



# Town of Wappinger

## Regular Meeting

~ Minutes ~

20 Middlebush Road  
Wappingers Falls, NY 12590  
[townofwappinger.us](http://townofwappinger.us)

Joseph Paoloni  
(845)297-5771

Monday, May 22, 2017

7:30 PM

Town Hall

### I. Call to Order

| Attendee Name      | Organization      | Title             | Status  | Arrived |
|--------------------|-------------------|-------------------|---------|---------|
| Lori A. Jiava      | Town of Wappinger | Supervisor        | Present | 7:30 PM |
| William H. Beale   | Town of Wappinger | Councilman        | Present | 7:30 PM |
| William Ciccarelli | Town of Wappinger | Councilman        | Present | 7:30 PM |
| John J. Fenton     | Town of Wappinger | Councilman        | Present | 7:30 PM |
| Michael Kuzmicz    | Town of Wappinger | Councilman        | Present | 7:30 PM |
| Joseph P. Paoloni  | Town of Wappinger | Town Clerk        | Present | 7:30 PM |
| Grace Robinson     | Town of Wappinger | Deputy Town Clerk | Present | 7:30 PM |
| David Stolman      | Consultant        | Planner           | Present | 7:30 PM |
| Al Roberts         | Consultant        | Attorney          | Present | 7:30 PM |

### II. Salute to the Flag

### III. Adoption of Agenda

1. **Motion To:** Adopt the Agenda

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** William Ciccarelli, Councilman  
**SECONDER:** Michael Kuzmicz, Councilman  
**AYES:** Jiava, Beale, Ciccarelli, Fenton, Kuzmicz

### IV. Acknowledge Minutes

1. **Motion To:** Acknowledge May 8th, 2017 Minutes

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Michael Kuzmicz, Councilman  
**SECONDER:** John J. Fenton, Councilman  
**AYES:** Jiava, Beale, Ciccarelli, Fenton, Kuzmicz

### V. Correspondence Log

**RESOLUTION:** 2017-98

#### Correspondence Log

Resolution Authorizing the Acceptance of the Correspondence Log

| Correspondence Log - 2017-05-22 |            |                               |           |           |   |             |
|---------------------------------|------------|-------------------------------|-----------|-----------|---|-------------|
| Number                          | To         | From                          | Date      | Date Rec' | Re:   | Agenda Date |
| 05-22-001                       | Town Board | Town Comptroller              | 5/4/2017  | 5/4/2017  | Warrants 2017 - T, U, V                         | 5/22/2017   |
| 05-22-002                       | Town Board | Bea Ogunti                    | 5/4/2017  | 5/4/2017  | Variance Application Fee Charge                 | 5/22/2017   |
| 05-22-003                       | Town Board | Christopher B. Brown          | 4/27/2017 | 5/4/2017  | Castle Point Landfill Post-Closure Requirements | 5/22/2017   |
| 05-22-004                       | Town Board | Ted L'Estrange / Falun Gong   | 5/9/2017  | 5/9/2017  | Request for Resolution / Harvesting Organ       | 5/22/2017   |
| 05-22-005                       | Town Board | Fleetwood Board Managers      | 5/11/2017 | 5/11/2017 | Board of Managers May 2017 - May 2018           | 5/22/2017   |
| 05-22-006                       | Town Board | FEMA / Luis V. Rodriguez      | 4/4/2017  | 5/16/2017 | Letter of Map Amendment                         | 5/22/2017   |
| 05-22-007                       | Town Board | Tyler Pettit                  | 5/4/2017  | 5/17/2017 | Letter of Resignation                           | 5/22/2017   |
| 05-22-008                       | Town Board | Elizabeth Satterlee           | 5/15/2017 | 5/17/2017 | Town Wide Bulk Pick-Up                          | 5/22/2017   |
| 05-22-009                       | Town Board | KC Engineering / Ernst Martin | 5/12/2017 | 5/17/2017 | CoSM Project / Connection to Water System       | 5/22/2017   |
| 05-22-010                       | Town Board | Lee Anne Freno                | 5/18/2017 | 5/18/2017 | Monthly Tax Report April 2017                   | 5/22/2017   |

NOW, THEREFORE, BE IT RESOLVED, that the letters and communications itemized on the attached Correspondence Log are hereby accepted and placed on file in the Office of the Town Clerk.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-98                 |                    |          |                                     |                          |                          |                          |
|--|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|  |                    |          | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
| <input type="checkbox"/> Adopted                       |                    |          |                                     |                          |                          |                          |
| <input checked="" type="checkbox"/> Adopted as Amended |                    |          |                                     |                          |                          |                          |
| <input type="checkbox"/> Defeated                      |                    |          |                                     |                          |                          |                          |
| <input type="checkbox"/> Tabled                        |                    |          |                                     |                          |                          |                          |
| <input type="checkbox"/> Withdrawn                     |                    |          |                                     |                          |                          |                          |
|  | Lori A. Jiava      | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  | William H. Beale   | Seconder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  | William Ciccarelli | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  | John J. Fenton     | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|  | Michael Kuzmicz    | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
May 22, 2017

The Resolution is hereby duly declared Adopted as Amended.

**VI. Public Portion**

**1. Motion To: Open Public Portion**

COMMENTS - Current Meeting:

Resident Gary Lindstrom asked why the Local Law on Antique cars has a definition of 40 years old as an antique car versus the motor vehicle definition of 25 years. Attorney Roberts explained that that is a definition for DMV registration purposes but not for antiques. He added that caution was exercised in the law making process on not having junk cars in a lot being treated as antiques. When Mr. Lindstrom brought up Castle Cars on Route 376, planner David Stolman emphatically stated, "They will have to conform." Attorney Roberts added, "They're going to have to conform to the new provisions going forward, their business now as it stands, they've been there continuously for many years, so restoration in and of itself can continue there, the new provisions they will have to conform to."

