

**HYDE PARK TOWN BOARD
REGULAR MEETING & PUBLIC HEARINGS
MONDAY, APRIL 6, 2020 AT 7:00 P.M.**

To watch the Town Board meeting live on YouTube, please go to this link:
<https://www.youtube.com/channel/UCcb5NmRUM9SwOAL0vwcayrQ/live>

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ACCEPT MINUTES OF MARCH 23RD, 2020

PUBLIC COMMENT ON RESOLUTIONS ONLY: "TIME LIMIT 3 MINUTES

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

PLEASE NOTE:

The below Public Hearings will be adjourned by the Town Board without taking of Public Comment or discussion until the April 20th or May 4th Town Board Meeting.

PUBLIC HEARINGS:

1. CONTINUATION OF THE PUBLIC HEARING FOR LOCAL LAW NO. C OF 2019 ENTITLED: "AMENDMENTS TO THE TOWN CODE AND AMENDMENT TO THE TOWN'S COMPREHENSIVE PLAN WITH REGARD TO THE CREATION OF A TOWN CORE ZONING DISTRICT"
2. ADOPTION OF PROPOSED LOCAL LAW NO. A OF THE YEAR 2020 ENTITLED: "A LOCAL LAW AMENDING THE TOWN OF HYDE PARK CODE TO AMEND THE SCHEDULE OF USE REGULATIONS, SECTION 108, ATTACHMENT 1, TO PROVIDE FOR TWO-FAMILY DWELLINGS AS A USE PERMITTED IN ALL ZONING DISTRICTS SUBJECT TO SPECIAL USE PERMIT APPROVAL AND SITE PLAN APPROVAL"

RESOLUTIONS:

1. AUTHORIZE TOWN OF HYDE PARK TO ENTER INTO AGREEMENTS WITH ONE OR MORE FINANCING AGENCIES OR CREDIT CARD ISSUERS TO PROVIDE FOR ACCEPTANCE BY THE TOWN CLERK, TAX COLLECTOR, BUILDING INSPECTOR, DEPUTY BUILDING INSPECTOR AND/OR ZONING ADMINISTRATOR OF CREDIT CARDS AS A MEANS OF PAYMENT OF FINES, CIVIL PENALTIES, RENT RATES, TAXES, FEES, CHARGES, REVENUE, FINANCIAL OBLIGATIONS OR OTHER AMOUNTS INCLUDING PENALTIES, SPECIAL ASSESSMENTS AND INTEREST OWED TO THE TOWN AND TO ENTER INTO AGREEMENTS WITH ONE OR MORE FINANCING AGENCIES OR CARD ISSUERS FOR SUCH SERVICES AND TO PERMIT SUCH PAYMENTS TO BE MADE VIA THE INTERNET

2. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT THE 2020 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

3. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO CREATE AN HOURLY DEPUTY BUILDING INSPECTOR POSITION IN THE TOWN OF HYDE PARK BUILDING DEPARTMENT AND APPOINT RICH LONGENDYKE TO SAID POSITION

4. AUTHORIZE TOWN OF HYDE PARK POLICE OFFICER BRANDON EWING TO CARRY OVER ADDITIONAL ACCRUED VACATION TIME

5. ACKNOWLEDGE NUNC PRO TUNC THE RESIGNATION OF COUNCILMEMBER KENNETH SCHNEIDER AS DEPUTY SUPERVISOR FOR THE TOWN OF HYDE PARK

6. AUTHORIZE RELEASE OF THE BALANCE OF ESCROW FROM THE TOWN OF HYDE PARK PLANNING BOARD ACCORDING TO RESOLUTION #20-A

7. SUPPORT

BILL ADDING THE FALL KILL CREEK (DUTCHESS COUNTY) TO THE NYS LIST OF COASTAL WATERBODIES AND DESIGNATED INLAND WATERWAYS

8. APPROVE

BUDGET REVISIONS TO THE TOWN OF HYDE PARK BUDGET FOR THE PERIOD OF MARCH 2020 BUDGET REVISIONS NUMBER 2020-03

NEW AND OLD BUSINESS

ADJOURN

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

***AGENDA SUBJECT TO CHANGE**

RESOLUTION 4:6 – 1 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TO ENTER INTO AGREEMENTS WITH ONE OR MORE FINANCING AGENCIES OR CREDIT CARD ISSUERS TO PROVIDE FOR ACCEPTANCE BY THE TOWN CLERK, TAX COLLECTOR, BUILDING INSPECTOR, DEPUTY BUILDING INSPECTOR AND/OR ZONING ADMINISTRATOR OF CREDIT CARDS AS A MEANS OF PAYMENT OF FINES, CIVIL PENALTIES, RENT RATES, TAXES, FEES, CHARGES, REVENUE, FINANCIAL OBLIGATIONS OR OTHER AMOUNTS INCLUDING PENALTIES, SPECIAL ASSESSMENTS AND INTEREST OWED TO THE TOWN AND TO ENTER INTO AGREEMENTS WITH ONE OR MORE FINANCING AGENCIES OR CARD ISSUERS FOR SUCH SERVICES AND TO PERMIT SUCH PAYMENTS TO BE MADE VIA THE INTERNET

