

**HYDE PARK TOWN BOARD
REGULAR MEETING, PUBLIC HEARING, & WORKSHOPS
MONDAY, JANUARY 25, 2021 AT 6:00 P.M.**

To watch the Town Board meeting live on YouTube, please go to this link:
<https://www.youtube.com/channel/UCcb5NmRUM9SwOAL0vwcyarQ/live>

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ACCEPT MINUTES OF JANUARY 4, 2021

PUBLIC COMMENT ON RESOLUTIONS ONLY

NOTE: "TIME LIMIT OF 3 MINUTES ONLY"

May be submitted via e-mail to the Town Clerk at: dmcgrogan@hydeparkny.us

If you would like to participate remotely during the public comment portion of the hearing, please go to the following link to register:

<https://www.hydeparkny.us/DocumentCenter/View/2372/Remote-Public-Hearing-Procedures-PDF>

NOTE: There will be NO gathering at the Town of Hyde Park Town Hall for this meeting or the Public Hearings.

PUBLIC HEARINGS:

1. PUBLIC HEARING ON THE ADOPTION OF A RESOLUTION TO AUTHORIZE THE USE OF \$50,000 OF THE TOWN OF HYDE PARK'S SNOW AND ROAD REPAIR RESERVE FUND TO COMPLETE FUNDING FOR THE TOWN'S 2020 CAPITAL ROAD IMPROVEMENT PROJECTS

EXECUTIVE SESSION

WORKSHOPS:

1. PRESENTATION BY THE TOWN OF HYDE PARK ASSESSOR ON THE POLICY FOR FILING OF EXEMPTIONS FOR 2021 AND THE EXPLANATION OF HOW THE EQUALIZATION WORKS
2. PRESENTATION BY GIRL SCOUT LORELAI HERRIMAN ON HER GIRL SCOUT PROJECT IDEA FOR THE INSTALLATION OF A GAGA BALL PIT AT HACKETT HILL PARK

RESOLUTIONS:

1. ADOPT LOCAL LAW F OF 2020 ENTITLED: "A LOCAL LAW AMENDING CHAPTER 102 OF THE TOWN CODE WITH REGARD TO TIMBER HARVESTING TO PROVIDE, IN RELEVANT PART, THAT A SPECIAL USE PERMIT AND SITE PLAN APPROVAL SHALL BE REQUIRED FOR ALL TIMBER HARVESTING ACTIVITIES COVERED BY SAID CHAPTER"
2. COMMENCE LOCAL LAW ADOPTION PROCESS FOR LOCAL LAW NO. A OF THE YEAR 2021 ENTITLED: "A LOCAL LAW AMENDING CERTAIN PROVISIONS OF CHAPTER 70 OF THE TOWN OF HYDE PARK CODE REGARDING THE ISSUANCE OF HAWKING AND PEDDLING LICENSES"
3. COMMENCE LOCAL LAW ADOPTION PROCESS FOR ADOPTION OF LOCAL LAW NO. B OF THE YEAR 2021 ENTITLED: "A LOCAL LAW AMENDING CHAPTER 40, SECTION 40-11(D) OF THE TOWN CODE WITH REGARD TO THER IMPOSITION AND COLLECTION OF FEES FOR FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS"
4. AUTHORIZE REAL PROPERTY RENEWAL PROCEDURES FOR SENIORS AND PERSONS WITH DISABILITIES AND LIMITED INCOME IN CERTAIN CASES, PURSUANT TO SENATE BILL S9114, SUBPART D, DATED DECEMBER 23, 2020
5. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPOINT PAUL J. DONNELLY AS A MEMBER TO THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS
6. AUTHORIZE RELEASE OF THE BALANCE OF ESCROW FOR THE TOWN OF HYDE PARK ZONING ADMINISTRATOR
7. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR

TO EXECUTE A CONSULTING PROPOSAL WITH CHOICE WORDS FOR GRANT CONSULTING SERVICES FOR THE TOWN OF HYDE PARK

8. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE A PROPOSAL WITH RHINEBECK ARCHITECTURE FOR A FEASIBILITY STUDY FOR THE POSSIBLE EXPANSION OF TOWN HALL
9. AUTHORIZE TOWN SUPERVISOR TO EXECUTE THE ACCESS AND REMOVAL AGREEMENT AND CO-LOCATION AGREEMENT WITH VERIZON WIRELESS OF THE EAST LP FOR A COMMUNICATIONS TOWER LOCATED 113 SOUTH QUAKER LANE IN THE TOWN OF HYDE PARK
10. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT THE 2021 UPDATED LISTING OF ELECTRICAL INSPECTORS AS THE OFFICIAL LIST OF ELECTRICAL INSPECTORS FOR THE TOWN OF HYDE PARK AND APPROVE INSPECTIONS ON TIME TO BE ADDED AS ELECTRICAL INSPECTORS TO SAID LIST FOR THE TOWN OF HYDE PARK
11. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPOINT PETER LONGI AS PART TIME DEPUTY FIRE INSPECTOR FOR THE TOWN OF HYDE PARK
12. AUTHORIZE NUNC PRO TUNC THE ATTENDANCE OF NEWLY APPOINTED COUNCILMAN STEPHEN WOODCOCK AT THE NEW YORK STATE ASSOCIATION OF TOWNS VIRTUAL TWO DAY "TOWN BOOT CAMP: BACK TO BASICS!" WEBINARS JANUARY 12TH & JANUARY 19TH, 2021
13. AUTHORIZE NEWLY APPOINTED TOWN OF HYDE PARK COUNCILMAN STEPHEN WOODCOCK TO ATTEND THE NEW YORK STATE ASSOCIATION OF TOWNS VIRTUAL ANNUAL MEETING & TRAINING SCHOOL TO BE HELD

FEBRUARY 14TH, TO FEBRUARY 17, 2021

14. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPOINT THE 2021 TOWN BOARD LIAISONS FOR THE TOWN AND COMMUNITY
15. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE FORMATION OF THE POLICE MODERNIZATION COMMITTEE FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT
16. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK POLICE LIEUTENANT PAUL CACCIA
17. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK POLICE ASSISTANT DERRICK BYRNE
18. AUTHORIZE TOWN OF HYDE PARK POLICE SERGEANT MARTIN MONACO TO ATTEND THE DUTCHESS COUNTY POLICE SUPERVISION CLASS MARCH 22ND THROUGH APRIL 2ND, 2021 IN THE CITY OF POUGHKEEPSIE
19. AUTHORIZE TOWN OF HYDE PARK POLICE OFFICER MICHAEL STALLONE TO ATTEND THE SNYPJOA BASIC JUVENILE POLICE OFFICERS ASSOCIATION TRAINING MARCH 22ND THROUGH MARCH 26TH, 2021 AT THE WESTCHESTER COUNTY POLICE ACADEMY IN VALHALLA, NY
20. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE PURCHASE OF A NEW VEHICLE FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT FLEET
21. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT THE 2021 PUBLIC WORKS LABOR AND EQUIPMENT RATES FOR THE TOWN OF HYDE PARK

22. APPROVE BUDGET REVISIONS TO THE TOWN OF HYDE PARK BUDGET FOR THE PERIOD OF DECEMBER 2020 BUDGET REVISIONS NUMBER 2020-12
23. AUTHORIZE 2020 YEAR END INTER-FUND ADVANCES FOR THE TOWN OF HYDE PARK
24. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO AMEND THE TOWN OF HYDE PARK EMPLOYEE HANDBOOK REGARDING COMPENSATORY TIME IN ORDER TO AUTHORIZE PAYMENT OF ANY CURRENT COMPENSATORY TIME EARNED PRIOR TO JANUARY 1, 2021 FOR NON-UNION EMPLOYEES
25. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE FORMATION OF A PUBLIC HEALTH EMERGENCY PLAN COMMITTEE FOR THE TOWN OF HYDE PARK

