



Town of Wappinger

Regular Meeting

~ Minutes ~

20 Middlebush Road
Wappingers Falls, NY 12590
townofwappinger.us

Joseph Paoloni
(845)297-5771

Monday, October 23, 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
Albert Roberts	Consultant	Attorney	Present	7:30 PM
Jim Horan	Consultant	Attorney	Present	7:30 PM
Bob Gray	Consultant	Engineer	Present	7:30 PM

II. Salute to the Flag

III. Adoption of Agenda

1. Motion To: Adopt Agenda

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

IV. Correspondence Log

RESOLUTION: 2017-166

Correspondence Log

Resolution Authorizing the Acceptance of the Correspondence Log

Correspondence Log - 2017-10-23

Number	To	From	Date	Date Rec'	Re:	Agenda Date
10-23-001	Town Board	Comptroller	10/4/2017	10/4/2017	Warrants: TT, UU	10/23/2017
10-23-002	Town Board	Barbara Roberti	10/5/2017	10/6/2017	Property Maintenance Report	10/23/2017
10-23-003	Town Board	Mark Libermann	10/11/2017	10/11/2017	Subject: Furina CT. S/D Private Rd.	10/23/2017
10-23-004	Supervisor Jiava	Frederick Awino	10/29/2017	10/16/2017	2018 Budget Wappinger Tax Rates	10/23/2017
10-23-005	Town Board	Joseph Ennesser	10/13/2017	10/17/2017	Wappinger Greenway, Request for fund transfer	10/23/2017
10-23-006	Joseph Paoloni	Lora Madero	10/12/2017	10/17/2017	Dutchess County, RE: Berberich Lane	10/23/2017
10-23-007	Town Board	Vincent Bettina	10/18/2017	10/18/2017	RE: Communications & 2018 Budget	10/23/2017

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-2017-166						
			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	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	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
October 23, 2017

The Resolution is hereby duly declared Adopted.

V. Public Hearings

1. Motion To: Open Public Hearing

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

2. Public Hearing on Proposed Benefit Rolls

3. Motion To: Open Public Hearing

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

4. Resolution Setting Public Hearing On Proposed Budgets, O&M Charges, Water/Sewer Rates And Rents For Special Improvement Districts And Special Improvement Areas For Fiscal Year 2018 And To Hear Any Objections Thereto

COMMENTS - Current Meeting:

11 Drew Court in 1973 had hard water. In the last 7 months he had to put a water filter now and never before. He added that he has grit at the bottom of the tub. Mr. Roberts explained the expansion.

5. Motion To: Open Public Hearing

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

6. Resolution Introducing Local Law No. 6 Of The Year 2017, "Amendment Of Zoning Provisions For Solar Farms"

COMMENTS - Current Meeting:

This law makes it allowable to have solar panels with 20 acres. He claimed that the reason he did this is because it allows parcels that can be included that is near 3 phase power. Large scale commercial Solar Farms not near 3-phase power are limited by the constraints of the power company. Councilman Beale asked if this limits ground mounted for residential/personal use. Attorney Horn said that as long as the farm is no greater than the footprint or square footage of the house.

VI. Public Portion

1. Motion To: Open Public Portion

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

2. Motion To: Close Public Portion

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

VII. Resolutions

RESOLUTION: 2017-167

**Resolution Adopting Final Benefit Assessment Rolls For Special Improvement Districts
 And Special Improvement Areas For Fiscal Year 2018**

WHEREAS, the Town Assessor prepared proposed Benefit Assessment Rolls for all Special Improvement Districts and Special Improvement Areas in the Town of Wappinger, assessed on a benefit basis, for Fiscal Year 2018 and said proposed Benefit Assessment Rolls were filed with the Town Clerk as required by Town Law § 239; and

WHEREAS, in accordance with Town Law § 239, the Town Board duly noticed and held a Public Hearing on October 23, 2017, to hear and consider any objections to said Benefit Assessment Rolls within the Town for use in Fiscal Year 2018; and

WHEREAS, all interested persons were given the opportunity at the Public Hearing to challenge or contest such benefit assessment determinations; and

WHEREAS, the Town Board has reviewed the proposed benefit assessment rolls within the Town for use in Fiscal Year 2018 and has determined that they were prepared in proper order.

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 adopts the Benefit Assessment Rolls as prepared by the Assessor subject to any corrections made by this Board, as the final benefit assessment rolls for the Special Improvement Districts and Special Improvement Areas in the Town of Wappinger for Fiscal Year 2018.

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

✓ Vote Record - Resolution RES-2017-167						
			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	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	Michael Kuzmicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: Wappingers Falls, New York
 October 23, 2017

The Resolution is hereby duly declared Adopted.

RESOLUTION: 2017-168

Resolution Adopting Capital Budgets, O&M Charges And Water/Sewer Rates And Rents For Special Districts And Special Improvement Areas For Fiscal Year 2018

WHEREAS, on September 25, 2017, the Town Board, pursuant to and in accordance with the provisions of Sections 198 and 202-a of the Town Law and other applicable provisions of law, scheduled a Public Hearing on the Proposed Capital Budgets and Proposed O&M Charges Water/Sewer Rates and Rents for Special Districts and Special Improvement Areas for Fiscal Year 2018; and

WHEREAS, the Town Board conducted a Public Hearing on October 23, 2017 at 7:30 p.m. and all parties in attendance were permitted an opportunity to speak on behalf or in opposition to the proposed Capital Budgets and proposed O&M Charges Water/Sewer Rates and Rents for Special Districts and Special Improvement Areas for the fiscal year 2018; and

WHEREAS, the Town Board has taken into consideration the comments made by the public at the Public Hearing.

