

MINUTES OF THE REGULAR MEETING, PUBLIC HEARING AND WORKSHOP OF THE HYDE PARK TOWN BOARD, HELD AT TOWN HALL, 4383 ALBANY POST ROAD, HYDE PARK, NEW YORK, 12538, ON MONDAY, MAY 15, 2017 AT 7:00 PM

PRESENT:

SUPERVISOR AILEEN ROHR
COUNCILWOMAN EMILY SVENSON
COUNCILMAN DAVID RAY
COUNCILMAN JOSEPH MARRINE
COUNCILMAN KENNETH SCHNEIDER
ATTORNEY TO THE TOWN WARREN S. REPLANSKY
TOWN CLERK DONNA MCGROGAN

Supervisor Rohr called the meeting to order with the Pledge of Allegiance to the flag.

MOTION: Councilman Schneider
SECOND: Councilman Ray

That the minutes of the May 1st, 2017 Town Board meeting, as submitted by the Town Clerk, be approved.

VOICE VOTE: 5 – 0 CARRIED

Town Clerk Donna McGrogan read the public hearing notice on the 2016 – 2017 MS4 Permit Annual Report, as it appeared in the newspaper.

PUBLIC COMMENT: none

MOTION: Councilman Schneider
SECOND: Councilman Ray

To close the public hearing

VOICE VOTE: 5 – 0 CARRIED

The Town Board entered workshop and discussed the following:

- 1) Bellefield Sewer Mitigation Update

MOTION: Councilman Schneider
SECOND: Councilman Ray

To add Resolution 5:15-13 of 2017, A Resolution Scheduling a Public Hearing on Consideration of Potential Alternate Sewer Mitigation for the St. Andrews/Bellefield Project.

VOICE VOTE: 5 – 0 CARRIED

MOTION: Councilman Schneider
SECOND: Councilwoman Svenson

To add Resolution 5:15-14 of 2017, A Resolution Authorizing the Town Supervisor to Submit Applications for the 2017 Dutchess County Municipal Innovation Grant (MIG) Program.

VOICE VOTE: 5 – 0 CARRIED

PUBLIC COMMENT:

Herb Sweet, 6 Covey Rd., feels that the Media Committee should not be abolished until the new system has proven to be successful. He would also like to see the word abolish removed from the resolution and replaced with the word dissolve.

MOTION: Councilwoman Svenson
SECOND: Councilman Schneider

To remove Resolution 5:15-12 of 2017, A Resolution to Abolish the Town of Hyde Park Media Committee from the agenda.

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 5:15 – 1 OF 2017

RESOLUTION TO AMEND THE 2016 TRANSACTIONS TO THE TOWN'S RESERVE FUNDS

WHEREAS, The Town Comptroller requests and recommends amended approval of increases and decreases to the Town's Reserve Funds for 2016.

NOW BE IT RESOLVED, that the following maximum transactions to the Town's Reserve Funds be approved and made for the fiscal year 2016.

FUND	RESERVE DESCRIPTION	MAXIMUM ADDITION	MAXIMUM DEDUCTION
General	Compensated Absences Reserve	\$ 140,000	
General	Certiorari Reserve – 2016 Use		\$ 15,953
General	Assigned For Future Use / Capital	\$ 100,000	
General	General Debt Reserve		\$ 5,683
Highway	Compensated Absences Reserve	\$ 77,000	
Highway	Snow Reserve Fund	\$ 100,000	
Highway	Highway Debt Reserve – 2016 Use		\$ 22,588

MOTION: Councilwoman Svenson
SECOND: Councilman Ray

VOICE VOTE 5 – 0 CARRIED

RESOLUTION 5:15 – 2 OF 2017

RESOLUTION TO AMEND THE 2017 RECREATION FEE SCHEDULE FOR THE TOWN OF HYDE PARK

WHEREAS, the Town was not awarded the Division for Youth Grant for the 2017 Town of Hyde Park Recreation Intern Program: and

WHEREAS, the Town will now have to charge a fee in order to cover the expenses for the Town of Hyde Park Recreation Intern Program.

NOW, THEREFORE, BE IT RESOLVED, that the Town will revise the 2017 Recreation Fee Schedule to include the new fee being charged for the Town of Hyde Park Recreation Intern Program.

