

**TOWN OF POUGHKEEPSIE
TOWN BOARD MEETING
JUNE 03, 2009
TOWN HALL
7:00 P. M.
SUMMARY**

PRESENT: Supervisor Myers
Councilman Baisley (arrived at 7:10 p.m.)
Councilman Seminara
Councilman Conte
Councilman Cifone
Councilman Krakower
Councilman Tancredi
Town Attorney Mahar
Town Clerk Miller

AGENDA ITEMS

06:03-01	PUBLIC HEARING (ATTORNEY MAHAR)	Amend Town Code, Chapter 195, Entitled "Vehicle & Traffic", Specifically Section 195-46, Entitled "Schedule XI, Trucks Over Certain Weights Excluded" Pertaining To Sheafe Road By Repealing Local Law #5 Of 2009 CARRIED 6 – 0
AYE:	Councilmen Seminara, Conte, Cifone, Krakower, Tancredi and Supervisor Myers	
NAY:	-0-	
ABSTAIN:	-0-	
ABSENT:	Councilman Baisley	
06:03-02	PUBLIC HEARING (ATTORNEY MAHAR)	Amend Town Code, Various Chapters, To Increase Criminal Fines For Violation Of Certain Chapters & Provide For Civil Penalties CARRIED 7 – 0
06:03-03	PUBLIC HEARING (DIRECTOR OF MUNICIPAL DEVELOPMENT WILSON)	Consider Local Law Entitled "Property Maintenance" Which Provides For Landscape Maintenance Of Vacant And/Or Abandoned Property CARRIED 7 – 0

(OVER)

- 06:03-04 ADOPTION (COUNCILMAN TANCREDI) Amend Town Code, Chapter 210, Entitled "Zoning", Specifically Article V, Section 210-22 Entitled "Arlington Town Center (ATC) District" To Add Main Street Drive-In Overlay District
Town of Poughkeepsie
CARRIED 5 – 2
- AYE: Councilmen Baisley, Seminara, Conte, Cifone, Tancredi**
NAY: Councilman Krakower & Supervisor Myers
ABSTAIN: -0-
ABSENT: -0-
- 06:03-05 ADOPTION (ATTORNEY MAHAR) Amend Town Code, Chapter 210, Entitled "Zoning", Specifically Section 210 - 11, Entitled "Zoning Map" & Planning Board Declares Itself Lead Agency For Senior Housing Overlay District
TABLED UNTIL INDEFINITE DATE
CARRIED 7 – 0
- 06:03-06 SET DATE FOR PUBLIC HEARING (COUNCILMAN KRAKOWER) Amend Town Code, Chapter, Chapter 195, Entitled "Vehicle & Traffic, Specifically Schedule XVI, Section 195 – 51, Entitled "Parking Prohibited Certain Hours" For Miron Drive
TABLED UNTIL JULY 01, 2009 TOWN BOARD MEETING
CARRIED 7 – 0
- 06:03-07 AUTHORIZE (COUNCILMAN CIFONE) Installation Of 2 Neighborhood Watch Signs For Maple Knolls Complex
CARRIED 7 – 0
- 06:03-08 AUTHORIZE TO GO TO BID (COMPTROLLER WOJTOWICZ) Establishment Of Alternate Supply Of Gasoline For Town Police Department
CARRIED 7 – 0

(NEXT PAGE)

06:03-09	RATIFY (ATTORNEY MAHAR)	Memorandum Of Understanding For The United Federation Of Police Officers Between The Joint Water Board, The Town of Poughkeepsie & City Of Poughkeepsie AMENDED CARRIED 7 – 0 MAIN MOTION CARRIED 7 – 0
06:03-10	APPROVE MODIFICATION (ATTORNEY MAHAR)	For Resolution 05:20 - #28 Of The May 20, 2009 Town Board Meeting CARRIED 7 – 0
06:03-11	APPROVE (BUILDING INSPECTOR SICKLES)	Building Permit Fees With Waiver For 1024 Dutchess Turnpike & An Extension CARRIED 7 – 0
06:03-12	AMEND (COUNCILMAN TANCREDI)	Resolution 05:09 - #1 of May 09, 2007 Town Board Meeting To Add Acceptance Of Gift of Buchner Subdivision Along Spackenkill Road CARRIED 7 – 0
06:03-13	SET DATE FOR PUBLIC HEARING (COUNCILMAN TANCREDI)	For Public Comments For Use Of Buchner Subdivision Gift For Preservation Of Open Space & Open Area Along Spackenkill Road PUBLIC HEARING AT JUNE 17, 2009 TOWN BOARD MEETING CARRIED 7 – 0
06:03-14	WAIVE (COUNCILMAN TANCREDI)	Open Space Fee For Buchner Subdivision Along Spackenkill Road Because Of Gift Given To Town CARRIED 7 – 0

