

**MINUTES OF SPECIAL TOWN BOARD
MEETING HELD ON SEPTEMBER 16, 2009
AT 6:05 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE,
NEW YORK**

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

ABSENT:
Councilman Conte

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

{ } designates corrections

6:00 PM CALL TO ORDER SALUTE THE FLAG

09:16-ES 1 RESOLUTION

To Enter Executive Session to
Consider Following Matters:
A. Litigation Involving Rosewood
Metro Builders and Daraview V
Town

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation to discuss the litigation strategy in the case known as Rosewood, Metro Builders and Daraview V Town
2. Contract negotiations
3. Real Estates matters to the extent that public disclosure discussed would substantially affect the value of the property
4. Personnel matters to wit: Meeting to discuss the employment history of particular individuals who need not be identified at this time
5. Confidential meeting between Attorney and his client/Town Board, based on Attorney/Client privileges

AND BE IT FURTHER RESOLVED, there will be no appropriating of

money.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

MEETING ADJOURNED AT 6:09 PM

AUDREY SCOTT AND NEIL WILSON WERE
ASKED TO JOIN THE COUNCIL IN EXECUTIVE SESSION

INTO EXECUTIVE SESSION AT 6:12 PM

RETURNED FROM EXECUTIVE SESSION AT 6:45 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 6:46 PM

SPECIAL TOWN BOARD MEETING

SEPTEMBER 16, 2009 AT 7:00 PM

7:00 PM CALL TO ORDER SALUTE THE FLAG

**Supervisor Myers asked for a moment of silence for two Town
Employees who have had parents die this week, Louise
Baranick and Pat Brown.**

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

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Meeting will be found after the minutes of that meeting, which**

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{ } designates corrections

09:16SM 1 PRESENTATION Mr. & Mrs. Buchner – Gift of Land
on Spackenkill Road Entitled
“Woods At Cliffdale Subdivision”

This is a certificate of appreciation presented to Harold and Carole Buchner by the Town Board of the Town of Poughkeepsie, September 16, 2009:

APPRECIATION CERTIFICATE

In grateful recognition of the Donation of 40.78 acres of Open Space Land to the Town. The donated Open Space Land contains important forest and wetland habitat that is home to many common and rare species of flora and fauna. This gift of Open Space Land will insure the long-term protection and preservation of a locally unique and significant property.

SIGNED: Supervisor Myers Councilman Cifone
 Councilman Baisley Councilman Krakower
 Councilman Seminara Councilman Tancredi
 Councilman Conte

Supervisor Myers: We do thank you very much for your generous Donation.

Attorney Richard Cantor: The Deed is for forty acres of property on Spackenkill Road. The gift includes this Board to be placed where ever you wish in Town Hall. There are two pieces of property that make up the gift property. There is one piece called Lot 8A, which is 39.35 acres and there is a second piece that includes the pond which is called Lot 8B and is 1.43 acres and there is, also, a series of easements that do two things: One, they allow the public to enter the gift property and Two, they allow the Town and the Town's crews to enter as they need to to maintain the property and to protect public safety. I note that the Town has previously adopted resolutions, I believe sponsored by Councilman Tancredi, which has dedicated this land permanently as Open Space. I also want to note that Chairman John Weisman of the Planning Board is here, who has worked long and hard with us to help us work through the sub-division

so we could create the gift parcel and on behalf of Harold and Carole Buckner, we would like to thank the members of the Town Board and John and his colleagues and also the hardworking Planning Staff. We are glad this worked out and the Town now has 40 acres of the gift parcel for Open Space and we hope it is used and enjoyed in the spirit it is intended as passive Open Space permanently. Thank you.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept from Harold Buchner and Carole Buchner a deed to a parcel of property located on Spackenkill Road consisting of 40 acres, more particularly described as Lot 8A and Lot 8B on Filed Map 12263 entitled "Woods At Cliffdale Subdivision"; Town of Poughkeepsie, County of Dutchess, State of New York." which property has heretofore been designated as open Space or open Area as defined by the laws of the State of New York, and which designation had previously been authorized by the Town Board in two separate resolutions and said designation is hereby ratified and restated; and

AND BE IT FURTHER RESOLVED, the Town Board will, in the near Future, consider an imposition of a conservation easement to further protect said property.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Councilman Seminara: I would like to speak on this issue. First of all, we have a letter of thank you here from Janet Sinisi and it says, "Hi Todd," referring to Councilman Tancredi, "I want to take this opportunity to thank Harold and Carole Buchner for a gift that will be enjoyed by residents of The Town of Poughkeepsie for years to come. The Buchners have been very generous to the community by donating 40 acres of Open Space. This property was once used by the Girl Scouts to learn new skills, tackle the challenges of the outdoors and make lasting friends. Because of this gift, it will continue to be a sanctuary, a wild life refuge, a place of nature beauty for the residents who neighbor the property and hopefully others as well. I would also like to thank the Town Board of the Town of Poughkeepsie for their efforts to protect the nature preserve and their understanding of the value of this type of space in our community. Sincerely, Janet Sinisi

I also want to thank Todd, he did a lot of work on this with Mr. Buchner and we appreciate that. I would also like to say that there are many, many neighbors virtually surrounding that entire parcel whom I know are very happy. They do appreciate the tranquility that will be unchanged for them. So, they also appreciate it. I would like to further point out that I do remember having some communications with Mr. Buckner a few years ago about this and when the topic came up about donating some land, Mr. Buckner never batted an eye and he was very willing right from the beginning to do something decent for the Town and that is a great example to set and it is really appreciated. Thank you very much, again.

Councilman Tancredi: I know I've said before, but I would like to thank you again, Mr. Buchner, for your contribution. I know when we first discussed this a number of years back, it's been a very trying time at times, but, I do thank you for hanging in there and for the donation of the property.

Councilman Krakower thanked Councilman Tancredi, Mr. Buckner, Mr. Cantor and Chairman Weisman. It has been a long process but I think it turned out to be a very good project. I truly do appreciate all your efforts and donation. It's a very valuable asset and gift to the Town. I appreciate and I think the residents do also, thank you again.

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

09:16 SM 2 AUTHORIZE TO
GO TO BID

A. Tennis Court Reconstruction
At Red Oaks Mill Park
& New Hamburg Park
B. Peach Hill Park
Improvements

(A) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for

bids for "TENNIS COURT RECONSTRUCTION" at the Red Oaks Mill Park and the New Hamburg Park, pursuant to plans and specifications available on September 21, 2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:00 am at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or Part.

SO MOVED: D. Seminara/J. Baisley

Councilman Seminara and Councilman Baisley were very glad to see this come to bid.

ROLL CALL: Ayes: Councilmen Baisley, Seminara Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

(B) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "PEACH HILL PARK IMPROVEMENTS", pursuant to plans and specifications available on September 21,2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SM3 SET DATE FOR Community Development Block
PUBLIC HEARING Grant Program Application For
Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23rd day of September, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2010, of which the Town of Poughkeepsie is a member.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

09:16-SM 4 AUTHORIZE
SUPERVISOR

Agreement Between Town of Poughkeepsie & Spackenkill Union Free School District To Provide For A School Resource Officer For 01/01/10 To 12/31/10

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Spackenkill Union Free School District to provide for a School Resource Officer under the terms and conditions set forth in the agreement, attached hereto, for the period January 1, 2010 through December 31, 2010.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM 5 AUTHORIZE

Diane Benigno, From the Planning Department, To Work An Additional 8 to 10 Hours in the Assessing Department

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Diane Benigno, from the Planning Department, to work an additional 8-10 hours per week for the Assessing Department until December 31, 2009 at the rate of \$16.68 per hour.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Baisley: I brought this up a couple of weeks ago, I was more in favor of not additional hours in exchange for her hours in the Planning Department, seeing that the fees were down. I was hoping to see this not as an additional payroll item.

ROLL CALL: Ayes: Councilmen Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers

Nays: Councilman Baisley CARRIED: 5-1

09:16-SM6 AUTHORIZE Agreement with Mardi Bob Lanes
SUPERVISOR & Sports Pub To Allow For Use of
TO SIGN Parking Area & Building, In Case of
Emergency At Facility Located At
45 Taft Avenue on October 22, 2009

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Mardi Bob Lanes and Sports Pub to allow for the use of the parking area and building, in case of an emergency, at the facility located at 45 Taft Avenue, Poughkeepsie, NY from 8:00 AM to 5:00 PM on October 22, 2009, which agreement is in connection with the project at the Crestwood Boulevard Town Park.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM7 AUTHORIZE McKee Block Party On Scott
Terrace Change Of Date to
September 19, 2009 With

Rain Date on September 20

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby amend RESOLUTION 9:2-#10 Of 2009 to read September 19, 2009 not September 5, 2009 regarding the block party on Scott Terrace.

SO MOVED: D. Seminara/T. Tancredi

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

Nays: None

CARRIED: 6-0

09:16-SM8 SET DATE FOR PUBLIC HEARING Zoning Amendment Changes
Relative To The Crown Heights
Center Overlay District

RESOLUTION

WHEREAS, the Town Board has prepared amendments to Chapter 210-24 of the Town Code relative to the Crown Heights Center Overlay District (“Amendments”), a copy of which is attached hereto as Exhibits “A” and “B”; and

WHEREAS, the action by the Town Board on the Amendments is a Type I Action as defined by 6 NYCRR 617.4(b)(2) of the SEQRA regulations; and

WHEREAS, the adoption of changes to the Town Code is an act that only can be performed by the Town Board thereby naming the Town Board the only involved agency and the only potential lead agency to coordinate the environmental review of the action; and

WHEREAS, the adoption of the amendments is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the proposed amendments are attached as Exhibits “A” and “B” and incorporated herein.
2. The Town Board hereby establishes itself as the Lead Agency; and
3. The Town Board sets October 21, 1009 at 7:00 PM, or as soon

thereafter as the matter may come to be heard, in the Town Hall Meeting Room, as the date, time and place for the public hearing on the Crown Heights Center Overlay District amendments; and

4. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
5. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Dutchess County Department of Planning and Economic Development for review and recommendation Pursuant to the General Municipal Law Section 239-m; and
6. The Town Board hereby directs that a copy of this Resolution be delivered to the municipalities adjoining the Town of Poughkeepsie pursuant to the notice requirements of the General Municipal Law Section 239-nn.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

EXHIBITS A & B ATTACHED TO FINAL BOOK COPY

09:16 SM 09 WITHDRAWN FROM AGENDA

09:16-SM 10 GRANT Special Consent Items SC 1 and 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 Arlington Street Fair

SC 2 Authorize Waiver Liquor License Renewal
Hobnobbin Pub

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: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC1 EXEMPT Vendors of Food & Merchandise at The
Arlington Street Fair on September 26,
2009

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 26, 2009; and

WHEREAS, the presence of informational displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 26, 2009 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 26, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegeview Avenue from 6:30 AM to 8:30 PM for the Arlington Street Fair on Saturday, September 26, 2009, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate this resolution including, but not limited to, any agreement with the Arlington Central School District that may be required in regard to the use of the premises at Arthur S. May Elementary School on Raymond Avenue.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,

Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC 2 WAIVE 30 Day Review Period For Renewal
of TJM Restaurant Corp. D/B/A
Hobnobbin Pub Located At 11
Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from TJM Restaurant Corp., d/b/a Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, 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: Supervisor Myers/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Asked the Board to urge the County Legislators to consider the contract for the Burn Plant, the fact that they wanted to switch it from an operator who currently has no violations to an operator who has had a number of violations in a number of states over a number of years. "Unfortunately, the County Legislature is not bringing that resolution forward and it looks like the switch of operators will take place. It's unfortunate and disturbing because I seriously doubt that anybody in the Legislature or DEC is going to be vigilant about any future violations. Also, when I was at the last Town Board Meeting I made some comments about the Arlington Fire District budget. Tonight Jay questioned the use of funds in these economic times. Well, it doesn't seem like the Arlington Fire District is as concerned about tough economic times. Their budget is going up from about 14.1 million

dollars last year and their proposed budget for this year is 15.4 million dollars. Unless Town residents start coming to Fire Commissioner's meetings, they had better just hold on to their wallets. You have no recourse unless you go there and hold them accountable."

Councilman Cifone: The Supervisor sent letters out to all of the Commissioners of the Fire Districts giving them permission to use our room here with the TV so all Residents could see what was going on.

Supervisor Myers: We heard from New Hamburg and they thanked us very kindly, but they felt they needed to stay within in their district. As far as the other two, I have not heard a word back from Fairview or Arlington.

Councilman Cifone: Thank you for pointing that out that Vassar does not contribute on a regular basis because a lot of people don't understand it that taxes on property does not have to give any donation of any kind and we do get something from St. Francis and from Marist.

Jim Beretta: Just to follow up on that, also, Deputy Chief Pells also did say that he would appreciate any assistance because they are not getting any money from Vassar College. Just a couple more things. In the process of doing the analysis that we did for the meeting the other night, I did see that the 2005 budget to the proposed 2010 is up like 65% and that is significant. That averages out to about 13% a year. So, with the proposed budget we are going to see just shy 10% increase. One thing that was disturbing is that there are five Fire Commissioners and last night when they voted on this, there were only four present and only two had seen the proposed budget. There was three commissioners not at the workshop and one was missing again last night. There doesn't seem to be a motivation, based on what I've seen from the Fire District and these are good people doing good work and dangerous work and they provide a good service and I feel they should get a good salary and have benefits, but there is no impetus for them to say it is tough times and we can't throw 10% to 13% on the taxpayers every year, let's consolidate services.

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

CARRIED 6-0

SPECIAL TOWN BOARD MEETING CLOSED AT 7:45 PM

COMMITTEE OF THE WHOLE MEETING IMMEDIATELY
FOLLOWED AT 7:46 PM
TOWN OF POUGHKEEPSIE COMMITTEE OF THE
WHOLE MEETING OF SEPTEMBER 16, 2009, TOWN HALL
7:46 PM

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

ABSENT: Councilman Conte

09:16 COW 1 DISCUSSION Grant for Sewer Department by
Susan Roeller Brown

Supervisor Myers explained that Susan Roeller Brown is writing a grant Through the Department of Environmental Conservation 2009 Water Quality Improvements Program. Susan is working with Don Beer on the grant for an ultraviolet disinfection system for the wastewater treatment plant.

09:16 COW 2 PROJECT PROPOSAL Jesse Walsh For His Eagle Scout Project For Overocker Park Scout Walsh of Troop 17 in Fairview has numerous projects to Improve the condition of Overocker Park. They are:

Jesse Walsh:

1. Renovation of basketball court: repaint lines, hoops, backboards and poles and replacing nets
2. New safety surface on 3 play areas: Removing 9 inches of existing dirt and safety surface refilling with new safety surface & installing wooden borders.
3. Repairing and repainting all benches..
4. Repairing and repainting all bleachers if needed.
5. Renovations on baseball field by painting foul poles and repairing outfield fence.

To be finished by October 2009

The Town Board heartily supported Jesse and wanted to make sure that he could get contributions on materials and not pay out of his own pocket.

The Board thanked him for such a great project and wished him good luck.

Supervisor Myers: I have two announcements. One is that we dedicated the new sign that has been missing for 50 years. When they widened Route 9, they took down the sign acknowledging the site of the original spring that was the founding of Poughkeepsie and we now have a sign that was authorized last year and it has finally been installed and we had the dedication of that sign today. I also want to mention that I did my pitch for KABOOM and for people to sign up and volunteer. Also, October 3rd is the Quadra-Centennial march across the bridge with the people from this side crossing the bridge and the people from the other side crossing the bridge. If anyone is interested in participating in this, they need to go to the Recreation website or call Recreation to sign up. There is a \$15 fee which is strictly to cover the costs of running the buses for the event.

COMMITTEE REPORTS

1. FINANCE Councilman Baisley: No Report
2. FIRE ADVISORY Councilman Baisley: No Report
3. GOVERNMENT OPERATIONS Councilman Seminara: No Report
4. LAND USE & PLANNING Councilman Seminara: No Report
5. PERSONNEL Councilman Cifone: No Report
6. RECREATION Councilman Tancredi: No Report
Councilman Cifone: The sidewalks at Fairview Park have started to be completed and started to tear the fence down and so work is going on right now.
7. SENIOR CITIZENS Councilman Krakower: No Report
8. TECHNOLOGY & EQUIPMENT Councilman Krakower: No Report
9. WATER, SEWER, HIGHWAY Councilman Seminara: I just want to make sure the Board is aware that we are working on something to try and standardize the way that benefit units are calculated. We are studying it with Don Beer and the entire infrastructure committee is

on board with this and if we are lucky, we can relieve quite a burden on the Assessor's every year.

Town Attorney Mahar: We have another resolution to present tonight.

RESOLUTION

BE IT RESOLVED, the Town Board, Town of Poughkeepsie, does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation: To discuss litigation strategy in a case known as Town vs. Dutchess
2. Confidential communication between attorney and his client, Town Board based on attorney/client privileges.

BE IT RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

MR. CANTOR AND MR. WILSON WERE
INVITED TO ATTEND EXECUTIVE SESSION

BACK FROM EXECUTIVE SESSION AT 8:32 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 8:33 PM

SJM:lkm

**MINUTES OF SPECIAL TOWN BOARD
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AT 6:05 PM AT TOWN HALL, ONE
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NEW YORK**

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Councilman Seminara
Councilman Cifone
Councilman Krakower
Councilman Tancredi
Town Attorney Mahar
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ABSENT:
Councilman Conte

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money.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

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INTO EXECUTIVE SESSION AT 6:12 PM

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SPECIAL TOWN BOARD MEETING

SEPTEMBER 16, 2009 AT 7:00 PM

7:00 PM CALL TO ORDER SALUTE THE FLAG

**Supervisor Myers asked for a moment of silence for two Town
Employees who have had parents die this week, Louise
Baranick and Pat Brown.**

PRESENT: Supervisor Myers ABSENT: Councilman Conte
Councilman Baisley
Councilman Seminara
Councilman Cifone
Councilman Krakower
Councilman Tancredi
Town Attorney Mahar
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on Spackenkill Road Entitled
“Woods At Cliffdale Subdivision”

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In grateful recognition of the Donation of 40.78 acres of Open Space Land to the Town. The donated Open Space Land contains important forest and wetland habitat that is home to many common and rare species of flora and fauna. This gift of Open Space Land will insure the long-term protection and preservation of a locally unique and significant property.

SIGNED: Supervisor Myers Councilman Cifone
 Councilman Baisley Councilman Krakower
 Councilman Seminara Councilman Tancredi
 Councilman Conte

Supervisor Myers: We do thank you very much for your generous Donation.

Attorney Richard Cantor: The Deed is for forty acres of property on Spackenkill Road. The gift includes this Board to be placed where ever you wish in Town Hall. There are two pieces of property that make up the gift property. There is one piece called Lot 8A, which is 39.35 acres and there is a second piece that includes the pond which is called Lot 8B and is 1.43 acres and there is, also, a series of easements that do two things: One, they allow the public to enter the gift property and Two, they allow the Town and the Town's crews to enter as they need to to maintain the property and to protect public safety. I note that the Town has previously adopted resolutions, I believe sponsored by Councilman Tancredi, which has dedicated this land permanently as Open Space. I also want to note that Chairman John Weisman of the Planning Board is here, who has worked long and hard with us to help us work through the sub-division

so we could create the gift parcel and on behalf of Harold and Carole Buckner, we would like to thank the members of the Town Board and John and his colleagues and also the hardworking Planning Staff. We are glad this worked out and the Town now has 40 acres of the gift parcel for Open Space and we hope it is used and enjoyed in the spirit it is intended as passive Open Space permanently. Thank you.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept from Harold Buchner and Carole Buchner a deed to a parcel of property located on Spackenkill Road consisting of 40 acres, more particularly described as Lot 8A and Lot 8B on Filed Map 12263 entitled "Woods At Cliffdale Subdivision"; Town of Poughkeepsie, County of Dutchess, State of New York." which property has heretofore been designated as open Space or open Area as defined by the laws of the State of New York, and which designation had previously been authorized by the Town Board in two separate resolutions and said designation is hereby ratified and restated; and

AND BE IT FURTHER RESOLVED, the Town Board will, in the near Future, consider an imposition of a conservation easement to further protect said property.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Councilman Seminara: I would like to speak on this issue. First of all, we have a letter of thank you here from Janet Sinisi and it says, "Hi Todd," referring to Councilman Tancredi, "I want to take this opportunity to thank Harold and Carole Buchner for a gift that will be enjoyed by residents of The Town of Poughkeepsie for years to come. The Buchners have been very generous to the community by donating 40 acres of Open Space. This property was once used by the Girl Scouts to learn new skills, tackle the challenges of the outdoors and make lasting friends. Because of this gift, it will continue to be a sanctuary, a wild life refuge, a place of nature beauty for the residents who neighbor the property and hopefully others as well. I would also like to thank the Town Board of the Town of Poughkeepsie for their efforts to protect the nature preserve and their understanding of the value of this type of space in our community. Sincerely, Janet Sinisi

I also want to thank Todd, he did a lot of work on this with Mr. Buchner and we appreciate that. I would also like to say that there are many, many neighbors virtually surrounding that entire parcel whom I know are very happy. They do appreciate the tranquility that will be unchanged for them. So, they also appreciate it. I would like to further point out that I do remember having some communications with Mr. Buckner a few years ago about this and when the topic came up about donating some land, Mr. Buckner never batted an eye and he was very willing right from the beginning to do something decent for the Town and that is a great example to set and it is really appreciated. Thank you very much, again.

Councilman Tancredi: I know I've said before, but I would like to thank you again, Mr. Buchner, for your contribution. I know when we first discussed this a number of years back, it's been a very trying time at times, but, I do thank you for hanging in there and for the donation of the property.

Councilman Krakower thanked Councilman Tancredi, Mr. Buckner, Mr. Cantor and Chairman Weisman. It has been a long process but I think it turned out to be a very good project. I truly do appreciate all your efforts and donation. It's a very valuable asset and gift to the Town. I appreciate and I think the residents do also, thank you again.

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

09:16 SM 2 AUTHORIZE TO
GO TO BID

A. Tennis Court Reconstruction
At Red Oaks Mill Park
& New Hamburg Park
B. Peach Hill Park
Improvements

(A) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for

bids for "TENNIS COURT RECONSTRUCTION" at the Red Oaks Mill Park and the New Hamburg Park, pursuant to plans and specifications available on September 21, 2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:00 am at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or Part.

SO MOVED: D. Seminara/J. Baisley

Councilman Seminara and Councilman Baisley were very glad to see this come to bid.

ROLL CALL: Ayes: Councilmen Baisley, Seminara Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

(B) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "PEACH HILL PARK IMPROVEMENTS", pursuant to plans and specifications available on September 21,2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SM3 SET DATE FOR Community Development Block
PUBLIC HEARING Grant Program Application For
Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23rd day of September, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2010, of which the Town of Poughkeepsie is a member.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

09:16-SM 4 AUTHORIZE
SUPERVISOR

Agreement Between Town of Poughkeepsie & Spackenkill Union Free School District To Provide For A School Resource Officer For 01/01/10 To 12/31/10

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Spackenkill Union Free School District to provide for a School Resource Officer under the terms and conditions set forth in the agreement, attached hereto, for the period January 1, 2010 through December 31, 2010.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM 5 AUTHORIZE

Diane Benigno, From the Planning Department, To Work An Additional 8 to 10 Hours in the Assessing Department

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Diane Benigno, from the Planning Department, to work an additional 8-10 hours per week for the Assessing Department until December 31, 2009 at the rate of \$16.68 per hour.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Baisley: I brought this up a couple of weeks ago, I was more in favor of not additional hours in exchange for her hours in the Planning Department, seeing that the fees were down. I was hoping to see this not as an additional payroll item.

