



SUPERVISOR MYERS INVITED MR. NEIL WILSON  
TO JOIN THEM IN EXECUTIVE SESSION

MEETING ADJOURNED AT 6:37 PM

INTO EXECUTIVE SESSION AT 6:38 PM

BACK FROM EXECUTIVE SESSION AT 7:10 PM

NO ACTION WAS TAKEN

SPECIAL TOWN BOARD MEETING CLOSED AT 7:12 PM

### **TOWN BOARD MEETING**

7:12 PM

SUPERVISOR MYERS MADE THE FOLLOWING ANNOUNCEMENT:

On January 12<sup>th</sup>, a Town of Poughkeepsie bank account was compromised by an outside source and unauthorized transactions took place.

We are actively communicating with the bank's security department. We have taken all measures possible to ensure the safety and security of all Town accounts. We immediately instituted a criminal investigation involving the Town of Poughkeepsie Police and the Secret Service. The investigation is ongoing and no further details can be released at this time.

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

CARRIED: 7-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 7-0

01:20-01 PUBLIC HEARING

To Amend Town Code, Chapter 195,  
Entitled "Vehicle & Traffic", Specifically  
Section 195-41, Schedule VI, Entitled  
"Prohibited Turns at Intersections" for  
Right Hand Turns Only for Beck Place  
At Intersection of Fulton Street from  
2:00 PM to 6:00 PM Monday through  
Friday

Town Clerk Miller: I did hereby file the affidavit of posting on January 4, 2010 and published in the Poughkeepsie Journal on January 6, 2010.

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 20<sup>th</sup> day of January 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend the Town Code Chapter 195, entitled "Vehicle & Traffic, specifically Section 195-41, Schedule VI, entitled "Prohibited Turns at Intersections", and creates Article II Section 195-16, "Right Turns Only", and Section 195-62, Schedule XXVII, entitled "Right Turns Only", as follows:

DELETE:

Name of Street	Direction of Travel	Prohibited Turn	Hours	At Intersection of
Beck Place	North	Left	2:00 PM to 6:00 PM/Monday to Friday	Fulton Street

ADD:

Article II Section 195-16. Right Turns Only

The intersections described in Schedule XXVI (Section 195-62), attached to and made a part of this chapter, are hereby designated as right turns only intersections. Right hand turn signs shall be installed as provided therein.

ADD:

Section 195-62. Schedule XXVII: Right Hand Turn Only.

Name of Street	Hours	At Intersection of
Beck Place	2:00 PM to 6:00 PM Monday to Friday	Fulton Street

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

SO MOVED: R. Lecker/T. Tancredi

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi, And Supervisor Myers

Nays: None

CARRIED: 7-0

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

CARRIED: 7-0

Doreen Tignanelli: SC 6, the traffic study, do we know why Lourdes is requesting the traffic study?

Town Attorney Hagstrom: I don't know why, but I did check with the Principal there and the left hand turn turning east is shooting the gap because all of the traffic is coming towards IBM and I think it's to try and solve the problems of right hand turn coming up from Red Oaks Mill and left hand turns coming from Round Hill Road or Twin Hills. What happened is that DOT said they would have to have a municipality ask for the study, Lourdes couldn't do it alone.

Doreen Tignanelli: I'm glad to hear that then, because on Colburn Drive, we also have a problem trying to get out on to Spackenkill, it's not easy. So, I would be interested in having a study done.

Councilman Tancredi: I agree with you Doreen, you and I discussed this a while back. I asked DOT to, as you come up from Cedar Valley Road, you cut that right hill side out so you could at least see the stop light at the top of the hill from down by Cedar Valley and it would make that road much safer, especially with the schools in there and potentially a church and the DOT refused me on the spot. They didn't even say that they would study it, but hopefully, they will do something because that is a dangerous spot. The left hand turn lanes are particularly dangerous there and the real problem is people come up over that hill from Cedar Valley going at a fairly high rate of speed and you are on that light before you know it, particularly if there is traffic backed up. So, it does need to be addressed.

Doreen Tignanelli: That's frequently a spot, too, where they run the red light and that's an issue. Yes, I would like to see that and hopefully they will consider the intersections at Colburn.

Motion made to resume the rules: Supervisor Myers/J. Conte

CARRIED: 7-0

01:20-02 AUTHORIZE

Payment to ASCAP For The A Year 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the payment to ASCAP for the year 2010 in the sum of \$305.00, pursuant to the attached documentation, which is applicable to events sponsored solely by the Town of Poughkeepsie.

