

**MINUTES OF TOWN BOARD MEETING HELD ON  
NOVEMBER 18, 2009 AT 7:00 PM AND COMMITTEE OF THE  
WHOLE BOARD MEETING HELD AT TOWN HALL,  
ONE OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

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

**ABSENT:** Councilman Conte  
Councilman Krakower

**\*NOTE: Attachments pertaining to a particular Town Board Meeting will be found after the minutes of that meeting, which are kept in the official minute books, held in Town Clerk's Office.**

**Public comments made during a Board Meeting may be heard on the audiotape of that particular meeting, which is kept in the Town Clerk's Office.**

{ } designates corrections

**7:00 PM**

**CALL TO ORDER**

**SALUTE THE FLAG**

Motion made to suspend the rules for public speaking on public hearing #1: Supervisor Myers/M. Cifone

CARRIED: 5-0

NO SPEAKERS CAME FORWARD

Motion made to resume the rules: Supervisor Myers/M. Cifone

CARRIED: 5-0

Town Clerk Miller: I hereby filed the affidavit of posting on November 5, 2009 and published in the Poughkeepsie Journal on November 7, 2009.

11:18-01 PUBLIC HEARING

Amend Town Code, Chapter 195,  
Entitled "Vehicles And Traffic",  
Specifically Section 195-31 Entitled  
"Restriction of Parking On Private Lands"

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie pursuant to a public hearing held on the 18<sup>th</sup> day of November, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY does hereby amend Town Code Section 195-31, paragraph B (1) as follows:

ADD: at line 9

"---industrial park or industrial complex, **or public parking lots for railroad facilities,**  
...." (new material in bold print)

AND BE IT FURTHER ENACTED, that said local law shall take effect immediately upon filing with the Secretary of State.

SO MOVED: J. Baisley/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None

CARRIED: 5-0

Motion made to suspend the rules for public to speak on public hearing #2: Supervisor Myers/  
M. Cifone

CARRIED: 5-0

NO SPEAKERS CAME FORWARD

Motion made to resume the rules: Supervisor Myers/M. Cifone

CARRIED: 5-0

Town Clerk Miller: I hereby filed the affidavit of posting on November 5, 2009 and published in  
the Poughkeepsie Journal on November 7, 2009.

11:18-02 PUBLIC HEARING

Amend Town Code, Chapter 195,  
Entitled "Vehicles and Traffic",  
Specifically Section 195-39 Entitled  
"Schedule IV: One-Way Streets" &  
Section 195-7, Entitled "One-  
Way Streets"

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie pursuant to a  
public hearing held on the 18<sup>th</sup> day of November, 2009 at 7:00 PM at the Town Hall, Town of  
Poughkeepsie, One Overocker Road, Poughkeepsie NY does hereby amend Town Code Section  
195-7 and Section 195-39, Schedule IV, entitled One-Way Streets, which amendment is  
authorized by Section 195-31 B (1)(g), which allows the Town to regulate traffic control in  
certain areas of private property, which amendment would be as follows:

ADD:

NAME OF STREET	DIRECTION OF TRAVEL	LIMITS
Metropolitan Transportation Authority (MTA) Parking Lot Southern Driveway off County Route 28 (New Hamburg Road)	West	No Entrance from County Route 28 (New Hamburg Road) into Metropolitan Transportation Authority (MTA) Parking Lot

AND BE IT ENACTED, that said local law shall become effective immediately upon  
filing with the Secretary of State.

SO MOVED: D. Seminara/J. Baisley

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None

CARRIED: 5-0

Motion made to suspend the rules for public speaking on public hearing #3: Supervisor Myers/  
D. Seminara

CARRIED: 5-0

NO SPEAKERS CAME FORWARD

Motion made to resume the rules: Supervisor Myers/M. Cifone

CARRIED: 5-0

Town Clerk Miller: I hereby filed the affidavit of posting on November 5, 2009 and published in  
the Poughkeepsie Journal on November 7, 2009.

11:18-03 PUBLIC HEARING

Amend Town Code, Chapter 203,  
Entitled "Water", Specifically  
Section 203-8(L)(M) Entitled "Rates,  
Charges and Billing"

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie pursuant to a public hearing held on the 18<sup>th</sup> day of November, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY does hereby amend the Town Code Section 203-8 (L) and (M) as follows:

L. Various fees.

¾" Meter Installation	<b>\$300.00</b> From \$150.00
1" Meter Installation	<b>\$350.00</b> From \$150.00
Water Service Fee	<b>\$35.00</b> From \$25.00
Sewer Service Fee	<b>\$35.00 From \$25.00</b>

M. Unit Fees for Infrastructure Permits.

Water:

Appurtenances (Meter Pits, Water Mains, Backflow Devices, Fire Hydrants, and Misc. Appurtenances)	<b>\$35.00/each</b> From \$25.00
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Sewer:

Appurtenances (Manhole, Grease traps, Sewer Mains, Laterals, and Misc. Appurtenances)	<b>\$35.00/each</b> From \$25.00
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AND BE IT FURTHER ENACTED, that the Town Board of the Town of Poughkeepsie does hereby declare itself as Lead Agency, does determine that this is a Type II Action, and does further determine that no further environmental action is required; and

BE IT FURTHER ENACTED, that said local law will become effective upon filing with the Secretary of State as prescribed by law.

SO MOVED: M. Cifone/J. Baisley

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None **CARRIED: 5-0**

Town Clerk Miller: I hereby filed the affidavit of posting on November 5, 2009 and published in the Poughkeepsie Journal on November 7, 2009.

Motion made to suspend the rules for public speaking on public hearing #4: Supervisor Myers/  
M. Cifone

**CARRIED: 5-0**

NO SPEAKERS CAME FORWARD

Motion made to resume the rules: Supervisor Myers/D. Seminara

**CARRIED: 5-0**

Town Clerk Miller: I hereby filed the affidavit of posting on November 5, 2009 and published in the Poughkeepsie Journal on November 7, 2009.

11:18-04 PUBLIC HEARING

Amend Town Code, Chapter 203,  
Entitled "Water", Specifically Section  
203-5 Entitled "Connection With Mains";  
Section 203-8 Entitled "Rate, Charges and  
Billing" and Section 203-6 Entitled  
"Meters: Civil Penalties"

## RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie pursuant to a public hearing held the 18<sup>th</sup> day of November, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY does hereby amend the Town of Poughkeepsie Code, specifically Chapter 203, entitled "Water", which amendment would be as follows:

### Section 203-5-Connection with Mains

#### I. DELETE:

Section 203-5 (A)(3)- "Buildings requiring fire line services must have a separate domestic water service. Combination fire and domestic water services are not permitted."

#### II. AMEND (new material in bold print):

E. Copper Type K is the only acceptable pipe for service laterals up to 2" and under 200' long. **Services 1" and up to 2" over 200' long that require a meter pit may be installed using 200 psi PE (Polyethylene) plastic pipe between the meter pit and the house.** Type K Copper must be used from main to curb box and curb box to pit. The CTS (Copper Tubing Size) Poly pipe connects using stainless steel sleeves and compression fittings. Plastic pipe must have 5' of cover and be installed with a tracer wire for locating purposes. Services larger than 2" must be ductile iron pipe. Fittings must be compression type for copper pipe. Non-draining curb boxes only.