WHEREAS, General Municipal Law §5 provides, in relevant part, that the governing board of any local government may authorize by resolution such local government to enter into agreements with one or more financing agencies or credit card issuers to provide for the acceptance by such officers of the local government as may be designated by the local government to enter into agreements with one or more financing agencies or credit card issuers to provide for the acceptance by such officers of the local government as may be designated of credit cards as a means of payment of fines, civil penalties, rent, taxes, rates, fees, charges, revenue, financial obligation or other amounts owed to the local government; and

WHEREAS, §5-b of the General Municipal Law provides, in relevant part, that the Town may authorize the acceptance of penalties, rents, rates, taxes, fees, charges, revenue, financial obligations and other amounts, including penalties, special assessments or interest, via a municipal internet website or the website of a third party vendor that contracts with the Town to receive such payments on its behalf as an alternative method of payment of such amounts provided that such method utilized to receive internet payments complies with Article Three of the State Technology Law and any rules, regulations and guidelines developed thereunder and provides, at a minimum: (a) authentication of the identity of the sender; and (b) the ensurance of the security of the information transmitted; and

WHEREAS, the Town Clerk and Town Comptroller have determined and advised the Town Board that it would be in the best interest of the Town of Hyde Park and its citizens to authorize the Town Clerk, Tax Collector, Building Inspector, Deputy Building Inspector, and Zoning Administrator to accept such payments by credit card, in accordance with the provisions of General Municipal Law §5 and through the internet as provided in GML §5-b; and

WHEREAS, the Town Board has determined that it would be in the best interest of the Town of Hyde Park and the citizens of Hyde Park to enact such a resolution.

NOW, THEREFORE, BE IT RESOLVED, that Town of Hyde Park Town Clerk, Tax Collector, Building Inspector, Deputy Building Inspector, and/or Zoning Administrator, and such other officers who may hereafter be designated by the Town Board are hereby authorized to accept payments of all rents, rates, fees, charges, revenue, taxes, financial obligations or other amounts owed to the Town of Hyde Park and collected by the Town Clerk and/or Tax Collector via credit card and/or through the internet as hereinafter provided; and

BE IT FURTHER RESOLVED, that the Town of Hyde Park is hereby authorized to enter into an agreement with one or more financing agencies or credit card issuers, as those terms are defined in General Municipal Law §5 to provide for the acceptance by the Town Clerk of credit cards as a means of payment of such obligations including payment via the internet at no cost to the Town; and

BE IT FURTHER RESOLVED, that any such agreement shall be in accordance with the requirements of General Municipal Law §5(3)(b) and (c) and §5-b; and

BE IT FURTHER RESOLVED, that any such agreement with regard to payment of taxes via the internet shall require the vendor to provide a confirmation page to the taxpayer following the completion of the internet transaction with such confirmation page to include, at least the following:

- (a) The date the internet transaction was completed and sent by the taxpayer;
- (b) The amount paid;
- (c) A unique confirmation number; and
- (d) A notice advising the taxpayer to printout and retain the confirmation page as his or her receipt; and

BE IT FURTHER RESOLVED, that payments received via the internet shall be considered received by the appropriate officer and paid by the taxpayer at the time the internet transaction is completed and sent by the taxpayer; and

BE IT FURTHER RESOLVED, that any such agreement shall be in accordance with the requirements of any guidelines issued by the State Comptroller governing the use of third-party vendors for the purposes stated herein; and

BE IT FURTHER RESOLVED, that any such contract entered into pursuant to the provisions of this Resolution shall be awarded in accordance with the Town of Hyde Park's Procurement Policy as may be required; and be it further

BE IT FURTHER RESOLVED, that the taxpayer/payor shall be responsible for payment of any and all fees charged by the credit card processor/vendor for such payment; and be it further

