

**HYDE PARK TOWN BOARD
REGULAR MEETING & PUBLIC HEARING
MONDAY, JUNE 8, 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 MAY 18TH, 2020

PUBLIC COMMENT ON RESOLUTIONS & TOWN BUSINESS ONLY

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

PUBLIC HEARING:

1. 2019-2020 MS4 PERMIT ANNUAL REPORT

RESOLUTIONS:

1. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION 2019-2020 MS4 PERMIT ANNUAL REPORT
2. APPROVE BUDGET REVISIONS TO THE TOWN OF HYDE PARK BUDGET FOR THE PERIOD OF MAY 2020 BUDGET REVISIONS NUMBER 2020-05
3. COMMENCE LOCAL LAW ADOPTION PROCESS FOR LOCAL LAW NO. B OF THE YEAR 2020 ENTITLED: "A LOCAL LAW AMENDING THE DEFINITION OF COMMERCIAL RECREATION USE AS SET FORTH IN SECTION 108-2.2 OF THE TOWN CODE TO PROVIDE NEW DEFINITIONS FOR INDOOR AND OUTDOOR RECREATION USES AND AMENDING THE SCHEDULE OF USE REGULATIONS, SECTION 108 ATTACHMENT 1 TO SPECIFY IN WHICH DISTRICT SUCH USES ARE PERMITTED"

4. AUTHORIZE TOWN OF HYDE PARK SUPERVISOR TO EXECUTE A CHANGE ORDER AGREEMENT WITH LANKARD ENTERPRISES, INC. DBA DIRTY GLOVES FOR THE CLEAN-UP OF 7 SOUTH CROSS ROAD, STAATSBURG, NY AS PER RESOLUTION 10:21 – 8 OF 2019
5. AMEND RESOLUTION 3:23 – 8 OF 2020 TO CORRECT AN ERROR IN THE RATES AND TARRIFF FILED BY TR SEWAGE-WORKS CORP. UNDER THE TRANSPORTATION CORPORATION LAW OF THE STATE OF NEW YORK FOR THE BELLEFIELD PROJECT IN THE TOWN OF HYDE PARK
6. AUTHORIZE ENTRANCE ONTO THE PROPERTIES LOCATED AT 15 BALSAM ROAD, HYDE PARK AND 609 SALT POINT TURNPIKE, POUGHKEEPSIE TO BRING THESE PROPERTIES INTO COMPLIANCE WITH THE STANDARDS OF CHAPTER 85-5(B) OF THE TOWN CODE AND TO ASSESS THE COSTS OF SUCH ACTION AGAINST THE PROPERTIES AS A LIEN AND CHARGE ON THE SAME
7. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE NUNC PRO TUNC VACATION CARRY-OVER FOR TOWN OF HYDE PARK JUSTICE CLERK SARAH JENSEN
8. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE NUNC PRO TUNC VACATION CARRY-OVER FOR TOWN OF HYDE PARK COURT CLERK EMILY FOSS
9. AUTHORIZE TOWN SUPERVISOR TO ACCEPT AND EXECUTE A SECURITY AGREEMENT TO GUARANTEE COMPLETION OF BLAIR ROAD AND RESTORATION OF DISTURBANCE OF BLAIR ROAD AND THE ACCEPTANCE OF THE \$810,000 BOND INSURING SATISFACTORY COMPLETION OF BLAIR ROAD AND \$40,000 BOND GUARANTEEING RESTORATION OF DISTURBANCE OF BLAIR ROAD FOR THE JEFFREY GROVES ESTATE SUBDIVISION
10. AUTHORIZE TOWN SUPERVISOR TO ACCEPT AND EXECUTE A SECURITY AGREEMENT TO GUARANTEE COMPLETION OF DANIELS WAY AND RESTORATION OF DISTURBANCE OF DANIELS WAY AND THE ACCEPTANCE OF THE \$520,650 BOND INSURING SATISFACTORY COMPLETION OF BLAIR ROAD AND \$20,800 BOND GUARANTEEING RESTORATION OF DISTURBANCE OF DANIELS WAY FOR THE JEFFREY GROVES ESTATE SUBDIVISION

11. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO CREATE A TEMPORARY PART-TIME MAINTENANCE MECHANIC POSITION FOR THE TOWN OF HYDE PARK RECREATION DEPARTMENT AND TO APPOINT ROBERT FITZPATRICK TO SAID POSITION