#### III. AMEND (new material in bold print):

### Section 203-8-Rate, charges and billings.

#### D. Tap charges

- (1) The charge for taps of ¾" and 1" size shall be increased to **\$150** from \$55 and increased to **\$185** from \$65, respectively. Materials to be supplied by others.
- (2) The charge for taps from 1 ¼" to 2" size shall be \$275. Materials to be supplied by others.
- (3) The fee of **\$750** for a standard large tap, and **\$950** for 20" or larger tap shall be charged. Material to be supplied by others.

#### IV. AMEND (new material in bold print):

### Section 203-6-Meters, civil penalties.

C. Change penalty from \$75 to **\$150.**

AND BE IT FURTHER ENACTED, that the Town Board of the Town of Poughkeepsie does hereby declare itself as Lead Agency, does determine that this is a Type II Action, and does further determine that no further environmental action is required; and

BE IT FURTHER ENACTED, that said local law, upon adoption, will become effective upon filing with the Secretary of State as prescribed by law.

SO MOVED: T. Tancredi/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

Town Clerk Miller: I hereby certify I filed the affidavit of posting on November 5, 2009 and Posted in the Poughkeepsie Journal on November 7, 2009.

Motion made to suspend the rules for agenda items: Supervisor Myers/M. Cifone

CARRIED: 5-0

Jim Beretta: The Planning Budget is going up \$52,517 from \$446,994 to \$499,511 and I was curious what that increase was. It looks like salaries and part time is going up \$46,000.

Councilman Baisley: Yes, that's two girls that were Section 8 that had to be moved over because of no more Federal funding. They moved them from Section 8 to Planning Department.

Neil Wilson: Yes, we had been notified of changes in the Section 8 funding for those positions based upon participation within the Section 8 program. Effectively, those two part-time positions, which had been funded through Section 8, were no longer going to be funded through Section 8 as a result of that.

Jim Beretta: The other question I had was on the traffic control. It was going up from \$5,000 To \$29,400.

Councilman Baisley: Yes, that was for street striping and extra street light maintenance for some of the control boxes.

Jim Beretta: Also, on the agenda, I was curious about the Police Department, is that for cars? Are they switching to LED lights from the old style or what? (Yes)

Doreen Tignanelli: My concern is with the contracting services on the Town Budget. We are spending an awful lot of money for contracted services for legal and engineering and I don't know if that is going to be reduced but we had estimated \$95,000 for contracted legal services for 2009. As of today, we've spent \$232,000. Now, I've been at a lot of Board Town Meetings where you've talked about hiring special Counsel and there is no ceiling on how much is to be spent for hiring. For example, Richard Cantor July 1, 2009 at a rate of \$175 an hour to represent the Town in a legal action against the Dutchess County Resource Recovery Agency, but it didn't say what the maximum amount was. I know in the past we used to do that. Are we paying enough attention to contracted services? Again, that is in addition to the Town Attorney's salary. As of today we've spent \$232,000. Engineering services also. The budgeted amount is \$132,940 for 2010 and that is in addition to the Town Engineer's Salary and so those are two areas I would like to see reduced if possible and also we need more accountability. I would like to see resolutions include description of services, the hourly rate for services and the maximum amount for the expense before voting on the resolution and additionally line items should be consulted to see if over budget conditions exist or will occur. Legal has gotten way out of control.

Michael Schnorr, Chairman of Plumbing Board: We have specified clearly what the home owner is allowed to do without a permit. We have eliminated the fee that the Town now had before the homeowner could take a test to get a permit to do major work on his home and as addressed at the last meeting, part of this amendment was to eliminate the homeowner from doing any outside, underground, Town water and sewer work, which the Water and Sewer Department really feels should be left to the professionals.

Motion made to resume the rules: Supervisor Myers/D. Seminara

CARRIED: 5-0

11:18-05 SET DATE FOR  
PUBLIC HEARING

To Amend Town Plumbing Code,  
Section 154-31, Entitled "Homeowner's  
Plumbing Permit"

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the {9<sup>th</sup>} day of December, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the time, date and place of a public hearing to consider an amendment to the Town of Poughkeepsie Plumbing Code, Section 154-31, entitled "Homeowner's Plumbing Permit", which amendment would be as follows:

AMEND (new material is in bold print):

Section 154-31. Homeowner's plumbing permit.

The administrative authority is authorized to prepare and administer an examination for any homeowner who seeks a plumbing permit **to perform work within the dwelling** on his or her own property **under the circumstances as described in Section 154-4 of the Town Code, which established the need for the permit.** The purpose of the examination is to enable the administrative authority to assess the capability of the individual to deter abuse of this privilege. The terms of this provision are applicable only to residential properties owned and occupied as the homeowner's principal residence **and shall not be construed or interpreted as authorizing any work by a non-licensed plumber between the water main and the house and such activity is expressly prohibited.**

#### ADD:

In precedence over any other sections or provisions of Town Code, the Town Board duly recognizes a homeowner's right to make basic indoor plumbing repairs (as noted below) without requirement of payment of fees of any kind, and without requirement to obtain Town permit or any kind, within premises such homeowner owns and occupies.

**{“Basic indoor plumbing repairs” include: replacement of, and/or replacement or repair of components of, showers, bathtubs, toilets, sinks, drains, faucets and associated piping, within 12” of the fixture.”}**

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby declare itself as Lead Agency, does determine that this is a Type II Action, and does further determine that no further environmental action is required; and

BE IT FURTHER RESOLVED, that said local law, upon adoption, will become Effective upon filing with the Secretary of State as prescribed by law.

SO MOVED: M. Cifone/T. Tancredi

Councilman Tancredi: Now, the part where you read, "Basic indoor plumbing, and repairs include..." Those are things the homeowner can do right now?

Councilman Cifone: Correct.

Motion made to accept the amendment: M. Cifone/T. Tancredi

Councilman Seminara: I would just like to advise Councilman Cifone and the Plumbing Board that this was the concern I had that we weren't clear and I believe now that all those repairs you can do without fee and without permit, those basic indoor plumbing repairs, yet, with the

suggestion of the Plumbing Board, we still protect that you are not allowed to just totally rearrange fixture and put them from one place to another, and that you would have to come in and take a test for those more advanced things, and the guys did a great job and I want to acknowledge that and thank you very much for sticking up for the homeowner and finding that balance where we should say, "Maybe we need to talk to you a little bit".

ROLL CALL ON THE AMENDMENT: Ayes: Councilmen Baisley, Seminara, Cifone,  
Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

Town Attorney Mahar: Would there be any objection if we set the 9<sup>th</sup> day of December for the Public Hearing? Because we are going to have to get the tape to get that resolution in proper form.