MOTION: Councilman Ray
SECOND: Councilwoman Svenson

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 5:15 – 3 OF 2017

RESOLUTION AMENDING THE AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES

WHEREAS, Resolution 12:19-13 of 2016 authorized the Superintendent of Highways and the Town Board of the Town of Hyde Park to enter into an agreement for the expenditure of Highway Funds for the maintenance of highways within the Town in accordance with the provisions of Highway Law §284; and

WHEREAS, pursuant to the provisions of Highway Law §284, the Town Highway Superintendent and the Town Board agreed that the monies levied and collected in the Town for repair and improvement of highways, and received from the State for State Aid for the repair and improvement of Highways, was to be expended in accordance with the original annexed Agreement for the Expenditure of Highway Monies as passed by Resolution 12:19-13 of 2016; and

WHEREAS, pursuant to the provisions of Highway Law §284, the Dutchess County Commissioner of Public Works in his capacity as County Superintendent of Highways was a signatory to the agreement between the Superintendent of Highways and the Town Board; and

WHEREAS, that now through additional funding the Town of Hyde Park has the means to provide funding for the repairs to two additional sections of roads, Cardinal Road and the South Drive Bridge that were not listed in the original agreement; and

WHEREAS, due to these added projects the agreement must now be amended and resubmitted to Dutchess County as per their requirements.

NOW THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes that the monies levied and collected in the Town for repair and improvement of highways, and received from the State for State Aid for the repair and improvement of Highways shall be expended in accordance with the annexed amended Agreement for the Expenditure of Highway Monies; and

BE IT FURTHER RESOLVED, that the members of the Town Board and the Town Highway Superintendent are hereby authorized to sign in duplicate the Amended annexed Agreement for the Expenditure of Highway Monies; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file one copy of the amended Agreement in the Office of the Town Clerk, and one signed amended copy of the agreement in the Office of the Dutchess County Department of Public Works.

MOTION Councilman Marrine
SECOND: Councilman Schneider

VOICE VOTE: 5 – 0 CARRIED

RECEIVED

DEC 22 2016

TOWN CLERK
HYDE PARK, NY

AGREEMENT FOR THE EXPENDITURE
OF HIGHWAY MONIES

AGREEMENT between the Town Superintendent of the Town of Hyde Park
Dutchess County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:
1. GENERAL REPAIRS. The sum of \$151,500.00 shall be set aside to be expended for primary work and general repairs upon 23.28 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewal thereof.
2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways: See attached

(a) On the road commencing at _____ and leading to _____ a distance of _____ miles, there shall be expended not over the sum of \$ _____
Type _____ Width of traveled surface _____
Thickness _____ Subbase _____

(b) On the road commencing at _____ and leading to _____ a distance of _____ miles, there shall be expended not over the sum of \$ _____
Type _____ Width of traveled surface _____
Thickness _____ Subbase _____

(c) On the road commencing at _____ and leading to _____ a distance of _____ miles, there shall be expended not over the sum of \$ _____
Type _____ Width of traveled surface _____
Thickness _____ Subbase _____

Executed in duplicate this 22nd day of December, 2016

Walter E. Doyle
Superintendent

Joseph M. Marino
Councilman

Councilman

Councilman

Councilman

Councilman

Councilman

County Superintendent of Highways

Town Superintendent

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.



Hyde Park Highway Department
1146 Route 9G
Hyde Park, NY 12538
Office: (845) 229-9416 Fax: (845) 229-7775

Walter E. Doyle, Superintendent of Highways

11/01/16

2017 - 284 Agreement:

(The following is based on an approximate price of \$80.00/ton)

Marshall Road	.08	422.4 ft X 22 ft wide X 2.5"/160 =	145.7 tons @ \$80 = \$11,616.00
Belvedere Road	.13	686 ft X 22 ft wide X 2.5"/160 =	235.81 tons @ \$80 = \$18,876.80
Glade Road	.14	739.2 ft X 22 ft wide X 2.5"/160 =	254.1 tons @ \$80 = \$20,328.00
Kim Lane	.50	2,640 ft X 22 ft wide X 2.5"/160 =	907.5 tons @ \$80 = \$72,600.00
Kelley Circle	.40	2,112 ft X 22 ft wide X 2.5"/160 =	726 tons @ \$80 = \$58,080.00

