MINUTES OF THE REGULAR MEETING AND WORKSHOP OF THE HYDE PARK TOWN BOARD, HELD AT TOWN HALL, 4383 ALBANY POST ROAD, HYDE PARK, NEW YORK, 12538, ON MONDAY, FEBRUARY 11, 2019 AT 7:00 PM

PRESENT:

SUPERVISOR AILEEN ROHR
COUNCILMAN NEIL KRUPNICK
COUNCILMAN DAVID RAY
COUNCILMAN JOSEPH MARRINE
ATTORNEY TO THE TOWN WARREN S. REPLANSKY
TOWN CLERK DONNA McGROGAN

ABSENT:

COUNCILMAN KENNETH SCHNEIDER

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

MOTION: Councilman Marrine
SECOND: Councilman Ray

That the minutes of the January 28, 2019 Town Board meeting as submitted by the Town Clerk be approved.

VOICE VOTE: 4 – 0 CARRIED

PUBLIC COMMENTS ON RESOLUTIONS ONLY: none

WORKSHOP:

1. Dedication of New Guinea Site at Hyde Park Recreation

RESOLUTION 2:11 - 1 OF 2019

RESOLUTION APPROVING BUDGET REVISIONS TO THE TOWN OF HYDE PARK FOR THE PERIOD OF JANUARY 2019 BUDGET REVISIONS NUMBER 2019-01

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 January 2019 identified as Budget Revisions Number 2019-01.
<table>
<thead>
<tr>
<th>REVISION NUMBER</th>
<th>ACCOUNT NUMBER</th>
<th>ACCOUNT TITLE &amp; EXPLANATION</th>
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<th>DECREASE</th>
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<td>Services Other Governments</td>
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<td>Transfer Funds From Capital Project</td>
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-Record New Capital Fund

REVITALIZATION CAPITAL FUND
#2019-01-07
41.8000.440 Consulting Services 3,800.00
41.8002.440 Special Consulting 235.00
41.9909 Fund Balance 4,035.00
-Carry Forward Project Balance

SCENIC STUDY CAPITAL FUND
#2019-01-08
42.8000.400 Consulting Services 17,000.00
42.8000.480 Other Expenses 3,000.00
42.3800 State Aid 17,000.00
42.9909 Fund Balance 3,000.00
-Carry Forward Project Balance

TOWN ZEV STATION CAPITAL FUND
#2019-01-09
43.4000.200 ZEV Equipment 8,820.00
43.4000.400 Contractual Services 6,000.00
43.4000.480 Other Expenses 154.00
43.3497 State Aid 14,974.00
-Carry Forward Project Balance

PEDESTRIAN SIDEWALKS CAPITAL PROJECT #1
#2019-01-10
55.5411.441 Inspection Phase 1 9,717.00
55.5412.480 Other Costs Phase 2 7,699.00
55.5412.500 Construction Phase 2 4,442.00
55.5413.441 Inspection Phase 3 20,000.00
55.5413.480 Other Expenses Phase 3 15,859.00
55.5413.500 Construction Phase 3 203,520.00
55.2770 Local Sources 261,237.00
-Carry Forward Project Balance

PEDESTRIAN SIDEWALKS CAPITAL PROJECT #2
#2019-01-11
56.5411.200 Row ACQ 129,000.00
56.5411.400 General Expense 14,370.00
56.5411.440 Design Engineering 155,239.00
56.5411.441 Inspection Engineering 76,237.00
56.5411.480 Other Expenses 28,157.00
56.5411.500 Construction 958,063.00
56.2770 Local Sources 266,610.00
RESOLUTION 2:11 - 2 OF 2019

RESOLUTION AUTHORIZING TOWN HIGHWAY CAPITAL MACHINERY PURCHASE

WHEREAS, the Town Superintendent of Highways did, on the 25th of January 2019 duly recommend the purchase of certain equipment pursuant to the provisions of Section 142 of the Highway Law; and

WHEREAS, The Town Board and Town Comptroller concur with the recommendation for the replacement of two (2) trucks within the Highway Department Fleet.