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | Michael Kuzmicz, Councilman               |
| <b>SECONDER:</b> | William H. Beale, Councilman              |
| <b>AYES:</b>     | Jiava, Beale, Ciccarelli, Fenton, Kuzmicz |

2. **Motion To:** Close Public Portion

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | Michael Kuzmicz, Councilman               |
| <b>SECONDER:</b> | William H. Beale, Councilman              |
| <b>AYES:</b>     | Jiava, Beale, Ciccarelli, Fenton, Kuzmicz |

## VII. Discussions

1. **Property maintenance Bldg Dept**

Barbara Roberti addressed the issue of property maintenance. Councilman Fenton asked about abandoned properties. Zoning Administrator Roberti said that they are cataloguing them. Councilman Fenton questioned the process in taking a more aggressive approach on abandoned properties in that rather than having a public hearing each time in cumbersome and suggested a remedy of mowing, billing, and if no payment levy to their property taxes.

Councilman Ciccarelli asked about the Route 9 corridor. Councilman Beale added that NY State resources have been cut and the medians that have been adopted in the town of Poughkeepsie are paid out of their town resources.

2. **CO Search Process**

Zoning Administrator Barbara Roberti indicated that inspectors do not search the yard on a Certificate of Occupancy search and thus the new owner gets saddled with the remedy. She suggested Certificate of Occupancy searches by inspectors should include a walk through on the property. Attorney Roberts explained that this was done in the past, but not anymore. Attorney Roberts explained that the banks require a municipal search and we are sending a document saying, 'No Violations'. A meeting on this is planned and Attorney Roberts is to send a memo.

3. **Bulk Pick Up**

Councilman Beale suggested a need to have the cooperation of the Highway Superintendent before having a town-wide bulk pickup undertaking adding that selective items discarded could cause issues. The discussion continued regarding what items could be picked up and how to address violations at the curb. Councilman Kuzmicz expressed a need to look at the cost. A workshop discussion is set for June 14th where this can be discussed.

4. **Motion To:** Ask Engineer to Determine Specifics for Brothers Road Paving

COMMENTS - Current Meeting:

Supervisor Jiava opened the discussion by reminding the board that at the last meeting board members were asked to come back with a list of roads in their wards that needed paving.

Attorney Roberts explained that a majority of the board has to sign the 284 agreement once the roads were decided upon. Currently, Brothers Road will be paved using the \$220,000 needed to be spent to max out on the Consolidated Highway Improvement Program. Councilman Fenton asked to table this discussion to the June 14th workshop. The discussion continued regarding the cost per mile with the indeterminate factor being paving and milling or just paving along with a discussion of bonding or using fund balance. Highway employee Mr. Sheehan estimated that Losee Road should be milled as well. Supervisor Jiava asked for the board to hone in on specific roads to bring to the June 14th discussion.

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | John J. Fenton, Councilman                |
| <b>SECONDER:</b> | William H. Beale, Councilman              |
| <b>AYES:</b>     | Jiava, Beale, Ciccarelli, Fenton, Kuzmicz |

## 5. Car Show

Joey Cavaccini explained the details of a 4th of July car show showcasing American made automobiles. Supervisor Jiava asked for a memo detailing these discussed items before the board approves it. Ralph Holt said a road has to be closed. Councilman Beale wanted to be assured that the participants had insurance.

## 6. Motion To: Approve Additional Pickleboard Court at Pye Lane Tennis Court Area

COMMENTS - Current Meeting:

Ralph Holt asked for another Pickle ball Court at the tennis courts. Steve Frazier said he would need to order the equipment. The cost is minimal, temporary and only modifies the tennis court lines but does not prohibit tennis from being played.

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | Michael Kuzmicz, Councilman               |
| <b>SECONDER:</b> | William H. Beale, Councilman              |
| <b>AYES:</b>     | Jiava, Beale, Ciccarelli, Fenton, Kuzmicz |

## 7. Vision and Mission Statement

Discussion Moved to the June 12th, Board Meeting.

## VIII. Resolutions

**RESOLUTION:** 2017-93

**Resolution Introducing Local Law No. 3 Of 2017 Which Would Amend Chapter 240, Zoning, Of The Town Code By Adding New Principal And Accessory Uses And New Supplementary Special Permit Use Regulations Regarding The Restoration And Sale Of Antique Passenger Motor Vehicles**

WHEREAS, the Town Board is considering the adoption of Local Law No. 3 of 2017 which would amend Chapter 240, Zoning, of the Town Code by adding new principal and accessory uses

and new supplementary special permit use regulations regarding the restoration and sale of antique passenger motor vehicles; and

WHEREAS, the Town Board has determined that the Proposed Action is a Type I action pursuant to Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as "SEQRA"); and

