

MINUTES OF TWO SPECIAL TOWN BOARD MEETINGS HELD ON
APRIL 15, 2009 AT 6:15 PM AND 7:00 PM AND
COMMITTEE OF THE WHOLE MEETING HELD AT
9:38 PM AT TOWN HALL, ONE OVEROCKER ROAD,
POUGHKEEPSIE, NEW YORK

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

ABSENT: Councilman Seminara
Councilman Krakower
Councilman Tancredi
(Above three Councilmen
arrived for Executive Session)

SPECIAL TOWN BOARD MEETING
6:16 PM

04:15-01 RESOLUTION To Enter Executive Session To
Consider Following Matters:
A. Litigation
B. Confidential Communication
Between Attorney and His
Client/the Town Board, Based
On Attorney/Client Privilege

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
2. Confidential Communication between Attorney and his
Client/ the Town Board, based on Attorney/Client Privilege

SO MOVED: J. Baisley/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Conte, Cifone, and Supervisor Myers
Nays: None CARRIED: 4-0

SUPERVISOR MYERS INVITED DAVID HAGSTROM, DONALD MC GRATH,
KATHLEEN TABER AND JUSTIN COLE TO ATTEND THE EXECUTIVE
SESSION

TOWN BOARD AND GUESTS ENTERED EXECUTIVE SESSION
AT 6:18 PM

BACK FROM EXECUTIVE SESSION AT 6:54 PM

NO ACTION TAKEN

SPECIAL TOWN BOARD MEETING # 1 CLOSED AT 6:55 PM

INTO SPECIAL TOWN BOARD MEETING # 2 AT 7:00 PM

PRESENT: Supervisor Myers
Councilmen Baisley
Councilman Seminara
Councilman Conte
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 official minute books, held in the Town Clerk's Office.

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

{ } designates corrections

7:00 PM

CALL TO ORDER

SALUTE THE FLAG

Councilman Krakower: We are not going to be voting on any resolution tonight, we are going to be hearing the presentation from the SEI Design Group and taking the questions from the members of the audience, but we are not going to be voting on the Bonding Resolution tonight.

04:15-SM 1 AUTHORIZE

Issuance of Serial Bonds for Purchase of Building & Acres of Land from Bright Horizons

SEI, Due Diligence team, Matt Monaghan and Zackary Kasky: They addressed the Board with the Draft report for the Casperkill Community Center. They did a slide presentation.

The purpose of the study was to evaluate the existing conditions at the Casperkill Facility. The site, the swimming pools, the fields, the general building, the mechanical/electrical and plumbing systems and to examine the potential programs that might be implemented by the Town of Poughkeepsie and also to perform a cost analysis of expenses and potential revenues of the facility. The goals and objectives were to define the property, identify renovations and repair work, describe the programs and activities, do the revenue analysis and then analyze the operations and maintenance costs. They started out with the existing building and site, then program development, cost analysis, implementation, and then create the document. This document will not be complete until input is taken from tonight's meeting and that then will be generated into the final study.

Zackary Kasky: **Existing conditions:** The site is 26.75 acres. It has 3 swimming pools, 6 tennis courts, 2 ball fields, playground and hand ball courts. There is plenty of parking on the site as well. In the building on the main level are the conference center, commercial kitchen, 2 gymnasiums, fitness center, senior center, locker rooms and offices. On the lower level there are bowling alleys, recreation room, child care center, racket ball, aerobics room, mechanical rooms and storage. The total facility is 119,400 sq. ft. **Recommendations:** Based on building maintenance and repair, they recommended that in addition to the purchase cost of the building, that there be some interior, finish upgrades, mechanical, electrical and plumbing upgrades and roofing. Those items, if repaired, would bring the building up to a state that would keep it in good repair for the next 20 to 30 years. They also identified some costs that are going to come up within the 5 to 10 year period as well. **Renovation cost:** 6.5 million dollars. That will include new low pitch roofing and insulation, the existing mansards are in very good condition, about 5 years old. The flat sections on the top are at the end of their life cycle. Window glazing replacement, pool repairs, mechanical, electrical and plumbing upgrades, security and monitoring systems, aesthetic upgrades, ADA renovations, site and parking lot repairs and some interior renovations. Getting the facility up to Code and current health and safety requirements will be \$6.5 million on top of the purchase price of \$4,000,000.00. They then looked at program development. They looked at use of the existing building resources. They met with the Recreation Department and held public meetings and work sessions at the facility to take input on potential uses.