NEW AND OLD BUSINESS

ADJOURN

***AGENDA SUBJECT TO CHANGE**

RESOLUTION 1:25 – 1 OF 2021

RESOLUTION ADOPTING LOCAL LAW NO. F OF THE YEAR 2021 ENTITLED: “A LOCAL LAW AMENDING CHAPTER 102 OF THE TOWN CODE WITH REGARD TO TIMBER HARVESTING TO PROVIDE, IN RELEVANT PART, THAT A SPECIAL USE PERMIT AND SITE PLAN APPROVAL SHALL BE REQUIRED FOR ALL TIMBER HARVESTING ACTIVITIES COVERED BY SAID CHAPTER”

WHEREAS, the Town’s Zoning Administrator (ZA) has advised the Town that to properly regulate the conduct of timber harvesting a special use permit should be required in conjunction with all timber harvesting operations regulated by Section 102 of the Town Code; and

WHEREAS, the Town Code currently regulates timber harvesting activities solely through permit application to the Town’s Zoning Administrator pursuant to Chapter 102 of the Town Code; and

WHEREAS, the Town Board has requested the Attorney to the Town to draft a local law amending Section 102 of the Town Code to provide, in relevant part, that all applications for timber harvesting permits pursuant to Chapter 102 of the Town Code shall be subject to special use permit application and approval by the Planning Board; and

WHEREAS, in the Town of Hyde Park, the Town Zoning Code provides that special use permits also require site plan approval; and

WHEREAS, the Attorney to the Town has prepared a Local Law amending Chapter 102 of the Town Code to provide, in relevant part, that all applications for timber harvesting activities pursuant to Chapter 102 of the Town Code require special use permit and site plan approval by the Planning Board; and

WHEREAS, the Attorney to the Town has drafted said Local Law and has included in said Local Law certain other new provisions with regard to the regulation of timber harvesting activities; and

WHEREAS, the Local Law has been reviewed by the Town’s Zoning Administrator and Conservation Advisory Council and certain changes to the proposed Local Law have been made in consideration of comments made by the ZA and CAC; and

WHEREAS, the proposed Local Law has been presented to the Town Board for purposes of commencing the local law adoption process and has found to be acceptable for purposes of commencing that process; and

WHEREAS, the Town Board had determined that this is an Unlisted Action under SEQRA and that the Town Board is the only agency involved in this action and that the Town Board will be conducting an uncoordinated SEQRA review of the same; and

WHEREAS, the Town Board duly forwarded a copy of the proposed Local Law to the Town Planning Board and to the Dutchess County Department of Planning and Development for their review and comment; and

WHEREAS, the Town Board scheduled and opened the public hearing on the adoption of this Local Law on December 7, 2020 and, at that time, took public comments and closed the public hearing on that same date; and

WHEREAS, the Town Board, at its January 25, 2021 meeting, reviewed Parts 2 and 3 of the Full Environmental Assessment Form for this action and determined that the local law amendment will not result in any significant environmental impacts and that a Draft Environmental Impact Statement need not be prepared.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby determines that this action will not result in any adverse environmental impacts and that a Draft Environmental Impact Statement need not be prepared; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts Local Law No. F of the Year 2021 entitled: “A Local Law Amending Chapter 102 of the Town Code with Regard to Timber Harvesting to Provide, in relevant part, that a Special Use Permit and Site Plan Approval shall be Required for all Timber Harvesting Activities Covered by said Chapter”; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs that the Town Clerk file a copy of the Local Law with the New York State Department of State and publish notice of the negative SEQRA declaration in the DEC Environmental Notice Bulletin, as required by DEC rules and regulations.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

TOWN OF HYDE PARK

LOCAL LAW NO. F OF THE YEAR 2021

A LOCAL LAW AMENDING CHAPTER 102 OF THE TOWN CODE WITH REGARD TO TIMBER HARVESTING TO PROVIDE, IN RELEVANT PART, THAT A SPECIAL USE PERMIT AND SITE PLAN APPROVAL SHALL BE REQUIRED FOR ALL TIMBER HARVESTING ACTIVITIES COVERED BY SAID CHAPTER

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 Amending Chapter 102 of the Town Code with Regard to Timber Harvesting to Provide, in Relevant Part, that a Special Use Permit and Site Plan Approval shall be Required for All Timber Harvesting Activities Covered by said Chapter”.

SECTION 2. PURPOSE.

The Town Zoning Administrator has advised the Town Board that to properly regulate the conduct of timber harvesting, a special use permit and site plan approval should be required in conjunction with all timber harvesting activities regulated by §102 of the Town Code.

SECTION 3.

Section 102 of the Town Code is hereby amended as follows:

1. Section 102-2(D) of the Code is hereby amended to delete the said subsection (D) and redesignate subsection (E) as subsection (D).
2. In Section 102-3, Definitions, the definition of the term “Application” shall be amended to change the reference from Code Enforcement Officer to Zoning Administrator.
3. Section 102-4, Permit Requirements, is hereby rescinded and a new §102-4 is enacted to provide as follows:

“No person, firm, partnership, corporation or other entity (hereinafter referred to as “Person”) shall engage in commercial timber harvesting, as defined in this chapter, without the issuance of a special use

permit and site plan approval in accordance with the provisions of §102-6.”

4. Section 102-6(A) is hereby rescinded and, in its stead, a new subsection (a) is enacted which shall read as follows:

“A person desiring to engage in commercial timber harvesting in the Town shall file a timber harvesting permit application with the Zoning Administrator (ZA), together with payment of the timber harvesting application fee in an amount which shall be set from time to time by resolution of the Town Board in the Town Fee Schedule. The application shall be signed by the owner of the real property on which the activity will occur or their designated agent.”

5. Section 102-6(B) is hereby amended to change the term “CEO” to read “ZA” in the first and second sentences.

6. Section 102-6(D)(2) is rescinded and in its stead the following new Section 102-6(D)(2) is hereby adopted which shall read as follows:

“If the ZA determines that the basic application: (i) is complete; (ii) that it is not an application for clear cutting as that term is defined in Section 102-3 of the Town Code; (iii) that the haul roads in the area to be harvested do not have slopes exceeding 15% for more than 200 feet; and (iv) that no streams are present and/or contiguous to the harvest area as shown on the topographic map(s), the above steps will complete the basic information required for the timber harvesting application he/she shall forward the application to the Planning Board for future action as provided hereinafter.”

7. Section 102-6(E)(1) is hereby amended to insert the word “additional” between the words “following” and “information”.

8. Section 102-6(E) is hereby amended to delete subparagraph (2) and renumber subparagraph (3) subparagraph (2).

9. Section 102-6(6) is hereby amended to add the additional subparagraphs as follows:

“G. Referral to Planning Board for Special Permit and Site Plan Approval.

- (1) When the full timber harvest application, and, if applicable, clear cutting applications are complete, the ZA shall forward the entire application to the Planning Board for special permit and site plan review and approval for the timber harvesting application in accordance with the special use permit and site plan application procedures set forth in Articles VIII and IX of the Hyde Park Code.

- (2) All timber harvesting operations shall be conducted in accordance with the approved timber harvesting plan. The timber harvesting plan shall be developed by the New York State Cooperating Consultant Forester or a professional forester with active membership in the Society of American Foresters or the Association of Consulting Foresters. Such plan shall contain the following information:
 - (a) location of haul roads, trails, landings and staging areas;
 - (b) limits of harvesting operation and buffer zones to be provided along streams, property boundaries and public roads;
 - (c) description of the harvesting activity; *i.e.*, clear-cutting, diameter limit cutting, fitting, section cutting including the dates between which such harvesting activity will occur;
 - (d) erosion control plan;
 - (e) reclamation plan; and
 - (f) such other and further information and documentation as the Planning Board may require.

