

MINUTES OF THE REGULAR MEETING OF THE HYDE PARK TOWN BOARD,
HELD AT TOWN HALL, 4383 ALBANY POST ROAD, HYDE PARK, NEW YORK,
12538, ON MONDAY, MAY 9, 2022 AT 6:00 PM.

PRESENT:

SUPERVISOR ALFRED TORREGGIANI
COUNCILWOMAN NICOLE NOAKES
COUNCILWOMAN LYNN RUGGIERO
COUNCILMAN JOHN LOMBARDI
COUNCILMAN DONALD PRUSAKOWSKI
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.

MOTION: Councilwoman Ruggiero
SECOND: Councilman Prusakowski

That the minutes of the April 18, 2022 Town Board meeting, as submitted by the Town Clerk, be approved.

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

PUBLIC COMMENTS: NONE

MOTION: Councilwoman Noakes
SECOND: Councilman Prusakowski

To remove Resolution 5:9 – 1 of 2022 from the agenda to allow the Town Board to research this further.

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

(PULLED)
RESOLUTION 5:9 – 1 OF 2022

**RESOLUTION ACCEPTING PROPOSED LOCAL LAW AND SCHEDULING OF
A PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. A OF 2022
ENTITLED “LOCAL LAW NO. A OF 2022 TO REPEAL LOCAL LAW NO. 9 OF
2021”**

WHEREAS, the Town of Hyde Park Town Board has determined to repeal Local Law No. 9 of 2021 entitled “A Local Law Opting Out of Allowing Cannabis Retail Dispensaries as Authorized Under New York State Cannabis Law Article 4”; and

WHEREAS, the Town of Hyde Park Town Board has determined that it is in the best interest of the Town of Hyde Park to opt-in of on-site retail dispensaries within its jurisdiction; and

WHEREAS, the Town Attorney has drafted a proposed Local Law; and

WHEREAS, the Town Board has determined to move forward with the adoption of said proposed Local Law with full reservation of rights, as a legislative act of the Town Board; and

WHEREAS, the Town Board has determined that the proposed legislation repealing Local Law No. 9 of 2021 is a Type II Action under the New York State Environmental Quality Review Act (“SEQRA”) and will not have a significant adverse effect on the environment; and

WHEREAS, the Town Board has determined that the proposed Local Law is acceptable for purposes of undertaking the local law adoption process and hearing from the public and other interested parties.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the said Local Law and schedules a public hearing on said Local Law for May 23, 2022, at 6:10 p.m.; and

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

TOWN OF HYDE PARK

LOCAL LAW NO. A OF THE YEAR 2022

A LOCAL LAW REPEALING LOCAL LAW NO. 9 OF 2021

BE IT ENACTED by the Town Board of the Town of Hyde Park that Local Law No. 9 of the year 2021 entitled “A Local Law Opting Out of Allowing Cannabis Retail Dispensaries as Authorized Under New York State Cannabis Law Article 4” is hereby repealed as follows:

SECTION 1.

~~LOCAL LAW NO. 9 OF THE YEAR 2021~~

~~A LOCAL LAW OPTING OUT OF ALLOWING CANNABIS RETAIL DISPENSARIES AS AUTHORIZED UNDER NEW YORK STATE CANNABIS LAW ARTICLE 4~~

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

~~**SECTION 1. — LEGISLATIVE INTENT.**~~

~~— It is the intent of this local law to opt out of allowing cannabis retail dispensaries in the Town of Hyde Park that would otherwise be allowed under New York State Cannabis Law Article 4.~~

~~**SECTION 2. — AUTHORITY.**~~

~~— This local law is adopted pursuant to Cannabis Law §131 which expressly authorizes the Town Board to adopt a local law requesting the Cannabis Control Board to prohibit the establishment of cannabis retail dispensary licenses within the jurisdiction of the Town and is subject to a permissive referendum, the procedure of which is governed by Municipal Home Rule §24.~~

~~**SECTION 3. — LOCAL OPT-OUT.**~~

~~—The Town Board of the Town of Hyde Park hereby opts out of allowing cannabis retail dispensaries from being established and operated within the Town’s jurisdiction.~~

