

**TOWN OF POUGHKEEPSIE  
TOWN BOARD MEETING  
APRIL 22, 2009  
TOWN HALL  
7:00 P. M.  
SUMMARY**

**PRESENT: Supervisor Myers  
Councilman Baisley  
Councilman Seminara  
Councilman Conte  
Councilman Cifone  
Councilman Krakower  
Councilman Tancredi  
Town Attorney Mahar  
Town Clerk Miller**

**AGENDA ITEMS**

- |          |  |   |
|----------|--|---|
| 04:22-01 | PUBLIC HEARING<br>(ATTORNEY MAHAR)                     | Amend Town Code, Chapter 168,<br>Entitled "Sewers", Specifically<br>Article VIII, "Private Waste Disposal",<br>Section 168 – 66 Entitled "Connection<br>Required"<br><b>PUBLIC HEARING CLOSED.<br/>ACTION ADJOURNED TO MAY 06,<br/>2009 TOWN BOARD MEETING.<br/>CARRIED 7 – 0</b> |
| 04:22-02 | PUBLIC HEARING<br>(COUNCILMAN<br>BAISLEY)              | Amend Town Code, Chapter 195,<br>Entitled "Vehicle & Traffic", Specifically<br>Section 195-14 "Trucks Over Certain<br>Weights Excluded"<br><b>ACTION WITHDRAWN – NO<br/>DISCUSSION</b>  |
| 04:22-03 | PUBLIC HEARING<br>(RECREATION<br>DIRECTOR<br>MEYERING) | Amend Town Code, Chapter 105,<br>Entitled "Fees", Specifically Section<br>105 – 4 J Entitled "Parks & Recreation"<br><b>CARRIED 7 – 0</b>   |

**(OVER)**

04:22-04	PUBLIC HEARING (COUNCILMAN CIFONE)	Amend Town Code, Chapter 57, Entitled "Animals", Section 57 – 2, "Unlawful Acts" & Section 57 - 5, "Enforcement"
		<b>AMENDMENT</b> <b>CARRIED</b> 7 – 0 <b>MAIN MOTION</b> <b>CARRIED</b> 7 – 0
04:22-05	PUBLIC HEARING (DIRECTOR OF MUNICIPAL DEVELOPMENT WILSON)	To Amend Town Code, Chapter 210, Entitled "Zoning", Specifically Article V, Section 210 – 22 Entitled, "Arlington Town Center (ATC) District <b>PUBLIC HEARING CLOSED.</b> <b>ACTION ADJOURNED TO MAY 06,</b> <b>2009 TOWN BOARD MEETING.</b> <b>CARRIED</b> 7 – 0
04:22-06	PUBLIC HEARING (ATTORNEY MAHAR)	Proposed Application Under The "RestoreNY Communities Initiative" <b>CARRIED</b> 6 – 0 – 1
<b>AYE:</b>	<b>COUNCILMEN BAISLEY, CONTE, CIFONE, KRAKOWER, TANCREDI &amp; SUPERVISOR MYERS</b>	
<b>NAY:</b>	<b>-0-</b>	
<b>ABSTAIN:</b>	<b>COUNCILMAN SEMINARA</b>	
<b>ABSENT:</b>	<b>-0-</b>	
04:22-07	AUTHORIZE (COUNCILMAN BAISLEY)	Amend The Employee Handbook For Medical Insurance Buyout For Retirees <b>CARRIED</b> 7 – 0
04:22-08	APPOINTMENT (SEWER CHIEF OPERATOR CACCHIO)	Sewer Department Of Glen Robison As Sewer Maintenance Mechanic <b>WITHDRAWN FROM AGENDA</b>
04:22-09	SET DATE FOR PUBLIC HEARING (ATTORNEY MAHAR)	Amend Town Code, Chapter 195, Entitled "Vehicle & Traffic", Specifically "Article III, Entitled "Parking, Standing & Stopping" <b>WITHDRAWN FROM AGENDA</b>

