

MINUTES OF THE SPECIAL MEETING, PUBLIC HEARINGS AND WORKSHOP OF THE HYDE PARK TOWN BOARD, HELD AT TOWN HALL, 4383 ALBANY POST ROAD, HYDE PARK, NEW YORK, 12538, ON MONDAY, FEBRUARY 27, 2023 AT 6:00 PM.

PRESENT:

COUNCILWOMAN NICOLE NOAKES  
COUNCILWOMAN LYNN RUGGIERO  
COUNCILMAN JOHN LOMBARDI  
COUNCILMAN DONALD PRUSAKOWSKI  
SUPERVISOR ALFRED TORREGGIANI  
DEPUTY ATTORNEY TO THE TOWN SARAH WILSON  
TOWN CLERK DONNA MCGROGAN

ABSENT: NONE

Supervisor Torreggiani called the meeting to order with the Pledge of Allegiance to the flag.

PUBLIC COMMENT ON RESOLUTIONS ONLY:

Carol Pickering, Hyde Park, expressed concern that the PILOT program would significantly raise the taxes to our residents. Although she supports the Bellefield project she fears that a 20 year PILOT will not benefit our future community.

Bert Chandler, Hyde Park, is concerned about a 20 year PILOT versus a 10 year PILOT. He does not feel the taxpayer should cover the expense and risk of the builders. He is not clear on how it will impact the taxpayers.

Mark Swenson owns property surrounding the Bellefield project. He stated that 60% of his taxes now go to the Fairview Fire District and he is concerned that a 20 year PILOT will increase taxes even further.

MOTION: Councilwoman Ruggiero  
SECOND: Councilman Prusakowski

To open public hearing regarding PROPOSED LOCAL LAW AMENDING CHAPTER 100, ARTICLE I OF THE TOWN OF HYDE PARK TOWN CODE, TAX EXEMPTION FOR SENIOR CITIZENS

MOTION: Councilwoman Noakes  
SECOND: Councilwoman Ruggiero

To amend a typographical error in the last line of the chart located in Part 3(A) of proposed Local Law A of 2023. The Income line of "\$42,500 to \$42,399" will be corrected to read "\$41,500 to \$42,399".

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 AMENDMENT CARRIED

PUBLIC COMMENT:

Councilwoman Ruggiero stated that she had been asked who will pay the exemption amount that would be given in these laws.

Deputy Attorney to the Town Sarah Wilson stated that the Assessor and Comptroller would need to answer that question.

Supervisor Torreggiani stated that the exemption amounts would remain the same and only the income levels would change (be raised). The figures that were used were in the middle of the amounts recommended by New York State.

Deputy Attorney to the Town Sarah Wilson stated that the figures used by the Town were the same as adopted by the School District. She explained to Councilwoman Ruggiero that because the incomes of most recipients have risen, this increase would reflect that.

MOTION: Councilwoman Noakes  
SECOND: Councilwoman Ruggiero

To close public hearing

VOICE VOTE:

ALL IN FAVOR	5	
ALL OPPOSED	0	CARRIED

MOTION: Councilwoman Ruggiero  
SECOND: Councilman Lombardi

To open public hearing regarding PROPOSED LOCAL LAW AMENDING CHAPTER 100, ARTICLE V OF THE TOWN OF HYDE PARK TOWN CODE, VOLUNTEER FIRE FIGHTERS AND AMBULANCE WORKERS EXEMPTION

VOICE VOTE:

ALL IN FAVOR	5	
ALL OPPOSED	0	CARRIED

PUBLIC COMMENT:

Dan Nichols, District Fire Commissioner, supports this exemption and feels that this incentive will also help bring more volunteers to the Fire Department. More volunteers will help keep fire taxes down. He would like to see the term of this law lowered from 5 years to 2 or 3 years.

Deputy Attorney to the Town Sarah Wilson explained that if the Town Board wished to change the term from 5 years they would be able to do so. Doing so would then cause the entire Local Law process to begin again and cause the exemption to miss the March 1<sup>st</sup> 2023 deadline and would not become effective for this year.

John Green feels that although it is a nominal tax reduction, he hopes that it will increase volunteer membership.

