

MINUTES OF THE REGUAR MEETING, PUBLIC HEARINGS, AND WORKSHOP OF THE HYDE PARK TOWN BOARD, HELD AT TOWN HALL, 4383 ALBANY POST ROAD, HYDE PARK, NEW YORK, 12538, ON OCTOBER 18, 2021 AT 6:00 PM

PRESENT:

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

ABSENT: None

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

MOTION: Councilman Schneider  
SECOND: Councilman Ray

That the minutes of the October 4, 2021 Town Board meeting, as submitted by the Town Clerk, be approved.

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED

PUBLIC HEARINGS:

MOTION: Councilman Schneider  
SECOND: Councilman Ray

To open the continuation of the public hearing for revised Local Law No. G of the Year 2021 entitled: "A Local Law Amending Chapter 108, Zoning, to Amend Rural Events Venues."

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED

PUBLIC COMMENT: None

Attorney to the Town Warren Replansky stated that the law had been amended and placed on the desks of the Town Board. The public hearing on the amended law will be held on November 15, 2021.

MOTION: Councilman Schneider  
SECOND: Councilman Ray

To open the continuation of the public hearing for Local Law No. H of the Year 2021 entitled: "A Local Law amending the Town Code to add Chapter 98, Special Event Venues."

VOICE VOTE:

ALL IN FAVOR 5

ALL OPPOSED 0 CARRIED

PUBLIC COMMENT: None

MOTION: Councilman Schneider  
SECOND: Councilman Ray

To continue the public hearing to December 6, 2021.

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED

The Town Board entered workshop and discussed the following:

1. Town updates: commercial sewer district, active grants
2. CDBG grant application suggestions
3. Budget: non-union employees pay increase
- 4.

PUBLIC COMMENT ON RESOLUTIONS ONLY: None

**AMENDED AT THE DAIS**

**RESOLUTION 10:18 - 1 OF 2021**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE AND SET THE PUBLIC HEARING FOR THE 2022 PRELIMINARY BUDGET FOR THE TOWN OF HYDE PARK**

**WHEREAS**, the Town Supervisor, as Budget Officer, pursuant to §106 of the Town Law, with the assistance of the Town Comptroller, has presented the Tentative Budget to the Town Board for review, examination, and possible revisions; and

**WHEREAS**, the Town Board has reviewed the tentative budget in accordance with the requirements of §106 of the Town Law.

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The Tentative Budget filed with the Town Clerk, is hereby approved, and adopted and filed as the Preliminary Budget; and
2. The Town Board shall conduct a public hearing on the Preliminary Budget on November 1, 2021, at 6:10 p.m.; and
3. The Town Clerk is hereby directed to publish and post notice of said public hearing on the Preliminary Budget as required by law.

MOTION: Councilman Schneider

MOTION: Councilman Schneider  
SECOND: Councilman Ray

To amend Resolution 10:8 – 1 of 2021 by replacing it in its entirety with the version below.

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED TO AMEND

**AS AMENDED**

**RESOLUTION 10:18 - 1 OF 2021**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE AND SET THE PUBLIC HEARING FOR THE 2022 PRELIMINARY BUDGET FOR THE TOWN OF HYDE PARK**

**WHEREAS**, the Town Supervisor, as Budget Officer, pursuant to §106 of the Town Law, with the assistance of the Town Comptroller, has presented the Tentative Budget to the Town Board for review, examination, and possible revisions; and

**WHEREAS**, upon presentation of the Tentative Budget to the Town Board it became the Preliminary Budget; and

**WHEREAS**, the Town Board has reviewed the Preliminary budget in accordance with the requirements of §106 of the Town Law.

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. The Town Board made revisions to the Preliminary and as filed it with the Town Clerk on this day, is hereby adopted; and
2. The Town Board shall conduct a public hearing on the Preliminary Budget on November 1, 2021, at 6:10 p.m.; and
3. The Town Clerk is hereby directed to publish and post notice of said public hearing on the Preliminary Budget as required by law.

MOTION: Councilman Krupnick  
SECOND: Councilman Ray

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED AS AMENDED

**RESOLUTION 10:18 - 2 OF 2021**

**RESOLUTION APPROVING BUDGET REVISIONS TO THE TOWN OF HYDE PARK BUDGET FOR THE PERIOD OF SEPTEMBER 2021 BUDGET REVISIONS NUMBER 2021-09**

**WHEREAS**, the Town Comptroller recommends certain budget revisions to the Town of Hyde Park Budget 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 September 2021 identified as Budget Revisions Number 2021-09.

REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS	
<b>GENERAL FUND</b>					
#2021-09-01	01.1220.812	Supervisor Retirement	1,951.00		
	01.1410.812	Town Clerk Retirement	1,680.00		
	01.1430.812	Personnel Retirement	642.00		
	01.1620.812	Custodian Retirement	2,141.00		
	01.3120.810	Police Dispatchers Retirement	241.00		
	01.3120.812	Police Officers Retirement	33,069.00		
	01.3640.812	Bingo Inspector Retirement	120.00		
	01.5010.812	Highway Secretary Retirement	946.00		
	01.5132.812	Custodian Retirement	75.00		
	01.7510.812	Historian Retirement	18.00		
	01.8010.812	Zoning Retirement	2,508.00		
	01.1010.812	Town Board Retirement		1,270.00	
	01.1110.812	Justice Retirement		1,630.00	
	01.1315.812	Comptrollers Retirement		1,967.00	
	01.1330.812	Rec of Taxes Retirement		96.00	
	01.1355.812	Assessor Retirement		2,210.00	
	01.1621.812	Buildings Retirement		2,750.00	
	01.3620.812	Safety Inspection Retirement		8,875.00	
	01.7020.812	Recreation Admin. Retirement		3,598.00	
	01.7110.812	Parks Retirement		744.00	
	01.7111.812	Hackett Hill Staff Retirement		497.00	
	01.7140.812	Camp Staff Retirement		6,408.00	
	01.7180.812	Pool Staff Retirement		1,901.00	
	01.8020.812	Planning Board Retirement		1,597.00	
	01.9909	Appropriated Fund Balance		9,848.00	
			<b>- To Pay the Cost of Retirement Bill</b>		
	REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS

**GENERAL FUND  
CONT'D**

#2021-09-02	05.5130.812	Mechanics Retirement	1,469.00	
	05.5142.812	Snow Staff Retirement		1,469.00
		<b>- To Pay the Cost of Retirement Bill</b>		
#2021-09-03	01.1523	CIT Training	500.00	
	01.1589	Other Public Safety - BEAT Patrol	5,100.00	
	01.2211	HPCSD Special Events Services	2,223.00	
	01.2680	Insurance Recovery - Payroll	1,184.00	
	01.3120.105	PT Police OT		10,000.00
	01.3120.112	PT Police Hourly		40,000.00
	01.3120.103	FT Police Overtime	59,007.00	
		<b>- To Offset the FT Police Overtime Budget</b>		
#2021-09-04	01.3650.400	Property Maintenance Expenses	244.00	
	01.2612	Property Maintenance Fines	244.00	
		<b>- To Record the Fines</b>		
#2021-09-05	01.1110.450	Justice Copier and Maintenance	83.00	
	01.1110.480	Justice Conferences		83.00
	01.1220.400	Supervisor Contractual	450.00	

	01.1220.410	Supervisor Supplies		150.00
	01.1220.480	Supervisor Conference		300.00
	01.1420.491	Tax Certs. Counsel	259.00	
	01.1420.494	Safety Insurance Legal	110.00	
	01.1420.410	Attorney Supplies		369.00
	01.1430.410	Personnel Supplies	300.00	
	01.1430.480	Personnel Conferences		300.00
	01.1620.410	Supplies	500.00	
	01.1620.200	Equipment		500.00
	01.1670.410	Copier Supplies	260.00	
	01.1621.200	Equipment		260.00
	01.3120.113	FT Dispatcher OT	3,000.00	
	01.3120.112	PT Police Officer		3,000.00
	01.3120.430	Law Enforcement Insurance	1,315.00	
	01.1910.400	Insurance Premiums		1,315.00
	01.5010.410	Highway Superintendent Supplies	49.00	
	01.5010.160	Meal Allowance		49.00
REVISION NUMBER	ACCOUNT NUMBER	ACCOUNT TITLE & EXPLANATION	INCREASE DOLLARS	DECREASE DOLLARS

**GENERAL FUND CONT'D**

	01.7020.112	Recreation PT Registrar	512.00	
	01.7020.400	Recreation Admin. Gen. Exp.		309.00
	01.7020.480	Recreation Admin. Training		203.00
	01.7180.401	Pool Supplies	77.00	
	01.7180.400	Pool Repair Expense		77.00
	01.7551.113	Celebrations PT Labor	154.00	
	01.7551.440	Celebrations Contracts	87.00	
	01.7551.811	Celebrations Social Security	12.00	
	01.7551.410	Celebrations Supplies		253.00
		<i>- Various Deficits in Budget Lines</i>		

<b>#2021-09-06</b>	01.3120.210	Police Recorder	9,375.00	
	01.1110.210	Court AED	1,285.00	
	01.9909	Appropriated Fund Balance	10,660.00	
		<i>- Police Need to Upgrade Pone Recorder and Courtroom Needs a Defibrillator</i>		

<b>#2021-09-07</b>	01.2703	Solar Referral Fees	1,500.00	
	01.3401	Health - NYSERDA	5,000.00	
	01.8090.400	Environment Control Expenses	6,500.00	
		<i>- Allocate CAC Funds</i>		

**HIGHWAY FUND**

<b>#2021-09-08</b>	05.5110.490	Workplace/Drug Test	130.00	
	05.5020.400	Engineering		130.00
		<i>- Deficit in Budget Line</i>		

<b>#2021-09-09</b>	05.5110.103	Overtime	5,000.00	
	05.5110.121	Shift Differential	5,000.00	
	05.5142.900	Snow Reserve Fund		10,000.00
		<i>- To Allocate Funds in Deficits</i>		

**RECREATION TRUST**

<b>#2021-09-10</b>	07.9950.900	Transfer to Capital Fund	53,385.00	
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	07.9909	Appropriated Fund Balance	53,385.00	
		<i>- To Offset the Cost of Dinsmore Park Upgrade</i>		
<b>REVISION</b>	<b>ACCOUNT</b>	<b>ACCOUNT TITLE &amp;</b>	<b>INCREASE</b>	<b>DECREASE</b>
<b>NUMBER</b>	<b>NUMBER</b>	<b>EXPLANATION</b>	<b>DOLLARS</b>	<b>DOLLARS</b>