Total: \$181,500.80

RECEIVED

MAY 15 2017

TOWN CLERK
HYDE PARK, NY

Agreement for the Expenditure of Highway Moneys

AGREEMENT between the Town Superintendent of the Town of Hyde Park
Dutchess County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$281,315 shall be set aside to be expended for primary work and general repairs upon 0.35 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof.
2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways: see attached Breakdown

(a) On the road commencing at _____ and leading to _____ a distance of _____ miles, there shall be expended not over the sum of \$ _____

Type _____
Width of traveled surface _____
Thickness _____
Subbase _____

(b) On the road commencing at _____ and leading to _____ a distance of _____ miles, there shall be expended not over the sum of \$ _____

Type _____
Width of traveled surface _____
Thickness _____
Subbase _____

Executed in duplicate this 15th day of May 2017

Allen Richt
Supervisor

Joseph Manning
Councilman

Kim J. Svendsen
Councilman

Kenneth Schneider
Councilman

Dave Ray
Councilman

Walter M. Coyne
Town Superintendent of Highways

County Superintendent of Highways

Note: This agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. COPIES DO NOT HAVE TO BE FILED IN ALBANY.

5/05/17

2017 - 284 Agreement:

(The following is based on an approximate price of \$80.00/ton)

Marshall Road	.08	422.4 ft X 22 ft wide X 2.5"/160 =	145.2 tons @ \$80 =	\$11,616.00
Belvedere Road	.13	686 ft X 22 ft wide X 2.5"/160 =	235.81 tons @ \$80 =	\$18,876.80
Glade Road	.14	739.2 ft X 22 ft wide X 2.5"/160 =	254.1 tons @ \$80 =	\$20,328.00
Kim Lane	.50	2,640 ft X 22 ft wide X 2.5"/160 =	907.5 tons @ \$80 =	\$72,600.00
Kelley Circle	.40	2,112 ft X 22 ft wide X 2.5"/160 =	726 tons @ \$80 =	\$58,080.00

Total: \$181,500.80

Cardinal Road small section-based on \$80/ton there is only enough to do about 540 tons

Pave NY - Cardinal Road \$43,596.58

Emergency Winter Recovery - South Drive bridge - \$32,217.60

RESOLUTION 5:15 – 4 OF 2017

RESOLUTION ACCEPTING THE PROPOSAL OF ONE NATURE, LLC TO PERFORM THE LANDSCAPING PROJECT FOR 1381 ROUTE 9G (GREENTREE DRIVE SOUTH)

WHEREAS, a half-acre parcel at 1381 Route 9G (at the intersection with Greentree Drive South) was acquired by the Town of Hyde Park after a three way agreement was achieved with the NY State Spill Fund and Dutchess County to resolve the long-standing problem of an abandoned gas station at this intersection; and

WHEREAS, the agreement resulted in the release of state environmental clean-up liens and the release of county tax liens and provided for additional remediation after the derelict gas station was demolished; and

WHEREAS, the gas station demolition and resulting remediation were completed in fall of 2016; and

WHEREAS, the Town desires to complete the project by installing a low-maintenance, attractive, natural landscape; and

WHEREAS, the Town does not desire to designate this area as a park, which would carry legal requirements and limitations, but rather to return it to a natural landscape; and

WHEREAS, the Town released an RFP for landscape design and installation with a budget of \$10,000; and

WHEREAS, the RFP was circulated to numerous local landscape firms; and

WHEREAS, One Nature, LLC was the only bidder for the project and has provided an acceptable proposal to the Town for the design and installation within the \$10,000 budget, and Town officials have met with One Nature, LLC and determined that the proposal is one that meets their needs; and

WHEREAS, One Nature has expertise in ecological restoration and will employ environmentally-sensitive techniques to support the site's return to natural woodland.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute a formal contract with One Nature, LLC for landscaping services for 1381 Route 9G (Greentree Drive South) in accordance with the proposal submitted to the Town Board which will be incorporated in a more formal contract to be prepared by the Attorney to the Town without additional approval needed by the Town Board.