Matt Monaghan: **Implementation:** Required occupancy, the Town of Poughkeepsie, based on their own recommendation, have a public referendum which would put the decision on whether to purchase the site. They would need to acquire the property from

Bright Horizon, should the public vote “Yes” on the purchase and then there would be required renovations that, because it is a public project, would have to be put out to bid. **Implementation after occupancy:** There would be maintenance, you would have to hire staff and third party contractors to maintain the facility. **Operations:** You would need to appropriately staff the programs and activities you will run there and then **Revenue:** that could be used to offset the annual cost to the Town. **The public BID process:** The construction budgets that they included in this study are based on NYS Public Works Laws, (inaudible) Law, multiple prime contractors, lowest responsible bidders and prevailing wage and the pricing does include construction contingency, some escalation costs as well as some incidental costs and this is all standard practice for public BID work.

Zackary Kasky: **Cost Analysis:** This is broken down into two parts, the initial cost and then the annual cost after that. **The initial cost:** includes the acquisition cost of \$4 million and the renovation costs of \$6.5 million. Those two together would be a \$10.5 million initial cost to purchase the building and get it up to speed. The \$10.5 million would be the number you are looking at for the referendum number. **The Annual Cost of operation and maintenances:** \$1.02 million and the annual projected revenue they came up with is \$.27 million with a total of \$755,000 annually to operate and maintain the facility. This total report is on the website now. There are further detailed breakdowns of how this came about on the web site. If the **Library** decided to buy into the center it would be a separate project from the recreation center. The library would pay the initial cost of \$1.7 million, so the cost to the Town then would be \$8.8 million if the library purchased part of the building. The annual operations and maintenance cost, the library would offset those costs by approximately \$150,000. That’s their portion of the heating and maintenance of the building that the Town would no longer have to take care of. So, the final cost to the Town would be \$605,000 a year if the library decides to buy in.

Jim Wojtowicz, Town Comptroller: **Tax impact to residents:** With a \$4 million purchase of land and building, there would be a 30 year life, so we could go out and bond for 30 years. The \$6.5 million in renovations, most of that is 30 years, mechanical, electrical, some will be 25 years. So, the projection would be a \$10.5 million bond over 28 years. Based on the average home that the Assessor gave him, would be between \$290,000 and \$300,000 the impact would be \$33.60 to the average homeowner. The operating costs for year one, without the library, would be \$755,000. This would allow the Town residents to use the facility for free. So, basically, the total tax impact would be \$72.60 per year. If library goes in, the home owners would be \$28 and change and the operations would be \$31 and change and the total tax impact if the library participates would be \$60.

Zackary Kasky: The facilities open to the Town residents for free would be the use of fitness center, open gym times, senior center, open bowling times, game room access, tennis courts, picnic areas and special events and concerts. A minimal cost (about \$75 per family over the usual \$400 per family) would be charged for the use of some fitness classes, pool memberships, seasonal family memberships, (inaudible) in the facility, classes such as crafts, adult ed, sports specific training. Non-residents will be paying user fees to the facilities. Then additional programs that would be developed as the facility began to be used and requests made. Some other sources of revenue would be from leagues renting the courts and fields.

Supervisor Myers feels that the total fee for the purchase, renovations and staff of the property is on a low end of the estimation. She was concerned about the property being taken off the tax rolls, however Councilmen Baisley and Councilman Krakower both pointed out that many properties have been added to the tax rolls in the surrounding area to make up the difference and also, that if the Town does not buy it, there is a buyer waiting in the back field for the opportunity to grab the property if the Town doesn’t take it and that buyer would also make it a tax exempt property. So, either way, it would be tax exempt and then the residents would lose the benefits of all the facilities badly needed in the Town.

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

CARRIED: 7-0

Howard Nichols: Feels the Town should forget the fees being charged to the residents. He also stated that if the Library comes in, they are going to tax the residents and so they pay the tax to the Town and to the Library also. (Councilman Krakower stated that if the Library doesn't go in Casperkill, they are slated to go elsewhere in the Town and the residents will STILL pay taxes to them, regardless). Mr. Nichols wonders if the Town is going to have enough money to pay the bill at the end of the year. He also asked if the web site will have a question/answer type website so residents can research and ask questions on the web. Supervisor Myers said that that was not planned at this point in time, however, Councilman Krakower thought it to be a good idea. All and all, Mr. Nichols feels that economically the Town has to do something sooner or later and the sooner you do it, the less it costs you because the prices go up each year. So, from a personal point of view, he supports the purchase.