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. Pursuant to and in accordance with the provisions of Sections 198 and 202-a of the Town Law and other applicable provisions of law, the annexed detailed statement of the Capital Budgets and O&M Charges Water/Sewer Rates and Rents for Special Improvement Districts and Special Improvement Areas of the Town of Wappinger is hereby approved and adopted as the Capital Budgets and O&M Charges Water/Sewer Rates and Rents of the Town of Wappinger for the fiscal year beginning January 1, 2018.

The Town Clerk is hereby directed to enter the aforementioned budgets adopted herein in the minutes of the Town Board.

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

✓ Vote Record - Resolution RES-2017-168						
			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	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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: Wappingers Falls, New York
October 23, 2017

The Resolution is hereby duly declared Adopted.

RESOLUTION: 2017-169

Resolution Approving Preliminary Budget For Fiscal Year 2018 And Directing A Public Hearing Thereon

WHEREAS, the Town Supervisor, as Budget Officer, pursuant to Section 106 of the Town Law has presented the Tentative Budget to the Town Board for review, examination and possible revision; and

WHEREAS, the Tentative Budget for calendar year 2018 has been submitted to the Town Board in accordance with Town Law § 106; and

WHEREAS, New York State Town Law § 108 requires that the Town Board must hold a public hearing on the Preliminary Budget on or before the Thursday immediately following the general election in November; and

WHEREAS, Town Law § 109 requires the adoption of a Final Budget on or before November 20, 2017; and

WHEREAS, the Town Board has reviewed the Tentative Budget and has made changes thereto deemed reasonable and appropriate and intends to adopt the Preliminary Budget herewith.

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. Pursuant to and in accordance with the provisions of Section 106 of the Town Law, and other applicable provisions of law, the annexed detailed statement of estimated expenditures and revenues is hereby approved and adopted as the Preliminary Budget of the Town of Wappinger for the fiscal year beginning January 1, 2018.

3. The Preliminary Budget adopted herein shall forthwith be filed in the Office of the Town Clerk in the Town of Wappinger where it shall be available for public inspection on weekdays between 8:30 a.m. and 4:00 p.m.

4. The Town Board of the Town of Wappinger shall meet at Town Hall, 20 Middlebush Road, Wappingers Falls, New York on the 8th day of November, 2017 at 7:30 p.m. and then and there shall hold a Public Hearing upon such Preliminary Budget.

The Town Clerk of the Town of Wappinger shall give Notice of such Public Hearing in the format attached hereto by publishing Notice thereof in the Southern Dutchess News, the official newspaper of the Town of Wappinger, and also in the Poughkeepsie Journal, at least five (5) days prior to the scheduled Public Hearing and the Town Clerk shall cause a copy of said Notice to be posted on the sign board of the Town no later than five (5) days before the scheduled Public Hearing.

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

✓ Vote Record - Resolution RES-2017-169						
			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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	William Ciccarelli	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	John J. Fenton	Seconder	<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
October 23, 2017

The Resolution is hereby duly declared Adopted.

RESOLUTION: 2017-170

Resolution Authorizing The Use Of Unassigned Fund Balance To Pay The Initial Construction Costs, Pending The Issuance Of Serial Bonds, In Connection With The Emergency Services Building Renovation Project

WHEREAS, the Town Wappinger obtained a grant of \$145,000 from the 2016 Dutchess County Municipal Consolidation & Shared Services Grant Program toward the costs of making repairs and renovations to the Town’s Emergency Services Building; and

WHEREAS, by Resolution No. 2017-165, adopted on October 10, 2017, the Town Board awarded four contracts (General Construction, HVAC Construction, Electrical Construction and Plumbing Construction) for the construction work to complete the repairs and renovations to the Emergency Services Building (the “Project”); and

WHEREAS, the total amount of the construction contracts for the Project are \$1,655,387.00; and

WHEREAS, the Town Board will provide funds for the Project from the grant, the issuance of serial bonds and a portion of the unassigned fund balance in the Townwide General Fund (A); and

WHEREAS, the Town Board has yet to determine the amount of serial bonds that will be issued for the project; and

WHEREAS, to expedite the construction, the Town Board will advance the funds necessary for construction from the Unassigned Fund Balance of the Town’s General Fund to the Capital Project Fund for this Project and at such time that serial bonds are issued for the project, an amount equal to the value of the serial bonds will be refunded from the Capital Project Account to the Unassigned Fund Balance; and

WHEREAS, it is anticipated that the project will take approximately 10 months to complete.

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 Comptroller is authorized and directed to establish a capital project fund to account for the cost of construction of the Project.
- 3) The Town Board hereby authorizes the transfer of \$1,655,387.00 from the Unassigned Fund Balance of the General Fund (A) to the Capital Project Fund for the Project to pay for the costs of the Project.

The Town Board intends to refund to the Unassigned Fund Balance of the General Fund (A), an amount equal to the value of serial bonds issued for the project by a future resolution of the Town Board.

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

✓ Vote Record - Resolution RES-2017-170						
			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	Second	<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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: Wappingers Falls, New York
October 23, 2017

The Resolution is hereby duly declared Adopted.

VIII. Items for Special Consideration/New Business

Councilman Beale pointed out that there were no provision for stipends for recreation, per research.

IX. Adjournment

Motion To: Wappinger Adjournment & Signature

COMMENTS - Current Meeting:

The meeting adjourned at 8:05 PM.

Joseph P. Paoloni
Town Clerk

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