

**TOWN OF POUGHKEEPSIE
TOWN BOARD MEETING
SEPTEMBER 23, 2009
TOWN HALL
7:00 P. M.
SUMMARY**

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

AGENDA ITEMS

- | | | |
|----------|---|---|
| 09:23-01 | PUBLIC HEARING
(HISTORIAN MURPHY) | Fort Family Cemetery Located On
South Road To Be Designated As
Historic Landmark Property
CARRIED 7 – 0 |
| 09:23-02 | PUBLIC HEARING
(DIRECTOR
OF MUNICIPAL
DEVELOPMENT
WILSON) | Amend Town Code, Chapter 210,
Entitled “Zoning”, Specifically
Section 210 – 9, Entitled “Definitions”
CARRIED 7 – 0 |
| 09:23-03 | PUBLIC HEARING
(ATTORNEY MAHAR) | To Amend Town Code Chapter 195,
Entitled “Vehicles & Traffic”, Specifically
Section 195-48, Entitled “Schedule XIII,
Parking Prohibited At All Times” For
Casperkill Housing Area
PUBLIC HEARING RESCHEDULED
UNTIL OCTOBER 07, 2009 TOWN
BOARD MEETING
CARRIED 7 – 0 |

(OVER)

09:23-04	PUBLIC HEARING (DIRECTOR OF MUNICIPAL DEVELOPMENT WILSON)	Community Development Block Grant Program Application For Year 2010 To County Of Dutchess CARRIED	6 – 1
AYE: COUNCILMEN BAISLEY, CONTE, CIFONE, KRAKOWER, TANCREDI AND SUPERVISOR MYERS			
NAY: COUNCILMAN SEMINARA			
ABSTAIN: -0-			
ABSENT: -0-			
09:23-05	AUTHORIZE (MORRIS ASSOCIATES ENGINEERING)	Change Order #1 For Park Avenue Sidewalks CARRIED	7 – 0
09:23-06	AUTHORIZE (MORRIS ASSOCIATES ENGINEERING)	Change Order #1 For Fairview Park Fence CARRIED	7 – 0
09:23-07	SET DATE FOR PUBLIC HEARING (ATTORNEY MAHAR)	Amend Chapter 110, Entitled “Fire Prevention” To Adopt A Local Law Entitled “Amendment To The Regulation Of Open Fires In The Town Of Poughkeepsie Code” AMENDMENT TO RESOLUTION CARRIED	7 – 0
PUBLIC HEARING AT OCTOBER 21, 2009 TOWN BOARD MEETING CARRIED			
09:23-08	SET DATE FOR PUBLIC HEARING (ATTORNEY MAHAR)	Amend Chapter 171, Entitled “Solid Waste” PUBLIC HEARING AT OCTOBER 21, 2009 TOWN BOARD MEETING CARRIED	7 – 0
09:23-09	SET DATE FOR PUBLIC HEARING (ATTORNEY MAHAR)	Amend Chapter 192, Entitled “Vehicles Abandoned” PUBLIC HEARING AT OCTOBER 21, 2009 TOWN BOARD MEETING CARRIED	7 – 0