**CAPITAL PROJECTS**

**HIGHWAY RESURFACING**

#2021-09-11	58.5112.490	General Government Services	347.00	
	58.9909	Appropriated Fund Balance	347.00	
		<i>- To Clear Fund Balance</i>		

**DRAINAGE IMPROVEMENTS**

#2021-09-12	60.8000.200	Improvements	3,686.00	
	60.8000.440	Engineering		3,686.00
		<i>- Proceeds Being Used for Future Capital Improvement</i>		

**PARK IMPROVEMENTS**

**DINSMORE PARK**

#2021-09-13	72.7115.440	Engineer	430.00	
	72.7115.210	Fence		430.00
		<i>- To Allocate for Deficit</i>		

**SEWER**

#2021-09-14	80.8130.440	Sewer Consultant	3,000.00	
	80.8130.460	Sewer Engineer	122.00	
	80.9909	Appropriated Fund Balance	3,122.00	
		<i>- Proceed Used for Continuation of Sewer Feasibility Studies</i>		

MOTION: Councilman Ray  
 SECOND: Councilman Krupnick

VOICE VOTE:

ALL IN FAVOR 5  
 ALL OPPOSED 0 CARRIED

**RESOLUTION 10:18 – 3 OF 2021**

**AUTHORIZE THE TOWN OF HYDE PARK TOWN BOARD TO AMEND THE TOWN OF HYDE PARK PROCUREMENT POLICY FOR 2021**

**WHEREAS**, the Town Comptroller wishes to amend the Town’s current Procurement Policy due to minor changes as well as add under Section 2: “Evaluation of Purchases”, another section stating that local governments can utilize contracts that are awarded by other governmental agencies, called “piggybacking”. These include other State, Federal, and certain other government contracts. Use of these contracts constitutes an exemption to competitive bidding and offering requirements of the law. However, Purchase Orders will still be required, and the contract number should be included on the Purchase Order; and

**WHEREAS**, the Town Board is in agreement with this recommended change.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize the Town Comptroller to amend the Town's current Procurement Policy to include the above-mentioned change; and

**BE IT FURTHER RESOLVED**, that the Town Board does also hereby adopt the Town's amended Procurement Policy for 2021.

MOTION: Councilman Woodcock  
SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR     5  
ALL OPPOSED     0                   CARRIED

**RESOLUTION 10:18 – 4 OF 2021**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO SUBMIT A STATEMENT OF UNPAID CHARGES TO THE DUTCHESS COUNTY REAL PROPERTY TAX FOR INCLUSION ON THE 2022 TAX BILLS IN ACCORDANCE WITH THE PROVISIONS OF TOWN LAW**

**WHEREAS**, the Town Deputy Building Inspector served a notice of Compliance Order on the owner of the properties, at 2 Rymph Blvd. (6263-03-478498), 3 Glade Road (6263-03-489347), 46 Greentree Drive South (6165-01-297837), 9 Greenbush Drive (6163-04-504451), 40 Bircher Avenue (6163-02-667540), and 563 North Quaker Lane (6266-19-654134) in the Town of Hyde Park in accordance with the provisions of Chapter 85-5(B), Grass Maintenance Law; and served notice on 563 North Quaker Lane (6266-19-654134) in accordance with the provisions of Chapter 40 §40-9 Property Maintenance of the Town Code and proof of the sending and posting of said notices have 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 Orders; and

**WHEREAS**, pursuant to Town Law the Comptroller has submitted to the Town Board a statement of the unpaid charges which includes a description of the property, the grid number, location, and the chargeable amount to be imposed for each property; and

**WHEREAS**, these unpaid charges may be submitted to the Dutchess County Real Property Tax for levy upon the 2022 tax bills for the properties listed.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Hyde Park does hereby authorize the Town Supervisor to submit the statement of the unpaid charges to the Dutchess County Real Property Tax for inclusion on the 2022 tax bills in accordance with the provisions of Town Law.

MOTION: Councilman Schneider  
SECOND: Councilman Woodcock

VOICE VOTE:

ALL IN FAVOR     5  
ALL OPPOSED     0                   CARRIED

**RESOLUTION 10:18 - 5 OF 2021**

**RESOLUTION ACCEPTING AMENDED LOCAL LAW AND CONTINUING THE LOCAL LAW ADOPTION PROCESS FOR LOCAL LAW NO. G OF THE YEAR 2021 ENTITLED: "A LOCAL LAW AMENDING THE TOWN OF HYDE PARK CODE, CHAPTER 108, ZONING TO AMEND RURAL EVENT VENUES" AND CONTINUING THE PUBLIC HEARING**

**WHEREAS**, The Town Board had determined that adjustments to the standards applicable to rural event venues was necessary to ensure that sufficient land is provided in connection with a rural event venue so as to protect existing residential uses, to ensure that it meets the intent of allowing venues as a means of preserving existing barns and buildings in the Town, and to regulate a venue's capacity to ensure the venue remains primarily accessory to the principal use of the lot on which the venue is occurring; and

**WHEREAS**, the Town Board had requested the Town's Consultant Planner, Bonnie Franson, to prepare a local law amending Chapter 108 of the Zoning Code with regard to rural event venues to provide certain needed changes and clarifications to the law regarding rural event venues; and