SO MOVED: S. Eagleton/J. Conte

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

#### DOCUMENTATION ATTACHED TO FINAL BOOK COPY

01:20-03 APPROVAL

Performance of Electrical Inspections  
In Town by NY Electrical Inspections &  
Consulting, LLC

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize NY Electrical Inspections & Consulting, LLC to conduct electrical inspections in the Town of Poughkeepsie, pursuant to the recommendation of Building Inspector Timothy Sickles, a copy of which is attached.

SO MOVED: J. Conte/M. Cifone

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

01:20-04 AUTHORIZE  
SUPERVISOR  
TO SIGN

Labor & Employment Legal Services  
Letter Agreement With David Wise, Esq.

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a Labor and Employment Legal Services Letter Agreement for the year 2010 between the town of Poughkeepsie and David R. Wise, Esq. of the law firm of Gellert & Klein, a copy of which is attached hereto.

SO MOVED: M. Cifone/S. Krakower

Councilman Krakower: This was corrected, so we are being billed hourly with a cap and so if we don't use legal services, we are not paying anything. The prior agreement with the prior law

firm we were paying a monthly retainer whether we used them or not. So, this is definitely much more beneficial to the Town of Poughkeepsie and David Wise is an excellent attorney.

Supervisor Myers: Yes.

Councilman Conte: Wasn't there a time we were talking about just having something showing where all the time was going?

Councilman Cifone: We are going to have updates to this.

Councilman Conte: Ok, great.

Councilman Lecker: Dave is putting together a schedule of last time of all the negotiations we have out there.

Town Attorney Hagstrom: You have a package in front of you that you can review before February 3<sup>rd</sup> and then we can have an Executive Session on that date. I contacted each of the outside litigation attorneys and their responses act in succinct. The status report is there and that's why this is confidential because it contains legal strategy and legal opinions, etc.

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

#### AGREEMENT ATTACHED TO FINAL BOOK COPY

01:20-05 AUTHORIZE  
SUPERVISOR  
TO SIGN

Sewer Tenancy Agreement With Country  
Club Apartments, LLC

Councilman Krakower: I talked to Al Roberts this week on this issue and Don Beer and Neil Wilson, I believe, went out to the site and took a look at it as far as drainage easements and things on the property. Al Roberts is sending me some correspondence, going back and forth between his office and the Town to get me up to speed with everything going on and I haven't received that yet and so I told him we probably wouldn't be acting on it this week

Motion made to Table until March 3<sup>rd</sup>, 2010: Councilman Krakower/T. Tancredi

CARRIED: 7-0

TABLED UNTIL MARCH 3, 2010

01:20-06 AUTHORIZE  
SUPERVISOR  
TO SIGN

Sewer Tenancy Agreement With  
Poughkeepsie Hotel Investors,  
LLC (Hampton Inn & Suites)

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received a request from Poughkeepsie Hotel Investors, LLC, c/o Friend Development Group, LLC, 445 Park Avenue, 9<sup>th</sup> Floor, New York, NY 10022, does business as Hampton Inn & Suites (hereinafter the Owner), to become a tenant of the Woodmere Sewer District and related sewer service areas for sewer services to premises identified as Grid No.6160-03-057135 consisting of approximately 2.9 acres, which property is fronting on Route 9, and

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

WHEREAS, the parties have negotiated a sewer use agreement acceptable to all parties, a copy of which is attached hereto; now therefore

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

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute said document.

SO MOVED: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

#### SEWER TENANCY AGREEMENT ATTACHED TO FINAL BOOK COPY

01:20-07 AUTHORIZE  
SUPERVISOR  
TO SIGN

Employee Assistance Program  
(EAP) Renewal Agreement With The  
WorkPlace At St. Francis Hospital

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the renewal agreement for the Employee Assistance Program (EAP) by and between the Town of Poughkeepsie and the WorkPlace at St. Francis Hospital for 2010.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

01:20-08 AUTHORIZE  
SUPERVISOR  
TO SIGN

Contract Proposal With  
Susan Roeller Brown For Grant  
Services for 2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Contract Proposal between the Town of Poughkeepsie and Susan Roeller Brown to provide grant writing services, which contract will be in effect from January 1, 2010 through December 31, 2010, a copy of which is attached hereto.

SO MOVED: Supervisor Myers/M. Cifone

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

Nays: None

CARRIED: 7-0

CONTRACT ATTACHED TO FINAL BOOK COPY

01:20-09 AUTHORIZE  
SUPERVISOR  
TO SIGN

Letter of Support for Evergreen  
Partners For Allocation of Low  
Income Housing Tax Credits For  
Lakeview Apartments

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a letter of support for Evergreen Partners to make an application to the Department of Housing and Community Renewal for an allocation of Low Income Housing Tax Credits for Lakeview Apartments, 2 Creek Road, Town of Poughkeepsie, NY to renovate the property to keep housing affordable for the property's elderly residents.