BE IT FURTHER RESOLVED, that any underlying debt, lien, obligation, bill, tax, account or other amount owed to the Town of Hyde Park for which payment is made by credit card, including payments made through the internet, and accepted by the Town of Hyde Park shall not be expunged, cancelled, released, discharged or satisfied and any receipt or other evidence of payment shall be deemed conditional until the local government has received final and unconditional payment of the full amount due from the financing agency or credit card issuer for such credit card tax transaction.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 4:6 – 2 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT THE 2020 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, 2020 to December 31, 2020; and

WHEREAS, the Town of Hyde Park submitted their application on December 11, 2019 for the Town of Hyde Park Recreation’s “Learn to Swim” program in the estimated amount of \$5,600; and

WHEREAS, the Town of Hyde Park was notified in a letter from Dutchess County Department of Community and Family Services on March 13, 2020 that the Town of Hyde Park was awarded the 2020 NYS Office of Children and Family Services Funding Youth Development Program Grant award for up to \$5,600 for their “Learn to Swim Program”.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby accept the 2020 NYS Office of Children and Family Services Funding Youth Development Program Grant Award in the amount of up to \$5,600; 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

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrison	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 4:6 – 3 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO CREATE AN HOURLY DEPUTY BUILDING INSPECTOR POSITION IN THE TOWN OF HYDE PARK BUILDING DEPARTMENT AND APPOINT RICHARD LONGENDYKE TO SAID POSITION

WHEREAS, there is a need to increase the hours of part-time Deputy Building Inspector Richard Longendyke in the Town of Hyde Park Building Department; and

WHEREAS, there exists a Certification of Eligibles list with the Dutchess County Department of Human Resources for the competitive position of Deputy Building Inspector; and

WHEREAS, Richard Longendyke appears on said list and is reachable for appointment.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby create the hourly position of Deputy Building Inspector and appoints Richard Longendyke to said position effective April 7, 2020 at his existing hourly rate of \$33.00 for up to 28 hours per week; and

BE IT FURTHER RESOLVED, that Mr. Longendyke’s terms and conditions of employment shall continue to be subject to the terms of the Town of Hyde Park Employee Handbook; and

BE IT FURTHER RESOLVED, that the Town of Hyde Park Town Supervisor is also hereby authorized to execute any and all paperwork necessary with the Dutchess County Department of Human Resources that is required to create this position and make said appointment.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 4:6 – 4 OF 2020

RESOLUTION AUTHORIZING TOWN OF HYDE PARK POLICE OFFICER BRANDON EWING TO CARRY OVER ADDITIONAL ACCRUED VACATION TIME

BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Town of Hyde Park Police Officer Brandon Ewing to carry over up to 24 additional hours of accrued vacation time which he was unable to use prior to his anniversary date of April 9, 2020 and that said vacation carry over time must be used no later than October 9, 2020.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 4:6 – 5 OF 2020

RESOLUTION ACKNOWLEDGING NUNC PRO TUNC THE RESIGNATION OF COUNCILMEMBER KENNETH SCHNEIDER AS DEPUTY SUPERVISOR FOR THE TOWN OF HYDE PARK

BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby acknowledge Nunc Pro Tunc the resignation of Councilmember Kenneth Schneider as Deputy Supervisor for the Town of Hyde Park effective March 23, 2020; and

BE IT FURTHER RESOLVED, that Councilmember Kenneth Schneider will continue his duties as the Town of Hyde Park Ward 4 Councilmember; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Hyde Park wishes to acknowledge and again thank Kenneth Schneider for his service as Deputy Supervisor for the Town of Hyde Park and its residents.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 4:6 – 6 OF 2020

RESOLUTION AUTHORIZING THE RELEASE OF THE BALANCE OF ESCROW FROM THE TOWN OF HYDE PARK PLANNING BOARD ACCORDING TO RESOLUTION #20-A

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

WHEREAS, the Town of Hyde Park Planning Board reviewed these projects and voted on and approved the release of escrow for these projects on April 1, 2020 according to Resolution #20-A.

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

	Project #	PB Engineer	PB Attorney	Total
Bright Days DayCare Center	2019-35	\$ 3,083.00	\$1,964.50	\$5,047.50

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Marrine _____
Councilman Schneider _____
Supervisor Rohr _____

RESOLUTION 4:6 - 7 OF 2020

RESOLUTION SUPPORTING THE BILL ADDING THE FALL KILL CREEK (DUTCHESS COUNTY) TO THE NYS LIST OF COASTAL WATERBODIES AND DESIGNATED INLAND WATERWAYS

WHEREAS, water exists in watersheds that extend beyond municipal borders, and water resource management issues such as flooding, and water quality protection are best addressed at a watershed scale; and