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04:22-10	SET DATE FOR PUBLIC HEARING (ATTORNEY MAHAR)	Adoption Of Local Law Entitled "Distress Sales & Similar Sales" <b>PUBLIC HEARING AT MAY 20, 2009 TOWN BOARD MEETING. CARRIED</b>	<b>7 - 0</b>
04:22-11	SET DATE FOR PUBLIC HEARING (RECREATION DIRECTOR MEYERING)	Amend Town Code, Chapter 148, Entitled "Parks & Recreation", Specifically Section 148 - 4 Entitled "Recreation Park Usage Guidelines: Prohibited Uses; Hours Of Operation" <b>PUBLIC HEARING AT MAY 20, 2009 TOWN BOARD MEETING. CARRIED</b>	<b>7 - 0</b>
04:22-12	BID AWARD (MORRIS ASSOCIATES ENGINEERING)	Contract For "Schoolhouse Lane - Road Improvements" To Contech Construction Technologies, Inc. <b>AMENDMENT CARRIED</b>	<b>7 - 0</b>
		<b>MAIN MOTION CARRIED</b>	<b>7 - 0</b>
04:22-13	AUTHORIZE (ATTORNEY MAHAR)	Extension Of Health Insurance Benefits To Scott Listermann <b>CARRIED</b>	<b>7 - 0</b>
04:22-14	DECLARE (ATTORNEY MAHAR)	Sewer Use Agreement For Hampton Inn, Super 8 & Country Club Apartments Null & Void <b>CARRIED</b>	<b>7 - 0</b>
04:22-15	AUTHORIZE (ATTORNEY MAHAR)	Demand For Unpaid Water Charges For Manchester Garden Apartments <b>CARRIED</b>	<b>7 - 0</b>
04:22-16	AUTHORIZE SUPERVISOR TO SIGN (DIRECTOR OF MUNICIPAL DEVELOPMENT WILSON)	Stormwater Control Facility Inspection & Maintenance Agreement With Saint Francis Hospital <b>CARRIED</b>	<b>7 - 0</b>
		<b>(OVER)</b>	

04:22-17	AUTHORIZE SUPERVISOR TO SIGN (POLICE CHIEF MAURO)	Telecommunications Master Service Agreement With Lighttower Fiber Networks For Police Department Computer Network Connection With NYS Criminal Justice Network <b>CARRIED</b>	<b>7 – 0</b>
04:22-18	AUTHORIZE BIDDING (WATER MANAGING OPERATOR CACCHIO)	Town Clerk To Advertise For Bids For Installation Of New Roof At Spackenkill Pump Station <b>CARRIED</b>	<b>7 – 0</b>
04:22-19	AUTHORIZE SUPERVISOR TO SIGN (POLICE CHIEF MAURO)	One Year Extended Warranty Agreement For Police Department's 900MPH Plate Hunter With ELSAG North America Law Enforcement Systems, LLC <b>CARRIED</b>	<b>7 – 0</b>
04:22-20	APPOINTMENT (ASSESSOR TABER)	Susan J. Pike As Non-Voting Member To Town Board Of Assessment Review <b>CARRIED</b>	<b>7 – 0</b>
04:22-21	AUTHORIZE (CLERK MILLER)	Liquor License Waiver Of 30 Day Review Period For Liquor License For Sodexo Operations, LLC Located At Marist College <b>TABLED UNTIL MAY 06, 2009</b> <b>TOWN BOARD MEETING</b> <b>CARRIED</b>	<b>7 – 0</b>
04:22-22	APPROVAL (CLERK MILLER)	Town Board Minutes - 2008 December: 03, 17 <b>CARRIED</b>	<b>7 – 0</b>

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- 04:22-23      AUTHORIZE                      Intermunicipal Agreement Between  
SUPERVISOR                      Dutchess County & Town For  
TO SIGN                              Maintenance Of Dutchess Rail Trail  
(COUNCILMAN                      **AMENDMENT**  
CIIFONE)                              **CARRIED**                              **6 – 1**
- AYE:**                      **COUNCILMEN BAISLEY, SEMINARA, CONTE, CIFONE,**  
**KRAKOWER, TANCREDI**
- NAY:**                      **SUPERVISOR MYERS**
- ABSTAIN:**                      **-0-**
- ABSENT:**                      **-0-**
- MAIN MOTION**
- CARRIED**                              **4 – 3**
- AYE:**                      **COUNCILMEN CONTE, CIFONE, KRAKOWER, TANCREDI**
- NAY:**                      **SUPERVISOR MYERS, COUNCILMEN BAISLEY, SEMINARA**
- ABSTAIN:**                      **-0-**
- ABSENT:**                      **-0-**
- 04:22-24      AUTHORIZE                      Central Hudson Street Lighting  
SUPERVISOR                      Authority Order That Removes From  
TO SIGN                              Town Inventory Of Lights, Street  
(SUPERVISOR                      Lights Removed By State During  
MYERS)                              Reconstruction On Raymond Avenue  
**CARRIED**                              **7 – 0**
- 04:22-25      AUTHORIZE                      Papers To Accept A Trail & Damage  
SUPERVISOR                      Maintenance Access Easement &  
TO SIGN                              Right Of Way In Favor Of Town In  
(ATTORNEY MAHAR)                      Regard To Lee Subdivision  
**CARRIED**                              **6 – 1**
- AYE:**                      **COUNCILMEN BAISLEY, SEMINARA, CONTE, CIFONE,**  
**TANCREDI & SUPERVISOR MYERS**
- NAY:**                      **COUNCILMAN KRAKOWER**
- ABSTAIN:**                      **-0-**
- ABSENT:**                      **-0-**
- 04:22-26      ADJOURN                              To Committee Of The Whole  
(WATER                              Meeting Payment Plan For 6 Maisie  
MANAGING                              Court  
OPERATOR                              **TOWN BOARD APPROVED**  
CACCHIO)                              **PAYMENT PLAN**  
**CARRIED**                              **7 – 0**