12. AUTHORIZE TOWN OF HYDE PARK POLICE DEPARTMENT TO ENTER INTO INTERMUNICIPAL AGREEMENTS WITH DUTCHESS COUNTY SCHOOL DISTRICTS FOR POLICE SECURITY DURING GRADUATION CEREMONIES HELD AT THE HYDE PARK DRIVE-IN

**NEW AND OLD BUSINESS
ADJOURN**

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

***AGENDA SUBJECT TO CHANGE**

RESOLUTION 6:8 - 1 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION 2019-2020 MS4 PERMIT ANNUAL REPORT

WHEREAS, on May 10, 2003, the Town of Hyde Park applied for coverage under SPDES Permit Number NYR20A246 for Stormwater discharge of Municipal Separate Stormwater Sewer Systems (MS4); and

WHEREAS, that permit requires the Town to develop, implement, and enforce a Stormwater Management Program (SWMP) designed to reduce the discharge of contaminants in Stormwater to the maximum extent practical; and

WHEREAS, the Town is required to conduct an annual evaluation of the Town's progress in implementing the program and submit an annual report to the New York State Department of Environmental Conservation; and

WHEREAS, a public meeting is required in order to describe the contents of the annual report and public comments must be included in the final version of the report to be submitted to the Department of Environmental Conservation; and

WHEREAS, the Draft 2019 – 2020 MS4 Permit Annual Report was posted on the Town website on April 17, 2020; and

WHEREAS, a workshop meeting was held on May 6, 2020 and a Public Hearing on June 8, 2020, to discuss the 2019 – 2020 Annual Report, at which time all members of the public had the opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby approve the 2019 - 2020 MS4 Permit Annual Report; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Hyde Park does hereby authorize and direct the Town Supervisor to sign any required documents related to said report.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 6:8 - 2 OF 2020

RESOLUTION APPROVING BUDGET REVISIONS TO THE TOWN OF HYDE PARK BUDGET FOR THE PERIOD OF MAY 2020 BUDGET REVISIONS NUMBER 2020-05

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 May 2020 identified as Budget Revisions Number 2020-05.

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS
<u>GENERAL FUND</u>				
#2020-05-01	01.7111.200	Hackett Hill Entrance Sign	6,995.00	
	01.7111.210	Hackett Hill Tegtmeier Sign	5,240.00	
	01.1990.400	Contingency		1,600.00
	01.2681	Insurance Proceeds <i>-To Replace Signs Damaged by Vehicle</i>		10,635.00
#2020-05-02	01.1620.410	Town Hall Supplies	3,000.00	
	01.1620.116	Seasonal Labor		3,000.00
		<i>-To Fund Shortage in Supply Budget</i>		
#2020-05-03	01.1680.450	PCA Computer Contract	280.00	
	01.1680.200	Computer Equipment		280.00
		<i>-For Conference Calling Feature Requested by Town Sup. Sec.</i>		
#2020-05-04	01.5132.210	Salt Dome Repair	2,450.00	
	01.1990.400	Contingency		2,450.00
		<i>-To Partially Fund Repair of Salt Dome for Engineering Services</i>		
#2020-05-05	01.6510.400	Veterans Expense	238.88	
	01.6772.410	Senior Picnic		238.88
		<i>-To Fund Deficit in Purchase of Graveside Flags</i>		
#2020-05-06	01.7180.400	Pool Repair Expense	490.92	
	01.7180.450	Pool Extra Services		490.92
		<i>-To Cover Additional Exp. in Upgrading the Chemical Dispenser</i>		
REVISION	ACCOUNT	ACCOUNT TITLE	INCREASE	DECREASE

NUMBER	NUMBER	& EXPLANATION	DOLLARS	DOLLARS
<u>GENERAL FUND CONT'D</u>				
#2020-05-07	01.8010.400	Zoning Contractual Expense	350.00	
	01.8010.200	Zoning Equipment		350.00
		<i>-To cover the cost of cell phone</i>		

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 6:8 – 3 OF 2020

RESOLUTION COMMENCING THE LOCAL LAW ADOPTION PROCESS FOR LOCAL LAW NO. B OF THE YEAR 2020 ENTITLED: “A LOCAL LAW AMENDING THE DEFINITION OF COMMERCIAL RECREATION USE AS SET FORTH IN SECTION 108-2.2 OF THE TOWN CODE TO PROVIDE NEW DEFINITIONS FOR INDOOR AND OUTDOOR RECREATION USES AND AMENDING THE SCHEDULE OF USE REGULATIONS, SECTION 108 ATTACHMENT 1 TO SPECIFY IN WHICH DISTRICT SUCH USES ARE PERMITTED”