MOTION: Councilwoman Noakes  
SECOND: Councilman Ruggiero

To close public hearing

VOICE VOTE:

ALL IN FAVOR	5	
ALL OPPOSED	0	CARRIED

MOTION: Councilwoman Noakes  
SECOND: Councilman Prusakowski

To add resolution 2:27 – 11 of 2023 RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT MICHAEL CONNERS AS A FULL-TIME MOTOR EQUIPMENT OPERATOR FOR THE TOWN OF HYDE PARK HIGHWAY DEPARTMENT to the agenda

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED

The Town Board entered a workshop and discussed an overview of PILOTS and the submission process for the Bellefield Project to the IDA

**RESOLUTION 2:27 – 1 OF 2023**

**RESOLUTION ADOPTING PROPOSED LOCAL LAW NO. A OF 2023 ENTITLED “A LOCAL LAW AMENDING CHAPTER 100, ARTICLE I OF THE TOWN OF HYDE PARK TOWN CODE, TAX EXEMPTION FOR SENIOR CITIZENS”**

**WHEREAS**, Real Property Tax Law (“RPTL”) § 467 provides for a partial exemption from taxation on residential property owned by qualified owners at least sixty-five (65) years of age; and

**WHEREAS**, the State of New York increased the income eligibility limits for persons qualifying for the exemption under New York State Senate Bill S3085A; and

**WHEREAS**, the Town of Hyde Park Town Board proposed that certain amendments be made to Town Code Chapter 100, Article I, entitled “Tax Exemption for Senior Citizens,” to increase the income threshold of the Senior Citizen Property Tax Amendment as authorized by RPTL § 467; and

**WHEREAS**, the Attorney to the Town prepared a proposed Local Law No. A of the Year 2023 Entitled “A Local Law Amending Chapter 100, Article I of the Town of Hyde Park Town Code, Tax Exemption for Senior Citizens”; and

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

**WHEREAS**, the proposed amendment is annexed hereto as Exhibit A and incorporated herein as if recited verbatim, and the Town Board does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

**WHEREAS**, the Town Board has determined that this is a Type II action under the New York State Environmental Quality Review Act (“SEQRA”) requiring no further environmental review; and

**WHEREAS**, the Town Board scheduled a public hearing on the adoption of Local Law No. A of the Year 2023 on Monday, February 27, 2023, at 6:05 p.m. at the Hyde Park Town Hall; and

**WHEREAS**, the public hearing was duly opened and closed on Monday, February 27, 2023; and

**WHEREAS**, the Town Board has determined that the adoption of this Local Law would be in the best interests of the Town of Hyde Park and its citizens.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby adopt Local Law No. A of the Year 2023 “A Local Law Amending Chapter 100, Article I of the Town of Hyde Park Town Code, Tax Exemption for Senior Citizens”; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to file a certified original of the Local Law in the office of the Town Clerk and (1) certified copy in the Office of the Secretary of State, State of New York, such certified copy to have attached thereto a certificate that it contains the correct text of the enactment of this Local Law.

**TOWN OF HYDE PARK**

**LOCAL LAW NO. 1 OF THE YEAR 2023**

**A LOCAL LAW AMENDING CHAPTER 100, ARTICLE I OF THE TOWN OF HYDE PARK TOWN CODE, TAX EXEMPTION FOR SENIOR CITIZENS**

**BE IT ENACTED** by the Town Board of the Town of Hyde Park, Hyde Park, New York as follows:

**Part 1. Title**

This Local Law shall be known as the “Local Law to Amend Article I of Chapter 100 of the Town Code of the Town of Hyde Park by Increasing the Income Threshold of the Senior Citizen Property Tax Exemption.”

**Part 2. Enactment**

This Local Law is adopted and enacted pursuant to the authority and power granted by § 10 of the Municipal Home Rule Law of the State of New York.

**Part 3. Amendment of the Town Code**

Article I, Chapter 100: “Tax Exemption for Senior Citizens” of the Town of Hyde Park Town Code is amended as follows:

*Replace*

§ 100-2 Qualifications for exemption.

- A. Real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife, one of whom is 65 years of age or over, shall be exempt from Town taxes to the extent of:

Income	Exemption (percentage of assessed valuation)
Less than \$34,000	50%
\$34,000 to \$34,999	45%
\$35,000 to \$35,999	40%
\$36,000 to \$36,999	35%
\$37,000 to \$37,899	30%
\$37,900 to \$38,799	25%
\$38,800 to \$39,699	20%
\$39,700 to \$40,599	15%
\$40,600 to \$41,499	10%
\$42,500 to \$42,399	5%

- B. The exemption shall be subject to the following conditions:
- (1) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall

not exceed the sum of \$42,399. "Income tax year" shall mean the twelve month period for which the owner or owners filed a federal personal income tax return or, if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings and net income from self-employment, but shall not include gifts or inheritances.

