

MINUTES OF THE REGULAR MEETING, PUBLIC HEARING AND WORKSHOP OF THE HYDE PARK TOWN BOARD, HELD AT TOWN HALL, 4383 ALBANY POST ROAD, HYDE PARK, NEW YORK 12538, ON MONDAY, SEPTEMBER 12, 2022 AT 6:00PM

PRESENT:

SUPERVISOR ALFRED TORREGGIANI
COUNCILWOMAN NICOLE NOAKES
COUNCILWOMAN LYNN RUGGIERO
COUNCILMAN JOHN LOMBARDI
COUNCILMAN DONALD PRUSAKOWSKI
ATTORNEY JEFFREY BATTISTONI
TOWN CLERK DONNA MCGROGAN

ABSENT: NONE

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

MOTION: Councilwoman Noakes
SECOND: Councilman Prusakowski

That the minutes of the August 15, 2022 and August 22, 2022 Town Board meeting, as submitted by the Town Clerk, be approved.

VOICE VOTE:

ALL IN FAVOR	5	
ALL OPPOSED	0	CARRIED

PUBLIC COMMENTS ON RESOLUTIONS ONLY: NONE

MOTION: Councilwoman Noakes
SECOND: Councilman Lombardi

To open the public hearing regarding proposed local law C of 2022.

VOICE VOTE:

ALL IN FAVOR	5	
ALL OPPOSED	0	CARRIED

Town Clerk Donna McGrogan read the public hearing notice regarding the adoption of proposed Local Law C of 2022 entitled: "A LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO AMEND CHAPTER 108, ZONING, ARTICLE 23: RESIDENTIAL CARE FACILITIES" as it appeared in the newspaper.

PUBLIC COMMENT: NONE

MOTION: Councilwoman Noakes
SECOND: Councilman Prusakowski

To continue the public hearing to September 19, 2022.

VOICE VOTE:

ALL IN FAVOR	5	
ALL OPPOSED	0	CARRIED

MOTION: Councilwoman Noakes
SECOND: Councilwoman Ruggiero

To remove resolution 9:12-10 of 2022 entitled "RESOLUTION ADOPTING LOCAL LAW NO. C OF 2022 ENTITLED: "A LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO AMEND CHAPTER 108, ZONING, ARTICLE 23: RESIDENTIAL CARE FACILITIES"", from the agenda as there is a question in the wording of the law.

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

WORKSHOP:

1. Councilwoman Ruggiero, the Town's representative and Chairman Gary Bassett for the Hudson River Drinking Water Intermunicipal Council (Hudson 7) discussed requirements and changes for the council's intermunicipal agreement with the Town of Hyde Park.

RESOLUTION 9:12 - 1 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO RETURN INVESTED RECREATION TRUST FUNDS FROM THE TOWN'S OPERATING BANK ACCOUNT TO THE RECREATION TRUST FUND BANK ACCOUNT

WHEREAS, in 2019, funds were derived from various bank accounts for investment, including the Recreation Trust Fund Account, and deposited into the Operating Bank Account; and

WHEREAS, in 2021, the investments accounts were closed, and the money was deposited into the Operating Bank Account; and

WHEREAS, a portion of the money totaling \$352,561.81 should have been returned and deposited into the Recreation Trust Fund Bank Account; and

WHEREAS, the Town Comptroller intends to complete a fund transfer through TD Bank in order for the General Ledger and bank account to accurately reflect the available balances.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby approve the return of funds from the Town's Operating Bank Account to the Recreation Trust Fund Bank Account to correctly reflect the accurate balance of the Account.

MOTION: Councilwoman Noakes
SECOND: Councilman Prusakowski

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

Comptroller James Coughlan stated there were discrepancies in the books regarding the failure to return investment funds to their original lending

accounts after the closing of the investment in July of 2020. This over inflated the unassigned fund balance.

RESOLUTION 9:12 - 2 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO TRANSFER MATCHING TOWN HALL ADDITION FUNDS FROM THE TOWN'S OPERATING BANK ACCOUNT TO THE TOWN HALL ADDITION BANK ACCOUNT

WHEREAS, the Town Board previously determined that there are deficiencies in the existing Town Hall, including but not limited to, lack of ADA compliance for access for the Assessor and Building Departments located at 4383 Albany Post Road, in the Town of Hyde Park; and

WHEREAS, the Town, by Resolution 6:21-2 of 2021, accepted a generous donation made by John and Gloria Golden in the sum of \$1,052,478.31 to be used for the renovation and addition of the Town Hall in honor of John Golden's father, John Watson Golden; and

WHEREAS, the Town of Hyde Park authorized a match of the donation amounting to \$1,000,000.00; and

WHEREAS, the funds totaling \$1,000,000.00 were transferred from the Operating General Ledger Fund to the Town Hall Addition General Ledger Fund via a journal entry in the KVS accounting software made by the prior administration; and

WHEREAS, the above-mentioned funds were not physically transferred from the Operating bank account to the Town Hall Addition bank account by the prior administration; and

WHEREAS, the Town Comptroller intends to complete a fund transfer through TD Bank in order for the General Ledger and bank accounts to accurately reflect the available balances.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby approve the return of funds to the Town Hall Addition Bank Account to correctly reflect the accurate balance of the Account.