WHEREAS, the Town Board has determined that the Town Zoning Code should be amended to provide for two categories of commercial recreation use, *to wit*: indoor and outdoor commercial recreation use and that indoor recreation uses shall be permitted in every zoning district pursuant to a special use permit and site plan approval except for the Neighborhood District where it is prohibited. Further, outdoor recreation shall be permitted in the Landings, HP Business, Corridor Business and Waterfront Districts pursuant to a special use permit but shall not be permitted in the Neighborhood, Neighborhood Core, Hamlet, Hamlet Core and Town Core Districts; and

WHEREAS, the Attorney to the Town has prepared a Local Law providing for such changes to the Town Code which he has reviewed, and found acceptable for commencing the local law adoption process by the Town Board; and

WHEREAS, the Town Board has further determined that the adoption of this local law is a Type I action under SEQRA and that the Town Board is the only involved agency for purposes of conducting the SEQRA review; and

WHEREAS, a Part 1 of the Full EAF has been prepared by the Attorney to the Town and presented to the Town Board.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby assume lead agency status for the SEQRA review of the action and will conduct an uncoordinated review; and

BE IT FURTHER RESOLVED, that the Town Board hereby schedules a public hearing on proposed Local Law No. B of the Year 2020 entitled: “A Local Law Amending the Definition of Commercial Recreation Use as Set Forth in Section 108-2.2 of the Town Code to Provide New Definitions for Indoor and Outdoor Recreation Uses and Amending the Schedule of Use Regulations, Section 108 Attachment 1 to Specify in Which District Such Uses are Permitted” for July 13, 2020 at 7:05 p.m.; and

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

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of the proposed local law, together with Part 1 of the Full EAF, to the Dutchess County Department of Planning and Development, in accordance with the provisions of §239-m of the General Municipal Law and to the Town of Hyde Park Planning Board for its review and comment, as provided by the Town Code.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

TOWN OF HYDE PARK

LOCAL LAW NO. B OF THE YEAR 2020

A LOCAL LAW AMENDING THE DEFINITION OF COMMERCIAL RECREATION USE AS SET FORTH IN SECTION 108-2.2 OF THE TOWN CODE TO PROVIDE NEW DEFINITIONS FOR INDOOR AND OUTDOOR RECREATION USES AND AMENDING THE SCHEDULE OF USE REGULATIONS, SECTION 108 ATTACHMENT 1 TO SPECIFY IN WHICH DISTRICT SUCH USES ARE PERMITTED

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 the Definition of Commercial Recreation Use as set forth in Section 108-2.2 of the Town Code to Provide New Definitions for Indoor and Outdoor Recreation Uses and Amending the Schedule of Use Regulations, Section 108 Attachment 1 to Specify in Which District Such Uses are Permitted”.

SECTION 2. PURPOSE.

The Town Board has determined that the term “Commercial Recreation” as defined in the Zoning Law should be amended to provide for two categories of commercial recreation use, to wit: indoor and outdoor commercial recreation use and that indoor recreation uses shall be permitted in every zoning district pursuant to a special use permit and site plan approval, except for the Neighborhood (N) District where it is prohibited. Outdoor recreation shall be permitted in the Landings, EP Business, Corridor Business and Waterfront Districts pursuant to a special use

permit, but shall not be permitted in the Neighborhood (N), Neighborhood Core (NC), Hamlet (H), Hamlet Core (HC) and Town Core (TC) Districts.

SECTION 3.