**WHEREAS**, a local law had been prepared by the Town's Planner and reviewed by the Attorney to the Town which had been determined to be acceptable for purposes of commencing the local law adoption process; and

**WHEREAS**, this action was declared to be a Type II action under SEQRA, which did not require environmental review; and

**WHEREAS**, the Town Board accepted Local Law No. G of the Year 2021 entitled: "A Local Law Amending the Town of Hyde Park Code, Chapter 108, Zoning to Amend Rural Event Venues" for purposes of commencing the local law adoption process and scheduled a public hearing on this local law at a regular meeting of the Town Board on September 13, 2021; and

**WHEREAS**, the Town Clerk forwarded a copy of the local law to the Hyde Park Planning Board for its input and comments and to Dutchess County Department of Planning and Development in accordance with the requirements of §239-m of the General Municipal Law; and

**WHEREAS**, the Town Board, after opening the public hearing and receiving comments on the said Local Law from the public, Town Board members, Dutchess County Department of Planning and Development and the Hyde Park Planning Board, determined to make further amendments to the proposed Zoning Law and directed its Planning Consultant to prepare such amended Zoning Law; and

**WHEREAS**, the said amended proposed Zoning Law has been provided to the Town Board in final form and has been determined to be acceptable for purposes of continuing the local law adoption process.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby accepts the amended Local Law No. G of the Year 2021 entitled: "A Local Law Amending the Town of Hyde Park Code, Chapter 108, Zoning to Amend Rural Event Venues" and continues the public hearing on said amended Local Law to November 15, 2021, at 6:05 p.m.; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to send a copy of the Local Law, as amended, to the Dutchess County Department of Planning and Development for its review and comment and to the Town of Hyde Park Planning Board for its review and comment; and



**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to post notice of the adjourned public hearing on the Town’s official board and its website and to make available a copy of the amended proposed Local Law at the office of the Town Clerk during regular business hours and to provide such other notice as may be required to adjoining municipalities.

MOTION: Councilman Krupnick  
SECOND: Councilman Ray

VOICE VOTE:

ALL IN FAVOR      5  
ALL OPPOSED      0                      CARRIED

**TOWN OF HYDE PARK**

**LOCAL LAW NO. G OF THE YEAR 2021**

**A LOCAL LAW AMENDING THE TOWN OF HYDE PARK CODE,  
CHAPTER 108, ZONING, TO AMEND RURAL EVENT VENUES**

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

**SECTION 1.                      TITLE.**

This Local Law shall be entitled: “A Local Law Amending the Town of Hyde Park Code, Chapter 108, Zoning, to amend standards applicable to Rural Event Venues”.

**SECTION 2.                      PURPOSE.**

The Town Board has determined that adjustments to the standards applicable to rural event venues is necessary in order to ensure that sufficient land is provided in connection with a rural event venue so as to protect existing residential uses, to ensure that it meets the intent of allowing venues as a means of preserving existing barns and buildings in the Town, and to regulate a venue’s capacity to ensure the venue remains primarily accessory to the principal use of the lot on which the venue is occurring.

**SECTION 3.**

Chapter 108, Zoning, of the Town of Hyde Park Code, Article 28, Rural event venue, is hereby amended to provide as follows:

- A. Section 108-2.2, Terms defined, is amended to delete the definition of “Event Barn” and to replace it with the following definition:

**“EVENT STRUCTURE**

A pre-existing agricultural barn or other similar agricultural building or other accessory structure adaptively reused as a rural event venue pursuant to § 108-28 of the Town Code. For purposes of these regulations, “pre-existing” shall mean any agricultural building or accessory structure legally in existence on January 1, 2010.”

- B. Section 108-2.2, Terms defined, is amended to delete the definition of “Rural Event Venue” and to replace it with the following definition:

**“RURAL EVENT VENUE**

The accessory use of land or pre-existing buildings or structures in the Greenbelt or Waterfront Districts for gatherings and events where

compensation is paid to the property owner for said use, such as, but not limited to, weddings, parties, fundraisers, conferences, and other similar events but not including events such as races, concerts, and haunted houses. This definition is not applicable in any other zoning district.”

C. Article 28, Rural Event Venue, is hereby deleted and replaced by the following new Article 28:

**“§ 108-28 ARTICLE 28: RURAL EVENT VENUE**

**§ 108-28.1 Use Standards.**

A rural event venue must demonstrate compliance with the following standards in addition to the special use standards set forth in § 108-8.4A of the Zoning Law and site plan standards set forth in § 108-9.5:

- A. The rural event venue shall be located on a site with a minimum of 20 acres. The rural event venue shall be only located in an event structure as that term is defined in 108-2.2 and shall be accessory to a principal use otherwise allowed in the applicable zoning district. Rural event venues shall utilize the principal or accessory buildings on the site. A rural event venue shall not be established as a separate stand-alone use. The creation of any additional principal use or expansion of the existing principal use which requires a site plan and/or special use permit application shall also require that the special use permit for a rural event venue approved on the same property be resubmitted to the Planning Board for review and re-approval. The Planning Board at that time shall determine what additional information may be needed as part of said review.
- B. The site of the rural event venue shall have at least two means of egress, at least one of which is adequate for emergency vehicles, as determined by the Planning Board in consultation with emergency responders based on its width, length, surface, and ability to support the gross vehicle axle weight of emergency vehicles.
- C. The maximum number of attendees at a rural event venue shall be 300, exclusive of employees, caterers, and similar support personnel. The Planning Board, in its discretion, may lower the maximum number of attendees for an event venue, or establish a maximum total number of events, based on its review of the application, adjoining land uses, location of the event venue in a neighborhood generally and on the property specifically, and other standards set forth herein. The Planning Board shall establish the maximum number of events permitted in any calendar year as part of the special use permit and site plan approval, which events shall not exceed 12 per calendar year, except the Planning Board, in its discretion, may allow up to 24 events per calendar year. In determining the number of events that shall be allowed, the Planning Board shall consider the following:
  - (1) The site can accommodate the capacity and frequency of the events without impacts to the community character, privacy of adjoining, ambient noise levels, traffic patterns, and other characteristics of the neighborhood.
  - (2) Activities will be accommodated within indoor building space, especially those that generate significant noise, such as amplified sounds from bands.
  - (3) The streets giving access thereto can readily accommodate traffic that will occur on a regular basis and will not result in any

queuing of vehicles on the road or present a nuisance to motorists accessing properties along the same or adjacent roads.

- (4) The events will not be of such a scale or at a frequency to require the use of local security/law enforcement.
- (5) Septic generation and water supply demand can be accommodated.
- (6) The impact of the event venue on fire and police protection and ambulance service to the areas contiguous to the event and to the Town in general shall be de minimis.
- (7) The number of rural event venues shall not require or result in the installation of tents, portable restrooms, and restroom trailers for longer than one (1) week, or more than two events, whichever involves a lesser time period, unless the Planning Board makes a finding that the installation of said facilities for a longer time period will not result in any detrimental sanitary conditions and meets all applicable regulations.
- (8) Whether the owner/operator has violated a previously issued special use permit for an event venue.
- (9) Any other findings related to the health, safety, and welfare of the general public.
- (10) The rural event venue meets the Uniform Fire Code where applicable.

D. The applicant shall demonstrate that all required parking can be accommodated on-site. This requirement shall not preclude a rural event venue from utilizing shuttle buses or other methods of guest transportation.

E. All events shall be provided with adequate potable water and sanitary system as determined by the Planning Board Engineer and/or the Department of Health.

F. No parking areas, structures, gathering locations, or other facilities or structures being used in connection with the rural event venue, other than a driveway(s), shall be located within 100 feet of any property line. The Planning Board shall require appropriate buffers between the rural event venue and adjoining properties, given the size of parcel, the natural topography, and vegetative cover.

G. Seating for events may occur outdoors, under a fabric structure temporarily constructed on the property, or in an event barn meeting the standards in § 108-28.2 below. The use of fabric structures such as tents shall be allowed accessory to the event structure associated with the principal use of the property. Nothing herein shall allow the establishment of a rural event venue that solely utilizes fabric structures.

H. Locations for proposed temporary fabric structures must be included on the site plan. All buildings and structures, including fabric structures, to be used as part of the rural event venue shall, where required, obtain a certificate of occupancy for their intended uses, including an event structure meeting the standards in § 108-28.2 below.

- I. The Planning Board, in granting special use permit and site plan approval, shall determine the permitted hours of operation of a rural event venue. Events shall commence no earlier than 10:00 a.m. and shall terminate no later than 10:00 p.m. on Sundays through Thursdays and no later than midnight on Fridays and Saturdays. No single event shall have a duration longer than 48 hours. However, the Planning Board shall have the power to modify the commencement and termination times for a particular site in accordance with § 108-28.3A (4) based upon the specifics of the application before it, provided the modifications do not impact the health, safety and welfare of the neighborhood and the surrounding community. For purposes of this section, "termination" shall mean the termination of food, drinks, service, and entertainment, with the understanding that attendees and servers will need a reasonable amount of time after termination to exit the premises. An event management plan shall be prepared and submitted to the Planning Board for review as part of the special use permit and site plan application. The plan shall include provisions for traffic and parking management, hours of operation, noise abatement, sanitary facilities and maximum number of guests. The plan shall also include a list of contacts for specific distress or emergency situations to be used by the guests which shall be provided for each event, and the legal name and address of an emergency contact person at the site shall be provided. The Planning Board may in its discretion require that events provide for adequate on-site ambulance coverage. The event management plan shall be incorporated into the special use permit and site plan approval.
- J. The application, site plan and event management plan shall be referred by the Planning Board to the appropriate fire district, fire department or other fire and safety provider for comment and recommendations with regard to fire and safety issues associated with the operation of the rural venue and the use of an event barn, if proposed. The application may also be referred to the applicable highway department and Hyde Park Police Department at the discretion of the Planning Board.

**§ 108-28.2 Event structure.**

Rural event venues may utilize event structures, including but not limited to barns, as defined in Section 108-2.2 of this zoning chapter provided the following criteria are satisfied:

- A. The use of an event structure shall be permitted only after issuance of a building permit and a certificate of occupancy for public assembly by the Town's Code Enforcement Officer.
- B. The applicant shall provide the Code Enforcement Officer and Zoning Administrator with a plan prepared by a registered licensed design professional to improve the event structure to enable it to obtain a certificate of occupancy for an assembly area, where none exists. A copy of the plan shall also be submitted to the Planning Board as part of site plan review.
- C. The occupancy of the event structure shall not exceed occupancy load and exiting provisions of the New York State Uniform Code and those occupancy load limits shall be posted at the premises by the Town's Code Enforcement Officer. Nothing shall be interpreted to allow more than 300 attendees as part of a rural event venue.