- (3) Where appropriate, permits will be secured by the applicant prior to any clearing for an access to a public road, stream crossing or wetlands disturbance. The Town of Hyde Park Highway Superintendent shall approve all access points within his/her jurisdiction.
- (4) The Planning Board shall be permitted to seek advice from the Dutchess County Soil and Water Conservation District in relation to the logging road layout and stream disturbances and shall be permitted to retain the services of an independent qualified forester to review any clear-cutting activities, or any other as part of the application.
- (5) Loading areas which must be located in the same zone as the operation shall be smooth to remove all ruts and debris. Wood and soil waste material shall be buried or removed to a point out of sight of any road or adjacent property. A 50-foot buffer zone shall be required between any logging area or landing site and any public road or adjacent property.
- (6) No commercial logging operations or removal of product shall take place between the hours of 8:00 p.m. and 8:00 a.m.
- (7) The Zoning Administrator shall have the authority to order the suspension of logging operations if, in his/her opinion, conditions created by spring thaw, adverse weather or any other cause make soil erosion probable.
- (8) The Town Highway Superintendent shall have the authority to:
 - (a) Order the suspension of logging operations if it is determined that conditions created by the spring thaw, adverse weather or other cause may likely damage a public road.

- (b) Restrict the weight of logging trucks in accordance with the capabilities or condition of roads, bridges, and culverts.
 - (c) Require the repair of roads, bridges, and culverts damaged as a result of a logging operation.
- (9) All streams shall be crossed in accordance with the provisions of New York State Environmental Conservation Law, Article 15, and all other applicable state and federal laws, rules and regulations.
- (10) There shall be no skidding in any stream channel except at approved stream crossings.
- (11) Haul and skid trails shall be maintained and abandoned in a manner that will prevent erosion.
- (12) The logger shall clean up any debris or deposits of any kind on public roads and shall repair or pay the cost of repair of any damage done to roads, curbs, utility lines and any other property resulting from the logging operation.
- (13) The Planning Board may require that, prior to completion of the operation, a report be filed by the forester with the Planning Board and Zoning Administrator indicating what measures have been taken in order to restore the property and prevent erosion.
- (14) The term of this permit shall be for one year. However, since the operation may be adversely affected or delayed by unusual circumstances of weather or other occurrences, a one-year extension may be granted by the Zoning Administrator. Any

additional extensions shall require application to the Planning Board.

- (15) The Planning Board shall have the right to require any additional conditions, including, but not limited to, restoration of damaged roads and expanded buffer areas, deemed necessary to protect the health, welfare and safety of the residents of the Town of Hyde Park.
- (16) Any logging operation in existence at the time of the enactment of this Local Law may continue without interruption, provided that application be made within thirty (30) days of said enactment for a special use permit and site plan approval under the provisions of this chapter and that such permit be granted by the Planning Board.”

10. Bonding. The Planning Board shall have the power to require bonding to ensure that the logging activities shall not cause any damage to any public road or right-of-way and to ensure the repair of any damage done to roads, curbs, utility lines and any other property resulting from the logging operation.”

SECTION 4. AMENDMENTS TO SCHEDULE OF USE REGULATIONS.

The Town of Hyde Park Schedule of Use Regulations, 108, Attachment 1, of the Town Code is hereby amended as follows:

1. “Forestry Use” as listed as a non-residential use is hereby eliminated in its entirety.
2. Schedule of Use Regulations is hereby amended to provide under the category of “Non-Residential Uses, the use “Timber Harvesting” as a use permitted in all zoning districts subject to special use permit and site plan approval (S) except in the Crossroads Core and Town Core Districts where the use is not permitted (NP).

SECTION 5. AMENDMENTS TO ARTICLE 2, “DEFINITIONS”:

Amendment to Article 2; “Definitions”.

- (a) Section 108-2.2 terms defined in the Town Code is hereby amended to omit the current definition of “Forestry Use” and in its place, insert in

proper alphabetical order, the term “Timber Harvesting” with the following definition:

- (i) Commercial logging activity proposing harvesting of more than 50 standard cords of wood or 50,000 board feet of timber as measured by international “¼ inch log rule in any one year”. Timber harvesting operations are regulated by Chapter 102 of the Town Code.

SECTION 6. SEVERABILITY.

In the event that any section, paragraph, sentence, clause or phrase of this article is held invalid or unconstitutional by any court of competent jurisdiction, the invalid or unconstitutional portions of this article shall be deemed severed from the article and shall in no way affect the validity of the rest of this article.”

SECTION 7. SUPERSESION.

This local law is hereby adopted pursuant to the provisions of the New York State Municipal Home Rule Law and §10 of the New York State Statute of Local Governments. It is the intent of the Town Board to supersede any provisions of the New York State Law to the extent that they may be inconsistent with the provisions of this Local Law.

SECTION 8. EFFECTIVE DATE.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLUTION 1:25 - 2 OF 2021

RESOLUTION COMMENCING THE LOCAL LAW ADOPTION PROCESS FOR LOCAL LAW NO. A OF THE YEAR 2021 ENTITLED: "A LOCAL LAW AMENDING CERTAIN PROVISIONS OF CHAPTER 70 OF THE TOWN OF HYDE PARK CODE REGARDING THE ISSUANCE OF HAWKING AND PEDDLING LICENSES"

WHEREAS, the Town Clerk and Hyde Park Chief of Police have informed the Town that there are certain provisions of Chapter 70 of the Town Code relating to hawing and peddling licenses which are insufficient with regard to the forwarding of applications for investigation by the Division of Criminal Justice Services and with regard to the ability of the Town to refuse a license, to, or to remove the license of, any person in the judgment of the Town Board shall be an undesirable person or incapable of properly conducting, the trade or business desired; and

WHEREAS, the Town Board has requested the Attorney to the Town to prepare a local law appropriately amending Chapter 70 of the Town Code; and

WHEREAS, the Attorney to the Town has prepared proposed Local Law No. A of the Year 2021 entitled: "A Local Law Amending Certain Provisions of Chapter 70 of the Town of Hyde Park Code Regarding the Issuance of Hawking and Peddling Licenses"; and

WHEREAS, the said proposed local law has been reviewed by the Town Board and has been determined to be acceptable for purposes of commencing the local law adoption process; and

WHEREAS, the Town Board has determined that this is a Type II action under SEQRA which does not require environmental review.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby schedules a public hearing on Local Law No. A of the Year 2021 entitled: "A Local Law Amending Certain Provisions of Chapter 70 of the Town of Hyde Park Code Regarding the Issuance of Hawking and Peddling Licenses" for February 22, 2021 at 6:05 p.m.; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to provide such posting and notice of said public hearing as required by law.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Woodcock _____
Councilman Schneider _____
Supervisor Rohr _____

TOWN OF HYDE PARK

LOCAL LAW NO. A OF THE YEAR 2021

**A LOCAL LAW AMENDING CERTAIN PROVISIONS OF CHAPTER 70
OF THE TOWN OF HYDE PARK CODE REGARDING THE ISSUANCE OF
HAWKING AND PEDDLING LICENSES**

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 Amending Certain Provisions of Chapter 70 of the Town of Hyde Park Code Regarding the Issuance of Hawking and Peddling Licenses.

SECTION 2. PURPOSE AND AUTHORITY.

The Town Clerk and the Hyde Park Chief of Police have informed the Town that there are certain provisions of Chapter 70 of the Town Code relating to hawking and peddling licenses which are insufficient with regard to the forwarding of applications for investigation by the Division of Criminal Justice Services and with regard to the ability of the Town to refuse a license to, or to revoke the license of, any person in the judgment of the Town Board shall be an undesirable person or incapable of properly conducting, the trade or business desired.

SECTION 3.