SO MOVED: R. Lecker/J. Conte

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

01:20-10 BUDGET  
MODIFICATION

Legal Department To Transfer Town  
Attorney's Position To Payroll  
Position

RESOLUTION



BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby modify the 2010 Budget, pursuant to the attached Budgetary Transfer Request Form submitted by the Legal Department, to transfer Town Attorney position to a payroll position, as follows:

FROM:

A 1420.0481	Contracted Services	\$171,658.00
A 1420.0821	Medical Insurance	6,474.00

TO:

A 1420.0101	Regular Pay	\$149,632.00
A 1420.0811	Social Security	9,015.00
A 1420.0812	Retirement	16,500.00
A 1420.0125	Medical Buy-Out	2,500.00
A 1420.0822	Optical Insurance	385.00
A 1420.0823	Life Insurance	100.00

SO MOVED: S. Eagleton/J. Conte

Councilman Lecker: This is for-?

Town Attorney Hagstrom: It's for me. It's the salary for benefits contained in one lump item down in the bottom (inaudible).

Councilman Lecker: Ok, so your salary wasn't what was on the—

Councilman Krakower: It was moved into the contracted services for the 2010 Budget. Last year it was in –

Councilman Lecker: It was my understanding that that was the salary we were paying in last year's resolution we approved two weeks ago.

Councilman Krakower: Right, the salary remains the same, it's just that it has to be moved out of contracted services into the regular pay and benefits. In prior years it had all been in regular pay and benefits, last year the Finance Committee moved, in the Budget, moved it out of the regular pay line and into the Contracted Services, so this is moving it back.

Councilman Lecker: Ok, then the resolution that was approved two weeks ago was not for salary, it was for other costs involved.

Supervisor Myers: No, that was for setting his salary.

Councilman Krakower: And this is just a Budget Modification so that it all comes out of the correct line.

Councilman Lecker: The next thing I would ask that if the Comptroller, when we meet, to go over all of this and to have a schedule of all of these legal expenses we have because you said it is all in different lines in the budget. To put it together on a schedule and tell what all of the costs are so that when we look at this we can put it together.

Supervisor Myers: That is pretty much in that package you received and I still caution that we are going to be very very short on this Legal line.

Councilman Lecker: Well, that's why I think we are putting this all together to see just where we are.

Supervisor Myers: Short. That's were we are.

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

01:20-11 AUTHORIZE

Highway Department For  
Termination of Scott Listemann

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby terminate Scott Listemann, effective January 31, 2010, due to his ongoing medical condition with the understanding that said Scott Listemann may apply for reinstatement within one (1) year from date of termination, pursuant to Civil Service Law Section 71.

SO MOVED: J. Conte/T. Tancredi

Supervisor Myers: We wish him well.

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

01:20-12 AUTHORIZE

Cancellation of Agreement With  
MuniTrax (Formerly Primary FOIL)  
To Collect Property/School Taxes Via  
Credit Cards by August 31, 2010

#### RESOLUTION

WHEREAS, the Town of Poughkeepsie has heretofore entered into an agreement with Primary FOIL, now known as MuniTrax, to act as its agent to collect property/school taxes and to deposit such funds into the Town accounts; and

WHEREAS, the Receiver of Taxes has learned that accepting credit card payments for said taxes is not in compliance with New York State Laws; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the cancellation of the agreement with MuniTrax, formerly known as Primary FOIL, and does hereby authorize the Town Attorney to notify MuniTrax, in writing, that the Town of Poughkeepsie is terminating this contract effective August 31, 2010.

SO MOVED: M. Cifone/S. Krakower

Councilman Lecker: Why is it August 31<sup>st</sup>? If it's in violation of the State Law, why isn't it immediately?

Town Attorney Hagstrom: It's thought to be illegal. I looked at what Mr. Patterson handed me, and the conclusion of the Association of Towns is that they thought it to be illegal. #2 is our Contract and it provides only for a termination with more than 30 days notice prior to August 31<sup>st</sup>. So, I said, "Let's go ahead with this and be way ahead." By the way, there is only about 25 or 30 people using this and so it's not a very big impact and it is recommended by the Receiver of Taxes.

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

0120-13 AUTHORIZE

Police Department To Apply To The  
NYS Law Enforcement Accreditation  
Program For Certification

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby grant approval to the Town of Poughkeepsie Police Department to apply to the New York State Law Enforcement Accreditation Program for certification, and

BE IT FURTHER RESOLVED, that the Town Board does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate said certification, pursuant to the attached memo from the Chief of Police.

