 50%**
- (5) Maximum Lot Coverage: 75%**
- (6) Minimum Lot Width: 150 feet**

E. Commercial and residential uses may occupy the same building, provided that:

- (1) No floor located directly above a floor used for residential may be used in whole or in part for commercial.**
- (2) Where there are nonresidential and residential uses in a common building, the residential uses shall be provided with separate, private entrances.**

F. Residential uses are only permitted in existing structures. No new buildings or additions to existing buildings may be constructed for residential uses.

G. The Planning Board, at its discretion, may waive the requirement for commercial uses and permit residential uses to occupy up to 100 percent of an existing building, if it is determined that the site is incompatible with commercial use.

H. Design Considerations. Mixed use redevelopment sites must be designed to be compatible with the residential character of the underlying district. Architectural treatments, landscaping, fencing and other design elements may be required to maintain consistency with the surrounding neighborhood character including screening of parking lots.

I. Site plan review required. All applications submitted under this special permit shall be required to obtain site plan approval by the Planning Board. No site plan approval shall be issued until a special use permit is obtained. The site plan shall be consistent with the special use permit.

- J. Health Department. All mixed uses developed under this special permit shall be required to obtain all necessary permits and approvals from the Dutchess County Department of Health.**

SECTION TWELVE: CREATION OF SECTION 194-55.7: OUTDOOR DINING

The following language in shall be added to the Town Code:

- A. Purpose. It is the purpose of this section to establish the circumstances and conditions pursuant to which restaurants or other food service establishments shall be authorized to provide outdoor dining for patron use on the same parcel on which the establishment is located. It is the intention of this section to specifically identify the criteria, standards, and conditions pursuant to which an existing restaurant or other food service establishment may obtain permission for placement of outdoor tables and seating for seasonal patron use.**

- B. Authorization. Authorization for outdoor dining for 16 or fewer patrons may be approved by the Zoning Administrator upon concurrence and review of the proposed seating by the Town's Fire Inspector or similar such official. Requests for outdoor dining greater than 16 seats, with a permanent structure(s), or if deemed to require Planning Board review at the discretion of the Zoning Administrator or their designee will also require site plan approval pursuant to Article VII of the Town's Zoning Code.**

- C. Definitions.**

CHAIR or SEAT

Either a distinct piece of furniture designed to allow one person to sit upon the same or, when seating is provided on a bench or other similar structure, then every 20 inches of seating space shall be considered as the equivalent of one chair or seat for determining seating capacity.

OUTDOOR DINING

A use of an adjacent, outside area by a restaurant for eating and drinking activities that occur within the establishment.

- D. Permit Requirements**

- (1) No person shall operate an outdoor dining area unless a permit has been obtained from the Town of East Fishkill.**

- (2) Applicants shall apply for permit approval in accordance with the provisions of this chapter. All such applications shall be reviewed by the Zoning Administrator and/or their designee and shall be referred to the Fire Inspector, who shall provide the Zoning Administrator with written reports of their opinions and recommendations regarding the application.**
- (3) Any outdoor dining areas with greater than 16 seats or a permanent structure(s) must also obtain site plan approval pursuant to Article VII of the Town's Zoning Code. In addition, the Zoning Administrator or their designee, may at their discretion, refer any application to the Town Planning Board for site plan approval regardless of the number of proposed seats or structures.**
- (4) All Outdoor dining permits issued pursuant to this chapter shall be valid during the period of April 1st to November 15th of each year, and all equipment used for seasonal outdoor dining shall be removed by November 20th of each year unless the outdoor dining area has obtained site plan approval.**
- (5) Applicants shall meet all general ordinance requirements and all other laws, rules, regulations and codes applicable to the proposed activity.**
- (6) Notwithstanding the provisions of this Code, granting of this temporary outdoor dining permit does not provide any vested right in outdoor dining. Any permanent or year-round outdoor dining shall be subject to site plan review as required pursuant to the Zoning Code Chapter 194.**

E. Application Requirements.

The Zoning Administrator or their designee, upon review of an outdoor dining application and approval of the Town's Fire Inspector or similar such official, is hereby authorized, at their discretion, to approve outdoor dining for sixteen (16) or fewer patrons on the same lot as the restaurant or other food service establishment subject to the following conditions:

- (1) Submission of Outdoor Dining Application Forms. All outdoor dining permits required by this chapter shall be applied for and all application forms obtained from the Town website under Building Department forms or from the Building Department during normal business hours. Applications for such permits must be accompanied by any necessary permit fees and/or escrows in the amounts established by the Town Board and/or engineering department.**

- (a) **The application for such outdoor dining shall be signed by the owner of the property and the owner of the restaurant or other food service establishment and shall contain a scaled drawing of the location and placement of the proposed outdoor dining, service area(s), pedestrian routing, outdoor lighting, ingress and egress, landscaping, barriers for protection and any weather protection such as a tent which may be proposed. Specifically, an applicant proposing to establish an outdoor dining area shall submit the following to the Building Department:**
- i. Outdoor Dining Plan. A scaled drawing/plan showing the layout of the proposed dining area(s), which shall include, but not be limited to, a depiction of all aisles, routes of ingress and egress; clearances between tables and between the seating area at the curb; landscaping; an illustration, rendering and/or photograph of all proposed furniture, umbrellas, signage, safety barriers and other furniture proposed. To ensure visual compatibility with the location of the outdoor dining area, the Zoning Administrator and/or his designee, at their discretion, may require modifications to any of the above.**
 - ii. Safety and architectural barrier details. Details of any proposed barriers that are required to meet safety requirements as determined by the Building Inspector/Town Engineer as well as details of any architectural barriers, such as planters, landscaping and/or decorative fencing. All proposed barriers must be designed to enclose the dining area and limit the ability of litter to blow off the premises.**
 - iii. Six feet of unobstructed sidewalk should be provided with the exact width being determined by the Building Inspector as he or she deems it to be appropriate to promote pedestrian or vehicular safety or the visual harmony of the neighborhood, however, in no event shall the unobstructed sidewalk be less than six feet.**
 - iv. The Building Inspector shall require each applicant to submit a litter control plan which shall include, but not be limited to, a description of the number and location of trash receptacles for the areas and the frequency with which the tables, surrounding area and adjacent public and private properties will be policed for litter. Failure to abide by an established litter control plan shall constitute a violation of the permit approval of which it was made a condition and shall subject the applicant to a fine for each violation.**
 - v. The seating contained in an outdoor dining area shall not be counted in determining any parking space requirement for a retail food establishment or restaurant use. The seating contained in an outdoor dining area shall be counted as part of the existing seating capacity of the restaurant. In no event shall the seating contained in an**