Motion made to amend the "**Public Hearing Date to 9<sup>th</sup> day of December, 2009**": Supervisor Myers/T. Tancredi

ROLL CALL ON AMENDMENT FOR DATE: Ayes: Councilmen Baisley, Seminara, Cifone,  
Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

ROLL CALL ON RESOLUTION: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi,  
and Supervisor Myers  
Nays: None CARRIED: 5-0

11:18-6A AUTHORIZE

A. Budget Modifications, From Listed  
Departments

- A. Assessing
- B. Highway
- C. Police
- D. Recreation
- E. Personnel
- F. Recreation
- G. Auto Center
- H. Assessing
- I. Comptroller
- J. Town Clerk
- K. Recreation
- L. Building
- M. Zoning & Planning
- N. Recreation
- O. Interfund Transfers
- P. Building
- Q. Building
- R. Engineering
- S. Legal
- T. Water
- U. Highway
- V. Various (Health Care-Related  
A Fund)
- W. Various (Health Care-related  
B Fund)
- X. Various (Health Care-Related  
D Fund)
- Y. Unallocated Insurance

B. Adopt Preliminary Amended  
Budget As Final Budget For 2010

A. RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**ASSESSING**

Increase: A 1355.0101 – Regular Pay	\$1,890.00
Increase: A 1355.0811 – Social Security	145.00
Increase: A 1315.1001 – Real Property Taxes	-2,035.00

SO MOVED: J. Baisley/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

B. RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**HIGHWAY**

Decrease: DB 9730.0601 – BAN	-\$22,000.00
Decrease: DB 1315.1001-Real Property Taxes	22,000.00

SO MOVED: J. Baisley/T. Tancredi

Supervisor Myers: Jim, this is because they changed the amount we owe?

Jim Wojtowicz, Comptroller: Right. This is one of the ones I went back and double checked with Financial Advisor and they gave me a number that was too high.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

C. RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**POLICE**

Decrease: B3120.0101- Police Salaries	-\$250,000.00
Decrease: B3120.0823 – Social Security	- 19,125.00
Decrease: B1315.1001 – Real Property Taxes	269,125.00

SO MOVED: J. Baisley/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0



D.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**RECREATION**

Increase: A7110.0481 – Contracted Services	\$20,000.00
Increase: A1315.1001- Real Property Taxes	- 20,000.00

SO MOVED: J. Baisley/T. Tancredi

Councilman Tancredi: You will see Dominic, there is an increase to the Budget and this is for the maintenance of the medians which was left out of the original budget and we have to go back and contract it out this year.

Supervisor Myers: Both medians?

Councilman Tancredi: We hope.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

E.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**PERSONNEL**

Decrease: A1430.0101 – Regular Pay	-\$25,000.00
Decrease: A1430.0811 – Social Security	1,998.00
Increase: A1430.0481 – Contracted Services	45,000.00
Increase: A1315.1001 – Real Property Taxes	- 18,002.00

SO MOVED: J. Baisley/D. Seminara

Supervisor Myers: I think we would have better serviced the Town if we had a Personnel individual in Town Hall five days a week instead of 40 days a year.

Councilman Cifone: We wouldn't be able to get someone qualified and we would be paying benefits.

Supervisor Myers: Not for a part-time person.

Councilman Cifone: If you can find someone, bring them in. We left it in because we had no good track record in successfully bringing someone in that was qualified.

Councilman Seminara: I would just recommend that if we find someone, we find someone of the caliber of the service we now have here. They are able to re-write the Town manual and giving us briefings on new requirements on safety and other issues you have to do for employees in accordance with the law, so if you do look for someone else, we have to find someone as well qualified as the people we are now using.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi  
Nays: Supervisor Myers CARRIED: 4-1

F. RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**RECREATION**

Decrease: A7020.0205 – Computer Hardware \$600.00  
Decrease: A1315.1001 – Real Property Taxes 600.00

SO MOVED: J. Baisley/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

G. RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**AUTO CENTER**

Increase: A1640.0432 – Gas & Oil \$2,000.00  
Increase: A1315.1001 – Real Property Taxes - 2,000.00

SO MOVED: J. Baisley/D. Seminara

Comptroller Wotjowicz: This is the one Mr. Casement caught the other night. We didn't have enough in for Gas & Oil. We only had \$480.00 in there and we used \$1700.00 this year.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

H. RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**ASSESSING**

Decrease: A1355.3060 – Assessor Revenue \$6,000.00  
Increase: A1315.1001 – Real Property Taxes - 6,000.00

SO MOVED: J. Baisley/T. Tancredi

Councilman Seminara: So, New York State, is once again, not going to give us the same amount of money.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

I. RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**COMPTROLLER**

Decrease: A1315.0115 – Temporary - \$2,000.00  
Decrease: A1315.0811 - Social Security - 153.00  
Decrease: A1315.1001 – Real Property Taxes 2,153.00

SO MOVED: J. Baisley/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

J.

**RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor’s Budget for the year 2010, as follows:

**TOWN CLERK**

Decrease: A1410.0405 – Advertising - \$2,000.00  
Decrease: A1315.1001 - Real Property Taxes 2,000.00

SO MOVED: J. Baisley/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

K.

**RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor’s Budget for the year 2010, as follows:

**RECREATION**

Decrease: A7110.0481 – Contracted Services \$35,000.00  
Decrease: A1315.1001 - Real Property Taxes 35,000.00

SO MOVED: J. Baisley/D. Seminara

Supervisor Myers: Ok, I’m confused, you just raised that same account, in Item # D, by \$20,000.00, now you are Decreasing it, \$35,000.00.

Councilman Seminara: So, that’s an increase by \$15,000.

Supervisor Myers: So, why didn’t we have one resolution?

Comptroller: It’s for two different purposes, the first one was for the medians and this one is for the landscaper. We had a surplus in 2009, so that’s why.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

L.

**RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**BUILDING DEPARTMENT**

Increase: B3620.2555 – Building Permit Revenues	-\$15,000.00
Increase: B3620.2564 – Building Commercial Revenue	- 15,000.00
Increase: B3620.2569 – Searches Revenues	- 5,000.00
Decrease: B1315.1001- Real Property Taxes	35,000.00

SO MOVED: J. Baisley/T. Tancredi

Supervisor Myers: I have a question. This year we had budgeted \$250,000 for Building Permits. To date, as of today, we have taken in \$88,000.00. We reduced the budget for next year to \$150,000 in hopes that we can do that and now you want to increase that projection. It just seems like paper money we are just moving around.

Neil Wilson: Essentially what it is in the last couple of quarters, third quarter and this quarter, we have noted increases in requests for searches and a pick up in permits we didn't see earlier in this year. So, the suggestion was to pick up the additional revenue, I think it is a very conservative number, none the less, but there is certainly an increase based on the activity we are seeing.

Supervisor Myers: So far, the activity has been \$88,000.00 for Building Permits and \$165,000 for commercial. We already have \$150 and \$250 budgeted. You are suggesting that we increase both of them by \$15,000. We are not even going to come close to what we have budgeted for next year, this year. I would love to see it happen and love to see us reach those revenues, but it will impact the taxpayers next year if we don't come close.