ROLL CALL: Ayes: Councilmen Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers

Nays: Councilman Baisley CARRIED: 5-1

09:16-SM6 AUTHORIZE Agreement with Mardi Bob Lanes
SUPERVISOR & Sports Pub To Allow For Use of
TO SIGN Parking Area & Building, In Case of
Emergency At Facility Located At
45 Taft Avenue on October 22, 2009

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Mardi Bob Lanes and Sports Pub to allow for the use of the parking area and building, in case of an emergency, at the facility located at 45 Taft Avenue, Poughkeepsie, NY from 8:00 AM to 5:00 PM on October 22, 2009, which agreement is in connection with the project at the Crestwood Boulevard Town Park.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM7 AUTHORIZE McKee Block Party On Scott
Terrace Change Of Date to
September 19, 2009 With

Rain Date on September 20

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby amend RESOLUTION 9:2-#10 Of 2009 to read September 19, 2009 not September 5, 2009 regarding the block party on Scott Terrace.

SO MOVED: D. Seminara/T. Tancredi

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

Nays: None

CARRIED: 6-0

09:16-SM8 SET DATE FOR PUBLIC HEARING Zoning Amendment Changes Relative To The Crown Heights Center Overlay District

RESOLUTION

WHEREAS, the Town Board has prepared amendments to Chapter 210-24 of the Town Code relative to the Crown Heights Center Overlay District (“Amendments”), a copy of which is attached hereto as Exhibits “A” and “B”; and

WHEREAS, the action by the Town Board on the Amendments is a Type I Action as defined by 6 NYCRR 617.4(b)(2) of the SEQRA regulations; and

WHEREAS, the adoption of changes to the Town Code is an act that only can be performed by the Town Board thereby naming the Town Board the only involved agency and the only potential lead agency to coordinate the environmental review of the action; and

WHEREAS, the adoption of the amendments is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the proposed amendments are attached as Exhibits “A” and “B” and incorporated herein.
2. The Town Board hereby establishes itself as the Lead Agency; and
3. The Town Board sets October 21, 1009 at 7:00 PM, or as soon

thereafter as the matter may come to be heard, in the Town Hall Meeting Room, as the date, time and place for the public hearing on the Crown Heights Center Overlay District amendments; and

4. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
5. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Dutchess County Department of Planning and Economic Development for review and recommendation Pursuant to the General Municipal Law Section 239-m; and
6. The Town Board hereby directs that a copy of this Resolution be delivered to the municipalities adjoining the Town of Poughkeepsie pursuant to the notice requirements of the General Municipal Law Section 239-nn.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

EXHIBITS A & B ATTACHED TO FINAL BOOK COPY

09:16 SM 09 WITHDRAWN FROM AGENDA

09:16-SM 10 GRANT Special Consent Items SC 1 and 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 Arlington Street Fair

SC 2 Authorize Waiver Liquor License Renewal
Hobnobbin Pub

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: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC1 EXEMPT Vendors of Food & Merchandise at The
Arlington Street Fair on September 26,
2009

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 26, 2009; and

WHEREAS, the presence of informational displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 26, 2009 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 26, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegeview Avenue from 6:30 AM to 8:30 PM for the Arlington Street Fair on Saturday, September 26, 2009, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate this resolution including, but not limited to, any agreement with the Arlington Central School District that may be required in regard to the use of the premises at Arthur S. May Elementary School on Raymond Avenue.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,

Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC 2 WAIVE 30 Day Review Period For Renewal
of TJM Restaurant Corp. D/B/A
Hobnobbin Pub Located At 11
Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from TJM Restaurant Corp., d/b/a Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, 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: Supervisor Myers/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Asked the Board to urge the County Legislators to consider the contract for the Burn Plant, the fact that they wanted to switch it from an operator who currently has no violations to an operator who has had a number of violations in a number of states over a number of years. "Unfortunately, the County Legislature is not bringing that resolution forward and it looks like the switch of operators will take place. It's unfortunate and disturbing because I seriously doubt that anybody in the Legislature or DEC is going to be vigilant about any future violations. Also, when I was at the last Town Board Meeting I made some comments about the Arlington Fire District budget. Tonight Jay questioned the use of funds in these economic times. Well, it doesn't seem like the Arlington Fire District is as concerned about tough economic times. Their budget is going up from about 14.1 million

dollars last year and their proposed budget for this year is 15.4 million dollars. Unless Town residents start coming to Fire Commissioner's meetings, they had better just hold on to their wallets. You have no recourse unless you go there and hold them accountable."

Councilman Cifone: The Supervisor sent letters out to all of the Commissioners of the Fire Districts giving them permission to use our room here with the TV so all Residents could see what was going on.

Supervisor Myers: We heard from New Hamburg and they thanked us very kindly, but they felt they needed to stay within in their district. As far as the other two, I have not heard a word back from Fairview or Arlington.

Councilman Cifone: Thank you for pointing that out that Vassar does not contribute on a regular basis because a lot of people don't understand it that taxes on property does not have to give any donation of any kind and we do get something from St. Francis and from Marist.

Jim Beretta: Just to follow up on that, also, Deputy Chief Pells also did say that he would appreciate any assistance because they are not getting any money from Vassar College. Just a couple more things. In the process of doing the analysis that we did for the meeting the other night, I did see that the 2005 budget to the proposed 2010 is up like 65% and that is significant. That averages out to about 13% a year. So, with the proposed budget we are going to see just shy 10% increase. One thing that was disturbing is that there are five Fire Commissioners and last night when they voted on this, there were only four present and only two had seen the proposed budget. There was three commissioners not at the workshop and one was missing again last night. There doesn't seem to be a motivation, based on what I've seen from the Fire District and these are good people doing good work and dangerous work and they provide a good service and I feel they should get a good salary and have benefits, but there is no impetus for them to say it is tough times and we can't throw 10% to 13% on the taxpayers every year, let's consolidate services.

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

CARRIED 6-0

SPECIAL TOWN BOARD MEETING CLOSED AT 7:45 PM

COMMITTEE OF THE WHOLE MEETING IMMEDIATELY
FOLLOWED AT 7:46 PM
TOWN OF POUGHKEEPSIE COMMITTEE OF THE
WHOLE MEETING OF SEPTEMBER 16, 2009, TOWN HALL
7:46 PM

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

ABSENT: Councilman Conte

09:16 COW 1 DISCUSSION Grant for Sewer Department by
Susan Roeller Brown

Supervisor Myers explained that Susan Roeller Brown is writing a grant Through the Department of Environmental Conservation 2009 Water Quality Improvements Program. Susan is working with Don Beer on the grant for an ultraviolet disinfection system for the wastewater treatment plant.

09:16 COW 2 PROJECT PROPOSAL Jesse Walsh For His Eagle Scout Project For Overocker Park
Scout Walsh of Troop 17 in Fairview has numerous projects to Improve the condition of Overocker Park. They are:

Jesse Walsh:

1. Renovation of basketball court: repaint lines, hoops, backboards and poles and replacing nets
2. New safety surface on 3 play areas: Removing 9 inches of existing dirt and safety surface refilling with new safety surface & installing wooden borders.
3. Repairing and repainting all benches..
4. Repairing and repainting all bleachers if needed.
5. Renovations on baseball field by painting foul poles and repairing outfield fence.

To be finished by October 2009

The Town Board heartily supported Jesse and wanted to make sure that he could get contributions on materials and not pay out of his own pocket.

The Board thanked him for such a great project and wished him good luck.

Supervisor Myers: I have two announcements. One is that we dedicated the new sign that has been missing for 50 years. When they widened Route 9, they took down the sign acknowledging the site of the original spring that was the founding of Poughkeepsie and we now have a sign that was authorized last year and it has finally been installed and we had the dedication of that sign today. I also want to mention that I did my pitch for KABOOM and for people to sign up and volunteer. Also, October 3rd is the Quadra-Centennial march across the bridge with the people from this side crossing the bridge and the people from the other side crossing the bridge. If anyone is interested in participating in this, they need to go to the Recreation website or call Recreation to sign up. There is a \$15 fee which is strictly to cover the costs of running the buses for the event.

COMMITTEE REPORTS

1. FINANCE Councilman Baisley: No Report
2. FIRE ADVISORY Councilman Baisley: No Report
3. GOVERNMENT OPERATIONS Councilman Seminara: No Report
4. LAND USE & PLANNING Councilman Seminara: No Report
5. PERSONNEL Councilman Cifone: No Report
6. RECREATION Councilman Tancredi: No Report
Councilman Cifone: The sidewalks at Fairview Park have started to be completed and started to tear the fence down and so work is going on right now.
7. SENIOR CITIZENS Councilman Krakower: No Report
8. TECHNOLOGY & EQUIPMENT Councilman Krakower: No Report
9. WATER, SEWER, HIGHWAY Councilman Seminara: I just want to make sure the Board is aware that we are working on something to try and standardize the way that benefit units are calculated. We are studying it with Don Beer and the entire infrastructure committee is

on board with this and if we are lucky, we can relieve quite a burden on the Assessor's every year.

Town Attorney Mahar: We have another resolution to present tonight.

RESOLUTION

BE IT RESOLVED, the Town Board, Town of Poughkeepsie, does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation: To discuss litigation strategy in a case known as Town vs. Dutchess
2. Confidential communication between attorney and his client, Town Board based on attorney/client privileges.

BE IT RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

MR. CANTOR AND MR. WILSON WERE
INVITED TO ATTEND EXECUTIVE SESSION

BACK FROM EXECUTIVE SESSION AT 8:32 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 8:33 PM

SJM:lkm

**MINUTES OF SPECIAL TOWN BOARD
MEETING HELD ON SEPTEMBER 16, 2009
AT 6:05 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE,
NEW YORK**

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

ABSENT:
Councilman Conte

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

{ } designates corrections

6:00 PM CALL TO ORDER SALUTE THE FLAG

09:16-ES 1 RESOLUTION

To Enter Executive Session to
Consider Following Matters:
A. Litigation Involving Rosewood
Metro Builders and Daraview V
Town

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation to discuss the litigation strategy in the case known as Rosewood, Metro Builders and Daraview V Town
2. Contract negotiations
3. Real Estates matters to the extent that public disclosure discussed would substantially affect the value of the property
4. Personnel matters to wit: Meeting to discuss the employment history of particular individuals who need not be identified at this time
5. Confidential meeting between Attorney and his client/Town Board, based on Attorney/Client privileges

AND BE IT FURTHER RESOLVED, there will be no appropriating of

money.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

MEETING ADJOURNED AT 6:09 PM

AUDREY SCOTT AND NEIL WILSON WERE
ASKED TO JOIN THE COUNCIL IN EXECUTIVE SESSION

INTO EXECUTIVE SESSION AT 6:12 PM

RETURNED FROM EXECUTIVE SESSION AT 6:45 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 6:46 PM

SPECIAL TOWN BOARD MEETING

SEPTEMBER 16, 2009 AT 7:00 PM

7:00 PM CALL TO ORDER SALUTE THE FLAG

**Supervisor Myers asked for a moment of silence for two Town
Employees who have had parents die this week, Louise
Baranick and Pat Brown.**

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

***NOTE: Attachments pertaining to a particular Town Board
Meeting will be found after the minutes of that meeting, which**

are kept in the Town Clerk's Office

{ } designates corrections

09:16SM 1 PRESENTATION Mr. & Mrs. Buchner – Gift of Land
on Spackenkill Road Entitled
“Woods At Cliffdale Subdivision”

This is a certificate of appreciation presented to Harold and Carole Buchner by the Town Board of the Town of Poughkeepsie, September 16, 2009:

APPRECIATION CERTIFICATE

In grateful recognition of the Donation of 40.78 acres of Open Space Land to the Town. The donated Open Space Land contains important forest and wetland habitat that is home to many common and rare species of flora and fauna. This gift of Open Space Land will insure the long-term protection and preservation of a locally unique and significant property.

SIGNED: Supervisor Myers Councilman Cifone
 Councilman Baisley Councilman Krakower
 Councilman Seminara Councilman Tancredi
 Councilman Conte

Supervisor Myers: We do thank you very much for your generous Donation.

Attorney Richard Cantor: The Deed is for forty acres of property on Spackenkill Road. The gift includes this Board to be placed where ever you wish in Town Hall. There are two pieces of property that make up the gift property. There is one piece called Lot 8A, which is 39.35 acres and there is a second piece that includes the pond which is called Lot 8B and is 1.43 acres and there is, also, a series of easements that do two things: One, they allow the public to enter the gift property and Two, they allow the Town and the Town's crews to enter as they need to to maintain the property and to protect public safety. I note that the Town has previously adopted resolutions, I believe sponsored by Councilman Tancredi, which has dedicated this land permanently as Open Space. I also want to note that Chairman John Weisman of the Planning Board is here, who has worked long and hard with us to help us work through the sub-division

so we could create the gift parcel and on behalf of Harold and Carole Buckner, we would like to thank the members of the Town Board and John and his colleagues and also the hardworking Planning Staff. We are glad this worked out and the Town now has 40 acres of the gift parcel for Open Space and we hope it is used and enjoyed in the spirit it is intended as passive Open Space permanently. Thank you.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept from Harold Buchner and Carole Buchner a deed to a parcel of property located on Spackenkill Road consisting of 40 acres, more particularly described as Lot 8A and Lot 8B on Filed Map 12263 entitled "Woods At Cliffdale Subdivision"; Town of Poughkeepsie, County of Dutchess, State of New York." which property has heretofore been designated as open Space or open Area as defined by the laws of the State of New York, and which designation had previously been authorized by the Town Board in two separate resolutions and said designation is hereby ratified and restated; and

AND BE IT FURTHER RESOLVED, the Town Board will, in the near Future, consider an imposition of a conservation easement to further protect said property.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Councilman Seminara: I would like to speak on this issue. First of all, we have a letter of thank you here from Janet Sinisi and it says, "Hi Todd," referring to Councilman Tancredi, "I want to take this opportunity to thank Harold and Carole Buchner for a gift that will be enjoyed by residents of The Town of Poughkeepsie for years to come. The Buchners have been very generous to the community by donating 40 acres of Open Space. This property was once used by the Girl Scouts to learn new skills, tackle the challenges of the outdoors and make lasting friends. Because of this gift, it will continue to be a sanctuary, a wild life refuge, a place of nature beauty for the residents who neighbor the property and hopefully others as well. I would also like to thank the Town Board of the Town of Poughkeepsie for their efforts to protect the nature preserve and their understanding of the value of this type of space in our community. Sincerely, Janet Sinisi

I also want to thank Todd, he did a lot of work on this with Mr. Buchner and we appreciate that. I would also like to say that there are many, many neighbors virtually surrounding that entire parcel whom I know are very happy. They do appreciate the tranquility that will be unchanged for them. So, they also appreciate it. I would like to further point out that I do remember having some communications with Mr. Buckner a few years ago about this and when the topic came up about donating some land, Mr. Buckner never batted an eye and he was very willing right from the beginning to do something decent for the Town and that is a great example to set and it is really appreciated. Thank you very much, again.

Councilman Tancredi: I know I've said before, but I would like to thank you again, Mr. Buchner, for your contribution. I know when we first discussed this a number of years back, it's been a very trying time at times, but, I do thank you for hanging in there and for the donation of the property.

Councilman Krakower thanked Councilman Tancredi, Mr. Buckner, Mr. Cantor and Chairman Weisman. It has been a long process but I think it turned out to be a very good project. I truly do appreciate all your efforts and donation. It's a very valuable asset and gift to the Town. I appreciate and I think the residents do also, thank you again.

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

09:16 SM 2	AUTHORIZE TO GO TO BID	A. Tennis Court Reconstruction At Red Oaks Mill Park & New Hamburg Park B. Peach Hill Park Improvements
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(A) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for

bids for "TENNIS COURT RECONSTRUCTION" at the Red Oaks Mill Park and the New Hamburg Park, pursuant to plans and specifications available on September 21, 2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:00 am at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or Part.

SO MOVED: D. Seminara/J. Baisley

Councilman Seminara and Councilman Baisley were very glad to see this come to bid.

ROLL CALL: Ayes: Councilmen Baisley, Seminara Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

(B) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "PEACH HILL PARK IMPROVEMENTS", pursuant to plans and specifications available on September 21,2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SM3 SET DATE FOR Community Development Block
PUBLIC HEARING Grant Program Application For
Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23rd day of September, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2010, of which the Town of Poughkeepsie is a member.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

09:16-SM 4 AUTHORIZE
SUPERVISOR

Agreement Between Town of Poughkeepsie & Spackenkill Union Free School District To Provide For A School Resource Officer For 01/01/10 To 12/31/10

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Spackenkill Union Free School District to provide for a School Resource Officer under the terms and conditions set forth in the agreement, attached hereto, for the period January 1, 2010 through December 31, 2010.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM 5 AUTHORIZE

Diane Benigno, From the Planning Department, To Work An Additional 8 to 10 Hours in the Assessing Department

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Diane Benigno, from the Planning Department, to work an additional 8-10 hours per week for the Assessing Department until December 31, 2009 at the rate of \$16.68 per hour.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Baisley: I brought this up a couple of weeks ago, I was more in favor of not additional hours in exchange for her hours in the Planning Department, seeing that the fees were down. I was hoping to see this not as an additional payroll item.

ROLL CALL: Ayes: Councilmen Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: Councilman Baisley CARRIED: 5-1

09:16-SM6 AUTHORIZE Agreement with Mardi Bob Lanes
SUPERVISOR & Sports Pub To Allow For Use of
TO SIGN Parking Area & Building, In Case of
Emergency At Facility Located At
45 Taft Avenue on October 22, 2009

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Mardi Bob Lanes and Sports Pub to allow for the use of the parking area and building, in case of an emergency, at the facility located at 45 Taft Avenue, Poughkeepsie, NY from 8:00 AM to 5:00 PM on October 22, 2009, which agreement is in connection with the project at the Crestwood Boulevard Town Park.

SO MOVED: J. Baisley/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM7 AUTHORIZE McKee Block Party On Scott
Terrace Change Of Date to
September 19, 2009 With

Rain Date on September 20

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby amend RESOLUTION 9:2-#10 Of 2009 to read September 19, 2009 not September 5, 2009 regarding the block party on Scott Terrace.

SO MOVED: D. Seminara/T. Tancredi

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

Nays: None

CARRIED: 6-0

09:16-SM8 SET DATE FOR PUBLIC HEARING Zoning Amendment Changes Relative To The Crown Heights Center Overlay District

RESOLUTION

WHEREAS, the Town Board has prepared amendments to Chapter 210-24 of the Town Code relative to the Crown Heights Center Overlay District (“Amendments”), a copy of which is attached hereto as Exhibits “A” and “B”; and

WHEREAS, the action by the Town Board on the Amendments is a Type I Action as defined by 6 NYCRR 617.4(b)(2) of the SEQRA regulations; and

WHEREAS, the adoption of changes to the Town Code is an act that only can be performed by the Town Board thereby naming the Town Board the only involved agency and the only potential lead agency to coordinate the environmental review of the action; and

WHEREAS, the adoption of the amendments is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the proposed amendments are attached as Exhibits “A” and “B” and incorporated herein.
2. The Town Board hereby establishes itself as the Lead Agency; and
3. The Town Board sets October 21, 1009 at 7:00 PM, or as soon

thereafter as the matter may come to be heard, in the Town Hall Meeting Room, as the date, time and place for the public hearing on the Crown Heights Center Overlay District amendments; and

4. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
5. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Dutchess County Department of Planning and Economic Development for review and recommendation Pursuant to the General Municipal Law Section 239-m; and
6. The Town Board hereby directs that a copy of this Resolution be delivered to the municipalities adjoining the Town of Poughkeepsie pursuant to the notice requirements of the General Municipal Law Section 239-nn.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

EXHIBITS A & B ATTACHED TO FINAL BOOK COPY

09:16 SM 09 WITHDRAWN FROM AGENDA

09:16-SM 10 GRANT Special Consent Items SC 1 and 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 Arlington Street Fair

SC 2 Authorize Waiver Liquor License Renewal
Hobnobbin Pub

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: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC1 EXEMPT Vendors of Food & Merchandise at The
Arlington Street Fair on September 26,
2009

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 26, 2009; and

WHEREAS, the presence of informational displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 26, 2009 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 26, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegeview Avenue from 6:30 AM to 8:30 PM for the Arlington Street Fair on Saturday, September 26, 2009, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate this resolution including, but not limited to, any agreement with the Arlington Central School District that may be required in regard to the use of the premises at Arthur S. May Elementary School on Raymond Avenue.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,

Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC 2 WAIVE 30 Day Review Period For Renewal
of TJM Restaurant Corp. D/B/A
Hobnobbin Pub Located At 11
Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from TJM Restaurant Corp., d/b/a Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, 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: Supervisor Myers/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Asked the Board to urge the County Legislators to consider the contract for the Burn Plant, the fact that they wanted to switch it from an operator who currently has no violations to an operator who has had a number of violations in a number of states over a number of years. "Unfortunately, the County Legislature is not bringing that resolution forward and it looks like the switch of operators will take place. It's unfortunate and disturbing because I seriously doubt that anybody in the Legislature or DEC is going to be vigilant about any future violations. Also, when I was at the last Town Board Meeting I made some comments about the Arlington Fire District budget. Tonight Jay questioned the use of funds in these economic times. Well, it doesn't seem like the Arlington Fire District is as concerned about tough economic times. Their budget is going up from about 14.1 million

dollars last year and their proposed budget for this year is 15.4 million dollars. Unless Town residents start coming to Fire Commissioner's meetings, they had better just hold on to their wallets. You have no recourse unless you go there and hold them accountable."

Councilman Cifone: The Supervisor sent letters out to all of the Commissioners of the Fire Districts giving them permission to use our room here with the TV so all Residents could see what was going on.

Supervisor Myers: We heard from New Hamburg and they thanked us very kindly, but they felt they needed to stay within in their district. As far as the other two, I have not heard a word back from Fairview or Arlington.

Councilman Cifone: Thank you for pointing that out that Vassar does not contribute on a regular basis because a lot of people don't understand it that taxes on property does not have to give any donation of any kind and we do get something from St. Francis and from Marist.

Jim Beretta: Just to follow up on that, also, Deputy Chief Pells also did say that he would appreciate any assistance because they are not getting any money from Vassar College. Just a couple more things. In the process of doing the analysis that we did for the meeting the other night, I did see that the 2005 budget to the proposed 2010 is up like 65% and that is significant. That averages out to about 13% a year. So, with the proposed budget we are going to see just shy 10% increase. One thing that was disturbing is that there are five Fire Commissioners and last night when they voted on this, there were only four present and only two had seen the proposed budget. There was three commissioners not at the workshop and one was missing again last night. There doesn't seem to be a motivation, based on what I've seen from the Fire District and these are good people doing good work and dangerous work and they provide a good service and I feel they should get a good salary and have benefits, but there is no impetus for them to say it is tough times and we can't throw 10% to 13% on the taxpayers every year, let's consolidate services.

