

**AGENDA
HYDE PARK TOWN BOARD
REGULAR MEETING, PUBLIC HEARINGS, & WORKSHOP
MONDAY, SEPTEMBER 23, 2019 AT 7:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ACCEPT MINUTES OF SEPTEMBER 9TH, 2019

PUBLIC COMMENT ON RESOLUTIONS

NOTE: "TIME LIMIT OF 3 MINUTES ONLY "

PUBLIC HEARING:

1. CONTINUATION ADOPTION OF PROPOSED LOCAL LAW NO. H OF THE YEAR 2019 ENTITLED: "A LOCAL LAW AMENDING CHAPTERS 40 AND 108 OF THE TOWN OF HYDE PARK TOWN CODE TO PROVIDE FOR THE OFFICE OF DEPUTY BUILDING INSPECTOR AND SET FORTH THE POWERS AND DUTIES OF SAID OFFICER
2. CONTINUATION OF THE PUBLIC HEARING FOR LOCAL LAW 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"

WORKSHOP:

1. TOWN BOARD DISCUSSION ON SUGGESTED PROJECTS FOR THE 2020 CDBG GRANT APPLICATION SUBMISSION

RESOLUTIONS:

1. ADOPT LOCAL LAW NO. H OF THE YEAR 2019 ENTITLED: "A LOCAL LAW AMENDING CHAPTERS 40 AND 108 OF THE TOWN OF HYDE PARK TOWN CODE TO PROVIDE FOR THE OFFICE OF DEPUTY BUILDING INSPECTOR AND SET FORTH THE POWERS AND DUTIES OF SAID OFFICER"
2. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO

CREATE A NEW FULL-TIME DEPUTY BUILDING INSPECTOR POSITION AND TO APPOINT FRED J. RILEY, JR. TO SAID POSITION

3. ACKNOWLEDGE RESIGNATION OF TOWN OF HYDE PARK HIGHWAY MOTOR EQUIPMENT OPERATOR MARK A. SEWARD
4. ACKNOWLEDGE APPOINTMENT AND AUTHORIZING THE SALARY OF FULL-TIME MOTOR EQUIPMENT OPERATOR QUAYSHAUN SMITH FOR THE TOWN OF HYDE PARK HIGHWAY DEPARTMENT
5. AUTHORIZE TOWN OF HYDE PARK TOWN CLERK TO WAIVE THE FEE FOR A MARRIAGE LICENSE CERTIFICATE WHEN EITHER OF THE PARTIES MAKING AN APPLICATION FOR SUCH CERTIFICATE IS A MEMBER ON ACTIVE DUTY OF THE UNITED STATES ARMED FORCES
6. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO REAPPOINT JENNIFER MUND AS THE SOLE ASSESSOR FOR THE TOWN OF HYDE PARK
7. AUTHORIZE RESOLUTION AUTHORIZING TOWN OF HYDE PARK DEPUTY ASSESSOR, MARA ROTHMAN TO ATTEND THE APARTMENTS & CONDOMINIUMS ONE DAY SEMINAR AT COLUMBIA GREENE COMMUNITY COLLEGE
8. AUTHORIZE RELEASE OF THE BALANCE OF ESCROW FOR THE TOWN OF HYDE PARK ZONING ADMINISTRATOR
9. AUTHORIZE RELEASE OF THE BALANCE OF ESCROW FROM THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS ACCORDING TO RESOLUTION #19-01Z
10. AUTHORIZE TOWN OF HYDE PARK POLICE OFFICER JOSHUA TUCKER TO ATTEND THE AXON ACADEMY TASER CEW INSTRUCTOR COURSE
11. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO SCHEDULE A PUBLIC HEARING TO DISCUSS THE INTENDED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR 2020

12. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO SUPPORT THE DUTCHESS COUNTY AMICUS BRIEF FILED WITH THE US DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK IN SUPPORT OF THE NEW YORK STATE LAWSUIT AGAINST THE US ENVIRONMENTAL PROTECTION AGENCY
13. AUTHORIZE TOWN SUPERVISOR TO EXECUTE SECURITY AGREEMENTS TO GUARANTEE COMPLETION OF THE ORIGINAL ROAD SCOPE OF WORK, WATER SUPPLY SYSTEM WORK, THE NEW ROAD CONSTRUCTION WORK, AND THE WASTEWATER TREATMENT PLANT WORK FOR THE ENCLAVE AT HYDE PARK
14. COMMENCE LOCAL LAW K OF 2019 ENTITLED: "OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2020" PURSUANT TO GENERAL MUNICIPAL LAW §3-c
15. AUTHORIZE COMMENCEMENT OF ADMINISTRATIVE REMEDY PURSUANT TO TOWN CODE §84-3(B) WITH REGARDS TO 7 SOUTH CROSS ROAD, STAATSBURG
16. AUTHORIZE TOWN SUPERVISOR TO EXECUTE A PILOT AGREEMENT AND AGREEMENT TO GUARANTEE DECOMMISSIONING OF THE CREAM STREET SOLAR LLC FACILITY LOCATED ON CREAM STREET HAVING TAX PARCEL NO. 133200-6263-01-465957 IN THE TOWN OF HYDE PARK

NEW AND OLD BUSINESS

ADJOURN

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

***AGENDA SUBJECT TO CHANGE**

**RESOLUTIONS 9:23-13 and 9:23-16
WERE NOT AVAILABLE AT TIME OF
PUBLICATION**

RESOLUTION 9:23 - 1 OF 2019

RESOLUTION ADOPTING LOCAL LAW NO. H OF THE YEAR 2019 ENTITLED: "A LOCAL LAW AMENDING CHAPTERS 40 AND 108 OF THE TOWN OF HYDE PARK CODE TO PROVIDE FOR THE OFFICE OF DEPUTY BUILDING INSPECTOR AND SET FORTH THE POWERS AND D UTIES OF SAID OFFICER "

WHEREAS, after reviewing the Town of Hyde Park Code, and specifically, Chapters 40 and 108 relating to building code administration and enforcement of the New York State Uniform Fire Prevention and Building Code and State Energy Conservation Construction Code, the Town of Hyde Park has determined that these sections of the Code need to be amended to provide for the office of Deputy Building Inspector and to set forth the powers and duties of said officer; and

WHEREAS, the Attorney to the Town drafted a proposed Local Law amending Chapters 40 and 108 of the Town Code to provide for the office of Deputy Building Inspector and setting for the powers and duties of said officer to enable the Deputy Building Inspector to have certain powers and duties of the Building Inspector when performing building inspection and related functions; and

WHEREAS, the Town Board determined that said Local Law was in acceptable form for purposes of commencing the local law adoption process; and

WHEREAS, the Town Board determined that this is a Type II action, exempt from SEQRA review; and

WHEREAS, the Town Board scheduled a public hearing on the adoption of said Local Law for September 9, 2019 at 7:05 p.m.; and

WHEREAS, the public hearing was opened and adjourned to September 23, 2019; and

WHEREAS, the Town Board, in response to certain comments by Planning Board members and the Zoning Enforcement Officer, have made certain changes to the Zoning Law to clarify that the Deputy Building Inspector's power and authority shall clearly extend to enforcement of all provisions of the Zoning Law portions of the Town Code; and

WHEREAS, the Local Law as amended has been placed upon the desks of the Town Supervisor and the Town Board members at least seven (7) days prior to September 23, 2019; and

WHEREAS, the public hearing was continued on September 23, 2019 and closed on that same date, at which time the Town Board considered adoption of the Local Law, as amended; and

WHEREAS, the Town Board has determined that the adoption of said Local Law would be in the best interests of the Town of Hyde Park.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts Local Law No. H of the Year 2019 entitled: "A Local Law Amending Chapters 40 and 108 of the Town of Hyde Park Code to provide for the Office of Deputy Building Inspector and Set Forth the Powers and Duties of said Officer; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to file a copy of said Local Law with the Department of State, as required by law.

