AGENDA
HYDE PARK TOWN BOARD
REGULAR MEETING, PUBLIC HEARING, & WORKSHOP
MONDAY, SEPTEMBER 9, 2019 AT 7:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ACCEPT MINUTES OF AUGUST 12, 2019

PUBLIC COMMENT ON RESOLUTIONS & TOWN BUSINESS ONLY
NOTE: “TIME LIMIT OF 3 MINUTES ONLY”

PUBLIC HEARING:

1. 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

WORKSHOP:

1. INTRODUCTION OF TOWN OF HYDE PARK RECREATION DIRECTOR
   ROBERT POLLARD

2. TOWN HIGHWAY SUPERINTENDENT AND ENGINEER TO THE TOWN TO
   PRESENT REVISED STANDARDS OF ROADS FOR THE TOWN OF HYDE
   PARK

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

4. STATUS UPDATE BY COUNCILMEMBER NEIL KRUPNICK, HIGHWAY
   SUPERINTENDENT HOWIE FISHER, AND ENGINEER TO THE TOWN PETE
   SETARO ON THE HAMLET OF STAATSBURG FLOODING ISSUE
RESOLUTIONS:

1. COMMENCE LOCAL LAW ADOPTION PROCESS FOR LOCAL LAW NO. G OF THE YEAR 2019 ENTITLED: “A LOCAL LAW AMENDING THE TOWN OF HYDE PARK CODE TO AMEND ARTICLE 2, SECTION 108-2.2 TO ADD A NEW DEFINITION OF THE TERM “FAMILY” AND AMENDING ARTICLE 33, SECTION 108-3.3 OF THE CODE TO VEST THE ZONING BOARD OF APPEALS WITH THE POWER TO MAKE A DETERMINATION AS TO WHETHER A GROUP OF MORE THAN FIVE UNRELATED PERSONS OCCUPYING A SINGLE DWELLING UNIT CONSTITUTES A “FAMILY” AS THAT TERM IS NOW DEFINED IN THE ZONING CODE”


5. 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

6. ACKNOWLEDGE APPOINTMENT AND AUTHORIZING THE SALARY OF FULL-TIME MOTOR EQUIPMENT OPERATOR MARK A. SEWARD FOR THE TOWN OF HYDE PARK HIGHWAY DEPARTMENT

7. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE
PURCHASE OF A NEW VEHICLE FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT FLEET

8. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE AN ADDITIONAL LEASE AGREEMENT TO INCREASE THE TOWN’S CURRENT LEASE AGREEMENT WITH NEW YORK COMMUNICATIONS COMPANY, INC. (NYCOMCO) FOR ADDITIONAL RADIOS/EQUIPMENT FOR THE TOWN OF HYDE PARK POLICE FLEET

9. AUTHORIZE HYDE PARK TOWN SUPERVISOR TO EXECUTE AN AGREEMENT WITH CALLING GRACE PRODUCTIONS, LLC NUNC PRO TUNC FOR FILMING WITHIN THE TOWN OF HYDE PARK

10. AUTHORIZE RELEASE OF THE BALANCE OF ESCROW FROM THE TOWN OF HYDE PARK PLANNING BOARD ACCORDING TO RESOLUTION #19-C

11. AUTHORIZE TOWN OF HYDE PARK TOWN BOARD TO APPROVE TOWN OF HYDE PARK PLANNING BOARD AND ZONING BOARD MEMBERS TO ATTEND THE 2019 PLANNING AND ZONING SCHOOL

12. DESIGNATE NEIL KRUPNICK AS THE PRIMARY REPRESENTATIVE AND SUPERVISOR AILEEN ROHR AS THE ALTERNATE REPRESENTATIVE FOR THE HUDSON RIVER DRINKING WATER INTERMUNICIPAL COUNCIL

13. AUTHORIZE TOWN OF HYDE PARK DEPUTY COMPTROLLER AND SENIOR ACCOUNT CLERK TO ATTEND THE NYGFOA GFI FDN: ACCOUNTING AND FINANCIAL REPORTING WORKSHOP NOVEMBER 20 - 21ST, 2019 IN NEW PALTZ, NY

14. APPROVE BUDGET REVISIONS TO THE TOWN OF HYDE PARK FOR THE PERIOD OF AUGUST 2019 BUDGET REVISIONS NUMBER 2019-08

15. AUTHORIZE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE AND DELIVER THE APPLICATION FOR THE NY CLASS COOPERATIVE INVESTMENT AGREEMENT IN THE NAME OF AND ON BEHALF OF THE TOWN OF HYDE PARK
RESOLVED, that the Local Law Adoption Process for Local Law No. G of the Year 2019 entitled: “A Local Law Amending the Town of Hyde Park Code to Amend Article 2, Section 108-2.2 to Add a New Definition of the Term “Family” and Amending Article 33, Section 108-3.3 of the Code to Vest the Zoning Board of Appeals with the Power to Make a Determination as to Whether a Group
OF MORE THAN FIVE UNRELATED PERSONS OCCUPYING A SINGLE
DWELLING UNIT CONSTITUTES A “FAMILY” AS THAT TERM IS NOW DEFINED
IN THE ZONING CODE ”

WHEREAS, the Town Board has determined that there exists an issue with
regard to zoning enforcement as to whether more than five persons living in a single
dwelling unit who are not related by blood or marriage or legal adoption constitute the
functional equivalent of a traditional family so as to constitute a family as that term is
defined by the Zoning Code. The Board, accordingly, has determined that it is
necessary to amend the Town Code to provide a new definition of “Family” and to
amend the powers of the Zoning Board of Appeals to make such a determination in an
appropriate case; and

WHEREAS, the Attorney to the Town has drafted a proposed Local Law
amending the Town of Hyde Park Town Code to amend Article 2, Section 108-2.2 to
add a new definition of the term “family” and amending Article 33, Section 108-3.3 of the
Code to vest the Zoning Board of Appeals with the Power to make a determination as to
whether a group of more than five unrelated persons occupying a single dwelling unit
constitutes a “Family” as that term is now defined in the Zoning Code; and

WHEREAS, the Town Board has determined that the Local Law is acceptable for
purposes of commencing the local law adoption process; and

WHEREAS, the Town Board has determined that this is a Type II action under
the SEQRA which does not require environmental review.