WHEREAS, the Town Board has determined that the proposed Local Law is an action for which there are no other Involved Agencies and that the Town Board is therefore, by default, the Lead Agency for this action.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The Town Board hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.
2. The Town Board hereby introduces for consideration of its adoption proposed Local Law No. 3 of 2017 in the form annexed hereto.
3. The Town Board hereby schedules a Public Hearing regarding the adoption of the annexed proposed Local Law No. 3 of 2017 for 7:30 PM on the 12th day of June, 2017 and the Town Clerk is hereby directed to post the notice of the Public Hearing in the form annexed hereto and to publish same in the Southern Dutchess News and the Poughkeepsie Journal not less than ten (10) days prior to said Public Hearing date.
4. The Town Board hereby directs the Town Clerk to act as follows with respect to the proposed Local Law:
  - a. To serve a copy of this resolution, the annexed proposed Local Law, the EAF and the public hearing notice to the municipal clerk of each abutting municipality not less than ten (10) days prior to said public hearing;
  - b. To serve a copy of this resolution, the annexed proposed Local Law, the EAF and the public hearing notice to the Dutchess County Department of Planning and Development for advisory review in accordance with Section 239-m of the New York State General Municipal Law; and
  - c. To distribute a copy of this resolution, the annexed proposed Local Law, the EAF, and the public hearing notice to the Town of Wappinger Planning Board for its review in accordance with the provisions of § 240-112 of the Town of Wappinger Zoning Code.

The foregoing was put to a vote which resulted as follows:

|   |  |  |                |               |                |               |
|---|--|--|----------------|---------------|----------------|---------------|
| <b>✓ Vote Record - Resolution RES-2017-93</b> |  |  |                |               |                |               |
| <input checked="" type="checkbox"/> Adopted   |  |  | <b>Yes/Aye</b> | <b>No/Nay</b> | <b>Abstain</b> | <b>Absent</b> |
| <input type="checkbox"/> Adopted as Amended   |  |  |                |               |                |               |

|                                    |                    |          |                                     |                          |                          |                          |
|------------------------------------|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> Defeated  | Lori A. Jiava      | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Tabled    | William H. Beale   | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Withdrawn | William Ciccarelli | Secunder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                    | John J. Fenton     | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                    | Michael Kuzmicz    | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
 May 22, 2017

The Resolution is hereby duly declared Adopted.

**RESOLUTION: 2017-99**

**Resolution Authorizing The Execution Of The Agreement Between The Town Of Wappinger And The Town Of Wappinger Little League Association, Inc.**

**WHEREAS**, the Town Board finds that it is in the best interests of the Town to have the Town of Wappinger Little League Association, Inc. provide a program of softball and baseball activities for the boys and girls of the community; and

**WHEREAS**, the Town Supervisor, in consultation with the Chairman of the Recreation Committee and the Director of Recreation, has negotiated the terms of a proposed Service Agreement with the Town of Wappinger Little League Association, Inc., a copy of which is attached hereto; and

**WHEREAS**, the Town Board, in accordance with the Town’s Procurement Policy, has determined that the nature of services to be provided by the Town of Wappinger Little League Association, Inc. are classified as a “sole source”; and

**WHEREAS**, the Town Board acknowledges the very successful program the Town of Wappinger Little League Association, Inc. has administered for the last 40 years or so and wishes to continue having the Town of Wappinger Little League Association, Inc. provide softball and baseball activities for the boys and girls of the Town of Wappinger.

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.

2. The Town Board Members acknowledge they have reviewed the terms and conditions of the proposed “Service Agreement” attached hereto, and they find the terms contained therein reasonable and consistent with the relationship the Town has had with the Town of Wappinger Little League Association, Inc. over the last 40 years or so.

3. The Town Board hereby authorizes the Town Supervisor to execute said Service Agreement with the Town of Wappinger Little League Association, Inc. in accordance with the terms and conditions contained therein, which Agreement, among other provisions, authorizes the Town to pay the sum of Six Thousand Dollars (\$6,000.00) to the Town of Wappinger Little League Association, Inc. to provide softball and baseball activities for the boys and girls of the community for the 2017 baseball/softball season.

Supervisor Lori A. Jiava is hereby authorized and directed to execute the Service Agreement between the Town of Wappinger and Town of Wappinger Little League Association, Inc. in substantially the same form as attached hereto, a copy of which is affixed hereto.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-99      |                    |          |                                     |                          |                          |                          |
|---|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|   |                    |          | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
| <input checked="" type="checkbox"/> Adopted | Lori A. Jiava      | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adopted as Amended | William H. Beale   | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Defeated           | William Ciccarelli | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Tabled             | John J. Fenton     | Seconder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Withdrawn          | Michael Kuzmicz    | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
May 22, 2017

The Resolution is hereby duly declared Adopted.

**RESOLUTION:** 2017-100

**Resolution Ratifying And Confirming Execution Of Agreement For Services Between Town Of Wappinger And International Data Base Corp. D/B/A Bidnet**

**WHEREAS**, the Town of Wappinger, a municipal subdivision, is required to comply with the competitive bidding sections of General Municipal Law (GML) § 103 and the Town’s Procurement Policy adopted pursuant to GML § 104-b; and

**WHEREAS**, in recent years the Town has experienced difficulties in getting sufficient responses to its notices of bids for purchase contracts over \$20,000 or for public works contracts over \$35,000; similarly, for those items not requiring competitive bidding pursuant to GML § 103, the Town is required to get requests for proposals for purchase contracts under \$20,000 and for public works contracts under \$35,000; and

**WHEREAS**, the Town’s engineering firm, Morris Associates Engineering and Surveying Consultants, PLLC, has recommended that the Town utilize the services of International Data Base Corp. d/b/a “BidNet”, which provides web-based solicitation and bidding services in an effort to solicit a broader base of vendors and bidders; and

**WHEREAS**, the Town has several contracts and/or projects imminently pending that would come within the purview of GML § 103 requiring competitive bidding or the Town’s Procurement Policy requiring solicitation of proposals; and

**WHEREAS**, BidNet has submitted a proposed Agreement to the Town, which has been executed by the Supervisor on May 11, 2017; and

**WHEREAS**, the Supervisor has verbally polled Town Board Members, all of whom have indicated the Agreement should be executed as quickly as possible.