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. H OF THE YEAR 2019

**A LOCAL LAW AMENDING CHAPTERS 40 AND 108
OF THE TOWN OF HYDE PARK CODE TO PROVIDE FOR
THE OFFICE OF DEPUTY BUILDING INSPECTOR AND SET
FORTH THE POWERS AND DUTIES OF SAID OFFICER**

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

SECTION 1. LEGISLATIVE INTENT

The Town Board after reviewing the Town of Hyde Park Code and, specifically, Chapters 40 and 108 relating to building code administration and enforcement of the New York State Uniform Fire Prevention and Building Code, the State Energy Conservation Construction Code in the Town of Hyde Park, and Chapter 108 relating to Zoning has determined that these sections of the Town Code need to be amended to provide for the office of Deputy Building Inspector and set forth the powers and duties of said officer.

SECTION 2.

Chapter 40 “Building Code Administration and Enforcement” of the Town Code is hereby amended as follows:

- A. Section 40-2 “Definitions” is hereby amended to add the following definitions:

“DEPUTY BUILDING INSPECTOR
The Building Inspector appointed pursuant to §40-3(D) of the Code.”

- B. The definition of “CODE ENFORCEMENT PERSONNEL” is hereby amended by deleting the current definition and inserting in its stead the following definition:

“The Building Inspector and all Deputy Building Inspectors.”

- C. Sections 40-3(D) and (E) of the Code are hereby deleted and the following sections 40-3(D) and (E) are inserted in their stead:

“D. One or more Deputy Building Inspectors may be appointed by the Town Board to act under the supervision and direction of the Building Inspector and to assist the Building Inspector in the exercise of the powers and fulfillment of the duties conferred upon the Building Inspector by this chapter and by any other provision of the Town Code. The Deputy Building Inspector shall have the same powers and duties as the Building Inspector as set forth in §40-3(A) of the Code. Each Deputy Building Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for Code Enforcement Personnel and each Deputy Building Inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.”

“E. Compensation for the Building Inspector and Deputy Building Inspectors shall be fixed and adjusted from time to time by the Town Board.

- D. Section 40-11(A) of the Code is hereby deleted and in its stead the following new language shall be inserted:

“A. Inspectors required. Fire, safety, and property maintenance inspections of buildings and structures shall be performed by the Building Inspector and/or Deputy Building Inspector at the following intervals:

- E. Section 40-15(A) of the Code is hereby amended to add the following sentence at its end:

“All Powers and authority vested in the Building Inspector pursuant to this section of the code are also vested in the Deputy Building Inspector.”

- F. Section 40-15(B) of the Code is hereby amended to delete that section and in its stead insert the following language:

“B. Appearance tickets. The Building Inspector and each Deputy Building Inspector are authorized to issue appearance tickets, notices of violation, notices of apparent violation, and stop work orders for any violation of the Uniform Code.”

SECTION 3.

Chapter 108 “Zoning” of the Town Code is hereby amended as follows:

- A. Section 108-30.2 “Enforcement agents” is hereby amended by eliminating subparagraph “A” and inserting in its stead the following subparagraph “A”:

“A. This Chapter shall be enforced by the Zoning Administrator, the Building Inspector, and Deputy Building Inspectors pursuant to their responsibilities set forth in this chapter or otherwise in the Town Code. The Zoning Administrator, Building Inspector, and Deputy Building Inspector shall each maintain the records necessary to implement their responsibilities under this chapter. The powers and duties and responsibilities delegated to, and imposed on, the Building Inspector and/or the Zoning Administrator pursuant to this Chapter shall also be deemed delegated to the Town’s Deputy Building Inspectors.

B. Section 108-30.3(B) “Stop-work orders” is hereby amended to add a new subparagraph “(6)” which shall read as follows:

“(6) All authority to issue stop-work orders, notices of violation, notices of apparent violations, and all provisions and responsibilities related thereto, delegated to the Zoning Administrator are also delegated to the Deputy Building Inspectors.”

SECTION 4. STATEMENT OF AUTHORITY.

This Local Law is authorized by the New York State Constitution, Article IX, §2; the provisions of the New York State Municipal Home Rule Law (MHRL); the provisions of the Statute of Local Governments; all relevant provisions of the Town Law of the State of New York; the laws of the Town of Hyde Park; and the general police powers vested in the Town of Hyde Park to promote the health, safety, and welfare and residents and property owners within the Town.