SO MOVED: S. Krakower/T. Tancredi

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

MEMO ATTACHED TO FINAL BOOK COPY

01:20-14 AUTHORIZE  
SUPERVISOR  
TO SIGN

Stormwater Agreement & Easement  
With Central Hudson For The  
Spackenkill Sub-Station

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the Central Hudson Substation Stormwater Agreement and Easement for the Spackenkill Substation, a copy of which is attached hereto.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

01:20-15 APPOINTMENT

Alternate Delegate, To Associations of  
Towns & Authorization To Attend Meeting

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby appoint Patricia Myers as the delegate to the Association of Towns, and Rick Lecker as the alternate delegate, and

BE IT FURTHER RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize and approve the attendance of all elected and non-elected officials with prior Town Board approval to the annual meeting of the Association of Towns; and

BE IT FURTHER RESOLVED, that David D. Hagstrom is authorized to attend the annual meeting of the Association of Towns and pay the registration fee for attorneys.

SO MOVED: Supervisor Myers/T. Tancredi

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

01:20-16 AUTHORIZE  
SUPERVISOR  
TO SIGN

Amendment To Agreement With  
Grinnell Library

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an amendment to the current agreement with Grinnell Library, a copy of which is attached, which amendment shall provide for a payment of \$50,000 for the year 2010, which funds are allocated in the 2010 Budget, Line Item A 7440.0481.

SO MOVED: R. Lecker/J. Conte

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

#### AGREEMENT ATTACHED TO FINAL BOOK COPY

01:20-17 ACCEPT

December 2009 Minutes

December 09, Special & COW

December 16 & 22 (Special Meeting)

#### RESOLUTION

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

December 9 – Special Meeting & Committee of the Whole

December 16 & 22 (Special Meeting)

SO MOVED: S. Eagleton/J. Conte

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

01:20-18 APPOINTMENT

Town's Representative To Serve On  
The Fall Kill Intermunicipal Council

#### RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie heretofore entered into an agreement known as the Fall Kill Memorandum of Agreement to promote awareness of the creek and solve some of the challenges facing the Fall Kill Watershed; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint \_\_\_\_\_ as the Town's representative to serve on the Fall Kill Intermunicipal Council.

SO MOVED: J. Conte/\_\_\_\_\_

Supervisor Myers: We had asked Dominic Seminara if he would be willing to serve on this and he responded that he didn't have time to do it right now and so we are looking for a representative to serve on this. So, we will leave that open for anyone who may be interested please contact my office.

Councilman Conte: It's a volunteer job, but I'm sure rewarding.

Supervisor Myers: I would like you to know that we did receive a notice from some part of the State that Fall Kill has been listed as a number 3 water body, which means that the State now has to do some studies and try to determine how to improve the water quality in the Fall Kill, much of which, they assume anyway, has a lot of salt runoff from the snow plowing and road maintenance.

Councilman Lecker: Does anyone know what the time commitment is?

Supervisor Myers: I think it meets once a quarter.

Motion made to Table indefinitely: Supervisor Myers/T. Tancredi

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

TABLED INDEFINITELY

01:20-19 NOTIFICATION

Application For Liquor License For  
Rolling Greens of Poughkeepsie Golf Club  
Located at 2628 South Road

TABLED UNTIL FEBRUARY 3, 2010 MEETING

01:20-20 NOTICE OF CLAIM

Mario Runza V. Town for Damage to  
Automobile

REFERRED TO LEGAL DEPARTMENT

01:20-21 AUTHORIZE

Special Consents SC 1, SC 2, SC 3, SC 4,  
SC 5, SC 6, SC 7, SC 8, SC 9, SC 10, SC 11  
(SC 12 and SC 13 ADDED AT MEETING)

RESOLUTION

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

1. Road Priorities

Stimulus Road 2

- |                                  |  |
|----------------------------------|--|
| 2. Authorize Supervisor To Sign  | Dial A Ride 2010 Agreement   |
| 3. Authorize                     | Central Hudson rate increase   |
| 4. Approve                       | Police Department Policy and Procedures<br>Workplace Violence Prevention |
| 5. Authorize Supervisor To Sign  | Amendment to Poughkeepsie/Audubon<br>Project Contract No. C302129        |
| 6. Authorize                     | Traffic Study of Route 113/Boardman Road                                 |
| 7. Approve                       | Taco Land – Liquor License   |
| 8. Authorize                     | Change to Michelle Robison – grade/step                                  |
| 9. Authorize Supervisor To Sign  | Juvenile Aid Grant   |
| 10. Authorize Supervisor To Sign | Recreation Program/Youth Development<br>Grant                            |
| 11. Authorize Supervisor To Sign | Any and all documents re: Pendell Commons                                |
| 12. Appeal                       | Taxi License denial for Raymond Mayo                                     |
| 13. Executive Session            | On February 3, at 6:15 PM  |

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: Supervisor Myers/J. Conte

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

01:20-SC 1 ROAD PRIORITIES

Round 2 Stimulus Bill For Roads  
(Addressed After 01:20-SC13)