**Part 4. Severability**

The invalidity of any part or provision of this Local Law shall not affect the validity of any other part of this Law, which can be given effect in the absence of the invalid part or provision.

**Part 5. Effective Date**

This Local Law shall take effect immediately upon filing with the Secretary of State.

MOTION: Councilwoman Noakes  
SECOND:

MOTION: Councilwoman Noakes  
SECOND: Councilwoman Ruggiero

To amend a typographical error in the last line of the chart located in Part 3(A). The Income line of "\$42,500 to \$42,399" will be corrected to read "\$41,500 to \$42,399".

VOICE VOTE:

ALL IN FAVOR      5  
ALL OPPOSED      0                      AMENDMENT CARRIED

**AS AMENDED  
RESOLUTION 2:27 – 1 OF 2023**

**RESOLUTION ADOPTING PROPOSED LOCAL LAW NO. A OF 2023  
ENTITLED "A LOCAL LAW AMENDING CHAPTER 100, ARTICLE I OF THE  
TOWN OF HYDE PARK TOWN CODE, TAX EXEMPTION FOR SENIOR  
CITIZENS"**

**WHEREAS**, Real Property Tax Law ("RPTL") § 467 provides for a partial exemption from taxation on residential property owned by qualified owners at least sixty-five (65) years of age; and

**WHEREAS**, the State of New York increased the income eligibility limits for persons qualifying for the exemption under New York State Senate Bill S3085A; and

**WHEREAS**, the Town of Hyde Park Town Board proposed that certain amendments be made to Town Code Chapter 100, Article I, entitled "Tax Exemption for Senior Citizens," to increase the income threshold of the Senior Citizen Property Tax Amendment as authorized by RPTL § 467; and

**WHEREAS**, the Attorney to the Town prepared a proposed Local Law No. A of the Year 2023 Entitled “A Local Law Amending Chapter 100, Article I of the Town of Hyde Park Town Code, Tax Exemption for Senior Citizens”; and

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

**WHEREAS**, the proposed amendment is annexed hereto as Exhibit A and incorporated herein as if recited verbatim, and the Town Board does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

**WHEREAS**, the Town Board has determined that this is a Type II action under the New York State Environmental Quality Review Act (“SEQRA”) requiring no further environmental review; and

**WHEREAS**, the Town Board scheduled a public hearing on the adoption of Local Law No. A of the Year 2023 on Monday, February 27, 2023, at 6:05 p.m. at the Hyde Park Town Hall; and

**WHEREAS**, the public hearing was duly opened and closed on Monday, February 27, 2023; and

**WHEREAS**, the Town Board has determined that the adoption of this Local Law would be in the best interests of the Town of Hyde Park and its citizens.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby adopt Local Law No. A of the Year 2023 “A Local Law Amending Chapter 100, Article I of the Town of Hyde Park Town Code, Tax Exemption for Senior Citizens”; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to file a certified original of the Local Law in the office of the Town Clerk and (1) certified copy in the Office of the Secretary of State, State of New York, such certified copy to have attached thereto a certificate that it contains the correct text of the enactment of this Local Law.

MOTION: Councilwoman Noakes

SECOND: Councilwoman Ruggiero

ROLL CALL VOTE BY TOWN CLERK:

Councilwoman Noakes	Aye	
Councilwoman Ruggiero	Aye	
Councilman Lombardo	Aye	
Councilman Prusakowski	Aye	
Supervisor Torreggiani	Aye	CARRIED AS AMENDED

**AS AMENDED  
TOWN OF HYDE PARK**

**LOCAL LAW NO. 1 OF THE YEAR 2023**

**A LOCAL LAW AMENDING CHAPTER 100, ARTICLE I OF THE TOWN  
OF HYDE PARK TOWN CODE, TAX EXEMPTION FOR SENIOR CITIZENS**

**BE IT ENACTED** by the Town Board of the Town of Hyde Park, Hyde Park, New York as follows:

**Part 1. Title**

This Local Law shall be known as the “Local Law to Amend Article I of Chapter 100 of the Town Code of the Town of Hyde Park by Increasing the Income Threshold of the Senior Citizen Property Tax Exemption.”

