

**AGENDA**

**HYDE PARK TOWN BOARD  
REGULAR MEETING  
MONDAY, MARCH 13, 2023, AT 6:00 P.M.**

**NOTE:** All Town Board Meetings are broadcast live on cable Channel 22 and archived on the Town's YouTube Page

<https://www.YouTube.com/channel/UCcb5NmRUM9SwOAL0vwcayrQ>

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ACCEPT MINUTES OF FEBRUARY 13<sup>TH</sup> & FEBRUARY 27<sup>TH</sup>, 2023**

**PUBLIC COMMENT ON RESOLUTIONS & TOWN BUSINESS ONLY**

**NOTE: "TIME LIMIT OF 3 MINUTES"**

**RESOLUTIONS:**

1. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO ALLOW KYLE W. BARNETT, ESQ. OF THE LAW FIRM VAN DEWATER & VAN DEWATER, LLP TO ENTER INTO A CONSENT ORDER AND JUDGEMENT TO SETTLE AN ARTICLE 78 PROCEEDING BROUGHT BY FRANK JOSEPH PALDINO, JOSPEH A. DA SILVA, MICHELLE B MOYE, GREGG ROOD, AND STACEY SINGER ROOD AGAINST THE TOWN OF HYDE PARK FOR THE TAX YEAR 2022
  
2. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE ATTENDANCE OF BUILDING INSPECTOR, DONALD WESTERMAYER AT THE HUDSON VALLEY CODE ENFORCEMENT OFFICIALS EDUCATIONAL CONFERENCE APRIL 19-21, 2023
  
3. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO

ACCEPT THE 2023 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

4. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPOINT BRIAN WOOSLEY TO THE TOWN OF HYDE PARK BOARD OF ASSESSMENT REVIEW
5. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPOINT DON VEITH AS A MEMBER TO THE TOWN OF HYDE PARK PLANNING BOARD
6. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO RESCIND RESOLUTION 2:27 – 5 OF 2023 RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SEND A LETTER OF SUPPORT TO THE DUTCHESS COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA) IN SUPPORT OF THE T-REX AT HYDE PARK LLC BELLEFIELD PHASE II PROJECT
7. AUTHORIZE TOWN SUPERVISOR TO SEND A LETTER OF SUPPORT TO THE DUTCHESS COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA) IN SUPPORT OF THE T-REX AT HYDE PARK LLC BELLEFIELD PHASE II PROJECT
8. AUTHORIZE HYDE PARK TOWN SUPERVISOR TO EXECUTE THE TOWN BOARD’S CONSENT TO HAVING THE HYDE PARK PLANNING BOARD ACT AS LEAD AGENCY FOR THE SEQRA REVIEW OF THE MASKELL LOT-LINE ALTERATION APPLICATION
9. AUTHORIZE TOWN OF HYDE PARK TOWN CLERK AND TOWN ENGINEER TO SOLICIT BIDS FOR THE TOWN OF HYDE PARK TOWN HALL ADDITION
10. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO

ADOPT A DISINTERMENT POLICY FOR  
UNION CEMETERY LOCATED IN THE  
TOWN OF HYDE PARK, COUNTY OF  
DUTCHESS, STATE OF NEW YORK

11. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK GROUNDSKEEPER /CLEANER CARL WAGNER
12. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK GROUNDSKEEPER /CLEANER RICHARD DECKER
13. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK JUSTICE CLERK PAMELA LUCIA
14. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO ACKNOWLEDGE THE RESIGNATION OF TOWN OF HYDE PARK HIGHWAY DEPARTMENT MOTOR EQUIPMENT OPERATOR KYLE MCALLISTER
15. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO ACKNOWLEDGE THE RESIGNATION OF TOWN OF HYDE PARK LEGISLATIVE AIDE EVE SMITH
16. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPOINT PART-TIME POLICE OFFICER ANTHONY P. ROSACE FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT
17. AUTHORIZE TOWN OF HYDE PARK POLICE OFFICER MARC PASSANTINO TO ATTEND THE SNYPJOA BASIC JUVENILE POLICE OFFICERS ASSOCIATION TRAINING MARCH 27<sup>TH</sup> THROUGH MARCH 31<sup>ST</sup>, 2023 AT THE WESTCHESTER COUNTY POLICE ACADEMY IN VALHALLA, NY

18. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD  
TO APPROVE THE TOWN OF HYDE PARK  
RECREATION DIRECTOR ROBERT POLLARD  
TO ATTEND THE 2023 AMERICAN CAMP  
ASSOCIATION TRI-STATE CAMP  
CONFERENCE TUESDAY, MARCH 14TH  
THROUGH THURSDAY, MARCH 16TH, 2023  
IN ATLANTIC CITY, NJ
19. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD  
TO ACCEPT THE 2023 NEW YORK STATE  
OFFICE OF CHILDREN AND FAMILY  
SERVICES YOUTH DEVELOPMENT GRANT  
THROUGH THE DUTCHESS COUNTY  
DEPARTMENT OF COMMUNITY AND  
FAMILY SERVICES FOR THE HYDE PARK  
RECREATION "LEARN TO SWIM" PROGRAM
20. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR  
TO SUBMIT THE 2024 NEW YORK STATE  
OFFICE OF CHILDREN AND FAMILY SERVICES  
YOUTH DEVELOPMENT GRANT THROUGH  
THE DUTCHESS COUNTY DEPARTMENT OF  
COMMUNITY AND FAMILY SERVICES FOR THE  
TOWN OF HYDE PARK RECREATION LEARN TO  
SWIM PROGRAM
21. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD  
TO AMEND THE TOWN OF HYDE PARK  
RECREATION FEE SCHEDULE FOR 2023
22. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR  
TO EXECUTE AMENDED SECURITY  
AGREEMENTS TO GUARANTEE COMPLETION  
OF THE ROAD CONSTRUCTION WORK, AND  
THE WASTEWATER TREATMENT PLANT WORK  
FOR THE ENCLAVE AT HYDE PARK

**NEW AND OLD BUSINESS**

**ADJOURN**

**\*A MOTION MAY BE MADE TO ENTER EXECUTIVE SESSION**

**AGENDA SUBJECT TO CHANGE**

**RESOLUTION 3:13 – 1 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ALLOW KYLE W. BARNETT, ESQ. OF THE LAW FIRM VAN DEWATER & VAN DEWATER, LLP TO ENTER INTO A CONSENT ORDER AND JUDGEMENT TO SETTLE AN ARTICLE 78 PROCEEDING BROUGHT BY FRANK JOSEPH PALDINO, JOSEPH A. DA SILVA, MICHELLE B MOYE, GREGG ROOD, AND STACEY SINGER ROOD AGAINST THE TOWN OF HYDE PARK FOR THE TAX YEAR 2022**

**WHEREAS**, an Article 78 proceeding has been filed against the Town of Hyde Park by FRANK JOSEPH PALDINO, JOSEPH A. DA SILVA, MICHELLE B MOYE, GREGG ROOD AND STACEY SINGER ROOD in regard to the assessments on upon certain property located in the Town of Hyde Park and designated as Tax Grid Nos. 13320-6168-03-462100 (9 Spy Glass), 13320-6167-04-870033 (1864 Route 9G), 13320-6265-04-712029 (27 Quaker Farm Trail); and

**WHEREAS**, it is desired to settle the 2022 Article 78 proceeding.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board authorizes Kyle W. Barnett, Esq., of the law firm of Van DeWater & Van DeWater, LLP, 85 Civic Center Plaza, Poughkeepsie, New York 12601 to negotiate a settlement whereby the 2022 assessments will be settled in accordance with the provided proposed amended consent judgment and summarized as follows:

| Assessment Roll Year | Parcel ID | Equalized Value | Assessed Value | Reduced Equalized Value | Reduced Assessed Value | Reduction |
|----------------------|-----------|-----------------|----------------|-------------------------|------------------------|-----------|
| 2022                 | 462100    | \$ 223,500      | \$100,000      | \$ 38,212               | \$ 17,100              | \$ 82,900 |
| 2022                 | 870033    | \$1,452,500     | \$650,000      | \$575,001               | \$257,313              | \$392,687 |
| 2022                 | 712029    | \$ 876,000      | \$392,000      | \$496,089               | \$222,000              | \$170,000 |

and Kyle W. Barnett, Esq is authorized to sign such documents as are necessary to effectuate the settlement.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

Councilwoman Noakes \_\_\_\_\_

Councilwoman Ruggiero \_\_\_\_\_

Councilman Lombardi \_\_\_\_\_

Councilman Prusakowski \_\_\_\_\_

Supervisor Torreggiani \_\_\_\_\_

**RESOLUTION 3:13 – 2 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE ATTENDANCE OF BUILDING INSPECTOR, DONALD WESTERMEYER AT THE HUDSON VALLEY CODE ENFORCEMENT OFFICIALS EDUCATIONAL CONFERENCE APRIL 19-21, 2023**

**WHEREAS**, Don Westermeyer, the Town of Hyde Park Building Inspector would like to attend the Hudson Valley Code Enforcement Officials Educational Conference April 19<sup>th</sup> through April 21<sup>st</sup>, 2023, at Novella’s of New Paltz as part of the fulfillment of his continuing legal education requirements; and

**WHEREAS**, the Town Board has determined that the attendance of the Building Inspector would be beneficial to the Town of Hyde Park and to the functioning of his duties; and

**WHEREAS**, the funds were approved in the 2023 Budget for such training.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize Don Westermeyer, Building Inspector to attend the Hudson Valley Code Enforcement Officials Education Conference April 19<sup>th</sup> through April 21<sup>st</sup>, 2023, at Novella’s of New Paltz.