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

CARRIED 6-0

SPECIAL TOWN BOARD MEETING CLOSED AT 7:45 PM

COMMITTEE OF THE WHOLE MEETING IMMEDIATELY
FOLLOWED AT 7:46 PM
TOWN OF POUGHKEEPSIE COMMITTEE OF THE
WHOLE MEETING OF SEPTEMBER 16, 2009, TOWN HALL
7:46 PM

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

ABSENT: Councilman Conte

09:16 COW 1 DISCUSSION Grant for Sewer Department by
Susan Roeller Brown

Supervisor Myers explained that Susan Roeller Brown is writing a grant Through the Department of Environmental Conservation 2009 Water Quality Improvements Program. Susan is working with Don Beer on the grant for an ultraviolet disinfection system for the wastewater treatment plant.

09:16 COW 2 PROJECT PROPOSAL Jesse Walsh For His Eagle Scout Project For Overocker Park
Scout Walsh of Troop 17 in Fairview has numerous projects to Improve the condition of Overocker Park. They are:

Jesse Walsh:

1. Renovation of basketball court: repaint lines, hoops, backboards and poles and replacing nets
2. New safety surface on 3 play areas: Removing 9 inches of existing dirt and safety surface refilling with new safety surface & installing wooden borders.
3. Repairing and repainting all benches..
4. Repairing and repainting all bleachers if needed.
5. Renovations on baseball field by painting foul poles and repairing outfield fence.

To be finished by October 2009

The Town Board heartily supported Jesse and wanted to make sure that he could get contributions on materials and not pay out of his own pocket.

The Board thanked him for such a great project and wished him good luck.

Supervisor Myers: I have two announcements. One is that we dedicated the new sign that has been missing for 50 years. When they widened Route 9, they took down the sign acknowledging the site of the original spring that was the founding of Poughkeepsie and we now have a sign that was authorized last year and it has finally been installed and we had the dedication of that sign today. I also want to mention that I did my pitch for KABOOM and for people to sign up and volunteer. Also, October 3rd is the Quadra-Centennial march across the bridge with the people from this side crossing the bridge and the people from the other side crossing the bridge. If anyone is interested in participating in this, they need to go to the Recreation website or call Recreation to sign up. There is a \$15 fee which is strictly to cover the costs of running the buses for the event.

COMMITTEE REPORTS

1. FINANCE Councilman Baisley: No Report
2. FIRE ADVISORY Councilman Baisley: No Report
3. GOVERNMENT OPERATIONS Councilman Seminara: No Report
4. LAND USE & PLANNING Councilman Seminara: No Report
5. PERSONNEL Councilman Cifone: No Report
6. RECREATION Councilman Tancredi: No Report
Councilman Cifone: The sidewalks at Fairview Park have started to be completed and started to tear the fence down and so work is going on right now.
7. SENIOR CITIZENS Councilman Krakower: No Report
8. TECHNOLOGY & EQUIPMENT Councilman Krakower: No Report
9. WATER, SEWER, HIGHWAY Councilman Seminara: I just want to make sure the Board is aware that we are working on something to try and standardize the way that benefit units are calculated. We are studying it with Don Beer and the entire infrastructure committee is

on board with this and if we are lucky, we can relieve quite a burden on the Assessor's every year.

Town Attorney Mahar: We have another resolution to present tonight.

RESOLUTION

BE IT RESOLVED, the Town Board, Town of Poughkeepsie, does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation: To discuss litigation strategy in a case known as Town vs. Dutchess
2. Confidential communication between attorney and his client, Town Board based on attorney/client privileges.

BE IT RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

MR. CANTOR AND MR. WILSON WERE
INVITED TO ATTEND EXECUTIVE SESSION

BACK FROM EXECUTIVE SESSION AT 8:32 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 8:33 PM

SJM:lkm

**MINUTES OF SPECIAL TOWN BOARD
MEETING HELD ON SEPTEMBER 16, 2009
AT 6:05 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE,
NEW YORK**

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

ABSENT:
Councilman Conte

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

{ } designates corrections

6:00 PM CALL TO ORDER SALUTE THE FLAG

09:16-ES 1 RESOLUTION

To Enter Executive Session to
Consider Following Matters:
A. Litigation Involving Rosewood
Metro Builders and Daraview V
Town

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation to discuss the litigation strategy in the case known as Rosewood, Metro Builders and Daraview V Town
2. Contract negotiations
3. Real Estates matters to the extent that public disclosure discussed would substantially affect the value of the property
4. Personnel matters to wit: Meeting to discuss the employment history of particular individuals who need not be identified at this time
5. Confidential meeting between Attorney and his client/Town Board, based on Attorney/Client privileges

AND BE IT FURTHER RESOLVED, there will be no appropriating of

money.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

MEETING ADJOURNED AT 6:09 PM

AUDREY SCOTT AND NEIL WILSON WERE
ASKED TO JOIN THE COUNCIL IN EXECUTIVE SESSION

INTO EXECUTIVE SESSION AT 6:12 PM

RETURNED FROM EXECUTIVE SESSION AT 6:45 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 6:46 PM

SPECIAL TOWN BOARD MEETING

SEPTEMBER 16, 2009 AT 7:00 PM

7:00 PM CALL TO ORDER SALUTE THE FLAG

**Supervisor Myers asked for a moment of silence for two Town
Employees who have had parents die this week, Louise
Baranick and Pat Brown.**

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

***NOTE: Attachments pertaining to a particular Town Board
Meeting will be found after the minutes of that meeting, which**

are kept in the Town Clerk's Office

{ } designates corrections

09:16SM 1 PRESENTATION Mr. & Mrs. Buchner – Gift of Land
on Spackenkill Road Entitled
“Woods At Cliffdale Subdivision”

This is a certificate of appreciation presented to Harold and Carole Buchner by the Town Board of the Town of Poughkeepsie, September 16, 2009:

APPRECIATION CERTIFICATE

In grateful recognition of the Donation of 40.78 acres of Open Space Land to the Town. The donated Open Space Land contains important forest and wetland habitat that is home to many common and rare species of flora and fauna. This gift of Open Space Land will insure the long-term protection and preservation of a locally unique and significant property.

SIGNED: Supervisor Myers Councilman Cifone
 Councilman Baisley Councilman Krakower
 Councilman Seminara Councilman Tancredi
 Councilman Conte

Supervisor Myers: We do thank you very much for your generous Donation.

Attorney Richard Cantor: The Deed is for forty acres of property on Spackenkill Road. The gift includes this Board to be placed where ever you wish in Town Hall. There are two pieces of property that make up the gift property. There is one piece called Lot 8A, which is 39.35 acres and there is a second piece that includes the pond which is called Lot 8B and is 1.43 acres and there is, also, a series of easements that do two things: One, they allow the public to enter the gift property and Two, they allow the Town and the Town's crews to enter as they need to to maintain the property and to protect public safety. I note that the Town has previously adopted resolutions, I believe sponsored by Councilman Tancredi, which has dedicated this land permanently as Open Space. I also want to note that Chairman John Weisman of the Planning Board is here, who has worked long and hard with us to help us work through the sub-division

so we could create the gift parcel and on behalf of Harold and Carole Buckner, we would like to thank the members of the Town Board and John and his colleagues and also the hardworking Planning Staff. We are glad this worked out and the Town now has 40 acres of the gift parcel for Open Space and we hope it is used and enjoyed in the spirit it is intended as passive Open Space permanently. Thank you.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept from Harold Buchner and Carole Buchner a deed to a parcel of property located on Spackenkill Road consisting of 40 acres, more particularly described as Lot 8A and Lot 8B on Filed Map 12263 entitled "Woods At Cliffdale Subdivision"; Town of Poughkeepsie, County of Dutchess, State of New York." which property has heretofore been designated as open Space or open Area as defined by the laws of the State of New York, and which designation had previously been authorized by the Town Board in two separate resolutions and said designation is hereby ratified and restated; and

AND BE IT FURTHER RESOLVED, the Town Board will, in the near Future, consider an imposition of a conservation easement to further protect said property.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Councilman Seminara: I would like to speak on this issue. First of all, we have a letter of thank you here from Janet Sinisi and it says, "Hi Todd," referring to Councilman Tancredi, "I want to take this opportunity to thank Harold and Carole Buchner for a gift that will be enjoyed by residents of The Town of Poughkeepsie for years to come. The Buchners have been very generous to the community by donating 40 acres of Open Space. This property was once used by the Girl Scouts to learn new skills, tackle the challenges of the outdoors and make lasting friends. Because of this gift, it will continue to be a sanctuary, a wild life refuge, a place of nature beauty for the residents who neighbor the property and hopefully others as well. I would also like to thank the Town Board of the Town of Poughkeepsie for their efforts to protect the nature preserve and their understanding of the value of this type of space in our community. Sincerely, Janet Sinisi

I also want to thank Todd, he did a lot of work on this with Mr. Buchner and we appreciate that. I would also like to say that there are many, many neighbors virtually surrounding that entire parcel whom I know are very happy. They do appreciate the tranquility that will be unchanged for them. So, they also appreciate it. I would like to further point out that I do remember having some communications with Mr. Buckner a few years ago about this and when the topic came up about donating some land, Mr. Buckner never batted an eye and he was very willing right from the beginning to do something decent for the Town and that is a great example to set and it is really appreciated. Thank you very much, again.

Councilman Tancredi: I know I've said before, but I would like to thank you again, Mr. Buchner, for your contribution. I know when we first discussed this a number of years back, it's been a very trying time at times, but, I do thank you for hanging in there and for the donation of the property.

Councilman Krakower thanked Councilman Tancredi, Mr. Buckner, Mr. Cantor and Chairman Weisman. It has been a long process but I think it turned out to be a very good project. I truly do appreciate all your efforts and donation. It's a very valuable asset and gift to the Town. I appreciate and I think the residents do also, thank you again.

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

09:16 SM 2 AUTHORIZE TO
GO TO BID

A. Tennis Court Reconstruction
At Red Oaks Mill Park
& New Hamburg Park
B. Peach Hill Park
Improvements

(A) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for

bids for "TENNIS COURT RECONSTRUCTION" at the Red Oaks Mill Park and the New Hamburg Park, pursuant to plans and specifications available on September 21, 2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:00 am at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or Part.

SO MOVED: D. Seminara/J. Baisley

Councilman Seminara and Councilman Baisley were very glad to see this come to bid.

ROLL CALL: Ayes: Councilmen Baisley, Seminara Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

(B) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "PEACH HILL PARK IMPROVEMENTS", pursuant to plans and specifications available on September 21,2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SM3 SET DATE FOR Community Development Block
PUBLIC HEARING Grant Program Application For
Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23rd day of September, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2010, of which the Town of Poughkeepsie is a member.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

09:16-SM 4 AUTHORIZE
SUPERVISOR

Agreement Between Town of Poughkeepsie & Spackenkill Union Free School District To Provide For A School Resource Officer For 01/01/10 To 12/31/10

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Spackenkill Union Free School District to provide for a School Resource Officer under the terms and conditions set forth in the agreement, attached hereto, for the period January 1, 2010 through December 31, 2010.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM 5 AUTHORIZE

Diane Benigno, From the Planning Department, To Work An Additional 8 to 10 Hours in the Assessing Department

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Diane Benigno, from the Planning Department, to work an additional 8-10 hours per week for the Assessing Department until December 31, 2009 at the rate of \$16.68 per hour.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Baisley: I brought this up a couple of weeks ago, I was more in favor of not additional hours in exchange for her hours in the Planning Department, seeing that the fees were down. I was hoping to see this not as an additional payroll item.

ROLL CALL: Ayes: Councilmen Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers

Nays: Councilman Baisley CARRIED: 5-1

09:16-SM6 AUTHORIZE Agreement with Mardi Bob Lanes
SUPERVISOR & Sports Pub To Allow For Use of
TO SIGN Parking Area & Building, In Case of
Emergency At Facility Located At
45 Taft Avenue on October 22, 2009

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Mardi Bob Lanes and Sports Pub to allow for the use of the parking area and building, in case of an emergency, at the facility located at 45 Taft Avenue, Poughkeepsie, NY from 8:00 AM to 5:00 PM on October 22, 2009, which agreement is in connection with the project at the Crestwood Boulevard Town Park.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM7 AUTHORIZE McKee Block Party On Scott
Terrace Change Of Date to
September 19, 2009 With

Rain Date on September 20

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby amend RESOLUTION 9:2-#10 Of 2009 to read September 19, 2009 not September 5, 2009 regarding the block party on Scott Terrace.

SO MOVED: D. Seminara/T. Tancredi

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

Nays: None

CARRIED: 6-0

09:16-SM8 SET DATE FOR PUBLIC HEARING Zoning Amendment Changes
Relative To The Crown Heights
Center Overlay District

RESOLUTION

WHEREAS, the Town Board has prepared amendments to Chapter 210-24 of the Town Code relative to the Crown Heights Center Overlay District (“Amendments”), a copy of which is attached hereto as Exhibits “A” and “B”; and

WHEREAS, the action by the Town Board on the Amendments is a Type I Action as defined by 6 NYCRR 617.4(b)(2) of the SEQRA regulations; and

WHEREAS, the adoption of changes to the Town Code is an act that only can be performed by the Town Board thereby naming the Town Board the only involved agency and the only potential lead agency to coordinate the environmental review of the action; and

WHEREAS, the adoption of the amendments is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the proposed amendments are attached as Exhibits “A” and “B” and incorporated herein.
2. The Town Board hereby establishes itself as the Lead Agency; and
3. The Town Board sets October 21, 1009 at 7:00 PM, or as soon

thereafter as the matter may come to be heard, in the Town Hall Meeting Room, as the date, time and place for the public hearing on the Crown Heights Center Overlay District amendments; and

4. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
5. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Dutchess County Department of Planning and Economic Development for review and recommendation Pursuant to the General Municipal Law Section 239-m; and
6. The Town Board hereby directs that a copy of this Resolution be delivered to the municipalities adjoining the Town of Poughkeepsie pursuant to the notice requirements of the General Municipal Law Section 239-nn.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

EXHIBITS A & B ATTACHED TO FINAL BOOK COPY

09:16 SM 09 WITHDRAWN FROM AGENDA

09:16-SM 10 GRANT Special Consent Items SC 1 and 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 Arlington Street Fair

SC 2 Authorize Waiver Liquor License Renewal
Hobnobbin Pub

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: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC1 EXEMPT Vendors of Food & Merchandise at The
Arlington Street Fair on September 26,
2009

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 26, 2009; and

WHEREAS, the presence of informational displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 26, 2009 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 26, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegeview Avenue from 6:30 AM to 8:30 PM for the Arlington Street Fair on Saturday, September 26, 2009, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate this resolution including, but not limited to, any agreement with the Arlington Central School District that may be required in regard to the use of the premises at Arthur S. May Elementary School on Raymond Avenue.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,

Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC 2 WAIVE 30 Day Review Period For Renewal
of TJM Restaurant Corp. D/B/A
Hobnobbin Pub Located At 11
Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from TJM Restaurant Corp., d/b/a Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, 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: Supervisor Myers/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Asked the Board to urge the County Legislators to consider the contract for the Burn Plant, the fact that they wanted to switch it from an operator who currently has no violations to an operator who has had a number of violations in a number of states over a number of years. "Unfortunately, the County Legislature is not bringing that resolution forward and it looks like the switch of operators will take place. It's unfortunate and disturbing because I seriously doubt that anybody in the Legislature or DEC is going to be vigilant about any future violations. Also, when I was at the last Town Board Meeting I made some comments about the Arlington Fire District budget. Tonight Jay questioned the use of funds in these economic times. Well, it doesn't seem like the Arlington Fire District is as concerned about tough economic times. Their budget is going up from about 14.1 million

dollars last year and their proposed budget for this year is 15.4 million dollars. Unless Town residents start coming to Fire Commissioner's meetings, they had better just hold on to their wallets. You have no recourse unless you go there and hold them accountable."

Councilman Cifone: The Supervisor sent letters out to all of the Commissioners of the Fire Districts giving them permission to use our room here with the TV so all Residents could see what was going on.

Supervisor Myers: We heard from New Hamburg and they thanked us very kindly, but they felt they needed to stay within in their district. As far as the other two, I have not heard a word back from Fairview or Arlington.

Councilman Cifone: Thank you for pointing that out that Vassar does not contribute on a regular basis because a lot of people don't understand it that taxes on property does not have to give any donation of any kind and we do get something from St. Francis and from Marist.

Jim Beretta: Just to follow up on that, also, Deputy Chief Pells also did say that he would appreciate any assistance because they are not getting any money from Vassar College. Just a couple more things. In the process of doing the analysis that we did for the meeting the other night, I did see that the 2005 budget to the proposed 2010 is up like 65% and that is significant. That averages out to about 13% a year. So, with the proposed budget we are going to see just shy 10% increase. One thing that was disturbing is that there are five Fire Commissioners and last night when they voted on this, there were only four present and only two had seen the proposed budget. There was three commissioners not at the workshop and one was missing again last night. There doesn't seem to be a motivation, based on what I've seen from the Fire District and these are good people doing good work and dangerous work and they provide a good service and I feel they should get a good salary and have benefits, but there is no impetus for them to say it is tough times and we can't throw 10% to 13% on the taxpayers every year, let's consolidate services.

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

CARRIED 6-0

SPECIAL TOWN BOARD MEETING CLOSED AT 7:45 PM

COMMITTEE OF THE WHOLE MEETING IMMEDIATELY
FOLLOWED AT 7:46 PM
TOWN OF POUGHKEEPSIE COMMITTEE OF THE
WHOLE MEETING OF SEPTEMBER 16, 2009, TOWN HALL
7:46 PM

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

ABSENT: Councilman Conte

09:16 COW 1 DISCUSSION Grant for Sewer Department by
Susan Roeller Brown

Supervisor Myers explained that Susan Roeller Brown is writing a grant Through the Department of Environmental Conservation 2009 Water Quality Improvements Program. Susan is working with Don Beer on the grant for an ultraviolet disinfection system for the wastewater treatment plant.

09:16 COW 2 PROJECT PROPOSAL Jesse Walsh For His Eagle Scout Project For Overocker Park Scout Walsh of Troop 17 in Fairview has numerous projects to Improve the condition of Overocker Park. They are:

Jesse Walsh:

1. Renovation of basketball court: repaint lines, hoops, backboards and poles and replacing nets
2. New safety surface on 3 play areas: Removing 9 inches of existing dirt and safety surface refilling with new safety surface & installing wooden borders.
3. Repairing and repainting all benches..
4. Repairing and repainting all bleachers if needed.
5. Renovations on baseball field by painting foul poles and repairing outfield fence.

To be finished by October 2009

The Town Board heartily supported Jesse and wanted to make sure that he could get contributions on materials and not pay out of his own pocket.

The Board thanked him for such a great project and wished him good luck.

Supervisor Myers: I have two announcements. One is that we dedicated the new sign that has been missing for 50 years. When they widened Route 9, they took down the sign acknowledging the site of the original spring that was the founding of Poughkeepsie and we now have a sign that was authorized last year and it has finally been installed and we had the dedication of that sign today. I also want to mention that I did my pitch for KABOOM and for people to sign up and volunteer. Also, October 3rd is the Quadra-Centennial march across the bridge with the people from this side crossing the bridge and the people from the other side crossing the bridge. If anyone is interested in participating in this, they need to go to the Recreation website or call Recreation to sign up. There is a \$15 fee which is strictly to cover the costs of running the buses for the event.

COMMITTEE REPORTS

1. FINANCE Councilman Baisley: No Report
2. FIRE ADVISORY Councilman Baisley: No Report
3. GOVERNMENT OPERATIONS Councilman Seminara: No Report
4. LAND USE & PLANNING Councilman Seminara: No Report
5. PERSONNEL Councilman Cifone: No Report
6. RECREATION Councilman Tancredi: No Report
Councilman Cifone: The sidewalks at Fairview Park have started to be completed and started to tear the fence down and so work is going on right now.
7. SENIOR CITIZENS Councilman Krakower: No Report
8. TECHNOLOGY & EQUIPMENT Councilman Krakower: No Report
9. WATER, SEWER, HIGHWAY Councilman Seminara: I just want to make sure the Board is aware that we are working on something to try and standardize the way that benefit units are calculated. We are studying it with Don Beer and the entire infrastructure committee is

on board with this and if we are lucky, we can relieve quite a burden on the Assessor's every year.

Town Attorney Mahar: We have another resolution to present tonight.

RESOLUTION

BE IT RESOLVED, the Town Board, Town of Poughkeepsie, does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation: To discuss litigation strategy in a case known as Town vs. Dutchess
2. Confidential communication between attorney and his client, Town Board based on attorney/client privileges.

BE IT RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

MR. CANTOR AND MR. WILSON WERE
INVITED TO ATTEND EXECUTIVE SESSION

BACK FROM EXECUTIVE SESSION AT 8:32 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 8:33 PM

SJM:lkM

**MINUTES OF SPECIAL TOWN BOARD
MEETING HELD ON SEPTEMBER 16, 2009
AT 6:05 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE,
NEW YORK**

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

ABSENT:
Councilman Conte

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

{ } designates corrections

6:00 PM CALL TO ORDER SALUTE THE FLAG

09:16-ES 1 RESOLUTION

To Enter Executive Session to
Consider Following Matters:
A. Litigation Involving Rosewood
Metro Builders and Daraview V
Town

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation to discuss the litigation strategy in the case known as Rosewood, Metro Builders and Daraview V Town
2. Contract negotiations
3. Real Estates matters to the extent that public disclosure discussed would substantially affect the value of the property
4. Personnel matters to wit: Meeting to discuss the employment history of particular individuals who need not be identified at this time
5. Confidential meeting between Attorney and his client/Town Board, based on Attorney/Client privileges

AND BE IT FURTHER RESOLVED, there will be no appropriating of

money.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

MEETING ADJOURNED AT 6:09 PM

AUDREY SCOTT AND NEIL WILSON WERE
ASKED TO JOIN THE COUNCIL IN EXECUTIVE SESSION

INTO EXECUTIVE SESSION AT 6:12 PM

RETURNED FROM EXECUTIVE SESSION AT 6:45 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 6:46 PM

SPECIAL TOWN BOARD MEETING

SEPTEMBER 16, 2009 AT 7:00 PM

7:00 PM CALL TO ORDER SALUTE THE FLAG

**Supervisor Myers asked for a moment of silence for two Town
Employees who have had parents die this week, Louise
Baranick and Pat Brown.**

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

***NOTE: Attachments pertaining to a particular Town Board
Meeting will be found after the minutes of that meeting, which**

are kept in the Town Clerk's Office

{ } designates corrections

09:16SM 1 PRESENTATION Mr. & Mrs. Buchner – Gift of Land
on Spackenkill Road Entitled
“Woods At Cliffdale Subdivision”

This is a certificate of appreciation presented to Harold and Carole Buchner by the Town Board of the Town of Poughkeepsie, September 16, 2009:

APPRECIATION CERTIFICATE

In grateful recognition of the Donation of 40.78 acres of Open Space Land to the Town. The donated Open Space Land contains important forest and wetland habitat that is home to many common and rare species of flora and fauna. This gift of Open Space Land will insure the long-term protection and preservation of a locally unique and significant property.

SIGNED: Supervisor Myers Councilman Cifone
 Councilman Baisley Councilman Krakower
 Councilman Seminara Councilman Tancredi
 Councilman Conte

Supervisor Myers: We do thank you very much for your generous Donation.