**Part 2. Enactment**

This Local Law is adopted and enacted pursuant to the authority and power granted by § 10 of the Municipal Home Rule Law of the State of New York.

**Part 3. Amendment of the Town Code**

Article I, Chapter 100: “Tax Exemption for Senior Citizens” of the Town of Hyde Park Town Code is amended as follows:

*Replace*

§ 100-2 Qualifications for exemption.

A. Real property owned by one or more persons, each of whom is 65 years of age or over, or real property owned by husband and wife, one of whom is 65 years of age or over, shall be exempt from Town taxes to the extent of:

Income	Exemption (percentage of assessed valuation)
Less than \$34,000	50%
\$34,000 to \$34,999	45%
\$35,000 to \$35,999	40%
\$36,000 to \$36,999	35%
\$37,000 to \$37,899	30%
\$37,900 to \$38,799	25%
\$38,800 to \$39,699	20%
\$39,700 to \$40,599	15%
\$40,600 to \$41,499	10%
\$41,500 to \$42,399	5%

B. The exemption shall be subject to the following conditions:

(1) The income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption shall not exceed the sum of \$42,399. "Income tax year" shall mean the twelve month period for which the owner or owners filed a federal personal income tax return or, if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings and net income from self-employment, but shall not include gifts or inheritances.

**Part 4. Severability**

The invalidity of any part or provision of this Local Law shall not affect the validity of any other part of this Law, which can be given effect in the absence of the invalid part or provision.

**Part 5. Effective Date**

This Local Law shall take effect immediately upon filing with the Secretary of State.

**RESOLUTION 2:27 – 2 OF 2023**

**RESOLUTION ADOPTING PROPOSED LOCAL LAW NO. B OF 2023  
ENTITLED “A LOCAL LAW AMENDING CHAPTER 100, ARTICLE V OF THE  
TOWN OF HYDE PARK TOWN CODE, VOLUNTEER FIRE FIGHTERS AND  
AMBULANCE WORKERS EXEMPTION”**

**WHEREAS**, Real Property Tax Law (“RPTL”) § 466-a provides for a partial exemption from taxation on residential property for qualifying volunteer firefighters and ambulance workers in the Town of Hyde Park; and

**WHEREAS**, the State of New York approved legislation to provide a ten percent (10%) property tax exemption (L. 2022, Ch. 670, § 1); and

**WHEREAS**, the Town of Hyde Park Town Board proposed that certain amendments be made to Town Code Chapter 100, Article V, entitled “Volunteer Fire Fighters and Ambulance Workers Exemption,” in accordance with RPTL § 466-a; and

**WHEREAS**, the Attorney to the Town prepared a proposed Local Law No. B of the Year 2023 entitled “A Local Law Amending Chapter 100, Article V of the Town of Hyde Park Town Code, Volunteer Fire Fighters and Ambulance Workers Exemption”; and

**WHEREAS**, the town Board determined that the said Local Law was acceptable in form and content for purposes of introduction for the local law adoption process; and

**WHEREAS**, the proposed amendment is annexed hereto as Exhibit A and incorporated herein as if recited verbatim, and the Town Board does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

**WHEREAS**, the Town Board has determined that this is a Type II action under the New York State Environmental Quality Review Act (“SEQRA”) requiring no further environmental review; and

**WHEREAS**, the Town Board scheduled a public hearing on the adoption of Local Law No. B of the Year 2023 on Monday, February 27, 2023, at 6:10 p.m. at the Hyde Park Town Hall; and

**WHEREAS**, the public hearing was duly opened and closed on Monday, February 27, 2023; and

**WHEREAS**, the Town Board has determined that the adoption of this Local Law would be in the best interests of the Town of Hyde Park and its citizens.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby adopt Local Law No. B of the Year 2023 Entitled “A Local Law Amending Chapter 100, Article V of the Town of Hyde Park Town Code, Volunteer Fire Fighters and Ambulance Workers Exemption”; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby directs the Town Clerk to file a copy of the Local Law with the Department of State, as required by law. that the Town Clerk is hereby directed to file a certified original of this Local Law in the office of the Town Clerk and one (1) certified copy in the Office of the Secretary of State, State of New York, such certified copy to have attached thereto a certificate that it contains the correct text of the enactment of this local law.