MOTION: Councilwoman Ruggiero

SECOND: Councilman Lombardi

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

Comptroller Coughlan stated that there was a fund set up for the generous donation from John and Gloria Golden for the addition to Town Hall in June of 2021. The Town committed to add \$1,000,000.00 to this special fund. Although in December 2021 there was a notation in the accounting software, yet the funds were never physically moved to the special fund set up for the building addition.

Councilman Lombardi questioned, why the auditors didn't pick up this discrepancy, and Comptroller Coughlan also expressed concern stating that it would be looked at by a different auditing firm.

RESOLUTION 9:12 - 3 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK BUILDING INSPECTOR, DONALD WESTERMEYER, DEPUTY BUILDING INSPECTOR, RICHARD LONGENDYKE, AND FIRE INSPECTOR PETER LONGI TO ATTEND THE MID-HUDSON NEW YORK STATE BUILDING OFFICIALS' ANNUAL BUSINESS MEETING AND CONFERENCE WEDNESDAY, OCTOBER 26TH AND THURSDAY, OCTOBER 27TH, 2022, AT THE POUGHKEEPSIE GRAND HOTEL, 40 CIVIC CENTER PLAZA, POUGHKEEPSIE, NY 12601

WHEREAS, Building Inspector, Donald Westermeyer, Deputy Building Inspector, Richard Longendyke, and Fire Inspector, Peter Longi would like to attend the Mid-Hudson New York State Building Officials' Annual Business Meeting and Conference Wednesday, October 26th and Thursday, October 27th, 2022, at the Poughkeepsie Grand Hotel, 40 Civic Center Plaza, Poughkeepsie, NY 12601; and

WHEREAS, the Town Board has determined that the attendance of the Building Inspector, Deputy Building Inspector, and Fire Inspector would be beneficial to the Town of Hyde Park and to the functioning of their duties; and

WHEREAS, the cost of this training will be \$135.00 each and funds will be allocated from the 2022 Budget for such training.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize Building Inspector, Donald Westermeyer, Deputy Building Inspector, Richard Longendyke, and Fire Inspector, Peter Longi would like to attend the Mid-Hudson New York State Building Officials' Annual Business Meeting and Conference Wednesday, October 26th and Thursday, October 27th, 2022, at the Poughkeepsie Grand Hotel; and

BE IT FURTHER RESOLVED, that the Town Board does also hereby authorize a total payment of \$405.00 to Mid-Hudson NYSBOC as well as reimbursement for travel and any necessary business expenditures deemed appropriate and reasonable.

MOTION: Councilman Lombardi
SECOND: Councilman Prusakowski

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

RESOLUTION 9:12 - 4 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE PURCHASE OF TWO NEW DUMP BODIES FOR THE TOWN OF HYDE PARK HIGHWAY DEPARTMENT'S ONE-TON VEHICLES

WHEREAS, by Resolution 8:15-3 of 2022, the Town of Hyde Park Highway Superintendent received approval to sell at auction two Highway Department vehicles which were no longer needed for highway work, were worn, obsolete and had outlived their useful lives; and

WHEREAS, the proceeds were first used to help offset the cost of the purchase of a new highway truck; and

WHEREAS, there was still remaining funds available to help offset the cost of any additional equipment needed to be purchased at a later date; and

WHEREAS, the Town of Hyde Park Highway Superintendent has now identified the need to purchase two new dump bodies for their one-ton vehicles pursuant to the provisions of Section 142 of the Highway Law; and

WHEREAS, the Highway Superintendent obtained a quote from Hudson River Truck & Trailer which complies with the Town's Procurement Policy as it is the "Sole Source" of which this equipment can be purchased from; and

WHEREAS, the cost for the purchase of two dump bodies will be \$7,895.00 each for a total cost of \$15,790.00 of which will be deducted from the \$25,400.00 received by auctioning of the two old highway vehicles.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the purchase of two new dump bodies for the Town of Hyde Park Highway's one-ton vehicles from Hudson River Truck & Trailer for an amount not to exceed \$15,790.00.