MOTION: Councilman Schneider

SECOND: Councilman Marrine

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 5:15 – 5 OF 2017

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO ACCEPT PROPOSAL FROM MORRIS ASSOCIATES FOR LANDFILL MONITORING SERVICES FOR 2017

WHEREAS, the Town of Hyde Park Forest Drive Landfill was capped in 2005 in accordance with DEC rules and regulations, and the Town is required to implement a post-closure monitoring program approved by DEC which includes ground water quality and methane gas sampling; and

WHEREAS, the Town of Hyde Park is required to conduct and prepare quarterly monitoring reports for landfill gas that are sent to DEC and the Town along with an annual report; and

WHEREAS, Morris Associates, PLLC has submitted a proposal for providing water quality monitoring services for the Forest Drive Landfill dated May 1, 2017 which provides, in relevant part, for a continuation of the past landfill monitoring services provided by Morris Associates, PLLC at a cost not to exceed \$6,000; and

WHEREAS, the proposal has been reviewed by the Town Board and the Town Comptroller, which have determined that the proposal is fair and reasonable; and

WHEREAS, there are sufficient funds provided for in the Town's 2017 budget to provide for the cost of said monitoring services.

BE IT RESOLVED, that the Town Supervisor is hereby authorized to accept the landfill monitoring proposal with Morris Associates, PLLC for 2017 at a total cost not to exceed \$6,000 for contract term May 1, 2017 through December 31, 2017.

MOTION: Councilwoman Svenson

SECOND: Councilman Ray

VOICE VOTE" 5 - 0 CARRIED

RESOLUTION 5:15 - 6 OF 2017

RESOLUTION APPROVING NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION 2016 - 2017 MS4 PERMIT ANNUAL REPORT

WHEREAS, on May 10, 2003, the Town of Hyde Park applied for coverage under SPDES permit number NYR20A246 for Stormwater discharge of municipal separate Stormwater sewer systems (MS4); and

WHEREAS, that permit requires the Town to develop, implement and enforce a Stormwater Management Program (SWMP) designed to reduce the discharge of contaminants in Stormwater to the maximum extent practical; and

WHEREAS, the Town is required to conduct an annual evaluation of the Town's progress in implementing the program and submit an annual report to New York State Department of Environmental Conservation; and

WHEREAS, a public meeting is required in order to describe the contents of the annual report and public comments must be included in the final version of the report to be submitted to the Department of Environmental Conservation; and

WHEREAS, the Draft 2016 - 2017 MS4 Annual Report was posted on the Town website on April 17, 2017; and

WHEREAS, a properly noticed public meeting was held on May 1, 2017 and a Public Hearing on May 15, 2017, to discuss the 2016 - 2017 Annual Report, at which time all members of the public had the opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby approve the 2016 - 2017 MS4 Annual Report; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Hyde Park does hereby authorize and direct the Supervisor to sign any required documents in relation to that report.

MOTION: Councilman Ray

SECOND: Councilwoman Svenson

VOICE VOTE: 5 - 0 CARRIED

RESOLUTION 5:15 - 7 OF 2017

**RESOLUTION AUTHORIZING THE ATTENDANCE OF KATHLEEN DAVIS
RECREATION DIRECTOR TO ATTEND THE BUILD-A-POOL CONFERENCE JUNE
16 – 17, 2017 IN UNIONDALE, NY**

WHEREAS, the Town of Hyde Park Recreation Director is requesting to attend a “Build a Pool” Conference in Uniondale, NY on June 16 – 17, 2017; and

WHEREAS, the Town of Hyde Park and Hyde Park Recreation Commission is looking to replace the existing pool at Hackett Hill Park; and

WHEREAS, this conference will provide insight into the planning, design, and budgeting as well as the expected costs to be incurred for such an aquatic facility for the Town of Hyde Park Recreation Facility; and

WHEREAS, the registration fee is \$89.00 and total expenses are not to exceed \$300 and will be allocated from the 2017 Recreation Training Budget; and

WHEREAS, the Town Board has determined that the attendance of the Hyde Park Town Recreation Director would be beneficial to the Town of Hyde Park and to the functioning of her duties.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Kathleen Davis, Recreation Director to attend the Build-A-Pool Conference from June 16 – 17, 2017 in Uniondale, NY and authorizes the Town Supervisor to issue a check in the amount of \$89 for payment of said conference. The Town Board also authorizes reimbursement for travel and necessary business expenditures deemed appropriate and reasonable.

