

MINUTES OF THE SPECIAL MEETING AND WORKSHOP OF THE HYDE PARK TOWN BOARD, HELD AT TOWN HALL, 4383 ALBANY POST ROAD, HYDE PARK, NEW YORK, 12538, ON MONDAY, OCTOBER 23, 2017 AT 7:00 PM

PRESENT:

SUPERVISOR AILEEN ROHR
DEPUTY SUPERVISOR EMILY SVENSON
COUNCILMAN DAVID RAY
COUNCILMAN JOSEPH MARRINE
COUNCILMAN KENNETH SCHNEIDER
ATTORNEY TO THE TOWN WARREN S. REPLANSKY
DEPUTY TOWN CLERK PATRICIA COADY-CULLEN

ABSENT:

TOWN CLERK DONNA McGROGAN

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

The Town Board entered workshop and discussed the following:

- 1) Hyde Park Recreation / New Pool

MOTION: Councilman Schneider
SECOND: Councilman Ray

To enter executive session to discuss potential litigation

VOICE VOTE: 5 – 0 CARRIED at 7:41pm

MOTION: Councilman Schneider
SECOND: Councilman Marrine

To return from executive session

VOICE VOTE: 5 – 0 CARRIED at 7:51pm

Supervisor Rohr announced that no decisions were made in executive session.

Workshop resumed after executive session.

- 2) Town of Hyde Park 2018 Preliminary Budget

Supervisor Rohr added a third Workshop Discussion to the Agenda.

- 3) Property Maintenance / Richard Longendyke

PUBLIC COMMENT ON RESOLUTIONS ONLY: none

RESOLUTION 10:23 - 1 OF 2017

RESOLUTION APPROVING 2018 PRELIMINARY BUDGET AND SETTING PUBLIC HEARING ON 2018 PRELIMINARY BUDGET

WHEREAS, the Town Supervisor, as Budget Officer, pursuant to §106 of the Town Law, with the assistance of the Town Comptroller, has presented the

Tentative Budget to the Town Board for review, examination and possible revisions; and

WHEREAS, the Town Board has reviewed the tentative budget in accordance with the requirements of §106 of the Town Law.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Tentative Budget filed with the Town Clerk, is hereby approved and adopted and filed as the Preliminary Budget; and
2. The Town Board shall conduct a public hearing on the Preliminary Budget on November 6, 2017 at 7:05 p.m.; and
3. The Town Clerk shall cause to be published a Notice of Public Hearing on the Preliminary Budget as required by law.

MOTION: Councilwoman Svenson

SECOND: Councilman Ray

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 10:23 - 2 OF 2017

RESOLUTION TO WAIVE THIRTY (30) DAY ADVANCED NOTICE OF A LIQUOR LICENSE FOR ON PREMISES CONSUMPTION

WHEREAS, J & D Wilson Realty, Inc., 188 Cottage Street, Poughkeepsie, NY, 12601 would like to file an application for the renewal of its' New York State Liquor License for a Liquor, Wine, Beer & Cider License for Joseph's Steakhouse located at 728 Violet Avenue, Hyde Park, NY 12538; and

WHEREAS, pursuant to New York State Alcoholic Beverage Control Law Section 110(b), an Applicant must give the municipality thirty (30) days' notice of the pending liquor license application unless the municipality consents to waive the thirty (30) day requirement; and

WHEREAS, the Town Board has determined that in this instance, the waiver of the thirty (30) day waiting requirement is appropriate and it would not result in a detriment to the health, safety and welfare of the Town and its citizens.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hyde Park hereby waives the thirty (30) day notice period in regard to the Joseph's Steakhouse located at 728 Violet Avenue, Hyde Park, NY 12538 allowing an earlier submission of the liquor license renewal application; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to send a letter to the New York State Liquor Authority indicating the Town's waiver.