MOTION: Councilman Prusakowski

SECOND: Councilwoman Noakes

VOICE VOTE:

ALL IN FAVOR	5	
ALL OPPOSED	0	CARRIED

RESOLUTION 9:12 – 5 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO DESIGNATE THE PRIMARY AND ALTERNATE REPRESENTATIVE FOR THE HUDSON RIVER DRINKING WATER INTERMUNICIPAL COUNCIL (HUDSON 7) FOR 2022-2023

WHEREAS, by Resolution 4:9 – 7 of 2018, the Town Board authorized the Town of Hyde Park to sign an Intermunicipal Agreement with the Town of Esopus, Town of Lloyd, Town and City of Poughkeepsie, and Town and Village of Rhinebeck to form the Hudson River Drinking Water Intermunicipal Council ("Council"); and

WHEREAS, the Council updated its by-laws to allow each participating municipality to designate a primary representative, who must be an elected official, and an alternate representative, who need not be an elected official; and

WHEREAS, the Town of Hyde Park Town Board would like to designate Alfred Torreggiani, Town Supervisor as the primary representative and Ward 2 Councilwoman, Lynn Ruggiero as the alternate representative for the Hudson River Drinking Water Intermunicipal Council (Hudson 7).

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby designate Supervisor Alfred Torreggiani to be the Town's primary representative and Ward 2 Councilwoman, Lynn Ruggiero to be the Town's alternate representative to the Hudson River Drinking Water Intermunicipal Council (Hudson 7) for the 2022 and 2023.

MOTION: Councilwoman Noakes

SECOND: Councilwoman Ruggiero

VOICE VOTE:

ALL IN FAVOR	5	
ALL OPPOSED	0	CARRIED

PULLED
RESOLUTION 9:12 - 6 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO EXECUTE AN AMENDED MOU REGARDING THE HUDSON RIVER DRINKING WATER INTERMUNICIPAL COUNCIL (HUDSON 7)

WHEREAS, the Hudson River Estuary is the primary drinking water supply for over 100,000 people in the City and Town of Poughkeepsie, Village and Town of Rhinebeck, Town of Hyde Park, Town of Lloyd, and Town of Esopus; and

WHEREAS, maintaining and enhancing water quality in the Hudson River and its tributaries is essential to the public health, economic well-being, environmental resources, and quality of life for these communities; and

WHEREAS, source water protection is a series of measures, defined and encouraged through federal and state programs, including the Safe Drinking Water Act amendments of 1996 and New York's Drinking Water Source Protection Program, designed to take a watershed approach to protecting public drinking water supplies from contamination; and

WHEREAS, a review of source water protection-related programs by the Center for Watershed Protection and Riverkeeper in 2018 recommended a number of actions, including the formation of an intermunicipal drinking water council and securing of funding for the council to hire support staff; and,

WHEREAS, a Memorandum of Understanding ("MOU") agreement was entered into on 31st day of May 2018 by and between the seven municipalities to form the Hudson River Drinking Water Intermunicipal Council (the "Hudson 7"); and,

WHEREAS, the Town of Hyde Park has a voting member on the Hudson 7 Council; and

WHEREAS, Riverkeeper has provided an interim coordinator on a part-time basis for the Hudson 7 for the past five years with an end date of approximately January 1, 2023; and

WHEREAS, a subcommittee was formed by the Hudson 7 to define a coordinator position in 2020; and

WHEREAS, through its first five years, the Hudson 7 has addressed significant source water issues, and has been recognized by all levels of government and the business community as a respected stakeholder in issues affecting the quality of the Hudson River; and

WHEREAS, ongoing work by the Hudson 7 includes developing a first-ever source water protection plan via New York State's Drinking Water Source Protection Program, negotiating protections for drinking water intakes during permitted construction and remediation activities, liaising with the U.S. Coast Guard and other agencies on industrial spill prevention and response, and other activities; and

WHEREAS, none of these activities are possible by any municipality or drinking water utility alone, and have only been possible through the collective effort of members of the Hudson 7 and its partners; and

WHEREAS, a key to ongoing progress on these and other issues requires dedicated support staff for the Hudson 7 Council; and

WHEREAS, Dutchess County (“DC”) and Ulster County (“UC”) have each committed \$25,000 annually for three years to support the hiring of a full-time coordinator for the Hudson 7; and

WHEREAS, DC’s funding is contingent on all Hudson 7 members contributing to support the cost of a coordinator position.; and,

WHEREAS, DC wants to be a voting member, as a party contributing monies and has also committed up to \$19,999 for legal services to support the hiring of a coordinator; and,

WHEREAS, the Town of Hyde Park’s commitment to hiring a coordinator is \$5,000 per year for an initial three years, with a total contribution of \$15,000 along with the commitments of the counties and other Hudson 7 municipalities; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the Town Supervisor to execute the revised Intermunicipal Agreement as presented.

MOTION: Councilman Prusakowski
SECOND:

Councilman Lombardi questioned if this expense would be a duplication of spending and requested that this resolution be delayed until the next meeting so he could research his concern further.

MOTION: Councilman Prusakowski
SECOND: Councilman Lombardi

To pull this resolution from the agenda and put on September 19, 2022 agenda.