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby schedules
a public hearing on the adoption of proposed Local Law No. G of the Year 2019 Entitled:
“A Local Law Amending the Town of Hyde Park Code to Amend Article 2, Section 108-
2.2 to Add a New Definition of the Term “Family” and amending Article 33, Section 108-
3.3 of the Code to Vest the Zoning Board of Appeals with the Power to Make a
Determination as to Whether a Group of More Than Five Unrelated Persons Occupying
a Single Dwelling Unit constitutes a “Family’ as that Term is Now Defined in the Zoning
Code” for October 7, 2019 at 7:05 p.m.; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward
a copy of this Local Law to the Town Planning Board and to the Dutchess County
Department of Planning and Development for their review and comment; and

BE IT FURTHER RESOLVED, that the Town Clerk hereby is 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 _____
TOWN OF HYDE PARK
LOCAL LAW NO. G OF THE YEAR 2019

A LOCAL LAW AMENDING THE TOWN OF HYDE PARK CODE TO AMEND ARTICLE 2, SECTION 108-2.2 TO ADD A NEW DEFINITION OF THE TERM "FAMILY" AND AMENDING ARTICLE 33, SECTION 108-3.3 OF THE CODE TO VEST THE ZONING BOARD OF APPEALS WITH THE POWER TO MAKE A DETERMINATION AS TO WHETHER A GROUP OF MORE THAN FIVE UNRELATED PERSONS OCCUPYING A SINGLE DWELLING UNIT CONSTITUTES A "FAMILY" AS THAT TERM IS NOW DEFINED IN THE ZONING CODE

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

SECTION 1: TITLE
This Local Law shall be entitled: “A Local Law Amending the Town of Hyde Park Code to Amend Article 2, Section 108-2.2 to Add a New Definition of the Term “Family” and Amending Article 33, Section 108-33.3 of the Code to Vest the Zoning Board of Appeals with the Power to Make a Determination as to Whether a Group of More Than Five Unrelated Persons occupying a Single Dwelling Unit Constitutes a “Family” as that Term is Now Defined in the Zoning Code”.

SECTION 2: PURPOSE.

The Town Board has determined that there exists an issue with regard to zoning enforcement as to whether more than five persons living in a single dwelling unit who are not related by blood, marriage, or legal adoption constitute the functional equivalent of a traditional family so as to constitute a family as that term is defined by the Zoning Code. The Board, accordingly, has determined that it is necessary to amend the Town Code to provide a new definition of “Family” and to amend the powers of the Zoning Board of Appeals to make such a determination in an appropriate case.

SECTION 3:

Section 108-2.2, Terms Defined, of the Town Code is hereby amended by deleting the current definition of the term “Family” and by substituting in its place the following definition of “Family”:
“Section 108-2.2, FAMILY – As used herein shall mean:

A. Any number of persons occupying a single dwelling unit, related by blood, marriage, legal adoption, or foster care arrangement, living and cooking together as a single housekeeping unit.

B. Any number of persons occupying a single dwelling unit, not exceeding five adults living and cooking together as a single housekeeping unit as the functional equivalent of a family where all are not related by blood, marriage, legal adoption, or foster care arrangement.

C. It shall be presumptive evidence that more than five (5) persons living in a single dwelling unit who are not related by blood, marriage, legal adoption, or by foster care arrangement do not constitute the functional equivalent of a traditional family.

D. Notwithstanding the provisions of this definition, a group of unrelated persons numbering more than five shall be considered a “family” upon a determination by the Zoning Board of Appeals that the group is the functional equivalent of a family pursuant to the standards enumerated below. This presumption may be rebutted, and the unrelated individuals may be considered the functional equivalent of a “family” for the purposes of this article by the Zoning Board of Appeals pursuant to the criteria provided herein. In determining whether a group of more than five unrelated persons constitutes a “family” for the purpose of occupying a dwelling unit, as provided herein, the Zoning Board of Appeals shall utilize the standards enumerated herein in making said determination. Before making a determination under this subsection, the Zoning Board of Appeals shall hold a public hearing, after public notice. In determining whether individuals living together are the functional equivalent of a family, the following criteria shall be considered:

(1) Whether the occupants share the entire dwelling unit or act as separate boarders.

(2) Whether the household has stability akin to a permanent family structure. The criteria used to determine this test include the following:

   (a) Length of stay together among the occupants in the current dwelling unit or other dwelling units.

   (b) The presence of minor, dependent children regularly residing in the household.

   (c) The presence of an individual acting as head of household.
(d) Proof of sharing expenses for food, rent or ownership costs, transportation, insurance, utilities, and other household expenses.

(e) Common ownership of furniture and appliances and the common use of vehicles among the members of the household.

(f) Whether the household is a temporary living arrangement or a framework for transient living.