Attorney Richard Cantor: The Deed is for forty acres of property on Spackenkill Road. The gift includes this Board to be placed where ever you wish in Town Hall. There are two pieces of property that make up the gift property. There is one piece called Lot 8A, which is 39.35 acres and there is a second piece that includes the pond which is called Lot 8B and is 1.43 acres and there is, also, a series of easements that do two things: One, they allow the public to enter the gift property and Two, they allow the Town and the Town's crews to enter as they need to to maintain the property and to protect public safety. I note that the Town has previously adopted resolutions, I believe sponsored by Councilman Tancredi, which has dedicated this land permanently as Open Space. I also want to note that Chairman John Weisman of the Planning Board is here, who has worked long and hard with us to help us work through the sub-division

so we could create the gift parcel and on behalf of Harold and Carole Buckner, we would like to thank the members of the Town Board and John and his colleagues and also the hardworking Planning Staff. We are glad this worked out and the Town now has 40 acres of the gift parcel for Open Space and we hope it is used and enjoyed in the spirit it is intended as passive Open Space permanently. Thank you.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept from Harold Buchner and Carole Buchner a deed to a parcel of property located on Spackenkill Road consisting of 40 acres, more particularly described as Lot 8A and Lot 8B on Filed Map 12263 entitled "Woods At Cliffdale Subdivision"; Town of Poughkeepsie, County of Dutchess, State of New York." which property has heretofore been designated as open Space or open Area as defined by the laws of the State of New York, and which designation had previously been authorized by the Town Board in two separate resolutions and said designation is hereby ratified and restated; and

AND BE IT FURTHER RESOLVED, the Town Board will, in the near Future, consider an imposition of a conservation easement to further protect said property.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Councilman Seminara: I would like to speak on this issue. First of all, we have a letter of thank you here from Janet Sinisi and it says, "Hi Todd," referring to Councilman Tancredi, "I want to take this opportunity to thank Harold and Carole Buchner for a gift that will be enjoyed by residents of The Town of Poughkeepsie for years to come. The Buchners have been very generous to the community by donating 40 acres of Open Space. This property was once used by the Girl Scouts to learn new skills, tackle the challenges of the outdoors and make lasting friends. Because of this gift, it will continue to be a sanctuary, a wild life refuge, a place of nature beauty for the residents who neighbor the property and hopefully others as well. I would also like to thank the Town Board of the Town of Poughkeepsie for their efforts to protect the nature preserve and their understanding of the value of this type of space in our community. Sincerely, Janet Sinisi

I also want to thank Todd, he did a lot of work on this with Mr. Buchner and we appreciate that. I would also like to say that there are many, many neighbors virtually surrounding that entire parcel whom I know are very happy. They do appreciate the tranquility that will be unchanged for them. So, they also appreciate it. I would like to further point out that I do remember having some communications with Mr. Buckner a few years ago about this and when the topic came up about donating some land, Mr. Buckner never batted an eye and he was very willing right from the beginning to do something decent for the Town and that is a great example to set and it is really appreciated. Thank you very much, again.

Councilman Tancredi: I know I've said before, but I would like to thank you again, Mr. Buchner, for your contribution. I know when we first discussed this a number of years back, it's been a very trying time at times, but, I do thank you for hanging in there and for the donation of the property.

Councilman Krakower thanked Councilman Tancredi, Mr. Buckner, Mr. Cantor and Chairman Weisman. It has been a long process but I think it turned out to be a very good project. I truly do appreciate all your efforts and donation. It's a very valuable asset and gift to the Town. I appreciate and I think the residents do also, thank you again.

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

09:16 SM 2	AUTHORIZE TO GO TO BID	A. Tennis Court Reconstruction At Red Oaks Mill Park & New Hamburg Park B. Peach Hill Park Improvements
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(A) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for

bids for "TENNIS COURT RECONSTRUCTION" at the Red Oaks Mill Park and the New Hamburg Park, pursuant to plans and specifications available on September 21, 2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:00 am at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or Part.

SO MOVED: D. Seminara/J. Baisley

Councilman Seminara and Councilman Baisley were very glad to see this come to bid.

ROLL CALL: Ayes: Councilmen Baisley, Seminara Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

(B) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "PEACH HILL PARK IMPROVEMENTS", pursuant to plans and specifications available on September 21,2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SM3 SET DATE FOR Community Development Block
PUBLIC HEARING Grant Program Application For
Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23rd day of September, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2010, of which the Town of Poughkeepsie is a member.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

09:16-SM 4 AUTHORIZE
SUPERVISOR

Agreement Between Town of Poughkeepsie & Spackenkill Union Free School District To Provide For A School Resource Officer For 01/01/10 To 12/31/10

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Spackenkill Union Free School District to provide for a School Resource Officer under the terms and conditions set forth in the agreement, attached hereto, for the period January 1, 2010 through December 31, 2010.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM 5 AUTHORIZE

Diane Benigno, From the Planning Department, To Work An Additional 8 to 10 Hours in the Assessing Department

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Diane Benigno, from the Planning Department, to work an additional 8-10 hours per week for the Assessing Department until December 31, 2009 at the rate of \$16.68 per hour.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Baisley: I brought this up a couple of weeks ago, I was more in favor of not additional hours in exchange for her hours in the Planning Department, seeing that the fees were down. I was hoping to see this not as an additional payroll item.

ROLL CALL: Ayes: Councilmen Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers

Nays: Councilman Baisley CARRIED: 5-1

09:16-SM6 AUTHORIZE Agreement with Mardi Bob Lanes
SUPERVISOR & Sports Pub To Allow For Use of
TO SIGN Parking Area & Building, In Case of
Emergency At Facility Located At
45 Taft Avenue on October 22, 2009

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Mardi Bob Lanes and Sports Pub to allow for the use of the parking area and building, in case of an emergency, at the facility located at 45 Taft Avenue, Poughkeepsie, NY from 8:00 AM to 5:00 PM on October 22, 2009, which agreement is in connection with the project at the Crestwood Boulevard Town Park.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM7 AUTHORIZE McKee Block Party On Scott
Terrace Change Of Date to
September 19, 2009 With

Rain Date on September 20

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby amend RESOLUTION 9:2-#10 Of 2009 to read September 19, 2009 not September 5, 2009 regarding the block party on Scott Terrace.

SO MOVED: D. Seminara/T. Tancredi

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

Nays: None

CARRIED: 6-0

09:16-SM8 SET DATE FOR PUBLIC HEARING Zoning Amendment Changes
Relative To The Crown Heights
Center Overlay District

RESOLUTION

WHEREAS, the Town Board has prepared amendments to Chapter 210-24 of the Town Code relative to the Crown Heights Center Overlay District (“Amendments”), a copy of which is attached hereto as Exhibits “A” and “B”; and

WHEREAS, the action by the Town Board on the Amendments is a Type I Action as defined by 6 NYCRR 617.4(b)(2) of the SEQRA regulations; and

WHEREAS, the adoption of changes to the Town Code is an act that only can be performed by the Town Board thereby naming the Town Board the only involved agency and the only potential lead agency to coordinate the environmental review of the action; and

WHEREAS, the adoption of the amendments is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the proposed amendments are attached as Exhibits “A” and “B” and incorporated herein.
2. The Town Board hereby establishes itself as the Lead Agency; and
3. The Town Board sets October 21, 1009 at 7:00 PM, or as soon

thereafter as the matter may come to be heard, in the Town Hall Meeting Room, as the date, time and place for the public hearing on the Crown Heights Center Overlay District amendments; and

4. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
5. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Dutchess County Department of Planning and Economic Development for review and recommendation Pursuant to the General Municipal Law Section 239-m; and
6. The Town Board hereby directs that a copy of this Resolution be delivered to the municipalities adjoining the Town of Poughkeepsie pursuant to the notice requirements of the General Municipal Law Section 239-nn.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

EXHIBITS A & B ATTACHED TO FINAL BOOK COPY

09:16 SM 09 WITHDRAWN FROM AGENDA

09:16-SM 10 GRANT Special Consent Items SC 1 and 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 Arlington Street Fair

SC 2 Authorize Waiver Liquor License Renewal
Hobnobbin Pub

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: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC1 EXEMPT Vendors of Food & Merchandise at The
Arlington Street Fair on September 26,
2009

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 26, 2009; and

WHEREAS, the presence of informational displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 26, 2009 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 26, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegeview Avenue from 6:30 AM to 8:30 PM for the Arlington Street Fair on Saturday, September 26, 2009, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate this resolution including, but not limited to, any agreement with the Arlington Central School District that may be required in regard to the use of the premises at Arthur S. May Elementary School on Raymond Avenue.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,

Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC 2 WAIVE 30 Day Review Period For Renewal
of TJM Restaurant Corp. D/B/A
Hobnobbin Pub Located At 11
Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from TJM Restaurant Corp., d/b/a Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, 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: Supervisor Myers/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Asked the Board to urge the County Legislators to consider the contract for the Burn Plant, the fact that they wanted to switch it from an operator who currently has no violations to an operator who has had a number of violations in a number of states over a number of years. "Unfortunately, the County Legislature is not bringing that resolution forward and it looks like the switch of operators will take place. It's unfortunate and disturbing because I seriously doubt that anybody in the Legislature or DEC is going to be vigilant about any future violations. Also, when I was at the last Town Board Meeting I made some comments about the Arlington Fire District budget. Tonight Jay questioned the use of funds in these economic times. Well, it doesn't seem like the Arlington Fire District is as concerned about tough economic times. Their budget is going up from about 14.1 million

dollars last year and their proposed budget for this year is 15.4 million dollars. Unless Town residents start coming to Fire Commissioner's meetings, they had better just hold on to their wallets. You have no recourse unless you go there and hold them accountable."

Councilman Cifone: The Supervisor sent letters out to all of the Commissioners of the Fire Districts giving them permission to use our room here with the TV so all Residents could see what was going on.

Supervisor Myers: We heard from New Hamburg and they thanked us very kindly, but they felt they needed to stay within in their district. As far as the other two, I have not heard a word back from Fairview or Arlington.

Councilman Cifone: Thank you for pointing that out that Vassar does not contribute on a regular basis because a lot of people don't understand it that taxes on property does not have to give any donation of any kind and we do get something from St. Francis and from Marist.

Jim Beretta: Just to follow up on that, also, Deputy Chief Pells also did say that he would appreciate any assistance because they are not getting any money from Vassar College. Just a couple more things. In the process of doing the analysis that we did for the meeting the other night, I did see that the 2005 budget to the proposed 2010 is up like 65% and that is significant. That averages out to about 13% a year. So, with the proposed budget we are going to see just shy 10% increase. One thing that was disturbing is that there are five Fire Commissioners and last night when they voted on this, there were only four present and only two had seen the proposed budget. There was three commissioners not at the workshop and one was missing again last night. There doesn't seem to be a motivation, based on what I've seen from the Fire District and these are good people doing good work and dangerous work and they provide a good service and I feel they should get a good salary and have benefits, but there is no impetus for them to say it is tough times and we can't throw 10% to 13% on the taxpayers every year, let's consolidate services.

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

CARRIED 6-0

SPECIAL TOWN BOARD MEETING CLOSED AT 7:45 PM

COMMITTEE OF THE WHOLE MEETING IMMEDIATELY
FOLLOWED AT 7:46 PM
TOWN OF POUGHKEEPSIE COMMITTEE OF THE
WHOLE MEETING OF SEPTEMBER 16, 2009, TOWN HALL
7:46 PM

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

ABSENT: Councilman Conte

09:16 COW 1 DISCUSSION Grant for Sewer Department by
Susan Roeller Brown

Supervisor Myers explained that Susan Roeller Brown is writing a grant Through the Department of Environmental Conservation 2009 Water Quality Improvements Program. Susan is working with Don Beer on the grant for an ultraviolet disinfection system for the wastewater treatment plant.

09:16 COW 2 PROJECT PROPOSAL Jesse Walsh For His Eagle Scout Project For Overocker Park
Scout Walsh of Troop 17 in Fairview has numerous projects to Improve the condition of Overocker Park. They are:

Jesse Walsh:

1. Renovation of basketball court: repaint lines, hoops, backboards and poles and replacing nets
2. New safety surface on 3 play areas: Removing 9 inches of existing dirt and safety surface refilling with new safety surface & installing wooden borders.
3. Repairing and repainting all benches..
4. Repairing and repainting all bleachers if needed.
5. Renovations on baseball field by painting foul poles and repairing outfield fence.

To be finished by October 2009

The Town Board heartily supported Jesse and wanted to make sure that he could get contributions on materials and not pay out of his own pocket.

The Board thanked him for such a great project and wished him good luck.

Supervisor Myers: I have two announcements. One is that we dedicated the new sign that has been missing for 50 years. When they widened Route 9, they took down the sign acknowledging the site of the original spring that was the founding of Poughkeepsie and we now have a sign that was authorized last year and it has finally been installed and we had the dedication of that sign today. I also want to mention that I did my pitch for KABOOM and for people to sign up and volunteer. Also, October 3rd is the Quadra-Centennial march across the bridge with the people from this side crossing the bridge and the people from the other side crossing the bridge. If anyone is interested in participating in this, they need to go to the Recreation website or call Recreation to sign up. There is a \$15 fee which is strictly to cover the costs of running the buses for the event.

COMMITTEE REPORTS

1. FINANCE Councilman Baisley: No Report
2. FIRE ADVISORY Councilman Baisley: No Report
3. GOVERNMENT OPERATIONS Councilman Seminara: No Report
4. LAND USE & PLANNING Councilman Seminara: No Report
5. PERSONNEL Councilman Cifone: No Report
6. RECREATION Councilman Tancredi: No Report
Councilman Cifone: The sidewalks at Fairview Park have started to be completed and started to tear the fence down and so work is going on right now.
7. SENIOR CITIZENS Councilman Krakower: No Report
8. TECHNOLOGY & EQUIPMENT Councilman Krakower: No Report
9. WATER, SEWER, HIGHWAY Councilman Seminara: I just want to make sure the Board is aware that we are working on something to try and standardize the way that benefit units are calculated. We are studying it with Don Beer and the entire infrastructure committee is

on board with this and if we are lucky, we can relieve quite a burden on the Assessor's every year.

Town Attorney Mahar: We have another resolution to present tonight.

RESOLUTION

BE IT RESOLVED, the Town Board, Town of Poughkeepsie, does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation: To discuss litigation strategy in a case known as Town vs. Dutchess
2. Confidential communication between attorney and his client, Town Board based on attorney/client privileges.

BE IT RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

MR. CANTOR AND MR. WILSON WERE
INVITED TO ATTEND EXECUTIVE SESSION

BACK FROM EXECUTIVE SESSION AT 8:32 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 8:33 PM

SJM:lkm

**MINUTES OF SPECIAL TOWN BOARD
MEETING HELD ON SEPTEMBER 16, 2009
AT 6:05 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE,
NEW YORK**

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

ABSENT:
Councilman Conte

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

{ } designates corrections

6:00 PM CALL TO ORDER SALUTE THE FLAG

09:16-ES 1 RESOLUTION

To Enter Executive Session to
Consider Following Matters:
A. Litigation Involving Rosewood
Metro Builders and Daraview V
Town

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation to discuss the litigation strategy in the case known as Rosewood, Metro Builders and Daraview V Town
2. Contract negotiations
3. Real Estates matters to the extent that public disclosure discussed would substantially affect the value of the property
4. Personnel matters to wit: Meeting to discuss the employment history of particular individuals who need not be identified at this time
5. Confidential meeting between Attorney and his client/Town Board, based on Attorney/Client privileges

AND BE IT FURTHER RESOLVED, there will be no appropriating of

money.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

MEETING ADJOURNED AT 6:09 PM

AUDREY SCOTT AND NEIL WILSON WERE
ASKED TO JOIN THE COUNCIL IN EXECUTIVE SESSION

INTO EXECUTIVE SESSION AT 6:12 PM

RETURNED FROM EXECUTIVE SESSION AT 6:45 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 6:46 PM

SPECIAL TOWN BOARD MEETING

SEPTEMBER 16, 2009 AT 7:00 PM

7:00 PM CALL TO ORDER SALUTE THE FLAG

**Supervisor Myers asked for a moment of silence for two Town
Employees who have had parents die this week, Louise
Baranick and Pat Brown.**

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

***NOTE: Attachments pertaining to a particular Town Board
Meeting will be found after the minutes of that meeting, which**

are kept in the Town Clerk's Office

{ } designates corrections

09:16SM 1 PRESENTATION Mr. & Mrs. Buchner – Gift of Land
on Spackenkill Road Entitled
“Woods At Cliffdale Subdivision”

This is a certificate of appreciation presented to Harold and Carole Buchner by the Town Board of the Town of Poughkeepsie, September 16, 2009:

APPRECIATION CERTIFICATE

In grateful recognition of the Donation of 40.78 acres of Open Space Land to the Town. The donated Open Space Land contains important forest and wetland habitat that is home to many common and rare species of flora and fauna. This gift of Open Space Land will insure the long-term protection and preservation of a locally unique and significant property.

SIGNED: Supervisor Myers Councilman Cifone
 Councilman Baisley Councilman Krakower
 Councilman Seminara Councilman Tancredi
 Councilman Conte

Supervisor Myers: We do thank you very much for your generous Donation.

Attorney Richard Cantor: The Deed is for forty acres of property on Spackenkill Road. The gift includes this Board to be placed where ever you wish in Town Hall. There are two pieces of property that make up the gift property. There is one piece called Lot 8A, which is 39.35 acres and there is a second piece that includes the pond which is called Lot 8B and is 1.43 acres and there is, also, a series of easements that do two things: One, they allow the public to enter the gift property and Two, they allow the Town and the Town's crews to enter as they need to to maintain the property and to protect public safety. I note that the Town has previously adopted resolutions, I believe sponsored by Councilman Tancredi, which has dedicated this land permanently as Open Space. I also want to note that Chairman John Weisman of the Planning Board is here, who has worked long and hard with us to help us work through the sub-division

so we could create the gift parcel and on behalf of Harold and Carole Buckner, we would like to thank the members of the Town Board and John and his colleagues and also the hardworking Planning Staff. We are glad this worked out and the Town now has 40 acres of the gift parcel for Open Space and we hope it is used and enjoyed in the spirit it is intended as passive Open Space permanently. Thank you.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept from Harold Buchner and Carole Buchner a deed to a parcel of property located on Spackenkill Road consisting of 40 acres, more particularly described as Lot 8A and Lot 8B on Filed Map 12263 entitled "Woods At Cliffdale Subdivision"; Town of Poughkeepsie, County of Dutchess, State of New York." which property has heretofore been designated as open Space or open Area as defined by the laws of the State of New York, and which designation had previously been authorized by the Town Board in two separate resolutions and said designation is hereby ratified and restated; and

AND BE IT FURTHER RESOLVED, the Town Board will, in the near Future, consider an imposition of a conservation easement to further protect said property.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Councilman Seminara: I would like to speak on this issue. First of all, we have a letter of thank you here from Janet Sinisi and it says, "Hi Todd," referring to Councilman Tancredi, "I want to take this opportunity to thank Harold and Carole Buchner for a gift that will be enjoyed by residents of The Town of Poughkeepsie for years to come. The Buchners have been very generous to the community by donating 40 acres of Open Space. This property was once used by the Girl Scouts to learn new skills, tackle the challenges of the outdoors and make lasting friends. Because of this gift, it will continue to be a sanctuary, a wild life refuge, a place of nature beauty for the residents who neighbor the property and hopefully others as well. I would also like to thank the Town Board of the Town of Poughkeepsie for their efforts to protect the nature preserve and their understanding of the value of this type of space in our community. Sincerely, Janet Sinisi

I also want to thank Todd, he did a lot of work on this with Mr. Buchner and we appreciate that. I would also like to say that there are many, many neighbors virtually surrounding that entire parcel whom I know are very happy. They do appreciate the tranquility that will be unchanged for them. So, they also appreciate it. I would like to further point out that I do remember having some communications with Mr. Buckner a few years ago about this and when the topic came up about donating some land, Mr. Buckner never batted an eye and he was very willing right from the beginning to do something decent for the Town and that is a great example to set and it is really appreciated. Thank you very much, again.

Councilman Tancredi: I know I've said before, but I would like to thank you again, Mr. Buchner, for your contribution. I know when we first discussed this a number of years back, it's been a very trying time at times, but, I do thank you for hanging in there and for the donation of the property.

Councilman Krakower thanked Councilman Tancredi, Mr. Buckner, Mr. Cantor and Chairman Weisman. It has been a long process but I think it turned out to be a very good project. I truly do appreciate all your efforts and donation. It's a very valuable asset and gift to the Town. I appreciate and I think the residents do also, thank you again.

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

09:16 SM 2 AUTHORIZE TO
GO TO BID

A. Tennis Court Reconstruction
At Red Oaks Mill Park
& New Hamburg Park
B. Peach Hill Park
Improvements

(A) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for

bids for "TENNIS COURT RECONSTRUCTION" at the Red Oaks Mill Park and the New Hamburg Park, pursuant to plans and specifications available on September 21, 2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:00 am at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or Part.

SO MOVED: D. Seminara/J. Baisley

Councilman Seminara and Councilman Baisley were very glad to see this come to bid.

ROLL CALL: Ayes: Councilmen Baisley, Seminara Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

(B) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "PEACH HILL PARK IMPROVEMENTS", pursuant to plans and specifications available on September 21,2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SM3 SET DATE FOR Community Development Block
PUBLIC HEARING Grant Program Application For
Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23rd day of September, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2010, of which the Town of Poughkeepsie is a member.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

09:16-SM 4 AUTHORIZE
SUPERVISOR

Agreement Between Town of Poughkeepsie & Spackenkill Union Free School District To Provide For A School Resource Officer For 01/01/10 To 12/31/10

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Spackenkill Union Free School District to provide for a School Resource Officer under the terms and conditions set forth in the agreement, attached hereto, for the period January 1, 2010 through December 31, 2010.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM 5 AUTHORIZE

Diane Benigno, From the Planning Department, To Work An Additional 8 to 10 Hours in the Assessing Department

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Diane Benigno, from the Planning Department, to work an additional 8-10 hours per week for the Assessing Department until December 31, 2009 at the rate of \$16.68 per hour.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Baisley: I brought this up a couple of weeks ago, I was more in favor of not additional hours in exchange for her hours in the Planning Department, seeing that the fees were down. I was hoping to see this not as an additional payroll item.

ROLL CALL: Ayes: Councilmen Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers

Nays: Councilman Baisley CARRIED: 5-1

09:16-SM6 AUTHORIZE Agreement with Mardi Bob Lanes
SUPERVISOR & Sports Pub To Allow For Use of
TO SIGN Parking Area & Building, In Case of
Emergency At Facility Located At
45 Taft Avenue on October 22, 2009

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Mardi Bob Lanes and Sports Pub to allow for the use of the parking area and building, in case of an emergency, at the facility located at 45 Taft Avenue, Poughkeepsie, NY from 8:00 AM to 5:00 PM on October 22, 2009, which agreement is in connection with the project at the Crestwood Boulevard Town Park.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM7 AUTHORIZE McKee Block Party On Scott
Terrace Change Of Date to
September 19, 2009 With

Rain Date on September 20

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby amend RESOLUTION 9:2-#10 Of 2009 to read September 19, 2009 not September 5, 2009 regarding the block party on Scott Terrace.