(OVER)

- 04:22-27 BUDGET MODIFICATION (TOWN COURTS) For Town Court To Purchase An "X-Ray Screening System" From NYS Grant  
**CARRIED 6 – 1**
- AYE: COUNCILMEN BAISLEY, CONTE, CIFONE, KRAKOWER, TANCREDI & SUPERVISOR MYERS**
- NAY: COUNCILMAN SEMINARA**
- ABSTAIN: -0-**
- ABSENT: -0-**
- 04:22-28 SET DATE FOR PUBLIC HEARING (ATTORNEY MAHAR) Amend Town Code, Chapter 210, Entitled "Zoning", Specifically Section 210 - 11, Entitled "Zoning Map" & Town Board Declares Itself Lead Agency  
**PUBLIC HEARING AT MAY 22, 2009 TOWN BOARD MEETING AMENDMENT**  
**CARRIED 7 – 0**  
**MAIN MOTION**  
**CARRIED 7 – 0**
- 04:22-29 RESIGNATION (ATTORNEY MAHAR) From Zoning Board Of Appeals Of Robert Jackson  
**WITHDRAWN FROM AGENDA**
- 04:22-30 NOTICE OF CLAIM (CLERK MILLER) Keith Hoffnagle V Town For Damage To Truck From Town Snow Plow  
**REFERRED TO LEGAL**
- 04:22-31 APPROVAL (CLERK MILLER) Permission To Change Liquor License When Submitting To NY State Liquor Authority For SJOS Corporation D/B/A O'Sheas Sports Grill Located At 10 IBM Road  
**DISAPPROVED – LETTER OF OBJECTION TO BE SENT TO STATE LIQUOR BOARD**
- 04:22-32 NOTIFICATION (CLERK MILLER) Liquor License Renewal:  
A. Tokyo LaGrange Café Inc. D/B/A Tokyo Express Located At 8 LaGrange Avenue

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- 04:22-32 NOTIFICATION Liquor License Renewal  
(CLERK MILLER) B. D. D.'s Pizza Located At 300  
Hooker Avenue  
**NOTED BY TOWN BOARD**
- 04:22-33 NOTIFICATION Town of Wappinger Town Board  
(CLERK MILLER) Resolution From 04/13/09 Meeting  
Opposing Central Hudson Rate  
Increase  
**NOTED BY TOWN BOARD**
- 04:22-34 AUTHORIZE Special Consent Items SC1, SC2, SC3,  
(ATTORNEY MAHAR) SC4, SC5, SC6, SC7, SC8, SC9  
**CARRIED 6 – 0**
- AYE: COUNCILMEN BAISLEY, SEMINARA, CIFONE, KRAKOWER,  
TANCREDI AND SUPERVISOR MYERS**
- NAY: -0-**
- ABSTAIN: -0-**
- ABSENT: COUNCILMAN CONTE**

**PROPOSED ITEMS FOR CONSIDERATION UPON SPECIAL CONSENT**

- 04:22-SC1 RETIREMENT Highway Department Of Gary  
(HIGHWAY DeMichiel  
SUPERINTENDENT **ACCEPTED WITH REGRET**  
PFEIFER) **CARRIED 6 – 0**
- AYE: COUNCILMEN BAISLEY, SEMINARA, CIFONE, KRAKOWER,  
TANCREDI AND SUPERVISOR MYERS**
- NAY: -0-**
- ABSTAIN: -0-**
- ABSENT: COUNCILMAN CONTE**
- 04:22-SC2 AUTHORIZE Withdrawal Of Complaint – Gagliardo  
(ATTORNEY MAHAR) Subdivision A/K/A Altieri Homes Of New  
York  
**CARRIED 6 – 0**
- AYE: COUNCILMEN BAISLEY, SEMINARA, CIFONE, KRAKOWER,  
TANCREDI AND SUPERVISOR MYERS**
- NAY: -0-**
- ABSTAIN: -0-**
- ABSENT: COUNCILMAN CONTE**

(OVER)



04:22-SC9 NOTICE OF CLAIM  
(CLERK MILLER)

Joseph Berhosky V Town For  
Damage To Watch In Town Court  
**REFERRED TO LEGAL**

**COUNCILMAN CIFONE ANNOUNCED THAT THERE WOULD BE A  
ROADSIDE CLEANUP OF FAIRVIEW PARK AND FAIRVIEW AVENUE DOWN  
TO FULTON STREET THIS WEEKEND FROM 8:00 A. M. TO 10:00 A. M. THE  
VOLUNTEERS WITH MEET AT FAIRVIEW PARK. PLASTIC BAGS AND  
RUBBER GLOVES WILL BE PROVIDED. ANY HELP WOULD BE  
APPRECIATED.**

**NO EXECUTIVE SESSION**

**TOWN BOARD MEETING CLOSED AT 9:15 P. M.**