**BE IT FURTHER RESOLVED**, that the Town Board does also authorize payment of \$300.00 to Hudson Valley Code Enforcement Officials Educational Conference and reimbursement for travel and any necessary business expenditures deemed appropriate and reasonable as approved by the Town Comptroller’s Office.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |

**RESOLUTION 3:13 – 3 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT THE 2023 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 2023 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**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |



**RESOLUTION 3:13 – 4 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT BRIAN WOOSLEY TO THE TOWN OF HYDE PARK BOARD OF ASSESSMENT REVIEW**

**WHEREAS**, the Town of Hyde Park Board of Assessment Review consists of five (5) members with five (5) year terms; and

**WHEREAS**, there currently exist vacancies that need to be filled; and

**WHEREAS**, the Town of Hyde Park Town Board would like to appoint Brian Woosley to the Board of Assessment Review effective immediately for a term set to expire September 30, 2025.

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby appoint Brian Woosley to the Town of Hyde Park Board of Assessment Review effective immediately for a term set to expire September 30, 2025.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

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|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |

**RESOLUTION 3:13 – 5 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT DON VEITH AS A MEMBER TO THE TOWN OF HYDE PARK PLANNING BOARD**

**WHEREAS**, the Town of Hyde Park Planning Board consists of seven (7) members with seven (7) year terms; and two (2) alternate members with two (2) year terms ending December 31<sup>st</sup> on the year after appointment; and

**WHEREAS**, there exists a vacancy for a member for the Town of Hyde Park Planning Board when current Planning Board Member Ann Weiser resigned; and

**WHEREAS**, the Town of Hyde Park Town Board would like to appoint Don Veith to fill the remainder of the term for the Planning Board Vacancy that will be effective immediately, and end on December 31, 2023.

**NOW, THEREFORE BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby appoint Don Veith as a member of the Town of Hyde Park Planning Board effective immediately until such time this term expires on December 31, 2023.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

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|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |

**RESOLUTION 3:13 – 6 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO RESCIND RESOLUTION 2:27 – 5 OF 2023 RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SEND A LETTER OF SUPPORT TO THE DUTCHESS COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA) IN SUPPORT OF THE T-REX AT HYDE PARK LLC BELLEFIELD PHASE II PROJECT**

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |

**RESOLUTION 3:13 – 7 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO SEND A LETTER OF SUPPORT TO THE DUTCHESS COUNTY INDUSTRIAL DEVELOPMENT AGENCY (IDA) IN SUPPORT OF THE T-REX AT HYDE PARK LLC BELLEFIELD PHASE II PROJECT**

**WHEREAS**, T-Rex-Hyde Park Owner, LLC, a New York limited liability company having its principal office at 500 Mamaroneck Ave., Harrison, NY 10528 (the "Company"), has applied to the Dutchess County Industrial Development Agency (the "Agency") requesting certain financial assistance (within the meaning of Section 854(14) of the Act), including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes (collectively, the "Financial Assistance") in connection with a Project consisting of:

A mixed use (residential/commercial) community, including 24 buildings consisting of 12 townhomes, which are exempt from the PILOT, 18 buildings consisting of 224 multifamily residential units over retail (six buildings), 120 loft apartments over retail (six buildings), a clubhouse over retail (one building), a sales office, a multi-tenant building, a parking structure and maintenance structures (collectively, "the Project" (commonly referred to as Phase II of the Bellefield Project), which Project is depicted on the attached exhibit prepared by Passero Associates dated September 27, 2022.  
And

**WHEREAS**, the Town Board and Planning Board have studied the impacts of the Phase II project and determined that it will bring benefits to the Town in terms of jobs for residents, commercial restaurants and businesses open to the public, public gathering places like the Village Green, and new rental housing that will support existing and new businesses in the Town, and reinforce the Town's identity as a tourist destination; and

**WHEREAS**, the Project has heretofore qualified for the customary 10-year PILOT under the applicable policy of the Agency, but has recently applied to increase the PILOT period from 10 years to 20 years for the Phase II Project, based upon the unanticipated post-COVID conditions which include significant increases in interest rates and in costs of building and construction materials, which collectively render the standard 10-year PILOT inadequate to allow the Phase II Project to proceed; and

