

MINUTES OF THE REGULAR MEETING AND PUBLIC HEARING OF THE HYDE PARK TOWN BOARD, HELD AT TOWN HALL, 4383 ALBANY POST ROAD, HYDE PARK, NEW YORK, 12538, ON MONDAY, MARCH 12, 2018 AT 7:00 PM

PRESENT:

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

ABSENT:

COUNCILMAN JOSEPH MARRINE

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 February 26, 2018 Town Board meeting, as submitted by the Town Clerk, be approved.

VOICE VOTE: 4 – 0 CARRIED

PUBLIC COMMENT ON RESOLUTIONS ONLY: none

Town Clerk Donna McGrogan read the public hearing notice on a Local Law entitled “A Local Law to Amend Chapter 100, Article VI by Adding to Subsection 100-20 to Extend the Cold War Veterans Exemption”, as it appeared in the newspaper.

PUBLIC COMMENT: none

MOTION: Councilman Schneider
SECOND: Councilman Ray

To close the public hearing

VOICE VOTE: 4 – 0 CARRIED

RESOLUTION 3:12 – 1 OF 2018

RESOLUTION AMENDING RESOLUTION 2:26-10 AUTHORIZING THE TOWN OF HYDE PARK RECREATION DIRECTOR TO PURCHASE A REPLACEMENT COMMERCIAL SIZE REFRIGERATOR FOR THE HYDE PARK RECREATION DEPARTMENT

WHEREAS, the Recreation Director was authorized to purchase a Traulsen Model G30010 Commercial Refrigerator from Dutchess Restaurant Supply in Resolution 2:26-10; and

WHEREAS, the previous resolution stated in error the total cost of the purchase to be \$5,360 delivery and removal costs were omitted.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby amends Resolution 2:26-10 to reflect the correct cost for the purchase of the Traulsen Model G30010 Commercial Refrigerator from Dutchess Restaurant Supply to be \$5,935. Funding will be determined by the Town Comptroller.

MOTION: Councilwoman Svenson

SECOND: Councilman Ray

VOICE VOTE: 4 – 0 CARRIED

RESOLUTION 3:12 – 2 OF 2018

RESOLUTION APPROVING *NUNC PRO TUNC* THE AWARDING OF A BID FOR A BRUSH CHIPPER PURSUANT TO THE PROVISIONS OF GENERAL MUNICIPAL LAW §103(4)

WHEREAS, on March 2, 2018, the Town of Hyde Park and its surrounding neighbors experienced a winter storm with high winds, which left many trees down on roadways and downed electrical power lines that resulted in a State of Emergency for Dutchess County and the Town of Hyde Park as declared by Governor Cuomo; and

WHEREAS, the Town of Hyde Park Highway Department needed a Brush Chipper to clear up the roads from fallen trees and limbs for the safety of the residents; and

WHEREAS, the National Joint Powers Alliance (NJPA) a cooperative purchasing entity has awarded a bid to Vermeer Northeast, a local vendor, for a Brush Chipper in the amount of \$62,949; and

WHEREAS, the Town Supervisor has signed the agreement with NJPA for the emergency purchase of said Brush Chipper and funding will be included in the March Budget Revisions by the Town Comptroller; and

WHEREAS, the emergency purchase of such Brush Chipper in this manner is authorized by §103(4) and (16) of the General Municipal Law.

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves, nunc pro tunc, the signing of the Agreement with NJPA for the purchase of said Brush Chipper at a cost of \$62,949; and

BE IT FURTHER RESOLVED, that the Town Highway Superintendent is hereby authorized to complete the purchase of a 15” Brush Chipper with Tier 4 Final engine and Wrench through Vermeer Northeast.

MOTION: Councilman Ray

SECOND: Councilman Schneider

VOICE VOTE: 4 – 0 CARRIED

RESOLUTION 3:12 – 3 OF 2018

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK POLICE DEPARTMENT TO PURCHASE TWO USED REPLACEMENT VEHICLES FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT FLEET

WHEREAS, The Police Department is in need of replacing cars in their motor fleet that have exceeded their useful life and has requested funds for the purchasing of two used vehicles; and

WHEREAS, the Police Department will make all efforts to comply with the Town Procurement Policy and Procedures; and

WHEREAS, the purchase and equipping of these vehicles will be funded and approved by the Town Comptroller in the March Budget Revisions.