MOTION: Councilman Marrine

SECOND: Councilman Schneider

VOICE VOTE: 5 -0 CARRIED

RESOLUTION 5:15 – 8 OF 2017

**RESOLUTION AUTHORIZING ZONING ADMINISTRATOR TO ATTEND
NYS FLOODPLAIN AND STORMWATER MANAGERS ASSOCIATION ANNUAL
MEETING ON JUNE 11, 2017-JUNE 14, 2017**

WHEREAS, Kathleen Moss, the Zoning Administrator desires to attend the New York State Floodplain and Stormwater Managers Association Annual Meeting on June 11 – June 14, 2017 to be held in Binghamton, New York; and

WHEREAS, the Town Board of the Town of Hyde Park has determined that the attendance of the Zoning Administrator at this training would be beneficial to the Town of Hyde Park and to the functioning of her duties; and

WHEREAS, the funds were approved in the 2017 Budget for such training.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board hereby authorizes Kathleen Moss, Zoning Administrator to attend the New York State Floodplain and Stormwater Managers Association Annual Meeting on June 11 – June 14, 2017 to be held in Binghamton, New York; and

The Town Board authorizes payment of \$295.00 to NYS Floodplain and Stormwater Managers Association and reimbursement for travel and necessary business expenditures deemed appropriate and reasonable.

MOTION: Councilman Schneider

SECOND: Councilman Marrine

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 5:15 – 9 OF 2017

RESOLUTION AUTHORIZING THE TOWN CLERK AND HIGHWAY SUPERINTENDENT TO SOLICIT BLACKTOP BIDS FOR THE 2017 ROAD CONSTRUCTION SEASON

WHEREAS, the Town Clerk and the Highway Superintendent are hereby authorized to advertise in May of 2017, blacktop bids for the 2017 road construction season; and

WHEREAS, the bid specifications were reviewed and updated by the Town Engineer, and

WHEREAS, the Town Clerk and the Highway Superintendent shall comply with the requirements of §103 of the General Municipal Law and/or the Town's procurement policies to the extent they apply to this bid work; and

WHEREAS, the following roads are to be paved under the 284 Agreement and funded by the Chips Program: Marshall Road, Belvedere Road, Glade Road, Kim Lane, Kelley Circle, Cardinal Road (small section), and the South Drive Bridge.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk and the Highway Superintendent are hereby authorized to advertise and receive blacktop bids for the 2017 road construction season.

MOTION: Councilwoman Svenson
SECOND: Councilman Ray

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 5:15 – 10 OF 2017

RESOLUTION AUTHORIZING THE REPLACEMENT OF THE AIR HANDLER EVAPORATOR COIL AT THE POLICE COURT FACILITY AND A HEAT PUMP CONDENSOR AND AIR HANDLER AT TOWN HALL

WHEREAS, the Air Handler unit at the Police Court Facility has a slow leak and the Heat pump condenser and Air handler which services the downstairs offices at Town Hall ceased working; and

WHEREAS, the Town's adopted purchasing policy requires at least 3 written proposals after obtaining authorization from the Town Board; and

WHEREAS, on August 22, 2016 the Town Engineer was approved to solicit written proposals on the repair of the Air Handler unit; and

WHEREAS, the Heat pump condenser and Air Handler which services the downstairs office requires the same procedure; and

WHEREAS, the Town Engineer solicited written proposals from five firms, of which 2 responded; and

WHEREAS, the proposals were reviewed by the Town Engineer with AirFlow's proposal being the best price for the repair of the Air Handler at the Police Court Facility, and the best price for the purchase and installation of a Heat pump condenser and Air Handler at Town Hall.

NOW, THEREFORE BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Town Supervisor to accept AirFlow's proposal and submit to them the necessary required documents in order to replace the A/C equipment at both the Police Court Facility and at Town Hall.