**WHEREAS**, in connection with the undertaking of the Project, the Company will execute and deliver a certain Lease and Project Agreement (the "Lease Agreement") by and between the Agency and the Company pursuant to which the Company will, among other things, agree to pay certain payments in lieu of taxes ("PILOT") with respect to the Project; and

**WHEREAS**, the proposed PILOT payment terms under the Lease Agreement constitute a deviation from the Agency's Uniform Tax Exemption and Criteria Policy (the "Policy"); and

**WHEREAS**, prior to entering into an agreement for PILOT payments which deviate from the Policy's standard payment terms, the Agency requests that the Company attempt to obtain the written support of all the affected tax jurisdictions; and

**WHEREAS**, the Company requests that Town of Hyde Park, through its Town Board, as one of the affected tax jurisdictions with respect to the Project, adopt a resolution authorizing the Supervisor to send an appropriate letter of support to the Dutchess County IDA for the proposed deviated PILOT for the Phase II Project: and

**WHEREAS**, the proposed tax benefits within the 20-year PILOT period would apply only to newly constructed improvements within the Project, and would not remove or reduce any taxes already assessed against the Property; and

**WHEREAS**, under the PILOT agreement, the taxes to be paid on the new improvements would steadily increase year-by-year over the period of the Agreement reaching full taxation in the 21st year, and continuing at that full taxation level for all future years thereafter; and

**WHEREAS**, the Town Board has considered all aspects of the proposed deviation, as well as the fact that, without the requested additional 10 years added to the PILOT period, the Phase II Project will not be able to go forward, which would leave the taxing jurisdictions in a less desirable position than offered by the proposed PILOT.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Town Board determines that the proposed expanded PILOT period of 10 additional years is appropriate and necessary under the unique conditions produced by recent changes in interest rates and drastic increases in prices of construction materials.
2. The Town Board also determines that the Phase II Project will provide long-term tax and other benefits to the Town that warrant Town support of the extended PILOT period as a financial incentive to assist the Project in moving forward.
3. The Town Board hereby authorizes the Supervisor to prepare and submit to the County IDA a letter of support for the proposed 20-year PILOT based on the information provided in the Application materials and specifying that the Town Board supports the 20-year PILOT and Lease Agreement, subject to such conditions or modifications in the PILOT and Lease Agreements as the Agency may deem necessary or appropriate in its further review.

4. This resolution shall take effect immediately.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |

**RESOLUTION 3:13 – 8 OF 2023**

**RESOLUTION AUTHORIZING THE HYDE PARK TOWN SUPERVISOR TO EXECUTE THE TOWN BOARD’S CONSENT TO HAVING THE HYDE PARK PLANNING BOARD ACT AS LEAD AGENCY FOR THE SEQRA REVIEW OF THE MASKELL LOT-LINE ALTERATION APPLICATION**

**WHEREAS**, there is an application pending before the Hyde Park Planning Board filed by Joshua K. Maskell for a lot-line alteration (“Project”), which requires SEQRA review; and

**WHEREAS**, the Hyde Park Town Board is considered an interested agency given the involvement of Town-owned property; and

**WHEREAS**, the Hyde Park Planning Board proposes to act as Lead Agency for the SEQRA review of this Project and has requested that the Town Board consent to the Hyde Park Planning Board acting as Lead Agency for this action; and

**WHEREAS**, the Town Board has determined that the Hyde Park Planning Board is the appropriate agency to conduct the environmental review of this Project.

**NOW, THEREFORE, BE IT RESOLVED**, that the Hyde Park Town Board does hereby authorize the Hyde Park Town Supervisor to execute a Consent to have the Planning Board act as Lead Agency for the SEQRA review of this application.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |

**RESOLUTION 3:13 – 9 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN CLERK AND TOWN ENGINEER TO SOLICIT BIDS FOR THE TOWN OF HYDE PARK TOWN HALL ADDITION**

**WHEREAS**, the Town Board had determined that there are deficiencies in the existing Town Hall, located at 4383 Albany Post Road, in the Town of Hyde Park; and

**WHEREAS**, the Town has explored possibilities for addressing this problem which includes the remodeling and expansion of the current Town Hall; and

**WHEREAS**, the Town Board retained the services of CPL Architecture, Engineering, Planning and Surveyor to develop the plans and specifications for the remodeling and expansion of the Town Hall to address these deficiencies; and

**WHEREAS**, the Town is now ready to move forward to have the Town Clerk with the assistance of the Town Engineer advertise and receive bids for the construction portion of the remodeling and expansion of the current Town Hall.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize the Town Clerk, with the assistance of the Town Engineer, to solicit bids and utilize the service of Bidnet for the construction portion of the remodeling and expansion of Hyde Park Town Hall; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall comply with the requirements of §103 of the General Municipal Law and/or the Town’s procurement policies to the extent they apply to this bid work.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |



**RESOLUTION 3:13 - 10 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ADOPT A DISINTERMENT POLICY FOR UNION CEMETERY LOCATED IN THE TOWN OF HYDE PARK, COUNTY OF DUTCHESS, STATE OF NEW YORK**

**WHEREAS**, Union Cemetery of Hyde Park is a non-profit cemetery located at 1076 Violet Avenue in the Town of Hyde Park, County of Dutchess, and State of New York; and

**WHEREAS**, by Resolution 3:21 – 18 of 2022, the Town of Hyde Park took over the ownership, control, and operations of Union Cemetery in compliance with Town Law Section 291; and

**WHEREAS**, there was a recent inquiry by a funeral home regarding the Town’s policy on the Disinterment of a Body; and

**WHEREAS**, after an extensive search, the Town could not locate a disinterment policy officially established by the previous board of trustees; and

**WHEREAS**, upon the advice and counsel of the Attorney to the Town, the Town has determined that it is in the Town’s best interest to officially establish and adopt a detailed Disinterment of a Body Policy; and

**WHEREAS**, said policy, prepared by Town employees and reviewed by the Attorney to the Town, complies with the relevant provisions of the laws of the State of New York, specifically Section 1510(e) of the Not-for-Profit Corporation Law and Section 4201(2)(a) of the Public Health Law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby adopt the provided policy for the “Disinterment of a Body” for Union Cemetery; and

**BE IT FURTHER RESOLVED**, that said policy will go into effect immediately, be filed with the Town Clerk’s Office, kept on file at Union Cemetery, and provided to any inquiring funeral homes upon request.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |

Supervisor Torreggiani

\_\_\_\_\_

**RESOLUTION 3:13 - 11 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK GROUNDSKEEPER/CLEANER CARL WAGNER**

**BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize Town of Hyde Park Groundskeeper/Cleaner Carl Wagner to carry over up to thirty-nine and a half (39.5) hours of accrued vacation time which he was unable to use prior to his anniversary date of March 27, 2023, and that said carry over vacation time must be used no later than September 27, 2023.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

- Councilwoman Noakes \_\_\_\_\_
- Councilwoman Ruggiero \_\_\_\_\_
- Councilman Lombardi \_\_\_\_\_
- Councilman Prusakowski \_\_\_\_\_
- Supervisor Torreggiani \_\_\_\_\_

**RESOLUTION 3:13 - 12 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK GROUNDSKEEPER/CLEANER RICHARD DECKER**

**BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize Town of Hyde Park Groundskeeper/Cleaner Richard Decker to carry over up to forty (40) hours of accrued vacation time which he was unable to use prior to his anniversary date of March 26, 2023, and that said carry over vacation time must be used no later than September 26, 2023.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

- Councilwoman Noakes \_\_\_\_\_
- Councilwoman Ruggiero \_\_\_\_\_
- Councilman Lombardi \_\_\_\_\_
- Councilman Prusakowski \_\_\_\_\_
- Supervisor Torreggiani \_\_\_\_\_

**RESOLUTION 3:13 - 13 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK JUSTICE CLERK PAMELA LUCIA**

**BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize Town of Hyde Park Justice Clerk Pamela Lucia to carry over up to thirty-seven and a half (37.5) hours of accrued vacation time which she was unable to use prior to her anniversary date of April 5, 2023, and that said carry over vacation time must be used no later than October 5, 2023.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

- Councilwoman Noakes \_\_\_\_\_
- Councilwoman Ruggiero \_\_\_\_\_
- Councilman Lombardi \_\_\_\_\_
- Councilman Prusakowski \_\_\_\_\_
- Supervisor Torreggiani \_\_\_\_\_

**RESOLUTION 3:13 - 14 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACKNOWLEDGE THE RESIGNATION OF TOWN OF HYDE PARK HIGHWAY DEPARTMENT MOTOR EQUIPMENT OPERATOR KYLE MCALLISTER**

**WHEREAS**, Town of Hyde Park Highway Department Motor Equipment Operator Kyle McAllister has submitted a letter of resignation effective Friday, March 3, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby acknowledge the resignation of Town of Hyde Park Highway Department Motor Equipment Operator Kyle McAllister; and

**BE IT FURTHER RESOLVED**, that the Town of Hyde Park Town Board and Town Supervisor extend their appreciation and gratitude to Kyle McAllister for his dedication and professional service to the Town of Hyde Park Highway Department.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