Herb Stoller: Feels that all the parks should be included in the decision to restore the parks and fields as there are some residents some distances away from the Casperkill property who would still use the old facilities throughout the Town. How does the Town Board come up with a \$4 million price for the property before renovation costs were determined? (Councilman Krakower said they had to come to a decision as to some price because Casperkill would not allow the Town to go in and do a due diligence study without some sort of a commitment) (Councilman Tancredi stated that Casperkill owners will not budge on the \$4 million price, it's taken it or leave it).

Doreen Tignanelli: Regarding Zoning Board of Appeals, what Wards are Mr. Santoro and Mr. Jackson in? (Answer: Second Ward) As considering appointments to ZBA, she hopes that the people the Board are appointing will keep in mind that the Boards direction is sort of not granting such large variances that have been granted in the past, as example, the Christmas Tree shop wanting a larger 200 sq. ft. and they got 108 sq. ft. sign and Bob's furniture asked for a variance of 250 sq. ft. and they got 158 sq. ft. We have to be diligent that people don't come in and ask for outrageous size signs and variances thinking the Board will compromise, which is still too large. Town Board feels they got the best person for the Zoning Board as Chairman. As far as the Bright Horizons, does that take into account the loss of tax revenue when it comes to the Fire Department? How will the residents know the impact to the Fire Department? (Councilman Krakower: Each year there is a change in the impact of the taxes based on increases and decreases in current property assessments so when someone has a tax cert, it impacts everyone's taxes based on increases and decreases. Overall, we don't know what the net result of having this come off and other properties come on will be until we get closer towards July 1st when the assessments are set.) Questioned about original theory of selling Town Hall and moving offices there, is that off the board? (Councilmen Krakower: Primary focus is Recreational facility, if the Library doesn't go into the space, the space could be used as a conference space or we could consider Town Hall as it would be money coming in if we sold it. The plan right now is to use that as a recreational facility and we are hoping the Library will come in.) Doreen also asked about the websites.

Phyllis Szymaski: Read a letter of the opinion of the Club 60 Senior Citizen members: They feel that purchasing "the property is not only beneficial to the needs of the seniors in our community but also of the entire community. This 24 acre prime piece of property is centrally located and the cost of the property is minimal considering what the rewards would be to all Town residents." With all the rooms that the center offers, is well worth the asking price. For only \$72.60 increase in taxes a year for the Town residents and to "Add icing to the cake, the Town residents would have a free membership....our seniors were and are a source of inspiration that defines the texture of the fabric of our community. They have paid taxes for years and continue to provide community services... This facility would also provide the youth and their families a wonderful community center where various activities could be shared in a community spirit." Signed by Sandy Ponte, Co-Secretary of Club 60 III.

Pat Ferrante: Feels that it is a drop in a bucket to pay \$4 million dollars for that property. The property is worth a lot more than that. "It's an absolute deal for the community". "You've got a gem here." It's a good place for the kids of the Town. The Galleria wants to cut the time of the kids there after dark. It's a good place to get them off the streets. Don't close your eyes when it comes to what you have here before you. "I think it's a golden opportunity and don't nickel and dime this thing to death. It's yours to take and I hope you take it."

Ken Merriott: Po'k Cal Ripkin/Babe Ruth Baseball League: "We support the purchase of Casperkill. We have 437 Town kids who play in our league and we share a field with Po'k North Baseball League and we just don't have enough fields for our youth. In fact, for the first time ever, we have had to rent a field at Casperkill this year for our Town youth. We wholeheartedly support this proposal and hope that the Town leagues get first dibs at the fields over the outside leagues."

Rich Horvath: Po'k Cal Ripkin/Babe Ruth Baseball League: "I would like to endorse comments made by Ken Merriott and testify to the fact that we are stressed in terms of the facilities that are available in the Town for our kids to play on. We also endorse the purchase of this property."

Gabe Ponte: Could you explain the revenue that you are going to acquire by renting the facility or how much of the facility will be rented? (Councilman Baisley: Taking in \$275,000 gym rentals, bowling alleys, party rooms, kitchens, meeting rooms, ball fields, special programs, non-residential walk-thru) Based on what percentage of use? (Councilman Seminara: 16 hrs per week for each gym @ \$85 an hour, 64 hrs. a mo., \$170 monthly revenue at \$10,880 annual at \$130,560. That's leaving a lot of open gym time, but still allowing for some rentals.)(Councilman Krakower: we also want to stress that the primary time we want for our Town residents.) You made a statement before of what it would cost today to put that same facility on another piece of property, could you, just a ball park figure so we have an idea? (\$30 to \$40 million dollars per facility.) It sounds like a good deal to me for what you are getting. To buy the property alone without anything on it, would cost \$4 million dollars. Some people say, "I don't know how we can afford this? My personal opinion is, I can't see how we can afford NOT to purchase it."