A. Chapter 70, §70-3(E) of the Town Code is hereby deleted and in its place a new subsection (E) of the Town Code is hereby enacted, which shall read as follows:

“Licenses for hawkers and peddlers shall be issued by the Town Clerk of the Town of Hyde, subject to approval of the Town Board of the Town of Hyde Park. Applicants shall submit their applications to the Town Clerk of the Town of Hyde Park with all required information and a nonrefundable application fee set by the Town Board in the Town’s Fee Schedule. The Town Clerk shall refer the application to the Town of Hyde Park Police Department

for such investigation of the applicant, to be made as it deems necessary for the protection of the public good. The Chief of Police or his designee shall forward the fingerprints of the applicants and applicable fees to the Division of Criminal Justice Services, in the form and manner as prescribed by the Division, for a search of its criminal history records, and shall review the report returned by the Division. If such investigation should prove the applicant to have been convicted of a misdemeanor or felony, any decision regarding such prospective applicant's fitness for a license must be made upon consideration of New York State Correction Law §§701-703-b and §§751-753. If, as a result of such investigation of the applicant, no police record is found, the Police Department shall attach a statement to the application that it has no police record of the applicant and shall return the application, together with the results of the police investigation of the applicant's criminal record, to the Town Clerk. The Town Clerk shall refer the application, together with the results of the police investigation of the applicant's criminal record, to the Town Board for its approval or disapproval of the application. Upon notification by the Town Board of the approval, the Town Clerk shall be authorized to issue said license after payment of the fee as hereinafter set forth. Upon notification of disapproval by the Town Board, the notice of disapproval shall be transmitted to the applicant."

B. Chapter 70, §70-3 of the Town Code is hereby amended to add the following subsection (F):

"A license may be refused if the applicant shall have been convicted of a misdemeanor or felony which in the judgment of the Town Board renders the applicant unfit or undesirable to carry on the trade or occupation involved. The Town Board may also refuse a license to any person who in its judgment may be an undesirable person or incapable of properly conducting the trade or business desired. Any applicant who has been refused a license by the Town Board may appeal the refusal to the Town Board for a public hearing at which the licensee shall have an opportunity to be heard, as provided in §150-13 of this Code."

C. Chapter 70; §70-5, License Fees – is hereby amended to add the following:

"All fees will be collected by the Town Clerk."

D. Chapter 70, §70-11(B), Appeals, of the Town Code is hereby deleted.

E. Chapter 70 of the Town Code is hereby amended to add a new subsection 70-12 titled: "APPEALS", which shall read as follows:

"A. Any person aggrieved by the action of the Town Board in refusing or revoking a license as provided in this Chapter shall have the right to appeal to the Town Board within fourteen (14) days of the refusal or revocation of the license.

B. The Town Board shall set a date, time and place for the hearing on such appeal and notice such hearing shall be mailed to the applicant by regular mail and certified mail at the applicant's address as shown on the application at least ten (10) days prior to the date set for the hearing.

C. The applicant shall be provided with an opportunity to be heard at the public hearing, and to present evidence and/ or arguments as to why the application should not have been denied or revoked, as the case may be.

D. If after the conduct of the public hearing, the Town Board determines that the license should be granted, or the revocation of the license should be withdrawn, the applicant and the Town Clerk shall be so notified within ten (10) days after the date of determination of the Town Board and the Town Clerk shall issue or reissue the license, as the case may be. In the event the Town Board determines to sustain its original refusal to issue the license or its revocation of the license, the applicant shall be provided notice of such determination within ten (10) days of the date of close of the hearing and the applicant shall have the right to a review of such determination pursuant to the provisions of Article 78 of the Civil Practice Law and Rules of the State of New York but any such proceeding must be commenced within thirty (30) days after the mailing of the notice of the action sought to be reviewed and the filing of the same in the Town Clerk's office."

SECTION 4. SEVERABILITY.

In the event that any section, paragraph, sentence, clause or phrase of this article is held invalid or unconstitutional by any court of competent jurisdiction, the invalid or unconstitutional portions of this article shall be deemed severed from the article and shall in no way affect the validity of the rest of this article.

SECTION 5. SUPERSESSION.

This local law is hereby adopted pursuant to the provisions of the New York State Municipal Home Rule Law and §10 of the New York State Statute of Local Governments. It is

the intent of the Town Board to supersede any provisions of the New York State Law to the extent that they may be inconsistent with the provisions of this Local Law.

SECTION 6. EFFECTIVE DATE.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLUTION 1:25 - 3 OF 2021

RESOLUTION COMMENCING THE LOCAL LAW ADOPTION PROCESS FOR ADOPTION OF LOCAL LAW NO. B OF THE YEAR 2021 ENTITLED: “A LOCAL LAW AMENDING CHAPTER 40, SECTION 40-11(D) OF THE TOWN CODE WITH REGARD TO THEIR IMPOSITION AND COLLECTION OF FEES FOR FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS”

WHEREAS, the Town’s Building and Fire Inspectors have notified the Town Board that they have experienced difficulty in presenting bills for payment for Fire Safety and Property Maintenance Inspections, as required by Chapter 40, Section 40-11(D) of the Town Code; and

WHEREAS, the Town Board has determined that an amendment to that section of the Code is required to provide for such billing directing to property owner(s) by the Town for Fire Safety and Property Maintenance Inspections and for remedies for collection of fees if not paid; and

WHEREAS, the Attorney to the Town has, at the request of the Town Board, drafted a proposed local law entitled: “A Local Law Amending Chapter 50, Section 40-11(d) of the Town Code with Regard to the Imposition and Collection of Fees for Fire Safety and Property Maintenance Inspections” and has presented the local law to the Town Board at its January 25, 2021 Town Board meeting; and

WHEREAS, the Town Board has determined that this is a Type II action under SEQRA which does not require environmental review; and

WHEREAS, the Town Board has determined that the local law in its present form is acceptable for purposes of commencing the local law adoption process.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts Local Law No. B of the Year 2021 entitled: “A Local Law Amending Chapter 50, Section 40-11(d) of the Town Code with Regard to the Imposition and Collection of Fees for Fire Safety and Property Maintenance Inspections” for purposes of commencing the local law adoption process; and

BE IT FURTHER RESOLVED, that the Town Board hereby schedules a public hearing on said local law for February 22, 2021 at 6:10 p.m.; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to post and provide such notice of said public hearing as may be required by law.

MOTION:
SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Woodcock _____
Councilman Schneider _____
Supervisor Rohr _____

TOWN OF HYDE PARK

LOCAL LAW NO. B OF THE YEAR 2021

A LOCAL LAW AMENDING CHAPTER 40, SECTION 40-11(D) OF THE TOWN CODE WITH REGARD TO THE IMPOSITION AND COLLECTION OF FEES FOR FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS

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 Amending Chapter 40, Section 40-11(D) of the Town Code with Regard to the Imposition and Collection of Fees for Fire Safety and Property Maintenance Inspection.

SECTION 2. PURPOSE.

The Town’s Building and Fire Inspectors have notified the Town Board that they have experienced difficulty in presenting bills for payment for fire and property maintenance inspections, as required by Chapter 40, Section 40-11(D) of the Town Code. The Town Board has determined that an amendment to that section of the Code is required to provide for such billing directly to the property owner(s) by the Town for fire and property maintenance inspections and for remedies for collection of those fees if not paid.

SECTION 3.

Chapter 40-11(D) is hereby omitted and in its place a new subsection (D) is hereby adopted, which shall read as follows:

“The Building Inspector and the Town shall charge and collect fees for inspections under this section, as such fees are established by the Town Board. The owner(s) of the inspected property shall be

responsible for payment of the fees. After the completion of the fire safety and/or property maintenance inspections provided for in this Code, the property owner(s) shall be charged a fee for such inspection, as set forth in the Town Schedule of Fees. The billing for such fees shall be sent by the Town Clerk, or other Town official designated by the Town Board by Resolution, to the property owner(s) at the address of the property as shown on the most current Town of Hyde Park tax roll, or such other address as the property owner(s) may have provided to the Town in writing. In the event of non-payment of such fees within a period of thirty (30) days of billing, the following remedies shall apply:

- (1) The Town may seek recovery of its fees by action venued in a court of appropriate jurisdiction, and, in addition to the fee, the owner(s) shall be responsible for the reasonable and necessary attorney's fees, costs and disbursements expended by the Town in prosecuting such action; and
- (2) In addition, and at the sole discretion of the Town Board, a default in payment of fees may be remedied by charging such sums, together with related costs, including attorney's fees incurred, against the subject real property by adding that charge to, and making it a part of, the next annual real property tax assessment roll of the Town. Such charges shall be levied and collected at the same time and in the same manner as Town-assessed taxes. Prior to charging such assessments, the owner(s) of the real property shall be provided written notice sent to his/her (their) last known address of record by certified mail, return receipt requested, of an opportunity to be heard and object before the Town Board adds such sums to the property's assessment at a date and time to be designated in the notice, which shall be no less than 30 days after its mailing via certified mail, return receipt requested and by first class regular mail. Upon receipt of an objection to the charging of such assessments by the property owner(s), together with a request by the property owner(s) for an opportunity to be heard and object before the Town Board, the Town Board shall, within thirty (30) days of the request, schedule the matter for a hearing before the Town Board and shall notify the property owner(s) of the date and time of the

hearing. At said hearing, the property owner(s) shall be given an opportunity to present arguments and/or evidence as to why the payment of such fees should not be charged as a lien against the property. The Town Board shall render a decision on said appeal within thirty (30) days of the close of the hearing, which decision shall be sent to the property owner(s) by certified mail, return receipt requested.