Councilman Seminara: Guessing in the other direction impacts the taxpayers, too, although it's a pleasant surprise. You are talking about two estimates here that vary about 10% from each other and I think there is later information that we are dealing on to get that estimate. I don't have a problem trying it, because I trust your judgment and Tim Sickie's judgment.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi  
Nays: Supervisor Myers

CARRIED: 4-1

M.

**RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**ZONING & PLANNING**

Increase: B8010.2110 – Zoning Fees	-\$10,000.00
Increase: B8020.2115 - Planning Fees	- 15,000.00
Decrease: B1315.1001 – Real Property Taxes	25,000.00

SO MOVED: F. Baisley/T. Tancredi

Supervisor Myers: I would say the same thing here, particularly when it comes to the Planning Fees. The Budget for next year is \$100,000.00 and so far this year we've taken in \$38,000.00 and you want to raise that projected income.

Neil Wilson: Yes, Again, one of the things we are working on is that simply increases in regular fees, the application fees, but we are also preparing, for your consideration, we will have this up for the December 2<sup>nd</sup> meeting, revisions to Chapter 105 FEES, to also include additional fees for, say, an applicant who has received an approval and goes out and builds something other than what he had received an approval for. That always raises issues of enforcement and the need,

often times, for a subsequent amended approval by the Planning Board. So, the second time around is a result of the enforcement, in other words, the reconsideration of an amended plan because he didn't build it right the first time. That would be subject to essentially doubling the application fee. The other thing we are working on is Chapter 106 that is referred to right now as the Escrow of our Code. The Escrow, the way they are set up now, we collect the Escrow fees for payment to outside consultants, Engineering, Legal, Wetland Consultants or whatever needed to be. It seems to be altogether reasonable to also allow for staff, Planning Staff, Zoning Staff and Building Department Staff during the review of those applications that come before the Planning and Zoning Boards. We also tap into those fees as part of the review. We do not entirely cover all of the review costs to the Town, in other words my time, my planner's time and my Zoning Administrator's time, Building Department's time reviewing applications coming into the Planning Board. If we are charging an application fee for a Site Plan, that fee only covers part of total staff, which also includes clerk, processing, and placement of newspaper notices of public hearings. Also, some of the larger projects take more staff time than others. So, one of the thoughts is to amend Chapter 106 to allow for the actual cost of staff time to be charged as the outside consultants do for their hourly rates to review matters to be sent out to, say, Engineering for their review. Town staff would then have the ability to charge their time against those Escrow fees. That's what you are seeing here and this is a very conservative estimate because I do believe that ultimately people seeking approvals should also pay the cost of the Town's review. So what you see here is the Planning and Zoning fees being increased to represent that. The Planning Department took in considerably more in 2008 and early 2009 than it has more recently, which is why the fees you see here are actually 20% of the totals coming in and maybe a little bit less and so I think they are very conservative. It's a cost allocation program is what I'm describing where you have Town staff charging their time against the Escrows that are paid by applicants as opposed to simply using those Escrow fees to pay for outside consultants.

Councilman Seminara: I think that's a great idea. That's probably something that hasn't been done in many municipalities for a long time and I am very happy with your analysis you have provided for us, thank you. I would certainly support that to a pretty high level, however, I do feel that some of the people who are using those services may be Town residents or Town business people that pay taxes and deserve some services.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi  
 Nays: Supervisor Myers CARRIED: 4-1

N.

**RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**RECREATION**

Decrease: A7110.0116 – Seasonal	\$1,364.00
Decrease: A1315.0811 – Social Security	- 104.00
Decrease: A1315.1001 – Real Property Taxes	1,468.00

SO MOVED: J. Baisley/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
 Nays: None CARRIED: 5-0

O.

**RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**INTERFUND TRANSFERS**

Increase: A9910.5031 – IFT Water – Revenues	- \$200,000.00
Decrease: A1315.1001 – Real Property Taxes	200,000.00
Increase: F9910.0901 – IFT Water – Appropriation	200,000.00
Increase: F1315.5095 – Approp. Fund Balance	- 200,000.00

SO MOVED: J. Baisley/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
 Nays: None CARRIED: 5-0

P.

**RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor’s Budget for the year 2010, as follows:

**BUILDING**

Decrease: B3620.0112 – Part Time	- \$29,890.00
Decrease: B3620.0811 – Social Security	- 2,287.00
Decrease: B1315.1001 – Real Property Taxes	32,177.00

SO MOVED: J. Baisley/T. Tancredi

Supervisor Myers: This is an employee, correct?

Councilman Baisley: Yes, One of the fire inspectors.

Councilman Seminara: So, that leaves us with a full time and part-time fire inspector?

Councilman Baisley: Yes, the Inspection numbers are down about 25%.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi  
 Nays: Supervisor Myers CARRIED: 4-1

Q.

**RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor’s Budget for the year 2010, as follows:

**BUILDING**

Decrease: B3620.0112 – Part Time	- \$20,650.00
Decrease: B3620.0811 – Social Security	- 1,580.00
Decrease: B1315.1001 – Real Property Taxes	22,230.00

SO MOVED: J. Baisley/T. Tancredi

Supervisor Myers: This is another individual?

Councilman Baisley: Yes, typist for Water Department.

Supervisor Myers: It is really a billing position, not typist.

Comptroller: Yes, actually Senior Account Clerk.

Councilman Seminara: If we have to change where the funds are located next year, I would think I would support this and hope that this moves works out.

Councilman Tancredi: If possible, I would like to create the position in the Water Department, I know they need a clerk and need a senior account clerk and I would think this person is capable of fulfilling those duties. I don't enjoy seeing people having to be let go. If we can place her, if not, we will have to let her go.

Supervisor Myers: These are Civil Services position, I'm not so sure it can be done.

Councilman Seminara: Well, I think we should go forward with this and see if it can be done, we can modify the budget later at worst. I don't see too much of a risk here.

R.

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

#### ENGINEERING

Decrease:	A1440.0101 – Regular Pay	\$38,168.00
Decrease:	A1440.0102 – Longevity	- 1,500.00
Decrease:	A1440.0811 – Social Security	- 2,920.00
Decrease:	A1440.0812 – Retirement	- 6,212.00
Decrease:	A1440.0821 - Medical Insurance	- 9,833.00
Decrease:	A1440.0822 – Optical Insurance	- 192.00
Decrease:	A1440.0811 – Life Insurance	- 50.00
Decrease:	A1315.1001 – Real Property Taxes	58,875.00
Increase:	F8310.0101 – Regular Pay	19,084.00
Increase:	F8310.0102 – Longevity	750.00
Increase:	F8310.0811 – Social Security	1,460.00
Increase:	F8310.0812 – Retirement	3,106.00
Increase:	F8310.0821 – Medical Insurance	4,917.00
Increase:	F8310.0822 – Optical Insurance	96.00
Increase:	F8310.0811 – Life Insurance	25.00
Increase:	F1315.1001 – Real Property Taxes	- 29,438.00
Increase:	S8110.0101 - Regular Pay	19,084.00
Increase:	S8110.0102 – Longevity	750.00
Increase:	S8110.0811 – Social Security	1,460.00
Increase:	S8110.0812 - Retirement	3,106.00
Increase:	S8110.0821 – Medical Insurance	4,916.00
Increase:	S8110.0822 – Optical Insurance	96.00
Increase:	S8110.0811 - Life Insurance	25.00
Increase:	S9901.5031 – Transfer to Districts	- 29,437.00

SO MOVED: J. Baisley/M. Cifone

Councilman Seminara: I don't quite understand the last one here. It looks like an FD Increase to real property taxes here?