~~**SECTION 4. SEVERABILITY.**~~

~~—If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstances, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.~~

~~**SECTION 5. PERMISSIVE REFERENDUM/REFERENDUM ON PETITION.**~~

~~—This Local Law is subject to a referendum on petition in accordance with Cannabis Law §131 and the procedure outlined in Municipal Home Rule Law §24. If a referendum is required, it shall be conducted by special election.~~

~~**SECTION 6. EFFECTIVE DATE.**~~

~~This local law shall take effect immediately upon filing with the State Secretary of State.~~

SECTION 2. EFFECTIVE DATE.

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

RESOLUTION 5:9 – 2 OF 2022

RESOLUTION ACCEPTING PROPOSED LOCAL LAW AND SCHEDULING OF A PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. B OF 2022 ENTITLED “A LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO ADD CHAPTER 29, ENTITLED ‘VETERANS’ AFFAIRS COMMITTEE”

WHEREAS, the historic Town of Hyde Park is home to numerous veterans and their families who are important and valued members of the community and whose contributions are deserving of recognition and support; and

WHEREAS, the Town Board of Hyde Park has determined that it is in the interest of the Town to establish a Veterans’ Affairs Committee to serve the community and advise the Town Board as to veterans’ affairs; and

WHEREAS, the Town Board has determined that this is a Type II action under the New York State Environmental Quality Review Act (“SEQRA”) and will not have a significant adverse effect on the environment; and

WHEREAS, the Town Board has determined that the Local Law is acceptable for purposes of undertaking the local law adoption process and hearing from the public and other interested parties.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby accepts the said proposed Local Law and schedules a public hearing on said Local Law for May 23, 2022, at 6:10 p.m.; and

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

MOTION: Councilwoman Noakes

SECOND: Councilman Lombardi

VOICE VOTE:

ALL IN FAVOR	5	
ALL OPPOSED	0	CARRIED

TOWN OF HYDE PARK

LOCAL LAW NO. B OF THE YEAR 2022

A LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO ADD CHAPTER 29, ENTITLED "VETERANS' AFFAIRS COMMITTEE"

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

SECTION 1. CREATION, ESTABLISHMENT, AND APPOINTMENT.

There is hereby created and established a Town of Hyde Park Veterans' Affairs Committee, which shall consist of five members to be appointed by the Town Board. Committee members shall be residents of the Town of Hyde Park and shall be nominated by virtue of service of any branch of the armed forces or by association with veterans/armed forces organizations.

SECTION 2. TERMS OF OFFICE.

The terms of the five persons to be appointed shall be three years, except that the terms of two members appointed to the first Committee shall be for only two years and the terms of two other members appointed to the first Committee shall be for one year. In the event that a vacancy shall occur during the term of any member, the Town Board, for the nonexpired portion of the term, shall appoint a successor. The Town Board shall have the power to remove any member of the Committee for cause and after public hearing. All positions on the Committee are voluntary and shall be served without compensation.

SECTION 3. OPERATION OF COMMITTEE.

The Town Board shall designate one member of the Committee to serve as Chairperson, who shall preside at meetings of the Committee and who shall execute the duties normally conferred by parliamentary order in addition to those prescribed by this section. The Committee shall choose its own officers, make its own rules and regulations, subject to Town Board approval, and keep a journal of its proceedings. A majority of the voting members shall be a quorum for the transaction of business. The Committee shall meet a minimum of four times per year.

SECTION 4. DUTIES AND RESPONSIBILITIES.

The Veterans' Affairs Committee shall have all the powers and duties as set forth below:

- (1) The Veterans' Affairs Committee shall oversee the planning for the Memorial Day and Veterans Day observances.

- (2) The Veterans' Affairs Committee shall make recommendations to the Town Board for the preservation and maintenance of the Town's war memorials, monuments, and plaques.
- (3) The Veterans' Affairs Committee shall oversee the placement, installation, and upkeep of memorial banners and/or flags on all public property owned and operated by the Town of Hyde Park.
- (4) The Veterans' Affairs Committee shall represent the Town of Hyde Park at events, meetings, or gatherings concerning veterans' affairs at the local and County levels.
- (5) The Veterans' Affairs Committee shall attend to any other matter deemed appropriate by the Town Board concerning veterans' affairs.