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

RESOLUTION 9:12 - 7 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE REQUEST BY DUTCHESS COUNTY ENHANCED 911 FOR A PRIVATE DRIVE NAME OF “HIGHBURY RIDGE” FOR THE HIGHBURY ESTATES PROJECT (64 FALLKILL ROAD)

WHEREAS, the County of Dutchess has implemented the E-911 Emergency Dispatch System; and

WHEREAS, the full implementation of the E-911 system requires that all private roads in the Town of Hyde Park be officially named; and

WHEREAS, the development of the Highbury Estates Project (64 Fallkill Road) has created the need for a new private drive in order to address structures to be constructed on the two-lot subdivision located on tax parcel 6266-03-176450; and

WHEREAS, the name “Highbury Ridge” has been proposed for the private drive; and

WHEREAS, the Dutchess County Enhanced 911 Department of Emergency Response has reviewed the proposed name and has found that it meets the 911 criteria for naming streets/roads/private drives.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Hyde Park, that the private drive being created at Highbury Estates is hereby officially named “Highbury Ridge”; and

BE IT FURTHER RESOLVED, that appropriate signage shall be posted with the name of the private drive and that such signage shall be the responsibility of the property owner(s); and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to Dutchess County E-911 by the Town of Hyde Park Town Clerk.

MOTION: Councilwoman Ruggiero

SECOND: Councilwoman Noakes

VOICE VOTE:

Councilman Lombardi recused from voting.

ALL IN FAVOR	4	
ALL OPPOSED	0	
ABSTAIN:	1	CARRIED

RESOLUTION 9:12 - 8 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE APPLICATION SUBMISSION OF THE NYSDEC ZERO-EMISSION VEHICLE INFRASTRUCTURE GRANT APPLICATION

WHEREAS, the New York State Department of Environmental Conservation (“NYSDEC”) announced the Zero-Emission Vehicle (“ZEV”) Infrastructure Grant Program to provide funding for municipalities to install ZEV infrastructure; and

WHEREAS, the Town of Hyde Park encourages and supports the use of ZEVs and seeks to supply adequate access to charging stations throughout the Town; and

WHEREAS, the NYSDEC grant would provide funding for the installation of an additional Electric Vehicle (“EV”) Charging Station to be potentially located at the Police Court Facility; and

WHEREAS, the Town of Hyde Park is eligible to receive in excess of \$50,000 through the grant program; and

WHEREAS, the application for this grant must be submitted by September 30, 2022; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby authorize the submission of the NYSDEC Zero Emission Vehicle Infrastructure grant application; and

BE IT FURTHER RESOLVED, that the Town Board also hereby authorizes the Town Supervisor to execute any and all documents relating to the application of said grant.

MOTION: Councilman Lombardi

SECOND: Councilman Prusakowski

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

RESOLUTION 9:12 – 9 OF 2022

RESOLUTION ADOPTING A SEQRA DETERMINATION OF NON SIGNIFICANCE FOR PROPOSED LOCAL LAW NO. C OF 2022 ENTITLED: “A LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO AMEND CHAPTER 108, ZONING, ARTICLE 23: RESIDENTIAL CARE FACILITIES”

WHEREAS, the Town of Hyde Park proposes to adopt Local Law No. C of 2022, entitled LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO AMEND CHAPTER 108, ZONING, ARTICLE 23: RESIDENTIAL CARE FACILITIES; and

WHEREAS, this determination of non-significant, i.e., negative declaration, is prepared in accordance with Article 8 of the Environmental Conservation Law: the NY State Environmental Quality Review Act (“SEQRA”) and its implementing regulations set forth in 6 NYCRR Part 617 (“Regulations”); and; and

WHEREAS, the Town Board is directly undertaking the Action and is the only involved agency and is therefore the lead agency for the environmental review of the Action pursuant to SEQRA and its implementing Regulations; and

WHEREAS, the name and address of the lead agency is the Town of Hyde Park Town Board, 4383 Albany Post Road, Hyde Park, New York 12538, and the Responsible Officer is Alfred Torreggiani, Town of Hyde Park Town Supervisor, with a telephone number at (845) 229-5111; and

WHEREAS, the Town Board, as lead agency, classified this Action as a Type I Action pursuant to 6 NYCRR § 617.6 of the Regulations; and

WHEREAS, the Town Board has caused the preparation of a Full Environmental Assessment Form (“FEAF”) for review of the Action; and

WHEREAS, the Town Board reviewed the FEAF, and all available information concerning the potential impacts of the proposed local law and found that the Town Board has sufficient information on which to base a determination of significance; and

WHEREAS, the Town Board has considered the criteria contained in 6 NYCRR § 617.7 and thoroughly analyzed all identified relevant areas of environmental concern.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board, acting as lead agency, has examined the impacts which may reasonably be anticipated to result from the Action, and hereby determines that the Action will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement need not be prepared.