SECTION 4. SEVERABILITY.

In the event that any section, paragraph, sentence, clause or phrase of this article is held invalid or unconstitutional by any court of competent jurisdiction, the invalid or unconstitutional portions of this article shall be deemed severed from the article and shall in no way affect the validity of the rest of this article.

SECTION 5. SUPERSESION.

This local law is hereby adopted pursuant to the provisions of the New York State Municipal Home Rule Law and §10 of the New York State Statute of Local Governments. It is the intent of the Town Board to supersede any provisions of the New York State Law to the extent that they may be inconsistent with the provisions of this Local Law.

SECTION 6. EFFECTIVE DATE.

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLUTION 1:25 – 4 OF 2021

RESOLUTION AUTHORIZING REAL PROPERTY RENEWAL PROCEDURES FOR SENIORS AND PERSONS WITH DISABILITIES AND LIMITED INCOME IN CERTAIN CASES, PURSUANT TO SENATE BILL S9114, SUBPART D, DATED DECEMBER 23, 2020

WHEREAS, Senate Bill S9114, Subpart D, dated December 23, 2020, directs, in relevant part, that every governing body of an assessing unit and local assessor shall extend to the 2021 Assessment Roll, the renewal of the exemptions received on the 2020 Assessment Roll, pursuant to §§467 and 459-c of the Real Property Tax Law relating to persons age 65 and older and for certain persons with disabilities and limited income so that no renewal application shall be required of any eligible recipient who has received either exemption on the 2020 Assessment Roll in order for such eligible recipient to continue receiving such exemption at the same amount received on the 2020 Assessment Roll; and

WHEREAS, Senate Bill S9114, Subpart D, further provides that the local assessor shall make available renewal applications through postal mail or electronic means in order for eligible recipients to file renewal applications in the event that his or her income has changed in a manner that would grant him or her a greater exemption than what was present on the 2020 Assessment Roll; and

WHEREAS, Senate Bill S9114, Subpart D, provides further that such governing body may adopt a local law or resolution which includes procedures by which the assessor may require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2020 Assessment Roll may have since changed his or her primary residence; added another owner to the deed; transferred the property to a new owner; or died, but no governing body of an assessing unit or local assessor may require eligible recipients to appear in person to file a renewal application for any reason; and

WHEREAS, the Town Board has determined that the proposed action is a Type II action under SEQRA; and

WHEREAS, the Town Board of the Town of Hyde Park finds that it is in the best interests of the Town and its taxpayers to require such renewal application procedures in the interest of the health, safety, and welfare of the taxpayers during the period of the Covid Pandemic.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. Pursuant to Senate Bill S9114, Subpart D, the Town Assessor shall make available renewal applications through postal or electronic means in order for eligible recipients to file renewal applications in the event such eligible recipient determines his or her income has changed in a manner that would grant him or her a greater exemption than what was present on the 2020 Assessment Roll.

2. The Assessor may require a renewal application pursuant to the procedures hereinafter stated to be followed when he or she has reason to believe that an owner who qualified on the 2020 Assessment Roll has changed his or her primary residence; added another owner to the property; transferred the property to a new owner; or has died; and in such case the Assessor shall document the reasons for such need for renewal application.

3. That the said renewal application shall be filed by the property owner by March 1, 2021, together with any other documentation as may be necessary for the Assessor to determine the continued eligibility of the property owner.

4. The Assessor shall notify the owner of the requirement in writing and shall provide a renewal application and a return envelope which the property owner shall complete and return with the required documentation to the Assessor by mail.

5. This Resolution shall take effect immediately and shall expire May 1, 2021 and shall be deemed to have been in full force from and on, and after March 7, 2020.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 1:25 - 5 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT PAUL DONNELLY AS A MEMBER OF THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS

WHEREAS, the Town of Hyde Park Zoning Board of Appeals consists of five (5) members with five (5) year terms; and two (2) alternate members with two (2) year terms; and

WHEREAS, there is currently a vacancy for the Town of Hyde Park Zoning Board due to the resignation of member Brendan Lawler; and

WHEREAS, the Town of Hyde Park Town Board would like to appoint Paul Donnelly as a member to the Town of Hyde Park Zoning Board of Appeals effective immediately to fill the vacancy left by member Brendan Lawler whose term is set to expire on December 31, 2021.

NOW THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby appoint Paul Donnelly as a member to the Town of Hyde Park Zoning Board of Appeals effective immediately, to a term that will expire on December 31, 2021.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 1:25 - 6 OF 2021

RESOLUTION AUTHORIZING THE RELEASE OF THE BALANCE OF ESCROW FOR THE TOWN OF HYDE PARK ZONING ADMINISTRATOR

WHEREAS, escrow had been established for the review of the project as noted below; and

WHEREAS, the Zoning Administrator reviewed this project and recommends the release of the escrow balance as said project is complete.

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 below listed escrow account is hereby authorized to release to the said applicant the balance as listed below from their escrow account.

PROJECT	PROJECT #	ENGINEER /PLANNER	TOTAL
Hyde Park Condo	04-18 ESC	\$ 500.00	\$ 500.00
Associates Golf Car	13-18 ESC	\$ 172.00	\$ 172.00
Hudson Valley Hospice	04-19 ESC	\$ 500.00	\$ 500.00
Mintzer Vet Clinic	16-44 SPCI	\$ 500.00	\$ 500.00
Hyde Park Town Ctr. North	16-15 SPCI	\$ 286.51	\$ 286.51
Anderson Ctr. For Autism	17-17 SPCI	\$ 500.00	\$ 500.00
Hyde Park Condo WWTF	2018-16 SPCI	\$ 500.00	\$ 500.00
Associates Golf Car	2018-05 SPCI	\$ 862.00	\$ 862.00
Hospice	2019-10 SPCI	\$2,000.00	\$2,000.00

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Woodcock _____
Councilman Schneider _____
Supervisor Rohr _____

**RESOLUTIONS 7 & 8 WERE NOT AVAILABLE AT
TIME OF PUBLICATION**

RESOLUTION 1:25 – 9 OF 2021

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE AN ACCESS AND REMOVAL AGREEMENT AND CO-LOCATION AGREEMENT WITH VERIZON WIRELESS OF THE EAST LP FOR A COMMUNICATIONS TOWER LOCATED AT 113 SOUTH QUAKER LANE IN THE TOWN OF HYDE PARK

WHEREAS, on or about November 4, 2020, the Hyde Park Planning Board adopted Resolution 2020-003C which, among other things, granted Verizon Wireless of the East LP d/b/a Verizon Wireless successor in interest to Orange County-Poughkeepsie Limited Partnership (“VZW”) site plan and special permit approval for construction of a telecommunications tower on the said property; and

WHEREAS, the said Resolution required, in relevant part, that VZW enter into an Access and Removal Agreement with the Town of Hyde Park in accordance with the requirements of §101-17 of the Town Code and an agreement to permit future shared use of said tower in accordance with §101-6 of the Town Code; and

WHEREAS, the proposed agreements have been submitted to, and approved by, the Town of Hyde Park Planning Board Attorney and referred to the Attorney to the Town of Hyde Park for further review and action; and

WHEREAS, the Attorney to the Town has reviewed said proposed agreements and has found the same to be acceptable in form and content.