Don Beer, Town Engineer: I sent you all a memo that talks about the possibility of Round 2 Stimulus Package being prepared by the Federal Government. The Town of Poughkeepsie, because of it's urban nature, has roads that are able to receive Federal Aid. There are quite a few

municipalities around that do not have that, but the Town of Poughkeepsie has several and last year we submitted for four roads, all of which we are approved for 4.25 million dollars for various restorations. The Poughkeepsie/Dutchess County Transportation Council issued a call for projects on January 7 in anticipation of another round of stimulus. They believe, if the bill that is being proposed and makes it through, it will be about the same level of money. I believe Dutchess County received about 167 million dollars. I met with Marc Pfeifer, the Highway Superintendent, and we went through the remainder of the roads in the Town of Poughkeepsie that could receive Federal Aid that had not either been progressed under that stimulus package or that we have not done previously under bonds that have been procured since 2002. The difference between this anticipated round of funding and the last round is that instead of major restoration work which we have proposed on Fairview and Creek and which we did on Buckingham, we are only supposed to do what they call a 1 R restoration which is basically the course. We can mill the top course off and replace it and that's what is being done on Sheafe Road later this year. No one knows whether this bill is going to pass. All these projects have to go through the New York State DOT and have to bid and the bids received within 90 days. They have to go through Engineer's reports. Surveys have to be completed and if we don't start now, we won't make it in 90 days.

**THE BOARD AUTHORIZED MR. BEER TO DO THE BASIC DESIGN  
WORK TO MEET THE DEADLINE TO APPLY FOR A GRANT**

01:20-SC 2 AUTHORIZE  
SUPERVISOR  
TO SIGN

2010 Dial A Ride Extension &  
Amendment Agreement With  
Dutchess County

**RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the 2010 Dial A Ride Extension and Amendment Agreement with the County of Dutchess, which agreement provides for a joint service transportation system for senior citizens and handicapped individuals with payments made by the Town not to exceed \$55,582.80.

SO MOVED: M. Cifone/T. Tancredi

Town Attorney Hagstrom: I checked and this is in the Budget.

Supervisor Myers: I know. They let us know well in advance of what it is going to be the next year so we can get it in there for them.

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

01:20-SC 3 AUTHORIZE

Town Board To Oppose Central Hudson  
Gas & Electric Corp. Rate Increase For



Delivery of Electricity & Natural Gas

RESOLUTION

WHEREAS, Central Hudson Gas & Electric Corp. (“Central Hudson”) has requested approval of increases in the rates it charges to deliver electricity and natural gas; and

WHEREAS, customers in a typical home would experience increases in their electric bills of approximately 3.7% increase for electricity and 3.5% for gas as a result of said increases; and

WHEREAS, Central Hudson’s area of service includes the Town of Poughkeepsie and the proposed rate increases will cause unnecessary hardship for numerous residents of the Town, particularly those with fixed or limited incomes, as well as placing an additional financial burden on the Town’s taxpayers as the Town’s own facilities are served by Central Hudson; and

WHEREAS, Central Hudson has failed to demonstrate a need for the proposed increases, and

WHEREAS, the matter is presently before the New York State Public Service Commission; and

WHEREAS, upon consideration, the Town Board finds that such rate increases will place an undue financial burden on residents, businesses and local governments, including the Town of Poughkeepsie, and discourage further industrial and commercial development in our region; and

WHEREAS, Central Hudson’s service area is predominantly suburban and rural, with electric service provided by overhead lines, thus rendering the expenses of installation, maintenance and repair to be substantially less than those of utility companies in metropolitan areas where power lines are underground; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, in its capacity as governing body of the Town, does hereby oppose the rate increase for delivery of electricity and natural gas for which Central Hudson Gas & Electric Corp. seeks approval; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be delivered to Hon. Jaclyn A. Brillling, Secretary, New York State Public Service Commission, the Hon. Stephen Saland, Senator for the 41<sup>st</sup> District, and the Hon. Joel Miller, Assemblyman for the 102<sup>nd</sup> District, by the Town Clerk, and the chief executives of surrounding municipalities served by Central Hudson; and

BE IT FURTHER RESOLVED, that the aforesaid resolution shall take effect immediately.

SO MOVED: S. Krakower/M. Cifone

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers  
Nays: None CARRIED: 7-0

01:20-SC 4 APPROVE Addition To Town Police Department  
Policy & Procedure Entitled "Workplace  
Violence Prevention

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby  
approve the addition to the Town of Poughkeepsie Police Department Policy and Procedure  
entitled "Workplace Violence Prevention", #7-2000, a copy of which is attached hereto.