BE IT FURTHER RESOLVED, that the Town Board hereby issues this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and its implementing Regulations; and

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the filing of this Negative Declaration and notice thereof pursuant to the requirements of SEQRA and 6 NYCRR § 617.12 of its implementing Regulations.

MOTION: Councilman Prusakowski
SECOND: Councilwoman Noakes

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

(PULLED)
RESOLUTION 9:12 – 10 OF 2022

RESOLUTION ADOPTING LOCAL LAW NO. C OF 2022 ENTITLED: “A LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO AMEND CHAPTER 108, ZONING, ARTICLE 23: RESIDENTIAL CARE FACILITIES”

WHEREAS, a local law was introduced to be known as Local Law No. C of 2022, entitled LOCAL LAW AMENDING THE TOWN OF HYDE PARK TOWN CODE TO AMEND CHAPTER 108, ZONING, ARTICLE 23: RESIDENTIAL CARE FACILITIES; and

WHEREAS, a public hearing in relation to said local law was held on September 12, 2022; and

WHEREAS, notice of said public meeting was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

WHEREAS, the Town Board classified this action as a Type I action for purposes of the State Environmental Quality Review Act (“SEQRA”) and acted as lead agency; and

WHEREAS, the Town Board adopted a SEQRA determination of non-significance, i.e., negative declaration, following review of the Action and all supporting information and documentation; and

WHEREAS, the Town Board considered the “Petition for Zoning Amendment” submitted by Hyde Park ALF Realty, LLC and all documents referenced therein related to the proposed legislative amendment and support of the local law; and

WHEREAS, the Dutchess County Department of Planning and Development reported that this was a matter of local concern; and

WHEREAS, pursuant to Town Code § 108-34.1(C), the Town of Hyde Park Planning Board provided a report dated September 7, 2022, which recommended that the Town Board adopt the local law as proposed; and

WHEREAS, the said local law has been on the desks of the members of the Town Board of the Town of Hyde Park for at least seven (7) days, exclusive of Sunday.

NOW, THEREFORE, BE IT RESOLVED, that the local law annexed hereto is hereby enacted.

BE IT FURTHER RESOLVED, that the Town Clerk shall file a certified original of this local law in the office of the Town Clerk and one (1) certified copy in the Office of the Secretary of State, State of New York, such certified copy to have attached thereto a certificate that it contains the correct text of the enactment of this local law.

MOTION:
SECOND:

TOWN OF HYDE PARK

LOCAL LAW NO. C OF THE YEAR 2022

**A LOCAL LAW AMENDING THE CODE OF THE TOWN OF
HYDE PARK TO AMEND CHAPTER 108, ZONING,
ARTICLE 23: RESIDENTIAL CARE FACILITIES**

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

SECTION 1. PURPOSE.

The Town Board has determined that in order to encourage the construction of residential care facilities, it is necessary to provide the Planning Board with the authority, and in its discretion, to waive the bulk requirement applicable to the maximum scale for a residential care facility, provided specific standards are met as set forth below.

SECTION 2. ZONING AMENDMENT.

Chapter 108, Zoning, of the Code of the Town of Hyde Park, Article 23: Residential Care Facilities, is hereby amended to add the following new section:

“108-23.6. Waiver.

- A. The Planning Board, in its discretion, may waive the Scale requirements set forth in § 108-5-15, Schedule of Bulk Regulations, provided the applicant demonstrates to the Planning Board’s satisfaction that the following conditions are met:
- (1) The waiver may be applied only to lots that are four (4) acres and larger;
 - (2) The proposed use will not have a significant negative visual impact on the neighborhood;
 - (3) The proposed use will not produce an undesirable change in the character of the neighborhood;
 - (4) The proposed use will not be a substantial detriment to nearby properties;
 - (5) The proposed use will not have a large, adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
 - (6) The maximum number of Residential Care Facility resident rooms or units shall not exceed 200.
- B. Conditions. In issuing a waiver, the Planning Board shall impose conditions where necessary to ensure the above standards in Section 108-23.6.A are met, including but not limited to:

- (1) increasing building setbacks to an adjoining lot;
- (2) reducing the building height;
- (3) imposing greater screening and buffering requirements; and
- (4) such other conditions necessary to ensure the waiver does not cause an adverse impact on adjoiningers.”

SECTION 3. SEVERABILITY.

In the event that any section, paragraph, sentence, clause, or phrase of this local law is held invalid or unconstitutional by any court of competent jurisdiction, the invalid or unconstitutional portions of this local law shall be deemed severed from the article and shall in no way affect the validity of the rest of this law.

SECTION 4. SUPERSESION.

This local law shall be adopted pursuant to the provisions 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 5. 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 § 27 of the Municipal Home Rule Law.