MOTION: Councilwoman Ruggiero

SECOND: Councilman Lombardi

**ROLL CALL VOTE BY TOWN CLERK**

Councilwoman Noakes	Aye	
Councilwoman Ruggiero	Aye	
Councilman Lombardi	Aye	
Councilman Prusakowski	Aye	
Supervisor Torreggiani	Aye	CARRIED

**TOWN OF HYDE PARK**

**LOCAL LAW NO. 2 OF THE YEAR 2023**

**A LOCAL LAW AMENDING CHAPTER 100, ARTICLE V OF THE TOWN OF HYDE PARK TOWN CODE, VOLUNTEER FIRE FIGHTERS AND AMBULANCE WORKERS EXEMPTION**

**BE IT ENACTED** by the Town Board of the Town of Hyde Park, Hyde Park, New York as follows:

**Part 1. Title**

This Local Law shall be known as the “Local Law Amending Chapter 100, Article V of the Town of Hyde Park Town Code, Volunteer Fire Fighters And Ambulance Workers Exemption.”

**Part 2. Enactment**

This Local Law is adopted and enacted pursuant to the authority and power granted by § 10 of the Municipal Home Rule Law of the State of New York.

**Part 3. Amendment of the Town Code**

Article V, Chapter 100: “Volunteer Fire Fighters and Ambulance Workers Exemption” of the Town of Hyde Park Town Code is amended as follows:

*Replace*

§ 100-17 Exemption granted.

- A. Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in the Town shall be exempt from taxation to the extent of up to ten percent of the assessed value of such property for town, special district, or fire district, exclusive of special assessments.
- B. Eligibility. Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service residing in such Town provided that:
  - 1. the applicant resides in the Town which is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
  - 2. the property is the primary residence of the applicant;
  - 3. the property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject

- to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and
4. the applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or voluntary ambulance service as an enrolled member of such incorporated volunteer fire company, fire department, or voluntary ambulance service for at least five years.
- C. Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within Town.
- D. Un-remarried spouses of volunteer fire fighters or volunteer ambulance workers killed in the line of duty shall be entitled to continue an exemption or reinstate a pre-existing exemption claimed under this Article by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, to such deceased enrolled member's un-remarried spouse if such member is killed in the line of duty; provided, however, that:
1. such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who was killed in the line of duty; and
  2. such deceased volunteer had been an enrolled member for at least five years; and
  3. such deceased volunteer had been receiving the exemption prior to his or her death.
- E. Un-remarried spouses of deceased volunteer fire fighters or volunteer ambulance workers shall be entitled to continue an exemption or reinstate a pre-existing exemption to an un-remarried spouse of a deceased enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; provided, however, that:
1. such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member of such incorporated volunteer fire company, fire department or incorporated voluntary ambulance service; and
  2. such deceased volunteer had been an enrolled member for at least twenty years; and
  3. such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer.
- F. Application for such exemption shall be filed with the assessor or other agency, department or office designated by the municipality, school district and/or fire district offering such exemption on or before the taxable status date on a form as prescribed by the commissioner.
- G. No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of this article on the effective date of this section shall

suffer any diminution of such benefit because of the provisions of this section.

**Part 4. Severability**

The invalidity of any part or provision of this Local Law shall not affect the validity of any other part of this Law, which can be given effect in the absence of the invalid part or provision.

**Part 5. Effective Date**

This Local Law shall take effect immediately upon filing with the Secretary of State.

**RESOLUTION 2:27 - 3 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ALLOW VAN DEWATER & VAN DEWATER, LLP KYLE W. BARNETT, ESQ. OF VAN DEWATER & VAN DEWATER, LLP TO ENTER INTO A CONSENT ORDER AND JUDGEMENT TO SETTLE THE TAX CERTIORARI PROCEEDINGS BROUGHT BY GLEASON FAMILY PROPERTIES, LLC AGAINST THE TOWN OF HYDE PARK FOR THE TAX YEAR 2022**

**WHEREAS**, tax certiorari proceedings have been filed against the Town of Hyde Park by Gleason Family Properties, LLC in regard to the assessments on a certain property located in the Town of Hyde Park and designated as Tax Grid No. 133200-6263-03-327395 (517 Salt Point Turnpike); and

