



Town of Wappinger

Regular Meeting

~ Minutes ~

20 Middlebush Road
Wappingers Falls, NY 12590
townofwappinger.us

Joseph Paoloni
(845)297-5771

Monday, January 13, 2020

7:00 PM

Town Hall

I. Call to Order

Supervisor Richard Thurston called the meeting to order at 7:00 PM.

Attendee Name	Organization	Title	Status	Arrived
Richard Thurston	Town of Wappinger	Supervisor	Present	7:00 PM
William H. Beale	Town of Wappinger	Councilman	Present	7:00 PM
Angela Bettina	Town of Wappinger	Councilwoman	Absent	7:00 PM
Christopher Phillips	Town of Wappinger	Councilman	Present	7:00 PM
Al Casella	Town of Wappinger	Councilman	Present	7:00 PM
Joseph P. Paoloni	Town of Wappinger	Town Clerk	Present	7:00 PM
Jim Horan	Consultant	Attorney	Present	7:00 PM
Tim Moot	Consultant	Engineer	Present	7:00 PM
David Stolman	Consultant	Planner	Present	7:00 PM

2. Salute To the Flag

II. Agenda and Minutes

1. Motion To: Adopt Agenda

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

2. Motion To: Acknowledge Minutes of January 8, 2020

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

III. Public Hearing

1. **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**

RESOLUTION: 2020-37

Resolution Adopting 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, a Public Hearing on the Proposed Local Law was duly advertised in the Southern Dutchess News and the Poughkeepsie Journal as required by law; and

WHEREAS, a Public Hearing was held on January 13, 2020 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law or any part thereof; and

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

WHEREAS, after declaring its intent to be the Lead Agency for the purposes of SEQRA and receiving no objections thereto, the Town Planning Board became the Lead Agency for the Proposed Action; and

WHEREAS, the Town Board referred the Proposed Local Law to the Town Planning Board for its advisory opinion; and

WHEREAS, as in accordance with Section 239 of the New York State General Municipal Law, the Town Board referred the Proposed Local Law to the Dutchess County Department of Planning and Development (DCDPD) for its advisory opinion; and

WHEREAS, in response to said referral the DCDPD responded and stated it is a matter of Local Concern; and

WHEREAS, the Town Board has given due consideration to the comments of the Town Planning Board and the DCDPD; and

WHEREAS, said Local Law has been on the desks of the members of the Town Board of the Town of Wappinger for at least seven (7) days, exclusive of Sunday, prior to the adoption of this resolution.

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, after due deliberation, finds that it is in the best interest of the Town to adopt said Local Law, and the Town Board hereby adopts Local Law No. 1 of 2020, a copy of which is attached hereto and made a part of this Resolution; except as specifically modified by the amendments contained therein, the Town Code, as originally adopted and amended from time to time thereafter, is to remain in full force and effect.
3. The Town Clerk is directed to enter said Local Law in the minutes of this meeting into the Local Law book for the Town of Wappinger and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

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

✓ Vote Record - Resolution RES-2020-37						
<input 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 checked="" 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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Next: 3/23/20 7:00 PM	Al Casella	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: Wappingers Falls, New York
January 13, 2020

The Resolution is hereby duly declared Tabled.

IV. Resolutions

RESOLUTION: 2020-39

Resolution Accepting Maintenance Bond For Sergeant Palmateer Way And Releasing Cash Deposit Held As Surety

WHEREAS, on November 13, 2019, the Town Board adopted Resolution 2019-208 which accepted a relocated section of Sergeant Palmateer Way together with a highway construction guaranty in the form of a bank check in the amount of \$32,352.00 payable to the Town of Wappinger; and WHEREAS, construction of the relocated section of Sergeant Palmateer Way has been satisfactorily completed, deeds have been delivered to the Town and the highway has been opened for public use; and

WHEREAS, pursuant to §214-43 of the Town of Wappinger Code, the Developer is required to guarantee that the highway is free from defects for a period of two years from the date of its acceptance so as to insure that any defects in the highway of the type described in §214-76(B) shall

be cured; and

WHEREAS, T.L.A. Realty, Inc. has tendered to the Town of Wappinger a Maintenance Bond issued by Travelers Casualty and Surety Company of America to the Town of Wappinger in the amount of \$32,352 and has requested that this bond be held to replace the cash deposit previously given to the Town to secure its maintenance obligations; and