MOTION: Councilman Ray

SECOND: Councilwoman Svenson

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 10:23 – 3 OF 2017

RESOLUTION ACKNOWLEDGING THE RESIGNATION OF THE TOWN OF HYDE PARK HISTORIAN

WHEREAS, the Town of Hyde Park Historian, Barbara Hobens, has submitted a letter of resignation effective Thursday, October 12, 2017.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hyde Park acknowledges with regret the resignation of Barbara Hobens as the Town Historian, effective Thursday, October 12, 2017; and

BE IT FURTHER RESOLVED, that the Town Supervisor and Town Board extend their appreciation and gratitude to Barbara Hobens for her dedicated and outstanding professional service to the Town of Hyde Park.

MOTION: Councilman Marrine
SECOND: Councilman Schneider

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 10:23 – 4 OF 2017

RESOLUTION ACKNOWLEDGING THE RESIGNATION OF POLICE OFFICER KEVIN WATTS FROM THE TOWN OF HYDE PARK POLICE DEPARTMENT

WHEREAS, Town of Hyde Park Police Officer, Kevin Watts, has submitted a letter of resignation effective Monday, October 16, 2017.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hyde Park acknowledges with regret the resignation of Police Officer Kevin Watts from the Town of Hyde Park Police Department; and

BE IT FURTHER RESOLVED, that the Town Supervisor and Town Board extend their appreciation and gratitude to Police Officer Kevin Watts for his dedication and service to the Town of Hyde Park Police Department.

MOTION: Councilman Schneider
SECOND: Councilman Marrine

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 10:23 - 5 OF 2017

RESOLUTION AUTHORIZING HYDE PARK TOWN BOARD TO AMEND THE CURRENT TOWN BOARD MEETING SCHEDULE

NOW THEREFORE BE IT RESOLVED, the Town Board will be cancelling the regularly scheduled Town Board Meeting for Monday, November 13th, 2017; and

BE IT FURTHER RESOLVED, that the Town Board will now be adding a special Town Board Meeting for Monday, November 20th, 2017.

MOTION: Councilwoman Svenson
SECOND: Councilman Ray

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 10:23 - 6 OF 2017

RESOLUTION AUTHORIZING THE RELEASE OF THE BALANCE OF ESCROW FROM THE TOWN OF HYDE PARK ZONING BOARD ACCORDING TO RESOLUTION #17-BZ

WHEREAS, the applicants for the projects listed below had established an escrow account with the Town of Hyde Park before the Town of Hyde Park Zoning Board; and

WHEREAS, the Town of Hyde Park Zoning Board reviewed these projects and voted on and approved the release of escrow for these projects according to resolution #17-BZ on September 27, 2017.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, the Town Comptroller and all other personnel of the Town of Hyde Park who are in charge of administration of the listed escrow accounts are hereby authorized to release to the said applicants the balances as listed below from their escrow accounts.

PROJECT	PROJECT #	ATTORNEY	TOTAL
HP Town Center North	17-04Z	\$ 775.50	\$ 775.50
Enclave @ Hyde Park	2017-09	\$ 2,502.50	\$2,502.50

MOTION: Councilman Ray

SECOND: Councilwoman Svenson

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 10:23 – 7 OF 2017

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE HYDE PARK FIRE AND WATER DISTRICT

WHEREAS, the Hyde Park Fire and Water District (“HPFWD”) had determined that for purposes of public safety and district operations it was necessary to construct a free-standing, internally illuminated monument sign at its property at 4308 Albany Post Road, Hyde Park; and

WHEREAS, the HPFWD asserted that it was exempt from application of the Town’s Zoning Law and the matter was referred to the Planning Board to make a determination pursuant to the “Monroe Balancing Test” as to whether the signage was, in fact, exempt from local zoning; and

WHEREAS, the Planning Board conducted a public hearing, and by Resolution dated May 17, 2017, determined that the signage was, in fact, exempt from the Town’s Zoning Law, but required the HPFWD to enter into a Memorandum of Understanding regarding the self-imposed restrictions on the use of the proposed sign. A copy of said Resolution is on file with the Hyde Park Town Clerk’s Office; and

WHEREAS, the Attorney to the Town and the Attorney for HPFWD have worked out the terms of a MOU, which has been supplied to the Town Board

and found acceptable, which incorporates the terms and conditions set by the Planning Board and provides for enforcement of those provisions.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute said MOU with HPFWD in the same, or substantially similar, terms as provided in the MOU reviewed by the Town Board.