SECTION 5: 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 6: SUPERSESION

This local law is hereby adopted pursuant to the provisions of RPTL §487, §10 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 7: 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 9:23 - 2 OF 2019

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO CREATE A NEW FULL-TIME DEPUTY BUILDING INSPECTOR POSITION AND TO APPOINT FRED J. RILEY, JR. TO SAID POSITION

WHEREAS , the Town Board of the Town of Hyde Park is seeking to provide assistance in the Building and Zoning Departments by creating a full-time Deputy Building Inspector position to assist with the enforcement and inspection duties of those departments; and

WHEREAS , Fred J. Riley, Jr. was interviewed with numerous other candidates, possesses the qualifications and experience necessary to fill the position of Deputy Building Inspector, had previously tested for such position, and can be appointed by means of reinstatement in accordance with the Rules for Classified Civil Service for Dutchess County.

NOW, THEREFORE, BE IT RESOLVED , the Town Board does hereby authorize and direct the Town Supervisor to submit the proper paperwork to the Dutchess County Human Resources Department to create the full-time competitive position of Deputy Building Inspector; and

BE IT FURTHER RESOLVED , that the Town Board of the Town of Hyde Park does also hereby appoint Fred J. Riley, Jr. as the full-time Deputy Building Inspector effective October 1, 2019, for thirty five hours per week, at an annual salary of

\$60,000.00 with benefits and all other terms and conditions of employment covered by the Town of Hyde Park Employee Handbook for Non-Union personnel; 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

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

RESOLUTION 9:23 - 3 OF 2019

RESOLUTION ACKNOWLEDGING THE RESIGNATION OF TOWN OF HYDE PARK HIGHWAY MOTOR EQUIPMENT OPERATOR MARK A. SEWARD

WHEREAS , Town of Hyde Park Motor Equipment Operator Mark A. Seward has submitted a letter of resignation effective Wednesday, September 11, 2019.

NOW, THEREFORE, BE IT RESOLVED , that the Town Board of the Town of Hyde Park does hereby acknowledge the resignation of Town of Hyde Park Highway Motor Equipment Operator Mark A. Seward.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 9:23 - 4 OF 2019

RESOLUTION ACKNOWLEDGING THE APPOINTMENT AND AUTHORIZING THE SALARY OF FULL-TIME MOTOR EQUIPMENT OPERATOR QUAYSHAUN SMITH FOR THE TOWN OF HYDE PARK HIGHWAY DEPARTMENT

WHEREAS, there exists a vacancy in the Hyde Park Highway Department for a full-time Motor Equipment Operator; and

WHEREAS, the Town of Hyde Park Highway Superintendent has conducted interviews and wishes to hire Quayshaun Smith as his new full-time Motor Equipment Operator.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby acknowledge the appointment of Quayshaun Smith as a full-time Motor Equipment Operator for the Town of Hyde Park Highway Department effective October 1, 2019 and authorizes his hourly rate of \$19.91 as established by the CSEA Highway Unit 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

Councilman Krupnick _____
Councilman Ray _____

Councilman Marrine _____
Councilman Schneider _____
Supervisor Rohr _____

RESOLUTION 9:23 - 5 OF 2019

RESOLUTION AUTHORIZING THE TOWN CLERK TO WAIVE THE FEE FOR A MARRIAGE LICENSE CERTIFICATE WHEN EITHER OF THE PARTIES MAKING AN APPLICATION FOR SUCH CERTIFICATE IS A MEMBER ON ACTIVE DUTY IN THE UNITED STATES ARMED FORCES

WHEREAS, the current license fee for a marriage license charged by the Town Clerk is \$40.00 with \$17.50 representing the Town's share of that fee and \$22.50 representing the State share of that fee; and

WHEREAS, Subdivision 3 of Section 14-a of the Domestic Relations Law has been amended by Chapter 297 of the Laws of 1963 to provide, in relevant part, that a Town may elect to waive the fee for a marriage certificate when either of the parties making an application for such certificate is a member on active duty of the United States Armed Forces; and

WHEREAS, the Town Board has determined to waive such fee.