MOTION: Councilman Ray
SECOND: Councilwoman Svenson

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 5:15 – 11 OF 2017

RESOLUTION AUTHORIZING THE TOWN CLERK, AND TOWN ENGINEER TO SOLICIT BIDS FOR THE REPAIRS OF THE SOUTH DRIVE BRIDGE

WHEREAS the Town Highway Superintendent and Town Engineer have identified a drainage problem at the South Drive Bridge which is causing deterioration of the western stone parapet wall; and

WHEREAS the Town Board has authorized the Town Engineer to prepare bid documents and specifications in consultation with the Highway Superintendent to make the necessary repairs; and

NOW THEREFORE BE IT REOLVED, that the Town Board of the Town of Hyde Park hereby authorizes the Town Clerk and the Town Engineer to solicit bids to repair the South Drive Bridge drainage issue upon receipt of bid documents from the Engineer to the Town.

MOTION: Councilman Marrine
SECOND: Councilman Schneider

VOICE VOTE: 5 – 0 CARRIED

Pete Setaro, Town Engineer, explained the plan for the South Drive Bridge drainage problem and stated that they will not be taking down the wall.

Due to the public comment earlier in the meeting the following Motion and Vote was taken to remove resolution 5:15-12 of 2017 from the agenda

MOTION: Councilwoman Svenson
SECOND: Councilman Schneider

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 5:15 - 12 OF 2017

RESOLUTION TO ABOLISH THE TOWN OF HYDE PARK MEDIA COMMITTEE

RESOLUTION 5:15 - 13 OF 2017

RESOLUTION SCHEDULING A PUBLIC HEARING ON CONSIDERATION OF POTENTIAL ALTERNATE SEWER MITIGATION FOR THE ST. ANDREWS/BELLEFIELD PROJECT

WHEREAS, the Town Board, as Lead Agency, has previously conducted an environmental review of the St. Andrews PUD project (“the Project”), to be located on the east side of Route 9, on a 339 acre parcel located north of West Dorsey Lane and South of St. Andrews Road; and

WHEREAS, the Town Board conducted a coordinated review of the environmental impacts of this Type I action, and, after being designated Lead Agency, required the preparation of SEQR documents including a Draft Environmental Impact Statement (“DEIS”) and a Final Environmental Impact Statement (“FEIS”), and adopted a SEQR Findings Statement on August 29, 2007 (“2007 Findings Statement”); and

WHEREAS, the original proposal for the project contemplated the creation of an on-site sewer system to service the development with a tie-in of the development to the City of Poughkeepsie sewer system, but such a tie-in was rejected by the City of Poughkeepsie; and

WHEREAS, as an alternative to the tie-in to the City of Poughkeepsie's system, Baker/Gagne then proposed its own self-contained, on site sewer system; and

WHEREAS, one of the potentially significant impacts of the action identified by the Town Board in its SEQR review process was the likelihood of the development with its own sewer system "drawing away customers and businesses" from the Town Center Historic District since the septic systems in the Town Center have placed a substantial restriction on the ability of businesses in the district to utilize their properties to their full potential and to compete effectively with other areas served by central sewers, including the St. Andrew's Project; and

WHEREAS, as part of the environmental review, Baker/Gagne proposed the formation of a Hyde Park Central Sewer District (the "Town Sewer District") to include the St. Andrews development and a Route 9 collection area (the Town Center Historic District properties), and the site of the proposed Club at Hyde Park property; and the Town's SEQR review considered both projects together, since it was anticipated that the Project and the construction of the Route 9 collection system would proceed on a coordinated timeline and be completed at approximately the same time, to permit the wastewater from the District to flow into the WWTP as soon as the pipeline was completed; and