Larry Sloman: There was an issue brought up in relation to fees in terms of, "Have the consultants looked at if the facilities can support the population base of the Town of Poughkeepsie? It's all well and good to have no fees or little fees and wonderful facilities, but if there is a long line getting in and you can't access it because it is overused, then it's no good, so I was wondering if the consultants have looked at the issue of the size of the facility in terms of population and it could sustain that kind of population? (The population of the Town of Poughkeepsie is approximately 42,000 people and the maximum capacity of that building is about 8,000. Of course you can't take everyone in Town and put them all in the building at once, but you could put a lot in there and certainly a lot on the field, but 8,000 would be a lot of people there at one time spread out through the entire facility.) What about the pools? (Those pools are at capacity at a lot of the Bright Horizon Summer programs. A couple hundred people in the pool) (Councilman Krakower: "Will there be a lot of people in the building if we buy it, I hope so. If it did get to a point that there are too many people coming in, that shows how bad our recreational facilities in the Town currently are."

Virginia Buechele: She felt the pocket parks are the best thing we have in the Town. Not everyone wants to travel from Rochdale or Fairview to Casperkill. Recreation is an entitlement, not a necessity. People want the parks in their neighborhoods. She didn't want to see all the neighborhood parks deteriorate because of spending all the money on Casperkill and its upkeep. She asked if all the insurance fees are added into the price of Casperkill. (Yes).

Marshall Brenner, Esq.: He practices in Real Estate for 30+ years. He was enthusiastic about the project but also concerned about the written report and felt that the Town Engineers and architect should review the report. He also wanted to know what people

did the investigations. Did they have plumbers, electricians & a heating company go in to check them out? “You could possibly be stepping into a field which could go off under you. There is no question that that is critical to you. Also, did they go up on the roof and peel back some of the layers to see what is underneath? There could be a lot of things hidden there.” In his experience with Real Estate, there is generally a 15% to 20% overages. He urged that they check these things out and look at them carefully because this is the Town’s time to negotiate. He thinks it is a great project if it is done right and he said he applauded the Council for their efforts.

Jean Murphy, Town Historian: Very upset about the whole project. She has been in her house for 48 years and it looks ok. She had a few repairs over the years but recently found carpenter ants and it cost \$7,000 to replace the window and will have to spend more money in the music room because yellow jackets got into the walls and it will be another \$7,000. I’m being taxed out of my house on top of it and she said she probably won’t be able to afford to live in her house and in the Town of Poughkeepsie much longer. She is amazed that the financial status has not made any change in the Town’s plans to go forward with the Casperkill. “I’ve never been poor before, but I certainly feel poor now.” Spending all of this money and adding to the taxes upsets her. She was upset because between the Town and Library taxes, the citizens were paying about 70% of the taxes.

Nancy Kverev: “The last time I was here, the owner hadn’t signed that contract, has that made any progress?” (There has been progress, but no contract yet) It just sounds a little fishy to me because there is certain things not done and the whole action about not letting you in until certain things were done, etc. She was also concerned about men coming up and saying “they are renting ball parks and I don’t think anyone has been on Rochdale’s ball park.” She felt Rochdale’s ball park has been a little neglected. Councilman Cifone said it was being upgraded and also some of the little leagues that use the fields have to have certain dimensions and that field doesn’t have the official dimensions. She said she would like to see it fit the dimensions for the leagues. “Maybe we have too many regulations. (Councilman Cifone said that “We don’t set the little league policy, we only have a field and it is only so big.”) She would like to know those dimensions so she could understand why Rochdale’s field doesn’t get the usage it should. (Councilman Cifone said that Tom just told him the field was going to be used this year because it is getting upgraded.) She see jobs going and people being laid off left and right and she doesn’t think you should take it as “Oh, it’s only whatever, \$60 a year, because I think you have to be very conservative as to what you are telling us. I believe we would all rather be able to pay our taxes and be able to keep our homes than to have an indoor recreation center.”

Councilman Cifone: “If a community doesn’t grow, businesses leave. We have to grow and we are taking a shot at this and it’s going to be up to the Town wide voters. No one is saying you have to approve it.”

Nancy Kverev; “ Couldn’t we have the vote in November when there would be a real good turn out? “

Councilman Cifone: “We have stipulations from the Bright Horizons people that we have to move on this and that’s the reason for the time line on this.”

Nancy Kverev: “Why are they putting stipulations on us?”

Councilman Cifone: “ Because they have property they want to sell and if we don’t buy it, they have someone else who wants to buy it. It will be coming off the tax rolls either way and then the Town residents get no benefits from it and no tax money coming in either if it goes to a tax exempt property.”