**WHEREAS**, it is desired to settle the 2022 proceedings.

**NOW THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize 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 assessment will be settled in accordance with the provided proposed amended consent judgement and summarized as follows:

Assessment Roll Year	Parcel ID	Equalized Value	Assessed Value	Reduced Equalized Value	Reduced Assessed Value	Reduction
2022	327395	\$169,800	\$76,000	\$75,963	\$34,000	\$42,000

and;

**BE IT FURTHER RESOLVED**, that Kyle W. Barnett, Esq. of the law firm of Van DeWater & Van DeWater, LLP, is also hereby authorized to sign such documents as are necessary to effectuate the settlement.

VOICE VOTE:

MOTION: Councilman Lombardi  
SECOND: Councilman Prusakowski

ALL IN FAVOR     5  
ALL OPPOSED    0                    CARRIED

**RESOLUTION 2:27 - 4 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD**

**TO ALLOW VAN DEWATER & VAN DEWATER, LLP KYLE W. BARNETT,ESQ. OF VAN DEWATER & VAN DEWATER, LLP TO ENTER INTO A CONSENT ORDER AND JUDGEMENT TO SETTLE THE TAX CERTIORARI PROCEEDINGS BROUGHT BY THOMAS & CASSANDRA SEIER AGAINST THE TOWN OF HYDE PARK FOR THE TAX YEAR 2021 & 2022**

**WHEREAS**, tax certiorari proceedings have been filed against the Town of Hyde Park by Thomas & Cassandra Seier in regard to the assessments on a certain property located in the Town of Hyde Park and designated as Tax Grid No. 133200-6167-01-434937-0000 (15 Nichris Lane); and

**WHEREAS**, it is desired to settle the 2021 & 2022 proceedings.

**NOW THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize 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 2021 & 2022 assessments will be settled in accordance with the provided proposed amended consent judgement and summarized as follows:

Assessment Roll Year	Original Assessment	Settlement Assessment	Amount of Reduction
2021	\$629,035	\$525,700	\$103,335
2022	\$629,035	\$525,700	\$103,335

and;

**BE IT FURTHER RESOLVED**, that Kyle W. Barnett, Esq. of the law firm of Van DeWater & Van DeWater, LLP, is also hereby authorized to sign such documents as are necessary to effectuate the settlement.

VOICE VOTE:

MOTION: Councilman Prusakowski  
 SECOND: Councilwoman Noakes

ALL IN FAVOR     5  
 ALL OPPOSED    0                    CARRIED

**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**

**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, 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: Councilwoman Noakes  
SECOND:

MOTION: Councilwoman Noakes  
SECOND: Councilman Prusakowski

To add the words “which are exempt from the PILOT” to the first WHEREAS paragraph, in Section “A”, first sentence, after the phrase “consisting of 12 townhomes” and before “18 buildings”.

VOICE VOTE:

MOTION: Councilwoman Noakes  
SECOND: Councilman Prusakowski

ALL IN FAVOR      5  
ALL OPPOSED      0                      AMENDMENT CARRIED

**AS AMENDED  
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**

**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: Councilwoman Noakes

SECOND: Councilman Prusakowski

ROLL CALL VOTE BY TOWN CLERK:

Councilwoman Noakes	Aye	
Councilwoman Ruggiero	Aye	
Councilman Lombardi	Aye	
Councilman Prusakowski	Aye	
Supervisor Torreggiani	Aye	CARRIED AS AMENDED

**RESOLUTION 2:27 - 6 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO AMEND RESOLUTION 2:13 – 3 OF 2023 RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT PART-TIME RECREATION LEADER JAMIE REGION TO THE TOWN OF HYDE PARK RECREATION DEPARTMENT TO REFLECT A CHANGE IN HER LAST NAME FROM HER MAIDEN NAME OF REGION TO HER MARRIED NAME OF PRINZIVALLI**

**WHEREAS**, by Resolution 2:13 – 3 of 2023 Jaime Region was appointed as Recreation Leader to the to the Town of Hyde Park Recreation Department; and

**WHEREAS**, when appointed her completed paperwork reflected the name Region as that was the name listed on her driver’s license and which was presented to Personnel for identification purposes; and

**WHEREAS**, upon the completion of the processing of Ms. Region’s paperwork it was noted that her Social Security card had been changed to reflect her newly married name of Prinzivalli; and



**WHEREAS**, it is in the best interests of the Town to have all paperwork correctly reflect her newly married name of Prinzivalli.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby amend Resolution 2:13 – 3 of 2023 Resolution authorizing the Town of Hyde Park Town Board to Appoint Part-Time Recreation Leader Jamie Region to the Town of Hyde Park Recreation Department to reflect a change in her last name from her maiden name of Region to her married name of Prinzivalli.