RESOLUTION 9:12 – 11 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO SCHEDULE A SPECIAL MEETING FOR MONDAY, SEPTEMBER 19, 2022, TO DISCUSS THE TOWN’S SUBMISSION AND INTENDED PURPOSE FOR THE DOWNTOWN REVITALIZATION INITIATIVE-NY FORWARD GRANT APPLICATION

WHEREAS, the Town of Hyde Park Town Board had set their regularly scheduled meetings for the last half of the year by Resolution 6:13 – 7 of 2022; and

WHEREAS, the Town is currently in the process of completing the grant application for the Downtown Revitalization Initiative-NY Forward Grant; and

WHEREAS, one of the requirements of the application is to hold a public event to help build support for the Town’s application; and

WHEREAS, the Town would like to hold a “Special Meeting” to conduct an informational workshop to identify the needs, opportunities, and potential projects, to discuss in detail how this grant funding would help offset the financial responsibilities to the Town to see these potential projects come to fruition.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby schedule a “Special Town Board Meeting” for Monday, September 19, 2022 at 6:00 p.m. for said informational workshop.

MOTION: Councilwoman Noakes
SECOND:

MOTION: Councilwoman Noakes
SECOND: Councilman Prusakowski

To amend this resolution by replacing it in its entirety with the amended resolution below.

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED TO AMEND

**AS AMENDED
RESOLUTION 9:12 – 11 OF 2022**

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WHEREAS, one of the requirements of the application is to hold a public event to help build support for the Town’s application; and

WHEREAS, the Town would like to hold a “Special Meeting” to conduct an informational workshop to identify the needs, opportunities, potential projects, and discuss in detail how this grant funding would help offset the financial responsibilities to the Town to see these potential projects come to fruition; and

WHEREAS, “The Special Meeting” shall also consider the adoption of Local Law C of 2022 Entitled: “A Local Law Amending the Town of Hyde Park Code to Amend Chapter 108, Zoning, Article 23: Residential Care Facilities.” as well as any other necessary Town business.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby schedule a “Special Town Board Meeting” for Monday, September 19, 2022 at 6:00 p.m. for said informational workshop.

MOTION: Councilman Prusakowski
SECOND: Councilman Lombardi

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED AS AMENDED

RESOLUTION 9:12 – 12 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT THE DUTCHESS COUNTY 2022 VETERAN’S MICROGRANT AWARD FOR THE TOWN OF HYDE PARK’S HOMETOWN HEROES BANNER PROJECT

WHEREAS, the Town of Hyde Park Town Board passed Local Law No. 1 entitled “A Local Law Amending the Town of Hyde Park Town Code to Add Chapter 29, Entitled ‘Veterans’ Affairs Committee” by Resolution 5:23 – 2 of 2022; and

WHEREAS, by Resolution 8:15 – 2 of 2022, the Veteran Affairs Committee Members and Chair were appointed; and

WHEREAS, the first project said committee would like to undertake in conjunction with the Town is establishing the Town’s Hometown Hero Banner Displays throughout the Town; and

WHEREAS, the Town was informed of possible County funding for said project by the Dutchess County Legislatures for the Town of Hyde Park; and

WHEREAS, the Town applied for the Dutchess Veterans’ Microgrant on August 17, 2022, through the Dutchess Count Grant Portal; and

WHEREAS, the Town was awarded by letter from the County Executive’s Office on or about September 9, 2022, that the Town will be receiving \$7,500.00 from the County to use towards their Hometown Heroes Banner Project to help offset the cost of equipment and maintenance for said project.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board is hereby authorized to accept the Dutchess County 2022 Veterans’ Microgrant Program Funding in the amount of \$7,500.00 for their Hometown Heroes Banner Project; and

BE IT FURTHER RESOLVED, that the Town of Hyde Park Town Supervisor is also hereby authorized to execute any and all documentation regarding said grant award.

MOTION: Councilwoman Ruggiero

SECOND: Councilman Lombardi

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

RESOLUTION 9:12 - 13 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT KATHLEEN HOPPE AS A PART TIME SECRETARY FOR THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS

WHEREAS, there currently exists a vacancy for a part time Zoning Board of Appeals Secretary in the Zoning Administrator’s Office due to the resignation of the previous ZBA Secretary Sarina Teuschler; and

WHEREAS, the position was advertised, interviews were held, and it was determined that Kathleen Hoppe was the best candidate to fill said position.

NOW THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby appoint Kathleen Hoppe as a part time secretary for the Town of Hyde Park Zoning Board of Appeals effective Wednesday, September 28, 2022, at a rate of \$20.76 per hour; and

BE IT FURTHER RESOLVED, that Ms. Hoppe's benefits, and all other terms and conditions of employment shall be subject to the Town of Hyde Park Employee Handbook.

