

WHEREAS, the Town Board , as Lead Agency, declared said action a Type I Action as defined by 6 NYCRR 617,4(b)(2) of the New York State Environmental Quality Review Act; and

WHEREAS, notice has not been posted and published as required by law but adjacent municipalities have been notified as required by the Town Law and the General Municipal Law; and

WHEREAS, the Director of Municipal Development has requested additional time to submit materials to the Board regarding the regulations of the New York State Environmental Quality Review Act; and

WHEREAS, the Town Board does determine that it is in the best interest of the public to rescind the notice of public hearing and to rescind the notifications to the adjacent municipalities; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby rescind Resolution #8 adopted on September 16, 2009; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does direct that the Director of Municipal Development to complete materials for review under the New York State Environment Quality Review Act and to submit them to the Town Board to determine a future date of a public hearing and notification as required by law.

SO MOVED: J. Baisley/J. Conte

Councilman Seminara: Did it say that we did not advertise that Public Hearing?

Town Attorney Mahar: We did not advertise it. We did send out notices.

Councilman Seminara: So, I assume by rescinding it, we have to send notices to the adjacent Towns again saying that we rescind it.

Town Attorney Mahar: No.

Councilman Seminara: So, since we did not advertise it, we don't have to advertise the rescinding?

Town Attorney Mahar: No.

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

Nays: None

CARRIED: 7-0

09:30-SM 4 APPROVE

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

Promotion – D. Whitely to Water
Maintenance Mechanic I

SC 2. Authorize

Liquor License Renewal Waiver
VFW Post 170

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: D. Seminara/J. Conte

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Conte, Cifone, Krakower,
Tancredi and Supervisor Myers
Nays: None CARRIED: 7-0

09:30-SC 1 AUTHORIZE Water Department Promotion of
Daniel Whiteley To Full Time
Permanent Water Maintenance
Mechanic 1

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the promotion of Daniel Whitely from full time permanent Laborer at the annual salary of \$33,261.02 to full time permanent Water Maintenance Mechanic I, at the annual salary of \$37,440.00, for the Town of Poughkeepsie Water Department, effective October, 5, 2009, pursuant to recommendation of the Water Maintenance Supervisor (attached hereto), which funds are available in the 2009 Water Department Budget; and

BE IT FURTHER RESOLVED, that said promotion is subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law.

SO MOVED: J. Conte/T. Tancredi

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Conte, Cifone, Krakower,
Tancredi and Supervisor Myers
Nays: None CARRIED: 7-0

09:30-SC 2 AUTHORIZE Liquor License Renewal Waiver For
Vail Wolff Post 170

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from Vail Wolff Post 170, Violet Avenue, Poughkeepsie, NY 12601, 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: M. Cifone/J. Conte

ROLL CALL: Ayes: Councilmen Baisley, Seminara, Conte, Cifone, Krakower,
Tancredi and Supervisor Myers
Nays: None CARRIED: 7-0

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

CARRIED: 7-0

Jim Kitcher: Last week at the end of the meeting, it pertained to some kind of charge to Neil Wilson as to how to handle the requirements for landscaping and/or terms of a licensing agreement and I assume a Special Use Permit to use the property on Van Siclin Drive as a service facility. Originally, it has been a commercial facility and was granted a Special Use Permit in 1969. I handed you out a letter trying to emphasize my priorities since I'm the only guy on the letter. (Attached to final book copy)

Councilman Krakower: I think we have been fairly clear with Germano. I got an e-mail at the beginning of the week saying that they are not going to be able to implement the whole plan and they want to see if they can push it off to the Spring.

Supervisor Myers: Isn't that exactly what they did to us the last time?

Councilman Krakower: Right, and I didn't call Neil, I just sent them a simple reply, "No". Enough is enough with these guys. I haven't seen a revised phase in plan and I don't know that there is one at this point, but it seems like right now they seem to say, "The weather caught up with us and we can't do it again."

James Kitcher: My priorities are the first two or three. If we can get the fence up and get the curb in so they can't park and define his space, then he can't do what he's been doing to us.

Councilman Krakower: I think if we allowed him to do anything short of anything now, we would have him do the fence, curbing and trees and put money in escrow for the rest of it. If he is saying it's the weather, we would have money in escrow in the Spring, we are not waiting for him to do it, and we can get it taken care of. Every time we look at this, they come back and say they ran out of time due to the weather and this has been three years. I think the Town has been pretty reasonable. We will have them move the fence, and we will take back the Town property and that's the end of the story as far as I'm concerned, this has become totally ridiculous.

Doreen Tignanelli: I have a question about the pipe that was dug up on Colburn Drive, the water pipe for testing. That was five weeks ago. Do we have any word on that yet.

Councilman Tancredi: I haven't heard anything, I will check though.

Doreen Tignanelli: I talked before about the Arlington Fire District Budget and last night there was an Arlington Fire District Meeting and the Supervisor had sent a letter offering the Town Hall as a meeting place and use of the equipment. When I asked them at the meeting last night, they said they never got the letter. I checked with Councilman Baisley and he said that New Hamburg got their letter, but I guess Arlington did not and they were not prepared to answer any of my questions as to whether they would consider using the hall or equipment. I am now requesting that the letter be sent to them again. Also, they had their proposed budget and when I asked them about FOILING it, to get all the details, they told me that I can't FOIL it until they give it to the Town. Even though it's done, they are not going to submit it to the Town until five days before the Public Hearing, which would be October 15th. If I FOIL it then, it doesn't give me much time before the October 20th Public Hearing on the budget. I understand that Fairview Fire Department has already submitted theirs to the Town, so I would be able to FOIL it and have a good three weeks before the Public Hearing. I think they already passed the preliminary budget and I think they are just holding on to it to hold on to it. Their budget has gone up 1.5 million dollars and I brought up again travel expenses and maybe that's not a necessity and is a controllable expense and I asked if it were really necessary to send three people to the same conference in Florida.

Councilman Krakower: Seeing they voted on the preliminary budget, it should be FOILable and available to the public. I think the County Legislators should take a lot more ownership than they have.

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

CARRIED: 7-0

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. Confidential communication between attorney and his client/Town Board based on attorney/client privileges.

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

SO MOVED: J. BAISLEY/S. Krakower

CARRIED: 7-0

MEETING ADJOURNED AT 8:00 PM

INTO EXECUTIVE SESSION AT 8:05 PM

BACK FROM EXECUTIVE SESSION AT 8:25 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/J. Conte

MEETING CLOSED AT 8:26 PM

SJM:lkm