SO MOVED: T. Tancredi/S. Krakower

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers  
Nays: None CARRIED: 7-0

#### POLICY ATTACHED TO FINAL BOOK COPY

01:20-SC 5 AUTHORIZE Amendment To Contract No. C302129  
SUPERVISOR For The Poughkeepsie Audubon  
TO SIGN Stormwater Treatment & Habitat  
Restoration Project

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby  
authorize the Supervisor to execute an amendment to Contract No. C302129 for the  
Poughkeepsie/Audubon Stormwater Treatment and Habitat Restoration Project which  
amendment extends the contract end date from Marcy 31, 2010 to September 30, 2010.

SO MOVED: Supervisor Myers/J. Conte

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers  
Nays: None CARRIED: 7-0

01:20-SC 6 AUTHORIZE State of New York, Department of  
Transportation, To Conduct a Traffic  
Study Upon Location Known as Route  
113 (Spackenkill Road) & Boardman  
Road as Requested by Our Lady of  
Lourdes High School

## RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the State of New York, Department of Transportation to conduct a traffic study upon the location known as Route 113 and Boardman Road, as requested by Our Lady of Lourdes High School.

SO MOVED: R. Lecker/T. Tancredi

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers  
Nays: None CARRIED: 7-0

01:20-SC 7 APPROVE

Taco Land Liquor License

### NOTED BY TOWN BOARD

01:20-SC 8 AUTHORIZE

Amendment To Resolution 12-22 - #PES 1  
Of 2009 Concerning Michelle Robison's  
Appointment to The Sewer Department

## RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the amendment to RESOLUTION 12:22-#PES 1 of 2009 which amendment states that Michelle Robison's, who had been appointed to the Sewer Department, salary should be under Grade 3, Step 3, hourly rate of \$16.58, retroactive to January 1, 2010.

SO MOVED: S. Eagleton/J. Conte

Councilman Cifone: I would rather bring this up when we do the budget. She had a job and she was a good employee and I just feel that she got another position and that is the rate and I just feel we shouldn't give someone a raise because she took another position. This position she took because we were going to cut a position out. She got to keep a job and that should be good.

Councilman Krakower: I think the pay should be in tune of what the position is, not what the person that slid over into it. I would rather take a look at it. I don't want to do this on the fly tonight. It would be better off in the budget cycle. This position was added to accommodate Michelle?

Supervisor Myers: No, the position was there before anybody knew what was happening to Michelle. It was funded, but unoccupied.

Town Comptroller Wojtowicz: This position was budgeted half in Water and half in Sewer.

It was covered by one person who worked three days in Water and two days in Sewer. Water had two openings because a couple of girls retired and so they wanted the girl who was doing part time to work one of the emptied full time positions and Michelle took the part time position. and because of her experience we wanted to move her up a step.

Councilman Krakower: That would be a \$2.00 raise and I feel it should be at the level of \$14.00 which is the position and not the \$16.00.

Councilman Cifone: This position was being abolished because of trying to save money and we happened to have another position available and she took it, but it should be at that position's rate and not put her up to what she was making in the Law Department. It defeats the purpose of abolishing the position in the Law Department.

ROLL CALL: Ayes: Councilman Conte and Supervisor Myers

Nays: Councilmen Lecker, Eagleton, Cifone, Krakower and Tancredi

FAILED: 2-5

01:20-SC 9 AUTHORIZE  
SUPERVISOR

Papers To Accept A Grant Entitled NYS  
Office of Children & Family Services  
(OCFS) Funding Year 2010 For the  
Program Entitled Juvenile Aid Bureau

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to accept a grant entitled NYS Office of Children and Family Services (OCFS) Funding Year 2010, in the amount of \$9,043.00, for Youth Development Delinquency Prevention (YDDP), which requires a 50% local match for the Town of Poughkeepsie, for the program entitled Juvenile Aid Bureau.

SO MOVED: J. Conte/S. Krakower

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

01:20-SC 10 AUTHORIZE  
SUPERVISOR  
TO SIGN

Papers To Accept A Grant Entitled NYS  
Office of Children & Family Services  
(OCFS) Funding Year 2010 For The  
Summer Recreation Program

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to process and accept a grant, in

the amount of \$10,078, for the 2010 NYS Office of Children and Family Services funding cycle for the Summer Recreation Program for the Youth Development Delinquency Prevention funds.