outdoor dining area which utilizes public right-of-way areas result in increased overall seating with respect to the parcel or use.

- (b) All food and beverages served by the restaurant or other food service establishments shall be sold and dispensed from the interior of the establishment, and a certificate from the Dutchess County Department of Health which authorizes outdoor dining shall be submitted to the Town's Zoning Administrator prior to issuance of any certificate of occupancy or certificate of compliance as hereinafter provided. In the event the establishment is licensed to serve alcoholic beverages, the establishment shall be required to obtain all applicable approvals from the New York State Liquor Authority and/or the New York State Alcoholic Beverage Control Board (SLA and ABC), and proof of such approvals shall also be submitted to the Town's Zoning Administrator prior to issuance of any certificate of occupancy or certificate of compliance.

(2) Tents. Permits issued pursuant to this chapter may also grant permission to utilize tents or other temporary structures in connection with outdoor dining. Permittees may modify existing tents or erect new temporary tents or other structures, such as planters, tables, and umbrellas, and include heating or cooling equipment. In such instances, the submission of an outdoor dining/tent permit application will include information sufficient for the Town to evaluate:

- i. The ability of structures to withstand the elements of weather, which may now include snow accumulations.
- ii. The ability for exits to remain open at all times or be covered in a manner meeting all building and fire codes.
- iii. The installation of lighted exit signs and the illumination of exit paths.
- iv. All heating and/or cooling equipment needs to be listed for the use of heating tents and is installed in accordance with all New York State Uniform Fire and Building Codes.
- v. Propane tanks shall be separated from the tent and exits, and should be placed in a location that protects them from damage or tampering.
- vi. Carbon monoxide alarms shall be installed in all locations when using fuel-fired equipment. The provisions of this chapter shall supersede any other provisions of the Code of the Town of East Fishkill with respect to the utilization of tents in connection with restaurant uses.

F. General Requirements

- (1) The annual fee for each year for the operation of an outdoor eating area and/or sidewalk cafe shall be set by resolution by the Town Board.

- (2) **The Zoning Administrator is expressly prohibited from authorizing any outdoor music or sound amplification in connection with any approval for outdoor dining under this section.**
- (3) **Upon review and approval by the Zoning Administrator and the Town Fire Inspector as stated above, the Town's Code Enforcement Officials shall be then authorized to issue a building permit for such outdoor dining, and upon verification of construction compliance with the conditions of approval, a certificate of occupancy and/or certificate of compliance shall be issued to authorize such outdoor dining.**
- (4) **All outdoor eating areas and sidewalk cafe areas must be properly maintained at all times, including complying with the litter control plan, complying with all applicable laws, rules, regulations and codes, properly securing and/or removing tables, chairs and other items during times of inclement weather and high wind; further, at no time shall chairs, tables or other items be stacked in the area.**
- (5) **The applicant shall provide evidence of insurance for the establishment which includes the outdoor dining.**
- (6) **The failure to cure a violation of any permit condition or requirement of this section within five days of the issuance of a notice to cure shall subject the permittee to a fine; provided, however, that if the violation is one which may imminently endanger the public health, safety or welfare, five days' notice to cure shall not be required.**
- (7) **In determining the criteria and conditions required for the issuance of each permit, the Zoning Administrator may consult with Town departments and staff, including but not limited to the Highway Department, Fire Inspector, Building Inspector, Town Engineer and Town Planner, as well as county, state and federal agencies.**
- (8) **The holders of permits for outside dining are subject to and responsible for compliance with all local, county, state and federal codes, laws, rules, regulations, and executive orders and guidance, including but not limited to those of the Governor, the New York State Liquor Authority, Dutchess County, and the New York State Department of State.**
- (9) **Any proposed outdoor dining which does not comply with the requirements of this section shall be subject to the review and approval of the Planning Board, as applicable.**

SECTION THIRTEEN: CREATION OF SECTION 194-55.8: ESTATE COTTAGE

The following language shall be added to the Town Code:

- 1) **One estate cottage meeting the following requirements may be permitted per lot in the R1, R2, and R3 zoning districts as follows:**