(g) Whether the composition of the household changes from year to year or within the year.

(h) Whether each of the occupants uses the address of the dwelling for their vehicle registration, driver's licenses, passports, bank accounts, bills, loans, tax returns, and other licenses and permits, etc.

(i) Any other factor reasonably related to whether or not the group of persons is the functional equivalent of a family.

E. Any determination under this subsection shall be limited to the status of a particular group as a “family” and shall not be interpreted as authorizing any other use, occupancy, or activity. In making any such determination, the Board of Appeals may impose such conditions and safeguards as the Board shall deem necessary or advisable in order to maintain the stability and character of the neighborhood and protect the public health, safety, and welfare.

F. In no case shall a dwelling be occupied by more than two (2) adults to a conventional bedroom.

G. Persons occupying group quarters such as a dormitory, fraternity or sorority house, or a seminary shall not be considered a “family”.

SECTION 4.

Section 108-33.3 of the Town Code is hereby amended to provide a new subparagraph “C” under “Original Jurisdiction”, which shall read as follows:

“C. Upon requests from any official or agency of the Town or upon appeal from any determination of the Zoning Administrator or the Building Inspector, the Zoning Board of Appeals shall make a determination on a case by case basis as to whether a particular group of more than five (5) persons living in a single dwelling unit who are not related by
blood, marriage, or legal adoption constitute the functional equivalent of a traditional family in accordance with the provisions set forth in the definition of “Family” in Section 108-2.2 of the Zoning Code, Terms Defined - “Family”, Sections “A” through “G”.

SECTION 5. SEVERABILITY.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which shall be given effect without such part or parts.

SECTION 6. SUPERSESSION.

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 8: EFFECTIVE DATE.

This local law shall take effect immediately after its filing with the State Secretary of State as provided in §27 of the Municipal Home Rule Law.

RESOLUTION 9:9 - 2 OF 2019

WHEREAS, after reviewing the Town of Hyde Park Town 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 inspections 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 7:10 p.m.; and

WHEREAS, the public hearing was opened and closed on that night; 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 Town 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

WHEREAS, after reviewing the Town of Hyde Park Town 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 inspections 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

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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

WHEREAS, after reviewing the Town of Hyde Park Town 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 inspections 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 7:10 p.m.; and

WHEREAS, the public hearing was opened and closed on that night; 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 Town 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 has determined 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 in the Town of Hyde Park, that these sections of the 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(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 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 separate 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 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, and all provisions and responsibilities related thereto, as set forth in this section delegated to the Zoning Administrator shall also be delegated to the Building Inspector and 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: SUPERSESSION

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 9:9 - 3 OF 2019

RESOLUTION COMMENCING THE LOCAL LAW ADOPTION PROCESS FOR LOCAL LAW NO. I OF THE YEAR 2019 ENTITLED: "A LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO ENACT A NEW CHAPTER 52 ENTITLED "FILMING AND VIDEOTAPING "

WHEREAS, the Town has received in the past requests from producers and others within the mass communication industry for permits to conduct filming, television advertising and commercial photography within the Town of Hyde Park; and

WHEREAS, the Town of Hyde Park Town Code currently does not have a local law providing for the permitting of such activities; and

WHEREAS, the Attorney to the Town, at the request of the Town Board, has prepared proposed Local Law No. I of the Year 2019 entitled: “A Local Law Amending the Town of Hyde Park Town Code to Enact a New Chapter 52 Entitled: “Filming and Videotaping”; and

WHEREAS, the Town Board has determined the Local Law is acceptable for purposes of commencing the local law adoption process; and

WHEREAS, the Town Board has determined that this is a Type II action under SEQRA which does not require environmental review.
NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby schedules a public hearing on the adoption of proposed Local Law No. 1 of the Year 2019 entitled: “A Local Law Amending the Town of Hyde Park Town Code to Enact a New Chapter 52 Entitled: ‘Filming and Videotaping’” for October 7, 2019 at 7:10 p.m.; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a copy of this Local Law to the Town Planning Board and to the Dutchess County Department of Planning and Development for their review and comment; and

BE IT FURTHER RESOLVED, that the Town Clerk hereby is directed to post and 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

TOWN OF HYDE PARK

LOCAL LAW NO. 1 OF THE YEAR 2019

A LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO ENACT A NEW CHAPTER 52 ENTITLED: "FILMING AND VIDEOTAPEING"

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

SECTION 1. TITLE

This Local Law shall be entitled: “A Local Law Amending the Town of Hyde Park Town Code to Add a New Chapter 52 entitled: ‘Filming and Videotaping’.

SECTION 2.

The Town of Hyde Park Town Code is hereby amended to add a new Chapter 52 entitled: “Filming and Videotaping” which shall read as follows:

§52-1. INTENT

It is the intent of the Town to facilitate, but not solicit producers and others within the mass communications industries, including filming, television advertising, and commercial photography, to make use of the Town and its environs as a setting for motion picture films, television shows,
§52-2. DEFINITIONS

For the purpose of this chapter, the following terms, phrases, and words and their derivations shall have the following meanings given herein:

Filming

The recording on film, videotape or other medium of movies, commercials, documentaries, serials, shows, performances, or other similar events or activities, including still photography, but not to include the coverage of news, political, cultural, local sports or school events.

Permittee

Any person, firm, organization, or business entity which has been issued a permit under the provision of this chapter.

Public Property

Any realty or personal property or interest therein owned by the Town of Hyde Park, including all streets, parks and public places, lands, lands underwater, waterfront property, and every estate, interest and right, legal or equitable therein.