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town Board hereby confirms its intention to enter into a written Agreement for Services with International Data Base Corp. d/b/a BidNet to provide web-based solicitation and bidding services, including maintenance and support services, in an effort to solicit a broader base of vendors and bidders.

The Town Board hereby approves, ratifies and confirms the action of Supervisor Lori A. Jiava in executing the Agreement for Services between the Town of Wappinger and International Data Base Corp. d/b/a BidNet executed on May 11, 2017, in the form attached hereto.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-100     |                    |          |                                     |                          |                          |                          |
|---|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|   |                    |          | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
| <input checked="" type="checkbox"/> Adopted | Lori A. Jiava      | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adopted as Amended | William H. Beale   | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Defeated           | William Ciccarelli | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Tabled             | John J. Fenton     | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Withdrawn          | Michael Kuzmicz    | Seconder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
May 22, 2017

The Resolution is hereby duly declared Adopted.

**RESOLUTION:** 2017-101

**Resolution Authorizing Superintendent Of Highways To Issue A Highway Work Permit To Install Sewer Lines On Marlerville Road In Connection With The Obercreek Subdivision**

**WHEREAS**, Obercreek L.P. was the owner of a parcel of property having frontages on both New Hamburg Road and Marlerville Road; and

**WHEREAS**, Obercreek L.P. made application to the Town of Wappinger Planning Board for a 14-lot average density subdivision, which was granted Final Subdivision Plat Approval on June 20, 2014, for the subdivision known as "Obercreek Farm Subdivision"; and

**WHEREAS**, Obercreek L.P. transferred all of its right, title and interest to the subject subdivision to Obercreek Development, LLC; and

**WHEREAS**, the Town of Wappinger Planning Board determined that the proposed action i.e. the creation of the 14-lot average density subdivision, was a Type I action with respect to State Environmental Quality Review Act (SEQRA) and Wappinger Environmental Quality Review (WEQR); and

**WHEREAS**, the Town of Wappinger Planning Board circulated a Notice of Intent to be Lead Agency, so notified the Town of Wappinger Town Board by serving a copy of the Notice of Intent as an Involved Agency and the Town Board raised no objection thereto; and

**WHEREAS**, on February 3, 2014, the Planning Board adopted a Negative Declaration for this proposed action, i.e. 14-lot average density subdivision; and

**WHEREAS**, Obercreek L.P., as original applicant, made arrangements with the Dutchess County Water & Wastewater Authority (DCWWA) to operate a community wastewater treatment system and, as part thereof, was required to construct a sewer collector line within Marlerville Road, a Town of Wappinger road; and

**WHEREAS**, New York State Highway Law § 149 and County Law § 263 requires the owner of the subdivision, originally Obercreek L.P. and now Obercreek Development, LLC, to obtain permission from the Town Highway Superintendent and the Town Board to construct and install a sewer collector line under and through Marlerville Road; and

**WHEREAS**, the Town Superintendent of Highways has consented to the installation and maintenance of the sewer collector line within the dedicated boundaries of Marlerville Road; and

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.

2. The Town Board hereby authorizes Obercreek Development, LLC, successor in interest to Obercreek, L.P., to construct, install and maintain a sewer collector line within the boundaries of Marlerville Road, with the understanding that Obercreek Development, LLC will



transfer over and convey all of its right, title and interest to the sewer collector line, together with the other appurtenances of the community system wastewater treatment infrastructure to the DCWWA for operation and maintenance purposes.

3. The Permit is authorized on the further condition that the applicant will repair and restore the portions of Marlorville Road so disturbed to the reasonable satisfaction of the Superintendent of Highways.

4. The Permit is issued on the further condition that Obercreek Development, LLC, or its successor DCWWA, will keep such collector pipe in good repair and save the Town harmless from all damages which may occur by reason of the installation of the collector pipe within Marlorville Road, and upon notice by the Superintendent of Highways, Obercreek, L.P., or DCWWA, as the case may be, will make all repairs required for the protection or preservation of the highway.

5. The Permit of the Superintendent of Highways, with the consent of the Town Board, and the acceptance of the applicant, Obercreek Development, LLC, shall be executed in duplicate, one of which shall be filed in the Office of the Town Clerk and the other in the Office of the DCWWA.

The Superintendent of Highways is hereby authorized to sign the required Permit and any other documents to evidence the consent of the Town Board.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-101     |                    |          |                                     |                          |                          |                          |
|---|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|   |                    |          | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
| <input checked="" type="checkbox"/> Adopted |                    |          |                                     |                          |                          |                          |
| <input type="checkbox"/> Adopted as Amended |                    |          |                                     |                          |                          |                          |
| <input type="checkbox"/> Defeated           |                    |          |                                     |                          |                          |                          |
| <input type="checkbox"/> Tabled             |                    |          |                                     |                          |                          |                          |
| <input type="checkbox"/> Withdrawn          |                    |          |                                     |                          |                          |                          |
|   | Lori A. Jiava      | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | William H. Beale   | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | William Ciccarelli | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | John J. Fenton     | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | Michael Kuzmicz    | Seconder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
May 22, 2017

The Resolution is hereby duly declared Adopted.