- Councilwoman Noakes \_\_\_\_\_
- Councilwoman Ruggiero \_\_\_\_\_
- Councilman Lombardi \_\_\_\_\_
- Councilman Prusakowski \_\_\_\_\_
- Supervisor Torreggiani \_\_\_\_\_

**RESOLUTION 3:13 – 15 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACKNOWLEDGE THE RESIGNATION OF TOWN OF HYDE PARK LEGISLATIVE AIDE EVE SMITH**

**WHEREAS**, Town of Hyde Park Legislative Aide, Eve Smith had submitted her letter of resignation effective Tuesday, March 7, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby acknowledge the resignation of Legislative Aide Eve Smith; and

**BE IT FURTHER RESOLVED**, that the Town of Hyde Park Town Supervisor and Town Board extend their appreciation and gratitude to Eve Smith for her dedicated service to the Town of Hyde Park.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |

**RESOLUTION 3:13 - 16 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT PART-TIME POLICE OFFICER ANTHONY P. ROSACE FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT**

**WHEREAS**, there currently exists a vacancy in the Hyde Park Police Department for a part-time Police Officer due to the resignation of former part-time Police Officer Michael Plass; and

**WHEREAS**, Chief Benson would like to appoint Anthony P. Rosace to said position.

**NOW THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby appoint Anthony P. Rosace to the position of part time Police Officer for the Town of Hyde Park Police Department effective Tuesday, March 14, 2023; and

**BE IT FURTHER RESOLVED**, that Officer Rosace will be paid an hourly rate of \$27.14 as established by the Town of Hyde Park Police Benevolent Association, Inc. Collective Bargaining Agreement; and

**BE IT FURTHER RESOLVED**, that said appointment is subject to a probationary period as set forth in the Civil Service Law of the State of New York and shall be subject to all Civil Service Law Rules and Regulations.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |



**RESOLUTION 3:13 – 17 OF 2023**

**RESOLUTION AUTHORIZING TOWN OF HYDE PARK POLICE OFFICER MARC PASSANTINO TO ATTEND THE SNYPJOA BASIC JUVENILE POLICE OFFICERS ASSOCIATION TRAINING MARCH 27<sup>TH</sup> THROUGH MARCH 31<sup>ST</sup>, 2023 AT THE WESTCHESTER COUNTY POLICE ACADEMY IN VALHALLA, NY**

**WHEREAS**, the Hyde Park Police Chief Robert Benson has requested approval for Police Officer Marc Passantino to attend the SNYPJOA Basic Juvenile Police Officers Association Training March 27<sup>th</sup> through March 31<sup>st</sup>, 2023 at the Westchester County Police Academy in Valhalla, NY; and

**WHEREAS**, the Town Board deems it appropriate and beneficial for Marc Passantino to attend this training; and

**WHEREAS**, the fee for this training is \$250.00 and will be allocated from the Police Department’s 2023 training budget.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize Police Officer Marc Passantino to attend the Basic Juvenile Police Officers Association Training March 27<sup>th</sup> through March 31<sup>st</sup>, 2023 at the Westchester County Police Academy in Valhalla, NY; and

**BE IT FURTHER RESOLVED**, the Town Board does also hereby authorize reimbursement for travel and any necessary business expenditures deemed appropriate and reasonable as approved by the Town Comptroller’s Office.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |

**RESOLUTION 3:13 – 18 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE TOWN OF HYDE PARK RECREATION DIRECTOR ROBERT POLLARD TO ATTEND THE 2023 AMERICAN CAMP ASSOCIATION TRI-STATE CAMP CONFERENCE TUESDAY, MARCH 14<sup>TH</sup> THROUGH THURSDAY, MARCH 16<sup>TH</sup>, 2023 IN ATLANTIC CITY, NJ**

**WHEREAS**, Robert Pollard, Hyde Park Recreation Director had requested permission to attend the 2023 American Camp Association Tri-State Camp Conference Tuesday, March 14<sup>th</sup> through Thursday, March 16<sup>th</sup>, 2023, in Atlantic City, NJ; and

**WHEREAS**, the Town Board has deemed it appropriate and beneficial for Robert Pollard to attend this conference as it would improve his skills as Recreation Director and would be in the best interest of the Town; and

**WHEREAS**, there is a \$100 fee associated with this conference and will be allocated from the 2023 Recreation Training Budget.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize the attendance of Robert Pollard, Recreation Director to attend the 2023 American Camp Association Tri-State Camp Conference Tuesday, March 14<sup>th</sup> through Thursday, March 16<sup>th</sup>, 2023, in Atlantic City, NJ; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby authorize reimbursement for any travel and necessary business expenditures deemed appropriate and reasonable as approved by the Town Comptroller's Office.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |

**RESOLUTION 3:13 – 19 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT THE 2023 NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES YOUTH DEVELOPMENT GRANT THROUGH THE DUTCHESS COUNTY DEPARTMENT OF COMMUNITY AND FAMILY SERVICES FOR THE HYDE PARK RECREATION “LEARN TO SWIM” PROGRAM**

**WHEREAS**, the NYS Office of Children and Family Services through the Dutchess County Department of Community and Family Services requested proposals for their Youth Development Programs (YDP) from municipalities in Dutchess County for the calendar year January 1, 2023, to September 20, 2023; and

**WHEREAS**, the Town of Hyde Park submitted their application on October 5, 2022, for the Town of Hyde Park Recreation’s “Learn to Swim” program in the estimated amount of \$6,300.00; and

**WHEREAS**, the Town of Hyde Park was notified in a letter from Dutchess County Department of Community and Family Services on February 15, 2023, that the Town of Hyde Park was awarded the 2023 NYS Office of Children and Family Services Funding Youth Development Program Grant award for up to \$7,000 for their “Learn to Swim Program”.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby accept the 2023 NYS Office of Children and Family Services Funding Youth Development Program Grant Award in the amount of up to \$7,000; and

**BE IT FURTHER RESOLVED**, that the Town of Hyde Park Town Board does also hereby authorize the Town Supervisor to sign any and all documentation in regards to said grant award with Dutchess County.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |

**RESOLUTION 3:13 – 20 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO SUBMIT THE 2024 NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES YOUTH DEVELOPMENT GRANT THROUGH THE DUTCHESS COUNTY DEPARTMENT OF COMMUNITY AND FAMILY SERVICES FOR THE TOWN OF HYDE PARK RECREATION LEARN TO SWIM PROGRAM**

**WHEREAS**, the NYS Office of Children and Family Services through the Dutchess County Department of Community and Family Services is requesting proposals for their Youth Development Programs (YDP) from municipalities in Dutchess County for October 1, 2023, to September 30, 2024; and

**WHEREAS**, the Town of Hyde Park Recreation Department is requesting to apply for this funding for their “Learn to Swim Program” at Hackett Hill in the estimated amount of \$7,300.00; and

**WHEREAS**, the application deadline is March 30, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize the Town Supervisor to submit the New York State Office of Children and Family Services Youth Development Grant for 2024 for funding in the estimated amount of \$7,300.00 for the Town of Hyde Park Recreation’s “Learn to Swim Program” at Hackett Hill.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |

**RESOLUTION 3:13 - 21 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO AMEND THE TOWN OF HYDE PARK RECREATION FEE SCHEDULE FOR 2023**

**WHEREAS**, the Town Board determined that the Recreation and Facility Use Fee Schedule needed to be reviewed and revised as needed on an annual basis; and

**WHEREAS**, the Town Board reviewed the existing Recreation and Facility Use Fee Schedule of the Town of Hyde Park Recreation Department and requested input and suggestions for changes, additions, and amendments to this Fee Schedule from the Recreation Director; and

**WHEREAS**, the Town Board received suggestions for changes, amendments and/or additions to the Recreation Fee Schedule from the Recreation Director only; and

**WHEREAS**, it has been noted that the Recreation Fees will be changed based on the Recreation Directors suggestions for 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby adopt the proposed amended Recreation Department Recreation Fee Schedule for 2023 which will be on file in the Town Clerk’s office and on the Town’s website.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

- Councilwoman Noakes \_\_\_\_\_
- Councilwoman Ruggiero \_\_\_\_\_
- Councilman Lombardi \_\_\_\_\_
- Councilman Prusakowski \_\_\_\_\_
- Supervisor Torreggiani \_\_\_\_\_

## RESOLUTION 3:13 – 22 OF 2023

### **RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE AMENDED SECURITY AGREEMENTS TO GUARANTEE COMPLETION OF THE ROAD CONSTRUCTION WORK, WATER SUPPLY SYSTEM WORK, AND THE WASTEWATER TREATMENT PLANT WORK FOR THE ENCLAVE AT HYDE PARK**

**WHEREAS**, 54-Hyde LLC, a limited liability company, organized and existing in the State of New York, with offices located at 5600A Broadway, Bronx, New York (hereinafter, at times, “54-Hyde”) submitted applications to the Hyde Park Planning Board for an average density subdivision, site plan and special use permit approval for the Enclave at Hyde Park (the “Project”); and

**WHEREAS**, the Town previously executed a Security Agreement to Guarantee Completion of the “Wastewater Treatment Plant” for the Enclave at Hyde Park, secured by a Letter of Credit, approved by the Attorney to the Town, in the sum of \$355,300; and