SO MOVED: D. Seminara/T. Tancredi

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

Nays: None

CARRIED: 6-0

09:16-SM8 SET DATE FOR PUBLIC HEARING Zoning Amendment Changes Relative To The Crown Heights Center Overlay District

RESOLUTION

WHEREAS, the Town Board has prepared amendments to Chapter 210-24 of the Town Code relative to the Crown Heights Center Overlay District (“Amendments”), a copy of which is attached hereto as Exhibits “A” and “B”; and

WHEREAS, the action by the Town Board on the Amendments is a Type I Action as defined by 6 NYCRR 617.4(b)(2) of the SEQRA regulations; and

WHEREAS, the adoption of changes to the Town Code is an act that only can be performed by the Town Board thereby naming the Town Board the only involved agency and the only potential lead agency to coordinate the environmental review of the action; and

WHEREAS, the adoption of the amendments is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the proposed amendments are attached as Exhibits “A” and “B” and incorporated herein.
2. The Town Board hereby establishes itself as the Lead Agency; and
3. The Town Board sets October 21, 1009 at 7:00 PM, or as soon

thereafter as the matter may come to be heard, in the Town Hall Meeting Room, as the date, time and place for the public hearing on the Crown Heights Center Overlay District amendments; and

4. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
5. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Dutchess County Department of Planning and Economic Development for review and recommendation Pursuant to the General Municipal Law Section 239-m; and
6. The Town Board hereby directs that a copy of this Resolution be delivered to the municipalities adjoining the Town of Poughkeepsie pursuant to the notice requirements of the General Municipal Law Section 239-nn.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

EXHIBITS A & B ATTACHED TO FINAL BOOK COPY

09:16 SM 09 WITHDRAWN FROM AGENDA

09:16-SM 10 GRANT Special Consent Items SC 1 and 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 Arlington Street Fair

SC 2 Authorize Waiver Liquor License Renewal
Hobnobbin Pub

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: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC1 EXEMPT Vendors of Food & Merchandise at The
Arlington Street Fair on September 26,
2009

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 26, 2009; and

WHEREAS, the presence of informational displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 26, 2009 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 26, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegeview Avenue from 6:30 AM to 8:30 PM for the Arlington Street Fair on Saturday, September 26, 2009, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate this resolution including, but not limited to, any agreement with the Arlington Central School District that may be required in regard to the use of the premises at Arthur S. May Elementary School on Raymond Avenue.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,

Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC 2 WAIVE 30 Day Review Period For Renewal
of TJM Restaurant Corp. D/B/A
Hobnobbin Pub Located At 11
Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from TJM Restaurant Corp., d/b/a Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, 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: Supervisor Myers/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Asked the Board to urge the County Legislators to consider the contract for the Burn Plant, the fact that they wanted to switch it from an operator who currently has no violations to an operator who has had a number of violations in a number of states over a number of years. "Unfortunately, the County Legislature is not bringing that resolution forward and it looks like the switch of operators will take place. It's unfortunate and disturbing because I seriously doubt that anybody in the Legislature or DEC is going to be vigilant about any future violations. Also, when I was at the last Town Board Meeting I made some comments about the Arlington Fire District budget. Tonight Jay questioned the use of funds in these economic times. Well, it doesn't seem like the Arlington Fire District is as concerned about tough economic times. Their budget is going up from about 14.1 million

dollars last year and their proposed budget for this year is 15.4 million dollars. Unless Town residents start coming to Fire Commissioner's meetings, they had better just hold on to their wallets. You have no recourse unless you go there and hold them accountable."

Councilman Cifone: The Supervisor sent letters out to all of the Commissioners of the Fire Districts giving them permission to use our room here with the TV so all Residents could see what was going on.

Supervisor Myers: We heard from New Hamburg and they thanked us very kindly, but they felt they needed to stay within in their district. As far as the other two, I have not heard a word back from Fairview or Arlington.

Councilman Cifone: Thank you for pointing that out that Vassar does not contribute on a regular basis because a lot of people don't understand it that taxes on property does not have to give any donation of any kind and we do get something from St. Francis and from Marist.

Jim Beretta: Just to follow up on that, also, Deputy Chief Pells also did say that he would appreciate any assistance because they are not getting any money from Vassar College. Just a couple more things. In the process of doing the analysis that we did for the meeting the other night, I did see that the 2005 budget to the proposed 2010 is up like 65% and that is significant. That averages out to about 13% a year. So, with the proposed budget we are going to see just shy 10% increase. One thing that was disturbing is that there are five Fire Commissioners and last night when they voted on this, there were only four present and only two had seen the proposed budget. There was three commissioners not at the workshop and one was missing again last night. There doesn't seem to be a motivation, based on what I've seen from the Fire District and these are good people doing good work and dangerous work and they provide a good service and I feel they should get a good salary and have benefits, but there is no impetus for them to say it is tough times and we can't throw 10% to 13% on the taxpayers every year, let's consolidate services.

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

CARRIED 6-0

SPECIAL TOWN BOARD MEETING CLOSED AT 7:45 PM

COMMITTEE OF THE WHOLE MEETING IMMEDIATELY
FOLLOWED AT 7:46 PM
TOWN OF POUGHKEEPSIE COMMITTEE OF THE
WHOLE MEETING OF SEPTEMBER 16, 2009, TOWN HALL
7:46 PM

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

ABSENT: Councilman Conte

09:16 COW 1 DISCUSSION Grant for Sewer Department by
Susan Roeller Brown

Supervisor Myers explained that Susan Roeller Brown is writing a grant Through the Department of Environmental Conservation 2009 Water Quality Improvements Program. Susan is working with Don Beer on the grant for an ultraviolet disinfection system for the wastewater treatment plant.

09:16 COW 2 PROJECT PROPOSAL Jesse Walsh For His Eagle Scout Project For Overocker Park
Scout Walsh of Troop 17 in Fairview has numerous projects to Improve the condition of Overocker Park. They are:

Jesse Walsh:

1. Renovation of basketball court: repaint lines, hoops, backboards and poles and replacing nets
2. New safety surface on 3 play areas: Removing 9 inches of existing dirt and safety surface refilling with new safety surface & installing wooden borders.
3. Repairing and repainting all benches..
4. Repairing and repainting all bleachers if needed.
5. Renovations on baseball field by painting foul poles and repairing outfield fence.

To be finished by October 2009

The Town Board heartily supported Jesse and wanted to make sure that he could get contributions on materials and not pay out of his own pocket.

The Board thanked him for such a great project and wished him good luck.

Supervisor Myers: I have two announcements. One is that we dedicated the new sign that has been missing for 50 years. When they widened Route 9, they took down the sign acknowledging the site of the original spring that was the founding of Poughkeepsie and we now have a sign that was authorized last year and it has finally been installed and we had the dedication of that sign today. I also want to mention that I did my pitch for KABOOM and for people to sign up and volunteer. Also, October 3rd is the Quadra-Centennial march across the bridge with the people from this side crossing the bridge and the people from the other side crossing the bridge. If anyone is interested in participating in this, they need to go to the Recreation website or call Recreation to sign up. There is a \$15 fee which is strictly to cover the costs of running the buses for the event.

COMMITTEE REPORTS

1. FINANCE Councilman Baisley: No Report
2. FIRE ADVISORY Councilman Baisley: No Report
3. GOVERNMENT OPERATIONS Councilman Seminara: No Report
4. LAND USE & PLANNING Councilman Seminara: No Report
5. PERSONNEL Councilman Cifone: No Report
6. RECREATION Councilman Tancredi: No Report
Councilman Cifone: The sidewalks at Fairview Park have started to be completed and started to tear the fence down and so work is going on right now.
7. SENIOR CITIZENS Councilman Krakower: No Report
8. TECHNOLOGY & EQUIPMENT Councilman Krakower: No Report
9. WATER, SEWER, HIGHWAY Councilman Seminara: I just want to make sure the Board is aware that we are working on something to try and standardize the way that benefit units are calculated. We are studying it with Don Beer and the entire infrastructure committee is

on board with this and if we are lucky, we can relieve quite a burden on the Assessor's every year.

Town Attorney Mahar: We have another resolution to present tonight.

RESOLUTION

BE IT RESOLVED, the Town Board, Town of Poughkeepsie, does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation: To discuss litigation strategy in a case known as Town vs. Dutchess
2. Confidential communication between attorney and his client, Town Board based on attorney/client privileges.

BE IT RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

MR. CANTOR AND MR. WILSON WERE
INVITED TO ATTEND EXECUTIVE SESSION

BACK FROM EXECUTIVE SESSION AT 8:32 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 8:33 PM

SJM:lkm

**MINUTES OF SPECIAL TOWN BOARD
MEETING HELD ON SEPTEMBER 16, 2009
AT 6:05 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE,
NEW YORK**

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

ABSENT:
Councilman Conte

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

{ } designates corrections

6:00 PM CALL TO ORDER SALUTE THE FLAG

09:16-ES 1 RESOLUTION

To Enter Executive Session to
Consider Following Matters:
A. Litigation Involving Rosewood
Metro Builders and Daraview V
Town

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation to discuss the litigation strategy in the case known as Rosewood, Metro Builders and Daraview V Town
2. Contract negotiations
3. Real Estates matters to the extent that public disclosure discussed would substantially affect the value of the property
4. Personnel matters to wit: Meeting to discuss the employment history of particular individuals who need not be identified at this time
5. Confidential meeting between Attorney and his client/Town Board, based on Attorney/Client privileges

AND BE IT FURTHER RESOLVED, there will be no appropriating of

money.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

MEETING ADJOURNED AT 6:09 PM

AUDREY SCOTT AND NEIL WILSON WERE
ASKED TO JOIN THE COUNCIL IN EXECUTIVE SESSION

INTO EXECUTIVE SESSION AT 6:12 PM

RETURNED FROM EXECUTIVE SESSION AT 6:45 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 6:46 PM

SPECIAL TOWN BOARD MEETING

SEPTEMBER 16, 2009 AT 7:00 PM

7:00 PM CALL TO ORDER SALUTE THE FLAG

**Supervisor Myers asked for a moment of silence for two Town
Employees who have had parents die this week, Louise
Baranick and Pat Brown.**

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

***NOTE: Attachments pertaining to a particular Town Board
Meeting will be found after the minutes of that meeting, which**

are kept in the Town Clerk's Office

{ } designates corrections

09:16SM 1 PRESENTATION Mr. & Mrs. Buchner – Gift of Land
on Spackenkill Road Entitled
“Woods At Cliffdale Subdivision”

This is a certificate of appreciation presented to Harold and Carole Buchner by the Town Board of the Town of Poughkeepsie, September 16, 2009:

APPRECIATION CERTIFICATE

In grateful recognition of the Donation of 40.78 acres of Open Space Land to the Town. The donated Open Space Land contains important forest and wetland habitat that is home to many common and rare species of flora and fauna. This gift of Open Space Land will insure the long-term protection and preservation of a locally unique and significant property.

SIGNED: Supervisor Myers Councilman Cifone
 Councilman Baisley Councilman Krakower
 Councilman Seminara Councilman Tancredi
 Councilman Conte

Supervisor Myers: We do thank you very much for your generous Donation.

Attorney Richard Cantor: The Deed is for forty acres of property on Spackenkill Road. The gift includes this Board to be placed where ever you wish in Town Hall. There are two pieces of property that make up the gift property. There is one piece called Lot 8A, which is 39.35 acres and there is a second piece that includes the pond which is called Lot 8B and is 1.43 acres and there is, also, a series of easements that do two things: One, they allow the public to enter the gift property and Two, they allow the Town and the Town's crews to enter as they need to to maintain the property and to protect public safety. I note that the Town has previously adopted resolutions, I believe sponsored by Councilman Tancredi, which has dedicated this land permanently as Open Space. I also want to note that Chairman John Weisman of the Planning Board is here, who has worked long and hard with us to help us work through the sub-division

so we could create the gift parcel and on behalf of Harold and Carole Buckner, we would like to thank the members of the Town Board and John and his colleagues and also the hardworking Planning Staff. We are glad this worked out and the Town now has 40 acres of the gift parcel for Open Space and we hope it is used and enjoyed in the spirit it is intended as passive Open Space permanently. Thank you.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept from Harold Buchner and Carole Buchner a deed to a parcel of property located on Spackenkill Road consisting of 40 acres, more particularly described as Lot 8A and Lot 8B on Filed Map 12263 entitled "Woods At Cliffdale Subdivision"; Town of Poughkeepsie, County of Dutchess, State of New York." which property has heretofore been designated as open Space or open Area as defined by the laws of the State of New York, and which designation had previously been authorized by the Town Board in two separate resolutions and said designation is hereby ratified and restated; and

AND BE IT FURTHER RESOLVED, the Town Board will, in the near Future, consider an imposition of a conservation easement to further protect said property.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Councilman Seminara: I would like to speak on this issue. First of all, we have a letter of thank you here from Janet Sinisi and it says, "Hi Todd," referring to Councilman Tancredi, "I want to take this opportunity to thank Harold and Carole Buchner for a gift that will be enjoyed by residents of The Town of Poughkeepsie for years to come. The Buchners have been very generous to the community by donating 40 acres of Open Space. This property was once used by the Girl Scouts to learn new skills, tackle the challenges of the outdoors and make lasting friends. Because of this gift, it will continue to be a sanctuary, a wild life refuge, a place of nature beauty for the residents who neighbor the property and hopefully others as well. I would also like to thank the Town Board of the Town of Poughkeepsie for their efforts to protect the nature preserve and their understanding of the value of this type of space in our community. Sincerely, Janet Sinisi

I also want to thank Todd, he did a lot of work on this with Mr. Buchner and we appreciate that. I would also like to say that there are many, many neighbors virtually surrounding that entire parcel whom I know are very happy. They do appreciate the tranquility that will be unchanged for them. So, they also appreciate it. I would like to further point out that I do remember having some communications with Mr. Buckner a few years ago about this and when the topic came up about donating some land, Mr. Buckner never batted an eye and he was very willing right from the beginning to do something decent for the Town and that is a great example to set and it is really appreciated. Thank you very much, again.

Councilman Tancredi: I know I've said before, but I would like to thank you again, Mr. Buchner, for your contribution. I know when we first discussed this a number of years back, it's been a very trying time at times, but, I do thank you for hanging in there and for the donation of the property.

Councilman Krakower thanked Councilman Tancredi, Mr. Buckner, Mr. Cantor and Chairman Weisman. It has been a long process but I think it turned out to be a very good project. I truly do appreciate all your efforts and donation. It's a very valuable asset and gift to the Town. I appreciate and I think the residents do also, thank you again.

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

09:16 SM 2 AUTHORIZE TO
GO TO BID

A. Tennis Court Reconstruction
At Red Oaks Mill Park
& New Hamburg Park
B. Peach Hill Park
Improvements

(A) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for

bids for "TENNIS COURT RECONSTRUCTION" at the Red Oaks Mill Park and the New Hamburg Park, pursuant to plans and specifications available on September 21, 2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:00 am at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or Part.

SO MOVED: D. Seminara/J. Baisley

Councilman Seminara and Councilman Baisley were very glad to see this come to bid.

ROLL CALL: Ayes: Councilmen Baisley, Seminara Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

(B) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "PEACH HILL PARK IMPROVEMENTS", pursuant to plans and specifications available on September 21,2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SM3 SET DATE FOR Community Development Block
PUBLIC HEARING Grant Program Application For
Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23rd day of September, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2010, of which the Town of Poughkeepsie is a member.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

09:16-SM 4 AUTHORIZE
SUPERVISOR

Agreement Between Town of Poughkeepsie & Spackenkill Union Free School District To Provide For A School Resource Officer For 01/01/10 To 12/31/10

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Spackenkill Union Free School District to provide for a School Resource Officer under the terms and conditions set forth in the agreement, attached hereto, for the period January 1, 2010 through December 31, 2010.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM 5 AUTHORIZE

Diane Benigno, From the Planning Department, To Work An Additional 8 to 10 Hours in the Assessing Department

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Diane Benigno, from the Planning Department, to work an additional 8-10 hours per week for the Assessing Department until December 31, 2009 at the rate of \$16.68 per hour.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Baisley: I brought this up a couple of weeks ago, I was more in favor of not additional hours in exchange for her hours in the Planning Department, seeing that the fees were down. I was hoping to see this not as an additional payroll item.

ROLL CALL: Ayes: Councilmen Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers

Nays: Councilman Baisley CARRIED: 5-1

09:16-SM6 AUTHORIZE Agreement with Mardi Bob Lanes
SUPERVISOR & Sports Pub To Allow For Use of
TO SIGN Parking Area & Building, In Case of
Emergency At Facility Located At
45 Taft Avenue on October 22, 2009

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Mardi Bob Lanes and Sports Pub to allow for the use of the parking area and building, in case of an emergency, at the facility located at 45 Taft Avenue, Poughkeepsie, NY from 8:00 AM to 5:00 PM on October 22, 2009, which agreement is in connection with the project at the Crestwood Boulevard Town Park.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM7 AUTHORIZE McKee Block Party On Scott
Terrace Change Of Date to
September 19, 2009 With

Rain Date on September 20

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby amend RESOLUTION 9:2-#10 Of 2009 to read September 19, 2009 not September 5, 2009 regarding the block party on Scott Terrace.

SO MOVED: D. Seminara/T. Tancredi

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

Nays: None

CARRIED: 6-0

09:16-SM8 SET DATE FOR PUBLIC HEARING Zoning Amendment Changes
Relative To The Crown Heights
Center Overlay District

RESOLUTION

WHEREAS, the Town Board has prepared amendments to Chapter 210-24 of the Town Code relative to the Crown Heights Center Overlay District (“Amendments”), a copy of which is attached hereto as Exhibits “A” and “B”; and

WHEREAS, the action by the Town Board on the Amendments is a Type I Action as defined by 6 NYCRR 617.4(b)(2) of the SEQRA regulations; and

WHEREAS, the adoption of changes to the Town Code is an act that only can be performed by the Town Board thereby naming the Town Board the only involved agency and the only potential lead agency to coordinate the environmental review of the action; and

WHEREAS, the adoption of the amendments is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the proposed amendments are attached as Exhibits “A” and “B” and incorporated herein.
2. The Town Board hereby establishes itself as the Lead Agency; and
3. The Town Board sets October 21, 1009 at 7:00 PM, or as soon

thereafter as the matter may come to be heard, in the Town Hall Meeting Room, as the date, time and place for the public hearing on the Crown Heights Center Overlay District amendments; and

4. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
5. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Dutchess County Department of Planning and Economic Development for review and recommendation Pursuant to the General Municipal Law Section 239-m; and
6. The Town Board hereby directs that a copy of this Resolution be delivered to the municipalities adjoining the Town of Poughkeepsie pursuant to the notice requirements of the General Municipal Law Section 239-nn.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

EXHIBITS A & B ATTACHED TO FINAL BOOK COPY

09:16 SM 09 WITHDRAWN FROM AGENDA

09:16-SM 10 GRANT Special Consent Items SC 1 and 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 Arlington Street Fair

SC 2 Authorize Waiver Liquor License Renewal
Hobnobbin Pub

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: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC1 EXEMPT Vendors of Food & Merchandise at The
Arlington Street Fair on September 26,
2009

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 26, 2009; and

WHEREAS, the presence of informational displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 26, 2009 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 26, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegeview Avenue from 6:30 AM to 8:30 PM for the Arlington Street Fair on Saturday, September 26, 2009, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate this resolution including, but not limited to, any agreement with the Arlington Central School District that may be required in regard to the use of the premises at Arthur S. May Elementary School on Raymond Avenue.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,

Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC 2 WAIVE 30 Day Review Period For Renewal
of TJM Restaurant Corp. D/B/A
Hobnobbin Pub Located At 11
Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from TJM Restaurant Corp., d/b/a Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, 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: Supervisor Myers/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Asked the Board to urge the County Legislators to consider the contract for the Burn Plant, the fact that they wanted to switch it from an operator who currently has no violations to an operator who has had a number of violations in a number of states over a number of years. "Unfortunately, the County Legislature is not bringing that resolution forward and it looks like the switch of operators will take place. It's unfortunate and disturbing because I seriously doubt that anybody in the Legislature or DEC is going to be vigilant about any future violations. Also, when I was at the last Town Board Meeting I made some comments about the Arlington Fire District budget. Tonight Jay questioned the use of funds in these economic times. Well, it doesn't seem like the Arlington Fire District is as concerned about tough economic times. Their budget is going up from about 14.1 million

dollars last year and their proposed budget for this year is 15.4 million dollars. Unless Town residents start coming to Fire Commissioner's meetings, they had better just hold on to their wallets. You have no recourse unless you go there and hold them accountable."

Councilman Cifone: The Supervisor sent letters out to all of the Commissioners of the Fire Districts giving them permission to use our room here with the TV so all Residents could see what was going on.

Supervisor Myers: We heard from New Hamburg and they thanked us very kindly, but they felt they needed to stay within in their district. As far as the other two, I have not heard a word back from Fairview or Arlington.

Councilman Cifone: Thank you for pointing that out that Vassar does not contribute on a regular basis because a lot of people don't understand it that taxes on property does not have to give any donation of any kind and we do get something from St. Francis and from Marist.

Jim Beretta: Just to follow up on that, also, Deputy Chief Pells also did say that he would appreciate any assistance because they are not getting any money from Vassar College. Just a couple more things. In the process of doing the analysis that we did for the meeting the other night, I did see that the 2005 budget to the proposed 2010 is up like 65% and that is significant. That averages out to about 13% a year. So, with the proposed budget we are going to see just shy 10% increase. One thing that was disturbing is that there are five Fire Commissioners and last night when they voted on this, there were only four present and only two had seen the proposed budget. There was three commissioners not at the workshop and one was missing again last night. There doesn't seem to be a motivation, based on what I've seen from the Fire District and these are good people doing good work and dangerous work and they provide a good service and I feel they should get a good salary and have benefits, but there is no impetus for them to say it is tough times and we can't throw 10% to 13% on the taxpayers every year, let's consolidate services.

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

CARRIED 6-0

SPECIAL TOWN BOARD MEETING CLOSED AT 7:45 PM

COMMITTEE OF THE WHOLE MEETING IMMEDIATELY
FOLLOWED AT 7:46 PM
TOWN OF POUGHKEEPSIE COMMITTEE OF THE
WHOLE MEETING OF SEPTEMBER 16, 2009, TOWN HALL
7:46 PM

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

ABSENT: Councilman Conte

09:16 COW 1 DISCUSSION Grant for Sewer Department by
Susan Roeller Brown

Supervisor Myers explained that Susan Roeller Brown is writing a grant Through the Department of Environmental Conservation 2009 Water Quality Improvements Program. Susan is working with Don Beer on the grant for an ultraviolet disinfection system for the wastewater treatment plant.

09:16 COW 2 PROJECT PROPOSAL Jesse Walsh For His Eagle Scout Project For Overrocker Park
Scout Walsh of Troop 17 in Fairview has numerous projects to Improve the condition of Overrocker Park. They are:

Jesse Walsh:

1. Renovation of basketball court: repaint lines, hoops, backboards and poles and replacing nets
2. New safety surface on 3 play areas: Removing 9 inches of existing dirt and safety surface refilling with new safety surface & installing wooden borders.
3. Repairing and repainting all benches..
4. Repairing and repainting all bleachers if needed.
5. Renovations on baseball field by painting foul poles and repairing outfield fence.

To be finished by October 2009

The Town Board heartily supported Jesse and wanted to make sure that he could get contributions on materials and not pay out of his own pocket.

The Board thanked him for such a great project and wished him good luck.

Supervisor Myers: I have two announcements. One is that we dedicated the new sign that has been missing for 50 years. When they widened Route 9, they took down the sign acknowledging the site of the original spring that was the founding of Poughkeepsie and we now have a sign that was authorized last year and it has finally been installed and we had the dedication of that sign today. I also want to mention that I did my pitch for KABOOM and for people to sign up and volunteer. Also, October 3rd is the Quadra-Centennial march across the bridge with the people from this side crossing the bridge and the people from the other side crossing the bridge. If anyone is interested in participating in this, they need to go to the Recreation website or call Recreation to sign up. There is a \$15 fee which is strictly to cover the costs of running the buses for the event.