Alan Jacobs: “Is it true that Bright Horizons is going to retain the usage of this area for June and July?”

Councilman Krakower: “They are going to continue to operate their summer camp for at least three years. They will be using portions of the building for their summer camp

during the months of July and August, yes. They are just using the area that they need to use for the camp and the Town will have the rest. We are still fine tuning that because there is going to be a lease by Bright Horizons.”

Councilman Tancredi: “The summer camp uses the facilities until about 1PM or 2PM and then it’s open to the public. It certainly won’t cut the Town residents out of using the facilities at all.”

John Rautenstrauch: “The consultant had in his second paragraph that ‘The facilities on site included potential senior citizen center.’ I would like to know, is the cost of building that senior citizens center included in your cost estimates and if so, do you have any ball park figures as to how much?” (Yes, it is included in the cost of the renovations.)

Councilman Krakower: “There is an area which is past the fitness center where there is a room and a kitchen off of it. That’s where the senior center would most likely be located. There would be some renovation costs to it, but not a lot.”

John Rautenstrauch: “Could you give me an idea of how many more people the Town will have to hire and I realize these won’t be full time people, but, will any of these people have to be diverted from any other duties they currently have?”

Tom Meyering, Recreation Director: “It would be 6 new full time people and 15 new part time people and those people are new positions. At this point, that’s not including lifeguards because we are still trying to figure out how that will be operated with Bright Horizons and their use of the pool.”

John Rautenstrauch: “I’m confused, if we buy this, why does Bright Horizons have the summer camp until July or whatever, and don’t they also have a day care facility requiring them to keep it for another two years?”

Councilman Tancredi: “Their day care they are going to continue to run permanently and it’s a separate building, which is not part of the purchase that will be still run by Bright Horizons. The employees Mr. Meyering mentioned are in the operational expenses that were mentioned. To get back to the lifeguards, they are not in there, but neither are any additional pool revenues. They are going to be funded by pool passes. Right now, Bright Horizons is charging \$450 per family for a summer pass to use the pool. We will charge just enough to cover the life guards it takes for the summer and so the cost will be offset.”

John Ratenstrauch: He wanted to know who the people were who wanted to buy the property if we don’t.

Councilman Tancredi said that all he knew, “That previous to us inquiring about the property, Faith Assembly of God had also inquired about the property, beyond that as to whether they are still interested or not, there is still that possibility that they may be still interested because they formally withdrew their plans for the Boardman Road site.”

Ed Marsh: “I’m probably the most frugal guy here because the Councilmen know how I am with taxes and all that, because I pull their ear all the time, but for \$75 a year, I’m ready to pay that, we are talking about seniors having a place to go, kids to play in the baseball fields, I want a place to go to. So, for \$75 a year, I would love to see it happen. We had to cancel the adult football league this year that we were trying to put together for lack of a place to go. I think it’s a great thing to do and I’m all for it.”

Henry Childs, IBM Senior Center: “We use the club now for meetings once a month and I’m concerned about some of these numbers here. You have something here for staffing and cleaning, \$55,000 a year. I’m wondering if that includes temporary people, lights on, what’s that situation? The other thing I’m concerned about is that we are going to lose the biggest share of taxes off of this property. Is that being off set somehow? Have you compared this with other town’s that have done similar projects? I can see problems with personnel wise and \$755,000 seems awfully low for that kind of stuff. You have utilities and insurance that is also considered into that \$755,000 number that seems awfully low

to me.” (The actual expenses are \$1,036,000.00 a year and they are offset by some of the revenues that are taken in, that’s how we came up with the \$755,000.00.)

Unidentified former IBM Employee spoke on how much it would cost to buy a building that has all the amenities this building has, it would cost twice as much and he gives his blessings on buying it, “It’s a great move for the Town.”

Gary Levine: I didn’t hear what affect it would have on the local business and the competition with the fitness center, bowling alley and wedding facilities. I also wondered about the possibility of asbestos in the building. I didn’t know if the cost of the removal of that is included. (That is included in the renovations, yes) What is the cost of the referendum? With respect to the contract itself, will that be available for the public to review and make comments on prior to the referendum? (It’s FOILable, it’s not fully executed yet.) (Once it is executed it will be able to be put up on the web.)

Supervisor Myers: I got a call recently from someone who said the equipment in the fitness center was somewhat “Iffee” and the parts were unable to be gotten for them because they are outdated. I think if there is a second look at this that should be looked at and reviewed.

Bob Gephard: “I think the public should have an opportunity to see the bonding resolution before you vote on it. I think we ought to have a least a week in advance where the public can review that and comment on it before you vote on it.”