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|-----------------|---|--|--------------|
| 09:23-10 | SET DATE FOR
PUBLIC HEARING
(ATTORNEY MAHAR) | Special Districts Assessment Roll For
2010 For Water, Sewer & Drainage
Districts In Town
PUBLIC HEARING AT OCTOBER 07,
2009 TOWN BOARD MEETING
CARRIED | 7 – 0 |
| 09:23-11 | AUTHORIZE
(SUPERVISOR MYERS) | Application For Funding From New York
State DEC 2009 Water Quality
Improvement Projects Program
CARRIED | 7 – 0 |
| 09:23-12 | RETAIN
(ATTORNEY MAHAR) | Richard Cantor, Esq. To Initiate An
Article 78 Proceeding
CARRIED | 7 – 0 |
| 09:23-13 | AUTHORIZE
SUPERVISOR
TO SIGN
(MORRIS ASSOCIATES
ENGINEERING) | Federal Aid Highway & Marchiselli Aid
Local Project Agreement – Fairview
Avenue Pavement Rehabilitation
CARRIED | 7 – 0 |
| 09:23-14 | AUTHORIZE
SETTLEMENT
(ATTORNEY MAHAR) | Robert Kverek V. Town Of
Poughkeepsie
CARRIED | 6 – 1 |
| AYE: | COUNCILMEN BAISLEY, SEMINARA, CONTE, CIFONE,
TANCREDI AND SUPERVISOR MYERS | | |
| NAY: | COUNCILMAN KRAKOWER | | |
| ABSTAIN: | -0- | | |
| ABSENT: | -0- | | |
| 09:23-15 | AUTHORIZE
AMENDMENT
(WATER MANAGING
OPERATOR
CACCHIO) | Water & Sewer Bill For Don Postles
CARRIED | 7 – 0 |
| 09:23-16 | SET DATE FOR
PUBLIC HEARING
(ATTORNEY MAHAR) | Amend Chapter 168, Entitled “Sewers”
PUBLIC HEARING AT OCTOBER 21,
2009 TOWN BOARD MEETING
CARRIED | 7 – 0 |

(OVER)

09:23-17	AUTHORIZE SUPERVISOR TO SIGN (MORRIS ASSOCIATES ENGINEERING)	Street Light Authority Order For Old DeGarmo Road For New Street Light CARRIED 7 – 0
09:23-18	APPROVAL (CLERK MILLER)	Our Lady Of Lourdes High School Walk-a-Thon Fund Raiser On October 09, 2009 From 9:00 A.M To Noon CARRIED 7 – 0
09:23-19	AUTHORIZE WAIVER (CLERK MILLER)	Liquor License Renewal Waiver Of 30 Day Waiting Period For Coppola’s Restaurant, Inc. Located At 825 Main Street CARRIED 7 – 0
09:23-20	APPROVAL (CLERK MILLER)	Minutes For 2009: August 05 Town Board Meeting August 12 Special Town Board Meeting August 12 Committee Of The Whole Meeting August 19 Town Board Meeting August 24 Special Town Board Meeting September 02 Town Board Meeting CARRIED 7 – 0
09:23-21	BUDGET MODIFICATION (COMPTROLLER WOJTOWICZ)	Recreation Department For Pickup Truck Replacement CARRIED 7 – 0
09:23-22	BUDGET MODIFICATION (COMPTROLLER WOJTOWICZ)	Recreation Department For Seasonal Labor To Maintain Medians CARRIED 7 – 0
09:23-23	APPROVAL (CLERK MILLER)	Liquor License Renewal Waiver Of 30 Day Waiting Period For Poughkeepsie Lodge Of Elks, Inc., B.P.O.E. #275 Located At 29 Overocker Road CARRIED 7 – 0

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09:23-24 AUTHORIZE Special Consent Items SC1, SC2, SC3,
 (ATTORNEY MAHAR) SC4, SC5, SC6, SC7, SC8, SC9, SC10
CARRIED **7 – 0**

PROPOSED ITEMS FOR CONSIDERATION UPON SPECIAL CONSENT

09:23-SC1 AUTHORIZE All Papers Necessary For the Police
 SUPERVISOR Department To Purchase 110 Needed
 TO SIGN Handguns From Existing Drug Forfeiture
 (POLICE CHIEF Funds
 MAURO) **CARRIED** **7 – 0**

09:23-SC2 RETAIN William Wallens, Esq. To Represent
 (ATTORNEY MAHAR) Town of Poughkeepsie In Two Contract
 Grievances Filed By The CSEA
DEFEATED **0 – 7**

09:23-SC3 WAIVE Building Permit Fee & Plumbing Permit
 (BUILDING Fee For 47 Ireland Drive
 INSPECTOR **TABLED**
 SICKLES)

