

MINUTES OF A REGULAR MEETING OF THE HYDE PARK TOWN BOARD,
HELD AT TOWN HALL, 4383 ALBANY POST ROAD, HYDE PARK, NEW YORK,
12538, ON MONDAY, AUGUST 23, 2021 AT 6:00 PM

PRESENT:

DEPUTY SUPERVISOR NEIL KRUPNICK
COUNCILMAN DAVID RAY
COUNCILMAN KENNETH SCHNEIDER
COUNCILMAN STEPHEN WOODCOCK
TOWN CLERK DONNA MCGROGAN
ATTORNEY TO THE TOWN WARREN REPLANSKY

ABSENT:

SUPERVISOR AILEEN ROHR

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

MOTION: Councilman Schneider
SECOND: Councilman Ray

That the minutes of the August 2, 2021 Town Board meeting, as submitted by the Town Clerk, be approved.

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

PUBLIC COMMENTS ON RESOLUTIONS ONLY: NONE

RESOLUTION 8:23 – 1 OF 2021

RESOLUTION AUTHORIZING TOWN OF HYDE PARK DEPUTY ASSESSOR, MAUREEN GILMARTIN TO COMPLETE THE NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE ON-LINE FUNDAMENTALS OF ASSESSMENT ADMINISTRATION COURSE SEPTEMBER 13TH THRU SEPTEMBER 15TH AND SEPTEMBER 20TH THRU SEPTEMBER 22ND, 2021

WHEREAS, the Town of Hyde Park Deputy Assessor, Maureen Gilmartin has requested approval to complete the New York State Department of Taxation and Finance On-Line Fundamentals of Assessment Administration Course September 13th thru September 15th and September 20th thru September 22nd, 2021; and

WHEREAS, the Town Board deems it appropriate and beneficial for Deputy Town Assessor, Maureen Gilmartin to complete this on-line course; and

WHEREAS, there is no set fee associated with the completion of said course.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Deputy Town Assessor, Maureen Gilmartin to complete the New York State Department of Taxation and Finance On-Line Fundamentals of Assessment Administration Course September 13th thru September 15th and September 20th thru September 22nd, 2021.

MOTION: Councilman Ray
SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 – 2 OF 2021

RESOLUTION AUTHORIZING ENTRANCE ONTO THE PROPERTIES LOCATED AT 46 GREENTREE DRIVE, HYDE PARK, TAX ID NO. 6165-01-297837; 9 GREENBUSH DRIVE, HYDE PARK, TAX ID NO. 6163-04-504451; HAVING A MAILING ADDRESS OF 9 GREENBUSH DRIVE, POUGHKEEPSIE; AND 3 GLADE ROAD, HYDE PARK, TAX ID NO. 6263-03-289347; HAVING A MAILING ADDRESS OF 3 GLADE ROAD, POUGHKEEPSIE TO BRING THESE PROPERTIES INTO COMPLIANCE WITH THE STANDARDS OF CHAPTER 85-5(B) OF THE TOWN CODE AND TO ASSESS THE COSTS OF SUCH ACTION AGAINST THE PROPERTIES AS A LIEN AND CHARGE ON THE SAME

WHEREAS, the Town Deputy Building Inspector served a notice of Compliance Order on the owner of the properties located at 46 Greentree Drive, Hyde Park, Tax ID No. 6165-01-297837; 9 Greenbush Drive, Hyde Park, Tax ID No. 6163-04-504451; having a mailing address of 9 Greenbush Drive, Poughkeepsie; and 3 Glade Road, Hyde Park, Tax ID No. 6263-03-289347; having a mailing address of 3 Glade Road, Poughkeepsie in accordance with the provisions of Chapter 85-5(b), Grass Maintenance Law, of the Town Code and proof of the sending and posting of said notices has been provided by the Deputy Building Inspector to the Town Board; and

WHEREAS, the Town Deputy Building Inspector has reported to the Town Board that these properties have not been brought into compliance with the provisions of the Law, as specified in the said Compliance Order.