(OVER)

06:03-15	RECOMMENDATION (COUNCILMAN TANCREDI)	To Planning Board Regarding Recreation Fee For Buchner Subdivision Along Spackenkill Road DEFEATED	2 – 5
AYE:	Councilmen Seminara, Conte		
NAY:	Councilmen Baisley, Cifone, Krakower, Tancredi & Supervisor Myers		
ABSTAIN:	-0-		
ABSENT:	-0-		
06:03-16	ACCEPT (MORRIS ASSOCIATES ENGINEERING)	Maintenance Bond For Slate Hill Road Improvements & Award Final Payment CARRIED	7 – 0
06:03-17	ACCEPT (MORRIS ASSOCIATES ENGINEERING)	Maintenance Bond For Overocker Road, Phase 2 Road Improvements & Award Final Payment CARRIED	7 – 0
06:03-18	AUTHORIZE (MORRIS ASSOCIATES ENGINEERING)	Release Of Retainage To B & K Excavation For East Cedar, Green & Garden Street Road Improvements CARRIED	7 – 0
06:03-19	AUTHORIZE (COMPTROLLER WOJTOWICZ)	Payment Of \$11.45 To ASCAP CARRIED	7 – 0
06:03-20	AUTHORIZE (MORRIS ASSOCIATES ENGINEERING)	Return To Toll Land VI Limited Partnership Deposit With Town For Drainage Work For Mr. Casement's Property CARRIED	7 – 0
06:03-21	DISCUSSION (ATTORNEY MAHAR)	Use Of Town Property REMOVED FROM AGENDA	
06:03-22	APPROVE (CLERK MILLER)	Road Runners Club Of America Will Host The 32 nd Joseph McDonald/Bill Crusie Memorial Run On June 6, 2009 CARRIED	7 – 0

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| 06:03-23 | AUTHORIZE
(CLERK MILLER) | Waiver Of Liquor License 30 Day
Hold Period For Goodfellas Red Oak
Corporation D/B/A Goodfellas
Restaurant Located At 47 Vassar Road
CARRIED | 7 - 0 |
| 06:03-24 | NOTIFICATION
(CLERK MILLER) | Amend Hyde Park Town Code,
Chapter 108, Entitled "Zoning" At
Public Hearing At 7:00 P.M. On
06/15/2009 At Hyde Park Town Hall
NOTED BY TOWN BOARD | |
| 06:03-25 | AUTHORIZE
(ATTORNEY MAHAR)
SC10, | Special Consent Items SC1, SC2,
SC3, SC4, SC5, SC6, SC7, SC8, SC9,
SC10, SC11, SC12, SC13
CARRIED | 7 - 0 |

PROPOSED ITEMS FOR CONSIDERATION UPON SPECIAL CONSENT

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| 06:03-SC1 | AUTHORIZE
SUPERVISOR
TO SIGN
(ATTORNEY MAHAR) | Along With Town Attorney & Town
Engineer Papers To Call the Letter Of
Credit By Demanding Payment From
J. P. Morgan Chase Bank, N.A. As
Successor In Interest To WaMu
CARRIED | 7 - 0 |
| 06:03-SC2 | ACCEPT
(CLERK MILLER) | 2009 Town Board Minutes:
January: 14 (Special Meeting)
14 C.O.W.
20 (Special Meeting)
21 Regular Meeting
February: 04, 11, 18
March: 04 (Special Meeting)
04 (Special Meeting)
04 Regular Meeting
11 C.O.W.
18 (Special Meeting)
18 Regular meeting
CARRIED | 7 - 0 |

(OVER)