**RESOLUTION:** 2017-102

**Resolution Introducing “Local Law No. 4 Of The Year 2017, Amending Section 230-46 Of The Code Of The Town Of Wappinger, To Prohibit Parking Along Both Sides Of Front Street From Its Intersection With Bank Street Heading In A Northerly Direction To Its Termination At The Hudson River”**

**WHEREAS**, Front Street, from its intersection with Bank Street heading in a northerly direction, leads to and ends at a boat launch into the Hudson River which is owned and maintained by the Town of Wappinger; and

**WHEREAS**, the Town Board has received a request from Supervisor of Buildings and Grounds, Steven Frazier, that parking be prohibited along both sides of Front Street from its intersection with Bank Street heading in a northerly direction to its termination at the Hudson River; and

**WHEREAS**, the Supervisor of Buildings and Grounds has indicated that many cars and automobiles with trailers park along Front Street blocking and/or impeding access to the boat

launch making use of the boat launch hazardous for other motorists and pedestrians; and

**WHEREAS**, the Superintendent of Highways and the Supervisor of Buildings and Grounds both concur in this request and now recommend that parking be prohibited along both sides of Front Street from its intersection with Bank Street heading in a northerly direction to its termination at the Hudson River.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.

2. The Town Board hereby introduces for consideration of its adoption proposed Local Law No. 4 of the Year 2017 in the form annexed hereto.

3. The Town Board hereby determines that the enactment of the aforementioned Local Law is a Type II action as defined in 6 NYCRR 617.5 and, accordingly, the Town Board hereby expressly determines that this action is not an action that requires review pursuant to the provisions of the New York State Environmental Quality Review Act (SEQRA) or pursuant to 6 NYCRR Part 617.

The Town Board hereby schedules a Public Hearing on the proposed adoption of the annexed Local Law No. 4 of 2017 to be held at Town Hall, 20 Middlebush Road, Wappingers Falls, New York, on the 12th day of June, 2017, at 7:30 p.m. and the Town Clerk is hereby directed to post and publish the Notice of Public Hearing in the form annexed hereto in the Town’s official newspapers, the Southern Dutchess News and Poughkeepsie Journal, not less than ten (10) days prior to said public hearing date, as required by law.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-102     |                    |        |                                     |                          |                          |                          |
|---|--------------------|--------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|   |                    |        | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
| <input checked="" type="checkbox"/> Adopted | Lori A. Jiava      | Voter  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adopted as Amended | William H. Beale   | Voter  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Defeated           | William Ciccarelli | Mover  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Tabled             | John J. Fenton     | Voter  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Withdrawn          | Michael Kuzmicz    | Second | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
May 22, 2017

The Resolution is hereby duly declared Adopted.

**RESOLUTION:** 2017-103

**Resolution Appointing Part-Time Deputy Fire Inspector**

**WHEREAS**, the Town Board of the Town of Wappinger has previously created the position of part-time Deputy Fire Inspector and such position is now current; and

**WHEREAS**, the Town Board is satisfied that Anthony Marquez is qualified for the position of part-time Deputy Fire Inspector.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board appoints Anthony Marquez to the position of part-time Deputy Fire Inspector at the pay rate of \$17.50 per hour; and

**BE IT FURTHER RESOLVED**, that Mr. Marquez’s employment shall be subject to all terms and conditions of the collective bargaining agreement between the Town of Wappinger and Teamsters Local 445; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor, or her designee, is authorized to complete and file with the Dutchess County Department of Human Resources all paperwork required by that office in connection with this appointment.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-103     |                    |          |                                     |                          |                          |                          |
|---|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|   |                    |          | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
| <input checked="" type="checkbox"/> Adopted | Lori A. Jiava      | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adopted as Amended | William H. Beale   | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Defeated           | William Ciccarelli | Secunder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Tabled             | John J. Fenton     | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Withdrawn          | Michael Kuzmicz    | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
May 22, 2017

The Resolution is hereby duly declared Adopted.

**RESOLUTION:** 2017-104

**Resolution Appointing Part-Time Account Clerk**

**WHEREAS**, the Town Board of the Town of Wappinger has previously created the position of part-time Account Clerk and such position is now current; and

**WHEREAS**, the Town Board is satisfied that Debra Brown is qualified for the position of part-time Account Clerk.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board appoints Debra Brown to the position of part-time Account Clerk effective retroactively May 11, 2017; and

**BE IT FURTHER RESOLVED**, that Debra Brown shall be paid at the pay rate of \$25.00 per hour; and

**BE IT FURTHER REVOLVED**, that the term of this appointment shall not exceed 90 days from the start of Ms. Brown’s employment; and

**BE IT FURTHER RESOLVED**, that all terms and conditions of Ms. Brown’s employment shall be governed by the Employee Handbook; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor, or her designee, is authorized to complete and file with The Dutchess County Department of Human Resources all paperwork required by that office in connection with this appointment.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-104     |                    |          |                                     |                          |                          |                          |
|---|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|   |                    |          | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
| <input checked="" type="checkbox"/> Adopted | Lori A. Jiava      | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adopted as Amended | William H. Beale   | Secunder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Defeated           | William Ciccarelli | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Tabled             | John J. Fenton     | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Withdrawn          | Michael Kuzmicz    | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
 May 22, 2017

The Resolution is hereby duly declared Adopted.