WHEREAS, the Fall Kill Creek is a direct drainage tributary to the Hudson River with a 19.5 square-mile wide watershed area, including the Town of Hyde Park, City of Poughkeepsie, Town of Poughkeepsie, Town of Pleasant Valley and Town of Clinton; and

WHEREAS, the watershed has historically experienced riverine-related flood damages along the main stem of the Fall Kill Creek, and is on the New York State 303 (d) list of impaired waters for phosphorus pollution, as well as, with 50% of the watershed located within the USEPA Source Water Protection Area; and

WHEREAS, the Fall Kill serves as a culturally and historically significant natural feature; as a community asset including as a direct tributary of the Hudson River, a source of drinking water for the City of Poughkeepsie, Town of Poughkeepsie and Hyde Park; and a source of recreation, experiencing nature and learning, as well as, serves as beneficial habitat for wildlife; and

WHEREAS, the federal government through the Environmental Protection Funds and the New York State (N.Y.S. D.O.S.) Division of Coastal Resource provides monies to help communities protect the designated water body and revitalize communities; and

WHEREAS, designating the Fall Kill Creek (Dutchess County) as an inland waterway system and adding it to the New York State List of Coastal Waterbodies and/or Designated Inland Waterways would allow communities along the Fall Kill Creek (Dutchess County) to apply for available Federal Environmental Protection Funds administered through the New York State Department of State's Local Waterfront Revitalization Program for community waterfront revitalization and protection.

NOW, THEREFORE, BE IT RESOLVED that the Town of Hyde Park in support of the Fall Kill Watershed Coalition, and in support of the Designated Inland Waterways Act, support the adoption of the bill in the N.Y. State Legislature and Assembly to add the Fall Kill Creek (Dutchess County) to the NYS List of Coastal Waterbodies and Designated Inland Waterways.

MOTION:
SECOND:

ROLL CALL VOTE BY TOWN CLERK:

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____
Supervisor Rohr	_____

RESOLUTION 4:6 - 8 OF 2020

RESOLUTION APPROVING BUDGET REVISIONS TO THE TOWN OF HYDE PARK BUDGET FOR THE PERIOD OF MARCH 2020 BUDGET REVISIONS NUMBER 2020-03

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 March 2020 identified as Budget Revisions Number 2020-03.

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS
<u>GENERAL FUND</u>				
	01.1010.480	Town Board Conferences	462.14	
	01.1010.450	Town Board Consulting Svc		462.14
		<i>-To Fund the Cost of Attendance at Assoc. of Towns</i>		
	01.3120.101	Police Dispatcher Full time	29,882.00	
	01.3120.122	Police Dispatcher Differential	2,988.00	
	01.3120.821	Police Medical Insurance	10,493.00	
	01.3120.822	Police Optical Ins	219.00	
	01.3120.823	Police Dental Ins	882.00	
	01.3120.110	Police - FT Assistant		44,464.00
		<i>- To Allocate the Hiring of D. Erichsen as FT Dispatcher</i>		
	01.3120.490	Police Uniforms	528.10	
	01.3120.110	Police FT Assistant		528.10
		<i>-To fund excess Uniform Allowance</i>		
	01.3650.400	Demolition of Property Expenses	6,030.00	
	01.2612	Property Maint. Fines	6,030.00	
		<i>- 7 South Cross Rd.</i>		
	01.5132.430	Highway Garage Contracts	310.00	
	01.5132.420	Highway Garage Utilities		310.00
		<i>- For Generator Maintenance</i>		

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS
<u>GENERAL FUND CONT'D.</u>				
	01.7110.460	Rec Adm Other Expenses	56.25	
	01.7119.400	Trails Contractual Exp - Website	182.50	
	01.7310.400	Teen Center Program	200.00	
	01.7110.450	Parks Equip maintenance <i>-For Signs to be Posted at Parks & Cost of Maintaining Trail Website, and Costs Associated with Teen Center</i>		438.75
	01.8010.400	Zoning Contractual Expense	210.00	
	01.8010.480	Zoning Conferences <i>- To Fund Law Book Updates</i>		210.00
	01.8161.410	Landfill Supplies	400.00	
	01.8161.450	Landfill Mowing contract <i>-To Pay for Replacement of Damaged Vents</i>		400.00

PINEBROOK LIGHTING DISTRICT

	22.2182.400	Contractual Expense	465.00	
	22.5182.490	Gen Govt Svcs <i>- To Pay the Cost of Replacing Photosensors</i>		465.00

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
 Councilman Ray _____
 Councilman Marrine _____
 Councilman Schneider _____
 Supervisor Rohr _____