NOW, THEREFORE, BE IT RESOLVED, that the Town Highway Superintendent, and such other employees or officers of the Town of Hyde Park, or a private contractor retained by the Town are hereby authorized to enter the properties listed above and bring these properties into compliance with the standards of Chapter 85-5(b), Grass Maintenance Law, of the Town Code as specified in the Compliance Order sent to the property owner and that all costs incurred by the Town shall be assessed against the property and shall constitute a lien and charge on the property until it is paid or otherwise satisfied or discharged, and that the same shall be collected in the same manner and at the same time as other Town charges.

MOTION: Councilman Woodcock
SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

MOTION: Councilman Schneider
SECOND: Councilman Ray

To add Resolutions 8:23 – 21 of 2021 “RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO SCHEDULE A SPECIAL MEETING FOR MONDAY, SEPTEMBER 20TH, 2021” and 8:23 – 22 of 2021 “RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE A REDUCED REVIEW FEE FOR THE AMENDED CONCEPT PLAN FOR THE BELLEFIELD PUD AT HYDE PARK” to the agenda.

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 - 3 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO REDUCE THE BUILDING PERMIT EXTENSION FEES FOR PATRICIA HOHMANN

WHEREAS, Patricia Hohmann applied for, and received, a building permit in July of 2020 for an improvement to her home at 47 Connelly Drive, Staatsburg; and

WHEREAS, Patricia Hohmann paid all of the required building permit fees at that time; and

WHEREAS, during the State of Emergency construction schedules were directly impacted by required compliance with reduced workforce; and

WHEREAS, by letter of July 26, 2021, Patricia Hohmann requested a waiving of extension fees based on the delays that resulted from the COVID-19 pandemic; and

WHEREAS, the Town Board finds that under these circumstances, it is appropriate to reduce the building permit extension fees for this project; and

WHEREAS, the Town Board finds that the reduced fees as provided herein are adequate to cover the administration cost to the Town for the building permit extension application process.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby resolve to authorize the Hyde Park Building Inspector to reduce the building permit extension fee for Patricia Hohmann by fifty (50%) percent.

MOTION: Councilman Schneider
SECOND: Councilman Woodcock

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 - 4 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE A STORMWATER MANAGEMENT FACILITY INSPECTION AND MAINTENANCE EASEMENT AGREEMENT AND PUBLIC ACCESS EASEMENT AGREEMENT WITH HUDSON VALLEY HOSPICE, INC.

WHEREAS, Hudson Valley Hospice, Inc. is the owner of certain premises known as 542 Violet Avenue, located in the Town of Hyde Park, having Tax Grid No. 133200-6163-02-570735, as depicted on a certain site development plan entitled "Site Plan Prepared for Hudson Valley Hospice"; and

WHEREAS, the site plan has received approval from the Town of Hyde Park Planning Board conditioned, in relevant part, on the filling of a Stormwater Management Facility Inspection and Maintenance Easement

Agreement and Public Access Easement Agreement with the Town of Hyde Park; and

WHEREAS, the said Agreements have been reviewed by the attorney for the Hyde Park Planning Board and have been found to be acceptable, subject to certain changes that have been required in said documents; and

WHEREAS, the Attorney to the Town Board has reviewed said documents and found the same to be acceptable, provided that the changes to the same are made by Hudson Valley Hospice, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the Stormwater Management Facility Inspection and Maintenance Easement Agreement and Public Access Easement Agreement as soon as they are submitted in final form to the Hyde Park Town Board as amended in accordance with the requirements of the attorney to the Hyde Park Planning Board in the same, or substantially similar, form as provided.

MOTION: Councilman Ray

SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4

ALL OPPOSED 0

CARRIED

RESOLUTION 8:23 – 5 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO SUBMIT A GRANT APPLICATION FOR THE 2021 TRANSPORTATION ALTERNATIVES PROGRAM CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM GRANT (TAP-CMAQ) FOR THE MAIN STREET ACCESSIBILITY PROJECT

WHEREAS, the State of New York Department of Transportation makes Federal Highway Administration funding available through the Transportation Alternatives Program Congestion Mitigation and Air Quality [TAP-CMAQ] improvement program grant; and

WHEREAS, the Town has been developing its modes of alternative transportation to increase accessibility through safer pathways, sidewalks, and bike lanes; and

WHEREAS, the Town has already embarked on the installation and expansion of sidewalks along Route 9; and

WHEREAS, the Town of Hyde Park would like to capitalize on this opportunity to harness available TAP-CMAQ funds to safely connect Main Street to the Route 9 thoroughfare to improve walkability and accessibility; and

WHEREAS, all applications must be submitted no later than Wednesday, September 29, 2021.

NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Town Supervisor to submit an application for the 2021 Transportation Alternative Program Congestion Mitigation and Air Quality Improvement Program Grant (TAP-CMAQ) for the Main Street Accessibility Project.

MOTION: Councilman Woodcock

SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 - 6 OF 2021

RESOLUTION AUTHORIZING THE INSTITUTION OF LEGAL ACTION AGAINST SETH ALLT AND RELATED ENTITIES DUE TO VIOLATIONS OF THE TOWN OF HYDE PARK ZONING CODE AND ENCROACHMENT ON TOWN PROPERTY

WHEREAS, Seth Allt has been served with a Notice of Apparent Violation by the Town of Hyde Park Zoning Administrator due to the use of its properties located at 10 Railroad Avenue and 13 Railroad Avenue, in Staatsburg, New York, as a scrap yard and junk yard in violation of the Town of Hyde Park Zoning Code without the requisite permits for such use having been issued by the Town Building and Zoning officials. In addition, it is apparent that the use of these properties has encroached on Railroad Avenue, which is a Town road; and

WHEREAS, to date there has been no response received from Seth Allt, or his entities, with regard to addressing, or correcting, the Notices of Violation and the said violations and encroachment continue; and

WHEREAS, the Town Board has determined that the best remedy for these violations would be an action in Supreme Court, Dutchess County seeking injunctive and other appropriate relief against Seth Allt, the property and the entities which own or manage the property.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to §65 of the Town Law, the Attorney to the Town, Warren S. Replansky, P.C., is hereby authorized to institute legal action in the Supreme Court, Dutchess County to enjoin the continued operation of these properties in violation of the Town’s Zoning Code, and to enjoin the encroachment of the use of these properties on Town highway and to seek such other and further relief as may be appropriate and necessary in accordance with applicable laws and equity.

MOTION: Councilman Schneider
SECOND: Councilman Ray

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 - 7 OF 2021

ACCEPTING PROPOSED LOCAL LAW AND SCHEDULING OF A PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. I OF THE YEAR 2021 ENTITLED “A LOCAL LAW OPTING OUT OF ALLOWING ON-SITE CANNABIS CONSUMPTION SITES AS AUTHORIZED UNDER NEW YORK STATE CANNABIS LAW ARTICLE 4”

WHEREAS, on March 31, 2021, Governor Andrew Cuomo signed the Marijuana Regulation & Taxation Act legalizing adult-use cannabis (as known as marijuana, or recreational marijuana) in New York State. The legislation creates a new Office of Cannabis Management (OCM) governed by a Cannabis Control Board to oversee and implement the law (collectively referred to as “OCM”). The OCM will issue licenses and develop regulations outlining how and when business can participate in the new industry. The OCM will also oversee the State’s existing Medical Marijuana Program and Cannabinoid Hemp Program, previously regulated by the Department of Health; and

WHEREAS, the New York State law provides that towns can opt-out of allowing adult-use cannabis retail dispensaries and/or on-site consumption facilities from locating within their jurisdiction, but to do so, the municipality must pass a local law by December 31, 2021, and if the town fails to do so, the town will be unable to opt-out at a future date; 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-out of on-site consumption facilities (“cannabis lounges”) within its jurisdiction; and

WHEREAS, this opt-out determination does not prohibit the consumption and possession of cannabis by individuals or production and distribution as these elements are regulated by New York State Law; and

WHEREAS, whatever action the Town takes, the legislation of the Town will not constitute support or endorsement of marijuana use within the Town in that such activities are strictly regulated by New York State Law; and

WHEREAS, this opt-out determination, while prohibiting on-site consumption facilities, does not prevent the Town from opting-in to allow such facilities at a later date; and