SO MOVED: M. Cifone/S. Krakower

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

01:20-SC 11 AUTHORIZE  
SUPERVISOR  
TO SIGN

Any & All Documents For Pendell  
Commons

### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept and authorize the Supervisor to sign all papers necessary and proper to effectuate a Stormwater Maintenance Easement; a Stormwater Control Facilities Inspection and Maintenance Agreement; a Sidewalk Maintenance Agreement; a Declaration of Restrictive Covenants; an Agreement regarding payment of taxes; and a Bargain and Sale Deed in regard to the development known as Pendell Commons located in the Town of Poughkeepsie and approved by the Planning Board of the Town of Poughkeepsie by resolutions dated December 10, 2009 and January 7, 2010; and

BE IT FURTHER RESOLVED, that such acceptance and authorization by the Town Board of the Town of Poughkeepsie is subject to the following condition:

1. Approval of all final documents by the Town Attorney, Planning Board Attorney, Town Engineer and the Director of Municipal Development for the Town of Poughkeepsie.

SO MOVED: S. Krakower/J. Conte

Councilman Cifone: I would like to Table this because I just got this tonight. I would like to look this over and so let's Table it until next meeting.

Town Attorney Hagstrom: Pendell Commons is under a financing obligation to close by the 28<sup>th</sup> of this month and these documents have been all approved by the Planning Board and the Town has to accept the easement and Stormwater Control facilities.

Neil Wilson, Planning: All the agreements listed in the resolution are ones required by the Planning Board as a condition of their site plan and lot line revision approval. It is to assure that the Town throughout the life of the project continues to receive whatever the share of taxes is calculated pursuant to real property tax law will continue to be received. We've been pushing hard of the last week or so that we have dotted the i's and crossed the t's. We believe everything is in here.

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Tancredi,  
And Supervisor Myers

Nays: Councilman Krakower

CARRIED: 6-1

01:20-SC 12 APPEAL

By Raymond Mayo To Town Board  
To Obtain His Taxi License Since He  
Had Been Denied A License Because of  
A DWI in 2001

Mr. Mayo explained that he has his City license now and he hasn't had any problems with DWI's or any other trouble since.

TOWN BOARD STATED THAT HE WOULD PROBABLY OBTAIN HIS TAXI  
LICENSE IF HE TOOK A SIX HOUR DEFENSIVE DRIVING COURSE

01:20-SC 13 APPROVE

Special Meeting on February 3, 2010  
At 6:15 PM To Hold An Executive Session  
To Discuss Pending Litigation

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
And Supervisor Myers

Nays: None

CARRIED: 7-0

AT THIS POINT, THE COUNCIL RETURNED TO ITEM SC 1

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

CARRIED: 7-0

Victor Gennodi: At the last meeting I mentioned the Community Room at the Galleria Mall and I spoke with the General Manager there and he said it's available if they want it. It's got a kitchen in it. If you need it, we will make it available to you. He was more than willing. I said it was perfect because if any of the seniors need to get a bus it is available and they can also walk around the mall and get food and whatever. So, Todd, if you want to give them a call, they will be more than willing to go over it with you.

Councilman Tancredi: Thanks Vic, that's great, that would be a great fall back position to what we have now. What the seniors are looking for is something that would be available pretty much solely to them, 5 days a week or seven days a week, whatever. So, that's excellent to know and I will talk to Joe, it's a good back up plan to have.

Victor Gennodi: Something else has been bothering me, years ago we did this 911 transition aggravation and I had to buy all new business cards and bill heads and checks and if you didn't change your number on the mailbox and everything, how come I still get my tax bill at the old number? Or my neighbor down the street gets my mail? When I get notices from the Town, I

get two, new address, and old address. When is this going to stop? How many years ago did this change? Where do we go to stop this?

Supervisor Myers: It's the County that generates the tax bill.

Ann Shershin: At the end of the last Town Board Meeting there was a comment made about Rick Keller-Coffey not being interested in local issues. Frankly, I was astounded about that, because that is completely untrue, it is the opposite of that. Rick is very interested in local issues. What surprised me was, the evidence that he used was, "I'm meeting at Spackenkill High School," this is a meeting that Rick planned for his constituents. He not only did news letters for his constituents, but occasionally had public meetings so people could come out and voice their opinions about the County and the local level and another way to interface with government. In order to have this meeting, he had to find a place, he had to invite other local and County officials. He made up flyers. He found volunteers to put flyers on the mailbox. He also gathered information from other State, County and Town agencies and to have that available to people. I attended that meeting and the meeting was all about property taxes and people's local concerns. I think Rick Keller-Coffey is an excellent choice for Deputy Supervisor. He's been a County Legislature for the past six years and is known around the Town and certainly is familiar with legislature procedure and he also knows how to run a meeting. Also, I don't think Pat is going to give him much to do because I read all the minutes from 2009 and Pat did not miss a single Town Board Meeting all last year. I also have a question about Cablevision. They pulled two of their channels from their lineup, and I believe Rockland County is going after them and requesting a discount or refund for their customers, and I'm wondering if the Town of Poughkeepsie might be interested, too, because they also have a contract with Cablevision.