- (a) No more than one estate cottage per lot may be permitted nor shall the total number of dwelling units on any lot exceed two.
- (b) As a use permitted by right on a conforming residential lot of at least ten (10) acres in size with direct access to a state highway, county road, or Town street or highway, where all structures are conforming structures.
- (c) No permit shall be granted for estate cottage without certification by the Dutchess County Department of Health of the adequacy of the septic system no more than one year prior to the application for the estate cottage. The estate cottage and the primary residence with which it is associated shall comply with all applicable New York State codes.
- (d) An estate cottage shall have a maximum of two bedrooms and a minimum of one off-street parking space.
- (e) The owner of the lot upon which the cottage dwelling is located shall occupy one of the dwelling units on the premises as his or her principal residence.
- (f) The gross floor area of the cottage must be a minimum of 600 square feet and shall not exceed 50 percent of the gross floor area of the principal structure or 1,500 square feet whichever is less.
- (g) The height of the cottage dwelling must not exceed 1.5 stories or 25 feet.
- (h) Exterior appearance. The exterior appearance should be consistent and compatible with that of the principal dwelling unit.
- (i) There shall be no renting of rooms in either the cottage or in the principal dwelling.
- (j) Sale or subdivision. Neither a cottage nor the premises upon which such cottage is located shall be sold, converted into cooperative or condominium ownership, or subdivided unless such action is accomplished in the full compliance with the codes and ordinances of the Town of East Fishkill, Dutchess County, and the laws of the State of New York
- (k) The cottage shall meet the standards of the New York State Uniform Fire Prevention and Building Code for habitable space.
- (l) If an estate cottage is created on a lot which is accessed by a private right-of-way or easement, for which there is a written maintenance agreement, certificate of occupancy for the estate cottage shall not be issued unless the maintenance agreement is amended to require the owner of the dwelling with the estate cottage to pay an increased proportionate share of the cost of maintaining said right-of-way or easement to reflect the existence of the additional dwelling unit.
- (m) No variances from the use regulations listed above shall be granted.

SECTION FOURTEEN: CREATION OF SECTION 194-55.9: PORTABLE

STORAGE UNITS

The following language shall be added to the Town Code:

- A. Any portable on-demand storage units greater than 10 cubic yards are subject to these regulations.**
- B. Shipping containers and conex boxes are not considered Portable Storage Units and are prohibited in all residential districts.**
- B. Portable storage units greater than eight feet in height, eight feet in width, or 16 feet in length (37.92 cubic yards) are strictly prohibited.**
- C. Permit required; application; fee. Before placing a portable storage unit a property owner or tenant must submit an application and fee and obtain a permit from the Town. An insurance certificate providing liability insurance in the amount of \$100,000, provided by the third party supplying the portable storage unit must accompany the application. There is a fee of \$25 for a six-month permit. Applications may be obtained from the Building Department.**
- D. Duration. Portable storage units are temporary structures. Permits will be granted for a period of six months. At the expiration of the six-month period, applicants may seek to extend their permit for an additional 90 days by seeking an extension for cause from the Town. In no event shall the applicant receive more than two consecutive extensions totaling more than 180 days. Extension of a permit will cost \$25 for each 90 days granted. No parcel shall be given any more than one permit in any twelve-month period.**
- E. Location. Portable storage units are prohibited from being placed in streets or in the front yards of a property. Portable storage units must meet the setbacks of the underlying district and must be kept in the driveway of the property at the furthest accessible point from the street. All portable storage unit locations must be paved off-street surfaces. The applicant must obtain pre-approval of the location by the Building Department in the following situations:
 - (1) If the property does not have a driveway;**
 - (2) If the location of the unit in the driveway does not meet setbacks;**
 - (3) If the location of the unit in the driveway is in the front yard of the property; or**
 - (4) The property is a corner lot.****
- F. Number of units. Only one portable storage unit may be placed at any residential property at a given time.**
- G. Dumpster. No permit is required for open containers commonly known as “dumpsters” used for the removal of construction debris or other refuse at**

a residential site not exceeding 60 days. A permit or site plan approval is required for dumpsters on any commercial or industrial site or for longer than 60 days on a residential site.

SECTION FIFTEEN: CREATION OF SECTION 194-55.10: ELECTRIC VEHICLE CHARGING STATIONS

The following language shall be added to the Town Code:

A. Applicability (see Table below).

(1) Electric vehicle charging station(s) (EVCS) with a Level 1 or Level 2 charging level shall be permitted in all zoning districts as an accessory use to a single-family dwelling, two-family dwelling, or multifamily dwelling to serve the occupants of the dwelling(s).

(2) EVCS with a Level 2, Level 3 or greater charging level shall be permitted as an accessory use to any nonresidential use in all zoning districts subject to site plan review and the design criteria of Subsection B herein.

	Level 1	Level 2	Level 3
Type of Current	AC	AC	DC
Voltage	120V	240V	480V
Connector Type	J1772	J1772	CCS1
Average Charge Time (from empty)*	11-20 hours	3-8 hours	30-60 minutes
Average Miles Per Hour Charged*	5	12-80	75-1200
Use	Slow	Fast	Faster

** Average charge time and mile per hour charged is dependent on the individual car's acceptance rate and the power output of the charging station.*

B. The Planning Board and/or Zoning Administrator shall use its discretion to determine if EVCS's are required for any site plan or multifamily residential use. The amount of electric vehicle charging stations to be required for multifamily residential and non-residential uses shall be at the discretion of the Planning Board and/or Zoning Administrator.

C. Design criteria. The following criteria shall be applied to the location and design of all EVCS associated with any nonresidential use and multifamily dwellings with 10 or more dwelling units:

- (1) Parking. EVCS shall be located in an existing or proposed parking space developed in accordance with the provisions of § 194-18 (Attachments 4 & 5)**
- (2) Location. EVCS shall not be located in the most convenient or prime parking spaces that would encourage use by non-electric vehicles.**
- (3) Equipment shelters. Above-ground electric vehicle charging equipment shall be contained in a Milbank enclosure or equivalent equipment shelter.**
- (4) Cord management. EVCS shall be provided with a cord management system that keeps cords and connectors off the ground when not in use. Cords shall be retractable or the EVCS shall include a place to hang the cord and connector sufficiently above the pedestrian surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.**
- (5) Design and screening. Facilities should be able to be readily identified by electric vehicle users, but be compatible with the character and use(s) of the site. The Town may require screening of electric vehicle charging equipment with fences, walls and/or evergreen vegetation.**
- (6) Equipment protection. Adequate EVCS protection, such as concrete-filled steel bollards, shall be used. Curbing may be used in lieu of bollards if the EVCS is set back a minimum of 24 inches from the face of the curb.**
- (7) Pavement markings prohibited. No pavement markings or colored pavement shall be permitted other than what is required for standard and accessible parking spaces, and a generic electric vehicle symbol a maximum of four-square feet in size.**
- (8) Number. Unless the Planning Board or Zoning Administrator determines otherwise, no more than 10% of the total number of**

parking spaces that are required to serve the use(s) on the site may be electric vehicle parking spaces.