COMMITTEE REPORTS

1. FINANCE Councilman Baisley: No Report
2. FIRE ADVISORY Councilman Baisley: No Report
3. GOVERNMENT OPERATIONS Councilman Seminara: No Report
4. LAND USE & PLANNING Councilman Seminara: No Report
5. PERSONNEL Councilman Cifone: No Report
6. RECREATION Councilman Tancredi: No Report
Councilman Cifone: The sidewalks at Fairview Park have started to be completed and started to tear the fence down and so work is going on right now.
7. SENIOR CITIZENS Councilman Krakower: No Report
8. TECHNOLOGY & EQUIPMENT Councilman Krakower: No Report
9. WATER, SEWER, HIGHWAY Councilman Seminara: I just want to make sure the Board is aware that we are working on something to try and standardize the way that benefit units are calculated. We are studying it with Don Beer and the entire infrastructure committee is

on board with this and if we are lucky, we can relieve quite a burden on the Assessor's every year.

Town Attorney Mahar: We have another resolution to present tonight.

RESOLUTION

BE IT RESOLVED, the Town Board, Town of Poughkeepsie, does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation: To discuss litigation strategy in a case known as Town vs. Dutchess
2. Confidential communication between attorney and his client, Town Board based on attorney/client privileges.

BE IT RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

MR. CANTOR AND MR. WILSON WERE
INVITED TO ATTEND EXECUTIVE SESSION

BACK FROM EXECUTIVE SESSION AT 8:32 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 8:33 PM

SJM:lkm

**MINUTES OF SPECIAL TOWN BOARD
MEETING HELD ON SEPTEMBER 16, 2009
AT 6:05 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE,
NEW YORK**

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

ABSENT:
Councilman Conte

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

{ } designates corrections

6:00 PM CALL TO ORDER SALUTE THE FLAG

09:16-ES 1 RESOLUTION

To Enter Executive Session to
Consider Following Matters:
A. Litigation Involving Rosewood
Metro Builders and Daraview V
Town

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation to discuss the litigation strategy in the case known as Rosewood, Metro Builders and Daraview V Town
2. Contract negotiations
3. Real Estates matters to the extent that public disclosure discussed would substantially affect the value of the property
4. Personnel matters to wit: Meeting to discuss the employment history of particular individuals who need not be identified at this time
5. Confidential meeting between Attorney and his client/Town Board, based on Attorney/Client privileges

AND BE IT FURTHER RESOLVED, there will be no appropriating of

money.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

MEETING ADJOURNED AT 6:09 PM

AUDREY SCOTT AND NEIL WILSON WERE
ASKED TO JOIN THE COUNCIL IN EXECUTIVE SESSION

INTO EXECUTIVE SESSION AT 6:12 PM

RETURNED FROM EXECUTIVE SESSION AT 6:45 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 6:46 PM

SPECIAL TOWN BOARD MEETING

SEPTEMBER 16, 2009 AT 7:00 PM

7:00 PM CALL TO ORDER SALUTE THE FLAG

**Supervisor Myers asked for a moment of silence for two Town
Employees who have had parents die this week, Louise
Baranick and Pat Brown.**

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

***NOTE: Attachments pertaining to a particular Town Board
Meeting will be found after the minutes of that meeting, which**

are kept in the Town Clerk's Office

{ } designates corrections

09:16SM 1 PRESENTATION Mr. & Mrs. Buchner – Gift of Land
on Spackenkill Road Entitled
“Woods At Cliffdale Subdivision”

This is a certificate of appreciation presented to Harold and Carole Buchner by the Town Board of the Town of Poughkeepsie, September 16, 2009:

APPRECIATION CERTIFICATE

In grateful recognition of the Donation of 40.78 acres of Open Space Land to the Town. The donated Open Space Land contains important forest and wetland habitat that is home to many common and rare species of flora and fauna. This gift of Open Space Land will insure the long-term protection and preservation of a locally unique and significant property.

SIGNED: Supervisor Myers Councilman Cifone
 Councilman Baisley Councilman Krakower
 Councilman Seminara Councilman Tancredi
 Councilman Conte

Supervisor Myers: We do thank you very much for your generous Donation.

Attorney Richard Cantor: The Deed is for forty acres of property on Spackenkill Road. The gift includes this Board to be placed where ever you wish in Town Hall. There are two pieces of property that make up the gift property. There is one piece called Lot 8A, which is 39.35 acres and there is a second piece that includes the pond which is called Lot 8B and is 1.43 acres and there is, also, a series of easements that do two things: One, they allow the public to enter the gift property and Two, they allow the Town and the Town's crews to enter as they need to to maintain the property and to protect public safety. I note that the Town has previously adopted resolutions, I believe sponsored by Councilman Tancredi, which has dedicated this land permanently as Open Space. I also want to note that Chairman John Weisman of the Planning Board is here, who has worked long and hard with us to help us work through the sub-division

so we could create the gift parcel and on behalf of Harold and Carole Buckner, we would like to thank the members of the Town Board and John and his colleagues and also the hardworking Planning Staff. We are glad this worked out and the Town now has 40 acres of the gift parcel for Open Space and we hope it is used and enjoyed in the spirit it is intended as passive Open Space permanently. Thank you.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept from Harold Buchner and Carole Buchner a deed to a parcel of property located on Spackenkill Road consisting of 40 acres, more particularly described as Lot 8A and Lot 8B on Filed Map 12263 entitled "Woods At Cliffdale Subdivision"; Town of Poughkeepsie, County of Dutchess, State of New York." which property has heretofore been designated as open Space or open Area as defined by the laws of the State of New York, and which designation had previously been authorized by the Town Board in two separate resolutions and said designation is hereby ratified and restated; and

AND BE IT FURTHER RESOLVED, the Town Board will, in the near Future, consider an imposition of a conservation easement to further protect said property.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Councilman Seminara: I would like to speak on this issue. First of all, we have a letter of thank you here from Janet Sinisi and it says, "Hi Todd," referring to Councilman Tancredi, "I want to take this opportunity to thank Harold and Carole Buchner for a gift that will be enjoyed by residents of The Town of Poughkeepsie for years to come. The Buchners have been very generous to the community by donating 40 acres of Open Space. This property was once used by the Girl Scouts to learn new skills, tackle the challenges of the outdoors and make lasting friends. Because of this gift, it will continue to be a sanctuary, a wild life refuge, a place of nature beauty for the residents who neighbor the property and hopefully others as well. I would also like to thank the Town Board of the Town of Poughkeepsie for their efforts to protect the nature preserve and their understanding of the value of this type of space in our community. Sincerely, Janet Sinisi

I also want to thank Todd, he did a lot of work on this with Mr. Buchner and we appreciate that. I would also like to say that there are many, many neighbors virtually surrounding that entire parcel whom I know are very happy. They do appreciate the tranquility that will be unchanged for them. So, they also appreciate it. I would like to further point out that I do remember having some communications with Mr. Buckner a few years ago about this and when the topic came up about donating some land, Mr. Buckner never batted an eye and he was very willing right from the beginning to do something decent for the Town and that is a great example to set and it is really appreciated. Thank you very much, again.

Councilman Tancredi: I know I've said before, but I would like to thank you again, Mr. Buchner, for your contribution. I know when we first discussed this a number of years back, it's been a very trying time at times, but, I do thank you for hanging in there and for the donation of the property.

Councilman Krakower thanked Councilman Tancredi, Mr. Buckner, Mr. Cantor and Chairman Weisman. It has been a long process but I think it turned out to be a very good project. I truly do appreciate all your efforts and donation. It's a very valuable asset and gift to the Town. I appreciate and I think the residents do also, thank you again.

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

09:16 SM 2 AUTHORIZE TO
GO TO BID

A. Tennis Court Reconstruction
At Red Oaks Mill Park
& New Hamburg Park
B. Peach Hill Park
Improvements

(A) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for

bids for "TENNIS COURT RECONSTRUCTION" at the Red Oaks Mill Park and the New Hamburg Park, pursuant to plans and specifications available on September 21, 2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:00 am at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or Part.

SO MOVED: D. Seminara/J. Baisley

Councilman Seminara and Councilman Baisley were very glad to see this come to bid.

ROLL CALL: Ayes: Councilmen Baisley, Seminara Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

(B) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "PEACH HILL PARK IMPROVEMENTS", pursuant to plans and specifications available on September 21,2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SM3 SET DATE FOR Community Development Block
PUBLIC HEARING Grant Program Application For
Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23rd day of September, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2010, of which the Town of Poughkeepsie is a member.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

09:16-SM 4 AUTHORIZE
SUPERVISOR

Agreement Between Town of Poughkeepsie & Spackenkill Union Free School District To Provide For A School Resource Officer For 01/01/10 To 12/31/10

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Spackenkill Union Free School District to provide for a School Resource Officer under the terms and conditions set forth in the agreement, attached hereto, for the period January 1, 2010 through December 31, 2010.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM 5 AUTHORIZE

Diane Benigno, From the Planning Department, To Work An Additional 8 to 10 Hours in the Assessing Department

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Diane Benigno, from the Planning Department, to work an additional 8-10 hours per week for the Assessing Department until December 31, 2009 at the rate of \$16.68 per hour.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Baisley: I brought this up a couple of weeks ago, I was more in favor of not additional hours in exchange for her hours in the Planning Department, seeing that the fees were down. I was hoping to see this not as an additional payroll item.

ROLL CALL: Ayes: Councilmen Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: Councilman Baisley CARRIED: 5-1

09:16-SM6 AUTHORIZE Agreement with Mardi Bob Lanes
SUPERVISOR & Sports Pub To Allow For Use of
TO SIGN Parking Area & Building, In Case of
Emergency At Facility Located At
45 Taft Avenue on October 22, 2009

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Mardi Bob Lanes and Sports Pub to allow for the use of the parking area and building, in case of an emergency, at the facility located at 45 Taft Avenue, Poughkeepsie, NY from 8:00 AM to 5:00 PM on October 22, 2009, which agreement is in connection with the project at the Crestwood Boulevard Town Park.

SO MOVED: J. Baisley/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM7 AUTHORIZE McKee Block Party On Scott
Terrace Change Of Date to
September 19, 2009 With

Rain Date on September 20

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby amend RESOLUTION 9:2-#10 Of 2009 to read September 19, 2009 not September 5, 2009 regarding the block party on Scott Terrace.

SO MOVED: D. Seminara/T. Tancredi

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

Nays: None

CARRIED: 6-0

09:16-SM8 SET DATE FOR PUBLIC HEARING Zoning Amendment Changes Relative To The Crown Heights Center Overlay District

RESOLUTION

WHEREAS, the Town Board has prepared amendments to Chapter 210-24 of the Town Code relative to the Crown Heights Center Overlay District (“Amendments”), a copy of which is attached hereto as Exhibits “A” and “B”; and

WHEREAS, the action by the Town Board on the Amendments is a Type I Action as defined by 6 NYCRR 617.4(b)(2) of the SEQRA regulations; and

WHEREAS, the adoption of changes to the Town Code is an act that only can be performed by the Town Board thereby naming the Town Board the only involved agency and the only potential lead agency to coordinate the environmental review of the action; and

WHEREAS, the adoption of the amendments is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the proposed amendments are attached as Exhibits “A” and “B” and incorporated herein.
2. The Town Board hereby establishes itself as the Lead Agency; and
3. The Town Board sets October 21, 1009 at 7:00 PM, or as soon

thereafter as the matter may come to be heard, in the Town Hall Meeting Room, as the date, time and place for the public hearing on the Crown Heights Center Overlay District amendments; and

4. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
5. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Dutchess County Department of Planning and Economic Development for review and recommendation Pursuant to the General Municipal Law Section 239-m; and
6. The Town Board hereby directs that a copy of this Resolution be delivered to the municipalities adjoining the Town of Poughkeepsie pursuant to the notice requirements of the General Municipal Law Section 239-nn.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

EXHIBITS A & B ATTACHED TO FINAL BOOK COPY

09:16 SM 09 WITHDRAWN FROM AGENDA

09:16-SM 10 GRANT Special Consent Items SC 1 and 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 Arlington Street Fair

SC 2 Authorize Waiver Liquor License Renewal
Hobnobbin Pub

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: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC1 EXEMPT Vendors of Food & Merchandise at The
Arlington Street Fair on September 26,
2009

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 26, 2009; and

WHEREAS, the presence of informational displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 26, 2009 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 26, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegeview Avenue from 6:30 AM to 8:30 PM for the Arlington Street Fair on Saturday, September 26, 2009, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate this resolution including, but not limited to, any agreement with the Arlington Central School District that may be required in regard to the use of the premises at Arthur S. May Elementary School on Raymond Avenue.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,

Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC 2 WAIVE 30 Day Review Period For Renewal
of TJM Restaurant Corp. D/B/A
Hobnobbin Pub Located At 11
Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from TJM Restaurant Corp., d/b/a Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, 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: Supervisor Myers/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Asked the Board to urge the County Legislators to consider the contract for the Burn Plant, the fact that they wanted to switch it from an operator who currently has no violations to an operator who has had a number of violations in a number of states over a number of years. "Unfortunately, the County Legislature is not bringing that resolution forward and it looks like the switch of operators will take place. It's unfortunate and disturbing because I seriously doubt that anybody in the Legislature or DEC is going to be vigilant about any future violations. Also, when I was at the last Town Board Meeting I made some comments about the Arlington Fire District budget. Tonight Jay questioned the use of funds in these economic times. Well, it doesn't seem like the Arlington Fire District is as concerned about tough economic times. Their budget is going up from about 14.1 million

dollars last year and their proposed budget for this year is 15.4 million dollars. Unless Town residents start coming to Fire Commissioner's meetings, they had better just hold on to their wallets. You have no recourse unless you go there and hold them accountable."

Councilman Cifone: The Supervisor sent letters out to all of the Commissioners of the Fire Districts giving them permission to use our room here with the TV so all Residents could see what was going on.

Supervisor Myers: We heard from New Hamburg and they thanked us very kindly, but they felt they needed to stay within in their district. As far as the other two, I have not heard a word back from Fairview or Arlington.

Councilman Cifone: Thank you for pointing that out that Vassar does not contribute on a regular basis because a lot of people don't understand it that taxes on property does not have to give any donation of any kind and we do get something from St. Francis and from Marist.

Jim Beretta: Just to follow up on that, also, Deputy Chief Pells also did say that he would appreciate any assistance because they are not getting any money from Vassar College. Just a couple more things. In the process of doing the analysis that we did for the meeting the other night, I did see that the 2005 budget to the proposed 2010 is up like 65% and that is significant. That averages out to about 13% a year. So, with the proposed budget we are going to see just shy 10% increase. One thing that was disturbing is that there are five Fire Commissioners and last night when they voted on this, there were only four present and only two had seen the proposed budget. There was three commissioners not at the workshop and one was missing again last night. There doesn't seem to be a motivation, based on what I've seen from the Fire District and these are good people doing good work and dangerous work and they provide a good service and I feel they should get a good salary and have benefits, but there is no impetus for them to say it is tough times and we can't throw 10% to 13% on the taxpayers every year, let's consolidate services.

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

CARRIED 6-0

SPECIAL TOWN BOARD MEETING CLOSED AT 7:45 PM

COMMITTEE OF THE WHOLE MEETING IMMEDIATELY
FOLLOWED AT 7:46 PM
TOWN OF POUGHKEEPSIE COMMITTEE OF THE
WHOLE MEETING OF SEPTEMBER 16, 2009, TOWN HALL
7:46 PM

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

ABSENT: Councilman Conte

09:16 COW 1 DISCUSSION Grant for Sewer Department by
Susan Roeller Brown

Supervisor Myers explained that Susan Roeller Brown is writing a grant Through the Department of Environmental Conservation 2009 Water Quality Improvements Program. Susan is working with Don Beer on the grant for an ultraviolet disinfection system for the wastewater treatment plant.

09:16 COW 2 PROJECT PROPOSAL Jesse Walsh For His Eagle Scout Project For Overocker Park
Scout Walsh of Troop 17 in Fairview has numerous projects to Improve the condition of Overocker Park. They are:

Jesse Walsh:

1. Renovation of basketball court: repaint lines, hoops, backboards and poles and replacing nets
2. New safety surface on 3 play areas: Removing 9 inches of existing dirt and safety surface refilling with new safety surface & installing wooden borders.
3. Repairing and repainting all benches..
4. Repairing and repainting all bleachers if needed.
5. Renovations on baseball field by painting foul poles and repairing outfield fence.

To be finished by October 2009

The Town Board heartily supported Jesse and wanted to make sure that he could get contributions on materials and not pay out of his own pocket.

The Board thanked him for such a great project and wished him good luck.

Supervisor Myers: I have two announcements. One is that we dedicated the new sign that has been missing for 50 years. When they widened Route 9, they took down the sign acknowledging the site of the original spring that was the founding of Poughkeepsie and we now have a sign that was authorized last year and it has finally been installed and we had the dedication of that sign today. I also want to mention that I did my pitch for KABOOM and for people to sign up and volunteer. Also, October 3rd is the Quadra-Centennial march across the bridge with the people from this side crossing the bridge and the people from the other side crossing the bridge. If anyone is interested in participating in this, they need to go to the Recreation website or call Recreation to sign up. There is a \$15 fee which is strictly to cover the costs of running the buses for the event.

COMMITTEE REPORTS

1. FINANCE Councilman Baisley: No Report
2. FIRE ADVISORY Councilman Baisley: No Report
3. GOVERNMENT OPERATIONS Councilman Seminara: No Report
4. LAND USE & PLANNING Councilman Seminara: No Report
5. PERSONNEL Councilman Cifone: No Report
6. RECREATION Councilman Tancredi: No Report
Councilman Cifone: The sidewalks at Fairview Park have started to be completed and started to tear the fence down and so work is going on right now.
7. SENIOR CITIZENS Councilman Krakower: No Report
8. TECHNOLOGY & EQUIPMENT Councilman Krakower: No Report
9. WATER, SEWER, HIGHWAY Councilman Seminara: I just want to make sure the Board is aware that we are working on something to try and standardize the way that benefit units are calculated. We are studying it with Don Beer and the entire infrastructure committee is

on board with this and if we are lucky, we can relieve quite a burden on the Assessor's every year.

Town Attorney Mahar: We have another resolution to present tonight.

RESOLUTION

BE IT RESOLVED, the Town Board, Town of Poughkeepsie, does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation: To discuss litigation strategy in a case known as Town vs. Dutchess
2. Confidential communication between attorney and his client, Town Board based on attorney/client privileges.

BE IT RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

MR. CANTOR AND MR. WILSON WERE
INVITED TO ATTEND EXECUTIVE SESSION

BACK FROM EXECUTIVE SESSION AT 8:32 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 8:33 PM

SJM:lkm

**MINUTES OF SPECIAL TOWN BOARD
MEETING HELD ON SEPTEMBER 16, 2009
AT 6:05 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE,
NEW YORK**

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

ABSENT:
Councilman Conte

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

{ } designates corrections

6:00 PM CALL TO ORDER SALUTE THE FLAG

09:16-ES 1 RESOLUTION

To Enter Executive Session to
Consider Following Matters:
A. Litigation Involving Rosewood
Metro Builders and Daraview V
Town

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation to discuss the litigation strategy in the case known as Rosewood, Metro Builders and Daraview V Town
2. Contract negotiations
3. Real Estates matters to the extent that public disclosure discussed would substantially affect the value of the property
4. Personnel matters to wit: Meeting to discuss the employment history of particular individuals who need not be identified at this time
5. Confidential meeting between Attorney and his client/Town Board, based on Attorney/Client privileges

AND BE IT FURTHER RESOLVED, there will be no appropriating of

money.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

MEETING ADJOURNED AT 6:09 PM

AUDREY SCOTT AND NEIL WILSON WERE
ASKED TO JOIN THE COUNCIL IN EXECUTIVE SESSION

INTO EXECUTIVE SESSION AT 6:12 PM

RETURNED FROM EXECUTIVE SESSION AT 6:45 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 6:46 PM

SPECIAL TOWN BOARD MEETING

SEPTEMBER 16, 2009 AT 7:00 PM

7:00 PM CALL TO ORDER SALUTE THE FLAG

**Supervisor Myers asked for a moment of silence for two Town
Employees who have had parents die this week, Louise
Baranick and Pat Brown.**

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

***NOTE: Attachments pertaining to a particular Town Board
Meeting will be found after the minutes of that meeting, which**

are kept in the Town Clerk's Office

{ } designates corrections

09:16SM 1 PRESENTATION Mr. & Mrs. Buchner – Gift of Land
on Spackenkill Road Entitled
“Woods At Cliffdale Subdivision”

This is a certificate of appreciation presented to Harold and Carole Buchner by the Town Board of the Town of Poughkeepsie, September 16, 2009:

APPRECIATION CERTIFICATE

In grateful recognition of the Donation of 40.78 acres of Open Space Land to the Town. The donated Open Space Land contains important forest and wetland habitat that is home to many common and rare species of flora and fauna. This gift of Open Space Land will insure the long-term protection and preservation of a locally unique and significant property.

SIGNED: Supervisor Myers Councilman Cifone
 Councilman Baisley Councilman Krakower
 Councilman Seminara Councilman Tancredi
 Councilman Conte

Supervisor Myers: We do thank you very much for your generous Donation.

Attorney Richard Cantor: The Deed is for forty acres of property on Spackenkill Road. The gift includes this Board to be placed where ever you wish in Town Hall. There are two pieces of property that make up the gift property. There is one piece called Lot 8A, which is 39.35 acres and there is a second piece that includes the pond which is called Lot 8B and is 1.43 acres and there is, also, a series of easements that do two things: One, they allow the public to enter the gift property and Two, they allow the Town and the Town's crews to enter as they need to to maintain the property and to protect public safety. I note that the Town has previously adopted resolutions, I believe sponsored by Councilman Tancredi, which has dedicated this land permanently as Open Space. I also want to note that Chairman John Weisman of the Planning Board is here, who has worked long and hard with us to help us work through the sub-division

so we could create the gift parcel and on behalf of Harold and Carole Buckner, we would like to thank the members of the Town Board and John and his colleagues and also the hardworking Planning Staff. We are glad this worked out and the Town now has 40 acres of the gift parcel for Open Space and we hope it is used and enjoyed in the spirit it is intended as passive Open Space permanently. Thank you.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept from Harold Buchner and Carole Buchner a deed to a parcel of property located on Spackenkill Road consisting of 40 acres, more particularly described as Lot 8A and Lot 8B on Filed Map 12263 entitled "Woods At Cliffdale Subdivision"; Town of Poughkeepsie, County of Dutchess, State of New York." which property has heretofore been designated as open Space or open Area as defined by the laws of the State of New York, and which designation had previously been authorized by the Town Board in two separate resolutions and said designation is hereby ratified and restated; and

AND BE IT FURTHER RESOLVED, the Town Board will, in the near Future, consider an imposition of a conservation easement to further protect said property.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Councilman Seminara: I would like to speak on this issue. First of all, we have a letter of thank you here from Janet Sinisi and it says, "Hi Todd," referring to Councilman Tancredi, "I want to take this opportunity to thank Harold and Carole Buchner for a gift that will be enjoyed by residents of The Town of Poughkeepsie for years to come. The Buchners have been very generous to the community by donating 40 acres of Open Space. This property was once used by the Girl Scouts to learn new skills, tackle the challenges of the outdoors and make lasting friends. Because of this gift, it will continue to be a sanctuary, a wild life refuge, a place of nature beauty for the residents who neighbor the property and hopefully others as well. I would also like to thank the Town Board of the Town of Poughkeepsie for their efforts to protect the nature preserve and their understanding of the value of this type of space in our community. Sincerely, Janet Sinisi

I also want to thank Todd, he did a lot of work on this with Mr. Buchner and we appreciate that. I would also like to say that there are many, many neighbors virtually surrounding that entire parcel whom I know are very happy. They do appreciate the tranquility that will be unchanged for them. So, they also appreciate it. I would like to further point out that I do remember having some communications with Mr. Buckner a few years ago about this and when the topic came up about donating some land, Mr. Buckner never batted an eye and he was very willing right from the beginning to do something decent for the Town and that is a great example to set and it is really appreciated. Thank you very much, again.