§52-3. PERMIT REQUIRED

No person, firm, corporation, organization, or business entity shall commence filming in the Town of Hyde Park on public or private property, unless the filming to be conducted, maintained or operated is issued a permit in the manner prescribed herein.

§52-4. APPLICATION FOR PERMIT; ISSUANCE; EXPIRATION

The permit prescribed by this chapter shall be issued by the Town Zoning Administrator. If at the time the application is made the Zoning Administrator is unavailable, the permit may be issued by the Building Inspector or Deputy Building Inspector who may exercise all of the power and authority vested in the Zoning Administrator pursuant to this law. Application shall be made on a form containing such information as may be determined by the Town Board, and shall be accompanied by the production schedule, schedule, and description of all dangerous activities and use of explosives, and list of all vehicles and their permit plate numbers, to include both the applicant's vehicles and vehicles of the
§52-5. APPROVAL BY TOWN ZONING ADMINISTRATOR

No permit shall be issued until the application has been approved by the Town Zoning Administrator, subject to the following:

A. In the approval of the application, the Town Zoning Administrator shall specifically fix the filming location or locations.

B. In the approval of the application, the Town Zoning Administrator shall specifically fix the days and hours of filming.

C. The Town Zoning Administrator may deny any application or limit any permit which, in his judgment, would conflict with other scheduled events in the area of the filming location, would be detrimental to the community because of anticipated excessive noise, illumination, traffic disruption, or other effect caused by the proposed extended period of time with the day-to-day activities of citizens, property owners or merchants or would interfere with the public health, safety, and welfare of the Town’s citizens.

D. Any change in the permit holder’s planned activities shall be submitted to the Town Zoning Administrator in advance of the change and approved or denied in the same manner as the original permit application.

§52-6. PERMIT FEE

The fee to be paid shall be determined by the Town Zoning Administrator for each permit, including a permit for a portion of a day, as follows:

A. Permit fee for use of public property. The minimum fee shall be $500 per day, and the maximum fee shall not exceed $5,000 per day. The Town Zoning Administrator, in determining the specific fee to be required, shall take into consideration the following factors which would denote a greater use of public property and therefore require higher fees:

   (1) Use of public parking spaces.
   
   (2) Use of vehicle travelways requiring the rerouting or directing of vehicular traffic.
   
   (3) Use of pedestrian travelways requiring the rerouting or directing of pedestrian traffic.
Use of public buildings.

Use of other public areas during normal operating hours.

The size of the filming location.

The number of filming locations.

The number of hours the filming location or locations will be used.

Use or involvement of Town personnel, including the Police Department.

Use or involvement of Town equipment.

Use of explosives.

Dangerous activities.

B. Permit fee for use of private property. The minimum fee shall be $500 per day, and the maximum fee shall not exceed $5,000 per day.

C. The Town of Hyde Park and the Hyde Park School District and not-for-profit community agencies operating with the Town shall be exempt from such permit fee.

D. In the event that a permit issued pursuant to this chapter is suspended or revoked in accordance with the provisions of §52-7 of this chapter, the applicant shall not be entitled to a refund of any portion of the fee.

§52-7. SUSPENSION OR REVOCATION OF PERMIT

A. The Town Zoning Administrator on his/her own initiative or upon notice from any public official of the Town, is empowered to suspend or revoke, upon written notice, a permit issued pursuant to this chapter for any of the following reasons:

(1) Violation by the permittee agents, employees, contractors or subcontractors of any law or ordinance or any rule or regulation of any agency of the state, county or Town.

(2) Permittee has permitted disorderly conduct or conduct detrimental to health and safety of others or permitted or
allowed conduct constituting a breach of the public peace at the permitted location.

(3) Abrogation of any agreement, written or oral between the permittee and the Town Zoning Administrator or any other public official of the Town.

B. Revocation of permit pursuant to the above conditions shall bar such offender from applying for a new permit within one year from the date of revocation.

§52-8. RESTRICTIONS AND REQUIREMENTS

A. The permittee must give notice to residents of the proposed filming location in a manner specified by the Town Zoning Administrator.

B. Noise shall be limited in accordance with the provisions of the Town Code.

C. Routing of traffic shall be subject to the same provisions as Street Opening in the Town Code.

D. The filming shall be conducted so as not to interfere with access to fire lanes and fire hydrants. Equipment, materials or obstructions shall not be placed within 15 feet of fire hydrants. Passageways leading to fire escapes, fire lanes and fire-fighting equipment shall be kept free of equipment, materials or obstructions. Parking spaces for the handicapped shall be kept free of equipment, materials or obstructions. Parking spaces for the handicapped shall be kept free of equipment, materials or obstructions.

E. A filming permit granted for private property shall confine such filming to that property.

F. Applications for a filming permit must be submitted five days prior to the first date of filming.

G. Any additional costs that are incurred by the Town by reason of the filming shall be borne by the permittee. Any requirement for the assignment of Town personnel shall be determined by the Town Zoning Administrator prior to the filming.

§52-9. INDEMNITY, INSURANCE AND BOND
The permittee shall indemnify the Town and hold the Town harmless from any and all damages, claims or injury resulting from the permittee’s filming activities conducted pursuant to the permit. The permit shall not be issued until the applicant shall furnish a policy of insurance in such amount as shall be fixed by the Town Zoning Administrator and, in any event, in an amount not less than $1,000,000 indemnifying and saving harmless the Town of Hyde Park, its officers, agents, and employees from and against any claim, loss, or damage resulting from the filming operations permitted under this permit in the Town of Hyde Park and for the payment of all damages for bodily injury or property damage which may be caused to any person by reason of the filming operations performed under the permit and arising from any acts or omissions of the permittee, his agents, employees, contractors, or subcontractors. In addition, the applicant must product certificates of insurance showing adequate liability insurance in the applicant's name. Such certificates shall also be approved by the Town Attorney. Further, the Town Zoning Administrator may require the posting of a bond in an appropriate case to insurance restoration of the filming location.