(9) Signs.

(a) In addition to any signs required by law EVCS also may include one sign, a maximum of one square foot in size. Said sign shall: 1) not require a sign permit, and shall not be included in the total number of permitted signs for the lot or use to which the charging station is accessory; 2). shall be incorporated into or affixed to the charging station; 3) shall not be a separate stand-alone sign; and 4) shall not be illuminated, either internally, externally from underneath, above or behind, or with strip lighting or strings of light bulbs.

(b) The following information shall be posted on all EVCS: voltage and amperage levels; hours of operation if time limits or tow-away provisions are to be enforced; usage fees; safety information; and contact information for reporting when the equipment is not operating properly or other problems.

(c) No audio message or audible electronic devices such as loudspeakers and similar instruments shall be permitted.

(d) A small screen/keypad shall be permitted on the EVCS for payment purposes only. With the exception of the foregoing, no visual electronic devices shall be permitted, including but not limited to video screens, television screens, plasma screens, holographic displays, or any other screen that displays moving images.

(e) No other signs on the EVCS or for the electric vehicle parking space shall be permitted, including but not limited to electronic message display signs, off-premises signs, or any other type of advertising, other than as may be required by law.

(10) Lighting. EVCS shall not be internally illuminated, nor shall any external illumination be attached to the EVCS.

(11) Accessibility. EVCS shall be sited so as not to reduce or impede the accessible features of the site, including but not limited to accessible parking spaces, access aisles and routes, as required by the NYS Uniform Code. Accessible EVCS shall comply with the requirements of the NYS Uniform Code.

(12) Maintenance. Electric vehicle charging stations shall be properly maintained in all respects, including the functioning of the charging equipment. Charging stations no longer in use shall be removed immediately.

SECTION SIXTEEN: AMENDMENTS TO SECTION 194-98 OF THE TOWN CODE

Section 194-98(A) and (B) shall be amended to read as follows:

- A. **Retaining walls. The yard requirements of this chapter shall not be deemed to prohibit any necessary retaining wall. Retaining walls four feet in height or less do not require a permit. Retaining walls greater than four feet in height require engineered drawings approved by the Building Department/Engineer and a fence/wall permit from the Building Department. A retaining wall may be greater than six feet in height if the requirements of this Section are complied with. However, no fence may be added to a retaining wall to make the fence and retaining wall greater than six feet in height when combined. See table below.**

- B. **Fences and walls (not retaining). On any residential property, the finished side of the fence shall face the adjoining property, and all exposed stands and braces shall face the interior property. All fences or walls exceeding four feet must be decorative. Chain-link fences shall not exceed four feet in height in any yard of a residential district. Fences and walls four feet in height or less may be erected in any yard and do not require a permit. Fences and walls greater than four feet in height and less than or equal to six feet in height may be erected behind the front line of a house or within 10 feet of the front line of a house with a fence/wall permit from the Building Department. Fences and walls exceeding four feet in height and located more than 10 feet in front of the front line of a house and all fences and walls exceeding six feet in height require a variance from the Zoning Board of Appeals (ZBA) and a wall/fence permit from the Building Department except for properties in an industrial district which shall be permitted to have fences 12 feet in height. See table below:**

[TABLE TO REMAIN AS IS]

SECTION SEVENTEEN: AMENDMENTS TO ATTACHMENT 2 SCHEDULE OF PERMITTED USES

Replace §194 Attachment 2 with revised Schedule of Permitted Uses annexed hereto.

SECTION EIGHTEEN: AMENDMENTS TO ATTACHMENT 3 SCHEDULE OF BULK REGULATIONS

Replace §194 Attachment 3 Schedule of Bulk Regulations annexed hereto.

SECTION NINETEEN: AMENDMENTS TO SECTION § 194-105. Minimum residential unit size.

Section 194-105 shall be amended to read as follows:

The minimum residential unit size in all districts shall be 400 square feet for accessory, attached and semidetached units and 800 square feet for detached units.

SECTION TWENTY: SEVERABILITY

If any part of this Local Law is deemed unenforceable by any court of competent jurisdiction, then the remaining parts shall stay in effect.

SECTION TWENTY-ONE: EFFECTIVE DATE

This Local Law shall take effect immediately upon its filing with the Secretary of State of the State of New York.

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

**Adopted on the 13th day of
February, 2025**

VOTING	VOTE
Councilmember Franco	AYE
Councilmember Marinaro	AYE
Councilmember Arco	AYE
Councilmember Flores	AYE
Supervisor D'Alessandro	AYE

Motion to adopt the Negative Declaration and Local Law: Board Member Marinaro. Seconded: Board Member Arco. All voted in favor. Motion carried.

Approve Minutes:

January 16, 2025
January 30, 2025

Motion to approve the minutes for the January 16 and January 30, 2025 meeting minutes: Board Member Arco. Seconded: Board Member Flores. All voted in favor. Motion carried.

Announcement of Additions to the Agenda:

Supervisor D'Alessandro said there is an addition to the agenda. It is in regard to the equipment bond.