NOW, THEREFORE, BE IT RESOLVED, that the Town Superintendent of Highways is authorized to purchase, in accordance with the provisions of Article 5-A and Section 103(16) of the General Municipal Law Two (2) New 2020 International HV 507 4 X 4 Chassis Dump Trucks with body and snow removal equipment for a maximum total price of $450,000; and

BE IT FURTHER RESOLVED, that a contract for the item(s) purchased shall be duly executed between the Town Superintendent of Highways and Onondaga County Municipal Bid and when the contract has been executed and upon delivery of the item(s) purchased, the Town Comptroller is authorized to pay $450,000 for said equipment.

BE IT FURTHER RESOLVED, that the Town Superintendent of Highways is authorized to sell Truck #104 a 2000 International 4800 4 X 4 Dump Truck, and Truck #102 a 2000 International 7400 4 X 4 Dump Truck.

MOTION: Councilman Ray
SECOND: Councilman Krupnick
VOICE VOTE: 4 - 0 CARRIED
RESOLUTION 2:11 - 3 OF 2019

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF $450,000 BONDS OF THE TOWN OF HYDE PARK, DUTCHESS COUNTY, NEW YORK, TO PAY THE COST OF THE PURCHASE OF TRUCKS WITH PLOWS FOR THE HIGHWAY DEPARTMENT, IN AND FOR SAID TOWN

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, will not result in any significant adverse environmental impact; and

WHEREAS, it is now desired to authorize such capital project and the financing thereof.

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Hyde Park, Dutchess County, New York, as follows:

Section 1. The purchase of trucks with plows for the Highway Department, in and for the Town of Hyde Park, Dutchess County, New York, including incidental equipment and expenses in connection therewith, is hereby authorized at a maximum estimated cost of $450,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of $450,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the New York State Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the New York State Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Hyde Park, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.
Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

2) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.

MOTION: Councilman Marrine
SECOND: Councilman Ray

ROLL CALL VOTE BY TOWN CLERK
Councilman Krupnick         Aye
Councilman Ray              Aye
Councilman Marrine          Aye
RESOLUTION 2:11 – 4 OF 2019

RESOLUTION AUTHORIZING THE APPROVAL OF A CAPITAL PROJECT EXPENSE FOR STORMWATER DRAINAGE IMPROVEMENTS IN THE HAMLET OF STAATSBURG

WHEREAS, the Staatsburg Hamlet of the Town of Hyde Park has been experiencing stormwater drainage issues for many years; and

WHEREAS, the Town of Hyde Park has deemed that the existing drainage infrastructure located in the Staatsburg Hamlet is inadequate; and

WHEREAS, the Town Consulting Engineer and the Town of Hyde Park Highway Superintendent have formulated a drainage plan to help alleviate flooding of town roadways which includes the removal and replacement of limited existing drainage infrastructure with a total maximum cost of $100,000 including, construction, engineering and other related costs; and

WHEREAS, the Town Comptroller recommends that this Stormwater Drainage Improvements Capital Project be financed by bonding.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board hereby approves this Capital Project for the Stormwater Drainage Improvements in the Hamlet of Staatsburg at a maximum estimated cost of $100,000 to be bonded as per the Town Comptroller’s recommendation.

MOTION: Councilman Krupnick
SECOND: Councilman Ray

VOICE VOTE: 4 – 0 CARRIED

RESOLUTION 2:11 – 5 OF 2019

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF $100,000 BONDS OF THE TOWN OF HYDE PARK, DUTCHESS COUNTY, NEW YORK, TO PAY THE COST OF DRAINAGE IMPROVEMENTS IN THE STAATSBURG AREA, IN AND FOR SAID TOWN

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (“SEQRA”), the implementation of which as proposed, such regulations provide will not result in any significant adverse environmental impact; and
WHEREAS, it is now desired to authorize such capital project and the financing thereof.