Councilman Baisley: Yes. We are taking the engineer down stairs and splitting him between Sewer and Water because the majority of his work is doing pipe work for the sewer and water and the way it is budgeted now, sewer is not Town wide and water is and so it's being split into the departments where it belongs. So, that's the best way to do it.

Supervisor Myers: I don't understand, I don't believe that Russell spends a good deal of time doing water and sewer.

Neil Wilson: Actually, Russell has a variety of duties either with sewer and water, he does lighting and I have special projects for him and we found it appropriate for 25% split between the two.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi,  
Nays: Supervisor Myers CARRIED: 4-1

S

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

LEGAL

Decrease:	A1420.0101 – Regular Pay	-\$169,008.00
Decrease:	A1420.0102 – Longevity	0
Decrease:	A1420.0811 – Social Security	- 10,140.00
Decrease:	A1420.0812 - Retirement	- 17,099.00
Decrease:	A1420.0821 - Medical Insurance	- 10,500.00
Decrease:	A1420.0822 – Optical Insurance	- 385.00
Decrease:	A1420.0811 – Life Insurance	- 100.00
Increase:	A1420.0481 – Contract Services	150,000.00
Decrease:	A1315.1001 – Real Property Taxes	57,232.00

SO MOVED: J. Baisley/T. Tancredi

Supervisor Myers: Would you explain what that does to the Legal Department please?

Councilman Baisley: Most likely nothing. Mr. Mahar thought we should bring some of the stuff back in-house. We have (inaudible) on retainers for about \$30,000 a year and to restructure the department and figure out what to do with the attorneys, we figured this would be the best way. We intend to keep Legal in-house full time.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi,  
Nays: Supervisor Myers CARRIED: 4-1

T

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

WATER

Decrease:	F8310.0481 – Contracted Services	-\$ 2,480.00
Decrease:	F8320.0462 – Electric	- 18,340.00
Decrease:	F8310.0102 - Longevity	- 3,000.00
Increase:	F8310.0101 – Regular Pay	2,425.00
Increase:	F8320.0101 - Regular Pay	5,630.00
Increase:	F8340.0101 – Regular Pay	14,245.00
Increase:	F8320.0811 - Social Security	430.00
Increase:	F8340.0811 – Social Security	1,090.00

SO MOVED: J. Baisley/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

U

RESOLUTION



BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**HIGHWAY**

Increase: DB5110.0101 – Regular Pay	\$30,000.00
Increase: DB5110.0811 – Social Security	2,295.00
Decrease: DB5110.0432 – Gas & Oil	-32,295.00
Increase: A5010.0101 – Regular Pay	2,000.00
Increase: A5010.0811 – Social Security	153.00
Decrease: A5010.0442 – Repairs Building	-2,153.00

SO MOVED: J. Baisley/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

V.

**RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

**VARIOUS (HEALTH CARE-RELATED: A FUND)**

Decrease: A1010.0821- Medical Insurance	-\$ 496.00
Decrease: A1110.0821- Medical Insurance	- 1,450.00
Decrease: A1220.0821- Medical Insurance	- 440.00
Decrease: A1315.0821- Medical Insurance	- 433.00
Decrease: A1330.0821- Medical Insurance	- 369.00
Decrease: A1355.0821- Medical Insurance	- 692.00
Decrease: A1410.0821- Medical Insurance	- 496.00
Decrease: A1420.0821- Medical Insurance	- 330.00
Decrease: A1620.0821- Medical Insurance	- 357.00
Decrease: A1440.0821- Medical Insurance	- 586.00
Decrease: A1640.0821- Medical Insurance	- 424.00
Decrease: A5010.0821- Medical Insurance	- 385.00
Decrease: A7020.0821- Medical Insurance	- 496.00
Decrease: A9060.0821- Medical Insurance	- 1,925.00
Decrease: A1315.1001- Real Property Taxes	9,236.00
Decrease: A1680.0821- Medical Insurance	- 357.00

SO MOVED: J. Baisley/M. Cifone

Supervisor Myers: Jim, we know that NYSHIP is going up 4%, MVP is going up 10 ½ %, do we know if that includes the 4% surcharge?

Jim Wojtowicz, Comptroller I don't know. I got the information about 4 PM this afternoon. Basically, this entry is two-fold, one NYSHIP we budgeted in Tentative Budget, 10% is the best information available. NYSHIP, the State did a fantastic job, they came in at 3.5%, so we pick up 6.5% there. The second part is as Pat said, MVP told us 10.5%, but we got information that if we go to Co-Pay on the Specialist list, right now it's \$25 to see a Specialist. If it goes to \$40 the premium drops, but that basically is what is here, Pat. We are going to give them \$40 Co-pay and give the employee back \$20 and so we save \$50,000 in premium spread over Water and Sewer as well, so the general fund only gets about \$32,000 of it.

Supervisor Myers: Do we know about Empire yet?

Comptroller: No. But, it's immaterial because there are only 16 people left in Empire now.

Supervisor Myers: I think the big thing is we don't know about the 4% surcharge from MVP, which would be a tremendous hit if it were to come through. Also, any changes we make like this would have to be negotiated, right?

Town Attorney Mahar: Yes.

Councilman Baisley: I'm almost positive the 4% is in there. I believe he said it was.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

W.

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

#### VARIOUS (HEALTH CARE-RELATED: B Fund)

Decrease:	B3120.0821 - Medical Insurance	-\$27,710.00
Decrease:	B3620.0821 - Medical Insurance	- 2,300.00
Decrease:	B 8010.0821 - Medical Insurance	- 247.00
Decrease:	B 8020.0821 - Medical Insurance	- 708.00
Decrease:	B9060.0821 - Medical Insurance	- 1,490.00
Decrease:	B1315.1001 - Real Property Taxes	32,455.00

SO MOVED: J. Baisley/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

X.

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

#### VARIOUS (HEALTH CARE-RELATED: D FUND)

Decrease:	DB5110.0821 - Medical Insurance	-\$7,425.00
Decrease:	DB9060.0821 - Medical Insurance	- 525.00
Decrease:	DB1315.1001 - Real Property Taxes	7,950.00

SO MOVED: J. Baisley/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

Y.

