

**REGULAR VILLAGE BOARD MEETING  
PUBLIC HEARINGS  
VILLAGE OF FISHKILL, 1095 MAIN STREET  
AUGUST 17, 2009**

7:08 PM

Mayor opens public hearing for Bill W-2009 a proposed local law to amend the classes of districts, schedules of regulations for said districts and the zoning map of the Village

Ken Stenger discusses letter he submitted to Board (on file)

Gerald Vergilis, 76 Jackson discusses letter he submitted to Board (on file)

Mayor: I would like to just put out there that the committee was charged with looking at the Village as a whole. They looked at Main Street, the business district, how to enhance it, how to move it down. There is a proposal, very preliminary; no official proposal has come to anybody, other than the owner saying this is what we would like to see. How much that affected the committee, I don't know. The Board looked at their proposal and it's obviously something that looks good on paper, but what was said at the time was. We're in the middle of our rezoning. The committee was driven by the bigger picture, the goals of the Village, of the Board. I just want to put it out there that we're trying to work with your concerns and comments, and Ken for their concerns and comments for his client, and what they can do. But the committee is working with the Village as a whole. The goal is that, right now the Village business district kind of ends right here, doesn't go beyond the Village Hall as far as walking traffic and storefronts and that kind of stuff. What we're looking for is to expand that, so that people will walk down, so that CVS isn't way down there, that its part of the Village. So the medical group property has somebody looking at it, there have been other things that have been proposed there, and other potential owners that have proposed things that we've totally discounted, the big box drug store is not going on that corner, although they have tried to approach the Village to allow that. The goal is not for that project or against that project, the goal is to take the Village and expand and make it pedestrian friendly, shopper friendly, more people down at that end because there are viable businesses down there that don't get the same opportunity as what people consider the Village, this one block area and we don't want the Village to be a one block area.

As Ken asked, and as we can agree, we're not rushing into this, there is no deadline. When we finally pass everything, I don't want the first project to come in and get variances.

Discussion continues.

Marilyn Coates, 22 Weston questions if the Webb property is going to be changed to commercial

No change to the Webb property

Mayor closes public hearing for Bill W-2009

Mayor cancels the public hearing for Bill Z-2009 a proposed local law to Amend the Standards for Special Permits for multi family dwellings and Bill B1-2009 a proposed local law to amend the off street parking requirements in the Village Zoning Code and Bill D1-2009 a proposed local law to amend the word usage and definitions contained in the village zoning code.

Mayor opens public hearing for Bill Y-2009 a proposed local law regulate home occupations under the Village of Fishkill zoning code, no public comments

Mayor closes public hearing for Bill Y-2009 and opens public hearing for Bill A1-2009 a proposed local law to amend the historic preservation overlay zone, no public comments.

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AUGUST 17, 2009**

Page 2

Mayor closes public hearing for Bill A1-2009 and opens public hearing for Bill C1-2009 a proposed local law to amend the law and procedure for demolition of buildings in the Village of Fishkill.

Representative from the Fishkill United Methodist Church asks for an explanation of the current procedure for demolishing a building in regards to what is lacking with the existing laws and procedures and what value does the Board provide.

Mayor: The view of and the goals of how the Village is going to progress is always in the hands of this Village Board, and the idea was that somebody wants to take a house down, and you guys can feel how you want to feel about it, but you people are not the only people that want to take houses down and I feel the Mr. Webb would probably stand here and argue that he has a better case than you about taking a house down. The Village board is the Board that should make the decisions on the big picture of how the Village wants to be. We're the ones sitting here tonight making the decisions on the zoning codes, the planning codes, and the direction that the Village wants to go in. The request and the idea was that the planning and zoning boards didn't want to take that burden based on just a narrow legal decision, they wanted to put it back to this Board to this Body, the elected officials to make the decision on when, where and if any building in the Village that somebody wants to take down. This Board currently has a very strong opinion on demolition of buildings within the Village. We cannot direct our planning board to do things, they're autonomous. We collectively decided that if someone wants to take a building down it would be the Village Board, the elected officials decision whether that comes down or not. That's why we inserted the Village Board into the process.

Methodist Church Rep questions the medical group property

Mayor: Those houses will fall under the same jurisdiction, we've been consistent.

Mayor closes public hearing on C1-2009 and opens public hearing on E1-2009 a proposed local law to enact technical corrections to the Village Zoning code resulting from district boundary and map changes, no public comments

Mayor closes public hearing for E1-2009 and opens the public hearing for bill F1-2009 a proposed local law to amend Local Law 2 of 2008 to extend the term of the moratorium on new construction until September 30, 2009

No comments, the Mayor closes the public hearing for Bill F1-2009

Mayor opens regular Village Board Meeting

Pledge of Allegiance

Present: Mayor Miccio, Deputy Mayor Phillips, Trustees Delgado, LaDue, and Ferrara, Village Clerk Angela Arasim

Also Present: Project Coordinator Rad Wilson, Village Attorney Greg Supple

**MAYOR**

Mayor entertains motion to approve minutes of the July 20, 2009 meeting, So move Deputy Mayor Phillips, Seconded, Trustee Delgado, discussion, none, all in favor, Aye. Motion carried.