WHEREAS, the Town Board has studied the issues and the proposed local law, with the assistance of the Town Attorney and input from the Town Planning Consultant and have determined that the proposed local law is in the best interest of the Town of Hyde Park; 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 this is an unlisted action under SEQRA, however, because there are no other involved agencies, the Town Board shall serve as lead agency for the SEQRA review of this action, and shall prepare the appropriate SEQRA documentation and analysis; and

WHEREAS, the Town Board has determined that the Local Law is acceptable for purposes of undertaking the local law adoption process, including, but not limited to, preparing the appropriate SEQRA material, making the requisite referrals, 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 September 20, 2021 at 6:05 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, prepare the appropriate SEQRA analysis.

MOTION: Councilman Ray

SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4

ALL OPPOSED 0

CARRIED

TOWN OF HYDE PARK

LOCAL LAW NO. I OF THE YEAR 2021

**A LOCAL LAW OPTING OUT OF ALLOWING ON-SITE
CANNABIS CONSUMPTION SITES 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 on-site cannabis consumption sites 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 and/or on-site consumption 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 on-site cannabis consumption sites 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.

RESOLUTION 8:23 – 8 OF 2021

**RESOLUTION ACCEPTING PROPOSED LOCAL LAW AND SCHEDULING OF
A PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. J 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”**

WHEREAS, on March 31, 2021, Governor Andrew Cuomo signed the Marijuana Regulation & Taxation Act legalizing adult-use cannabis (as known as marijuana, or recreational marijuana) in New York State. The legislation creates a new Office of Cannabis Management (OCM) governed by a Cannabis Control Board to oversee and implement the law (collectively referred to as “OCM”). The OCM will issue licenses and develop regulations outlining how and when business can participate in the new industry. The OCM will also oversee the State’s existing Medical Marijuana Program and Cannabinoid Hemp Program, previously regulated by the Department of Health; and

WHEREAS, the New York State law provides that towns can opt-out of allowing adult-use cannabis retail dispensaries and/or on-site consumption facilities from locating within their jurisdiction, but to do so, the municipality must pass a local law by December 31, 2021, and if the town fails to do so, the town will be unable to opt-out at a future date; 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-out of on-site retail dispensaries within its jurisdiction; and

WHEREAS, this opt-out determination does not prohibit the consumption and possession of cannabis by individuals or production and distribution as these elements are regulated by New York State Law; and

WHEREAS, whatever action the Town takes, the legislation of the Town will not constitute support or endorsement of marijuana use within the Town in that such activities are strictly regulated by New York State Law; and

WHEREAS, this opt-out determination, while prohibiting cannabis retail dispensaries, does not prevent the Town from opting-in to allow such facilities at a later date; and

WHEREAS, the Town Board has studied the issues and the proposed local law, with the assistance of the Town Attorney and input from the Town Planning Consultant and have determined that the proposed local law is in the best interest of the Town of Hyde Park; 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 this is an unlisted action under SEQRA, however, because there are no other involved agencies, the Town Board shall serve as lead agency for the SEQRA review of this action, and shall prepare the appropriate SEQRA documentation and analysis; and

WHEREAS, the Town Board has determined that the Local Law is acceptable for purposes of undertaking the local law adoption process, including, but not limited to, preparing the appropriate SEQRA material, making the requisite referrals, 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 September 20, 2021 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, prepare the appropriate SEQRA analysis.

MOTION: Councilman Woodcock

SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

TOWN OF HYDE PARK

LOCAL LAW NO. J 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.

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO WAIVE THE PLANNING BOARD ANNUAL RENEWAL FEES FOR 2020 DUE TO COVID AND REDUCE SAID FEES FOR 2021 FOR CAMP VICTORY LAKE

WHEREAS, Camp Victory Lake has submitted a Master Development Plan to the Hyde Park Planning Board for their review; and

WHEREAS, an initial Application Fee of \$6,100 was submitted to the Hyde Park Planning Board in October of 2018; and

WHEREAS, in March of 2020, the Governor of New York State declared the outbreak of the novel coronavirus COVID-19 an emergency; and