Courtesy of the Floor:

Supervisor D'Alessandro asked if there was anyone who wanted to speak about any general town issues. He stated this is also the time if anyone has any ideas on the Community Block Grant.

Resident #1 asked if the Town or Town Planner track the variances given by the Planning Board. She asked what the point of making changes were if they were just going to grant variances. Supervisor D'Alessandro stated they review this once a year because they realize there are so many applications to the Zoning Board for the same thing and they realize they may need to make changes to the laws. He stated the variances are tracked. Resident #1 asked if that was public information and Supervisor D'Alessandro stated anybody can foil any information they like for that. Resident #1 asked if it was something that could be put out on the website. She also asked if there was an additional way to gather information on the Block Grant other than getting it tonight. Supervisor D'Alessandro stated you can call or e-mail any board member at any time. This is a reoccurring grant so if you have an idea and the timeframe has passed, they will keep it for the next opening. Resident #1 asked what the timeline is for the next submission. Mr. O'Brien stated it is March 3. They are asking for all ideas to be in by February 27 to allow time to write up the submittal.

Receive and File:

Supervisor D'Alessandro stated a letter was received from the Wappingers Central School District BOE with respect to their 2025 Capital Improvements Project. It is for Wappingers Jr. High School for their SEQRA compliance and for a project at Van Wyck Jr. High School. It is for extensions for both schools. He asked if there were any comments or questions. Board Member Marinaro stated this could be an \$80 million project. He does believe there will be a discussion if the community wants to attend the school board meetings. Supervisor D'Alessandro stated after meeting with the Superintendent of Schools he does believe that the capital projects for the year are going to be \$150 million. This will be in addition to the regular budget. He asked the school superintendent how he was planning on paying for this and this is their plan now. It will be bonded and bonds pay interest. Without speaking with the school district, but with doing quick calculations it will probably be a \$250 per year increase in your school taxes. That is a rough estimate. Board Member Marinaro stated this is when the public really needs to go to the school district and speak their mind. The bulk of the taxes that are paid comes from the school district. It is close to 80% of your tax bill. You want to make sure that they

are spending your money properly. Supervisor D'Alessandro stated everyone needs to do their due diligence. Board Member Arco stated this is where the economic development really kicks in because businesses are paying into the school district but not contributing any children, so that is helpful. There are certain things they definitely need upgrades to. Supervisor D'Alessandro stated everyone should go to the meetings and do the research and remember that the Town has nothing to do with the School District taxes.

Resolutions:

1. Authorize Additional Recreation Development Funds for Maintenance Recreation Garage

RESOLUTION
(ADDITIONAL FUNDING FOR PROJECT FROM REC DEVELOPMENT BUDGET)

WHEREAS, the Town Board previously authorized construction of a Maintenance Garage at Hopewell Rec; and

WHEREAS, the original amount of \$33,500 was appropriated for the new maintenance garage at Hopewell Rec in 2020; and

WHEREAS, the building is near completion and there is a need for additional improvements to complete the project; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby appropriate from the Rec Development Fund the sum of \$10,000.00 for said improvements.

Motion to authorize additional Recreation Development Funds for a Maintenance garage: Board Member Franco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

2. Approve 3 Year CSEA Contract

RESOLUTION
(APPROVING A PROPOSED 3 YEAR AGREEMENT WITH CSEA 1/1/2025 – 12/31/2027)

WHEREAS, the CSEA represents non-management, non-police officer employees of the Town, and

WHEREAS, the Town Supervisor has provided the Board with the results of the negotiations between the CSEA Union and Town Officials in the annexed Memorandum of Agreement, and

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to execute a new 3-year Collective Bargaining Agreement for 2025-2027 in accordance with the Memorandum of Agreement; and

AND, FURTHERMORE, BE IT RESOLVED, the Supervisor is authorized to adjust the raises for non-union employees according to the attached schedule.

Motion to approve a 3-Year CSEA Contract: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

3. Award RFQ Results for Professional Services

RESOLUTION
TOWN OF EAST FISHKILL
REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES AWARD

WHEREAS, the Town circulated a publicly available RFQ titled “**Request for Qualifications for Professional Services**”, due to the Town Clerks Office October 28, 2024; and

WHEREAS, the RFP is seeking services Architectural, Surveying, Planning, Environmental, Engineering, Hydrogeology, and Construction Services; and

WHEREAS, the Town received twenty five (25) responses to the RFQ; and

WHEREAS, the Town performed an extensive evaluation and scoring of the responses received, followed by rankings and recommendations for each Service; and

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

NOW, THEREFORE, IT IS RESOLVED, that the firms identified on the attached Schedule A be identified as firms qualified for future projects and/or services that the Town of East Fishkill may seek assistance with; and

NOW, THEREFORE, IT IS FURTHER RESOLVED, that firms listed on Schedule A would respond to future requests with a specific scope of services and fee proposals as directed by the Town of East Fishkill; and

NOW, THEREFORE, IT IS FURTHER RESOLVED, the Town of East Fishkill is not limited or restricted to the firms listed on Schedule A and could proceed with a publicly advertised solicitation, if so needed; and

NOW, THEREFORE, IT IS FURTHER RESOLVED, that the Town Board hereby declares and authorizes Town Supervisor, Nicholas D'Alessandro, be provided with the authority to notify and authorize agreements with the firms provided on Schedule A.

Motion to award the RFQ results for professional services: Board Member Arco.
Seconded: Board Member Flores. All voted in favor. Motion carried.