**WHEREAS**, the Town previously executed a Security Agreement to Guarantee Completion of “Water Supply System Work” for the Enclave at Hyde Park, dated September 9, 2019, in accordance with plans and specifications approved by the Planning Board and the Town Engineer, secured by a Letter of Credit, approved by the Attorney to the Town, in the sum of \$319,000; and

**WHEREAS**, the Town and 54-Hyde previously executed a Security Agreement to Guarantee Completion of the “Original Scope of Work for the Enclave Road Construction” for the Enclave at Hyde Park, dated September 9, 2019, in accordance with plans and specifications approved by the Planning Board and the Town Engineer, secured by \$315,000 of forfeited security funds retained by the Town of Hyde Park as cash security; and

**WHEREAS**, the Town and 54-Hyde previously executed a Security Agreement to Guarantee Completion of the “New Road Construction Summary of Work” for the Enclave at Hyde Park, dated September 9, 2019, in accordance with plans and specifications approved by the Planning Board and the Town Engineer, secured by a Letter of Credit, approved by the Attorney to the Town, in the sum of \$190,000; and

**WHEREAS**, on November 2, 2022, the Planning Board adopted Resolution 16-490, which accepted updated estimates for financial security for infrastructure costs for the Enclave at Hyde Park as recommended by the Town Engineer; and

**WHEREAS**, the Resolution 16-490 provided, in relevant part, as follows:

- (1) Wastewater Plant in the amount of \$240,240.00;
- (2) Water Plant in the amount of \$67,600.00;
- (3) Road Construction, including associated storm drainage, in the amount of \$568,700.00; and

**WHEREAS**, the Planning Board further recommended that the Town Board accept financial security in said amounts; and

**WHEREAS**, 54-Hyde submitted to the Town the Amended Security Agreement to Guarantee Completion of the “Wastewater Treatment Plant” for the Enclave at Hyde Park, a copy of which has been provided as Exhibit 1, which shall be secured by a Letter of Credit, approved by the Attorney to the Town, in the sum of \$240,240.00; and

**WHEREAS**, 54-Hyde submitted to the Town the Amended Security Agreement to Guarantee Completion of the “Water Supply System Work” for the Enclave at Hyde Park, a copy of which has been provided as Exhibit 2, which shall be secured by a Letter of Credit, approved by the Attorney to the Town, in the sum of \$67,600.00; and

**WHEREAS**, 54-Hyde submitted to the Town the Amended Security Agreement to Guarantee Completion of the “New Road Construction Summary of Work”, and combined same with the Security Agreement to Guarantee Completion of the “Original Scope of Work for the Enclave Road Construction”, which shall henceforth include all required road work for the Enclave at Hyde Park, a copy of which has been provided as Exhibit 3, which shall be secured by a Letter of Credit, approved by the Attorney to the Town, in the sum of \$568,700.00; and

**WHEREAS**, the Town currently has on deposit the sum of approximately \$315,655.06 representing a forfeited cash security deposit in conjunction with the Meadows Subdivision, a prior subdivision project for the same property; and

**WHEREAS**, all right, title and interest, if any, of the prior owner in the said forfeited security funds has been assigned to 54-Hyde LLC; and

**WHEREAS**, the Amended Security Agreements have been approved by the Attorney to the Town, subject to the issuance of the Letters of Credit.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the Supervisor to execute each of the three Amended Security Agreements on behalf of the Town, effect of which shall be subject to the

issuance of the Letters of Credit by Signature Bank in the amount of \$876,540.00 as referenced hereto; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to retain on file the fully executed Amended Security Agreements and all exhibits which have been provided, together with the original Letters of Credit upon receipt of the same, and the Town Supervisor’s Office will provide copies of said documents to 54-Hyde; and

**BE IT FURTHER RESOLVED**, that upon receipt of the Letter of Credit to Guarantee Completion of the “New Road Construction Summary of Work” and “Original Scope of Work for the Enclave Road Construction” in the amount of \$568,700.00, the Town Comptroller is directed to release the sum of \$315,665.06 from the forfeited cash security deposited as security for completion of the road construction original scope of work and to issue a check to 54-Hyde LLC in an amount equal to the balance of the forfeited cash security deposit account.

**MOTION:**

**SECOND:**

**ROLL CALL VOTE BY TOWN CLERK**

|                        |       |
|------------------------|-------|
| Councilwoman Noakes    | _____ |
| Councilwoman Ruggiero  | _____ |
| Councilman Lombardi    | _____ |
| Councilman Prusakowski | _____ |
| Supervisor Torreggiani | _____ |