NOW, THEREFOR E, BE IT RESOLVED, that the Town Clerk is hereby directed to waive the Town's portion of the marriage certificate fee when either of the parties seeking application for such certificate is a member on active duty of the United States Armed Forces.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick _____
Councilman Ray _____
Councilman Marrine _____
Councilman Schneider _____

Supervisor Rohr _____

RESOLUTION 9:23 - 6 OF 2019

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO REAPPOINT JENNIFER MUND AS THE SOLE ASSESSOR FOR THE TOWN OF HYDE PARK

WHEREAS, Jennifer Mund was appointed as Sole Assessor by Resolution 7:16 - 5 of 2018 as required by New York State Real Property Tax Law to fulfill a six year term vacated by prior Sole Assessor Kristin Cables; and

WHEREAS, the Real Property Tax Law of New York State sets a six year term for assessors which expires September 30, 2019; and

WHEREAS, Jennifer Mund is certified and fully accredited as a Sole Assessor according the requirements set forth by the Real Property Tax Law of New York State.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby reappoint Jennifer Mund as the Sole Assessor for the Town of Hyde Park as required by the Real Property Tax Law of New York State for a term of six(6) years to commence October 1, 2019 and end on September 30, 2025.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 9:23 - 7 OF 2019

RESOLUTION AUTHORIZING TOWN OF HYDE PARK DEPUTY ASSESSOR, MARA ROTHMAN TO ATTEND THE APARTMENTS & CONDOMINIUMS ONE DAY SEMINAR AT COLUMBIA GREENE COMMUNITY COLLEGE

WHEREAS, the Town of Hyde Park Deputy Assessor, Mara Rothman has requested approval to attend the Apartments and Condominiums one day seminar presented by the Institute of Assessing Officers/New York State Assessors Association on Friday, November 8, 2019 from 9:00 am - 4:00 pm at Columbia Greene Community College in Hudson, New York; and

WHEREAS, the Town Board deems it appropriate and beneficial for Deputy Town Assessor, Mara Rothman to attend this seminar; and

WHEREAS, the fee associated with this seminar is \$150 and will be allocated from the 2019 Assessor Department's training budget.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Deputy Town Assessor, Mara Rothman to attend the Apartments and Condominiums one day seminar presented by the Institute of Assessing Officers/New York State Assessors Association on Friday, November 8, 2019 from 9:00 am - 4:00 pm at Columbia Greene Community College in Hudson, New York; and

BE IT FURTHER RESOLVED, that the Town Board does also hereby authorize reimbursement for travel and any necessary business expenditures deemed appropriate and reasonable.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 9:23 - 8 OF 2019

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

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

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

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

PROJECT	PROJECT #	ENGINEER/ PLANNER	TOTAL
Mid-Hudson Development Corporation	05-18ESC	\$58.40	\$58.40

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 9:23 - 9 OF 2019

RESOLUTION AUTHORIZING THE RELEASE OF THE BALANCE OF ESCROW FROM THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS ACCORDING TO RESOLUTION #19-01Z

WHEREAS , the applicant for the project listed below had established an escrow account with the Town of Hyde Park before the Town of Hyde Park Zoning Board; and

WHEREAS , the Town of Hyde Park Zoning Board reviewed this project and voted on and approved the release of escrow for this project according to resolution #19-01Z on August 28, 2019.

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

PROJECT	PROJECT #	ATTORNEY	TOTAL
Aguilar & Quiroz	19-01Z	\$622.00	\$622.00

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 9:23 - 10 OF 2019

RESOLUTION AUTHORIZING TOWN OF HYDE PARK POLICE OFFICER JOSHUA TUCKER TO ATTEND THE AXON ACADEMY TASER CEW INSTRUCTOR COURSE

WHEREAS , Chief of Police Robert Benson has requested approval for Police Officer Joshua Tucker to attend the Axon Academy Taser CEW Instructor Course on Thursday, December 12, 2019 from 8:00 am - 5:00 pm in Valhalla, NY; and

WHEREAS , the Town of Hyde Park Police Department does not currently have any certified instructors to provide this very important training; and

WHEREAS , Officer Tucker is a Certified Police General Topics Instructor and will be able to train the Hyde Park Police Department in the use of the Axon Police X26P Taser when said course is complete; and

WHEREAS , the Town Board deems it appropriate and beneficial for Police Officer Joshua Tucker to attend this instructor course; and

WHEREAS , the fee associated with this course is \$495.00 and will be allocated from the 2019 Police Training Budget.