Supervisor Myers: “ We will give it our level best to get it out there as quickly as we can.”

Bob Gephard: “You are going into the business of recreation and you have to look at it that all factors must be on the table and when we talk about removing Bright Horizons from the \$8,000,000.00 tax roll, I hear what you are saying that it’s some other unit, those are what if’s, they are not reality. I think the public should have that information of what it means to our taxes, both fire, school and land and what it means when that is removed from the property as an additional cost that is not included in that \$75 you are talking about. We should know what that additional should be. I would like to encourage the Board to include that in the study, if it’s not already. (That’s a great point, thank you.) If you look back over time and you look at the Espie Building and the podium you are sitting at and a couple of other things that have happened over the years---I think before you spend any more money---(What you are about to assume is not the responsibility of this Board.)” “Ok, the track record of the Town of Poughkeepsie, not you guy’s necessarily, but, the Town has over run about 50% and I just want to have you make sure you have built in enough buffer for whatever ‘what-if’s or oops’ that may happen during the construction.” (We were apprised of that situation, that’s why we hired a company outside of the area that had no ties to the area and that’s why everything is going out on the website and you have had meetings, such as tonight, so the public can speak on it.)

Bob Legacy: “Let’s face it, if the economy was not bad, this place would not be available for \$4,000,000.00, and it would be more like \$12,000,000.00 or \$14,000,000.00. Town of Poughkeepsie is a community and a community works together. What a great place to bring our seniors and our young people together. What better place to do this than at Bright Horizons? I run a youth group of 400 kids and we have no more places for the kids. The basketball court we used last summer we had to have the police come. Granted, the pocket parks are important, but in the winter time they aren’t worth much. The Community Center provides us the opportunity to provide a safe haven for our youth, a great haven for our seniors and more importantly, our seniors and young people working together to make the Town of Poughkeepsie a better place. It can only start if we have one place where they can all meet. I’m thankful this is going out to the voters, but I think the voters need to realize that we are voting for the future, not for today. If we want new industries to come to the Town of Poughkeepsie, we need a great school system, great Police Department and say ‘what will my kids have to do after school?’ The Loop bus system is a great asset as it goes right by the Bright Horizons every hour, Monday – Saturday until 9 PM. A possible computer program after school. The Community Center at Bright Horizons offers us a one stop shopping to make the Town of

Poughkeepsie a great place to live in and to make it a place when people come here to say ‘Wow, there really is a place for us to go, no matter what age we are.’ Personally, this is a great opportunity and I hope the Town taxpayers realize it. We have today, tomorrow, we don’t know what brings, and there may be more problems to deal with. Let’s do it for our seniors, middle aged, our teens and our young kids growing up.”

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

CARRIED: 7-0

Supervisor Myers: Before we start the agenda, I have to announce that “Cereal Counts”, which is a County wide breakfast cereal donation to provide breakfast cereal for kids who might not necessarily get a breakfast. We are going to put a box in the lobby for anyone who wants to bring in a box of dry cereal, any flavor, and then we will get it to the JCC, Caneen Hacket, Dutchess Outreach, Reachout Party, Hillcrest and a lot of other different sources that can get it to the people and community that can most use the advantages of it.

Councilman Cifone: Also, with that, on April 25th, between 8 and 10, I’m doing a volunteer cleanup of Fairview Avenue and Fulton Street and we will be collecting any cereals you want to drop off there and I’ll make sure they go to the proper destinations.

Motion made to Adjourn items # 1 and 2 until we get the final report from the SCI group: T. Tancredi/D. Seminara

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

Nays: None

CARRIED: 7-0

Supervisor Myers: It seems to me we had to have a final resolution within so many days of the conclusion of due diligence or something.

Town Attorney Mahar: The Board passed a resolution amending the contract submitted to us from Bright Horizon to extend the due diligence to May 31st, 2009, Bright Horizons has not accepted or rejected as of yet. Anytime before May 31st, we could cancel the contract, not buy it, or within 30 days after the May 31st.

Supervisor Myers: Ok, so the June 30th date is the magic date I was looking for. June 30th is the “drop dead date” I was looking for if you are not going forward with it, even though they haven’t signed it yet.

04:15-SM 1 & 04:15-SM 2 TABLED INDEFINITELY

Town Attorney Mahar: We should adjourn Item # 04:15-SM 4 until April 22nd.

Motion made to adjourn Item # 4 to April 22, 2009: D. Seminara/M. Cifone

CARRIED: 7-0

04:15-SM 3 APPOINTMENT

Zoning Board of Appeals of James Santoro

RESOLVED

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint James Santoro to the position of alternate member of the Zoning Board of Appeals, effective April 16, 2009.