NOW, THEREFORE, BE IT, RESOLVED, that the Town Board hereby authorizes the Supervisor to execute the Access Agreement and Communications Facility Removal Agreement with VZW and a Co-Location Agreement with VZW, in the same, or substantially similar form, as reviewed and approved by the Attorney to the Town.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Woodcock _____
Councilman Schneider _____
Supervisor Rohr _____

RESOLUTION 1:25 – 10 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT THE 2021 UPDATED LISTING OF ELECTRICAL INSPECTORS AS THE OFFICIAL LIST OF ELECTRICAL INSPECTORS FOR THE TOWN OF HYDE PARK AND APPROVE “INSPECTIONS ON TIME” TO BE ADDED AS ELECTRICAL INSPECTORS TO SAID LIST FOR THE TOWN OF HYDE PARK

WHEREAS, electrical inspections in the Town of Hyde Park are governed by Chapter 51 of the Code of the Town of Hyde Park, entitled “Electrical Inspections”; and

WHEREAS, pursuant to Section 51-1 of the Code of the Town of Hyde Park, the Town Board has heretofore appointed various inspection agencies as authorized electrical inspectors and has deputized those agencies as agents of the Town of Hyde Park to make inspections and re-inspections of all electrical installations; and

WHEREAS, Section 51-1 of the Code of the Town of Hyde Park authorizes additional agencies to be added from time to time by simple resolution of the Town Board upon a majority vote thereof, subject also to the approval of such inspection agency by Central Hudson Gas & Electric Corporation; and

WHEREAS, the current list provided to Town residents by the Town of Hyde Park Building Department is updated and reviewed each year for accuracy; and

WHEREAS, during the process of updating said list, Inspections on Time requested to be appointed by the Town Board as electrical inspectors for the Town of Hyde Park; and

WHEREAS, Central Hudson Gas & Electric Corporation has authorized Inspections on Time to perform electrical inspections in Central Hudson Gas & Electric’s service area in accordance with the Building Code of the State of New York.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby accept the 2021 updated Approved Electrical Inspectors List as the official list of Electrical Inspectors for the Town of Hyde Park; and

BE IT FURTHER RESOLVED, that Town of Hyde Park Town Board does also hereby authorize and deputize Inspections on Time as an agent of the Town of Hyde Park to make inspections of all electrical installations pursuant

to the provisions of Chapter 51 of the Town Code of the Town of Hyde Park;
and

BE IT FURTHER RESOLVED, that such authorization shall be contingent upon Inspections on Time's continued approval from Central Hudson Gas & Electric Corporation to perform electrical inspection services;
and

BE IT FURTHER RESOLVED, that Inspections on Time must continuously maintain an insurance policy as required by Central Hudson Gas & Electric Corporation which must list the Town of Hyde Park as an additional insured.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 1:25 - 11 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT PETER LONGI AS DEPUTY FIRE INSPECTOR FOR THE TOWN OF HYDE PARK BUILDING DEPARTMENT

WHEREAS, a vacancy exists in the position of part-time Fire Inspector for the Town of Hyde Park Building Department.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of Hyde Park Town Board does hereby appoint Peter Longi as part-time Fire Inspector for the Town of Hyde Park Building Department at an hourly rate of \$29.00, effective January 28, 2021; and

BE IT FURTHER RESOLVED, that said position shall be a permanent part-time position in the Town of Hyde Park with the priority of this position to be a concentration in Fire Inspection Duties, the hours of which shall not exceed 728 per year, and that said position shall be in the non-competitive class subject to the Civil Service Rules and Regulations.

**MOTION:
SECOND:**

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Woodcock _____
Councilman Schneider _____
Supervisor Rohr _____

RESOLUTION 1:25 – 12 OF 2021

RESOLUTION AUTHORIZING NUNC PRO TUNC THE ATTENDANCE OF NEWLY APPOINTED COUNCILMAN STEPHEN WOODCOCK AT THE NEW YORK STATE ASSOCIATION OF TOWNS VIRTUAL TWO DAY “TOWN BOOT CAMP: BACK TO BASICS!” WEBINARS ON JANUARY 12TH & JANUARY 19TH, 2021

WHEREAS, Councilman Joe Marrine resigned as the Ward 3 Councilman for the Town of Hyde Park effective January 10th, 2021; and

WHEREAS, Stephen Woodcock was appointed as the new Ward 3 Councilman replacing Joe Marrine effective January 11th, 2021; and

WHEREAS, the Association of Towns was offering a two day “Town Boot Camp: Back to Basics!” virtual webinars which the Town Supervisor felt beneficial for newly appointed Councilman Stephen Woodcock to attend; and

WHEREAS, since these virtual webinars took place before the next regularly scheduled Town Board Meeting, Councilman Woodcock was unable to obtain prior approval for attendance.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Nunc Pro Tunc the attendance of Councilman Stephen Woodcock at the New York State Association of Towns Virtual Two Day “Town Boot Camp: Back to Basics!” webinars January 12th & January 19th, 2021 and also authorizes reimbursement for any necessary business expenditures deemed appropriate and reasonable.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 1:25 – 13 OF 2021

RESOLUTION AUTHORIZING NEWLY APPOINTED TOWN OF HYDE PARK COUNCILMAN STEPHEN WOODCOCK TO ATTEND THE NEW YORK STATE ASSOCIATION OF TOWNS VIRTUAL ANNUAL MEETING & TRAINING SCHOOL TO BE HELD FEBRUARY 14, 2021 TO FEBRUARY 17, 2021

WHEREAS, Councilman Joe Marrine resigned as the Ward 3 Councilman for the Town of Hyde Park effective January 10th, 2021; and

WHEREAS, Stephen Woodcock was appointed as the new Ward 3 Councilman replacing Joe Marrine effective January 11th, 2021; and

WHEREAS, all newly appointed government officials are encouraged to attend the Association of Towns Annual Meeting in preparation for their duties as a government official.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize newly appointed Town of Hyde Park Councilman Stephen Woodcock to attend the New York State Association of Towns Virtual Annual Meeting & Training School to be held virtually February 14th, 2021 to February 17th, 2021 and also authorizes reimbursement for any necessary business expenditures deemed appropriate and reasonable.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 1:25 – 14 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT THE 2021 TOWN BOARD LIAISONS FOR THE TOWN AND COMMUNITY

NOW, THEREFORE, BE IT RESOLVED, that the following members of the Town Board of Hyde Park Town Board are hereby appointed as Liaisons for the Town and Community as follows:

Neil Krupnick: Building Department
Conservation Advisory Council
Compliance for Anti-Harassment
Planning Board
Planning Department
Workplace Violence Prevention
Zoning Board of Appeals

David Ray: Board of Ethics
DC MS4 Coordination Committee
Hyde Park Central School District
Hyde Park Fire Department
Paul Tegtmeier Memorial
Recreation Department
Veterans Affairs

Kenneth Schneider: Chamber of Commerce
Highway Department
Historian
Roosevelt Fire Department

Stephen Woodcock: Audit Committee
Board of Assessment Review
Justice Department
Police Department
Roosevelt Fire Department

Aileen Rohr: Chamber of Commerce
DCWWA
Dog Control
Personnel Negotiations
Police Department
Safety Plan Committee

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

**RESOLUTION 15 WAS NOT AVAILABLE AT TIME
OF PUBLISHING**

RESOLUTION 1:25 - 16 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK POLICE LIEUTENANT PAUL CACCIA

WHEREAS, due to the current COVID-19 pandemic as well as the ongoing work required to assist the Police Chief in new mandated requirements for the Town of Hyde Park Police Department, Town of Hyde Park Police Lieutenant Paul Caccia was unable to utilize the rest of his vacation time by the end of 2020.

NOW, THEREFORE BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Town of Hyde Park Police Lieutenant Paul Caccia to carry over up to 48 additional hours of accrued vacation time which he was unable to use by the end of 2020.