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Hyde Park, Dutchess County, New York, as follows:

Section 1. The construction of drainage improvements in the Staatsburg area, in and for the Town of Hyde Park, Dutchess County, New York, including installation of new drainage piping, as well as other incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of $100,000, subject to permissive referendum.

Section 2. It is hereby determined that the plan for the financing thereof is by the issuance of $100,000 bonds of said Town hereby authorized to be issued therefor pursuant to the provisions of the New York State Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the New York State Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. Subject to the provisions of the New York State Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Hyde Park, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of the Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of
payment, and also including the consolidation with other issues, shall be determined by
the Supervisor. Such bonds shall contain substantially the recital of validity clause
provided for in section 52.00 of the Local Finance Law and shall otherwise be in such
form and contain such recitals in addition to those required by section 52.00 of the Local
Finance Law, as the Supervisor shall determine.

**Section 7.** This resolution shall constitute a statement of official intent for
purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this
resolution, no monies are, or are reasonably expected to be, reserved, allocated on a
long-term basis, or otherwise set aside with respect to the permanent funding of the
object or purpose described herein.

**Section 8.** The validity of such bonds and bond anticipation notes may be
contested only if:
1) Such obligations are authorized for an object or purpose for which said Town
is not authorized to expend money, or
2) The provisions of law which should be complied with at the date of
publication of this resolution are not substantially complied with, and an
action, suit or proceeding contesting such validity is commenced within
twenty days after the date of such publication, or
3) Such obligations are authorized in violation of the provisions of the
Constitution.

**Section 9.** Upon this resolution taking effect, the same shall be published in
summary form in the official newspaper of said Town for such purpose, together with a
notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local
Finance Law.

**Section 10.** THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE
REFERENDUM.

MOTION: Councilman Ray
SECOND: Councilman Krupnick

ROLL CALL VOTE BY TOWN CLERK
Councilman Krupnick Aye
Councilman Ray Aye
Councilman Marrine Aye
Councilman Schneider Absent
Supervisor Rohr Aye CARRIED

RESOLUTION 2:11 - 6 OF 2019
RESOLUTION AMENDING RESOLUTION 1:7 - 10 OF 2019 AUTHORIZING REIMBURSEMENT FOR MILEAGE FOR 2019 FOR TOWN OFFICIAL AND EMPLOYEES

WHEREAS, it was stated in Resolution 1:7-10 of 2019 that the established mileage reimbursement for Town officials and employees would be at the IRS rate 54.5 cents per mile for those Town officials and employees who incur official mileage when they are obligated to drive their own vehicles on Town business or when a Town vehicle is not available for the year 2019; and

WHEREAS, the reimbursement rate listed of 54.5 cents per mile was the incorrect amount listed in Resolution 1:7-10 of 2019; and

WHEREAS, the official mileage reimbursement rate for Town officials and employees should be at the IRS rate of 58 cents per mile for 2019.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hyde Park does hereby amend Resolution 1:7 - 10 of 2019 establishing the mileage reimbursement for Town official and employees to reflect the correct IRS rate of 58 cents per mile for those Town officials and employees who incur official mileage when they are obligated to drive their own vehicles on Town business or when a Town vehicle is not available for the year of 2019. Said payment shall be made only after submission, review, and approval of the appropriate voucher by the Town Supervisor and/or the Comptroller, as the case may be.

MOTION: Councilman Marrine
SECOND: Councilman Ray

VOICE VOTE: 4 - 0 CARRIED

RESOLUTION 2:11 - 7 OF 2019

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE 90 DAY TEMPORARY FULL-TIME APPOINTMENT OF POLICE OFFICER BRANDON EWING TO THE TOWN OF HYDE PARK POLICE DEPARTMENT

WHEREAS, the Town Board of the Town of Hyde Park has reviewed a request from the Police Chief regarding the appointment of a temporary full-time police officer for a ninety (90) day period; and

WHEREAS, the Town Board agrees that there is currently a need for the appointment of a temporary full-time police officer to ensure the safe and efficient operations of the Police Department; and