NOW, THEREFORE, BE IT RESOLVED , that the Town of Hyde Park Town Board does hereby authorize Police Officer Joshua Tucker to attend the Axon Academy Taser CEW Instructor Course on Thursday, December 12, 2019 from 8:00 am - 5:00 pm in Valhalla, NY; and

BE IT FURTHER RESOLVED , that the Town Board does also hereby authorize reimbursement for travel and necessary business expenditures deemed appropriate and reasonable.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick	_____
Councilman Ray	_____
Councilman Marrine	_____
Councilman Schneider	_____

Supervisor Rohr _____

RESOLUTION 9:23 - 11 OF 2019

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO SCHEDULE A PUBLIC HEARING TO DISCUSS THE INTENDED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR 2020

WHEREAS, the Town of Hyde Park intends on participating in the Dutchess County Community Development Consortium for Fiscal Year 2020; and

WHEREAS, federal regulations require that the Town of Hyde Park hold a public hearing to discuss the intended use of Community Development Funds.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park shall hold a public hearing on the intended use of 2020 Community Development Funds on October 7, 2019 at 7:20 p.m. at the Town of Hyde Park Town Hall located at 4383 Albany Post Road, Hyde Park; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish notice of such public hearing as required by law.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 9:23 - 12 OF 2019

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO SUPPORT THE DUTCHESS COUNTY AMICUS BRIEF FILED WITH THE US DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK IN SUPPORT OF THE NEW YORK STATE LAWSUIT AGAINST THE US ENVIRONMENTAL PROTECTION AGENCY

WHEREAS , Dutchess County will be filing an amicus brief with the US District Court for the Northern District of New York in support of the New York State lawsuit filed against the US Environmental Protection Agency by the New York State Attorney General, the State Department of Environmental Conservation and Governor Andrew Cuomo; and

WHEREAS , the suit asserts the EPA violated federal laws when in April, despite indication that the concentrations of polychlorinated biphenyls (PCBs), a known human carcinogen, remained dangerously high in the Hudson River, it issued a “Certificate of Completion” to General Electric Company indicating the GEC’s PCB clean-up efforts were complete, and as a result, EPA agreed not to sue in the future; and

WHEREAS , the Dutchess County brief will stress the economic and environmental impacts of the Hudson River on Dutchess County Residents, many of whom rely on the river for drinking water, fishing, recreation, tourism and commerce and will urge the Court to vacate the “Certificate of Completion” until a long-term ecological health of the river is verifiably achieved; and

WHEREAS , the Town of Hyde Park Town Board has determined that the failure to properly clean-up the Hudson River will negatively impact the health, safety and welfare of the citizens of the Town of Hyde Park due to the Town’s proximity to the Hudson River and their reliance upon the river for drinking water and recreational purposes.

NOW, THEREFORE , BE IT RESOLVED , that the Town of Hyde Park Town Board does hereby resolve its support for the County’s Amicus Brief urging the Court to vacate the said “Certificate of Completion” for the General Electric Company.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

RESOLUTION 9:2 3 - 14 OF 2019

RESOLUTION COMMENCING PROPOSED LOCAL LAW NO. K OF THE YEAR 2019 ENTITLED: "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 20 20" PURSUANT TO GENERAL MUNICIPAL LAW §3-c

WHEREAS, the Town Comptroller and the Town Board have determined that it may be necessary for the Town of Hyde Park to exceed the limit on the amount of real property taxes that may be levied by the Town of Hyde Park pursuant to General Municipal Law §3-c for Fiscal Year 2020.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby schedule a public hearing on the adoption of proposed Local Law No. K of the year 2019 entitled: "A Local Law to Override the Tax Levy Limit for Fiscal Year 2020 pursuant to General Municipal Law §3-c" for October 21, 2019 at 7:05 pm; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish notice of said public hearing in accordance with the requirements of the law.