Councilman Tancredi: I know I've said before, but I would like to thank you again, Mr. Buchner, for your contribution. I know when we first discussed this a number of years back, it's been a very trying time at times, but, I do thank you for hanging in there and for the donation of the property.

Councilman Krakower thanked Councilman Tancredi, Mr. Buckner, Mr. Cantor and Chairman Weisman. It has been a long process but I think it turned out to be a very good project. I truly do appreciate all your efforts and donation. It's a very valuable asset and gift to the Town. I appreciate and I think the residents do also, thank you again.

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

09:16 SM 2	AUTHORIZE TO GO TO BID	A. Tennis Court Reconstruction At Red Oaks Mill Park & New Hamburg Park B. Peach Hill Park Improvements
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(A) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for

bids for "TENNIS COURT RECONSTRUCTION" at the Red Oaks Mill Park and the New Hamburg Park, pursuant to plans and specifications available on September 21, 2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:00 am at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or Part.

SO MOVED: D. Seminara/J. Baisley

Councilman Seminara and Councilman Baisley were very glad to see this come to bid.

ROLL CALL: Ayes: Councilmen Baisley, Seminara Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

(B) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "PEACH HILL PARK IMPROVEMENTS", pursuant to plans and specifications available on September 21,2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SM3 SET DATE FOR Community Development Block
PUBLIC HEARING Grant Program Application For
Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23rd day of September, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2010, of which the Town of Poughkeepsie is a member.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

09:16-SM 4 AUTHORIZE
SUPERVISOR

Agreement Between Town of Poughkeepsie & Spackenkill Union Free School District To Provide For A School Resource Officer For 01/01/10 To 12/31/10

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Spackenkill Union Free School District to provide for a School Resource Officer under the terms and conditions set forth in the agreement, attached hereto, for the period January 1, 2010 through December 31, 2010.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM 5 AUTHORIZE

Diane Benigno, From the Planning Department, To Work An Additional 8 to 10 Hours in the Assessing Department

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Diane Benigno, from the Planning Department, to work an additional 8-10 hours per week for the Assessing Department until December 31, 2009 at the rate of \$16.68 per hour.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Baisley: I brought this up a couple of weeks ago, I was more in favor of not additional hours in exchange for her hours in the Planning Department, seeing that the fees were down. I was hoping to see this not as an additional payroll item.

ROLL CALL: Ayes: Councilmen Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers

Nays: Councilman Baisley CARRIED: 5-1

09:16-SM6 AUTHORIZE Agreement with Mardi Bob Lanes
SUPERVISOR & Sports Pub To Allow For Use of
TO SIGN Parking Area & Building, In Case of
Emergency At Facility Located At
45 Taft Avenue on October 22, 2009

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Mardi Bob Lanes and Sports Pub to allow for the use of the parking area and building, in case of an emergency, at the facility located at 45 Taft Avenue, Poughkeepsie, NY from 8:00 AM to 5:00 PM on October 22, 2009, which agreement is in connection with the project at the Crestwood Boulevard Town Park.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM7 AUTHORIZE McKee Block Party On Scott
Terrace Change Of Date to
September 19, 2009 With

Rain Date on September 20

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby amend RESOLUTION 9:2-#10 Of 2009 to read September 19, 2009 not September 5, 2009 regarding the block party on Scott Terrace.

SO MOVED: D. Seminara/T. Tancredi

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

Nays: None

CARRIED: 6-0

09:16-SM8 SET DATE FOR PUBLIC HEARING Zoning Amendment Changes
Relative To The Crown Heights
Center Overlay District

RESOLUTION

WHEREAS, the Town Board has prepared amendments to Chapter 210-24 of the Town Code relative to the Crown Heights Center Overlay District (“Amendments”), a copy of which is attached hereto as Exhibits “A” and “B”; and

WHEREAS, the action by the Town Board on the Amendments is a Type I Action as defined by 6 NYCRR 617.4(b)(2) of the SEQRA regulations; and

WHEREAS, the adoption of changes to the Town Code is an act that only can be performed by the Town Board thereby naming the Town Board the only involved agency and the only potential lead agency to coordinate the environmental review of the action; and

WHEREAS, the adoption of the amendments is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the proposed amendments are attached as Exhibits “A” and “B” and incorporated herein.
2. The Town Board hereby establishes itself as the Lead Agency; and
3. The Town Board sets October 21, 1009 at 7:00 PM, or as soon

thereafter as the matter may come to be heard, in the Town Hall Meeting Room, as the date, time and place for the public hearing on the Crown Heights Center Overlay District amendments; and

4. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
5. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Dutchess County Department of Planning and Economic Development for review and recommendation Pursuant to the General Municipal Law Section 239-m; and
6. The Town Board hereby directs that a copy of this Resolution be delivered to the municipalities adjoining the Town of Poughkeepsie pursuant to the notice requirements of the General Municipal Law Section 239-nn.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

EXHIBITS A & B ATTACHED TO FINAL BOOK COPY

09:16 SM 09 WITHDRAWN FROM AGENDA

09:16-SM 10 GRANT Special Consent Items SC 1 and 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 Arlington Street Fair

SC 2 Authorize Waiver Liquor License Renewal
Hobnobbin Pub

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: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC1 EXEMPT Vendors of Food & Merchandise at The
Arlington Street Fair on September 26,
2009

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 26, 2009; and

WHEREAS, the presence of informational displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 26, 2009 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 26, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegeview Avenue from 6:30 AM to 8:30 PM for the Arlington Street Fair on Saturday, September 26, 2009, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate this resolution including, but not limited to, any agreement with the Arlington Central School District that may be required in regard to the use of the premises at Arthur S. May Elementary School on Raymond Avenue.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,

Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC 2 WAIVE 30 Day Review Period For Renewal
of TJM Restaurant Corp. D/B/A
Hobnobbin Pub Located At 11
Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from TJM Restaurant Corp., d/b/a Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, 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: Supervisor Myers/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Asked the Board to urge the County Legislators to consider the contract for the Burn Plant, the fact that they wanted to switch it from an operator who currently has no violations to an operator who has had a number of violations in a number of states over a number of years. "Unfortunately, the County Legislature is not bringing that resolution forward and it looks like the switch of operators will take place. It's unfortunate and disturbing because I seriously doubt that anybody in the Legislature or DEC is going to be vigilant about any future violations. Also, when I was at the last Town Board Meeting I made some comments about the Arlington Fire District budget. Tonight Jay questioned the use of funds in these economic times. Well, it doesn't seem like the Arlington Fire District is as concerned about tough economic times. Their budget is going up from about 14.1 million

dollars last year and their proposed budget for this year is 15.4 million dollars. Unless Town residents start coming to Fire Commissioner's meetings, they had better just hold on to their wallets. You have no recourse unless you go there and hold them accountable."

Councilman Cifone: The Supervisor sent letters out to all of the Commissioners of the Fire Districts giving them permission to use our room here with the TV so all Residents could see what was going on.

Supervisor Myers: We heard from New Hamburg and they thanked us very kindly, but they felt they needed to stay within in their district. As far as the other two, I have not heard a word back from Fairview or Arlington.

Councilman Cifone: Thank you for pointing that out that Vassar does not contribute on a regular basis because a lot of people don't understand it that taxes on property does not have to give any donation of any kind and we do get something from St. Francis and from Marist.

Jim Beretta: Just to follow up on that, also, Deputy Chief Pells also did say that he would appreciate any assistance because they are not getting any money from Vassar College. Just a couple more things. In the process of doing the analysis that we did for the meeting the other night, I did see that the 2005 budget to the proposed 2010 is up like 65% and that is significant. That averages out to about 13% a year. So, with the proposed budget we are going to see just shy 10% increase. One thing that was disturbing is that there are five Fire Commissioners and last night when they voted on this, there were only four present and only two had seen the proposed budget. There was three commissioners not at the workshop and one was missing again last night. There doesn't seem to be a motivation, based on what I've seen from the Fire District and these are good people doing good work and dangerous work and they provide a good service and I feel they should get a good salary and have benefits, but there is no impetus for them to say it is tough times and we can't throw 10% to 13% on the taxpayers every year, let's consolidate services.

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

CARRIED 6-0

SPECIAL TOWN BOARD MEETING CLOSED AT 7:45 PM

COMMITTEE OF THE WHOLE MEETING IMMEDIATELY
FOLLOWED AT 7:46 PM
TOWN OF POUGHKEEPSIE COMMITTEE OF THE
WHOLE MEETING OF SEPTEMBER 16, 2009, TOWN HALL
7:46 PM

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

ABSENT: Councilman Conte

09:16 COW 1 DISCUSSION Grant for Sewer Department by
Susan Roeller Brown

Supervisor Myers explained that Susan Roeller Brown is writing a grant Through the Department of Environmental Conservation 2009 Water Quality Improvements Program. Susan is working with Don Beer on the grant for an ultraviolet disinfection system for the wastewater treatment plant.

09:16 COW 2 PROJECT PROPOSAL Jesse Walsh For His Eagle Scout Project For Overocker Park Scout Walsh of Troop 17 in Fairview has numerous projects to Improve the condition of Overocker Park. They are:

Jesse Walsh:

1. Renovation of basketball court: repaint lines, hoops, backboards and poles and replacing nets
2. New safety surface on 3 play areas: Removing 9 inches of existing dirt and safety surface refilling with new safety surface & installing wooden borders.
3. Repairing and repainting all benches..
4. Repairing and repainting all bleachers if needed.
5. Renovations on baseball field by painting foul poles and repairing outfield fence.

To be finished by October 2009

The Town Board heartily supported Jesse and wanted to make sure that he could get contributions on materials and not pay out of his own pocket.

The Board thanked him for such a great project and wished him good luck.

Supervisor Myers: I have two announcements. One is that we dedicated the new sign that has been missing for 50 years. When they widened Route 9, they took down the sign acknowledging the site of the original spring that was the founding of Poughkeepsie and we now have a sign that was authorized last year and it has finally been installed and we had the dedication of that sign today. I also want to mention that I did my pitch for KABOOM and for people to sign up and volunteer. Also, October 3rd is the Quadra-Centennial march across the bridge with the people from this side crossing the bridge and the people from the other side crossing the bridge. If anyone is interested in participating in this, they need to go to the Recreation website or call Recreation to sign up. There is a \$15 fee which is strictly to cover the costs of running the buses for the event.

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1. FINANCE Councilman Baisley: No Report
2. FIRE ADVISORY Councilman Baisley: No Report
3. GOVERNMENT OPERATIONS Councilman Seminara: No Report
4. LAND USE & PLANNING Councilman Seminara: No Report
5. PERSONNEL Councilman Cifone: No Report
6. RECREATION Councilman Tancredi: No Report
Councilman Cifone: The sidewalks at Fairview Park have started to be completed and started to tear the fence down and so work is going on right now.
7. SENIOR CITIZENS Councilman Krakower: No Report
8. TECHNOLOGY & EQUIPMENT Councilman Krakower: No Report
9. WATER, SEWER, HIGHWAY Councilman Seminara: I just want to make sure the Board is aware that we are working on something to try and standardize the way that benefit units are calculated. We are studying it with Don Beer and the entire infrastructure committee is

on board with this and if we are lucky, we can relieve quite a burden on the Assessor's every year.

Town Attorney Mahar: We have another resolution to present tonight.

RESOLUTION

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1. Litigation: To discuss litigation strategy in a case known as Town vs. Dutchess
2. Confidential communication between attorney and his client, Town Board based on attorney/client privileges.

BE IT RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

MR. CANTOR AND MR. WILSON WERE
INVITED TO ATTEND EXECUTIVE SESSION

BACK FROM EXECUTIVE SESSION AT 8:32 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 8:33 PM

SJM:lkm

**MINUTES OF SPECIAL TOWN BOARD
MEETING HELD ON SEPTEMBER 16, 2009
AT 6:05 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE,
NEW YORK**

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

ABSENT:
Councilman Conte

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

{ } designates corrections

6:00 PM CALL TO ORDER SALUTE THE FLAG

09:16-ES 1 RESOLUTION

To Enter Executive Session to
Consider Following Matters:
A. Litigation Involving Rosewood
Metro Builders and Daraview V
Town

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation to discuss the litigation strategy in the case known as Rosewood, Metro Builders and Daraview V Town
2. Contract negotiations
3. Real Estates matters to the extent that public disclosure discussed would substantially affect the value of the property
4. Personnel matters to wit: Meeting to discuss the employment history of particular individuals who need not be identified at this time
5. Confidential meeting between Attorney and his client/Town Board, based on Attorney/Client privileges

AND BE IT FURTHER RESOLVED, there will be no appropriating of

money.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

MEETING ADJOURNED AT 6:09 PM

AUDREY SCOTT AND NEIL WILSON WERE
ASKED TO JOIN THE COUNCIL IN EXECUTIVE SESSION

INTO EXECUTIVE SESSION AT 6:12 PM

RETURNED FROM EXECUTIVE SESSION AT 6:45 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 6:46 PM

SPECIAL TOWN BOARD MEETING

SEPTEMBER 16, 2009 AT 7:00 PM

7:00 PM CALL TO ORDER SALUTE THE FLAG

**Supervisor Myers asked for a moment of silence for two Town
Employees who have had parents die this week, Louise
Baranick and Pat Brown.**

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

***NOTE: Attachments pertaining to a particular Town Board
Meeting will be found after the minutes of that meeting, which**

are kept in the Town Clerk's Office

{ } designates corrections

09:16SM 1 PRESENTATION Mr. & Mrs. Buchner – Gift of Land
on Spackenkill Road Entitled
“Woods At Cliffdale Subdivision”

This is a certificate of appreciation presented to Harold and Carole Buchner by the Town Board of the Town of Poughkeepsie, September 16, 2009:

APPRECIATION CERTIFICATE

In grateful recognition of the Donation of 40.78 acres of Open Space Land to the Town. The donated Open Space Land contains important forest and wetland habitat that is home to many common and rare species of flora and fauna. This gift of Open Space Land will insure the long-term protection and preservation of a locally unique and significant property.

SIGNED: Supervisor Myers Councilman Cifone
 Councilman Baisley Councilman Krakower
 Councilman Seminara Councilman Tancredi
 Councilman Conte

Supervisor Myers: We do thank you very much for your generous Donation.

Attorney Richard Cantor: The Deed is for forty acres of property on Spackenkill Road. The gift includes this Board to be placed where ever you wish in Town Hall. There are two pieces of property that make up the gift property. There is one piece called Lot 8A, which is 39.35 acres and there is a second piece that includes the pond which is called Lot 8B and is 1.43 acres and there is, also, a series of easements that do two things: One, they allow the public to enter the gift property and Two, they allow the Town and the Town's crews to enter as they need to to maintain the property and to protect public safety. I note that the Town has previously adopted resolutions, I believe sponsored by Councilman Tancredi, which has dedicated this land permanently as Open Space. I also want to note that Chairman John Weisman of the Planning Board is here, who has worked long and hard with us to help us work through the sub-division

so we could create the gift parcel and on behalf of Harold and Carole Buckner, we would like to thank the members of the Town Board and John and his colleagues and also the hardworking Planning Staff. We are glad this worked out and the Town now has 40 acres of the gift parcel for Open Space and we hope it is used and enjoyed in the spirit it is intended as passive Open Space permanently. Thank you.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept from Harold Buchner and Carole Buchner a deed to a parcel of property located on Spackenkill Road consisting of 40 acres, more particularly described as Lot 8A and Lot 8B on Filed Map 12263 entitled "Woods At Cliffdale Subdivision"; Town of Poughkeepsie, County of Dutchess, State of New York." which property has heretofore been designated as open Space or open Area as defined by the laws of the State of New York, and which designation had previously been authorized by the Town Board in two separate resolutions and said designation is hereby ratified and restated; and

AND BE IT FURTHER RESOLVED, the Town Board will, in the near Future, consider an imposition of a conservation easement to further protect said property.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Councilman Seminara: I would like to speak on this issue. First of all, we have a letter of thank you here from Janet Sinisi and it says, "Hi Todd," referring to Councilman Tancredi, "I want to take this opportunity to thank Harold and Carole Buchner for a gift that will be enjoyed by residents of The Town of Poughkeepsie for years to come. The Buchners have been very generous to the community by donating 40 acres of Open Space. This property was once used by the Girl Scouts to learn new skills, tackle the challenges of the outdoors and make lasting friends. Because of this gift, it will continue to be a sanctuary, a wild life refuge, a place of nature beauty for the residents who neighbor the property and hopefully others as well. I would also like to thank the Town Board of the Town of Poughkeepsie for their efforts to protect the nature preserve and their understanding of the value of this type of space in our community. Sincerely, Janet Sinisi

I also want to thank Todd, he did a lot of work on this with Mr. Buchner and we appreciate that. I would also like to say that there are many, many neighbors virtually surrounding that entire parcel whom I know are very happy. They do appreciate the tranquility that will be unchanged for them. So, they also appreciate it. I would like to further point out that I do remember having some communications with Mr. Buckner a few years ago about this and when the topic came up about donating some land, Mr. Buckner never batted an eye and he was very willing right from the beginning to do something decent for the Town and that is a great example to set and it is really appreciated. Thank you very much, again.

Councilman Tancredi: I know I've said before, but I would like to thank you again, Mr. Buchner, for your contribution. I know when we first discussed this a number of years back, it's been a very trying time at times, but, I do thank you for hanging in there and for the donation of the property.

Councilman Krakower thanked Councilman Tancredi, Mr. Buckner, Mr. Cantor and Chairman Weisman. It has been a long process but I think it turned out to be a very good project. I truly do appreciate all your efforts and donation. It's a very valuable asset and gift to the Town. I appreciate and I think the residents do also, thank you again.

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

09:16 SM 2 AUTHORIZE TO
GO TO BID

A. Tennis Court Reconstruction
At Red Oaks Mill Park
& New Hamburg Park
B. Peach Hill Park
Improvements

(A) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for

bids for "TENNIS COURT RECONSTRUCTION" at the Red Oaks Mill Park and the New Hamburg Park, pursuant to plans and specifications available on September 21, 2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:00 am at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or Part.

SO MOVED: D. Seminara/J. Baisley

Councilman Seminara and Councilman Baisley were very glad to see this come to bid.

ROLL CALL: Ayes: Councilmen Baisley, Seminara Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

(B) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "PEACH HILL PARK IMPROVEMENTS", pursuant to plans and specifications available on September 21,2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SM3 SET DATE FOR Community Development Block
PUBLIC HEARING Grant Program Application For
Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23rd day of September, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2010, of which the Town of Poughkeepsie is a member.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

09:16-SM 4 AUTHORIZE
SUPERVISOR

Agreement Between Town of Poughkeepsie & Spackenkill Union Free School District To Provide For A School Resource Officer For 01/01/10 To 12/31/10

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Spackenkill Union Free School District to provide for a School Resource Officer under the terms and conditions set forth in the agreement, attached hereto, for the period January 1, 2010 through December 31, 2010.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM 5 AUTHORIZE

Diane Benigno, From the Planning Department, To Work An Additional 8 to 10 Hours in the Assessing Department

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Diane Benigno, from the Planning Department, to work an additional 8-10 hours per week for the Assessing Department until December 31, 2009 at the rate of \$16.68 per hour.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Baisley: I brought this up a couple of weeks ago, I was more in favor of not additional hours in exchange for her hours in the Planning Department, seeing that the fees were down. I was hoping to see this not as an additional payroll item.

ROLL CALL: Ayes: Councilmen Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers

Nays: Councilman Baisley CARRIED: 5-1

09:16-SM6 AUTHORIZE Agreement with Mardi Bob Lanes
SUPERVISOR & Sports Pub To Allow For Use of
TO SIGN Parking Area & Building, In Case of
Emergency At Facility Located At
45 Taft Avenue on October 22, 2009

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Mardi Bob Lanes and Sports Pub to allow for the use of the parking area and building, in case of an emergency, at the facility located at 45 Taft Avenue, Poughkeepsie, NY from 8:00 AM to 5:00 PM on October 22, 2009, which agreement is in connection with the project at the Crestwood Boulevard Town Park.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM7 AUTHORIZE McKee Block Party On Scott
Terrace Change Of Date to
September 19, 2009 With

Rain Date on September 20

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby amend RESOLUTION 9:2-#10 Of 2009 to read September 19, 2009 not September 5, 2009 regarding the block party on Scott Terrace.

SO MOVED: D. Seminara/T. Tancredi

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

Nays: None

CARRIED: 6-0

09:16-SM8 SET DATE FOR PUBLIC HEARING Zoning Amendment Changes Relative To The Crown Heights Center Overlay District

RESOLUTION

WHEREAS, the Town Board has prepared amendments to Chapter 210-24 of the Town Code relative to the Crown Heights Center Overlay District (“Amendments”), a copy of which is attached hereto as Exhibits “A” and “B”; and

WHEREAS, the action by the Town Board on the Amendments is a Type I Action as defined by 6 NYCRR 617.4(b)(2) of the SEQRA regulations; and

WHEREAS, the adoption of changes to the Town Code is an act that only can be performed by the Town Board thereby naming the Town Board the only involved agency and the only potential lead agency to coordinate the environmental review of the action; and

WHEREAS, the adoption of the amendments is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the proposed amendments are attached as Exhibits “A” and “B” and incorporated herein.
2. The Town Board hereby establishes itself as the Lead Agency; and
3. The Town Board sets October 21, 1009 at 7:00 PM, or as soon

thereafter as the matter may come to be heard, in the Town Hall Meeting Room, as the date, time and place for the public hearing on the Crown Heights Center Overlay District amendments; and

4. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
5. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Dutchess County Department of Planning and Economic Development for review and recommendation Pursuant to the General Municipal Law Section 239-m; and
6. The Town Board hereby directs that a copy of this Resolution be delivered to the municipalities adjoining the Town of Poughkeepsie pursuant to the notice requirements of the General Municipal Law Section 239-nn.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

EXHIBITS A & B ATTACHED TO FINAL BOOK COPY

09:16 SM 09 WITHDRAWN FROM AGENDA

09:16-SM 10 GRANT Special Consent Items SC 1 and 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 Arlington Street Fair

SC 2 Authorize Waiver Liquor License Renewal
Hobnobbin Pub

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: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC1 EXEMPT Vendors of Food & Merchandise at The
Arlington Street Fair on September 26,
2009

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 26, 2009; and

WHEREAS, the presence of informational displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 26, 2009 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 26, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegeview Avenue from 6:30 AM to 8:30 PM for the Arlington Street Fair on Saturday, September 26, 2009, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate this resolution including, but not limited to, any agreement with the Arlington Central School District that may be required in regard to the use of the premises at Arthur S. May Elementary School on Raymond Avenue.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,

Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC 2 WAIVE 30 Day Review Period For Renewal
of TJM Restaurant Corp. D/B/A
Hobnobbin Pub Located At 11
Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from TJM Restaurant Corp., d/b/a Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, 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: Supervisor Myers/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Asked the Board to urge the County Legislators to consider the contract for the Burn Plant, the fact that they wanted to switch it from an operator who currently has no violations to an operator who has had a number of violations in a number of states over a number of years. "Unfortunately, the County Legislature is not bringing that resolution forward and it looks like the switch of operators will take place. It's unfortunate and disturbing because I seriously doubt that anybody in the Legislature or DEC is going to be vigilant about any future violations. Also, when I was at the last Town Board Meeting I made some comments about the Arlington Fire District budget. Tonight Jay questioned the use of funds in these economic times. Well, it doesn't seem like the Arlington Fire District is as concerned about tough economic times. Their budget is going up from about 14.1 million

dollars last year and their proposed budget for this year is 15.4 million dollars. Unless Town residents start coming to Fire Commissioner's meetings, they had better just hold on to their wallets. You have no recourse unless you go there and hold them accountable."