SO MOVED: J. Baisley/M. Cifone

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

Nays: Councilman Seminara

CARRIED: 6-1

04:15-SM 4 RESIGNATION

Zoning Board of Appeals of Robert Jackson

ADJOURNED UNTIL APRIL 22, 2009

04:15-SM 5 APPOINTMENT

Zoning Board of Appeals of James Challey

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint James Challey to the Town of Poughkeepsie Zoning Board of Appeals to fill the expired term of James Santoro effective April 16, 2009 through December 31, 2014; and

BE IT FURTHER RESOLVED, that the Town board does hereby appoint Mr. Challey to the position of Chairman to said Board for the period ending December 31, 2009.

SO MOVED: J. Baisley/T. Tancredi

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

Nays: None

CARRIED: 7-0

Don Beer: I want to make sure that everybody on the Board and in the audience understood what we were doing here. As you know, we've been progressing four roads as part of the ARRA Stimulus package. The four roads being Buckingham, Inwood between Cedar and Fulton, Fairview between the City Line and the Y near Fulton Avenue, Creek Road between the City Line and the County Road and Sheafe Road between Route 9 to Channingville. All these roads are intended to be milled and paved like the other roads we've done. There is a little bit of a difference on Creek and Sheafe in that the DOT has requested a double layer of asphalt instead of just a 2" layer. We are here tonight to classify these roads as Type II in order that the SEQRA requirements can be met so we can get this off to the State. Type II action is basically an action which has been found categorically to not have significant adverse impacts on the environment and they do not require preparation of an EAF and under 617C4 repaving of existing highways not involving the addition of new travel lanes is exactly what we are doing.

REMOVED FROM AGENDA

04:15-SM 6 RESOLUTION

Town Board Declaring Lead Agency For Road Projects For Creek Road, Fairview Avenue, Buckingham Avenue & Sheafe Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby declare itself to be Lead Agency under the New York State Environmental Quality Review Act for the following road projects, to wit, Creek Road, Fairview Avenue, Buckingham Avenue and Sheafe Road, and does declare that said actions are Type II Actions.

SO MOVED: D. Seminara/T. Tancredi

Councilman Seminara: This is the wrong level of government funding these worth projects and not to mention all the other kinds of things wrong with this type of redistribution of income.

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

Nays: Councilman Seminara
Councilman Krakower out of room for vote

CARRIED: 5-1

Supervisor Myers: One of the things that the State requires that we do is to form a committee according to the State about hiring Construction Inspectors to do a road job. Now, Don believes that we can do Fairview and Buckingham, but to do Sheafe Road and Creek Road, we need to form this committee so we can interview from this select list that they give you because we don't have the time to do the "At Large" kind of interviewing. They will pay for it, it's part of the package deal if we go this route and hire the outside inspector and have the committee to fix it.

Don Beer: They have said that the stimulus funding will cover 100% of the costs of construction and construction inspection. Right now, our estimates for Buckingham and Fairview do not have the construction inspection in them and we are at budget.

Supervisor Myers: We are going to pay for that.

Councilman Cifone: It's going to be paid for out of my bonding money.

Councilman Seminara: I'm sure Don would like to have Marc Pfeifer on that committee and we thought that the Supervisor and Mike Cifone on the committee.

Supervisor Myers: That would be the committee that I think would work best for this, since its Mike's money involved. The committee would be Don Beer to select inspectors and the remainder of the Committee would consist of, Mike Cifone, Marc Pfeifer and myself.

04:15-SM 7 AUTHORIZE

Special Consents SC 1

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 Appointment

William Carlos – Board of Ethics

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: J. Conte/M. Cifone

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

Nays: None

CARRIED: 7-0

04:15-SC 1 APPOINTMENT

Board of Ethics of William Carlos

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint William Carlos to the Town of Poughkeepsie Board of Ethics for a five (5) year term, effective April 16, 2009 through February 28, 2014.

SO MOVED: M. Cifone/S. Krakower

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/M. Cifone
CARRIED: 7-0

Doreen Tignanelli: I have a question about fining the property owner next to the Raia Self Storage for starting work without necessary permits under Chapter 97 of Erosion and Sediment Control and I believe the Town Attorney was going to look into that.

Town Attorney Mahar: No, the Town Attorney was not charged with that responsibility.

Supervisor Myers: Did we fine them?

Doreen Tignanelli: That was my question, a Stop Work Order, they had to correct the problems, but, again why aren't we fining people who violate the law. They knew they needed a permit and they started work without it.