Section 108-2.2 terms defined of the Town Code is hereby amended by deleting the current definition of “Commercial Recreation” and substituting in its place the following:

“RECREATION, COMMERCIAL – A commercial use designed and equipped principally for the conduct of sports and leisure time activities. Video parlors, computer gaming facilities, movie theaters, and bars, as principal uses, are not commercial recreation uses. Commercial recreation is further separated into two categories as follows:

1. **Indoor** – Recreational activities conducted entirely within a building, including team or individual sports and related health and exercise facilities operated on a commercial or fee basis. An indoor recreational business shall also include, but is not limited to, a spa, gymnasium, fitness center, bowling alley, skating rink; tennis and other racquet courts, field house, indoor track, indoor basketball, and indoor pool house. An indoor recreation use may include accessory uses, such as food service facilities, meeting rooms, serving of alcoholic beverages, video or computer game facilities, video theater facilities, sale or sport or exercise-related equipment or clothing and customary accessory uses clearly incidental to the recreation activity.
2. **Outdoor** – Recreational activities including, but not limited to, ball fields, playing fields, batting cages, golf courses and driving ranges, tennis, racquet courts, swimming, bike trails, hiking and similar outdoor activities conducted on a commercial or fee basis. An outdoor recreational use may also include customary accessory uses and buildings, such as a clubhouse, food stand, offices, and other uses accessory and incidental to the outdoor commercial use. Outdoor recreation shall not include racetracks; go-cart, motorcycle, remote controlled aircraft, ATV tracks or any other outdoor use involving motorized vehicles or equipment; gun clubs; and shooting preserves.
3. **Commercial Recreation Uses** - whether indoor or outdoor, shall not include “membership clubs” as that term is defined in §108-2.2 of the Zoning Code.”

SECTION 4.

The Town Code is hereby amended to add a new Article 29 entitled: “Commercial Indoor and Outdoor Recreational Uses” which shall read as follows:

“§109-29 COMMERCIAL INDOOR AND OUTDOOR RECREATIONAL USES.

All commercial indoor and outdoor recreational uses shall adhere to the following requirements:

- A. **Minimum bulk requirements.** No portion of any outdoor commercial recreation facility area shall be located closer than 50 feet to any property line. Parking shall not be permitted in the front yard. One or more recreational uses are allowed on a lot.

- B. Location. Outdoor recreation facilities shall be located on-site and in a manner that minimizes potential impacts on nearby residential properties. Consideration shall be given to locating outdoor facilities away from residential property lines. The Planning Board may require that said facilities be screened through use of vegetation, fencing or a combination thereof from adjoining residential properties.
- C. Hours of operation. The hours of operation may be limited to minimize impacts associated with noise, lighting, traffic, and similar potential effects which may be disruptive to adjoining uses.
- D. Site lighting. A lighting plan shall be provided and designed so as to affect adjoining residential properties. The Planning Board may approve a light fixture that exceeds the height set forth in the Schedule of Bulk Regulations for an outdoor recreation use provided it finds that the lighting is integral to operation of the activity and there will be no detrimental impact on adjoining uses.
- E. Noise. Adequate evidence shall be furnished by the applicant demonstrating that noise levels will not likely disturb nearby residential properties. Such evidence must take into account the nature of the activity, the general demeanor of the participants, the frequency of the activity and the time and day of the proposed activity. Public address systems are prohibited.
- F. Waste. The site plan shall demonstrate that wastes, including runoff containing fertilizer, pesticides, as well as solid waste will be contained, treated and disposed of in accordance with applicable local, county, state and federal regulations. The Planning Board shall approve the location of any port-o-san or other temporary waste disposal system that may be allowed in conjunction with an outdoor recreation facility.
- G. Safety considerations. Where outdoor recreation facilities are allowed, the Planning Board shall consider the need for safety nets and similar design elements to secure stray balls or other equipment from reaching adjoining properties.
- H. Special considerations. Because the range of recreational activities allowed as components of commercial recreation establishments are broad and the characteristics and intensity of use may vary, the Planning Board may impose such additional requirements as may be necessary to provide adequate protection to adjoining and nearby properties, considering the proposed activity, the proposed location and the nature of the adjoining community.

SECTION 5.

Schedule 108, Attachment 1, "Schedule of Use Regulations" is hereby amended to eliminate "Commercial Recreation" as a non-residential use and add two new categories of Commercial Recreation, to wit: Commercial Recreation Indoor, and Commercial Recreation Outdoor. The list of Non-Residential Uses is here further amended to provide that indoor recreation uses are allowed in every zoning district pursuant to a special use permit and site plan approval except for the Neighborhood District (N) in which it is prohibited. The list of Non-

Residential Uses is further amended to provide that outdoor recreation uses are permitted in the Landings, EP Business, Corridor Business, and Waterfront Districts pursuant to a special use permit and site plan approval and are not permitted in the Neighborhood (N), Neighborhood Core (NC), Hamlet (H), Hamlet Core (HC) and Town Core (TC) Districts.