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to the recommendation of the Finance Committee, does hereby amend the Supervisor's Budget for the year 2010, as follows:

#### UNALLOCATED INSURANCE

Decrease:	A1910.0467 – Insurance	-\$ 7,500.00
Decrease:	B1910.0467 - Insurance	- 24,500.00
Decrease:	DB1910.0467 – Insurance	- 5,000.00
Decrease:	F1910.0467 – Insurance	- 7,000.00
Decrease:	S1910.0467 – Insurance	- 6,000.00
Decrease:	A1315.1001 – Real Property Taxes	7,500.00
Decrease:	B1315.1001 – Real Property Taxes	24,500.00
Decrease:	DB1315.1001 – Real Property Taxes	5,000.00
Decrease:	F1315-1030 – Real Property Taxes	7,000.00
Decrease:	S9901.5031 – Spec Assessment	6,000.00

SO MOVED: J. Baisley/T. Tancredi

Councilman Seminara: I understand where it says decrease real property taxes and what is the decrease for special assessment?

Supervisor Myers: Sewer.

Councilman Seminara: Ok, so this is a net \$50,000, thank you.

Supervisor Myers: Jim, are these good numbers?

Jim Wojtowicz, Comptroller: This was late information, too, our insurance bill is budgeted at \$780,000.00 total. This is about 5%. They estimate any where between 5% and 10%. I think it is conservative.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

11:18-06B ADOPT

PRELIMINARY Amended Budget  
As Final Budget for 2010

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie pursuant to public hearing held on November 4, 2009 at 7:00 PM and November 13, 2009 at 6:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY does hereby adopt the Preliminary Budget as amended as the Town Budget for the year 2010.

SO MOVED: J. Baisley/M. Cifone

Councilman Seminara: Ok, so voting yes on this is voting yes on everything we had in place in the Budget and just did all these amendments to, correct?

Town Attorney Mahar: That is correct.

Councilman Seminara: Now, by my calculations, I think we saw line items that took about \$803,000 out of the budget and approximately \$48,000 increase for a net decrease of approximately \$755,000 to the tax bills? Do I have that right?

Councilman Baisley: Pretty close, yes.

Councilman Tancredi: Jay, I'm sure everybody wants to know what the bottom line is.

Councilman Baisley: \$4.93 % increase.

Councilman Seminara: What was it before that?

Councilman Baisley: \$8.89%.

Councilman Seminara: Ok, so it went down approximately 4%.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0  
11:18-07 AUTHORIZE Supervisor To Send Letter In Regard  
To Unemployment Insurance

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize and direct the Supervisor to advise in writing those employees who work less than 10 months a year and/or 40 hours a week that said employees will be retained on the same terms and conditions, which were applicable when said employees took their leave pursuant to the conditions of their job.

SO MOVED: D. Seminara/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

11:18-8 AUTHORIZE Central Hudson Street Lighting  
Authority Order for Twin Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the Central Hudson Street Lighting Authority Order, attached hereto, for the installation of one (1) light at the Briarwood Drive, pursuant to the attached memo from the Assistant Town Engineer.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

ORDER ATTACHED TO FINAL BOOK COPY

11:18-9 AUTHORIZE Central Hudson Street Lighting  
Authority Order for Twin Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the Central Hudson Street Lighting Authority Order, attached hereto, for the installation of one (1) light at Twin Road, pursuant to the attached memo from the Assistant Town Engineer.

SO MOVED: T. Tancredi/J. Baisley

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

ORDER ATTACHED TO FINAL BOOK COPY

11:18-10 AUTHORIZE Water & Sewer Relevy For  
Delinquent Water & Sewer Rents  
& Charges

RESOLUTION

WHEREAS, it appears that certain water and sewer rents, assessments and charges due to the various districts in the Town of Poughkeepsie from properties within said districts have not been paid for more than sixty (60) days and are liens against the said properties; now therefore

BE IT RESOLVED, that such list of delinquent water and sewer rents and charges be accepted, approved and adopted by the Town Board of the Town of Poughkeepsie, and that a copy thereof, duly certified by the Town Clerk, be presented to the County Legislature, by the Town Clerk, and that the amounts stated as being in default be levied against the properties liable thereof.

WATER	\$233,840.32
Sewer	\$131,355.20
	<hr/>
TOTAL	\$365,195.52

SO MOVED: Supervisor Myers/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

11:18-11 AUTHORIZE TO  
GO TO BID

For Fairview Avenue Pavement  
Rehabilitation Project Pursuant To  
Federal-Aid Highway & Marchiselli-Aid  
Local Project Agreement

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to request bids pursuant to the plans and specifications prepared by Morris Associates for the Fairview Avenue pavement rehabilitation project, pursuant to Federal-Aid Highway and Marchiselli-Aid Local Project Agreement, which project is covered by stimulus money.

SO MOVED: J. Baisley/M. Cifone

Councilman Seminara: In our infrastructure Committee meeting that we hold, we have about, because we were able to come up with a lot of efficiencies in the last set of rolls we did and probably because the economy was a little bit bad and things came in at better prices, we have about a million of road funds left. The three projects on the Federal Aid, which you know I don't like any way, are in it, and come in at \$4 million dollars, but they don't pay for it up front and I was advised today that we would expect payment within a month, but it hasn't been forth coming. We might get payment in three or four months. We don't really have enough money since we have fortunately a million dollars in bond money left, because we got lucky and did a good job with the last bond. We had about a million available, but we have about four million dollar projects we have to pay for up front and it has taken as long as three months and we still don't have a check yet and we don't have a firm date of when we are getting this money back. We have a potential problem here. The potential solution, is if the Board decides to do another road bond, you can kind of use that and borrow from the savings account and put it back when you get the check. But, we don't have it right now and we don't have a bond out there right now, so, it's something that I didn't not want to bring to your attention that you have this floating out there.

Councilman Baisley: (Inaudible) from the Federal Government?

Supervisor Myers: You mail in your bills as you get them, yes.

Councilman Seminara: There is an additional complication. They changed the requirements. I think it's through DOT that they require that you must start these projects by March 15<sup>th</sup> on top of everything else. So, that's as much information as I have.

Supervisor Myers: You have three years to do the paving, you would have to start submitting a bill by March 15<sup>th</sup>, but you are billed for advertising for the bid and preparing the bid documents.

Councilman Seminara: No, I believe you are wrong and we have a little bit of a problem here. You are taking a risk and the only way you can cover the risk is to already start thinking about your next road bond.

Councilman Cifone: We can certainly take that into consideration, but going to bid could be a start and we could get a check in from one of the other roads. We are waiting on checks to come back in now.

ROLL CALL: Ayes: Councilmen Baisley, Cifone, Tancredi, and Supervisor Myers  
Nays: Councilman Seminara CARRIED: 4-1

11:18-12 AUTHORIZE TO GO TO BID For Creek Road Pavement Rehabilitation Project Pursuant To Federal-Aid Highway & Marchiselli-Aid Local Project Agreement

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to request bids pursuant to the plans and specifications prepared by Morris Associates for the Creek Road pavement rehabilitation project, pursuant to Federal-Aid Highway and Marchiselli-Aid Local Project Agreement, which project is covered by stimulus money.