**RESOLUTION:** 2017-105

**Resolution Awarding Contract For Construction Work At The Emergency Services Building**

**WHEREAS**, the Town requires certain repairs and reconstructive work to the Town of Wappinger Emergency Services Building; and

**WHEREAS**, pursuant to the Town’s Procurement Policy, Robert J. Gray, P.E., Engineer to the Town, circulated a Request for Proposal for the proposed work; and

**WHEREAS**, only one proposal was received and the price of the proposal exceeded the statutory limit for public bidding, to wit, \$35,000.00, per the Town’s Procurement Policy and General Municipal Law § 103; and

**WHEREAS**, Robert J. Gray, P.E. of Morris Associates Engineering & Surveying Consultants, PLLC, Engineer to the Town, was able to negotiate a revised proposal for the sum of \$34,900.00 by eliminating the removal of the door in the bathroom and use the door being removed from the hallway as the new bathroom entry door and tape and prime paint only new sheetrock; and

**WHEREAS**, Robert J. Gray, P.E. has determined that the revised proposal received from Rondack Construction, Inc. is reasonable, falls within the Town’s Procurement Policy, not otherwise requiring public bid and recommends that Rondack Construction Inc. should be awarded the contract in the revised proposal amount of \$34,900.00; and

**WHEREAS**, the Town Board wishes to award the contract in accordance with the recommendation of Robert J. Gray, P.E.

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town of Wappinger hereby awards the Agreement for the construction work at the Town of Wappinger Emergency Services Building to Rondack Construction, Inc., 5 Bingham Mills Road, Germantown, New York 12526, in the revised proposal amount of \$34,900.00.
3. The Town Board hereby authorizes the Supervisor to execute the Agreement, in substantially the same form as annexed hereto, after the Attorney to the Town has confirmed that Rondack Construction, Inc. has supplied the necessary insurance certificates. The Town Board hereby further authorizes the Supervisor to execute the Notice of Award after the proposal is awarded by the Town Board and the Notice to Proceed after the Agreement has been signed by both parties and forward a copy of both the Notice of Award and Notice to Proceed to Rondack Construction, Inc. upon their execution.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-105     |                  |         |                                     |                          |                          |                          |
|---|------------------|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|   |                  | Yes/Aye | No/Nay                              | Abstain                  | Absent                   |                          |
| <input checked="" type="checkbox"/> Adopted |                  |         |                                     |                          |                          |                          |
| <input type="checkbox"/> Adopted as Amended |                  |         |                                     |                          |                          |                          |
| <input type="checkbox"/> Defeated           |                  |         |                                     |                          |                          |                          |
| <input type="checkbox"/> Tabled             |                  |         |                                     |                          |                          |                          |
|   | Lori A. Jiava    | Voter   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|   | William H. Beale | Voter   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

|                                    |                    |          |                                     |                          |                          |                          |
|------------------------------------|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> Withdrawn | William Ciccarelli | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                    | John J. Fenton     | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                    | Michael Kuzmicz    | Seconder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
 May 22, 2017

The Resolution is hereby duly declared Adopted.

**RESOLUTION:** 2017-106

**Resolution Introducing Proposed Amendment To Town Comprehensive Plan In Connection w/ DeGarmo Plaza**

WHEREAS, the Town Board is considering an amendment to the Town Comprehensive Plan for the purpose of adding a small amount of property to the Commercial designation as a result of what was perhaps an inadvertent omission; and

WHEREAS, the subject property is part of the DeGarmo Plaza shopping center and is known as tax parcel 6258-02-781586 (the "Subject Property"), which is located immediately to the north and east of the lot comprising the majority of the shopping center (tax parcel 6258-02-759569) on Myers Corners Road; and

WHEREAS, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Proposed Action is the rezoning of the two above mentioned tax parcels and an amendment to the Town Comprehensive Plan regarding the Subject Property; and

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted action pursuant to Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as "SEQRA"); and

WHEREAS, the Town Board has determined that the proposed Local Law is an action for which there are no other Involved Agencies and that the Town Board is therefore, by default, the Lead Agency for this action; and

WHEREAS, a Determination of Significance has not yet been made with respect to the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The Town Board hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.
2. The Town Board of the Town of Wappinger hereby introduces for consideration of its adoption the proposed amendment to the Town Comprehensive Plan as shown on attached Exhibit A entitled, "Proposed DeGarmo Plaza Amendment of Comprehensive Plan," and dated May 16, 2017.

3. The Town Board hereby schedules a public hearing regarding the adoption of the annexed proposed amendment to the Comprehensive Plan for 7:30 PM on the 12th day of June, 2017 and the Town Clerk is hereby directed to publish notice thereof in the Town's official newspapers not less than ten (10) days prior to said public hearing date.
4. The Town Board hereby directs the Town Clerk to act as follows with respect to the Proposed Amendment to the Town Comprehensive Plan:
  - a. To serve a copy of this resolution, the annexed proposed amendment to the Town Comprehensive Plan, and the public hearing notice to the municipal clerk of each abutting municipality not less than ten (10) days prior to said public hearing;
  - b. To serve a copy of this resolution, the annexed proposed amendment to the Town Comprehensive Plan, and the public hearing notice to the Dutchess County Department of Planning and Development for advisory review in accordance with Section 239 of the General Municipal Law; and
  - c. To distribute a copy of this resolution, the annexed proposed amendment to the Town Comprehensive Plan and the public hearing notice to the Town of Wappinger Planning Board for its review and recommendation prior to said public hearing.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-106     |                    |          |                                     |                          |                          |                          |
|---|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|   |                    |          | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
| <input checked="" type="checkbox"/> Adopted | Lori A. Jiava      | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adopted as Amended | William H. Beale   | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Defeated           | William Ciccarelli | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Tabled             | John J. Fenton     | Seconder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Withdrawn          | Michael Kuzmicz    | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
 May 22, 2017

The Resolution is hereby duly declared Adopted.