NOW, THEREFORE, BE IT RESOLVED, that the Hyde Park Police Department is hereby authorized to purchase the said vehicles at a total cost not to exceed \$32,000.

MOTION: Councilman Schneider

SECOND: Councilman Ray

VOICE VOTE: 4 – 0 CARRIED

RESOLUTION 3:12 - 4 OF 2018

RESOLUTION DESIGNATING 2018 EMERGENCY INTERIM SUCCESSORS FOR THE TOWN OF HYDE PARK SUPERVISOR AND THE EMERGENCY MANAGEMENT COORDINATOR FOR THE TOWN OF HYDE PARK

BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby designate the following individuals to serve as emergency interim successors for the position of the Town Supervisor in the event of an emergency when the Town Supervisor or one or more of her successors is unavailable, in the following order of succession:

Kenneth Schneider: Town Board Member, Ward 4

David Ray: Town Board Member, Ward 2

Joe Marrine: Town Board Member, Ward 3

Emily Svenson: Deputy Supervisor, Ward 1

BE IT FURTHER RESOLVED, that the Town Supervisor also hereby appoints Lieutenant Robert Benson as the Emergency Management Coordinator for the Town of Hyde Park.

MOTION: Councilwoman Svenson

SECOND: Councilman Ray

VOICE VOTE: 4 – 0 CARRIED

RESOLUTION 3:12 – 5 OF 2018

RESOLUTION APPROVING BUDGET REVISIONS TO THE TOWN OF HYDE PARK FOR THE PERIOD OF FEBRUARY 2018 BUDGET REVISIONS NUMBER 2018-02

WHEREAS, the Town Comptroller recommends certain budget revisions based on various department requests and/or the Town Comptroller's review and analysis of Expenditures versus Budget.

NOW, THEREFORE, BE IT RESOLVED, that the following itemized revisions be authorized and approved by the Town of Hyde Park Town Board for February 2018 identified as Budget Revisions Number 2018-02.

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS
GENERAL FUND				
	01.1110.440	Court Software Support	170.00	

01.1110.410	Court Supplies		170.00
	<i>-Transfer for Cost Increase</i>		
01.1355.491	Assessor Appraisal Expense	3,000.00	
01.1990.400	Contingency Account		3,000.00
	<i>-Transfer for Appraisal Estimate</i>		
01.1410.400	Town Clerk Office Expenses	224.00	
01.1410.491	Codes Publication		224.00
	<i>-Transfer for Expense</i>		
01.1680.450	Service Contracts	864.00	
01.1680.400	EDP Expense		864.00
	<i>-Transfer for Contract Increase</i>		
01.5010.480	Highway Office Staff Training	100.00	
01.5010.400	Highway Office Expense		100.00
	<i>-Transfer for Training</i>		

REC TRUST FUND

07.9901.400	Transfer to General Fund	7,451.00	
07.9909	Fund Balance	7,451.00	
	<i>-Carry Forward Encumbrance Funds</i>		

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS
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TOWN CENTER REVITALIZATION FUND

41.8000.480	Other Expenses		3,000.00
41.5033	Transfer In		3,000.00
	<i>-Correct Project Balance</i>		

PINEWOODS SIDEWALK CAPITAL FUND

57.5411.440	Design Engineer	6,200.00	
57.5411.400	General Expense		4,000.00
57.5411.441	Inspection Engineer		2,200.00
	<i>-Transfer for Actual Cost</i>		

MOTION: Councilman Ray
 SECOND: Councilman Schneider

VOICE VOTE: 4 – 0 CARRIED

RESOLUTION 3:12 – 6 OF 2018

RESOLUTION ADOPTING LOCAL LAW NO. 1 OF 2018 ENTITLED “A LOCAL LAW TO AMEND CHAPTER 100, ARTICLE VI OF THE TOWN CODE TO EXTEND THE COLD WAR VETERANS REAL PROPERTY TAX LAW EXEMPTION”

WHEREAS, Section §458-b of the New York Real Property Tax Law (“N.Y. RPTL”) provides an exemption from taxation to qualified residential real property owned by Cold War Veterans and/or qualified owners for a period of ten years provided municipalities adopt a local law authorizing the same; and