Councilman Cifone: The Supervisor sent letters out to all of the Commissioners of the Fire Districts giving them permission to use our room here with the TV so all Residents could see what was going on.

Supervisor Myers: We heard from New Hamburg and they thanked us very kindly, but they felt they needed to stay within in their district. As far as the other two, I have not heard a word back from Fairview or Arlington.

Councilman Cifone: Thank you for pointing that out that Vassar does not contribute on a regular basis because a lot of people don't understand it that taxes on property does not have to give any donation of any kind and we do get something from St. Francis and from Marist.

Jim Beretta: Just to follow up on that, also, Deputy Chief Pells also did say that he would appreciate any assistance because they are not getting any money from Vassar College. Just a couple more things. In the process of doing the analysis that we did for the meeting the other night, I did see that the 2005 budget to the proposed 2010 is up like 65% and that is significant. That averages out to about 13% a year. So, with the proposed budget we are going to see just shy 10% increase. One thing that was disturbing is that there are five Fire Commissioners and last night when they voted on this, there were only four present and only two had seen the proposed budget. There was three commissioners not at the workshop and one was missing again last night. There doesn't seem to be a motivation, based on what I've seen from the Fire District and these are good people doing good work and dangerous work and they provide a good service and I feel they should get a good salary and have benefits, but there is no impetus for them to say it is tough times and we can't throw 10% to 13% on the taxpayers every year, let's consolidate services.

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

CARRIED 6-0

SPECIAL TOWN BOARD MEETING CLOSED AT 7:45 PM

COMMITTEE OF THE WHOLE MEETING IMMEDIATELY
FOLLOWED AT 7:46 PM
TOWN OF POUGHKEEPSIE COMMITTEE OF THE
WHOLE MEETING OF SEPTEMBER 16, 2009, TOWN HALL
7:46 PM

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

ABSENT: Councilman Conte

09:16 COW 1 DISCUSSION Grant for Sewer Department by
Susan Roeller Brown

Supervisor Myers explained that Susan Roeller Brown is writing a grant Through the Department of Environmental Conservation 2009 Water Quality Improvements Program. Susan is working with Don Beer on the grant for an ultraviolet disinfection system for the wastewater treatment plant.

09:16 COW 2 PROJECT PROPOSAL Jesse Walsh For His Eagle Scout Project For Overocker Park
Scout Walsh of Troop 17 in Fairview has numerous projects to Improve the condition of Overocker Park. They are:

Jesse Walsh:

1. Renovation of basketball court: repaint lines, hoops, backboards and poles and replacing nets
2. New safety surface on 3 play areas: Removing 9 inches of existing dirt and safety surface refilling with new safety surface & installing wooden borders.
3. Repairing and repainting all benches..
4. Repairing and repainting all bleachers if needed.
5. Renovations on baseball field by painting foul poles and repairing outfield fence.

To be finished by October 2009

The Town Board heartily supported Jesse and wanted to make sure that he could get contributions on materials and not pay out of his own pocket.

The Board thanked him for such a great project and wished him good luck.

Supervisor Myers: I have two announcements. One is that we dedicated the new sign that has been missing for 50 years. When they widened Route 9, they took down the sign acknowledging the site of the original spring that was the founding of Poughkeepsie and we now have a sign that was authorized last year and it has finally been installed and we had the dedication of that sign today. I also want to mention that I did my pitch for KABOOM and for people to sign up and volunteer. Also, October 3rd is the Quadra-Centennial march across the bridge with the people from this side crossing the bridge and the people from the other side crossing the bridge. If anyone is interested in participating in this, they need to go to the Recreation website or call Recreation to sign up. There is a \$15 fee which is strictly to cover the costs of running the buses for the event.

COMMITTEE REPORTS

1. FINANCE Councilman Baisley: No Report
2. FIRE ADVISORY Councilman Baisley: No Report
3. GOVERNMENT OPERATIONS Councilman Seminara: No Report
4. LAND USE & PLANNING Councilman Seminara: No Report
5. PERSONNEL Councilman Cifone: No Report
6. RECREATION Councilman Tancredi: No Report
Councilman Cifone: The sidewalks at Fairview Park have started to be completed and started to tear the fence down and so work is going on right now.
7. SENIOR CITIZENS Councilman Krakower: No Report
8. TECHNOLOGY & EQUIPMENT Councilman Krakower: No Report
9. WATER, SEWER, HIGHWAY Councilman Seminara: I just want to make sure the Board is aware that we are working on something to try and standardize the way that benefit units are calculated. We are studying it with Don Beer and the entire infrastructure committee is

on board with this and if we are lucky, we can relieve quite a burden on the Assessor's every year.

Town Attorney Mahar: We have another resolution to present tonight.

RESOLUTION

BE IT RESOLVED, the Town Board, Town of Poughkeepsie, does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation: To discuss litigation strategy in a case known as Town vs. Dutchess
2. Confidential communication between attorney and his client, Town Board based on attorney/client privileges.

BE IT RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

MR. CANTOR AND MR. WILSON WERE
INVITED TO ATTEND EXECUTIVE SESSION

BACK FROM EXECUTIVE SESSION AT 8:32 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 8:33 PM

SJM:lkm

**MINUTES OF SPECIAL TOWN BOARD
MEETING HELD ON SEPTEMBER 16, 2009
AT 6:05 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE,
NEW YORK**

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

ABSENT:
Councilman Conte

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6:00 PM CALL TO ORDER SALUTE THE FLAG

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Consider Following Matters:
A. Litigation Involving Rosewood
Metro Builders and Daraview V
Town

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2. Contract negotiations
3. Real Estates matters to the extent that public disclosure discussed would substantially affect the value of the property
4. Personnel matters to wit: Meeting to discuss the employment history of particular individuals who need not be identified at this time
5. Confidential meeting between Attorney and his client/Town Board, based on Attorney/Client privileges

AND BE IT FURTHER RESOLVED, there will be no appropriating of

money.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

MEETING ADJOURNED AT 6:09 PM

AUDREY SCOTT AND NEIL WILSON WERE
ASKED TO JOIN THE COUNCIL IN EXECUTIVE SESSION

INTO EXECUTIVE SESSION AT 6:12 PM

RETURNED FROM EXECUTIVE SESSION AT 6:45 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 6:46 PM

SPECIAL TOWN BOARD MEETING

SEPTEMBER 16, 2009 AT 7:00 PM

7:00 PM CALL TO ORDER SALUTE THE FLAG

**Supervisor Myers asked for a moment of silence for two Town
Employees who have had parents die this week, Louise
Baranick and Pat Brown.**

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

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Meeting will be found after the minutes of that meeting, which**

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on Spackenkill Road Entitled
“Woods At Cliffdale Subdivision”

This is a certificate of appreciation presented to Harold and Carole Buchner by the Town Board of the Town of Poughkeepsie, September 16, 2009:

APPRECIATION CERTIFICATE

In grateful recognition of the Donation of 40.78 acres of Open Space Land to the Town. The donated Open Space Land contains important forest and wetland habitat that is home to many common and rare species of flora and fauna. This gift of Open Space Land will insure the long-term protection and preservation of a locally unique and significant property.

SIGNED: Supervisor Myers Councilman Cifone
 Councilman Baisley Councilman Krakower
 Councilman Seminara Councilman Tancredi
 Councilman Conte

Supervisor Myers: We do thank you very much for your generous Donation.

Attorney Richard Cantor: The Deed is for forty acres of property on Spackenkill Road. The gift includes this Board to be placed where ever you wish in Town Hall. There are two pieces of property that make up the gift property. There is one piece called Lot 8A, which is 39.35 acres and there is a second piece that includes the pond which is called Lot 8B and is 1.43 acres and there is, also, a series of easements that do two things: One, they allow the public to enter the gift property and Two, they allow the Town and the Town's crews to enter as they need to to maintain the property and to protect public safety. I note that the Town has previously adopted resolutions, I believe sponsored by Councilman Tancredi, which has dedicated this land permanently as Open Space. I also want to note that Chairman John Weisman of the Planning Board is here, who has worked long and hard with us to help us work through the sub-division

so we could create the gift parcel and on behalf of Harold and Carole Buckner, we would like to thank the members of the Town Board and John and his colleagues and also the hardworking Planning Staff. We are glad this worked out and the Town now has 40 acres of the gift parcel for Open Space and we hope it is used and enjoyed in the spirit it is intended as passive Open Space permanently. Thank you.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept from Harold Buchner and Carole Buchner a deed to a parcel of property located on Spackenkill Road consisting of 40 acres, more particularly described as Lot 8A and Lot 8B on Filed Map 12263 entitled "Woods At Cliffdale Subdivision"; Town of Poughkeepsie, County of Dutchess, State of New York." which property has heretofore been designated as open Space or open Area as defined by the laws of the State of New York, and which designation had previously been authorized by the Town Board in two separate resolutions and said designation is hereby ratified and restated; and

AND BE IT FURTHER RESOLVED, the Town Board will, in the near Future, consider an imposition of a conservation easement to further protect said property.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Councilman Seminara: I would like to speak on this issue. First of all, we have a letter of thank you here from Janet Sinisi and it says, "Hi Todd," referring to Councilman Tancredi, "I want to take this opportunity to thank Harold and Carole Buchner for a gift that will be enjoyed by residents of The Town of Poughkeepsie for years to come. The Buchners have been very generous to the community by donating 40 acres of Open Space. This property was once used by the Girl Scouts to learn new skills, tackle the challenges of the outdoors and make lasting friends. Because of this gift, it will continue to be a sanctuary, a wild life refuge, a place of nature beauty for the residents who neighbor the property and hopefully others as well. I would also like to thank the Town Board of the Town of Poughkeepsie for their efforts to protect the nature preserve and their understanding of the value of this type of space in our community. Sincerely, Janet Sinisi

I also want to thank Todd, he did a lot of work on this with Mr. Buchner and we appreciate that. I would also like to say that there are many, many neighbors virtually surrounding that entire parcel whom I know are very happy. They do appreciate the tranquility that will be unchanged for them. So, they also appreciate it. I would like to further point out that I do remember having some communications with Mr. Buckner a few years ago about this and when the topic came up about donating some land, Mr. Buckner never batted an eye and he was very willing right from the beginning to do something decent for the Town and that is a great example to set and it is really appreciated. Thank you very much, again.

Councilman Tancredi: I know I've said before, but I would like to thank you again, Mr. Buchner, for your contribution. I know when we first discussed this a number of years back, it's been a very trying time at times, but, I do thank you for hanging in there and for the donation of the property.

Councilman Krakower thanked Councilman Tancredi, Mr. Buckner, Mr. Cantor and Chairman Weisman. It has been a long process but I think it turned out to be a very good project. I truly do appreciate all your efforts and donation. It's a very valuable asset and gift to the Town. I appreciate and I think the residents do also, thank you again.

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

09:16 SM 2 AUTHORIZE TO
GO TO BID

A. Tennis Court Reconstruction
At Red Oaks Mill Park
& New Hamburg Park
B. Peach Hill Park
Improvements

(A) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for

bids for "TENNIS COURT RECONSTRUCTION" at the Red Oaks Mill Park and the New Hamburg Park, pursuant to plans and specifications available on September 21, 2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:00 am at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or Part.

SO MOVED: D. Seminara/J. Baisley

Councilman Seminara and Councilman Baisley were very glad to see this come to bid.

ROLL CALL: Ayes: Councilmen Baisley, Seminara Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

(B) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "PEACH HILL PARK IMPROVEMENTS", pursuant to plans and specifications available on September 21,2009 at the Office of the Town Clerk, with a bid opening to be held on October 5, 2009 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SM3 SET DATE FOR Community Development Block
PUBLIC HEARING Grant Program Application For
Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23rd day of September, 2009 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2010, of which the Town of Poughkeepsie is a member.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

09:16-SM 4 AUTHORIZE
SUPERVISOR

Agreement Between Town of Poughkeepsie & Spackenkill Union Free School District To Provide For A School Resource Officer For 01/01/10 To 12/31/10

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Spackenkill Union Free School District to provide for a School Resource Officer under the terms and conditions set forth in the agreement, attached hereto, for the period January 1, 2010 through December 31, 2010.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM 5 AUTHORIZE

Diane Benigno, From the Planning Department, To Work An Additional 8 to 10 Hours in the Assessing Department

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Diane Benigno, from the Planning Department, to work an additional 8-10 hours per week for the Assessing Department until December 31, 2009 at the rate of \$16.68 per hour.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Baisley: I brought this up a couple of weeks ago, I was more in favor of not additional hours in exchange for her hours in the Planning Department, seeing that the fees were down. I was hoping to see this not as an additional payroll item.

ROLL CALL: Ayes: Councilmen Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers

Nays: Councilman Baisley CARRIED: 5-1

09:16-SM6 AUTHORIZE Agreement with Mardi Bob Lanes
SUPERVISOR & Sports Pub To Allow For Use of
TO SIGN Parking Area & Building, In Case of
Emergency At Facility Located At
45 Taft Avenue on October 22, 2009

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Mardi Bob Lanes and Sports Pub to allow for the use of the parking area and building, in case of an emergency, at the facility located at 45 Taft Avenue, Poughkeepsie, NY from 8:00 AM to 5:00 PM on October 22, 2009, which agreement is in connection with the project at the Crestwood Boulevard Town Park.

SO MOVED: J. Baisley/M. Cifone

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

Nays: None CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:16-SM7 AUTHORIZE McKee Block Party On Scott
Terrace Change Of Date to
September 19, 2009 With

Rain Date on September 20

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby amend RESOLUTION 9:2-#10 Of 2009 to read September 19, 2009 not September 5, 2009 regarding the block party on Scott Terrace.

SO MOVED: D. Seminara/T. Tancredi

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

Nays: None

CARRIED: 6-0

09:16-SM8 SET DATE FOR PUBLIC HEARING Zoning Amendment Changes Relative To The Crown Heights Center Overlay District

RESOLUTION

WHEREAS, the Town Board has prepared amendments to Chapter 210-24 of the Town Code relative to the Crown Heights Center Overlay District (“Amendments”), a copy of which is attached hereto as Exhibits “A” and “B”; and

WHEREAS, the action by the Town Board on the Amendments is a Type I Action as defined by 6 NYCRR 617.4(b)(2) of the SEQRA regulations; and

WHEREAS, the adoption of changes to the Town Code is an act that only can be performed by the Town Board thereby naming the Town Board the only involved agency and the only potential lead agency to coordinate the environmental review of the action; and

WHEREAS, the adoption of the amendments is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the proposed amendments are attached as Exhibits “A” and “B” and incorporated herein.
2. The Town Board hereby establishes itself as the Lead Agency; and
3. The Town Board sets October 21, 1009 at 7:00 PM, or as soon

thereafter as the matter may come to be heard, in the Town Hall Meeting Room, as the date, time and place for the public hearing on the Crown Heights Center Overlay District amendments; and

4. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Town Planning Board for an advisory report pursuant to Town Code Section 210-154; and
5. The Town Board hereby directs that a copy of the Crown Heights Center Overlay District amendments be delivered to the Dutchess County Department of Planning and Economic Development for review and recommendation Pursuant to the General Municipal Law Section 239-m; and
6. The Town Board hereby directs that a copy of this Resolution be delivered to the municipalities adjoining the Town of Poughkeepsie pursuant to the notice requirements of the General Municipal Law Section 239-nn.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

EXHIBITS A & B ATTACHED TO FINAL BOOK COPY

09:16 SM 09 WITHDRAWN FROM AGENDA

09:16-SM 10 GRANT Special Consent Items SC 1 and 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 Arlington Street Fair

SC 2 Authorize Waiver Liquor License Renewal
Hobnobbin Pub

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: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC1 EXEMPT Vendors of Food & Merchandise at The
Arlington Street Fair on September 26,
2009

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 26, 2009; and

WHEREAS, the presence of informational displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 26, 2009 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 26, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegeview Avenue from 6:30 AM to 8:30 PM for the Arlington Street Fair on Saturday, September 26, 2009, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate this resolution including, but not limited to, any agreement with the Arlington Central School District that may be required in regard to the use of the premises at Arthur S. May Elementary School on Raymond Avenue.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,

Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

09:16-SC 2 WAIVE 30 Day Review Period For Renewal
of TJM Restaurant Corp. D/B/A
Hobnobbin Pub Located At 11
Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from TJM Restaurant Corp., d/b/a Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, 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: Supervisor Myers/D. Seminara

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Cifone, Krakower,
Tancredi, and Supervisor Myers
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Asked the Board to urge the County Legislators to consider the contract for the Burn Plant, the fact that they wanted to switch it from an operator who currently has no violations to an operator who has had a number of violations in a number of states over a number of years. "Unfortunately, the County Legislature is not bringing that resolution forward and it looks like the switch of operators will take place. It's unfortunate and disturbing because I seriously doubt that anybody in the Legislature or DEC is going to be vigilant about any future violations. Also, when I was at the last Town Board Meeting I made some comments about the Arlington Fire District budget. Tonight Jay questioned the use of funds in these economic times. Well, it doesn't seem like the Arlington Fire District is as concerned about tough economic times. Their budget is going up from about 14.1 million

dollars last year and their proposed budget for this year is 15.4 million dollars. Unless Town residents start coming to Fire Commissioner's meetings, they had better just hold on to their wallets. You have no recourse unless you go there and hold them accountable."

Councilman Cifone: The Supervisor sent letters out to all of the Commissioners of the Fire Districts giving them permission to use our room here with the TV so all Residents could see what was going on.

Supervisor Myers: We heard from New Hamburg and they thanked us very kindly, but they felt they needed to stay within in their district. As far as the other two, I have not heard a word back from Fairview or Arlington.

Councilman Cifone: Thank you for pointing that out that Vassar does not contribute on a regular basis because a lot of people don't understand it that taxes on property does not have to give any donation of any kind and we do get something from St. Francis and from Marist.

Jim Beretta: Just to follow up on that, also, Deputy Chief Pells also did say that he would appreciate any assistance because they are not getting any money from Vassar College. Just a couple more things. In the process of doing the analysis that we did for the meeting the other night, I did see that the 2005 budget to the proposed 2010 is up like 65% and that is significant. That averages out to about 13% a year. So, with the proposed budget we are going to see just shy 10% increase. One thing that was disturbing is that there are five Fire Commissioners and last night when they voted on this, there were only four present and only two had seen the proposed budget. There was three commissioners not at the workshop and one was missing again last night. There doesn't seem to be a motivation, based on what I've seen from the Fire District and these are good people doing good work and dangerous work and they provide a good service and I feel they should get a good salary and have benefits, but there is no impetus for them to say it is tough times and we can't throw 10% to 13% on the taxpayers every year, let's consolidate services.

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

CARRIED 6-0

SPECIAL TOWN BOARD MEETING CLOSED AT 7:45 PM

COMMITTEE OF THE WHOLE MEETING IMMEDIATELY
FOLLOWED AT 7:46 PM
TOWN OF POUGHKEEPSIE COMMITTEE OF THE
WHOLE MEETING OF SEPTEMBER 16, 2009, TOWN HALL
7:46 PM

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

ABSENT: Councilman Conte

09:16 COW 1 DISCUSSION Grant for Sewer Department by
Susan Roeller Brown

Supervisor Myers explained that Susan Roeller Brown is writing a grant Through the Department of Environmental Conservation 2009 Water Quality Improvements Program. Susan is working with Don Beer on the grant for an ultraviolet disinfection system for the wastewater treatment plant.

09:16 COW 2 PROJECT PROPOSAL Jesse Walsh For His Eagle Scout Project For Overocker Park Scout Walsh of Troop 17 in Fairview has numerous projects to Improve the condition of Overocker Park. They are:

Jesse Walsh:

1. Renovation of basketball court: repaint lines, hoops, backboards and poles and replacing nets
2. New safety surface on 3 play areas: Removing 9 inches of existing dirt and safety surface refilling with new safety surface & installing wooden borders.
3. Repairing and repainting all benches..
4. Repairing and repainting all bleachers if needed.
5. Renovations on baseball field by painting foul poles and repairing outfield fence.

To be finished by October 2009

The Town Board heartily supported Jesse and wanted to make sure that he could get contributions on materials and not pay out of his own pocket.

The Board thanked him for such a great project and wished him good luck.

Supervisor Myers: I have two announcements. One is that we dedicated the new sign that has been missing for 50 years. When they widened Route 9, they took down the sign acknowledging the site of the original spring that was the founding of Poughkeepsie and we now have a sign that was authorized last year and it has finally been installed and we had the dedication of that sign today. I also want to mention that I did my pitch for KABOOM and for people to sign up and volunteer. Also, October 3rd is the Quadra-Centennial march across the bridge with the people from this side crossing the bridge and the people from the other side crossing the bridge. If anyone is interested in participating in this, they need to go to the Recreation website or call Recreation to sign up. There is a \$15 fee which is strictly to cover the costs of running the buses for the event.

COMMITTEE REPORTS

1. FINANCE Councilman Baisley: No Report
2. FIRE ADVISORY Councilman Baisley: No Report
3. GOVERNMENT OPERATIONS Councilman Seminara: No Report
4. LAND USE & PLANNING Councilman Seminara: No Report
5. PERSONNEL Councilman Cifone: No Report
6. RECREATION Councilman Tancredi: No Report
Councilman Cifone: The sidewalks at Fairview Park have started to be completed and started to tear the fence down and so work is going on right now.
7. SENIOR CITIZENS Councilman Krakower: No Report
8. TECHNOLOGY & EQUIPMENT Councilman Krakower: No Report
9. WATER, SEWER, HIGHWAY Councilman Seminara: I just want to make sure the Board is aware that we are working on something to try and standardize the way that benefit units are calculated. We are studying it with Don Beer and the entire infrastructure committee is

on board with this and if we are lucky, we can relieve quite a burden on the Assessor's every year.

Town Attorney Mahar: We have another resolution to present tonight.

RESOLUTION

BE IT RESOLVED, the Town Board, Town of Poughkeepsie, does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Litigation: To discuss litigation strategy in a case known as Town vs. Dutchess
2. Confidential communication between attorney and his client, Town Board based on attorney/client privileges.

BE IT RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

MR. CANTOR AND MR. WILSON WERE
INVITED TO ATTEND EXECUTIVE SESSION

BACK FROM EXECUTIVE SESSION AT 8:32 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 8:33 PM

SJM:lkM