4. Authorize MJ Engineering for Veterans Park Design

RESOLUTION

(AUTHORIZE AWARD OF A CONTRACT TO MJ ENGINEERING FOR VETERANS PARK DESIGN)

WHEREAS, the Town has previously engaged professional services for the preliminary planning and conceptual design of the Veterans Park Area that includes memorials, exhibits, a building, as well as, site access for vehicles and pedestrians; and

WHEREAS, the Town has previously requested and received acceptable qualifications of professional services from MJ Engineering and Architecture; and

WHEREAS, the Town has received a proposal of consulting services for the design of the Veterans Park from MJ Engineering & Architecture in the amount of \$93,700.00; and

WHEREAS, the Town Staff has reviewed the proposal of services and confirms that the scope of services will provide the design of the memorial area, exhibits, site layout, and utilities for the first phase of the project; and

NOW THEREFORE, IT IS RESOLVED, that the Town Board hereby declares and authorizes Town Supervisor, Nicholas D'Alessandro, be provided the authority to negotiate and authorize a contract with MJ Engineering and Architecture for design of the Veterans Park for an amount not to exceed \$93,700.00.

Motion to authorize MJ Engineering for Veterans Park design: Board Member Flores. Seconded: Board Member Franco. All voted in favor. Motion carried.

5. Authorize to Advertise for Proposals for Cleaning Service for Town

RESOLUTION
**(AUTHORIZING ADVERTISEMENT FOR A REQUEST FOR PROPOSALS
FOR CLEANING SERVICES)**

WHEREAS, the Recreation Director has submitted to the Town Clerk a list of various buildings and Departments that are to be cleaned on a regular basis; and

WHEREAS, it is necessary for a request to be put out to advertise for said services; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be and hereby is authorized to advertise for receipt of Request for Proposals for the Cleaning Services.

Motion to authorize to advertise for proposals for cleaning service for Town: Board Member Flores. Seconded: Board Member Franco. All voted in favor. Motion carried.

6. Authorize 2023 BridgeNY Grant for Funding Warren Farm Road Bridge Culvert Replacement

**WARREN FARM ROAD BRIDGE REPLACEMENT
RESOLUTION**

Authorizing the implementation and funding of the costs of 100% of the costs of a transportation project, which may be eligible for federal-aid and/or state-aid, or reimbursement from Bridge NY funds.

WHEREAS, a project for the Warren Road/Wicoppee Creek Bridge Replacement (BIN 2268710), Town of East Fishkill, Dutchess County, P.I.N. 8763.54 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, the Town of East Fishkill will design, let and construct the Project: and

WHEREAS, the Town of East Fishkill desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof.

NOW, THEREFORE, the Town Board, duly convened does hereby

RESOLVE, that the Town Board hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town of East Fishkill to pay 100% of the cost of the preliminary design and ROW Incidental work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement

from Bridge NY funds; and it is further

RESOLVED, that the sum of \$630,000 is hereby appropriated and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED, that the Town Board hereby agrees that the Town of East Fishkill shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the Town of East Fishkill; and it is further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Town of East Fishkill shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Engineer thereof; and it is further

RESOLVED, that the Town of East Fishkill hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the East Fishkill Town Supervisor be and is hereby authorized to execute on behalf of the Town of East Fishkill all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Town of East Fishkill 's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

Motion to authorize 2023 BridgeNY Grant for Funding Warren Farm Road Bridge Culvert Replacement: Board Member Arco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

7. Declaring Certain Property to be Surplus and Authorize Auction of Same

RESOLUTION
(DECLARING CERTAIN PROPERTY TO BE SURPLUS)

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

WHEREAS, said property consists of two 2017 Ford Taurus vehicles, 1FAHP2MK8HG145902 and 1FAHP2MK4HG119877; and

WHEREAS, a town pole barn has been removed and the Town will get paid for the scrap metal that is disposed; 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 properly without any cost to the Town.

Motion to declare certain property to be surplus and authorize auction of same: Board Member Marinaro. Seconded: Board Member Franco. All voted in favor. Motion carried.

8. Award Concession Stand Bids for Red Wing Park, Route 376 Hopewell Recreation, and Route 52 Complex for 2025

RESOLUTION
(GRANTING CONCESSION FACILITY USE PRIVILEGES)

WHEREAS, on various recreational sites owned and operated by the Town, there are concession facilities; and

WHEREAS, the Town Board has reviewed request for proposals for various vendors to utilize the concession facilities on these sites to serve the users of the facilities over the summer months; and

WHEREAS, the Town Board has reviewed the references, the menus and other issues pertaining to the vendors; and

WHEREAS, it is the desire of the Town Board to authorize the use of the concessions;

NOW, BE IT RESOLVED, that the Rt. 376 Hopewell Recreation Concession Facility may be utilized from April 1, 2025 through November 1, 2025 by Amani’s Kitchen upon payment to the Town of the sum of **\$1,100.00** and upon agreement of the vendor to be open during all activities and events at the site as set forth in the annexed proposal and report what the net actually was; and

NOW, THEREFORE, BE IT RESOLVED, that the Rt. 52 Complex Concession Facility may be utilized from April 1, 2025 through November 1, 2025 by East Fishkill Soccer Club upon payment to the Town of the sum of **\$1,800.00** and upon agreement of the vendor to be open during all activities and events at the site as set forth in the annexed proposal and report what the net actually was; and

NOW, BE IT FURTHER RESOLVED, that the Red Wing Park Concession Facility may be utilized from April 1, 2025 through November 1, 2025 by Amani’s Kitchen upon payment to the Town of the sum of **\$550.00** and upon agreement of

the vendor to be open during all activities and events at the site as set forth in the annexed proposal and report what the net actually was; and

BE IT FURTHER RESOLVED, that all of the vendors shall sign a letter agreement as prepared by the Town Attorney and provide to the Town Attorney for approval, Certificates of Insurance prior to entering upon the use of the concession facilities. Renovations and/or improvements proposed in said bids shall be agreed upon after inspection from the Recreation/Highway Department.