**§ 108-28.3 Special use permit and site plan approval submission.**

- A. The special use permit and site plan for a rural event venue must include:

- (1) The maximum number of attendees permitted during any event.
  - (2) The hours of operation of the special event venue and whether amplified sound is permitted.
  - (3) Any other conditions on operation, design, and layout reasonably necessary to ensure compatibility with surrounding uses and to protect the natural, historic, and scenic resources of the Town and of the Waterfront and Greenbelt Districts.
  - (4) Items in Subsection A (1) through (3) above shall be determined by the Planning Board based on the size of the parcel, location, topography, parking, proximity of neighbors, emergency access and the ability of existing and proposed buffers to provide sound attenuation.
  - (5) The event management plan shall be attached to the special use permit and shall be made a condition of same.
  - (6) The Planning Board may establish a time period for the expiration of any special permit based on the specific nature of the rural event venue.
- B. Once a special use permit has been granted to permit a rural event venue at a particular site, individual events may be held at the site without further review by the Planning Board so long as such events are compliant with the limitations in the event management plan and special use permit, including the limits on the total number of events established by the Planning Board as part of the special use permit as per Section 108-28.1.C.
- (1) Notice of individual events shall be provided via electronic mail to the Town Zoning Administrator, Town, County and State police departments and the applicable fire district 30 days before each event, or as soon as possible for events scheduled on less than 30 days' notice. Rural event venues shall be enforced in accordance with Section 108-30 and 108-35.1 of this Zoning chapter and Chapter 78, Nuisances.

#### **§ 108-28.4 Renewals and Fees.**

- A. Renewals. A rural event venue special permit shall be renewed annually. The rural event venue shall be valid for a period of one year from the date that a certificate of occupancy is issued for same, and that it shall automatically renew upon submission by the record owner of an annual certification attesting that the rural event venue is operating in accordance with its special use permit and site plan; and payment of an annual renewal fee. The special permit shall renew upon a determination by the Zoning Administrator that the use has been maintained in accordance with all requirements herein and any applicable conditions of the approval. The Zoning Administrator has the authority to inspect the facilities to ensure all conditions are met.
- B. If the Zoning Administrator determines at any time prior to renewal that the use has not been maintained in accordance with the requirements herein or any applicable conditions of approval, the Zoning Administrator shall give notice of such determination to the record owner and the record owner shall submit an application to the Planning Board for approval in order to continue operation. The Planning Board shall approve, disapprove, or approve with conditions the rural event venue, as amended,

after a public hearing is held. The Planning Board shall consider the Zoning Administrator's findings in evaluating whether to renew the special use permit.

C. The annual renewal fee in accordance with the Town of Hyde Park Fee Schedule.”

**SECTION 4. SEVERABILITY.**

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

**SECTION 5. SUPERSESSON.**

This local law is hereby 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 6. EFFECTIVE DATE.**

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**RESOLUTION 10:18 - 6 OF 2021**

**RESOLUTION COMMENCING THE LOCAL LAW ADOPTION PROCESS FOR LOCAL LAW NO. L OF THE YEAR 2021 ENTITLED: “A LOCAL LAW FURTHER AMENDING SECTION 70-3(E) OF THE TOWN OF HYDE PARK CODE”**

**WHEREAS**, the Town Clerk and the Hyde Park Chief of Police have informed the Town that there are certain provisions of Chapter 70 of the Town Code relating to hawking and peddling licenses which are insufficient with regard to the forwarding of applications for investigation by the Division of Criminal Justice Services and with regard to the ability of the Town to refuse a license, to, or to remove the license of, any person in the judgment of the Town Board shall be an undesirable person or incapable of properly conducting, the trade or business desired; and

**WHEREAS**, the Town Board had requested the Attorney to the Town to prepare a local law appropriately amending Section 70-3(E) of the Town Code to comply with the request of the Division of Criminal Justice Services; and

**WHEREAS**, the Attorney to the Town has prepared proposed Local Law No. L of the Year 2021 entitled: “A Local Law Further Amending Section 70-3(E) of the Town of Hyde Park Code”; and

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

**WHEREAS**, the Town Board has determined that the said Local Law is acceptable in form and content for purposes of commencing the local law adoption process.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby schedules a public hearing on the adoption of Local Law No. L of the Year 2021

on November 1, 2021, at 6:15 p.m. at Hyde Park Town Hall; and

**BE FURTHER RESOLVED**, that the Town Clerk is hereby directed to post a copy of this Resolution and the proposed Local Law on the Town’s official website and on the Town’s official board and to give such notice of the adoption of said Local Law as may be required by law.

MOTION: Councilman Ray

SECOND: Councilman Krupnick

VOICE VOTE:

ALL IN FAVOR 5

ALL OPPOSED 0

CARRIED

**TOWN OF HYDE PARK**

**LOCAL LAW NO. L OF THE YEAR 2021**

**A LOCAL LAW FURTHER AMENDING**

**SECTION 70-3(E) OF THE TOWN OF HYDE PARK CODE**

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

**SECTION 1. TITLE.**

This Local Law shall be entitled: “A Local Law Further Amending Section 70-3(E) of the Town of Hyde Park Code”.