MOTION: Councilman Marrine

SECOND: Councilman Schneider

VOICE VOTE: 5 – 0 CARRIED

RESOLUTION 10:23 – 8 OF 2017

RESOLUTION AUTHORIZING COMMENCEMENT OF ADMINISTRATIVE REMEDIES PURSUANT TO TOWN CODE §84-86 WITH REGARD TO CERTAIN PROPERTIES IN THE TOWN OF HYDE PARK

WHEREAS, the properties located at 1 Gary Drive; 10 Parker Avenue; 25 Bircher Avenue, 60 Greentree Drive S.; and 564 N. Quaker Lane, in the Town of Hyde Park have been observed by the Town's Zoning Administrator to be in violation of the provisions of Chapter 84 of the Town of Hyde Park Code – Property Maintenance; and

WHEREAS, the violations of Chapter 84 observed by the Town's Zoning Administrator have included, but have not been limited to, the gross neglect of the exteriors of these properties as follows:

1. With regard to 1 Gary Drive, there is overgrowth of grass and weeds in excess of one foot;
2. With regard to 10 Parker Avenue, there is overgrowth of grass and weeds in excess of one foot and furniture, trash and debris in the driveway on the lawn;
3. With regard to 25 Bircher Avenue, there is overgrowth of grass and weeds in excess of one foot;
4. With regard to 60 Greentree Drive S. there is overgrowth of grass and weeds in excess of one foot; and
5. With regard to 564 N. Quaker Lane, there is overgrowth of grass and weeds in excess of one foot;

All as demonstrated by the Report of Findings of Inspection of which copies are on file in the Hyde Park Town Clerk's office; and

WHEREAS, attempts by the Zoning Administrator to bring these properties into compliance by the usual zoning enforcement methods set forth in the Town Code have been unsuccessful; and

WHEREAS, the Town has directed the Deputy Building Inspector to inspect the properties and he has confirmed that the properties are in violation of Chapter 84 as demonstrated in the reports filed in the Town Clerks Office.

NOW, THEREFORE, BE IT RESOLVED, that the Town hereby resolves that notices shall be served upon said owners of the said properties in accordance with the provisions of §84-6 of the Town Code, setting forth the conditions of the property and standards of the Town Code which have been violated, and directing that the properties be brought into full compliance with the standards enumerated in §84-6 of the Town Code within a period of thirty

(30) days after service thereof, and that service of notice be made on the properties' owners by certified mail at the address which appears most recently on the Town of Hyde Park tax rolls, and by posting of the notice on the front door of the properties; and be it further

RESOLVED, that the Town Board shall conduct a public hearing in accordance with the provisions of Town Code §84-6(F) on December 4, 2017, at 7:15 p.m. and if, after the conduct of the public hearing the Town Board finds that the property owners have failed to bring the properties into compliance in accordance with the provisions of §84-6 of the Town Code, the Town Board may, in its discretion, adopt a resolution authorizing entrance on the said properties in order to bring the properties into compliance with the standards of Chapter 84 and to provide for the costs incurred in such action, and to assess all costs and expenses against the properties in accordance with the provisions of §84-6(H) of the Town Code.

MOTION: Councilman Schneider

SECOND: Councilman Marrine

VOICE VOTE: 5 – 0 CARRIED

MOTION: Councilman Schneider

SECOND: Councilman Ray

To adjourn meeting.

VOICE VOTE: 5 – 0 CARRIED

Meeting adjourned at 8:39pm

Respectfully submitted,

Patricia Coady-Cullen
Deputy Town Clerk