MOTION:
SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 1:25 - 17 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK POLICE ASSISTANT DERRICK BYRNE

WHEREAS, due to the current COVID-19 pandemic as well as the ongoing work required to assist the Police Chief in the new mandated requirements for Bail Reform for the Town of Hyde Park Police Department, Town of Hyde Park Police Assistant Derrick Byrne is unable to utilize the rest of his vacation time by his anniversary date of February 9, 2021.

NOW, THEREFORE BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Town of Hyde Park Police Assistant Derrick Byrne to carry over up to 63 hours of accrued vacation time which he will be unable to use by his anniversary date of February 9, 2021.

MOTION:
SECOND:

ROLL CALL VOTE BY TOWN CLERK

- Councilman Krupnick _____
- Councilman Ray _____
- Councilman Woodcock _____
- Councilman Schneider _____
- Supervisor Rohr _____

RESOLUTION 1:25 – 18 OF 2021

RESOLUTION AUTHORIZING TOWN OF HYDE PARK POLICE SERGEANT MARTIN MONACO TO ATTEND THE DUTCHESS COUNTY POLICE SUPERVISION CLASS MARCH 22ND THROUGH APRIL 2ND, 2021 IN THE CITY OF POUGHKEEPSIE

WHEREAS, the Hyde Park Police Chief Robert Benson has requested approval for Sergeant Martin Monaco to attend a course in Police Supervision conducted by the Dutchess County Law Enforcement Center in the City of Poughkeepsie, March 22nd through April 2nd, 2021; and

WHEREAS, the Town Board deems it appropriate and beneficial for Sergeant Martin Monaco to attend this training; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Sergeant Martin Monaco to attend the Dutchess County Police Supervision Course from March 22nd, through April 2nd, 2021 and also authorizes reimbursement for necessary business expenditures deemed appropriate and reasonable.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 1:25 – 19 OF 2021

RESOLUTION AUTHORIZING TOWN OF HYDE PARK POLICE OFFICER MICHAEL STALLONE TO ATTEND THE SNYPJOA BASIC JUVENILE POLICE OFFICERS ASSOCIATION TRAINING MARCH 22ND THROUGH MARCH 26TH, 2021 AT THE WESTCHESTER POLICE ACADEMY IN VALHALLA, NY

WHEREAS, the Hyde Park Police Chief Robert Benson has requested approval for Police Officer Michael Stallone to attend the SNYPJOA Basic Juvenile Police Officers Association Training March 22nd through March 26th, 2021 at the Westchester Police Academy in Valhalla, NY; and

WHEREAS, the Town Board deems it appropriate and beneficial for Sergeant Martin Monaco to attend this training; and

WHEREAS, the fee for this training is \$125.00 and will be allocated from the Police Department's 2021 training budget.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Police Officer Michael Stallone to attend the Basic Juvenile Police Officers Association Training March 22nd, through March 26, 2021 at the Westchester Police Academy in Valhalla, NY and also authorizes reimbursement for travel and any necessary business expenditures deemed appropriate and reasonable.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 1:25 – 20 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE PURCHASE OF A REPLACEMENT VEHICLE FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT FLEET

WHEREAS, the Hyde Park Police Department is in need of replacing one of the vehicles in their motor fleet that has exceeded its useful life; a 2015 Ford Explorer, VIN# 1FM5K8AR0FGA88622 with 116,000 miles; and

WHEREAS, the Town of Hyde Park Police Chief was given a reasonable quote on a 2020 Dodge Durango from Begnal Motors which is under NYS Contract(PC67-142SB) and therefore complies with the Town’s Procurement Policy and Procedures; and

WHEREAS, the Town Supervisor and Town Comptroller reviewed this request and quote with the Hyde Park Police Chief and recommend that this vehicle be replaced; and

WHEREAS, the purchase and equipping of this vehicle will be funded by the Town Comptroller in the January 2021 Budget Revisions.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the purchase and equipping of vehicle for the Town of Hyde Park Police Department fleet at a total cost not to exceed \$52,000.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 1:25 – 21 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT THE 2021 PUBLIC WORKS LABOR AND EQUIPMENT RATES FOR THE TOWN OF HYDE PARK

WHEREAS, the Town of Hyde Park’s Purchasing Policy recommends Public Works contracts less than \$35,000 require Request for Proposals(RFP’s) from at least three vendors; and

WHEREAS, the Comptroller’s Office in conjunction with the Town of Hyde Park Highway Superintendent, prepared the Request for Proposal(RFP) for Labor and Equipment; and

WHEREAS, the Request for Proposal was sent to local contractors who responded to the RFP with their written rates; and

WHEREAS, rates were then compiled and configured based on the proposals received; and

WHEREAS, the Comptroller’s Office is recommending that the Town Board approve the rates that resulted from the submitted RFP’s as the Town of Hyde Park’s designated 2021 Public Works Labor and Equipment Rates for contracts less than \$35,000.

NOW, THEREFORE, BE IT RESOLVED, the Town of Hyde Park Town Board does hereby approve the recommended rates that resulted from the submitted RFP’s as the Town of Hyde Park’s designated 2021 Public Works Labor and Equipment Rates for contracts less than \$35,000.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 1:25 - 22 OF 2021

RESOLUTION APPROVING BUDGET REVISIONS TO THE TOWN OF HYDE PARK BUDGET FOR THE PERIOD OF DECEMBER 2020 BUDGET REVISIONS NUMBER 2020-12

WHEREAS, the Town Comptroller recommends certain budget revisions to the Town of Hyde Park Budget 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 December 2020 identified as Budget Revisions Number 2020-12.

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS
GENERAL FUND				
#2020-12-01	01.1010.100	Town Board	656.00	
	01.1110.107	Justice Other Compensation	487.57	
	01.1410.101	Town Clerk Deputy	346.60	
	01.1410.102	Town Clerk Longevity	14.09	
	01.1410.107	Town Clerk, Other Benefits	20,568.25	
	01.1410.811	Town Clerk Social Security	1,381.20	
	01.1430.112	Personnel Part-Time	20.00	
	01.1620.101	Custodian	6.58	
	01.1620.812	Custodian Retirement	323.00	
	01.1621.107	Custodial Other Compensation	3,346.99	
	01.1621.811	Custodian Social Security	460.38	
	01.1980.400	MTA Taxes	604.82	
	01.3120.106	Police, Part-Time Dispatcher Overtime	723.91	
	01.3120.107	Police, Other Compensation	22,494.00	
	01.3120.113	Police Dispatcher Overtime	1,186.18	
	01.3120.119	Police Holiday Pay	10,697.79	
	01.3120.811	Police Social Security	4,509.61	
	01.3620.811	Safety Inspection Social Security	775.92	
	01.5010.102	Highway Administration Longevity	268.85	
	01.7020.811	Recreation Adm. Social Security	250.03	
	01.7110.107	Parks, Other Compensation	1,069.80	
	01.7111.112	Parks, Part-Time	42.74	
	01.7140.812	Playground Retirement	1,210.00	
	01.8010.102	Zoning Longevity	142.33	

	01.8010.112	Zoning Part-Time	363.52	
REVISION	ACCOUNT	ACCOUNT TITLE &	INCREASE	DECREASE
NUMBER	NUMBER	EXPLANATION	DOLLARS	DOLLARS
GENERAL FUND CONT'D				
	01.8010.811	Zoning Social Security	79.09	
	01.8020.107	Planning, Other Compensation	700.67	
	01.9050.800	Unemployment	3,335.92	
	01.9060.800	Medical Insurance, Retirees	3,080.41	
	01.1010.107	Special Compensation		79,146.25
		- Year-End Processing and Payment of Compensation to Compensation to Eligible Employees		
#2020-12-02	01.1010.450	Contracts	505.54	
	01.1990.400	Contingency		505.54
		- Use of Zoom Increased Contract Costs		
#2020-12-03	01.1110.410	Justice Supplies	400.15	
	01.1110.460	Justice Interpreter		400.15
		- Replenish Supplies		
#2020-12-04	01.1220.420	Supervisor Cell Phone	16.70	
	01.1220.410	Supervisor Supplies		16.70
		- Overage		
#2020-12-05	01.1315.410	Comptroller Supplies	51.09	
	01.1315.400	Comptroller Contractual Exp		51.09
		- Replenish Supplies		
#2020-12-06	01.1410.491	Codes Publication	3,206.22	
	01.1990.400	Contingency		3,206.22
		- Local Laws 1, 2, 3		
#2020-12-07	01.1420.460	Special Prosecutor	3,620.00	
	01.1420.490	Board Counsel	806.00	
	01.1420.491	Certiorari Counsel	126.00	
	01.1420.494	Safety Inspection Counsel	85.00	
	01.1420.440	Labor Counsel		3,280.50
	01.1420.480	Bond Counsel		1,356.50
		- Overages in Legal Budgets		