09:23-SC4 APPROVAL Call A Special Town Board Meeting For
 (SUPERVISOR MYERS) Wednesday, September 30, 2009 At
 7:00 P.M. For Presentation Of The
 Tentative 2010 Budget & Delivery To
 The Town Board By The Town Clerk
CARRIED **7 – 0**

09:23-SC5 MODIFY 2009 Budget For Budget Transfer
 (COMPTOLLER Request Form To Allow Police To Use
 WOJTOWICZ) Drug Forfeiture Funds To Purchase
 Needed Firearms (see 09:23-SC1)
CARRIED **7 – 0**

09:23-SC6 DISCUSSION Colonial Insurance Benefit
 (ATTORNEY MAHAR) Cheryl Veach Delvecchio, representing
Colonial Insurance, spoke about the 5 plans that would be available to the
Town employees and comparisons in price to other insurance plans.
NOTED BY TOWN BOARD

(OVER)

09:23-SC7 DISCUSSION Germano Automotive At 2555 South
(DIRECTOR OF Road
MUNICIPAL
DEVELOPMENT
WILSON)

Director Wilson spoke about making agreements with Germano for five years to improve the property so it would be more agreeable to the Van Siclen residents and returning land taken from Town back to Town.

Citizen James Kitcher, resident of Van Siclen Drive, gave the Town Board a history from 1989 on of the owners, fence additions and subtractions, building additions, and landscaping on the Germano and adjacent Town Board property. The residents want absolutely no tree removal, a high fence constructed again to block the view of the business by November with temporary curbing along the property line by October 15, 2009.

THE TOWN BOARD AGREED WITH THE HOME OWNERS AND WANTED MORE IMMEDIATE ACTION TAKEN TO SATISFY THE NEIGHBORS WHO HAVE WAITED YEARS FOR RESOLUTION OF THIS ISSUE.

**REFERRED TO DIRECTOR WILSON
BY THE TOWN BOARD**

09:23-SC8 ACCEPT Certificate Of Completion For 3 Hours
(DIRECTOR OF Of "The SEQRA Solution: Striking The
MUNICIPAL Right Balance" Conference Issued To
DEVELOPMENT Marvin Bennett
WILSON) **CARRIED 7 – 0**

09:23-SC9 APPROVE 911 Private Drive Name Of Martis Way
(CLERK MILLER) **CARRIED 7 – 0**

09:23-SC10 AUTHORIZE Formal Request For The Assistance
SUPERVISOR Of A Department Of Correctional
TO SIGN Services Facility Inmate Work Crew
(COUNCILMAN **CARRIED 7 – 0**
CIFONE)

ANNOUNCEMENTS

Councilman Seminara congratulated Recreation Director Tom Meyering for his expert handling of a "safety issue" in one of the Town Parks.

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Councilman Cifone reminded the audience about the Support the Troops collection at the Transfer Station on Saturday, September 26, 2009, from 7:00 a.m. to 2:00 p.m.

He will be there to collect soaps, shaving cream, shavers, socks, t-shirts and toiletries for the troops. There is also a collection box on the second floor by the front door at the Town Hall for donated items.

Supervisor Myers spoke about the Arlington Street Fair on Saturday, September 26, 2009 from 12:00 noon to 6:00 p. m.

EXECUTIVE SESSION REASONS

09:23-EX1 RESOLUTION

To Enter Executive Session To Consider Following Matters:

- A. Litigation – Litigation strategy in the case known as Ginsberg V Town
- B. Confidential Communication Between Attorney And His Client, The Town Board, Based On Attorney/Client Privilege

And Be It Further Resolved, There Will Be No Action Taken Appropriating Money

TOWN BOARD MEETING ADJOURNED AT 9:28 P. M.

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

TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 10:00 P.M.

NO ACTION TAKEN IN EXECUTIVE SESSION

TOWN BOARD MEETING CLOSED AT 10:01 P. M.