Motion to award concession stand bids for Red Wing Park, Route 376 Hopewell Recreation, and Route 52 Complex for 2025: Board Member Franco. Seconded: Board Member Flores. All voted in favor. Motion carried.

9. Authorize the Hiring of Summer Camp Director

RESOLUTION
(AUTHORIZING HIRING OF CAMP PERSONNEL)

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

WHEREAS, the Recreation Director has submitted a letter to the Town Board with the names of the Assistant Camp Directors, Camp Health Officer, and the seasonal salaries attached hereto; and

WHEREAS, the Recreation Director recommends that the Town Board rehires Nicholas Howe, Connor Wade, and Kathleen Intravaia as Assistant Camp Directors; and

WHEREAS, the Recreation Director recommends that the Town Board rehires Lissette Torres Perez as Camp Health Officer; and

WHEREAS, it is the desire of the Town Board to authorize the hiring of Assistant Directors, and a Camp Health Officer for the 2025 summer season; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby appoints Nicholas Howe, Connor Wade, and Kathleen Intravaia as Assistant Camp Directors at the seasonal salary of \$21.00/per hr; Lissette Torres Perez as Camp Health Officer at the seasonal salary of \$24.00/per hr.; and

BE IT FURTHER RESOLVED, that employment shall be for the period of time which they are hired until the conclusion of their summertime program; and

BE IT FURTHER RESOLVED, that upon completion of their task they shall be removed from the payroll unless further ordered by the Town Board.

Motion to authorize the hiring of the Summer Camp Director: Board Member Flores. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

10. Authorize Expansion of Community Policing Program

RESOLUTION
(APPROVE A NEW COMMUNITY POLICING PROGRAM)

WHEREAS, the Town Police Chief is seeking approval for a new ‘Safe Me Sticker Program’; and

WHEREAS, this program is intended to assist families caring for someone with special needs; and

WHEREAS, the Police Chief has submitted the attached documents to be recognized as part of the East Fishkill Police Department Community Policies; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board has reviewed the attached policy and authorizes the adoption thereof.

Motion to authorize the expansion of the Community Policing Program: Board Member Arco. Seconded: Board Member Marinaro. All voted in favor. Motion carried.

11. Acknowledge the Hiring of Seasonal Wingmen

RESOLUTION
(ACKNOWLEDGE THE HIRING OF SEASONAL WINGMEN)

WHEREAS, the Highway Department needs Seasonal Wingmen; and

WHEREAS, it is determined that the Seasonal Wingmen positions are limited and seasonal; and

WHEREAS, the Highway Superintendent has already hired Seasonal Wingmen; and

WHEREAS, the Highway Superintendent is hiring Carol Lee, Kevin Secor, Thomas Knapp Jr & Brandon Vananden as additional Wingmen; and

WHEREAS, all applicants have been interviewed and recommended to the Town Board by the Highway Superintendent for the Highway Wingmen positions; and

WHEREAS, Carol Lee (Step 5) & Thomas Knapp Jr (Step 5) will be paid at \$20 per hour, Kevin Secor (Step 1) and Brandon Vananden (Step 1) will be paid at \$18.00 per hour in accordance with the 2024-2025 wingmen pay scale; and

WHEREAS, that it may be necessary for the Highway Superintendent to hire additional Seasonal Wingmen and will notify the Town Board of such hiring; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Comptroller be and hereby is authorized to place them on Town payroll as Seasonal Wingmen; and

BE IT FURTHER RESOLVED, that said Highway Wingmen shall be seasonal employment and that upon completion of their task, they shall be removed from the payroll, unless further ordered by the Town Board.

Motion to acknowledge the hiring of seasonal wingmen: Board Member Marinaro.
Seconded: Board Member Franco. All voted in favor. Motion carried.

12. Authorize Setting a Deadline for the Submission of Ideas for the
Community Development Block Grant

RESOLUTION
(AUTHORIZING APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT)

WHEREAS, the Town is requesting authorization to apply for the Community Development Block Grant (CDBG) for needs such as infrastructure, economic development, public facilities, housing rehabilitation & public services; and

WHEREAS, the Town Board would like to solicit ideas for East Fishkill's submission for said Community Development Block Grant (CDBG) for ways to improve our community; and

WHEREAS, anyone who wishes to submit suggestions regarding the Community Development Block Grant should do so by February 28, 2025; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the Supervisor and all other Officials of the Town to take all steps necessary to effectuate the submission of an application to the Community Development Block Grant upon receiving & reviewing comments; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, at the close of the input period on February 28th, the Supervisor will select the project to be submitted for the Block Grant application. The Board herein empowers the Supervisor to make this selection on their behalf.

Motion to authorize setting a deadline for the submission of ideas for the Community Development Block Grant: Board Member Franco. Seconded: Board Member Flores. All voted in favor. Motion carried.

13. Authorize a Contract with SurveyMonkey Enterprise (Survey Platform)

RESOLUTION
(AUTHORIZING CONTRACT WITH SURVEY MONKEY)

WHEREAS, the town has a desire to improve methods to communicate on town issues and solicit feedback from our residents on various topics throughout the year to help guide the Board on policy decisions and priorities; and

WHEREAS, the town has reviewed three survey platforms and determined Survey Monkey provides the best solution and the greatest value; and

WHEREAS, it is the desire of the Town Board to authorize the use of a survey platform; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes Town Supervisor, Nicholas D’Alessandro, be provided the authority to authorize a contract with Survey Monkey in an amount of \$3,300.

Motion to authorize a contract with SurveyMonkey Enterprise (Survey Platform): Board Member Flores. Seconded: Board Member Franco. All voted in favor. Motion carried.