WHEREAS, by Executive Order 202.8 issued on March 20, 2020, the time limit for filing of any process or proceeding as prescribed by any statute, local law, ordinance, order, rule, or regulation, or part thereof, was tolled; and

WHEREAS, by Executive Orders 202.14 and 202.28 said tolling was extended; and

WHEREAS, during the State of Emergency, the progression of applications was negatively impacted by the various Executive Orders creating delays and cancellations of activities related to said application; and

WHEREAS, the Town Board agrees to waive the Annual Renewal Fees for 2020 according to said Executive Orders for tolling; and

WHEREAS, the Town Board then received a letter dated July 15, 2021, requesting that 75% of the Planning Board Annual Renewal Fees for 2021 be waived to reduce said fees by \$4,575.00; and

WHEREAS, the Town Board finds that under these circumstances, it is appropriate to reduce the said Annual Renewal Fees for said project for 2021; and

WHEREAS, the Town Board finds that the reduced fees as provided herein are adequate to cover the administration cost to the Town for the Planning Board Application Process.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Hyde Park Planning Board to waive the Annual Renewal Fees for 2020 due to the COVID Executive Tolling Orders; and

BE IT FURTHER RESOLVED, that the Town Board does also hereby authorize the reduction of the original Planning Board Annual Renewal Fees for Camp Victory Lake by fifty (50%) percent rather than the initial 75% reduction requested, thereby setting the Annual Renewal Fees for 2021 at \$3,050.00.

MOTION: Councilman Schneider

SECOND: Councilman Ray

VOICE VOTE:

ALL IN FAVOR 4

ALL OPPOSED 0

CARRIED

RESOLUTION 8:23 – 10 OF 2021

RESOLUTION AMENDING RESOLUTION 8:2 – 6 OF 2021 AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT JOHN BOLDE, III AS A PART-TIME POLICE ASSISTANT FOR THE TOWN OF HYDE PARK

POLICE DEPARTMENT TO REFLECT A CHANGE IN THE STARTING HOURLY RATE FOR SAID POSITION

WHEREAS, Resolution 8:2 – 6 of 2021 appointed John Bolde, III as a Part-Time Police Assistant to the Town of Hyde Park Police Department effective August 3, 2021; and

WHEREAS, it was stated in error that his starting rate would be \$17.32 an hour; and

WHEREAS, it should have stated per the newly negotiated contract for 2021 that said rate would be \$20.35 an hour.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby amend Resolution 8:2 – 6 of 2021 which appointed John Bolde, III as a Part-Time Police Assistant to the Town of Hyde Park Police Department effective August 3, 2021, to reflect the change to correct his starting rate from \$17.32 an hour to \$20.35 an hour as per the newly negotiated contract for 2021.

MOTION: Councilman Ray

SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 - 11 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT BRENDA DENNEHY AS JUSTICE CLERK FOR TOWN OF HYDE PARK JUSTICE JOSEPH PETITO FOR THE TOWN OF HYDE PARK JUSTICE COURT

WHEREAS, due to the resignation of Deirdre Mance, there exists a vacancy for the position of full-time Justice Clerk for Town of Hyde Park Justice Joseph Petito; and

WHEREAS, Justice Petito wishes to have Brenda Dennehy fill said vacancy effective August 24, 2021.

NOW THEREFORE BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby appoint Brenda Dennehy as full-time Justice Clerk to Justice Petito effective August 24, 2021; and

BE IT FURTHER RESOLVED, that said appointment will be a Grade 4 at an hourly rate of \$20.35 for 37.5 hours per week as part of the CSEA Town Hall Unit and are 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 Woodcock

SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 – 12 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE THE CSEA EMPLOYEE BENEFIT FUND CONTRACTS FOR THE TOWN OF HYDE PARK HIGHWAY UNIT AND TOWN HALL UNIT FOR THE PERIOD OF JANUARY 1, 2021, THROUGH DECEMBER 31, 2023

BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize and direct the Town Supervisor to sign the renewal contracts between the CSEA Employee Benefit Fund and the Town of Hyde Park Highway Unit and the Town Hall Unit for the period of January 1, 2021, through December 31, 2023.

