



Town of Wappinger

Regular Meeting

~ Minutes ~

20 Middlebush Road
Wappingers Falls, NY 12590
townofwappinger.us

Joseph Paoloni
(845)297-5771

Monday, December 9, 2019

7:30 PM

Town Hall

I. Call to Order

Attendee Name	Organization	Title	Status	Arrived
Richard Thurston	Town of Wappinger	Supervisor	Present	7:30 PM
William H. Beale	Town of Wappinger	Councilman	Present	7:30 PM
Angela Bettina	Town of Wappinger	Councilwoman	Absent	
Christopher Phillips	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
Tim Moot	Consultant	Engineer	Present	7:30 PM
David Stolman	Consultant	Planner	Present	7:30 PM
James Horan	Consultant	Attorney	Present	7:33 PM

II. Salute to the Flag

III. Agenda and Minutes

1. Motion To: Adopt Agenda

RESULT: ADOPTED [UNANIMOUS]
MOVER: Michael Kuzmicz, Councilman
SECONDER: William H. Beale, Councilman
AYES: Richard Thurston, William H. Beale, Christopher Phillips, Michael Kuzmicz
ABSENT: Angela Bettina

2. Motion To: Acknowledge Minutes November 6 and November 13, 2019

RESULT: ADOPTED [UNANIMOUS]
MOVER: Michael Kuzmicz, Councilman
SECONDER: Christopher Phillips, Councilman
AYES: Richard Thurston, William H. Beale, Christopher Phillips, Michael Kuzmicz
ABSENT: Angela Bettina

IV. Public Portion

1. Motion To: Open Public Portion

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kuzmicz, Councilman
SECONDER:	Christopher Phillips, Councilman
AYES:	Richard Thurston, William H. Beale, Christopher Phillips, Michael Kuzmicz
ABSENT:	Angela Bettina

2. Motion To: Close Public Portion

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kuzmicz, Councilman
SECONDER:	Christopher Phillips, Councilman
AYES:	Richard Thurston, William H. Beale, Christopher Phillips, Michael Kuzmicz
ABSENT:	Angela Bettina

V. Discussions

1. Cornell - Climate Smart Planning Tool

Danielle Salisbury addressed the board with regard to environmental protection fund via the Cornell Cooperative Extension of Dutchess County. She explained the levels of climate participation. She explained the planning tool which helps to find gaps. It provides a list of recommendations on many different areas. The tool helps you become climate smart community to rank higher in potential grant opportunities which rank you higher in the reception of grants.

2. Review EMS Ambulance Services and Contract - Rob Stuck

COMMENTS - Current Meeting:

Rob Stuck reviewed the ambulance data as far back as 2017. See the report attached below:

Town of Wappinger Call Data 2017 through 2019 YTD

Call Volume Data:

2017	Wappinger Unit: 1,848	EMStar Units: 102	Total Responses: 1,950
2018	Wappinger Unit: 1,866	EMStar Units: 153	Total Responses: 2,019
2019	Wappinger Unit: 1,769	EMStar Units: 147	Total Responses: 1,916

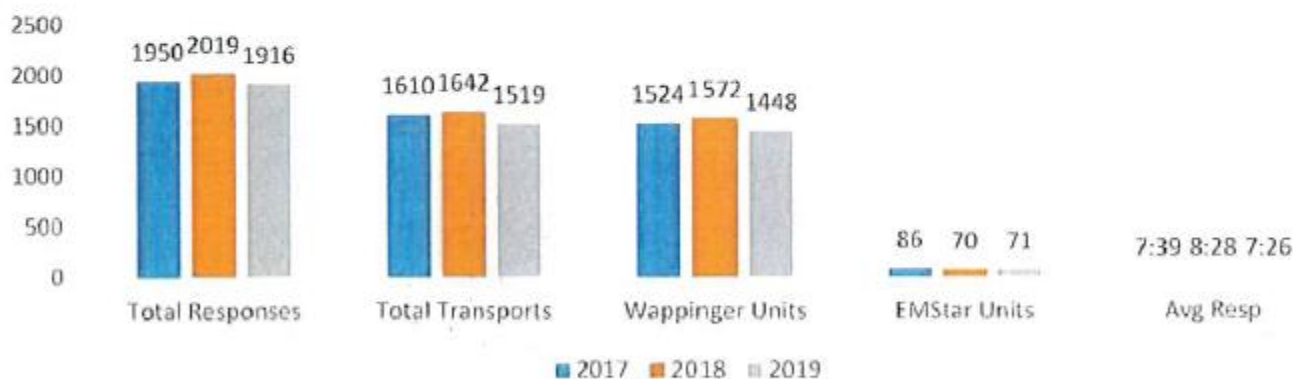
Transport Data:

2017	Wappinger Unit: 1,524	EMStar Units: 86	Total Transports: 1,610
2018	Wappinger Unit: 1,572	EMStar Units: 70	Total Transports: 1,642
2019	Wappinger Unit: 1,448	EMStar Units: 71	Total Transports: 1,519

Average Response Time:

2017	7:39
2018	8:28
2019	7:26

Town of Wappinger Response Data



Mutual Aid to East Fishkill and Beacon were areas of concern. East Fishkill has been addressed but Beacon remains a concern that we are trying to assist in.

East Fishkill Mutual Aid:

2018	22
2019	8

Beacon Mutual Aid:

2018	52
2019	73

Mutual Aid into the Town of Wappinger:

2018	28
2019	36

Rob pointed out that the Town of Wappinger is subsidizing the city of Beacon in the increasing coverage to the city which showed 52 call in 2018 increasing to 73 in 2019. The Supervisor and Councilman Beale plan to meet with Beacon officials to attempt to remedy the situation by suggesting that the up and coming City of Beacon needs to raise enough tax revenue to cover their own ambulance service. What also needs to be clear is the billing of mutual aid. A mutual aid call to the town of Wappinger resulting from an ambulance providing aid to the City of Beacon would result in a bill to the resident. The board wants to address this with the ambulance providers.

Ended at 8:28

3. Park Use Forms

Director Fulton addressed the board on forms that will be used for Event Permits of town properties. Included is a form for an alcohol permit. 'Bouncy House' uses require the necessary insurance coverage. The board asked for an additional form for road usage requiring road closure.

Ended at 8:51

4. Park Signs

Steve Frazier explained that he met with the attorney and will submit a proposal at the beginning of next year. The issue of Hunting came up in smaller parks. Before the signs can be updated regarding hunting, the code should be solidified on whether to allow it or not. Greenway trail rules need to be incorporated.

Ended at 9:00 PM

5. Nine Element Plan - Thurston

Supervisor Thurston spoke on the 9 element plan which addressed the Wappinger Creek and all the discharges into the creek throughout the county. The town of Wappinger alone has 5 sewerage treatment plants that empty into the creek. He stated that there are 25 sewerage plants up and down the creek throughout the county.

Ended 9:15

6. Wildwood/Woodhill Green Sewer Connection/DEC Wastewater Plant - Tim Moot

Engineer Moot updated the board on the Wildwood/Woodhill Green sewer connection. He explained the grants that are outstanding. Best case would be \$20.90 increase per user per year in Wildwood for receiving the \$2.48 million grant. On the other hand, should the grant not come through then the increase would be \$349.04 per year on top of the \$547.88 per year that they are currently paying.

There were 2 notices of violation on mid-point park sewer district that are tipping the scales on the SPEDIES permit. The details of this informative discussion are best viewed on the town website under board minutes and videos. Tri-Municipal capacity is at 2.6MM gallons flow rate. He suggested an upgrade to 3.2MM and possibly to 7MM gallons flow rate.

Ended at 9:35 PM

7. Recycle Center Fees and Policies

The board agreed to review the potential increases in 2020.