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 6:8 - 4 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO SIGN A CHANGE ORDER AGREEMENT WITH LANKARD ENTERPRISES, INC. DBA DIRTY GLOVES FOR THE CLEAN-UP OF 7 SOUTH CROSS ROAD, STAATSBURG AS PER RESOLUTION 10:21 – 8 OF 2019

WHEREAS, the property located at 7 South Cross Road (Parcel Tax ID No. 6066-02-928772) was in violation of Chapter 84 as observed by the Town’s Deputy Building Inspector; and

WHEREAS, in accordance with Resolution 10:21 – 8 of 2019 the Town was authorized to enter the property at 7 South Cross Road, Staatsburg to bring said property into compliance with Chapter 84; and

WHEREAS, the Town in accordance with the their Procurement Policy hired Lankard Enterprises, Inc. dba Dirty Gloves to enter the property and clean up said property to bring it into compliance on the Town’s behalf at an original cost of \$6,030; and

WHEREAS, upon the start of said clean-up there was more debris hidden than realized when the top layer was removed causing an increase in the overall cost from \$6,030 to \$8,389.55 to completely clear the property; and

WHEREAS, CPL the Town’s Engineer has prepared a Change Order for the accrued difference of \$2,359.55 as per his e-mail dated June 2, 2020 and the Town Comptroller and Town Supervisor finds this difference in price to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the Town Supervisor to sign Change Order Number 1 dated June 2, 2020 as submitted by the Town Engineer’s e-mail to authorize the payment increase of \$2,359.55 to Lankard Enterprises, Inc. dba Dirty Gloves for the clean-up of the property at 7 South Cross Road, Staatsburg.

**MOTION:
SECOND:**

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 6:8 – 5 OF 2020

RESOLUTION AMENDING RESOLUTION 3:23 – 8 OF 2020 TO CORRECT AN ERROR IN THE RATES AND TARRIFF FILED BY TR SEWAGE-WORKS CORP. UNDER THE TRANSPORTATION CORPORATION LAW OF THE STATE OF NEW YORK FOR THE BELLEFIELD PROJECT IN THE TOWN OF HYDE PARK

WHEREAS, TR Sewage-Works Corp. is a New York transportation corporation that will operate within the Town of Hyde Park; and

WHEREAS, TR Sewage-Works Corp. will collect and treat sewage from a development within the St. Andrew's at Historic Hyde Park Development in the Bellefield Planned Development District in the Town of Hyde Park; and

WHEREAS, pursuant to Section 121 of the Transportation Corporations Law, the Town Board must agree to the rates that will be charged by TR Sewage-Works Corp.; and

WHEREAS, on March 23, 2020, the Town Board in Resolution 3:23 - 8 of 2020, approved the Rates and Tariff proposed by TR Sewage-Works Corp.; and

WHEREAS, the approved Tariff states that each residential parcel would be charged and billed \$107.42 per month and other parcels will be charged and billed \$4.92 per month for each gallon per day of design capacity as approved by the Health Department for the planned construction on that parcel; and

WHEREAS, the filing by TR Sewage Works Corp. contained an error that, if not corrected, would cause the commercial customers to be charged much more than intended. As shown within the computations in the finding, the commercial rate should have been stated as \$4.92 per year, billed monthly; and

WHEREAS, the analysis filed by TR Sewage-Works Corp. supports the rate for commercial customers of \$4.92 per year, billed monthly, and

WHEREAS, the Town Board has determined that this is a Type II action under SEQRA and is not subject to environmental review.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hyde Park, pursuant to Section 121 of the Transportation Corporations Law, does hereby amend Town Board Resolution 3:23 - 8 of 2020 to provide that the approved usage rate for commercial customers is \$4.92 per year, billed monthly, for each gallon per day of design capacity as approved by the Health Department for the planned construction on that parcel and directs TR Sewage-Works Corp. to amend its tariff to reflect that the usage rate for commercial customers as of April 2, 2020, was and will be \$4.92 per year, billed monthly, for each gallon per day of design capacity as approved by the Health Department for the planned construction on that parcel, and to file this change with the Town Clerk.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 6:8 – 6 OF 2020