**SECTION 2. PURPOSE AND AUTHORITY.**

The Town Board, pursuant to Local Law No. 2 of the Year 2021 amended certain provisions of Chapter 70 of the Town of Hyde Park Code relating to hawking and peddling licenses, which were deemed to be insufficient with regard to the forwarding of applications for investigation by the Division of Criminal Justice Services. The Town has been notified by the Division of Criminal Justice Services that they require certain additional amendments to Section 70-3(E) of the Town of Hyde Park Code.

**SECTION 3.**

Section 70-3(E) of the Town of Hyde Park Code is hereby deleted in its entirety and in its place a new section 70-3(E) of the Town Code is hereby enacted to read as follows:

“Licenses for hawkers and peddlers shall be issued by the Town Clerk of the Town of Hyde Park, subject to approval of the Town Board of the Town of Hyde Park. Applicants shall submit their applications to the Town Clerk of the Town of Hyde Park with all required information and a nonrefundable application fee set by the Town Board in the Town’s Fee Schedule. The Town Clerk shall forward the fingerprints of the applicants and applicable fees to the Division of Criminal Justice Services, in the form and manner as prescribed by the Division, for a search of its criminal history records, and

shall review the report returned by the Division. The Town Clerk shall recommend a “yes” (approve) or “no” (deny) to the Town Board for its approval or disapproval of the application. Upon notification by the Town Board of the approval, the Town Clerk shall be authorized to issue said license after payment of the fee as hereinafter set forth. Upon notification of disapproval by the Town Board, the notice of disapproval shall be transmitted to the applicant.”

**SECTION 4. SEVERABILITY.**

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

**SECTION 5. SUPERSESION.**

This local law is hereby 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 6. EFFECTIVE DATE.**

This local law shall take effect immediately upon filing in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

**RESOLUTION 10:18 – 7 OF 2021**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO ACKNOWLEDGE THE RESIGNATION OF BRENT PICKETT AS A MEMBER OF THE TOWN OF HYDE PARK PLANNING BOARD**

**BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby acknowledge the resignation of Brent Pickett as a member of the Town of Hyde Park Planning Board effective October 31, 2021; and

**BE IT FURTHER RESOLVED** that the Town Board also wishes to thank Brent Pickett for his many years of service as a Town of Hyde Park Planning Board member.

MOTION: Councilman Woodcock  
SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED

**AMENDED AT THE DAIS**

**RESOLUTION 10:18 – 8 OF 2021**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE PURCHASE OF A NEW SPEED TRAILER FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT**



**WHEREAS**, the Town of Hyde Park Police Department is in need of replacing its current Speed Trailer which is non-functional and has exceeded its useful life; and

**WHEREAS**, the Town of Hyde Park Police Chief was given a reasonable quote on a new Onsite 300 MX Speed Trailer from MS Martin Enterprises, Inc. which falls under the “PiggyBack Contract” through NASPO ValuePoint and therefore complies with the Town’s Procurement Policy and Procedures; and

**WHEREAS**, the Town Supervisor and Town Comptroller reviewed this request and quote with the Town of Hyde Park Police Chief and recommend that this Speed Trailer be replaced; and

**WHEREAS**, the purchase this Speed Trailer will be funded by the Town Comptroller in the November 2021 Budget Revisions.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize the purchase of a new OnSite 300MX Speed Trailer from MS Martin Enterprises, Inc. for the Town of Hyde Park Police Department at a total cost not to exceed \$9,201.53.

MOTION: Councilman Schneider

MOTION: Councilman Schneider  
SECOND: Councilman Ray

To amend Resolution 10:18 – 8 of 2021 to reflect the correct price of the trailer, which is \$9,210.53.

VOICE VOTE:

ALL IN FAVOR     5  
ALL OPPOSED     0                   CARRIED TO AMEND

**AS AMENDED**

**RESOLUTION 10:18 – 8 OF 2021**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPROVE THE PURCHASE OF A NEW SPEED TRAILER FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT**

**WHEREAS**, the Town of Hyde Park Police Department is in need of replacing its current Speed Trailer which is non-functional and has exceeded its useful life; and

**WHEREAS**, the Town of Hyde Park Police Chief was given a reasonable quote on a new Onsite 300 MX Speed Trailer from MS Martin Enterprises, Inc. which falls under the “PiggyBack Contract” through NASPO ValuePoint and therefore complies with the Town’s Procurement Policy and Procedures; and

**WHEREAS**, the Town Supervisor and Town Comptroller reviewed this request and quote with the Town of Hyde Park Police Chief and recommend that this Speed Trailer be replaced; and

**WHEREAS**, the purchase this Speed Trailer will be funded by the Town Comptroller in the November 2021 Budget Revisions.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize the purchase of a new OnSite 300MX Speed Trailer from MS Martin Enterprises, Inc. for the Town of Hyde Park Police Department at a total cost not to exceed \$9,210.53.