WHEREAS, T.L.A. Realty, Inc. has requested that the cash deposit of \$32,352 be released from surety for the road maintenance and credited toward the recreation fees due for the Old Hopewell Commons Site Plan;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Town Board hereby accepts Maintenance Bond bearing Bond No. 107146312 issued by Travelers Casualty and Surety Company of America to the Town of Wappinger in the amount of Thirty-two Thousand Three Hundred Fifty-two & 00/100 (\$32,352.00) as a highway construction guaranty in accordance with §214-43 of the Town of Wappinger Code which shall be held for a period of two years to guarantee that any defects of the type described in §214-76(B) shall be cured.
2. The bank check in the amount of Thirty-two Thousand Three Hundred Fifty-two & 00/100 (\$32,352.00) shall be given to the Town Comptroller for deposit in the Recreation Trust Account and credited against the recreation fees due for the Old Hopewell Commons project.
3. The Town Clerk is directed to file the bond for relocated Sergeant Palmateer Way in his records until such time as it is released.

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

✓ Vote Record - Resolution RES-2020-39						
<input checked="" type="checkbox"/> Adopted <input 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	Mover	<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"/>
	Al Casella	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: Wappingers Falls, New York
January 13, 2020

The Resolution is hereby duly declared Adopted.

RESOLUTION: 2020-38

Correspondence Log

Resolution Authorizing the Acceptance of the Correspondence Log

Correspondence Log - 2020-01-13

Number	To	From	Date	Date Rec'	Re:	Agenda Date
01-13-001	Town Board	Danskammer Energy	12/6/2019	12/6/2019	Notice Of Application Filing	1/13/2020
01-13-002	Town Board	Hughsonville Fire District	12/10/2019	12/11/2019	Certification Of Results	1/13/2020
01-13-003	Town Board	New Hackensack Fire	12/10/2019	12/11/2019	Certification Of Results	1/13/2020
01-13-004	Town Clerk	Elizabeth O'Hare	12/12/2019	12/16/2019	Notification-Proposed Local Law-Town Lagrange	1/13/2020
01-13-005	Town Clerk	Amanda Caputo	12/17/2019	12/17/2019	Copy Resolution MTA Parking Fare	1/13/2020
01-13-006	Town Board	Kim Flower	12/19/2019	12/19/2019	Notice of Hughsonville Organization Meeting	1/13/2020
01-13-007	Town Clerk	Nancy Sunukjian	12/16/2019	12/16/2019	Copy Of Heather Kitchen- Certificate of Complete	1/13/2020
01-13-008	Town Board	Heather L. Kitchen	12/23/2019	12/23/2019	Disposed Cases For November 2019	1/13/2020
01-13-009	Town Board	Eva Foca	12/23/2019	12/23/2019	Re: Ext. Of Water& Sewer Facility Old Hopewell	1/13/2020
01-13-010	Town Board	John V. Andrews	12/30/2019	12/30/2019	Re: Mid-Hudson Islamic Association	1/13/2020
01-13-011	Town Board	John Dullaghan	12/20/2019	12/30/2019	Atlice- TOW Franchise Renewal	1/13/2020
01-13-012	Town Board	Carl S. Wolfson	12/31/2019	1/2/2020	Disposed Cases For November 2019	1/13/2020
01-13-013	Town Board	Carl S. Wolfson	1/2/2020	1/2/2020	Disposed Cases For December 2019	1/13/2020
01-13-014	Town Board	Michael Sheehan	1/6/2020	1/6/2020	Resignation For HMEO From Highway Dep.	1/13/2020
01-13-015	Highway Superintendent	John George	1/5/2020	1/6/2020	Re: Resignation Request	1/13/2020
01-13-016	Town Board	Michael Sheehan	1/7/2020	1/7/2020	Resignation Letter, Addition	1/13/2020
01-13-017	Town Board	Christina Pacella	1/8/2020	1/9/2020	Permit Jurisdiction Screening-Rte. 376 AllAngels	1/9/2020

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-2020-38						
<input checked="" type="checkbox"/> Adopted <input 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	Mover	<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"/>
	Al Casella	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: Wappingers Falls, New York
January 13, 2020

The Resolution is hereby duly declared Adopted.

V. Workshop

1. Comptroller - Fredrick Awino

Frederick Awino presented on the Financial aspect of the Comptroller's Office. There was new purchase of Finance Software back in 2019. Frederick also spoke about improvements such as the escrow accounts. For more information, the video of the presentation is available on the Town's website. Documents are attached at the end of the Minutes Package.