Neil Wilson: With an Order to Remedy and with a Stop Order, they are given a certain period in which to cure whatever it is they need to cure or bring the violation into compliance. Aside from that, if they do not, then we end up in court and that's where the fine would be levied, we don't automatically levied a fine for a violation. They go to Court for that.

Councilman Krakower: Do we have in our Code a built in penalty that if you do work without a permit there is an X amount of dollar penalty rather than just pay for the permit? There should be more to it than just make them pay for a permit.

Neil Wilson: No.

Councilman Krakower: Can we do that?

Town Attorney Mahar: I think you have to take a look at each piece of legislation that creates the obligation to do something because some of them have fines set forth and some do not.

Doreen Tignanelli: In June of 2008, September of 2008, and November 2008 and now April 2009, there are the illegal signs that people periodically put up advertising these English Springer Spaniels. They are put up on telephone poles around the Town and I have asked a number of times, were these people fined the first time around? Were they at least contacted? Will they be fined now? The phone number is 845-473-8397, why doesn't someone call them and tell them they are not supposed to do that? This is the fourth time, if they were fined the first time, maybe this wouldn't be happening the fourth time around.

Councilman Cifone: We are having a lot of progress in Zoning right now, you have to have some patience. We will have some help down there now with assistance in things like you are talking about.

Doreen Tignanelli: Also, the next thing is the taping of Planning Board workshops, I know last year some of the Planning Board Workshops had been taped and April 2nd, Hudsonia was giving a presentation about the Brandings Turtle study and they had a 5:15 time slot and for some reason, the workshop wasn't filmed. So, I was wondering about the policy of taping.

Councilman Krakower: As far as taping, we do the best we can with out staff and volunteers that we have and there are times where we have issues with the equipment, too, so, if it didn't get taped if Mark Fink was here, then I would imagine it was probably an equipment issue.

Supervisor Myers: Mark has already been advised that, unless we have some extreme situation, all workshops should be taped.

Jim Beretta: I would like to follow up on the Cost Control Associates that were here last October.

Supervisor Myers: I have not heard back from Johnson's Controls. We'll go with him, I have his number. The Council advised that the Town go with the company as presented at the meeting. The Supervisor will call them. Assuming I can get hold of them, we'll put them on for next meeting.

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

CARRIED: 7-0

SPECIAL TOWN BOARD MEETING CLOSED AT 9:37 PM

COMMITTEE OF THE WHOLE MEETING
9:38 PM

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

04:15-COW 1 PRESENTATION

Sharon Drive & Hornbeck Road
Presentation by Lochner Engineering

Donald Beer, Associate Town Engineer, and Mark R. Pawlick, P.E., Vice President & Office Manager of Lochner Engineering, presented an overview of the repair and reshaping of each road, if needed; discussed the process needed to complete the work: (preliminary design stage, bidding through D.O.T. and construction of the two roads), the

federal (80% funding from former Senator Sue Kelly's office) and local funding through the D.O.T., anticipated schedule, overview of project limits, and general details.

NOTED BY TOWN BOARD

04:15-COW 2 PRESENTATION

Request From County To Place A
Bike Trail Between The Rail Trail At
Morgan Lake & Dutchess
Community College When the Road
Is Reconstructed

Donald Beer, Associate Town Engineer, described the details of the bike trail (four feet wide on each road shoulder) and explained that the Engineering Department is currently designing the improvements with the bike trail.

04:15-COW 3 DISCUSSION

Intermunicipal Agreement Between
Dutchess County & Town For
Maintenance of Dutchess Rail Trail

The Town Board, specifically Councilman Cifone, discussed changes they would make to the agreement that would be better for the Town.

REFERRED TO APRIL 22, 2009 TOWN BOARD MEETING

COMMITTEE REPORTS

1. FINANCE

Councilman Baisley: Town Comptroller, James Wojtowicz, discussed the Town fund Balance. This included the long term debt, bans and revenues and expenses from various departments.

2. FIRE ADVISORY

Councilman Baisley: No Report

3. GOVERNMENT OPERATIONS

Councilman Conte: No Report

4. LAND USE & PLANNING

Councilman Seminara: No Report

5. PERSONNEL

Councilman Cifone: No Report

6. RECREATION

Councilman Tancredi: No Report

7. SENIOR CITIZENS

Councilman Krakower: Seniors had a 100th Birthday Party several weeks ago at Best Western.

8. TECHNOLOGY & EQUIPMENT

Councilman Krakower: No Report

9. WATER, SEWER, HIGHWAY

Councilman Seminara: No Report

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

CARRIED: 7-0

MEETING CLOSED 10:42 PM

SJM:lkm