MOTION:
SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

LOCAL LAW NO. K OF THE YEAR 2019

OVERRIDE OF THE TAX LEVY LIMIT FOR FISCAL YEAR 2020 PURSUANT TO GENERAL MUNICIPAL LAW §3-c

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

Section I: Title.

This Local Law shall be known and cited as Town of Hyde Park "Local Law No. K of the Year 2019 To Override the Tax Levy Limit for Fiscal Year 2020 Pursuant to General Municipal Law §3-c."

Section II: Legislative Intent.

The Town Board acknowledges that it is vitally important to use the taxes of the Town of Hyde Park in a fiscally responsible manner and it is necessary to keep the tax levy on the property taxpayers to a minimum amount, especially in economically hard times. However, the Town Board and Comptroller have reviewed the appropriation requests of the Town Department Heads and the financial position of the Town and

have determined that the Fiscal Year 2020 Budget may require a tax levy increase that is greater than that allowed by General Municipal Law §3-c.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Hyde Park, County of Dutchess, pursuant to General Municipal Law § 3-c, and to allow the Town of Hyde Park, County of Dutchess, to adopt a Town budget for Town purposes and any other special or improvement district governed by the Town Board for the Fiscal Year 2020 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section III: Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section IV: Tax Levy Limit Override

The Town Board of the Town of Hyde Park, County of Dutchess, is hereby authorized to adopt a budget for Fiscal Year 2020 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section V. Severability.

If any part or provision of this local law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstance, and the Town Board of the Town of Hyde Park hereby declares that it would have passed this local law or the remainder thereof had such invalid application or invalid provision been apparent.

Section VI: 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 9:23 - 15 OF 2019

RESOLUTION AUTHORIZING COMMENCEMENT OF ADMINISTRATIVE REMEDIES PURSUANT TO TOWN CODE §84-3(B) WITH REGARDS TO 7 SOUTH CROSS ROAD, STAATSBURG

WHEREAS, the property located at 7 South Cross Road, in the Hamlet of Staatsburg (Parcel Tax ID No. 6066-02-928772) has been observed by the Town’s

Deputy Building Inspector to be in violation of the provisions of Chapter 84 of the Town of Hyde Park Code - Property Maintenance; and

WHEREAS, the violations of Chapter 84 observed by the Deputy Building Inspector have included, but have not been limited to, the gross neglect of the exteriors of this property as follows:

1. Rubbish, Furniture, tires and other debris on the entire property

All as demonstrated by the Report of Findings of Inspection of which copies are on file in the Hyde Park Town Clerk’s office; and

WHEREAS, attempts by the Deputy Building Inspector to bring this property into compliance by the usual building enforcement methods set forth in the Town Code have been unsuccessful.

NOW, THEREFORE, BE IT RESOLVED, that the Town does hereby resolve that notices shall be served upon said owner of the said property in accordance with the provisions of §84-3(B) of the Town Code, setting forth the conditions of the property and standards of the Town Code which have been violated, and directing that the property be brought into full compliance with the standards enumerated in §84-6 of the Town Code within a period of thirty (30) days after service thereof, and that service of notice be made on the property owner by certified mail at the address which appears most recently on the Town of Hyde Park tax rolls, and by posting of the notice on the front door of the property; and

BE IT FURTHER RESOLVED, that the Town Board shall conduct a public hearing in accordance with the provisions of Town Code §84-6(F) on October 21, 2019 at 7:10 p.m. and if, after the conduct of the public hearing the Town Board finds that the property owner has failed to bring the property into compliance in accordance with the provisions of §84-6 of the Town Code, the Town Board may, in its discretion, adopt a resolution authorizing entrance on the said property in order to bring the property into compliance with the standards of Chapter 84 and to provide for the costs incurred in such action, and to assess all costs and expenses against the property in accordance with the provisions of §84-6(H) of the Town Code.

MOTION:

SECOND:

ROLL CALL VOTE BY TOWN CLERK

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