Additions to the Agenda (If any):

- 1. Authorize a Purchase of Equipment from the Equipment Bond in the amount of \$287,096 for two 2026 Freightliner Four-Wheel-Drive Six Wheelers**

RESOLUTION
(AUTHORIZING THE PURCHASE OF (2) 2026 FREIGHTLINER TRUCKS)

WHEREAS, the Highway Superintendent has expressed a need for the Town to purchase (2) 2026 Freightliner 108SD 4 wheel drive 6-wheeler trucks, cab and chassis; and

WHEREAS, the Highway Superintendent has researched these trucks through Sourcewell, the State bid list for such vehicles; and

WHEREAS, the Town Established a \$500,000.00 Bond for Highway Equipment purchases; and

WHEREAS, proposals have been received for (2) Freightliner 108SD 4 Wheel drive 6-wheelers, cab and chassis for a purchase price of \$143,548.00 each by the Highway Superintendent; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the purchase of these trucks with funding from the Highway Equipment Bond for \$287,096.00.

Motion to authorize the purchase of two 2026 Freightliner four-wheel-drive six wheelers from the Equipment Bond account: Board Member Marinaro.
Seconded: Board Member Arco. All voted in favor. Motion carried.

Budget Transfer:

Supervisor D'Alessandro stated there was budget transfer. Everyone has been supplied with a copy. Supervisor D'Alessandro asked if there were any questions for the Deputy Comptroller. They are withdrawing money from the fund balance to cover the increases in the electric costs for \$69,000. The Deputy Comptroller stated some of the reasons for the increases are Central Hudson's billing procedures. Some of it is back billings that were due as well.

Motion to accept the budget transfer as presented: Board Member Arco.
Seconded: Board Member Franco. All voted in favor. Motion carried.

Comments from Town Board Members:

Highway Superintendent Williams thanked the Board for the purchase of the additional equipment. He also thanked his deputy and mechanics for the research time they will put into constructing these vehicles. It takes a lot of work to keep up on all of the town vehicles as well. They have been busy keeping the roads clear and safe from the snow. They are continuing to fill potholes as the phone calls come in. The tree crews are cutting trees back and the jet VAC has been out when weather permits. Board Member Marinaro thanked him for keeping up with potholes. He was in Westchester and the amount of potholes in a residential area was incredible. Superintendent Williams stated they are out with the hot box. Board Member Arco stated he likes the fact that they look at different

manufactured vehicles as well. Superintendent Williams stated they do not want fancy they want something that will work well.

Chief Cuccia thanked Michael O'Brien for all of the work he has done assisting the Police Department as far as grant writing goes. Last month they gave out awards to several officers. The officer of the year was awarded to Officer Brennon Frowd. And the DWI award was awarded to Officer Stephen Costello, who had the most DWI related arrests in the County.

Board Member Arco said he has the Fire Department as an assignment and he is on their calendar to meet with them later this month to discuss some ongoing projects as well as some upcoming projects and the ALS ambulance issues. Empress is starting to hard invoice and that is something he would like to discuss with the Fire District in detail. He does continue to do the job walk-throughs with the fire district on the new iPark projects. These include various Department personnel as well as the Fire Advisory Board. This month they were able to tour the Frito-Lay warehouse. He thanked the Engineer for arranging that. They had their first Safety Committee meeting this week. Gina Grippo has been instrumental in some of the safety projects they have worked on so far. They selected a few committee members based on the departments they work in so no department was missed. They were able to identify some future projects, which he will discuss with the Supervisor to discuss budget planning. Over the next month they will be auditing each building. They will be inventorying the various systems that they have so they have a big picture of all of the buildings they have within the Town. He reached out to the Zoning Board Chair and will be sitting in on this month's Zoning Board meeting.

Board Member Marinaro reported he will be starting meetings as soon as possible next week with the Police Department. He will also be meeting with the Tax Assessor to see if there any changes coming down from New York State. He will be attending the School Board meeting. It is important to participate.

Board Member Franco stated the recreation guides should be out soon. The Recreation Department is still hiring for summer seasonal work for summer camp at the lake. Please fill out an application or call the Rec Department if you are interested. March 3 is the start of summer camp registration. There are town trips on April 17 to Catskill Casino. Tickets for this trip are \$50 per person. With that you get a \$15 food voucher and \$25 in free slots. You can register online on the website or call the Recreation Department. May 2 is a trip to the Paramount Theater to see "So Good! The Neil Diamond Experience". Registration starts on March 3 for the trip. Tickets will be \$89. Remember to keep checking the recreation website for upcoming trips, concert series, and programs. Hopefully in the next few months all of the kids will be out in the fields.

Board Member Flores stated they are working on finalizing the Master Plan. They will be looking to presenting it at a special Town Board work session on April 10.

She wanted to give a shout out and thanking to the Highway Department for the wonderful job they are dealing with the snow. Every storm we have had has been on a weekend or overnight and they have been out working.

Supervisor D'Alessandro stated that some of the Department heads and elected officials are a little unhappy with him. He has sent a notice out to all departments to curtail overtime as much as possible. They need to watch the tax dollars as much as they possibly can.

Supervisor D'Alessandro asked that everyone remember to clean off their vehicles after a snowstorm before they head out on the roads. It is very dangerous to drive like that. They do not want anyone to get into an accident because of that.

Motion for Adjournment: Time: Motion to adjourn the regular meeting at 7:37 PM: Board Member Marinaro. Seconded: Board Member Flores. All voted in favor. Motion carried.

Town Board Meetings:

Workshop Meeting:	March 13, 2025
Regular Meeting:	March 27, 2025

Respectfully submitted by Julie J. Beyer on behalf of Town Clerk Peter Cassidy – February 16, 2025