MOTION: Councilman Lombardi
SECOND:

MOTION: Councilwoman Noakes
SECOND: Councilman Prusakowski

To amend this resolution by replacing it in its entirety with the amended resolution below.

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED TO AMEND

**AS AMENDED
RESOLUTION 9:12 - 13 OF 2022**

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT KATHLEEN HOPPE AS A PART TIME SECRETARY FOR THE TOWN OF HYDE PARK ZONING BOARD OF APPEALS

WHEREAS, there currently exists a vacancy for a part time Zoning Board of Appeals Secretary in the Zoning Administrator's Office due to the resignation of the previous ZBA Secretary Sarina Teuschler; and

WHEREAS, the position was advertised, interviews were held, and it was determined that Kathleen Hoppe was the best candidate to fill said position.

NOW THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby appoint Kathleen Hoppe as a part time secretary for the Town of Hyde Park Zoning Board of Appeals effective Wednesday, September 28, 2022, at an hourly rate of \$20.76 as established by the CSEA Town Hall Unit Collective Bargaining Agreement; and

BE IT FURTHER RESOLVED, and that said position is a Grade 4 in the aforementioned Collective Bargaining Agreement and is for up to seventeen hours per week; 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 of the Civil Service Law Rules and Regulations.

MOTION: Councilman Lombardi
SECOND: Councilman Prusakowski

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED AS AMENDED

RESOLUTION 9:12 - 14 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACCEPT THE DUTCHESS COUNTY 2022 MUNICIPAL INVESTMENT GRANT

**AWARD FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT'S
EXPLOSIVE DETECTION AND TRACKING K-9 UNIT PROGRAM**

WHEREAS, the Town of Hyde Park Police Department used to have a K-9 Unit that is no longer available due to budget restrictions; and

WHEREAS, the Town of Hyde Park Police Chief has determined that there is a need to reestablish a K-9 Unit for the Town of Hyde Park Police Department to assist with explosive detection, tracking of lost/missing suspects wanted in a crime, and for the recovery of property; and

WHEREAS, Dutchess County had presented to municipalities the opportunity to apply for grant funding that would cover all costs relating to the use of a K-9 Unit through the 2022 Dutchess County Municipal Investment Grant (MIG) Program; and

WHEREAS, by Resolution 4:4 – 12 of 2022, the Town received notice by letter from the County Executive dated August 2, 2022, that the Town of Hyde Park Police Department was awarded grant funding in the amount of \$92,900.00 to use towards the Police Department's K-9 Unit to help offset costs relating to said program.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board is hereby authorized to accept the 2022 Dutchess County Municipal Investment Grant (MIG) Program Funding in the amount of \$92,900.00 for their Explosive Detection and Tracking K-9 Unit Program for the Town of Hyde Park Police Department; and

BE IT FURTHER RESOLVED, that the Town of Hyde Park Town Supervisor is also hereby authorized to execute any and all documentation regarding said grant award.

MOTION: Councilman Prusakowski

SECOND: Councilwoman Noakes

VOICE VOTE:

ALL IN FAVOR 5

ALL OPPOSED 0 CARRIED

RESOLUTION 9:12 -15 OF 2022

**RESOLUTION AUTHORIZING TOWN OF HYDE PARK TOWN BOARD TO
WAIVE THE NOTICE REQUIREMENT WITH RESPECT TO THE LIQUOR
LICENSE APPLICATION FOR THE CULINARY INSTITUTE OF AMERICA
d/b/a THE EGG; AMERICAN BOUNTY; THE BOCUSE RESTAURANT;
CATERINA de MEDICIA; ST. ANDREW'S / POST ROAD BREW HOUSE AND
MARRIOTT PAVILION CONFERENCE CENTER IN THE TOWN OF HYDE
PARK**

WHEREAS, Alissa Yohey, Managing Partner of Yohey Law, PLLC for applicant, has advised the Town of Hyde Park by mail dated August 23, 2022, that the Culinary Institute (the "CIA") d/b/a The Egg; American Bounty; The Bocuse Restaurant; Caterina de Medici; St. Andrew's/Post Road Brew House and Marriott Pavilion Conference Center has applied to the New York State Liquor Authority for a new application of on-premises liquor license at 1995 Campus Drive, Hyde Park, New York 12538; and

WHEREAS, to expedite processing of the applicant's license application, Alissa Yohey has requested that the Town of Hyde Park Town Board waive the thirty (30) day waiting period provided by law; and

WHEREAS, the Town of Hyde Park Town Board does not intend to comment upon such application.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board hereby waives the thirty-day notice requirement contained in Section 110-b of the Alcoholic Beverage Control Law, and states that it does not intend to offer any comments regarding the application of the Culinary Institute (the "CIA") for a new license at premises located at 1995 Campus Drive, Hyde Park, New York 12538; and

BE IT FURTHER RESOLVED, that the Town of Hyde Park Town Clerk is directed to send a copy of this Resolution to the New York State Liquor Authority indicating the Town's waiver.