MOTION: Councilman Schneider  
SECOND: Councilman Woodcock

VOICE VOTE:

ALL IN FAVOR      5  
ALL OPPOSED      0                      CARRIED AS AMENDED

**RESOLUTION 10:18 – 9 OF 2021**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN SUPERVISOR TO ENTER INTO AN AGREEMENT BETWEEN TACONIC RESOURCES FOR INDEPENDENCE, INC., MID-HUDSON INTERPRETER SERVICE (MHIS) AND THE TOWN OF HYDE PARK FOR SIGN/VISUAL LANGUAGE(S), ORAL, AND/OR TACTILE METHODS OF INTERPRETING SERVICES FOR THE TOWN OF HYDE PARK POLICE DEPARTMENT**

**WHEREAS**, the Town of Hyde Park Police Chief has been in contact with Taconic Resources about Mid-Hudson Interpreter Services as the Hyde Park Police Department currently does not have a way of providing interpreter services for the deaf and hearing-impaired community as required by The Americans with Disabilities Act; and

**WHEREAS**, the rates for said services payable to MHIS is for a two (2) hour minimum appearance as stipulated in the agreement for all services, per interpreter with hourly rates and charges as stated; and

**WHEREAS**, in the event services are not used during any given timeframe, there will be no fee associated with having said agreement in place; and

**WHEREAS**, by having said agreement the Town will be in compliance with the Americans with Disability Act.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize the Town Supervisor to enter into an agreement between Taconic Resources for Independence, Inc., Mid-Hudson Interpreter Service (MHIS) and the Town of Hyde Park for Sign/Visual Language(s), Oral, and/or Tactile Methods of Interpreting Services for the Town of Hyde Park Police Department in the same, or substantially similar form as submitted to the Town and approved by the Attorney to the Town

MOTION: Councilman Krupnick  
SECOND: Councilman Ray

VOICE VOTE:

ALL IN FAVOR      5  
ALL OPPOSED      0                      CARRIED

**RESOLUTION 10:18 - 10 OF 2021**

**RESOLUTION AUTHORIZING TOWN OF HYDE PARK POLICE OFFICER MICHAEL STALLONE TO ATTEND THE FIVE-DAY COMMUNITY RESOURCE OFFICERS COURSE HOSTED BY THE NEW YORK STATE POLICE**

**JUVENILE OFFICERS ASSOCIATION OCTOBER 25<sup>TH</sup> - OCTOBER 29<sup>TH</sup>, 2021, AT THE WESTCHESTER COUNTY POLICE ACADEMY**

**WHEREAS**, Hyde Park Police Chief Robert Benson has requested approval for Police Officer Michael Stallone to attend the five-day Community Resource Officers Course hosted by the New York State Police Juvenile Officers Association October 25<sup>th</sup> – October 29<sup>th</sup>, 2021, at the Westchester County Police Academy; and

**WHEREAS**, the Town Board deems it appropriate and beneficial for Police Officer Michael Stallone to attend this training; and

**WHEREAS**, the fee associated with this course is \$150.00 and will be allocated from the 2021 Police Training Budget.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby authorize Police Officer Michael to attend the five-day Community Resource Officers Course hosted by the New York State Police Juvenile Officers Association October 25<sup>th</sup> – October 29<sup>th</sup>, 2021, at the Westchester County Police Academy; and

**BE IT FURTHER RESOLVED**, that the Town Board also authorizes reimbursement for necessary business expenditures deemed appropriate and reasonable.

MOTION: Councilman Ray  
SECOND: Councilman Krupnick

VOICE VOTE:

ALL IN FAVOR     5  
ALL OPPOSED     0                    CARRIED

**RESOLUTION 10:18 – 11 OF 2021**

**RESOLUTION AUTHORIZING THE TOWN OF HYDE PARK TOWN BOARD TO APPOINT WAYNE NICKERSON AS A FULL-TIME MOTOR EQUIPMENT OPERATOR FOR THE TOWN OF HYDE PARK HIGHWAY DEPARTMENT**

**WHEREAS**, there exists a vacancy in the Hyde Park Highway Department for a full time Motor Equipment Operator; and

**WHEREAS**, the Town of Hyde Park Highway Superintendent has conducted interviews and wishes to hire Wayne Nickerson as his new full time Motor Equipment Operator.

**NOW THEREFORE BE IT RESOLVED**, that the Town of Hyde Park Town Board does hereby appoint Wayne Nickerson as a full time Motor Equipment Operator for the Town of Hyde Park Highway Department effective November 1, 2021; and

**BE IT FURTHER RESOLVED**, that the Town Board does also hereby authorize his hourly rate of \$21.51 as established by the CSEA Highway Unit Collective Bargaining Agreement; and

**BE IT FURTHER RESOLVED**, that said appointment is subject to a probationary period as set forth in the Civil Service Law of the State of New York and shall be subject to all Civil Service Law Rules and Regulations.

MOTION: Councilman Woodcock  
SECOND: Councilman Schneider

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED

NEW AND OLD BUSINESS: None

MOTION: Councilman Schneider  
SECOND: Councilman Ray

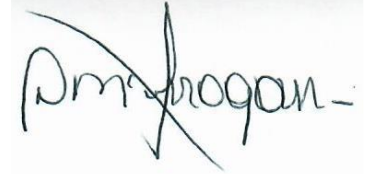
To adjourn.

VOICE VOTE:

ALL IN FAVOR 5  
ALL OPPOSED 0 CARRIED

The meeting adjourned at 7:00pm.

Respectfully submitted,

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

Donna McGrogan  
Town Clerk