WHEREAS, Section 64 of the Civil Service Law allows for the temporary appointment of a full-time police officer providing that officer is on the current eligible list
for permanent appointment and has passed the necessary agility test required of a full-time officer, and

WHEREAS, Brandon Ewing fulfills those qualifications and is an experienced part-time police officer and is familiar with the operations and policies of the Police Department; and

WHEREAS, the Town Board is in agreement with the Police Chief that this temporary appointment is necessary at this time;

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Town Board of the Town of Hyde Park hereby appoints Brandon Ewing as a temporary full-time police officer for a ninety (90) day period effective February 14, 2019.

2. The Town Board hereby sets the salary for Brandon Ewing at a base hourly rate of $25.22 per the salary schedule pursuant to Article 3 section 2 of the Collective Bargaining Agreement between the Town and the Town of Hyde Park Police Benevolent Association, Inc. (“PBA”).

3. As a temporary full-time police officer Ewing will be entitled to receive leave and health insurance benefits on a pro-rated basis as outlined in Article 3 section 1 of the Agreement between the Town and the PBA.

4. The Personnel Assistant shall process any necessary paperwork to formalize Ewing’s temporary full-time appointment.

MOTION: Councilman Krupnick
SECOND: Councilman Ray

VOICE VOTE: 4 - 0 CARRIED

RESOLUTION 2:11 – 8 OF 2019

RESOLUTION ACCEPTING THE NEW YORK STATE COMPTROLLERS REPORT OF EXAMINATION OF THE TOWN OF HYDE PARK PAYROLL AND TIME RECORDS FOR THE PERIOD JANUARY 1, 2017 – MARCH 6, 2018 DATED FEBRUARY 2019

WHEREAS, the Office of the State Comptroller conducted an examination of the physical affairs of the Town of Hyde Park and, specifically, the payroll and time records of the Town and issued a report of its examination dated February 2019, which report was filed in the Office of the Hyde Park Town Clerk on February 1, 2019; and

WHEREAS, the Town Clerk has prepared a written notice of receipt of said report in accordance with the requirements of General Municipal Law §35; and
WHEREAS, the Town Supervisor has prepared a response to the said report and
a statement of the corrective action taken, or proposed action to be taken, in response
to said report in accordance with the requirements of GML §35(4) and has sent the
same to the Chief Examiner of the Division of Local Government and School
Accountability.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk is hereby directed
to publish the said Notice within the time period prescribed in §35 of the General
Municipal Law in the official newspaper of the Town and to post said Notice on the
Town's Official Board and on the Town's website; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized and
directed to send a copy of the Town's audit response to the State Comptroller’s office in
accordance with the provisions of §35 of the General Municipal Law; and

BE IT FURTHER RESOLVED, that the Town Clerk shall, after publication of said
Notice, prepare and file a Certification with proof of publication in the Town Clerk’s
office; and

BE IT FURTHER RESOLVED, that the said Report of Examination and the
Town’s Audit Response shall be available for public inspection in the office of the Town
Clerk for a period of 90 days from the date of this Resolution.

MOTION: Councilman Ray
SECOND: Councilman Krupnick
VOICE VOTE: 4 - 0 CARRIED

MOTION: Councilman Ray
SECOND: Councilman Marrine

To enter executive session to discuss personnel records

VOICE VOTE: 4 - 0 CARRIED at 7:35pm

MOTION: Councilman Ray
SECOND: Councilman Krupnick

To return from executive session

VOICE VOTE: 4 - 0 CARRIED at 8:00pm

No action was taken.

NEW & OLD BUSINESS:

Supervisor Rohr announced that there will be a Downtown Initiative Meeting on
February 25th at 6pm.

MOTION: Councilman Marrine
SECOND: Councilman Ray
To adjourn meeting
VOICE VOTE: 4 - 0 CARRIED
Meeting adjourned at 8:02pm

Respectfully submitted,

Donna McGrogan
Town Clerk