8. Motion To: Acknowledge January 8th as the Re-Organization Meeting

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Christopher Phillips, Councilman
SECONDER:	Michael Kuzmicz, Councilman
AYES:	Richard Thurston, William H. Beale, Christopher Phillips, Michael Kuzmicz
ABSENT:	Angela Bettina

9. Motion To: Change Time of Future Meetings To 7 P.M.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William H. Beale, Councilman
SECONDER:	Michael Kuzmicz, Councilman
AYES:	Richard Thurston, William H. Beale, Christopher Phillips, Michael Kuzmicz
ABSENT:	Angela Bettina

VI. Resolutions

RESOLUTION: 2019-213

Resolution Introducing Local Law No. 1 Of 2020 Which Would Amend Chapter 240, Zoning, Of The Town Code With Respect To The Addition Of ‘Liquid Propane Storage Facilities’ As A New Special Permit Use In The Highway Business And Airport Industry Zoning Districts

WHEREAS, the Town Board is considering the adoption of Local Law No. 1 of 2020 which would amend Chapter 240, Zoning, of the Town Code with respect to the addition of ‘Liquid Propane Storage Facilities’ as a new Special Permit Use in the Highway Business and Airport Industry zoning districts in connection with the Downey Energy Liquid Propane Facility project (the “Proposed Local Law” or “Proposed Action”); and

WHEREAS, for the purposes of the New York State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law, Part 617 NYCRR, commonly known as “SEQRA”) the Proposed Action also includes Special Permit and Site Development Plan Approvals from the Town Planning Board for the Downey Energy Liquid Propane Facility project; and

WHEREAS, in accordance with SEQRA the Town Board has determined that the Proposed Action is a Type I action; and

WHEREAS, for the purposes of SEQRA, the Town Board has recommended that the Town Planning Board declare its intent to serve as the Lead Agency for the Proposed Action; and

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. 1 of 2020 in the form annexed hereto.
3. The Town Board hereby schedules a Public Hearing regarding the adoption of the annexed proposed Local Law No. 1 of 2020 for 7:00 PM on the 13th day of January, 2020 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-2019-213						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted	Richard Thurston	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	Angela Bettina	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Tabled	Christopher Phillips	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
December 09, 2019

The Resolution is hereby duly declared Adopted.

RESOLUTION: 2019-214

**Resolution Authorizing Refund Of Unused Escrow For Bj's Propane Tank Refill Station
(Account 14-6040)**

WHEREAS, on or about May 19, 2014, BJ's Wholesale Club, Inc. (hereinafter the "Applicant") filed an application for the installation of a Propane Tank Refill Station under Application Number 14-6040; and

WHEREAS, the Applicant deposited \$1,500 in escrow for payment of the fees of the Town's professionals to review the application; and

WHEREAS, the Applicant withdrew its application and the unused escrow balance may be refunded; and

WHEREAS, the applicant incurred no review fees and there remains a balance of One Thousand Five Hundred Dollars (\$1,500.00) in escrow account number 14-6040 and the Applicant has requested a refund; and

WHEREAS, the Planning Department and the Town Accountant has audited the escrow account and reviewed the amount due to be refunded;

NOW THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes a refund to BJ's Wholesale Club, Inc. in the amount of One Thousand Five Hundred Dollars (\$1,500.00) from escrow account number 14-6040, representing the unused escrow balance for the above project.

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

✓ Vote Record - Resolution RES-2019-214						
<input checked="" type="checkbox"/> Adopted			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adopted as Amended	Richard Thurston	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	William H. Beale	Mover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Angela Bettina	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Withdrawn	Christopher Phillips	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
December 09, 2019

The Resolution is hereby duly declared Adopted.