§52-10. APPEALS

Any person aggrieved by the action of the Town Zoning Administrator in connection with the denial of an application for a filming permit may take an appeal therefrom to the Committee for review, consisting of the Town Supervisor and one Town Board member. The Committee shall review such appeal and may reverse, modify or affirm the action of the Town Zoning Administrator upon a finding that the action of the Town Zoning Administrator was arbitrary, capricious or not supported by substantial evidence.

§52-11. PENALTIES FOR OFFENSES; ADDITIONAL REMEDIES

Any person, firm or corporation who shall violate or fail, neglect or refuse to comply with any provision of this chapter or any rule or determination made thereunder, or who shall undertake filming in the Town of Hyde Park without a permit issued hereunder, shall, upon conviction thereof, be punished by a fine of not more than $250, or by imprisonment for not more than 15 days, or both such fine and imprisonment. Each day that a violation continued shall be deemed a separate offense. Said prosecution and/or conviction shall not be a bar to a civil action to recover a civil penalty in like amount, nor shall either be a bar to a civil action by the Town or an injured person for actual damages.

§52-12. ENFORCEMENT

This chapter shall be enforced by the Zoning Administrator and/or the Police Department.
§52-13. GENDER

Whenever words of the masculine or feminine gender appear, they shall be deemed both male and female persons. This construction shall apply to gender-indicative suffixes or prefixes as well as to gender-indicative words. Whenever the reference is to a corporation, board, body, organization or other entity comprised of more than one person or to an assemblage of persons or to an inanimate object, the reference shall be construed to be neutral in gender.”

SECTION 3. 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 4. 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 5. SUPERSESSION

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 6. 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 9:9 – 4 OF 2019

RESOLUTION COMMENCING LOCAL LAW NO. J OF THE YEAR 2019 “A LOCAL LAW AMENDING CHAPTER 101 OF THE TOWN CODE ENTITLED:
WHEREAS, the Town Board and its consultants have determined that there are certain inconsistencies in Chapter 101 of the Town Code entitled: “Telecommunications Towers and Facilities”. Most notably, the chapter vests the Zoning Board of Appeals with the power and authority to issue Special Use Permits for such facilities. The Town Board and its consultants have determined that such power and authority should be vested in the Hyde Park Planning Board. There are other provisions in the law which require amendments as suggested by the Planning Board, Zoning Board of Appeals, and Town Zoning Administrator. It is the intent of the Town Board to enact such amendments and corrections to Chapter 101 and to the Schedule of Use Regulations of the Town of Hyde Park Zoning Law; and

WHEREAS, the Attorney to the Town has prepared a proposed Local Law amending the Schedule of Use Regulations and Chapter 101 of the Town Code with regard to Telecommunications Towers and Facilities; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby schedules a public hearing on the adoption of proposed Local Law No. J of the Year 2019 “A Local Law Amending Chapter 101 of the Town Code Entitled: “Telecommunications Towers and Facilities” and the Town of Hyde Park Town Code Schedule of Use Regulations” for October 7, 2019 at 7:15 p.m.; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to forward copies of this Local Law to the Town Planning Board and to the Dutchess County Department of Planning and Development for their review and comment; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk hereby to post and publish notice of said public hearing as required by law.

MOTION:
SECOND:
ROLL CALL VOTE BY TOWN CLERK
Councilman Krupnick
Councilman Ray
Councilman Marrine
Councilman Schneider
TOWN OF HYDE PARK

LOCAL LAW NO. J OF THE YEAR 2019

A LOCAL LAW AMENDING CHAPTER 101 OF THE TOWN CODE ENTITLED:
“TELECOMMUNICATIONS TOWERS AND FACILITIES” AND THE TOWN OF HYDE
PARK TOWN CODE SCHEDULE OF USE REGULATIONS
BE IT ENACTED by the Town Board of the Town of Hyde Park as follows:

SECTION 1. LEGISLATIVE INTENT

The Town Board and its consultants have determined that there are certain inconsistencies in Chapter 101 of the Town Code entitled: “Telecommunications Towers and Facilities”. Most notably, the chapter vests the Zoning Board of Appeals with the power and authority to issue special use permits for such facilities. The Town Board and its consultants have determined that such power and authority should be vested in the Hyde Park Planning Board. There are other provisions in the law which require amendments as suggested by the Planning Board, Zoning Board of Appeals, and Town Zoning Administrator. It is the intent of this Local Law to enact such amendments and corrections to Chapter 101 and to the Schedule of Use Regulations of the Town of Hyde Park Zoning Law.

SECTION 2. AMENDMENTS TO TOWN OF HYDE PARK SCHEDULE OF USE REGULATIONS

The Town of Hyde Park Schedule of Use Regulations, Attachment 1, Chapter 108 Zoning of the Town Code is hereby amended to add a new category of non-residential use entitled: “Telecommunications Towers and Facilities”. The Schedule of Use Regulations is further amended to provide that telecommunications towers and facilities are a use subject to issuance of a special use permit and Site Plan Approval by the Planning Board in the Greenbelt, Waterfront, Neighborhood, Neighborhood Core, Hamlet, Hamlet Core, Crossroads Core, Landing, East Park Business, Neighborhood Business, and the Town Center Historic Districts.