2. Highway - Michael Sheehan

Michael Sheehan Presented to the Town Board Regarding the Highway Department duties. Mr. Sheehan Also goes into detail about goals For Current year, which includes scanning at the

Recycle Center for abuse. The Power Point slides are available at the end of the minute package. For more details about the presentation, the video is available on the Town's website.

3. CPL Engineering - Tim Moot

Engineer Moot discussed the open projects. His presentation included the Town Hall HVAC Upgrades, Shlaught house, and Chelsea Hookups. He also addressed the Wildwood sewer issue and suggested more discussion to happen on the January 27, 2020 meeting. For more information, the video of the presentation is available on the Town's website. No documents were provided to the Town Clerk for filing in these minutes.

Ended 8:50

4. Code Enforcement - Barbara Roberti

Barbara Roberti presented about Code Enforcement department. In it, she discussed issues and complaints that they have received from 2019, and possible solutions to resolve them. One of their goals is to get there files under control. For more information and details, The video of the presentation is available on the Town's website. Documents are attached.

Ended 9:00

5. Reciever of Taxes - Lee Ann Freno

Lee Ann Freno mentioned the Tax bills are now Online. The Biggest challenge is the lack of Help with the Tax Office. They also Introduced a new Water and Sewer software program. One of the issues the water and sewer department faced was that the Water meter replacement was never finished. Councilman Beale mentioned on a later date if the Town Board could get a briefing on the original contracts regarding the water meters. For more details the video of the presentation is available on the Town's website. No documents were provided to the Town Clerk for filing in these minutes.

Ended 9:21

6. Buildings and Grounds - Steve Frazier

Steve Frazier Discussed projects needs and what can be done by there department and ones that could be out contracted. In it He discusses on each project and what needs to be worked on. The video of the presentation is available on the Town's website. Documents are attached at the end of the Minutes Package.

7. Recreation - Jessica Fulton

Jessica Fulton provides a quick review of 2019 programs. Majority Of Changes this year will be seen from the Senior Center. Some Changes will be new and more modern senior fitness programs, the senior photography, and more usage to outdoor facilities since last years upgrades. Jessica also talked about a current list of Senior members and reaching more capacity on there less busy days. The biggest issue for having new programs is lack of space to hold them in. For more information the video of the presentation is available on the Town's website. Documents are attached at the end of the Minutes Package.

11:06 PM

8. **Motion To:** Authorize Deputy Supervisor to move Forward on 5K Walk Run and Prepare Resolution at Next Meeting

COMMENTS - Current Meeting:

Document attached at the end of the minutes package. The video of the presentation is available on the Town's website. Kevin Hawthorn discusses veteran affairs. He is Planning to move forward on the 5K run/walk to be at the Dutchess Rail trail planning to group up at lake Walton Rd and go up towards Didell. He also does an overview of what still needs to be done for this event. Kevin Will have a resolution to the next town board meeting

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

VI. Executive Session

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

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

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

COMMENTS - Current Meeting:

11:52

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

VII. Floor Resolution

1. **Motion To:** Hire Deputy Building Inspector

COMMENTS - Current Meeting:

Floor Motion to hire Deputy Building Gabe Morando at an annual salary of \$40,000 residing at 16 Davis Road, Poughkeepsie.

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

RESOLUTION: 2020-83

Resolution Confirming Hiring Of Deputy Building Inspector

WHEREAS, by motion made by the Town Board on January 13, 2020, the Town Board authorized the hiring of a Deputy Building Inspector and the appropriation of funds to cover the salary for said position.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby confirms the hiring of Gabe Merando to the position of Deputy Building Inspector; and be it further

RESOLVED, that Gabe Merando shall be paid an hourly rate of \$21.98, which shall be paid out of budget line B.3620.0101; and be it further

RESOLVED, that the Town Clerk is hereby directed to add this Resolution to the minutes of the January 13, 2020 Town Board meeting.

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

✓ Vote Record - Resolution RES-2020-83						
<input checked="" type="checkbox"/> Adopted <input 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	Mover	<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	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Al Casella	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated: Wappingers Falls, New York
 January 13, 2020

The Resolution is hereby duly declared Adopted.

VIII. Adjournment

1. Motion To: Wappinger Adjournment & Signature

COMMENTS - Current Meeting:

The meeting adjourned at 12:04 AM.

 Joseph P. Paoloni
 Town Clerk

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