WHEREAS, the mitigation for these potential adverse impacts set forth in the 2007 Findings Statement called for a series of actions voluntarily taken by various parties including (i) the establishment of the Town Sewer District by the Town, which would include as benefitted properties most of the properties located along Route 9 between Linden Lane and St. Andrew's Road, and also include the St. Andrews Property within the Sewer District as a separate zone of assessment; (ii) the construction by the Developer Baker/Gagne of 150,000 gpd of capacity reserved for the Route 9 corridor sewer district and the construction by Baker/Gagne of a pump station located on St. Andrews Road connected to a force main to convey wastewater from the Route 9 district to the WWTP; and (iii) the construction of approximately 28,100 +/- linear feet of sanitary sewer main by the DCWWA to extend from the intersection of St. Andrews Road and Route 9 north to the south side of Linden Lane, to be paid for an assessment against all benefitted properties; and

WHEREAS, the Town Board determined that the construction of the Route 9 collection system by DCWWA and the construction of the WWTP by Baker/Gagne to serve the district were important mitigation measures for the potential adverse impacts of the Project on the Town Center Historic District; and

WHEREAS, the area zoned Town Center Historic District at the time of the FEIS extended along Route 9 from Linden Lane to St. Andrew's Road, and although some of that area has been rezoned Crossroads Core in the interim, the entire section of the Route 9 corridor between Linden Lane and St. Andrew's Road shall be considered the "Town Center Historic District" for purposes of this Resolution; and

WHEREAS, the SEQRA Findings Statement prepared, and adopted by the Town Board, on or about August 27, 2007 acknowledged the possibility that the Sewer District may not be formed, and therefore provided, in relevant part, that if the sewer district was not formed, the applicant must return to the Town Board to discuss alternative mitigation for the sewer impacts identified in the SEQR documents, thus reserving to the Town Board its Lead Agency status authority to determine appropriate alternative mitigation with respect to the proposed project; and

WHEREAS, since the date of the approval of the concept plan and issuance of a Findings Statement by the Town Board, the Town proceeded with the formation of the sewer district in accordance with the provisions of Article 12 of the Town Law but due to the failure of Baker/Gagne to execute the sewer system agreement, and various factors affecting the market in the years immediately following the project approvals, construction of the system and the project did not begin as planned and on or about February 21, 2012, title to the St. Andrews Property was transferred by Baker/Gagne to T-Rex Capital Group, LLC (“T-Rex”); and

WHEREAS, on or about January 19, 2017, T-Rex submitted a preliminary application for Final Development Plan approval by the Planning Board for Sub-Phase 1-A of the Project pursuant to the provisions of section 107-7.4 E of the Town Code, but the application has not, to date, been deemed complete and ready for review by the Town’s Zoning Administrator (the “Final Development Plan”); and

WHEREAS, the preliminary application for Final Development Plan approval includes applications for both site plan and major subdivision review for Sub-Phase 1-A in connections with the proposed development of a 104,683 sq. ft. five story 133 guest room hotel, which is located in the southwest corner of the overall St. Andrews site near the corner of Route 9 and West Dorsey Lane; and

WHEREAS, the application also includes construction of infrastructure to serve the hotel and future phases of the project, including a wastewater treatment system; and T-Rex has also expressed the desire for consideration by the parties of alternate sewer mitigation more appropriate to current Town development trends and its own development plans; and

WHEREAS, the area for the site for the Sub-Phase 1-A development has been described by T-Rex as a “mixed core use” area intended for early stages of the Project development, all as set forth in: (i) a January 18, 2017 pre-application letter with attachments thereto from T-Rex’s legal counsel, Cuddy & Feder LLP; (ii) a pre-application for subdivision and site plan approval dated January 18, 2017; and (iii) a proposed “Final Development Plan” for Sub-Phase 1-A of the St. Andrews PUD dated January 18, 2017 prepared by the Chazen Companies; and

WHEREAS, T-Rex has now proposed to the Town Board, as authorized in the 2007 SEQR Findings Statement, alternative mitigation in the form of the payment of sums certain for sewer mitigation purposes, to be used in the Town Board’s discretion for development and administration of such sewer system or systems to service the Town Center Historic District so as to support and further economic development of such area; and