SO MOVED: D. Seminara/M. Cifone

Councilman Seminara: This is the wrong way to fund roads! This is the wrong level of government. The Federal Government is sloshing money around out there that is very inefficient and we are much more inefficient at doing roads and this is just not the right way to do it.

ROLL CALL: Ayes: Councilmen Baisley, Cifone, Tancredi, and Supervisor Myers  
Nays: Councilman Seminara CARRIED: 4-1

11:18-13 AUTHORIZE TO GO TO BID For Sheafe Road/Old Post Road Pavement Rehabilitation Project Pursuant To Federal-Aid Highway & Marchiselli-Aid Local Project Agreement

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to request bids pursuant to the plans and specifications prepared by Morris Associates for the Sheafe Road/Old Post Road pavement rehabilitation project, pursuant to Federal-Aid Highway and Marchiselli-Aid Local Project Agreement, which project is covered by stimulus money.

SO MOVED: M. Cifone/T. Tancredi

Councilman Seminara: So, it will cost us twice as much to do a road when the Federal Government does it, than if we did it.

ROLL CALL: Ayes: Councilmen Baisley, Cifone, Tancredi, and Supervisor Myers  
Nays: Councilman Seminara CARRIED: 4-1

11:18-14 BUDGET MODIFICATION Police Department to Purchase Replacement Emergency Red Lights

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby modify the 2009 Budget, pursuant to the attached Budgetary Transfer Request Form submitted by the Comptroller, to allow the Police Department to purchase replacement emergency red lights as follows:

FROM:

B 3120-0210 Grant Match \$2,000.00

TO:

B 3120-0472 Minor Equipment-other \$2,000.00

SO MOVED: T. Tancredi/J. Baisley

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

11:18-15 BUDGET Police Department To Cover  
MODIFICATION College Tuition

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby modify the 2009 Budget, pursuant to the attached Budgetary Transfer Request Form submitted by the Comptroller, to allow the Police Department to cover college tuition as follows:

FROM:

B 3120-0210 Grant Match \$6,000.00

TO:

B 3120-0428 College Tuition \$6,000.00

SO MOVED: Supervisor Myers/T. Tancredi

Supervisor Myers: I'm assuming that is meant to be TO:

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

11:18-16 APPROVAL OF October, 2009  
MINUTES October 21 Regular Meeting  
October 28 Public Information Meeting

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the minutes for the following 2009 Town Board Meetings, to wit:

October 21, and 28, 2009

SO MOVED: J. Baisley/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

11:18-17 APPROVAL Waiver of Liquor License Renewal For  
South Gate Group, LLC D/B/A South  
Gate Café Located At 432 South Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from South Gate Group, LLC D/B/A South Gate Café, 432 South Road, Poughkeepsie, NY for a waiver of the 30 day review period for renewal of liquor license; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the thirty (30) day review period and does authorize and direct the Town Clerk to forward a letter of waiver and consent, pursuant to the attached request.

SO MOVED: D. Seminara/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

11:18-18 NOTIFICATION Liquor License Renewal For Julie’s Restaurant & Catering, Inc. Located At 49 Raymond Avenue

NOTED BY TOWN BOARD WITH NO OBJECTIONS

11:18-19 NOTICE OF PUBLIC HEARING Town Board of Hyde Park Will Hold A Public Hearing November 23, 2009 For A Local Law To Amend The Town Code, Section 108-24.2C(2) Regarding Commercial Signs Within Shopping Centers

NOTED BY TOWN BOARD

11:18-20 APPROVE Special Consent Items SC 1, SC 2

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby grant Special Consent to the following items; to wit:

- SC 1. Authorize Supervisor to Sign (Legal) Sewer Use Agreement – Vikat P-Town, LLC (Super 8)
- SC 2. Notification Liquor License Renewal Aramark Educational Services, LLC – (Matthew’s Mug)

AND BE IT FURTHER RESOLVED, that upon the objection of any member of the Town Board, an item may be removed from the list and voted on separately.

SO MOVED: M. Cifone/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

11:18-SC 1 AUTHORIZE SUPERVISOR TO SIGN Sewer Use Agreement For Vikat P. Town, LLC

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received a request from Vikat P-Town, LLC, 2349 South Road, Poughkeepsie, NY 12603, (hereinafter the Owner), the Town of Poughkeepsie, a municipal corporation (hereinafter the Town), and the Woodmere Sewer District, the Arlington Sewer District, the Arlington Sewer Service Area and the Arlington Sewer Service Area 1, (hereinafter Sewer District), all having their principal place



of business located at One Overocker Road, Poughkeepsie, NY 12603 to become a tenant of the Arlington Sewer District and related sewer service areas for sewer services to premises identified as Grid No. 6160-03-064112 consisting of 1.8 acres, which property is fronting on South Road, and

WHEREAS, the matter has been reviewed by the Town of Poughkeepsie Legal Department, Sewer Department and Water Department as to the terms and conditions to be imposed, and

WHEREAS, the parties have negotiated a sewer agreement acceptable to all parties which includes a designation of future uses by lot and amount of flow allocated thereto; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does declare itself as Lead Agency and does declare that said proposed Sewer Agreement is a Type II Action under the New York State Environmental Quality Review Act, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute said document, upon receipt, which document contains a consent to the above cited transfer.

SO MOVED: T. Tancredi/M. Cifone

Councilman Seminara: Super 8, is that next to the old Red Bull?

Town Attorney Mahar: Yes, it is. This is one of the agreements that expired around April of 2009 and we went back to the owners of the three separate facilities and are getting a new sewer use agreements.

Councilman Seminara: In the Sewer Use Agreements, do we discuss how many benefit units they are getting.

Town Attorney Mahar: Yes. This says one benefit unit per room. There are 61 rooms and therefore 61 benefit units will be added to the Woodmere Sewer District.

Councilman Seminara: Is there only going to be one user because it says allocation of flows? Could there possibly be more than one user?

Town Attorney Mahar: At this point in time, all we know of is one flow. But it's just precautionary.

Councilman Seminara: So, the flow would be all to that one user at 61 benefit units? So, they are going to be a tenant of the Sewer District at the rate of as if they were in the District, which is \$168 per benefit unit plus \$1.50 on the flow back. So, they get the same deal as the one's inside the district.

Town Attorney Mahar: That's correct.

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 5-0

11:18-SC 2 NOTIFICATION

Application For On-Premises Liquor License For ARAMARK Educational Services, LLC, For Matthew's Mug Located At 124 Raymond Avenue

Supervisor Myers: Is this on Vassar Campus? (Yes) Does it concern anyone that this is going to be in operation from 10 PM to 2 or 3 AM? Don't we have enough problems with drinking on College Campuses?

Councilman Tancredi: Couldn't we limit the hours?

Town Attorney Mahar: An establishment on private property, I'm not sure we have the authority to do so.

Councilman Baisley: I believe we can send a letter in to the Liquor Authority stating that we are not in favor of it like we did one of the other ones.

Town Attorney Mahar: That's correct and we did that for a facility on IBM Road.