**RESOLUTION:** 2017-107

**Resolution Authorizing Engineer To Solicit Bids For Emergency Services Building Renovation Project**

**WHEREAS**, the Town of Wappinger owns the Emergency Services Building which is located at 16 Middlebush Road, Wappingers Falls, New York (adjacent to Town Hall); and

**WHEREAS**, the Emergency Services Building is partly occupied by the New York State Police and will be occupied by Empire State Ambulance Corp. d/b/a EmStar, the ambulance service provider to the Town-wide Wappinger Ambulance District; and

**WHEREAS**, the Emergency Services Building is in disrepair and requires various renovations; and

**WHEREAS**, the Supervisor has negotiated a new lease with the New York State Police and, as a condition of such new lease, certain repairs, as requested by the New York State Police, will have to be made; and

**WHEREAS**, the Town Board has determined that it is in the best interest of the Town to undertake the necessary renovation work required to the Emergency Services Building; and

**WHEREAS**, the estimated cost of the renovations is in excess of \$35,000 and therefore requires competitive bidding pursuant to General Municipal Law § 103; and

**WHEREAS**, the Town Board previously authorized the Engineer to the Town to prepare contract documents and bid specifications for the purpose of soliciting bids pursuant to General Municipal Law § 103.

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.

2. The Town Board has determined that the renovations to the Emergency Services Building is a Type II Action pursuant to 6 NYCRR § 617.5(c)(1) and § 617.5(c)(6) and is exempt from environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA).

3. In accordance with the bid specifications and contract documents that were prepared by the Engineer to the Town, the Town Board hereby authorizes the Engineer to the Town to advertise for bids pursuant to General Municipal Law § 103, the Town’s Procurement Policy and the codes, rules and regulations of the Town of Wappinger, and to report to the Town Board the results of such bidding.

4. In an effort to reach the greatest number of potential bidders, the Town authorizes and directs the engineers to utilize the services of BidNet and to post the Notice to Bidders and bid documents on the Town’s website.

5. All sealed bids shall be submitted to the Town Clerk in accordance with the bidding instructions and shall be publicly opened by the Town Clerk and read aloud at the time set forth in the notice to bidders.

6. After receipt of the bids the Town Board shall award the contract for the project in accordance with General Municipal Law § 103, reserving the right to reject any and all bids in accordance with applicable law.

If all bids are rejected, the Town Board may re-advertise for new bids if, in their sole judgment, it is determined to be in the best interest of the Town.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-107     |                    |          |                                     |                          |                          |                          |
|---|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|   |                    |          | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
| <input checked="" type="checkbox"/> Adopted | Lori A. Jiava      | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adopted as Amended | William H. Beale   | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Defeated           | William Ciccarelli | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Tabled             | John J. Fenton     | Secunder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Withdrawn          | Michael Kuzmicz    | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
May 22, 2017

The Resolution is hereby duly declared Adopted.

**RESOLUTION: 2017-108****Resolution Introducing Local Law No. 5 Of 2017 Which Would Amend Chapter 240, Zoning, Of The Town Code By Modifying The Shopping Center (SC) District And Changing The Zoning Of Two Parcels To SC**

WHEREAS, the Town Board is considering the adoption of Local Law No. 5 of 2017 which would amend Chapter 240, Zoning, of the Town Code by modifying the Shopping Center (SC) District and changing the zoning of two parcels to SC; and

WHEREAS, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Proposed Action is the rezoning of the two above mentioned parcels and an amendment to the Town Comprehensive Plan regarding one of the parcels (as specified in the Local Law); and

WHEREAS, the Town Board has determined that the Proposed Action is an Unlisted action pursuant to Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as "SEQRA"); and

WHEREAS, the Town Board has determined that the proposed Local Law is an action for which there are no other Involved Agencies and that the Town Board is therefore, by default, the Lead Agency for this action; and

WHEREAS, a Determination of Significance has not yet been made with respect to the Proposed Action.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. The Town Board hereby adopts and incorporates the recitations and statements set forth above as if fully set forth and resolved herein.
2. The Town Board hereby introduces for consideration of its adoption proposed Local Law No. 5 of 2017 in the form annexed hereto.
3. The Town Board hereby schedules a Public Hearing regarding the adoption of the annexed proposed Local Law No. 5 of 2017 for 7:30 PM on the 12th day of June, 2017 and the Town Clerk is hereby directed to post the notice of the Public Hearing in the form annexed hereto and to publish same in the Southern Dutchess News and the Poughkeepsie Journal not less than ten (10) days prior to said Public Hearing date.
4. The Town Board hereby directs the Town Clerk to act as follows with respect to the proposed Local Law:
  - a. To serve a copy of this resolution, the annexed proposed Local Law, and the public hearing notice to the municipal clerk of each abutting municipality not less than ten (10) days prior to said public hearing;
  - b. To serve a copy of this resolution, the annexed proposed Local Law, and the public hearing notice to the Dutchess County Department of Planning and Development for advisory review in accordance with Section 239 of the New York State General



Municipal Law; and

- c. To distribute a copy of this resolution, the annexed proposed Local Law, and the public hearing notice to the Town of Wappinger Planning Board for its review and recommendation prior to said public hearing.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-108     |                    |          |                                     |                          |                          |                          |
|---|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|   |                    |          | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
| <input checked="" type="checkbox"/> Adopted | Lori A. Jiava      | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adopted as Amended | William H. Beale   | Seconder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Defeated           | William Ciccarelli | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Tabled             | John J. Fenton     | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Withdrawn          | Michael Kuzmicz    | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
May 22, 2017

The Resolution is hereby duly declared Adopted.