REVISION	ACCOUNT	ACCOUNT TITLE &	INCREASE	DECREASE
NUMBER	NUMBER	EXPLANATION	DOLLARS	DOLLARS
GENERAL FUND CONT'D				
#2020-12-08	01.1430.410	Personnel Supplies	130.61	
	01.1430.480	Personnel Conferences		130.61
		<i>- Replenish Supplies</i>		
#2020-12-09	01.1440.460	Planner, Other	3,902.50	
	01.1990.400	Contingency		3,902.50
		<i>- To Pay the Cost of Planning for Zoning</i>		
#2020-12-10	01.1621.420	PCF Utilities	3,277.55	
	01.1621.400	PCF Contractual	1,878.53	
	01.1990.400	Contingency		5,156.08
		<i>- Deficit in Utilities</i>		
#2020-12-11	01.1660.400	Storeroom Supplies	50.47	
	01.1660.410	COVID Supplies	308.75	
	01.1670.490	Central Advertising	72.19	
	01.1680.450	Computer service contract	88.68	
	01.1910.400	Insurance Premiums		520.09
		<i>- Deficit in Supplies</i>		
#2020-12-12	01.3120.401	Police Supplies	505.31	
	01.3120.480	Police Training		505.31
		<i>- Replenish Supplies</i>		
#2020-12-13	01.3120.440	Police Labor Attorney	6,577.75	
	01.1990.400	Contingency		6,577.75
		<i>- Overage in Labor costs</i>		
#2020-12-14	01.4010.400	Registrar	1,742.00	
	01.1603	Registrar Fees	1,742.00	
		<i>- To Offset Actual Revenues</i>		
#2020-12-15	01.5132.400	Highway Garage Repairs	35.22	
	01.5132.410	Highway Garage Supplies	178.22	
	01.5132.420	Highway Garage Utilities		213.44
		<i>- Replenish Supplies</i>		

REVISION	ACCOUNT	ACCOUNT TITLE &	INCREASE	DECREASE
NUMBER	NUMBER	EXPLANATION	DOLLARS	DOLLARS
GENERAL FUND CONT'D				
#2020-12-16	01.5182.400	Lighting Utilities	1,409.58	
	01.1990.400	Contingency		1,409.58
		<i>- Deficit in General Town Lighting</i>		
#2020-12-17	01.7020.410	Recreation Administration Supplies	119.89	
	01.7550.410	Celebrations Supplies	5.00	
	01.7551.410	Community Events Supplies	445.68	
	01.7551.400	Community Events Contractual		570.57
		<i>- Replenish Supplies</i>		
HIGHWAY FUND				
#2020-12-18	05.5110.100	Maintenance of Road Personal Services	57.63	
	05.5110.102	Maintenance of Road Longevity	187.60	
	05.5110.121	Maintenance of Road Shift Differential	3,414.79	
	05.5110.824	Maintenance of Road Disability Insurance	67.98	
	05.5110.107	Maint. of Road & Other Comp Absences		3,728.00
		<i>- To Address the Deficits</i>		
LIGHTING				
Consolidated				
#2020-12-19	21.5182.420	Consolidated Lighting Utilities	4,156.38	
	21.9909	Appropriated Fund Balance	4,156.38	
		<i>- Fund Deficit</i>		
Pinebrook				
#2020-12-20	22.5182.420	Pinebrook Lighting Utilities	600.80	
	22.9909	Appropriated Fund Balance	600.80	
		<i>- Fund Deficit</i>		
CAPITAL PROJECTS				
Town Facilities				
#2020-12-21	53.5132.410	Salt Dome Repair	760.48	
	53.5132.480	Other Expenses		760.48
		<i>- Change Order for Salt Dome</i>		

REVISION	ACCOUNT	ACCOUNT TITLE &	INCREASE	DECREASE
NUMBER	NUMBER	EXPLANATION	DOLLARS	DOLLARS
CAPITAL PROJECTS CONT'D				
Highway Resurfacing				
#2020-12-22	58.5112.480	Paving, Other	713.00	
	58.5112.400	Paving Expenses		713.00
		<i>- Cost of Borrowing Proceeds</i>		
Sewer District				
#2020-12-23	80.8130.430	Engineering	3,376.32	
	80.9909	Appropriated Fund Balance	3,376.32	
		<i>- Finalization of Sewer Map, Plan and Report</i>		

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Woodcock _____
Councilman Schneider _____
Supervisor Rohr _____

RESOLUTION 1:25 – 23 OF 2021

RESOLUTION AUTHORIZING 2020 YEAR END INTER-FUND ADVANCES FOR THE TOWN OF HYDE PARK

WHEREAS, New York State General Municipal Law Section 9-a provides for Inter-fund Advances; and

WHEREAS, there are governmental funds in the Town of Hyde Park in need of monies for cash flow for expenditures until revenues are received.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hyde Park approves the Inter-Fund Maximum Advances as follows for Fiscal Year End December 31, 2020 with principal and interest to be repaid pursuant to provisions in the General Municipal Law.

<u>RECEIVING FUND</u>		<u>ADVANCING FUND</u>	<u>AMOUNT</u>
Pinebrook Lighting District		General Fund	\$ 356.77
Police Technology Grant	General Fund	General Fund	\$ 2,852.00

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Woodcock _____
Councilman Schneider _____
Supervisor Rohr _____

RESOLUTION 1:25 - 24 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO AMEND THE TOWN OF HYDE PARK EMPLOYEE HANDBOOK REGARDING COMPENSATORY TIME AND AUTHORIZE COMPENSATORY TIME EARNED PRIOR TO JANUARY 1, 2021 TO BE PAID OUT AT THE 2020 PAY RATE FOR ALL NON-UNION EMPLOYEES

WHEREAS, on January 30, 2006, the Town of Hyde Park Town Board of adopted an Employee Handbook by Resolution 1:30 - 19 of 2006, which was effective retroactively on January 1, 2006; and

WHEREAS, the Town of Hyde Park Town Board would like to amend the current Employee Handbook regarding Compensatory Time for Non-Union Employees, as permitted by Section 703 thereof; and

WHEREAS, the Employee Handbook stated that at no time will Compensatory Time be paid out in cash except upon termination of employment; and

WHEREAS, the Town Board would like to change the current ruling for Compensatory Time and moving forward have it state that all unused Compensatory Time remaining will be paid in the last paycheck of the calendar year; and

WHEREAS, the Town Board would like to payout any current compensatory time balances earned prior to January 1, 2021 at the 2020 payrate.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the amendment of the Town of Hyde Park Employee Handbook to change the current ruling for Compensatory Time and moving forward have it state that all unused Compensatory Time remaining will be paid in the last paycheck of the calendar year; and

BE IT FURTHER RESOLVED, that Town of Hyde Park Town Board does also hereby authorize the payout of any current compensatory time balances earned prior to January 1, 2021 to be paid out at the 2020 payrate for all Non-Union Employees; and

BE IT FURTHER RESOLVED, that a copy will be on file with the Town Clerk of the Town of Hyde Park.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Woodcock	_____
Councilman Schneider	_____
Supervisor Rohr	_____

**RESOLUTION 25 WAS NOT AVAILABLE AT TIME
OF PUBLISHING**