VOICE VOTE:

MOTION: Councilwoman Ruggiero

SECOND: Councilman Lombardi

ALL IN FAVOR      5  
ALL OPPOSED      0                      CARRIED

**RESOLUTION 2:27 – 7 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACKNOWLEDGE THE RESIGNATION OF TOWN OF HYDE PARK COURT CLERK STACI MACKIN**

**WHEREAS**, Town of Hyde Park Court Clerk, Staci Mackin has submitted her letter of resignation effective Monday, February 13, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby acknowledge the resignation of Court Clerk, Staci Mackin; and

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

VOICE VOTE:

MOTION: Councilman Lombardi

SECOND: Councilman Prusakowski

ALL IN FAVOR      5  
ALL OPPOSED      0                      CARRIED

**RESOLUTION 2:27 - 8 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 GORDON LANG**

**WHEREAS**, Town of Hyde Park Highway Department Motor Equipment Operator Gordon Lang has submitted a letter of resignation effective Tuesday, February 28, 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 Gordon Lang; and

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

MOTION: Councilman Prusakowski  
SECOND: Councilwoman Noakes

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED

**RESOLUTION 2:27 – 9 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACKNOWLEDE THE RESIGNATION OF TOWN OF HYDE PARK POLICE DETECTIVE JOSHUA TUCKER**

**WHEREAS**, Town of Hyde Park Police Detective Joshua Tucker has submitted his letter of resignation effective Thursday, February 16, 2023.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board acknowledges the resignation of Town of Hyde Park Police Detective Joshua Tucker; and

**BE IF FURTHER RESOLVED**, that the Town of Hyde Park Town Supervisor and Town Board extend their appreciation and gratitude to Police Detective Joshua Tucker for his many years of dedicated service to the Town of Hyde Park.

MOTION: Councilwoman Noakes  
SECOND: Councilwoman Ruggiero

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED

**RESOLUTION 2:27 – 10 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACKNOWLEDGE THE RESIGNATION OF ANN WEISER AS A MEMBER OF THE TOWN OF HYDE PARK PLANNING BOARD**

**BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby acknowledge the resignation of Ann Weiser as a member of the Town of Hyde Park Planning Board effective March 2, 2023; and

**BE IT FURTHER RESOLVED** that the Town of Hyde Park Town Board does also hereby thank Ann Weiser for her many years of service as a Town of Hyde Park Planning Board Member.

MOTION: Councilwoman Ruggiero  
SECOND: Councilman Lombardi

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED

**RESOLUTION 2:27 – 11 OF 2023**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD**

**TO APPOINT MICHAEL CONNERS AS A FULL-TIME MOTOR EQUIPMENT OPERATOR 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 Michael Connors as his new full time Motor Equipment Operator.

**NOW THEREFORE BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby appoint Michael Connors as a full time Motor Equipment Operator for the Town of Hyde Park Highway Department effective March 10, 2023; and

**BE IT FURTHER RESOLVED**, that the Town Board does also hereby authorize his hourly rate to be \$23.14 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: Councilman Lombardi  
SECOND Councilman Prusakowski

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED

MOTION: Councilwoman Noakes  
SECOND: Councilman Prusakowski

To enter executive session to discuss matters leading to the appointment of a particular person or persons.

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED at 7:50pm

MOTION: Councilwoman Noakes  
SECOND: Councilman Prusakowski

To return from executive session

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED at 8:00pm

No action was taken in executive session.

NEW & OLD BUSINESS: none

MOTION: Councilwoman Noakes  
SECOND Councilwoman Ruggiero

To adjourn meeting

VOICE VOTE:

ALL IN FAVOR	5	
ALL OPPOSED	0	CARRIED

Meeting adjourned at 8:15pm

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donna McGrogan", is written over a light gray rectangular background.

Donna McGrogan RMC  
Town Clerk