MOTION: Councilwoman Noakes
SECOND: Councilman Prusakowski

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

RESOLUTION 9:12 - 16 OF 2022

RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE REQUEST FROM THE CULINARY INSTITUTE OF AMERICA TO CONDUCT A FIREWORKS DISPLAY ON FRIDAY, SEPTEMBER 16, 2022, IN THE TOWN OF HYDE PARK

WHEREAS, the Town of Hyde Park Town Board received an application pursuant to Penal Law §405 from the Culinary Institute of America to conduct fireworks display on the evening of Monday, September 5, 2022, at approximately 9:30 p.m., on the campus of the Culinary Institute of America in conjunction with the Culinary Institute's annual "Week of Welcome Ceremony"; and

WHEREAS, the application addressed all of the requirements of Penal Law §405; and

WHEREAS, the Town Board had reviewed the application and accompanying documents received on or about July 20, 2022, copies of which are on file with the Town Clerk; and

WHEREAS, due to inclement weather, said fireworks display had to be cancelled; and

WHEREAS, the applicant has now submitted a new application requesting said fireworks display to be rescheduled to Friday, September 16th; and

WHEREAS, this application follows the same requirements and guidelines as the previous application; and

WHEREAS, the applicant has once again notified the Town of Hyde Park, the Hyde Park Chief of Police, the Dutchess County Sheriff's Office, and the Fire Chief of the Roosevelt Fire District of the fireworks display to be held on Friday, September 16, 2022; who will be working with on-campus safety personnel to ensure that all necessary and prudent safety precautions are in place for the conduct of the said fireworks display.

NOW THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board does hereby approve the new application submitted for a firework's display to be held at approximately 9:30 p.m., on Friday, September 16, 2022; and

BE IT FURTHER RESOLVED, that this approval is subject to the conditions set forth in the applicant's request for approval and accompanying submissions, dated September 8, 2022, and the requirements of Penal Law §405.

MOTION: Councilwoman Ruggiero
SECOND: Councilman Prusakowski

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

RESOLUTION 9:12 - 17 OF 2022

RESOLUTION AUTHORIZING THE RELEASE OF THE BALANCE OF ESCROW FOR COMPLETED PROJECT THAT WAS REVIEWED BY THE TOWN OF HYDE PARK ZONING ADMINISTRATOR

WHEREAS, escrow had been established for the review of the project as noted below; and

WHEREAS, the Zoning Administrator reviewed this project and recommends the release of the balance of escrow as said project has been completed at this time.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hyde Park Town Board, Town Comptroller, and all other personnel of the Town of Hyde Park who oversee the administration of the below listed escrow account are hereby authorized to release to the said applicant the balance as listed below from this account.

PROJECT	PROJECT #	ENGINEER	TOTAL
Mid-Hudson Development 11 Pond View Lot #8	05-21 ESC	\$978.44	\$978.44

MOTION: Councilman Lombardi
SECOND: Councilman Prusakowski

VOICE VOTE:

ALL IN FAVOR 5
ALL OPPOSED 0 CARRIED

NEW AND OLD BUSINESS:

Chief Benson updated the residents on the autistic gentleman, Christopher Imperatore, who has been missing since August 27, 2022. He assured the public that every effort is being made to find him and requested that citizens do not take it upon themselves to form search groups. Chief Benson wants to thank everyone who has helped in this extensive search.

Chief Benson read a letter from Sig Sauer, recognizing Officer Justin Felicello's quick action and selfless act in performing the Heimlich maneuver on a choking victim. Extreme appreciation was extended to Officer Felicello for this life saving act.

Supervisor Torreggiani read a letter of thanks to Highway Superintendent Howard Fisher and the highway department for a job well done on paving South Cross Rd.

Councilman Lombardi thanked Chief Benson and Lieutenant Caccia for all the hours spent on the missing person search. He also thanked the highway department for all their hard work on our roads.

Councilman Lombardi is asking town residents to remember that school is open and to please slow down driving and follow the speed limits.

Hyde Park Court has sent out 632 letters in regard to people who owe fines, hoping to collect revenue of \$108,000.

Thank you to the Paul Tegtmeier Committee and the Boy Scouts, who were instrumental in the memorial site looking impeccable for the annual ceremony.

Union Cemetery looks great, the grass is cut and the grounds are clean.

MOTION: Councilwoman Noakes
SECOND: Councilman Prusakowski

To adjourn.

VOICE VOTE:

ALL IN FAVOR	5	
ALL OPPOSED	0	CARRIED

The meeting adjourned at 7.25pm.

Respectfully submitted,



Donna McGrogan

Town Clerk