**RESOLUTION: 2017-109**

**Resolution Authorizing Change Order No. 2 For Town Hall Building Windows Replacement Project**

**WHEREAS**, by Resolution No. 2016-313 adopted by the Town Board on December 21, 2016 and amended by Resolution No. 2016-315 adopted by the Town Board on December 31, 2016, the Town Board awarded a bid to Basec Corp. in the amount of \$125,740.00 for the replacement of windows in Town Hall; and

**WHEREAS**, by a motion of the Town Board on March 13, 2017, the Town Board approved a change to the contract amount, increasing the contract amount by \$28,168.00, which resulted in a revised contract sum in the amount of \$153,908.00; and

**WHEREAS**, Robert J. Gray, P.E. of Morris Associates Engineering Consultants, PLLC, Engineer to the Town, has identified necessary changes to the Contract and has recommended that the Town Board approve Change Order No. 2 to the Contract dated January 18, 2017.

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.

The Town Board hereby approves Change Order No. 2 to the above-mentioned Contract in the increased amount of \$8,213.61, which Change Order will bring the revised Contract sum to the amount of \$162,121.61 all as set forth in Change Order No. 2 dated May 18, 2017, a copy of which is affixed hereto.

The foregoing was put to a vote which resulted as follows:

| ✓ Vote Record - Resolution RES-2017-109     |               |       |                                     |                          |                          |                          |
|---|---------------|-------|-------------------------------------|--------------------------|--------------------------|--------------------------|
|   |               |       | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                   |
| <input checked="" type="checkbox"/> Adopted | Lori A. Jiava | Voter | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Adopted as Amended |               |       |                                     |                          |                          |                          |
| <input type="checkbox"/> Defeated           |               |       |                                     |                          |                          |                          |

|                                    |                    |          |                                     |                          |                          |                          |
|------------------------------------|--------------------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> Tabled    | William H. Beale   | Seconder | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Withdrawn | William Ciccarelli | Mover    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                    | John J. Fenton     | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|                                    | Michael Kuzmicz    | Voter    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Dated: Wappingers Falls, New York  
May 22, 2017

The Resolution is hereby duly declared Adopted.

## IX. Items for Special Consideration/New Business

Councilman Ciccarelli addressed cost savings with the lights at the Robinson Lane Ball Fields. He has provided all the data on to the Angelletti Lights Company to save money.

## X. Executive Session

1. **Motion To:** Enter Executive Session

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | William Ciccarelli, Councilman            |
| <b>SECONDER:</b> | William H. Beale, Councilman              |
| <b>AYES:</b>     | Jiava, Beale, Ciccarelli, Fenton, Kuzmicz |

2. **Motion To:** Return From Executive Session

|                  |   |
|------------------|---|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | William H. Beale, Councilman              |
| <b>SECONDER:</b> | Michael Kuzmicz, Councilman               |
| <b>AYES:</b>     | Jiava, Beale, Ciccarelli, Fenton, Kuzmicz |

## XI. Post Executive Session Discussion

1. **Motion To:** Hire 2017 Summer Camp Employees

COMMENTS - Current Meeting:

Donna Lemire

**Recreation Department**

**MEMO TO: LORI JAVA, TOWN SUPERVISOR  
WILLIAM BEALE, COUNCILMAN  
WILLIAM CICCARELLI, COUNCILMAN  
JOHN FENTON, COUNCILMAN  
MICHAEL KUZMICZ, COUNCILMAN  
ALBERT ROBERTS, TOWN ATTORNEY**

**FROM: RALPH HOLT, RECREATION COMMITTEE CHAIR  
JESSICA FULTON, RECREATION DIRECTOR**

**DATE: May 17, 2017**

**SUBJECT: 2017 Summer Camp**

We are in need of a camp director for the 2017 camp season. After interviews were conducted by the recreation director and the recreation committee chair, we recommend that Kerry Gallman be hired as camp director at the rate of \$18.00 per hr. Ms. Gallman has been very active in organizing activities for children of all ages through her involvement with the scouts. Some time ago she also worked at a camp for special needs children. Ms. Gallman has a bachelor's degree in therapeutic recreation. We believe that Ms. Gallman has the personality and energy to get our summer camp staff motivated, ensuring that we have a wonderful program this summer. Ms. Gallman discussed some of her ideas for the summer camp program with us and we were certainly impressed.

Also, for this camp season we recommend rehiring Sarah Piccorelli as returning head counselor at a rate of \$12.50. Ms. Piccorelli has worked for the summer camp as a head counselor for three years and has been instrumental in helping us transition through our new summer camp directors. Ms. Gallman and Ms. Piccorelli are going to be a great team and will work to create a great summer camp experience for the youth of our community.

Jessica Fulton  
Recreation Director

Ralph Holt  
Recreation Committee Chair

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Michael Kuzmicz, Councilman  
**SECONDER:** William Ciccarelli, Councilman  
**AYES:** Jiava, Beale, Ciccarelli, Fenton, Kuzmicz

**XII. Adjournment**

**Motion To:** Wappinger Adjournment & Signature

COMMENTS - Current Meeting:

The meeting adjourned at 9:37 PM.

\_\_\_\_\_  
Joseph P. Paoloni  
Town Clerk

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Michael Kuzmicz, Councilman  
**SECONDER:** Lori A. Jiava, Supervisor  
**AYES:** Jiava, Beale, Ciccarelli, Fenton, Kuzmicz