SECTION 3. CHAPTER 101 OF THE TOWN OF HYDE PARK CODE IS HEREBY AMENDED AS FOLLOWS:

A. §101-2 Definitions is hereby amended to delete the definition of “Approving Board” and to substitute in its place the new definition of “Approving Board” as follows:

“APPROVING BOARD
The Planning Board shall be the approving Board for the Special Use Permit and Site Plan Approval of all telecommunications towers and facilities."

B. §101-3, Permit Regulations, subsection B Location or collocation, subsection (1) is hereby deleted and in its place, a new subsection (1) shall be added to read as follows:

(1) “The location or collocation of communications equipment on an approved telecommunications tower or tall structure is a permitted
use subject to the issuance of Site Plan Approval by the Planning Board subject to the Planning Board's determination that the location or collocation does not.”

C. §101-3 Permit Regulations, subsection B Location or collocation, subsection (2) is hereby deleted in its entirety.

D. §101-3 Subsection C is hereby deleted and a new Subsection C is hereby enacted to read as follows:

“C
New telecommunications tower construction is subject to obtaining a Special Use Permit and Site Plan Approval from the Planning Board pursuant to §101-7 through 101-20 and §108-8 and §109-9 of the Town Code.”

E. §101-3 Subsection C is hereby deleted and in its place a new Subsection C is hereby enacted to read as follows:

“C
All applications for new telecommunications towers shall be made to the Zoning Administrator. If the Zoning Administrator determines that the application is complete, the application shall be referred to the Planning Board for special permit and Site Plan Approval on an expedited basis in accordance with §108-8 and §109-9 of the Town Code. If the Planning Board concludes that the application complies with this chapter and all SEQRA requirements and all other applicable laws, the Board shall grant special use permit and Site Plan Approval.”

F. §101-5 New telecommunications towers (pursuant to §101-3C, Subsection A is hereby deleted and in its place a new Subsection A is hereby enacted to read as follows:

“A. The Planning Board may consider a request to locate a new telecommunications tower if the applicant can demonstrate that shared use of the existing tall structures and existing or approved telecommunications towers or telecommunications tower sites are impractical due to:”

G. §101-6 Future shared user of new towers, Subsection A is hereby deleted, and in its stead, a new Subsection A is hereby enacted which shall read as follows:

“A. Applications for new telecommunications towers shall include an agreement committing the owner of the proposed new telecommunications tower and its successors in interest, to negotiate in good faith for shared use of said tower by other providers of telecommunications in the future. This agreement shall
be filed with the Planning Board and the Building Inspector prior to special use permit and Site Plan Approval and the issuance of any building permit for the facilities. Failure to abide by the conditions outlined in the agreement shall be grounds for the revocation of the special use permit and Site Plan Approval.”

H. §101-7 Site Plan/Special Use Permit review and submission requirements, subsection A(1) is hereby amended to delete the reference to Article XXIV of Chapter 108 and substitute in its stead Chapter 108 Zoning, Article 9 Site Plan Approval.

I. §101-7 Site Plan/Special Use Permit review and submission requirements, subsection B is hereby deleted and a new subsection B is hereby enacted which shall read as follows:

“B. Special Use Permit applications. Applications to the Planning Board for a special use permit shall include the following:”

J. §101-7(B)(2) and subsections C, D, E, F and G are hereby amended to delete all references to “Zoning Board of Appeals” and “Approving Board” and in their stead to insert “Planning Board”.

K. §101-9 Visual impact assessment is hereby amended to remove the reference to “Approving Board” and substitute in its place “Planning Board”.

L. §101-10(A)(1) is hereby deleted and in its stead a new subsection (1) is hereby enacted which shall read as follows:

“(1) Towers must be placed to minimize visual impacts. The use of camouflaged communications towers may be required by the Planning Board to further blend the communications tower and/or its accessory structures into the surroundings. The Planning Board may waive the camouflage requirements on already existing telecommunications sites.”

M. §101-10(A)(3) is hereby amended to delete the second sentence in said paragraph and in its stead enact the following new second sentence of said paragraph which shall read as follows:

“Fees for the review of the application by a qualified engineer and/or consultant are in addition to the application fee, and shall be the responsibility of the applicant and shall be deposited with the Town in the manner provided in §108-36.3 Professional Review Expenses of the Town Code.”

N. §101-10(C) is hereby amended to delete the last sentence of said paragraph and in its stead enact the following sentence which shall read as follows:
“All signs shall conform to the sign requirements of the Code of the Town of Hyde Park as set forth in Chapter 108, Article 24 Signs.”

O. §108-12 Screening, subsection B, is hereby deleted and in its stead, the following new subsection B is enacted which shall read as follows:

“The application shall demonstrate to the Planning Board that adequate measures have been taken to screen and abate site noises such as heating and ventilating units, air conditioners and emergency power generators. Telecommunications towers shall comply with all applicable sections of the Town Code as it pertains to noise control and abatement as set forth in Chapter 75 Noise.”