WHEREAS, Chapter 100, Article VI of the Town Code established an exemption from real property taxes for Cold War Veterans in accordance with Section §458-b of the N.Y. RPTL with a ten year limitation; and

WHEREAS, recent amendments to Section §458-b of the N.Y. RPTL provide that municipalities may adopt a local law providing that the exemption authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to a ten year limitation; and

WHEREAS, the Town Board desires to extend the aforementioned exemption in accordance with the statutory amendments to Section §458-b of the N.Y. RPTL, which became effective on September 12, 2017; and

WHEREAS, the Attorney to the Town has drafted, and presented to the Town Board, a Local Law to Amend Chapter 100, Article VI of the Town Code, to extend the Cold War Veterans real property tax exemption; and

WHEREAS, the Town Board held a public hearing on said Local Law on March 12, 2018 and closed the public hearing on that same date.

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby adopts Local Law No. 1 of 2018 entitled: “A Local Law to Amend Chapter 100, Article VI, of the Town Code to Extend the Cold War Veterans Real Property Tax Exemption; and be it further

RESOLVED, that the Town Clerk is hereby authorized to file said Local Law with the Department of State, as required by law.

MOTION: Councilman Schneider

SECOND: Councilman Ray

VOICE VOTE: 4 – 0 CARRIED

TOWN OF HYDE PARK

LOCAL LAW NO. 1 OF THE YEAR 2018

A LOCAL LAW TO AMEND CHAPTER 100, ARTICLE VI OF THE TOWN CODE TO EXTEND THE COLD WAR VETERANS REAL PROPERTY TAX LAW EXEMPTION

BE IT ENACTED by the Town Board of the Town of Hyde Park as follows:

SECTION 1. TITLE.

This local law shall be entitled: “A Local Law to Amend Chapter 100, Article VI of the Town Code to Extend the Cold War Real Property Real Property Tax Law Veterans Exemption”.

SECTION 2. AUTHORIZATION.

This Local Law is adopted pursuant to Section 10 of the Municipal Home Rule Law.

SECTION 3. AMENDMENT TEXT.

This Local Law amends Chapter 100 of the Town Code, which established the Cold War Veterans exemption in accordance with Section 458-b of the New York Real Property Tax Law. Chapter 100, Article VI of the Town Code is hereby amended to add to §100-20 the following language:

“The exemption authorized by this section shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners, without regard to the ten year limitation as set forth in §458-b, Subdivision (2)(c)(iii) of the New York Real Property Tax Law.”

SECTION 5. SEVERABILITY.

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing in the Office of the New York State Department of State in accordance with §27 of the Municipal Home Rule.

RESOLUTION 3:12 – 7 OF 2018

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO FORMULATE AND SUBMIT AN APPLICATION FOR GRANT FUNDING FOR THE DOCK STREET BRIDGE TO THE BRIDGE NEW YORK PROGRAM

WHEREAS, Governor Cuomo recently announced \$250,000,000 in funding available to rehabilitate and replace local bridges across New York State, known as the “Bridge New York Program”; and

WHEREAS, Bridge New York grants will be available to all municipalities authorized to receive and administer State and Federal transportation funding and awards will be made through a competitive process; and

WHEREAS, applications for funding will be accepted through April 27, 2018; and

WHEREAS, the Town Board has determined that such grant funding may be available for reconstruction and/or repair of the Dock Street Bridge.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to formulate, and submit, an application for grant funding in an amount to be determined by the Supervisor upon the advice and consent of the Town’s Engineer, Comptroller, and the Attorney to the Town and to execute whatever documentation is necessary to process and apply for said funding.

MOTION: Councilwoman Svenson

SECOND: Councilman Ray

VOICE VOTE: 4 – 0 CARRIED

RESOLUTION 3:12 - 8 OF 2018

RESOLUTION AUTHORIZING THE RELEASE OF THE BALANCE OF ESCROW FROM THE TOWN OF HYDE PARK PLANNING BOARD ACCORDING TO RESOLUTION #18-B

WHEREAS, escrows had been established for the review of projects as noted below; and

WHEREAS, the Town of Hyde Park Planning Board reviewed these projects and voted on and approved the release of escrow for these projects according to resolution #18 - B on February 21, 2018.