RESOLUTION: 2019-215

Correspondence Log

Resolution Authorizing the Acceptance of the Correspondence Log

Correspondence Log - 2019-12-09						
Number	To	From	Date	Date Rec'	Re:	Agenda Date
12-9-001	Town Board	Heather L. Kitchen	11/3/2019	11/15/2019	Disposed Cases For October 2019	12/9/2019
12-9-002	Town Board	Carl S. Wolfson	11/19/2019	11/19/2019	Disposed Cases For October 2020	12/9/2019
12-9-003	Town Board	Kim Flower	11/21/2019	11/21/2019	RE: Annual Election Of Hughsonville Fire	12/9/2019
12-9-004	Town Board	Yvonne M. Thompkins	11/6/2019	11/22/2019	Legal Notice Election Of Chelsea Fire District	12/9/2019
12-9-005	Town Board	Yvonne M. Thompkins	11/11/2019	11/22/2019	Chelsea Fire Res. To Amend Award Program	12/9/2019
12-9-006	Town Supervisor	Vincent Bettina	11/25/2019	11/25/2019	Accept Relocated Sergeant Palmateer Way Rd.	12/9/2019
12-9-007	Town Clerk	Judith A. Boivin	11/25/2019	11/27/2019	30 Day Standardized Notice Form	12/9/2019
12-9-008	Town Board	Cuddy & Feder, LLP	12/4/2019	12/4/2019	Balloon Test Public Notice	12/9/2019
12-9-009	Town Board	Vincent Bettina	12/5/2019	12/5/2019	Posting- Motor Equipment Operator Vacancy	12/9/2019
12-9-010	Town Board	Jessica Fulton	11/18/2019	12/5/2019	Recreation & Senior Center Sep. Revenue Report	12/9/2019
12-9-011	Town Board	Lee Ann Freno	12/5/2019	12/5/2019	September 2019 Realty Tax Report	12/9/2019
12-9-012	Town Board	Lee Ann Freno	12/5/2019	12/5/2019	Oct. & Nov. 2019 Realty Tax Report	12/9/2019
12-9-013	Town Board	Lee Ann Freno	12/5/2019	12/5/2019	September 2019 WCSD School Tax Report	12/9/2019
12-9-014	Town Board	Lee Ann Freno	12/5/2019	12/5/2019	October 2019 WCSD School Tax Report	12/9/2019
12-9-015	Town Board	Lee Ann Freno	12/5/2019	12/5/2019	November 2019 WCSD School Tax Report	12/9/2019
12-9-016	Town Board	Lee Ann Freno	12/5/2019	12/5/2019	Reciever Of Taxes Letter of Intent	12/9/2019

The attached Old Hopewell Commons maintenance bond and letter were added to the Correspondence log at the meeting.

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-2019-215						
<input type="checkbox"/> Adopted <input checked="" type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn			Yes/Aye	No/Nay	Abstain	Absent
	Richard Thurston	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"/>
	Angela Bettina	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Christopher Phillips	Seconder	<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
December 09, 2019

The Resolution is hereby duly declared Adopted as

Amended.

VII. Executive Session

1. Motion To: Enter Executive Session

RESULT: ADOPTED [UNANIMOUS]
MOVER: Michael Kuzmicz, Councilman
SECONDER: William H. Beale, Councilman
AYES: Richard Thurston, William H. Beale, Christopher Phillips, Michael Kuzmicz
ABSENT: Angela Bettina

2. Motion To: Return From Executive Session

RESULT: ADOPTED [UNANIMOUS]
MOVER: Michael Kuzmicz, Councilman
SECONDER: Christopher Phillips, Councilman
AYES: Richard Thurston, William H. Beale, Christopher Phillips, Michael Kuzmicz
ABSENT: Angela Bettina

VIII. Floor Actions After Executive Session

1. Motion To: Reduce the Adopted 2019 line item DB 5110.0100 by \$114,354 from \$1,014,354 to \$900,000

COMMENTS - Current Meeting:

Councilman Beale moved to reduce the 2019 budget line item DB 5110.0100 by \$114,354 from \$1,014,354 to \$900,000.

Ended at 11:07AM

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	William H. Beale, Councilman
SECONDER:	Michael Kuzmicz, Councilman
AYES:	Richard Thurston, William H. Beale, Christopher Phillips, Michael Kuzmicz
ABSENT:	Angela Bettina

IX. Adjournment

Motion To: Wappinger Adjournment & Signature

COMMENTS - Current Meeting:

The meeting adjourned at 11:27 PM.

Joseph P. Paoloni
Town Clerk

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Kuzmicz, Councilman
SECONDER:	William H. Beale, Councilman
AYES:	Richard Thurston, William H. Beale, Christopher Phillips, Michael Kuzmicz
ABSENT:	Angela Bettina