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. SUPERSESSION

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 9:9 - 5 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 9:9 - 6 OF 2019

RESOLUTION ACKNOWLEDGING THE APPOINTMENT AND AUTHORIZING THE SALARY OF FULL-TIME MOTOR EQUIPMENT OPERATOR MARK A. SEWARD 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 Mark A. Seward 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 acknowledges the appointment of Mark A. Seward as a full-time Motor Equipment Operator for the Town of Hyde Park Highway Department 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.
RESOLUTION 9:9 - 7 OF 2019

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE PURCHASE OF A NEW VEHICLE FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT FLEET

WHEREAS, the Police Department is in need of replacing their 2017 Dodge Charger, VIN #2C3CDXKT4HH621335 that was totaled due to an accident this year; and

WHEREAS, the Police Chief has complied with the Town Procurement Policy and Procedures by obtaining a municipal bid to replace this vehicle in the amount of $34,521 which includes the cost of the vehicle and equipment/expenses; and

WHEREAS, the Town Supervisor and the Town Comptroller have discussed this request with the Hyde Park Police Chief and recommend that this vehicle should be replaced; and

WHEREAS, the purchase and equipping of this vehicle has been funded by the Town Comptroller in the August Budget Revisions.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the purchase of said vehicle for the Town of Hyde Park Police Department Fleet per the municipal bid of a total cost including equipment/expenses not to exceed $34,521.
RESOLUTION 9:9 – 8 OF 2019

TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE AN ADDITIONAL LEASE AGREEMENT TO INCREASE THE TOWN ‘S CURRENT LEASE AGREEMENT WITH NEW YORK COMMUNICATIONS COMPANY, INC. (NYCOMCO) FOR ADDITIONAL RADIOS/EQUIPMENT FOR THE TOWN OF HYDE PARK POLICE FLEET

WHEREAS, the Hyde Park Police Department was authorized by Resolution 2:25 - 19 of 2019 to purchase new vehicles for their police fleet; and

WHEREAS, one of the new vehicles will need to be equipped with new radios/equipment; and

WHEREAS, the Police Chief has received a quote from New York Communications Company, Inc. (NYCOMCO) for an additional lease agreement to increase the Town’s current radio/equipment lease agreement to include these new radios/equipment for $84 a month; and

WHEREAS, the need for these radios/equipment has been deemed necessary and approved by the Town Supervisor and Town Comptroller.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby authorize the Town Supervisor to execute an additional lease agreement to increase the Town’s current lease agreement with New York Communications Company, Inc. (NYCOMCO) for additional radios/equipment for the Town of Hyde Park Police Fleet not to exceed $84 a month.

MOTION:
SECOND:
RESOLUTION 9:9 - 9 OF 2019

RESOLUTION AUTHORIZING THE HYDE PARK TOWN SUPERVISOR TO EXECUTE AN AGREEMENT WITH CALLING GRACE PRODUCTIONS, LLC NUNC PRO TUNC FOR FILMING WITHIN THE TOWN OF HYDE PARK

WHEREAS, Calling Grace Productions LLC has requested permission from the Town of Hyde Park to film again on Route 9G within the Town for the HBO mini-series “I Know This Much is True” on August 29th and 30th of 2019; and

WHEREAS, Calling Grace Productions, LLC will utilize five Town police officers and pay the Town of Hyde Park their hourly wage and benefit costs as well as a $1,000 fee; and

WHEREAS, Calling Grace Productions has submitted appropriate indemnification forms naming the Town as additional insured and provided documentation as necessary from the NYS DOT; and

WHEREAS, filming would occur prior to the next available Town Board Meeting in order to authorize the execution of the agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Town Supervisor sign the location agreement in the same, or similar, format as the Agreement supplied to the Town with Calling Grace Productions Nunc Pro Tunc to allow filming on 9G within the Town of Hyde Park on August 29th and 30th of 2019.

MOTION:
SECOND:
RESOLUTION 9:9 - 10 OF 2019

RESOLUTION AUTHORIZING THE RELEASE OF THE BALANCE OF ESCROW FROM THE TOWN OF HYDE PARK PLANNING BOARD ACCORDING TO RESOLUTION #19-C

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

WHEREAS, the Town of Hyde Park Planning Board reviewed these projects and voted on and approved the release of escrow for these projects according to Resolution #19-C.

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

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**RESOLUTION 9:9 – 11 OF 2019**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE TOWN OF HYDE PARK PLANNING BOARD AND ZONING BOARD MEMBERS TO ATTEND THE 2019 PLANNING AND ZONING SCHOOL**

WHEREAS, Planning Board Members Diane DiNapoli and Stephanie Wasser as well as Zoning Board Members Herb Sweet, James Agrawal, Dave McNary, Richard Perkins and John Scileppi, would like to attend the 2019 Association of Towns Planning & Zoning School on Wednesday, September 18, 2019 at the Wallace Center @ FDR Library and Museum, Hyde Park, NY; and

WHEREAS, the Town Board deems it appropriate and beneficial for these Planning Board and Zoning Board members to attend this school; and

WHEREAS, the $80.00 Registration Fee for each member attending will be paid for in advance by the attending Planning Board and Zoning Board members; and

WHEREAS, the Planning Board and Zoning Board members would like to be reimbursed for the fees they paid pending all submission of required, completed reimbursement forms.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Planning Board Members Diane DiNapoli and Stephanie Wasser as well as Zoning Board members Herb Sweet, James Agrawal Dave McNary, Richard Perkins, and John Scileppi to attend the 2019 Association of Towns Planning & Zoning School on Wednesday, September 18, 2019 at the Wallace Center @ FDR Library and Museum, Hyde Park, NY and to be reimbursed for the fees they paid as well as any other necessary travel and business expenditures deemed appropriate and reasonable pending the submission of all required, completed reimbursement forms.