WHEREAS, T-Rex has proposed, as an alternative form of voluntary mitigation payment to the Town of the following sums (collectively, the “Sewer Mitigation Sums”): (1) a \$1,000,000.00 contribution to the Town to be utilized in the Town’s discretion to offset capital costs, capital improvements, and/or debt service for one or more sewer systems to be created to service the Town Center Historic District, such payment to be made no later than the earlier of the following dates: (a) the date of, and immediately prior to, signature by the Planning Board Chair of the Final Development Plan and site plan and subdivision plat for the first Sub-Phase of the Project; or (b) the date which is three (3) years from the date of the Town Board’s Resolution approving an Amended SEQR Findings Statement adopting the alternate mitigation and authorizing the signature of this agreement; and (2) an additional \$250,000.00 contribution to the Town to be utilized in the Town’s discretion for similar purposes, such payment to be made no later than the earlier of the following dates: (a) the date of, and immediately prior to, signature by the Planning Board Chair of a Final Development Plan and site plan approval or subdivision approval of any subsequent phase of the PUD, or (b) the date which is four (4) years from the date of the Town Board’s Resolution as referred to in subsection (1) (b) above, it being understood that nothing shall be deemed to prevent the payment of the Sewer Mitigation Sums, or any portion thereof, prior to the dates when they are due; and

WHEREAS, T-REX had also agreed that such alternate mitigation, if ultimately acceptable to the Town Board, would also be enforceable by a duly executed Environmental Mitigation agreement; and

WHEREAS, the Town has been awarded a grant pursuant to NYSERDA Cleaner Greener Communities Program, Category II for the purpose of development of a Wastewater Treatment Feasibility Study for a significant section of the Town Center Historic District which the Town hopes will incorporate innovative technology to efficiently serve a portion of the Town Center Historic District; and

WHEREAS, the Town Board has determined that before its consideration of accepting alternate sewer mitigation as proposed by T-Rex, and the adoption of any SEQR determination relating thereto, a public hearing should be held to obtain the comments and input of the public on the alternative mitigation proposed by T-Rex.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board shall conduct a public hearing on June 5, 2017 at 7:05 p.m. for the purpose of discussion and review of the proposed Alternative Sewer Mitigation proposed by T-Rex in conjunction with its proposed sub-Phase 1-A Development, and to obtain public comment on said proposed alternative mitigation; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be duly posted and noticed as provided by law, and a copy of the same shall be provided to all involved agencies; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to duly publish notice of said public hearing as required by law.

MOTION: Councilman Schneider

SECOND: Councilman Marrine

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 5:15 – 14 OF 2017

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SUBMIT APPLICATIONS FOR THE 2017 DUTCHESS COUNTY MUNICIPAL INNOVATION GRANT (MIG) PROGRAM

WHEREAS, The County set aside \$1 million to support local initiatives to increase cooperation and reduce redundancy at the municipal level. The Municipal Innovation Grant (MIG) program provides financial incentives to improve collaboration between county and local governments through consolidation of services, regional delivery of services, and the elimination of duplicative layers of government ultimately producing smaller, smarter government that yields savings for taxpayers; and

WHEREAS, the Town of Hyde Park has identified several potential projects that may qualify for funding under the Municipal Innovation Grant (MIG) Program; and

WHEREAS, all applications must be submitted no later than Friday, May 19th, 2017.

NOW THEREFORE BE IT RESOLVED, that the Town Board does hereby authorize the Town Supervisor to submit any and all applications necessary to fulfill the grant requirements for the 2017 Municipal Innovation Grant (MIG) Program.

MOTION: Councilwoman Svenson

SECOND: Councilman Ray

VOICE VOTE: 5 – 0 CARRIED

NEW AND OLD BUSINESS:

Supervisor Rohr expressed sympathy and condolences to the Martino family due to the loss of former Town Supervisor Tom Martino.

Councilman Marrine announced that the Relay for Life will be held in Hyde Park this year at the FDR High School on Saturday June 3rd from noon to 10pm.

Supervisor Rohr reminded everyone that the Memorial Day Parade will take place on May 29th.

Councilman Ray stated that the "Touch a Truck" event is Saturday at the old Stop & Shop.

MOTION: Councilman Schneider

SECOND: Councilman Ray

To adjourn meeting

VOICE VOTE: 5 – 0 CARRIED

Meeting adjourned at 8:10pm

Respectfully submitted,

Donna McGrogan
Town Clerk

In Memory Of
Former Town of Hyde Park Supervisor

THOMAS J. MARTINO

2010 - 2011