Councilman Seminara: Aren't all establishments basically on private property?

Town Attorney Mahar: You are absolutely right, poor choice of words. When they are in a private facility, I don't know if we have jurisdiction over them.

REFERRED TO THE POLICE DEPARTMENT  
AND THE ARLINGTON FIRE DEPARTMENT

Doreen Tignanelli: In addition to having the Police Chief check on this for Matthew's Mug, and I don't know if this is part of his review, but, how about checking with the Arlington Fire District for the EMS calls because I just read an article in the Vassar Misc. News where they talked about the record number of kids transported to area hospitals over the Halloween weekend and it was a pretty high amount and of course that is something that all taxpayers in the Arlington District are paying for in addition to, also, police fees if the police need to respond. I, also, would like to thank the board for over the last month or so for the budget process. I've been complaining also that the Town residents should not have to pay for repeat violators as part of the Planning Board process and I mentioned the Van Guard Site and Cliffdale Site and I'm glad to see that that is being addressed, so thank you.

Jim Kitcher: I'm here again to kind of update the Board on the status of what is going on with the Germano property improvements. Neil Wilson is working on an agreement and he is getting closer, but as far as I can see, nothing has changed, not one thing, from two months ago, four months ago or three years ago. The Town has allowed again, him to seize this property, use it willfully the way he wants, disrupt part of our lives on our block and it hasn't cost him one nickel, hasn't cost him one hour of his business being down and again, along the lines you were saying before, if he had to pay us and you for all the time we had to spend about it, he would owe us a lot of money. My whole point here is that right now, Neil has an agreement that he is going to try and extend this fence this year and wait and do all the landscaping next year. Nothing is being said about this whole border and where the fence is going to be. My suggestion is that the Town put curbing or ask him to move the curbing so that this line which defines where the new fence will be and direct the traffic into the site so he can't park cars all in this area, and be put up NOW, like this WEEK, so he can't park cars over in this zone, while we are waiting for the fence to be put up. He should be restricted from using that property starting NOW. I am happy with the way we are going with this, I just hope we get there within my life time.

Jim Baretta: I just want to talk about the Woods at Cliffdale, the former Girl Scout property. I think everyone knows that there were a set of pillars that were starting to be constructed there that were not on the plans. The very first bricks and mortar that showed up on that planned site were not even on the plans. Anyway, they got a STOP WORK ORDER on that and so they were in here last Thursday night at the Planning Board Meeting and it was called an amendment to a private road or something like that, but I was disappointed that nobody in that meeting said that there was a STOP WORK ORDER. The whole conversation took place like it was some amendment. I am pleased that I was given a chance to talk because residents were not give the opportunity to talk at Planning Board Meetings before unless it was a hearing. The bad part though, is we weren't given a chance to talk until at the end of the meeting and so by then the discussion and vote had already taken place. It was an improvement that the residents could talk about it, but it happened after the fact, so there was a plus and a minus there. They were given conditional approval on the pillars with a 7-0 vote. Also, one of the pillars was being built in a rain garden and so one of the conditions was that they had to relocate the rain garden. They had to do some map notes and the Chairman had to sign the plans. Well, the next morning at 9 AM, they were working on the pillars. Neil went out to the site and told them to stop work because the STOP ORDER was still in affect. The applicant here is really making it difficult for everybody. There is a huge list of items here.

Bob Casement commended the Board on the work they did on the Budget and thanked them.

Motion was made to resume the rules: Supervisor Myers/T. Tancredi

CARRIED: 5-0

Motion made to close the Regular Meeting: Supervisor Myers/M. Cifone

CARRIED: 5-0

MEETING CLOSED AT 9:01 PM

NOVEMBER 18, 2009

COMMITTEE OF THE WHOLE MEETING  
(IMMEDIATELY AFTER REGULAR TOWN BOARD MEETING)

Motion made to open Committee of the Whole Meeting: Supervisor Myers/M. Cifone

CARRIED: 5-0

Motion made to suspend the rules for public speaking: Supervisor Myers/T. Tancredi

CARRIED: 5-0

11:18-COW 1 DISCUSSION

Lee Subdivision – Gift To Town of 7.5  
Acres

Mr. Yung Lee wishes to donate to the Town a gift of 7.5 acres of his land located off of Willowbrook Heights to the Town of Poughkeepsie since he wishes to move. The Town Board discussed whether the land should be accepted and how it could be used.

Mr. Tom Meyering, Recreation Director, walked the land and recommended that the acreage could be used for passive recreation

REFERRED TO THE LEGAL DEPARTMENT AND THE TOWN  
BOARD TO OBSERVE THE LAND AND DETERMINE WHETHER  
IT WOULD BE A LIABILITY OR AN ASSET

11:18-COW 2 DISCUSSION

Town of Poughkeepsie Little League  
Submitted a Grant Application for  
Additional Lights to Crestwood Field  
For \$50,000 to The Baseball Tomorrow  
Fund and Request a Letter of Support  
From the Town Board

A number of residents surrounding Crestwood Park vocalized their objections to the Park being equipped with lights for night games. They felt that it would interfere with their privacy by the additional noise of the public address system during night games and having bright lights shining near their homes at night, disturbing their peace. Also, more trash and extra traffic would be created.

Three members of the Town Board objected to the lights being located at Crestwood and felt that another park would be more suitable.

Mr. Don Rhuda, from MUSCO Lighting, described the lighting technology and tried to reassure the residents that the lighting could be concentrated on the field without reflection to the neighbors.

Mr. David Dittman, who wrote the grant, discussed issues with the Board

THE TOWN BOARD ASKED THAT THE GRANT BE CHANGED OR  
REWRITTEN TO HAVE THE LIGHTS AT ANOTHER PARK,  
SUCH AS JACKSON PARK

11:18-COW 3 DISCUSSION

Review Request To Reduce Franchise  
Area to Service Area Regarding Time  
Warner Cable

The Town and the three cable companies, Cablevision, Time Warner Cable and Verizon Fios, have been in negotiation for some time. The Town is now negotiating with Time Warner Cable. The current issue is that Time Warner Cable does not want a franchise to service the entire Town. They want a franchise for a more limited area. Attorney Mahar presented this issue to the Town Board for their opinion.

THE GENERAL OPINION WAS THAT THE TOWN BOARD  
WANTED THE TOWN RESIDENTS TO HAVE ALL THREE  
COMPANIES TO CHOOSE FROM FOR SERVICE AND NOT  
A LIMITED NUMBER. HOWEVER, COUNCILMAN SEMINARA  
SAID THAT IF THIS WAS PART OF THE NEGOTIATING  
PROCESS TO RESOLVE THE FRANCHISE NEGOTIATIONS, THEN  
THE BOARD WOULD BE WILLING TO REVIEW THIS MATTER  
IF ALL OTHER MATTERS ARE RESOLVED.

NO EXECUTIVE SESSION WAS HELD

COMMITTEE OF THE WHOLE MEETEING CLOSED AT 9:52 PM

SJM:lkM