MOTION: Councilman Schneider
SECOND: Councilman Woodcock

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 - 13 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE VACATION CARRY OVER FOR TOWN OF HYDE PARK PLANNING BOARD SECRETARY CYNTHIA WITMAN

BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Town of Hyde Park Planning Board Secretary Cynthia Witman to carry over up to 35 hours of accrued vacation time which she was unable to use prior to her anniversary date of September 13, 2021, and that said carry over vacation time must be used no later than March 13, 2022.

MOTION: Councilman Ray
SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 - 14 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT DONATIONS FROM THE KNIGHTS OF COLUMBUS, HYDE PARK CHAMBER OF COMMERCE, AND THE HYDE PARK ROTARY CLUB TO BE UTILIZED FOR THE TOWN OF HYDE PARK RECREATION'S 2021 "MUSIC IN THE PARKS" SERIES

BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby accept donations in the amount of \$100.00 from the Knights of Columbus, \$200.00 from the Hyde Park Chamber of Commerce, and \$100.00 from the Rotary Club of Hyde Park to be utilized by the Town of Hyde Park Recreation Department to offset the Town's expenses for their 2021 "Music in the Parks" series; and

BE IT FURTHER RESOLVED, that the Town of Hyde Park Town Board wishes to extend its appreciation and thank the Knights of Columbus, the Hyde Park Chamber of Commerce, and the Rotary Club of Hyde Park for their generous donations.

MOTION: Councilman Woodcock
SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 – 15 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE A CHANGE ORDER WITH SPITALE CONSTRUCTION RESOURCES, INC. FOR THE INSTALLATION OF FENCING AND GATES FOR THE NEW PICKLEBALL COURTS AT THE TOWN OF HYDE PARK DINSMORE PARK

WHEREAS, the Town of Hyde Park was awarded a CDBG Grant in 2020 in the amount of \$100,000 for the Town of Hyde Park Recreation Dinsmore Park Improvement Project; and

WHEREAS, said funds were utilized to upgrade the current basketball court and install new pickleball courts at the park; and

WHEREAS, the new Pickleball Courts require fencing and gates to keep the ball in play during use and to also protect individuals who are outside of the playing field when games are being held; and

WHEREAS, the initial contract amount to install said fencing and gates was issued at \$24,999.00 which included an overage allowance of \$3,000.00; and

WHEREAS, per a letter received from the Town Engineer dated August 3, 2021, said allowance ended up not being used reducing the current contract price of \$24,999.00 to \$21,999.00.

WHEREAS, the Town Engineer recommends Spitale Construction the next lowest bidder with a base price of \$24,999.00 to install the fencing and gates for the Town of Hyde Park Dinsmore Park's Pickleball Courts.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Supervisor is hereby authorized to execute Change Order Agreement Number 1 for Spitale Construction Resources, Inc. for the installation of fencing and gates for the new pickleball courts at the Town of Hyde Park Dinsmore Park to reflect the reduction in the initial contract cost from \$24,999.00 to \$21,999.00.

MOTION: Councilman Schneider
SECOND: Councilman Woodcock

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 – 16 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE FOR THE TOWN OF HYDE PARK RECREATION DEPARTMENT THE PURCHASE OF A LOOP SYSTEM POOL COVER FOR THE POOL AT HACKETT HILL PARK

WHEREAS, the Recreation Department's pool cover that is for the Town pool located at Hackett Hill Park is showing wear and tear and has outlived its useful life and is in need of immediate replacement in preparation for the upcoming winter season; and

WHEREAS, the pool cover was taken to Swim King for an estimate to replace said cover and dimensions were taken and sent to a specialty manufacturer who makes covers using the same loop system as the current cover; and

WHEREAS, the Town's Recreation Director was informed that the cost to replace said cover would be \$6,428.87; and

WHEREAS, according to the Town's Procurement Policy an RFP is required along with three quotes for items over \$3,000; and

WHEREAS, when another company was contacted, it was determined that they would do the same process as was provided when the quote was obtained from Swim King; and

WHEREAS, the Town Comptroller considers this as a sole source meaning the Town would be able to forego the RFP and three quotes since the cover would be purchased through the same manufacturer regardless of whatever company was utilized to purchase said cover; and

WHEREAS, the Recreation Director, the Town Comptroller, and the Town Supervisor have recommended that the purchase of a new pool cover is in the best interest for the protection of the pool since the pool will need to be covered once the summer season is over.