Supervisor Myers: I don't think our contract has anything to do with the content of the network. We have no say in what they carry or don't carry or how much they carry or charge.

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

CARRIED: 7-0

Town Clerk Miller: #19, the liquor license approval, the Liquor Authority has gotten very particular about approving liquor licenses and they now have a special form that they require for renewal of liquor licenses and new applications and they must be sent by Certified Mail. Then they come before the Town Board and also to the Police and if there is no objections, they are then to be notified by mail. In this particular case, they did not send in the proper form and I called them and told them they had to send it in and they did not do it. So, therefore the Liquor License for Rolling Green will be coming back before the Board again, when and if I get my certified mail.

Supervisor Myers: Ok, that's fine. We're ok with that, if they can't follow the rules, then they don't get it.

Motion made to close the Regular Meeting at 8:44 PM: Supervisor Myers/M. Cifone

CARRIED: 7-0

Motion made to Open the Committee of the Whole Meeting at 8:44 PM: Supervisor Myers/M. Cifone

CARRIED: 7-0

COMMITTEE OF THE WHOLE MEETING  
JANUARY 20, 2010  
8:44 PM

01:20-COW 1 PRESENTATION

Paul Ward From the Newburg YMCA  
Regarding Cooperative Ventures With Town  
Recreation

Tom Meyering, Town Recreation Director: I would like to introduce Paul Ward, the Community Expansion Coordinator for the Greater Newburgh YMCA. Paul and I have been working together now for about a month and a half about possible collaborations.

Paul Ward: We've been serving the eastern Orange County for the past 150 years. Our main programs include a summer camp, which is Camp Robins, and an after school program. We currently have several locations in the Wappingers School District and recently the YMCA redistributed the service area of Dutchess County to our YMCA and I was brought on to take on this amazing adventure. One of the departments we would like to partner with is the Town of Poughkeepsie Recreation Department. The greater Newburgh YMCA takes a lot of pride in it's dedication to the character and development of youth. We focus on four core values in every program we have: caring, honesty, respect and responsibility. Camp Robins is in its 54<sup>th</sup> year this summer. It's an outdoor education and summer camp facility. We have 100 acres of fields, woodlands, streams, and trails and we offer children's ages 4-16 the opportunity to explore the world of camping, arts & crafts, swimming, sports, recreation, sing alongs, cookouts, ropes, adventure courses and more. Our Widescoop is our before school and after school child care. They have homework help, sports recreation, team building, board games, arts & crafts, and snacks while the kids are waiting for their parents to come home from work. We also have an aquatics program that helps to teach children water safety and how to swim. We are now also teaching this year young adults how to become lifeguards so they can be hired at neighboring pools. This brings me to the main reason I'm here. I've been speaking, like Tom said, for the past two months now and trying to figure out what the different challenges are for the Town of Poughkeepsie jurisdictions for their recreation program and the one big thing is finding pool space. One of our programs that helps teach children is our "Splash Program". We go to different private pools at, for example, different apartment buildings, hotels, etc. and try to work with them and use their facility while we provide lessons and we also have a synchronized swim team so we can do synchronized swim team lessons as well. We want to develop and grow the relationship between the Greater Newburgh YMCA and the Town of Poughkeepsie. Tom and I are both really excited about joining together and working together and trying to attack some of the challenges that the Rec. Department has and we are hoping you, the Board, will support us



and we can go forward and start a new relationship between the Greater Newburg Y and the Town of Poughkeepsie Recreation Department.

Town Board entertained questions about the different programs offered and how they would fit into our program.

### COMMITTEE REPORTS

#### FINANCE

Councilman Krakower: We are very involved with the situation that is occurring and Rick took the day off today to deal with the situation. So, that's what we've been focusing on.

Supervisor Myers: Now, I will give you the bad news for the Finance Committee. In 2009, 2010 our State Aid funding was supposedly going to be \$274,425.00 but I think we budgeted \$275,000. But the State Aid money we get back, if you heard the Governor, he was reducing Aid anywhere from 2 to 5 or 9%. Anyway, our hit is 5% or \$13,700 reduction in our State Aid this year.

#### FIRE ADVISORY

Councilman Eagleton: No report

#### GOVERNMENT OPERATIONS

Councilman Conte: No report

#### LAND USE & PLANNING

Councilman Krakower: No report

#### PERSONNEL

Councilman Lecker: No report

#### RECREATION

Councilman Cifone: I happy to report that the Town Board had partnered with the (inaudible)

#### SENIOR CITIZENS

Councilman Tancredi: No report

#### TECHNOLOGY & EQUIPMENT

Councilman Eagleton: No report

#### WATER, SEWER, HIGHWAY

Councilman Lecker: No report

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

CARRIED: 6-0

MEETING CLOSED AT 8:58 PM

SJM:ikm