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 #	ENGINEER/ PLANNER	ATTORNEY	TOTAL
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Hudson Valley FCU	16-18	\$ 469.00	\$1,019.50	\$ 1,4885
Rogers & Makenzie	2017-38	\$ 383.80		\$ 383.80

MOTION: Councilman Ray
 SECOND: Councilwoman Svenson
 VOICE VOTE: 4 – 0 CARRIED

RESOLUTION 3:12 – 9 OF 2018

RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT (MOA) IN CONNECTION WITH THE COLLECTIVE BARGAINING AGREEMENT WITH THE HYDE PARK CSEA HIGHWAY UNIT

WHEREAS, the Town of Hyde Park is a party to a Collective Bargaining Agreement with the Town of Hyde Park CSEA Highway Unit; and

WHEREAS, the existing Collective Bargaining Agreement expired on December 31, 2017; and

WHEREAS, the Town and the CSEA Highway Unit have agreed to terms and conditions for a successor agreement which has been set forth in the Memorandum of Agreement (MOA); and

NOW, THEREFORE, BE IT RESOLVED, that Memorandum of Agreement (MOA) between the Town of Hyde Park and the CSEA Highway Unit dated March 5, 2018 and covering the period of January 1, 2018 thru December 31, 2020 is hereby approved; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute a successor Collective Bargaining Agreement which is consistent with the terms and conditions set forth in the Memorandum of Agreement (MOA).

MOTION: Councilman Schneider
 SECOND: Councilman Ray

VOICE VOTE: 4 – 0 CARRIED

RESOLUTION 3:12 – 10 OF 2018

RESOLUTION AUTHORIZING POLICE OFFICERS JOSHUA TUCKER AND JOSEPH WASILEWSKI TO ATTEND A FIVE DAY TRAINING SESSION CONDUCTED BY THE DUTCHESS COUNTY CRISIS INTERVENTION TEAM (CIT)

WHEREAS, the Chief of Police Eric A. Paolilli has requested approval for Police Officers Joshua Tucker and Joseph Wasilewski to attend a five day training session conducted by the Dutchess County Crisis Intervention Team (CIT) from Monday, April 23rd to Friday, April 27th, 2018; and

WHEREAS, the Town Board deems it appropriate and beneficial for Police Officers Joshua Tucker and Joseph Wasilewski to attend this training; and

WHEREAS, there will be no set fee associated with this training.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board hereby authorizes Police Officers Joshua Tucker and Joseph Wasilewski to attend the five day training session conducted by the Dutchess

County Crisis Intervention Team (CIT) from Monday, April 23rd to Friday, April 27th, 2018.

MOTION: Councilwoman Svenson

SECOND: Councilman Ray

VOICE VOTE: 4 – 0 CARRIED

RESOLUTION 3:12 – 11 OF 2018

RESOLUTION APPROVING AND AUTHORIZING THE TOWN SUPERVISOR TO SIGN A STIPULATION SETTLEMENT WITH THE TOWN OF HYDE PARK POLICE BENEVOLENT ASSOCIATION (PBA)

BE IT RESOLVED, that the Town Board of the Town of Hyde Park hereby approves and authorizes the Town Supervisor to sign a stipulation settlement between the Town and the Town of Hyde Park Police Benevolent Associate (PBA) regarding a 2017 Training Grievance.

MOTION: Councilman Ray

SECOND: Councilwoman Svenson

VOICE VOTE: 4 – 0 CARRIED

MOTION: Councilman Schneider

SECOND: Councilman Ray

To enter executive session to discuss contract negotiations.

VOICE VOTE: 4 – 0 CARRIED at 7:10pm

MOTION: Councilman Schneider

SECOND: Councilman Ray

To return from executive session.

VOICE VOTE: 4 – 0 CARRIED at 7:43pm

Supervisor Rohr stated that no decisions were made.

MOTION: Councilman Schneider

SECOND: Councilman Ray

To adjourn meeting

VOICE VOTE: 4 – 0 CARRIED

Meeting adjourned at 7:45pm

Respectfully submitted,

Donna McGrogan

Town Clerk