**MOTION:**

**SECOND:**
ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick ______
Councilman Ray ______
Councilman Marrine ______
Councilman Schneider ______
Supervisor Rohr ______

RESOLUTION 9:9 - 12 OF 2019

RESOLUTION DESIGNATING NEIL KRUPNICK AS THE PRIMARY REPRESENTATIVE AND SUPERVISOR AILEEN ROHR AS THE ALTERNATE REPRESENTATIVE FOR THE HUDSON RIVER DRINKING WATER INTERMUNICIPAL COUNCIL

WHEREAS, by Resolution 1:28 - 19 of 2019, the Town Board authorized Supervisor Aileen Rohr to be the Town’s “Primary Representative” and Emily Svenson as the Town’s “Alternate Representative” to the Hudson River Drinking Water Intermunicipal Council for the Town of Hyde Park; and

WHEREAS, now the Town of Hyde Park would like to designate Councilman Neil Krupnick as the “Primary Representative” and Supervisor Aileen Rohr, as the “Alternate Representative”.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby designate Councilman Neil Krupnick as the “Primary Representative” and Supervisor Aileen Rohr as the “Alternate Representative” for the Hudson River Drinking Water Intermunicipal Council for the Town of Hyde Park for the remainder of 2019.

MOTION:
SECOND:

ROLL CALL VOTE BY TOWN CLERK

Councilman Krupnick ______
Councilman Ray ______
Councilman Marrine ______
Councilman Schneider ______
Supervisor Rohr ______
RESOLUTION 9:9 - 13 OF 2019

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK DEPUTY COMPTROLLER AND SENIOR ACCOUNT CLERK TO ATTEND THE NYGFOA GFI FDN: ACCOUNTING AND FINANCIAL REPORTING WORKSHOP NOVEMBER 20 – 21ST, 2019 IN NEW PALTZ, NY

WHEREAS, Joanne Lown, Deputy Comptroller has requested for she and Senior Account Clerk Christina Noschese to attend the NYGFOA GFI FDN: Accounting and Financial Reporting Workshop November 20 – 21st in New Paltz, NY; and

WHEREAS, the Town Board deems it beneficial for Deputy Comptroller Joanne Lown and Senior Account Clerk, Christina Noschese to attend the Accounting and Financial Reporting Workshop.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Deputy Comptroller Joanne Lown and Senior Account Clerk, Christina Noschese to attend the NYGFOA GFI FDN: Accounting and Financial Reporting Workshop November 20 – 21st, in New Paltz, NY and to be reimbursed for 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 9:9 - 14 OF 2019

RESOLUTION APPROVING BUDGET REVISIONS TO THE TOWN OF HYDE PARK FOR THE PERIOD OF AUGUST 2019 BUDGET REVISIONS NUMBER 2019-08

WHEREAS, the Town Comptroller recommends certain budget revisions based on various department requests and/or the Town Comptroller’s review and analysis of Expenditures versus Budget.

NOW, THEREFORE, BE IT RESOLVED, that the following itemized revisions be authorized and approved by the Town of Hyde Park Town Board for August 2019 identified as Budget Revisions Number 2019-08.

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**GENERAL FUND CONT’D.**

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- **Transfer for Office Supplies**

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- **Transfer for Office Expenses**

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**Provide Funds for Montalto Separation Payout**

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- Funding for New Car Acquisition

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- Reverse Previous Revision for Car Repair

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- Record Insurance for Car Repair

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- Reverse Previous Revision for Car Repair

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- Record Insurance for Car Repair

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- Transfer for Supplies

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- Transfer for Vehicle Fuel

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- Adjust Special Levy for Property Cleanup

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- Transfer for Supplies

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- Reclass Funding

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**GENERAL FUND CONT’D.**

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-Provide More Funding for #43 Fund ZEV Charging Station

### HIGHWAY FUND

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-Provide Funds for Fuller Retirement Payout

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-Transfer Funds for Truck Repairs

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-Transfer for Expense

### POLICE RECORDS SYSTEM CAPITAL FUND

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<th>#2019-08-34</th>
<th>40.3120.100</th>
<th>Project Labor</th>
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<td>40.3120.200</td>
<td>Equipment</td>
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<td>General Government Service</td>
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<td>40.2900</td>
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-Open New Capital Fund for Police Project Award

### CHARGING STATION CAPITAL FUND

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<td>43.4000.440</td>
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<td>43.4000.480</td>
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-Adjust Capital Funding & Budget

### ROUTE 9 SIDEWALK PROJECT # 1

| #2019-08-36 | 55.5411.700 | Debt Interest     | 3,349.00|
55.5411.441  Phase I Inspection  3,349.00

-Transfer for Debt Interest

MOTION:
SECOND:
ROLL CALL VOTE BY TOWN CLERK
Councilman Krupnick _____
Councilman Ray _____
Councilman Marrine _____
Councilman Schneider _____
Supervisor Rohr _____
RESOLUTION AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE THE NYCLASS MUNICIPAL COOPERATIVE INVESTMENT AGREEMENT ON BEHALF OF THE TOWN OF HYDE PARK

WHEREAS, the Town of Hyde Park wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019; and

WHEREAS, the Town of Hyde Park wishes to assure the safety and liquidity of its funds.

NOW, THEREFORE, BE IT RESOLVED, that Aileen Rohr, the Town Supervisor is hereby authorized to execute and deliver the Cooperative Investment Agreement in the name of, and on behalf of, the Town of Hyde Park.

MOTION: 
SECOND: 
ROLL CALL VOTE BY TOWN CLERK
Councilman Krupnick
Councilman Ray
Councilman Marrine
Councilman Schneider
Supervisor Rohr