NOW, THEREFORE, BE IT RESOLVED, that Town of Hyde Park Town Board does hereby authorize the purchase for the Town of Hyde Park Recreation Department, a new loop system pool cover through Swim King for the pool at the Town of Hyde Park Hackett Hill Park in the estimated amount of \$6,428.87 to be funded by the 2021 Fund Balance.

MOTION: Councilman Ray

SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 - 17 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE A USE AND DISSEMINATION AGREEMENT BETWEEN NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND THE TOWN OF HYDE PARK

WHEREAS, the Town of Hyde Park has been notified by the New York State Department of Criminal Justice Services that, pursuant to Executive Law §837(6) and/or §837(8-a), the Town is required to enter into a Use and Dissemination Agreement with the New York State Division of Criminal Justice Services to allow the Town of Hyde Park and the Town of Hyde Park Clerk access to criminal histories for purposes of approval of applications for Hawking and Peddling licenses within the Town of Hyde Park and for other reasons; and

WHEREAS, a Use and Dissemination Agreement has been prepared by the Division of Criminal Justice Services and has been sent to the Town Clerk with the request that the Agreement be executed by the Town Supervisor and returned to them within a period of ten (10) days; and

WHEREAS, the Attorney to the Town has reviewed the Use and Dissemination Agreement and has found the same to be acceptable in form and content.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Town Supervisor to execute the Use and Dissemination Agreement between the Town and New York State Division of Criminal Justice Services and to take what other additional steps are needed to finalize the Agreement between the Town and the New York State Division of Criminal Justice Services.

MOTION: Councilman Woodcock

SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 – 18 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO REAPPOINT LINDSAY VAN NORSTRAND AS THE TOWN OF HYDE PARK BINGO INSPECTOR FOR THE REMAINDER OF 2021

WHEREAS, due to the COVID pandemic, bingo games were no longer being held for most of 2020 and 2021; and

WHEREAS, because of the absence of bingo games the Town did not need to appoint a bingo inspector for 2021; and

WHEREAS, now that restrictions have been lifted for many activities, bingo games will now be starting up again and will require the presence of a bingo inspector.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby reappoint Lindsay Van Norstrand as the Town of Hyde Park Bingo Inspector; and

BE IT FURTHER RESOLVED, that Lindsay Van Norstrand will serve at the pleasure of the Town of Hyde Park Town Board and shall hold the position of Bingo Inspector for the remainder of 2021 to be effective September 1, 2021, to December 31, 2021; and

BE IT FURTHER RESOLVED, that the annual compensation of \$2000.00 that is normally paid per year for the Bingo Inspector shall be prorated for the remainder of 2021.

MOTION: Councilman Schneider

SECOND: Councilman Woodcock

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 – 19 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACKNOWLEDGE THE RESIGNATION OF JOHN SCILEPPI AS A MEMBER OF THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS AND NOW APPOINT HIM AS AN ALTERNATE MEMBER TO SAID BOARD

WHEREAS, John Scileppi is resigning from his current position as a member of the Town of Hyde Park Zoning Board of Appeals where he was filling a vacancy until such time a replacement was found; and

WHEREAS, he would now like to return as an alternate member to said board.

NOW THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby acknowledge the resignation of John Scileppi as a member of the Town of Hyde Park Zoning Board of Appeals; and

BE IT FURTHER RESOLVED, that the Town Board now hereby appoints him as a Zoning Board of Appeals alternate member effective immediately with a term to expire December 31, 2021.

MOTION: Councilman Ray
SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 - 20 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT GERALD BOWEN AS A MEMBER OF THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS

WHEREAS, the Town of Hyde Park Zoning Board of Appeals consists of five (5) members with five (5) year terms; and two (2) alternate members with two (2) year terms; and

WHEREAS, there is currently a vacancy for the Town of Hyde Park Zoning Board of Appeals due to the resignation of John Scileppi as member; and

WHEREAS, the Town of Hyde Park Town Board would like to appoint Gerald Bowen as a member to the Town of Hyde Park Zoning Board of Appeals effective immediately to fill the vacancy left by member John Scileppi whose term is set to expire on December 31, 2025.