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Page 3

Mayor reads abstracts:

General \$29,429.20  
Capital Projects Elm St \$125,252.85  
Capital Projects Smith St. Wall \$375  
Capital Projects Wood Street \$6,843.75  
T&A \$1,370  
Water \$101,881.29  
Sewer \$290,192.32

Mayor entertains motion to accept abstracts as read, So move Trustee LaDue  
Seconded, Trustee Delgado, discussion

Trustee LaDue: The wall, why is that so late?

Larry Paggi: they are looking for the retainage on that

No more discussion, all in favor, Aye.

Mayor entertains motion to approve abstract for Capital Projects Sarah Taylor  
Park \$2,868.75, So move, Trustee LaDue, Seconded, Trustee Delgado,  
discussion, none, all in favor, Aye.

Mayor entertains motion to adopt Bill Y-2009, So Move, Deputy Mayor Phillips,  
Seconded, Trustee Ferrara, Discussion, none, all in favor, Aye.

Mayor entertains motion to adopt Bill A1-2009, So Move, Deputy Mayor Phillips,  
Seconded, Trustee Ferrara, Discussion, none, all in favor, Aye.

Mayor entertains motion to adopt Bill C1-2009, So Move, Trustee Ferrara,  
Seconded, Deputy Mayor Phillips, Discussion, none, all in favor, Aye.

Mayor entertains motion to adopt Bill E1-2009, So Move, Trustee Ferrara,  
Seconded, Deputy Mayor Phillips, Discussion, none, all in favor, Aye.

Mayor entertains motion to adopt Bill F1-2009, So Move, Trustee Ferrara,  
Seconded, Deputy Mayor Phillips, Discussion, none, all in favor, Aye.

Greg Supple updates the Board on the status of the Archer property delinquent  
water bill, Archer asks to set up a payment plan.

**REPORTS**

BLDG INSPECTOR REPORT: Tom Vantine reads summary report, on file.

FIRE: Mayor reads summary, on file. Membership changes submitted, on file.

JUSTICE: Submitted to Board, Mayor reads summary, on file

POLICE: Commissioner Scofield reads report, on file

WATER/SEWER: Dave Morrison reads report, on file

Mayor entertains motion to authorize him to sign a Change Order for \$5,555 for  
Well #11, So move Deputy Mayor Phillips, Seconded, Trustee LaDue,  
discussion, none, all in favor, Aye.

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Page 4

Mayor entertains motion to authorize him to sign change order for Black Electric for \$2750, So Move Trustee LaDue, Seconded, Trustee Delgado, discussion, none, all in favor.

PROJECT COORDINATOR: Rad Wilson gives report.

Deputy Mayor Phillips moves to accept the recommendation of Liscum McCormak and Vanvoorhis architects in regard to contract 1 the GC contract and award it to Transitional Builders Inc for \$344,842, Contract 2 plumbing award to Joe Lombardi Plumbing and Heating for \$107,819, Contract 3 HVAC to Airflow AC and Heating, Inc. for \$60,975, Cotnract 4 Electrical to DeLionardis Electric Inc. for \$60,989, Seconded, Trustee Ferrara, discussion, none, all in favor, Aye

Deputy Mayor Phillips moves to the reconfiguration of the Village Seal, Seconded, Trustee LaDue, discussion, none, all in favor, Aye.

VILLAGE ENGINEER: Larry Paggi, gives report

Removing the alternate for electrical the low bidder is B&K, the electrical will be done by the Village.

Mayor entertains motion to award the bid for the Sarah Taylor Park Improvements project to B&K for \$200,728, Seconded, Deputy Mayor Phillips, discussion, none, all in favor, Aye.

Ambulance Report: Trustee LaDue reads monthly report, on file.

Deputy Mayor Phillips moves to approve the contract for services with the Wappingers central School Marching Band for \$500, Seconded, Trustee Ferrara, discussion, none all in favor, Aye.

Several residents are present to complain about the library patrons and employees parking and making u-turns, and being disrespectful to neighbors at the Bedford Avenue area

Library representatives and residents will be asked to attend next meeting to discuss issues.

No further comments from the public.

Mayor entertains motion to adjourn, So move Trustee Ferrara, Seconded, Deputy Mayor Phillips, discussion, none, all in favor, Aye.

Submitted by:

Angela Arasim, RMC, CMC  
Village Clerk