- 06:03-SC3 AUTHORIZE
(ATTORNEY MAHAR) Town Clerk to Notify Upstate Concrete & Masonry Contracting Of Decision To Enforce Maintenance Bond & Utilize Proceeds Of Maintenance Bond To Make Necessary Repairs & Replacements On Collegeview Avenue Sidewalks & Authorize James Nelson, Esq. To Represent Town
CARRIED 7 - 0
- 06:03-SC4 APPEAL
(SUPERVISOR MYERS) Vehicle For Hire Denial By Applicant John Cody
TABLED UNTIL MR. CODY ATTENDS TOWN BOARD MEETING TO TALK TO TOWN BOARD
CARRIED 7 - 0
- 06:03-SC5 CONSENT
(SUPERVISOR MYERS) Proposed Changes In Local Census Boundaries
MOTION MADE TO APPROVE PROPOSED CHANGES
DEFEATED 2 - 5
- AYE: Councilman Krakower & Supervisor Myers**
NAY: Councilmen Baisley, Seminara, Conte, Cifone, Tancredi
ABSTAIN: -0-
ABSENT: -0-
- 06:03-SC6 DISCUSSION
(SUPERVISOR MYERS) Petition Received Regarding Local Tilcon/Poughkeepsie Asphalt Plant Relocation
- Town Board and audience discussed actions of Planning Board in approving new location of asphalt plant and other Tilcon issues, such as the many blasting complaints from residents around the quarry.**
- 06:03-SC7 AUTHORIZE
(RECREATION DIRECTOR MEYERING) Boy Scouts to Use Red Oaks Mill Park Parking Lot For Bus Stop For Day Camp For July 06, 2009 To July 24, 2009
CARRIED 7 - 0

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- 06:03-SC8 AUTHORIZE
(CLERK MILLER) Liquor License Renewal Waiver Of 30
Day Waiting Period For The Dutch
Cabin, Inc. D/B/A The Dutch Cabin
Located At 35 Fairmont Avenue
CARRIED 7 – 0
- 06:03-SC9 NOTIFICATION
(CLERK MILLER) Wappinger Zoning Board Of Appeals
Public Hearing On June 09, 2009 At
Town Hall For Variances Of Sign
Height, Square Footage & Sign Less
Than 25 Feet From Property Line
**REFERRED TO NEIL WILSON,
DIRECTOR OF MUNICIPAL
DEVELOPMENT, FOR
INVESTIGATION**
- 06:03-SC10 AUTHORIZE
(CLERK MILLER) Liquor License Renewal Waiver Of
30 Days Waiting Period For O'Sho
Japanese Restaurant Located At
1998 South Road
CARRIED 7 – 0
- 06:03-SC11 APPOINT
(ATTORNEY MAHAR) Kyle W. Barnett, Esq. From
Van De Water & Van De Water, LLP, As
Special Counsel For Rakoff V. Town
CARRIED 6 – 0
- AYE: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi
and Supervisor Myers**
- NAY: -0-**
- ABSTAIN: -0-**
- ABSENT: Councilman Conte**
- 06:03-SC12 AUTHORIZE
(CLERK MILLER) Liquor License Renewal Waiver Of 30
Days For FG380, LTD D/B/A Beech
Tree Grill Located At 1 - 3 Colleeview
Avenue
CARRIED 6 – 0
- AYE: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi
and Supervisor Myers**
- NAY: -0-**
- ABSTAIN: -0-**
- ABSENT: Councilman Conte**

(OVER)

06:03-SC13 AUTHORIZE
(ATTORNEY MAHAR)

Special Meeting Before Committee Of
The Whole Meeting On June 10, 2009
At 6:30 P. M. For Purpose Of Executive
Session

CARRIED

7 – 0

ANNOUNCEMENT

**COUNCILMAN KRAKOWER DESCRIBED THE HISTORIC CEMETERY
LOCATED OFF OF SOUTH GATE DRIVE CONTAINING THE ABRAHAM
FORT FAMILY MEMBERS AND ASSOCIATES. HE STATED THAT THE
TOWN HISTORIC COMMISSION WOULD VOTE TO GIVE THE CEMETERY
HISTORIC DESIGNATION SOON.**

EXECUTIVE SESSION

06:03-ES1 RESOLUTION

To Enter Executive Session To
Consider Following Matters:
A. Litigation
B. Real Estate Matters To The Extent
That Public Disclosure Of The
Discussion Would Substantially
Affect The Value Of The Property
C. Personnel Matters, To Wit: A
Meeting To Discuss The
Employment History Of The
Particular Individuals Who Need
Not Be Identified At This Time
D. Confidential Communication
Between Attorney And His Client,
The Town Board, Based On
Attorney/Client Privilege

TOWN BOARD MEETING ADJOURNED AT 9:29 P. M.

TOWN BOARD ENTERED EXECUTIVE SESSION AT 9:35 P. M.

TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 10:10 P.M.

NO ACTION TAKEN FROM EXECUTIVE SESSION

TOWN BOARD MEETING CLOSED AT 10:11 P. M.