RESOLUTION AUTHORIZING ENTRANCE ONTO THE PROPERTIES LOCATED AT 15 BALSAM ROAD, HYDE PARK AND 609 SALT POINT TURNPIKE, POUGHKEEPSIE TO BRING THESE PROPERTIES INTO COMPLIANCE WITH THE STANDARDS OF CHAPTER 85-5(B) OF THE TOWN CODE AND TO ASSESS THE COSTS OF SUCH ACTION AGAINST THE PROPERTIES AS A LIEN AND CHARGE ON THE SAME

WHEREAS, the Town Deputy Building Inspector served a notice of Compliance Order on the owner of the properties, at: 15 Balsam Road, Hyde Park Grid #6264-04-845114 and 609 Salt Point Turnpike, Poughkeepsie, NY Grid #6263-02-851768 in accordance with the provisions of Chapter 85-5(b), Grass Maintenance Law, of the Town Code and proof of the sending and posting of said notices have been provided by the Deputy Building Inspector to the Town Board; and

WHEREAS, the Town Deputy Building Inspector has reported to the Town Board that these properties have not been brought into compliance with the provisions of the Law, as specified in the said Compliance Order.

NOW, THEREFORE, BE IT RESOLVED, that the Town Highway Superintendent, and such other employees or officers of the Town of Hyde Park, or a private contractor retained by the Town are hereby authorized to enter the properties listed above and bring these properties into compliance with the standards of Chapter 85-5(b), Grass Maintenance Law, of the Town Code as specified in the Compliance Order sent to the property owners and that all costs incurred by the Town shall be assessed against the property and shall constitute a lien and charge on the property until it is paid or otherwise satisfied or discharged, and that the same shall be collected in the same manner and at the same time as other Town charges.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 6:8 – 7 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE NUNC PRO TUNC VACATION CARRY-OVER FOR TOWN OF HYDE PARK JUSTICE CLERK SARAH JENSEN

WHEREAS, due to the closure of Town Court because of the COVID-19 pandemic, Town of Hyde Park Justice Clerk, Sarah Jensen was unable to submit her request for vacation carry-over prior to her anniversary date of May 31, 2020.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby authorize Nunc Pro Tunc Town of Hyde Park Justice Clerk, Sarah Jensen to carry over up to 19 hours of accrued vacation time which she was unable to use prior to her anniversary date of May 31, 2020, and that said carry-over vacation time must be used no later than November 30, 2020.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 6:8 – 8 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE NUNC PRO TUNC VACATION CARRY-OVER FOR TOWN OF HYDE PARK COURT CLERK EMILY FOSS

WHEREAS, due to the closure of Town Court because of the COVID-19 pandemic, Town of Hyde Park Court Clerk, Emily Foss was unable to submit her request for vacation carry-over prior to her anniversary date of May 28, 2020.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby authorize Nunc Pro Tunc Town of Hyde Park Court Clerk, Emily Foss to carry over up to 25.75 hours of accrued vacation time which she was unable to use prior to her anniversary date of May 28, 2020, and that said carry-over vacation time must be used no later than November 28, 2020.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 6:8 – 9 OF 2020

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO ACCEPT AND EXECUTE A SECURITY AGREEMENT TO GUARANTEE COMPLETION OF BLAIR ROAD AND RESTORATION OF DISTURBANCE OF BLAIR ROAD AND THE ACCEPTANCE OF THE \$810,000 BOND INSURING SATISFACTORY COMPLETION OF BLAIR ROAD AND \$40,000 BOND GUARANTEEING RESTORATION OF DISTURBANCE OF BLAIR ROAD FOR THE JEFFREY GROVES ESTATE SUBDIVISION

WHEREAS, the Town of Hyde Park Planning Board passed two Resolutions on December 5, 2018 granting conditional final plat approval and conditional site plan approval for the development known as the Jeffrey Groves Estate; and

WHEREAS, the subdivision provides for 47 residential lots and two newly created roads, which will be dedicated upon completion to the Town, *to wit*: Blair Road and Daniels Way; and

WHEREAS, the said approvals were conditioned upon the execution of a Security Agreement to Guarantee Completion of Blair Road and a Security Agreement to guarantee restoration of disturbance of Blair Road and the posting of bonds acceptable to the Attorney to the Town in the amount of \$810,000 to guarantee construction of Blair Road and \$40,000 to guarantee restoration of disturbance of Blair Road; and

WHEREAS, the said Security Agreements have been prepared, and submitted to, and approved by the Attorney to the Town in form and substance; and

WHEREAS, the Road Construction Bond and Road Restoration Bonds have been issued and submitted to the Attorney to the Town for his approval; and