SECTION 5. LIAISON WITH TOWN BOARD.

The Town Board shall select a member of the Board to serve as the liaison with the Veterans' Affairs Committee.

SECTION 6. ANNUAL APPROPRIATIONS.

The Town Board may annually appropriate and cause to be raised by taxation in such Town a sum sufficient to carry out the provisions of this chapter.

SECTION 7. ANNUAL REPORT TO TOWN BOARD.

The Committee shall make an annual report to the Town Board of the Town of Hyde Park, which shall cover all matters handled by it during the year, and said annual report shall also be filed with the Town Clerk and become a public record.

SECTION 8. EFFECTIVE DATE.

This local law shall take effect immediately upon filing with the State Secretary of State.

RESOLUTION 5:9 – 3 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT HEIDI PETERS AS THE PERMANENT FULL TIME PERSONNEL ASSISTANT FOR THE TOWN OF HYDE PARK

WHEREAS, by Resolution 10:21 – 3 of 2019 the Town of Hyde Park Town Board created the position for a Permanent Full Time Payroll Clerk and appointed Heidi Peters who was reachable on the Dutchess County Department of Human Resources Certification of Eligibles List to said position; and

WHEREAS, since the retirement of former Personnel Assistant Sandra Bruno on March 27, 2021, Heidi Peters has been the acting Provisional full time Personnel Assistant pending the Civil Service Examination for Personnel Assistant; and

WHEREAS, the Town was notified that as of April 15, 2022, Heidi Peters had passed the Civil Service Examination for Personnel Assistant and is now eligible to be appointed as the full time Personnel Assistant for the Town of Hyde Park.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby appoint Heidi Peters as the permanent full time

Personnel Assistant for the Town of Hyde Park effective April 25, 2022, at a salary of \$52,914.00; 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 of not less than eight (8) nor more than twenty-six (26) weeks; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute any and all documents required by the Dutchess County Department of Human Resources to effectuate said appointment.

MOTION: Councilwoman Ruggiero

SECOND: Councilman Lombardi

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

RESOLUTION 5:9 – 4 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACKNOWLEDGE THE RESIGNATION OF PART-TIME POLICE ASSISTANT JOHN BOLDE FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT

WHEREAS, John Bolde, Part-Time Police Assistant for the Town of Hyde Park Police Department, has submitted his letter of resignation effective Tuesday, April 12, 2022.

NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby acknowledge the resignation of Part-Time Police Assistant, John Bolde, effective Tuesday, April 12, 2022; and

BE IT FURTHER RESOLVED, that the Town Supervisor and the Town Board extend their appreciation and gratitude to John Bolde for his service to the Town of Hyde Park Police Department.

MOTION: Councilman Lombardi

SECOND: Councilman Prusakowski

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

RESOLUTION 5:9 - 5 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT PART-TIME POLICE OFFICER JONAH TOWNE TO THE POSITION OF FULL-TIME POLICE OFFICER FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT

WHEREAS, there currently exists a vacancy in the Hyde Park Police Department for a Full-Time Police Officer due to the promotion of Police Officer Daniel Ferrara to Sergeant; and

WHEREAS, Jonah Towne is currently a Part-Time Police Officer with the Town of Hyde Park Police Department; and

WHEREAS, Police Officer Towne is reachable on the Dutchess County Department of Human Resources Certification of Eligibility List for police officers and has passed the agility test and pre-employment medical examination as directed by the Dutchess County Department of Human Resources.

NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby appoint Jonah Towne to the position of Full-Time Police Officer effective Thursday, May 12, 2022, at an hourly rate of \$27.09 per the PBA 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 Prusakowski

SECOND: Councilwoman Noakes

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

RESOLUTION 5:9 - 6 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK POLICE DEPARTMENT TO SUBMIT THE 2022 BUREAU OF JUSTICE ASSISTANCE (BJA) BULLET PROOF VEST PARTNERSHIP GRANT APPLICATION

WHEREAS, the Bureau of Justice Assistance (BJA) has just announced the 2022 Bullet Proof Vest Partnership Grant application funding period; and

WHEREAS, the Bulletproof Vest Partnership grant funding will help pay for fifty percent of the accrued expenses of body armor for law enforcement officers which in turn helps police departments improve safety and reduce deaths and serious injuries by providing them funding in order for them to be able to afford proper fitting body armor for their officers; and

WHEREAS, the Town of Hyde Park Police Department is desirous of participating in the Bureau of Justice Assistance Bulletproof Vest Partnership Grant for 2022; and

WHEREAS, the Hyde Park Police Chief has reviewed the requirements of the grant and feels that the Town of Hyde Park Police Department meets the qualifications to apply; and

WHEREAS, the application for the 2022 Bulletproof Vest Partnership Grant application must be submitted no later than Monday, June 27, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby approve the Hyde Park Police Department's request to submit a grant application to participate in the 2022 Bureau of Justice Assistance (BJA) Bulletproof Vest Partnership Grant Program.

MOTION: Councilwoman Noakes

SECOND: Councilman Lombardi

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

RESOLUTION 5:9 – 7 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK POLICE DEPARTMENT TO SUBMIT A GRANT APPLICATION TO THE BUREAU OF JUSTICE ASSISTANCE (BJA) U.S. DEPARTMENT OF JUSTICE FOR BODY WORN CAMERAS FOR THE HYDE PARK POLICE DEPARTMENT

WHEREAS, on June 12, 2020, Gov. Andrew M. Cuomo signed Executive Order 203, requiring each local government in N.Y. State to adopt a policing reform plan that will maintain public safety while building mutual trust and respect between police and the communities they serve; and

WHEREAS, the Town of Hyde Park Police Department in conjunction with the Town of Hyde Park Town Supervisor and Town Board developed and approved the Hyde Park Police Reform Plan which includes the acquisition of body worn cameras to comply with Executive Order 203; and

WHEREAS, the Bureau of Justice Assistance (BJA) U.S. Department of Justice is seeking applications for funding various law enforcement agencies seeking to purchase body-worn cameras (BWCs) to help municipalities to establish or expand comprehensive body-worn camera programs that have a specific and demonstrated plan to implement this technology to maximize the benefits of BWCs within their municipality; and

WHEREAS, the Town of Hyde Park would like to utilize this opportunity to apply for said funding to acquire body worn cameras for the Town of Hyde Park Police Department to help them enhance the accountability and transparency of the police department in their interactions with the community; and

WHEREAS, by the use of BWCs within the Town of Hyde Park Police Department the force would have additional added protection through a neutral third-party witness in the form of BWCs, which will in turn add increased efficiency with the Dutchess County District Attorney Office by providing additional evidence and discovery; and

WHEREAS, all applications have to be submitted no later than Friday, May 20, 2022.

NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Town of Hyde Park Police Chief to apply for the 2022 Bureau of Justice Assistance (BJA) U.S. Department of Justice Grant Program for the purchase of Body Worn Cameras for the Town of Hyde Park Police Department.

MOTION: Councilwoman Ruggiero
SECOND: Councilman Prusakowski

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

Supervisor Torreggiani commended his fellow Town Board Members for their first 5 months of service to our Town. Everyone has been working hard meeting with residents and answering many questions for them as well as meeting with Department Heads and becoming familiar with everyone and their duties.

Councilman Lombardi thanked Councilwoman Noakes, Highway Superintendent Howie Fisher and his crew for their help in preparing for the proposed new playground at Hackett Hill.

MOTION: Councilwoman Ruggiero

SECOND: Councilwoman Noakes

To adjourn meeting.

VOICE VOTE:

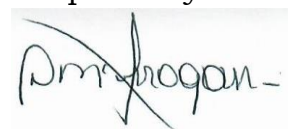
ALL IN FAVOR 5

ALL OPPOSED 0

CARRIED

Meeting adjourned at 6:10pm

Respectfully submitted,

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

Donna McGrogan
Town Clerk