NOW THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby appoint Gerald Bowen as a member to the Town of Hyde Park Zoning Board of Appeals effective immediately, to a term that will expire on December 31, 2025.

MOTION: Councilman Woodcock
SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 - 21 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO SCHEDULE A SPECIAL MEETING FOR MONDAY, SEPTEMBER 20TH, 2021

WHEREAS, the Town Supervisor has determined that a special meeting needs to be held on Monday, September 20th, 2021, for the purpose of

commencing the public hearing process on two local laws, which, in relevant part, opt-out of allowing cannabis consumption sites and opt-out of allowing cannabis retail dispensaries as authorized under New York State Cannabis Law Article 4.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby schedule a special meeting on Monday, September 20th, 2021, for the purpose of conducting the public hearings on two local laws with regard to the opting-out of allowing on-site cannabis consumption sites and retail dispensaries as authorized under the New York State Cannabis Law Article 4 and for such other Town business as shall be determined by the Town Board to be appropriate and necessary.

MOTION: Councilman Schneider
SECOND: Councilman Woodcock

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

RESOLUTION 8:23 - 22 OF 2021

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE A REDUCED REVIEW FEE FOR THE AMENDED CONCEPT PLAN FOR THE BELLEFIELD PUD AT HYDE PARK

WHEREAS, T-Rex Capitol Group has submitted a proposed Bellefield Concept Development Plan, a SEQRA Comparison Technical Report, a full Part 1 of the Environmental Assessment Form and other documentation in support of its application to the Town Board and to the Planning Board for an amendment of the Comprehensive Development Plan for the Bellefield property located at Route 9 in the Town of Hyde Park; and

WHEREAS, the plans call for the making of certain revisions and alterations to the approved Concept Plan for this property, which was approved by the Planning Board and the Town Board in or about 2007; and

WHEREAS, the plans call for certain revisions and alterations to the approved Concept Plan including, but not limited to, a change in the ratio of housing types, reduction in retail components and other significant changes; and

WHEREAS, the Town of Hyde Park Fee Schedule provides for a fee of \$10,000 to be paid at the time of the application to cover the administrative costs for such review; and

WHEREAS, T-Rex Capitol has requested relief from the payment of the full fee; and

WHEREAS, the Town Board has determined, based upon the payments already made thus far by T-Rex Capitol in conjunction with this project, that a reduction in the fee from \$10,000 to \$5,000 is appropriate and adequate and such fee is sufficient to cover the additional administrative costs of the review of the project.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes a reduction in the review fee for the Amended Concept Plan for the Bellefield PUD at Hyde Park from \$10,000 to \$5,000; and

BE IT FURTHER RESOLVED, that this Resolution does not apply to the consultant escrow fees or to any other fees to be paid to the Town in conjunction with this project.

MOTION: Councilman Ray
SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

NEW AND OLD BUSINESS:

Dutchess County is considered to be an area of high COVID transmission. The County's Health Department issued a public health advisory that citizens should wear face masks indoors and in crowded situations.

Hyde Park Community Day is September 18, held at Hackett Hill Park, from 12:00 to 5:00pm.

Hyde Park survived Tropical Storm Henri without too much damage. The Staatsburg drainage improvements held up nicely.

The Board thanked Highway Superintendent Howard Fisher and the Highway employees for their hard work paving roads during the heat advisory.

MOTION: Councilman Schneider
SECOND: Councilman Ray

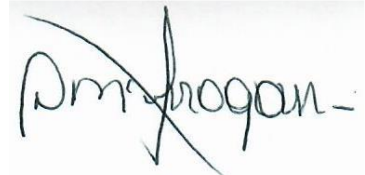
To adjourn.

VOICE VOTE:

ALL IN FAVOR 4
ALL OPPOSED 0 CARRIED

The meeting adjourned at 6:38pm.

Respectfully submitted,



Donna McGrogan
Town Clerk