WHEREAS, the Attorney to the Town has reviewed the said Securing Agreements and Bonds and has found the same to be acceptable in form and substance.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute the Security Agreements to Guarantee Completion of Blair Road and the Security Agreement to Guarantee Restoration of Blair Road; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to accept the posting of the \$810,000 Road Completion Bond and the \$40,000 Restoration Bonds for Blair Road.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 6:8 – 10 OF 2020

RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO ACCEPT AND EXECUTE A SECURITY AGREEMENT TO GUARANTEE COMPLETION OF DANIELS WAY AND RESTORATION OF DISTURBANCE OF DANIELS WAY AND THE ACCEPTANCE OF THE \$520,650 BOND INSURING SATISFACTORY COMPLETION OF DANIELS WAY AND \$20,800 BOND GUARANTEEING RESTORATION OF DISTURBANCE OF DANIELS WAY FOR THE JEFFREY GROVES ESTATE SUBDIVISION

WHEREAS, the Town of Hyde Park Planning Board passed two Resolutions on December 5, 2018 granting conditional final plat approval and conditional site plan approval for the development known as the Jeffrey Groves Estate; and

WHEREAS, the subdivision provides for 47 residential lots and two newly created roads, which will be dedicated upon completion to the Town, *to wit*: Daniels Way and Daniels Way; and

WHEREAS, the said approvals were conditioned upon the execution of a Security Agreement to Guarantee Completion of Daniels Way and a Security Agreement to guarantee restoration of disturbance of Daniels Way and the posting of bonds acceptable to the Attorney to the Town in the amount of \$520,650 to guarantee construction of Daniels Way and \$20,800 to guarantee restoration of disturbance of Daniels Way; and

WHEREAS, the said Security Agreements have been prepared, and submitted to, and approved by the Attorney to the Town in form and substance; and

WHEREAS, the Road Construction Bond and Road Restoration Bonds have been issued and submitted to the Attorney to the Town for his approval; and

WHEREAS, the Attorney to the Town has reviewed the said Securing Agreements and Bonds and has found the same to be acceptable in form and substance.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute the Security Agreements to Guarantee Completion of Daniels Way and the Security Agreement to Guarantee Restoration of Daniels Way; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to accept the posting of the \$520,650 Road Completion Bond and the \$20,800 Restoration Bonds for Daniels Way.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 6:8 – 11 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO CREATE A TEMPORARY PART-TIME MAINTENANCE MECHANIC POSITION FOR THE TOWN OF HYDE PARK RECREATION DEPARTMENT AND TO APPOINT ROBERT FITZPATRICK TO SAID POSITION

WHEREAS, the Town of Hyde Park Town Board wishes to create a temporary part-time Maintenance Mechanic position for the Town of Hyde Park Recreation Department to assist the Recreation Director with the repairs and maintenance for the pool located at Hackett Hill.

NOW THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby create the position of temporary part-time Maintenance Mechanic for the Town of Hyde Park Recreation department; and

BE IT FURTHER RESOLVED, that the Town Board does also hereby appoint Robert Fitzpatrick to said position effective June 13, 2020 for a period of up to six weeks at a rate of compensation of \$18 per hour; and

BE IT FURTHER RESOLVED, that the Town Supervisor is also hereby authorized to submit any necessary paperwork to the Dutchess County Department of Human Resources to create this temporary position.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 6:8 – 12 OF 2020

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK POLICE DEPARTMENT TO ENTER INTO INTERMUNICIPAL AGREEMENTS WITH DUTCHESS COUNTY SCHOOL DISTRICTS FOR POLICE SECURITY DURING GRADUATION CEREMONIES HELD AT THE HYDE PARK DRIVE-IN

WHEREAS, several school districts in Dutchess County have, or will, contract with the Hyde Park Drive-In to conduct their school graduations at the Drive-In; and

WHEREAS, the school districts have requested that the Hyde Park Police Department provide security services for those graduation ceremonies; and

WHEREAS, the Police Department has provided a draft Intermunicipal Agreement to be used with those school districts for purposes of providing such security services, which is being reviewed by the Attorney to the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to enter into an Intermunicipal Agreement with school districts desiring to have the Hyde Park Police Department provide security during their graduation ceremonies at the Hyde Park Drive-In in a form approved by the Attorney to the Town, Chief of Police and Town Supervisor.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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