

**MINUTES OF SPECIAL TOWN BOARD MEETING HELD ON  
FEBRUARY 3, 2010 AT 6:15 PM AT TOWN HALL, ONE  
OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

**PRESENT:** Supervisor Myers  
Councilman Lecker  
Councilman Eagleton  
Councilman Cifone  
Councilman Tancredi  
Town Attorney Hagstrom  
Town Clerk Miller

**ABSENT:** Councilman Conte  
Councilman Krakower

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

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

{ } designates corrections

**6:15 PM**

**CALL TO ORDER**

**SALUTE THE FLAG**

02:03-ES 1 RESOLUTION

To Enter Executive Session To Consider  
The Following Matters:

- A. All Outstanding Litigation matters
- B. Confidential Communication  
Between Attorney and His Client,  
The Town Board, Based on Attorney/  
Client Privilege
- C. Information Relating To the Current  
And Future Investigation of the  
Prosecution of a Criminal Offense  
Which Would Imperil Effective Law  
Enforcement if Disclosed.

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

SO MOVED: R. Lecker/M. Cifone

CARRIED: 5-0

BOARD INTO EXECUTIVES SESSION AT 6:15 PM

BOARD BACK FROM EXECUTIVE SESSION AT 6:50 PM

NO ACTION WAS TAKEN

Motion made to close the meeting: Supervisor Myers/R. Lecker

MEETING CLOSED AT 6:51 PM

SJM:lkm

**MINUTES OF TOWN BOARD MEETING HELD ON  
FEBRUARY 3, 2010 AT 7:00 PM AT TOWN HALL, ONE  
OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

**PRESENT:** Supervisor Myers  
Councilman Lecker  
Councilman Eagleton  
Councilman Conte – Arrived at 7:05 PM  
Councilman Cifone  
Councilman Tancredi  
Town Attorney Hagstrom  
Town Clerk Miller

**Absent:** Councilman Krakower

**Supervisor Myers:** I have a statement I would like to read regarding the recent theft in the Town and then on a much happier note, is a presentation to the Town. As everyone knows, it's been in the paper enough times, that there was a theft from the Town of Poughkeepsie and at this point in time, I am able to give you some more details than I was able to give you before. We were asked by the Secret Service and Town of Poughkeepsie Police before to not give out any information and make no comments since their investigation intensely ongoing at that point in time and they felt that anything said could possible hinder that investigation. In the course of two business days, approximately 9 attempts were made by on-line access to steal money from a Town of Poughkeepsie Bank account with TD Bank. Four transfers totaling \$378,000 were made and deposited in an overseas account. To date, \$95,000 has been recovered. This reflects one of the unauthorized transfers. Efforts are still on the way to catch those responsible and to recover the remaining \$283,000. This is an ongoing active investigation involving the Secret Service, FBI and Town of Poughkeepsie Police. On January 12, 2010, four unauthorized transfers totaling \$378,000 were made from the Town of Poughkeepsie TD Bank account and deposited in a bank in the Ukraine. These transactions were discovered on January 13, and the bank was immediately notified of this activity and the Police were called in to investigate. To prevent any other accounts from being compromised, the bank immediately changed all the account numbers and the computers involved were removed and in the possession of the Secret Service. The Town has been working with TD Bank, the Secret Service, the FBI and the Town Police in an effort to recover the funds and investigate who is behind this cyber crime. To date, we have recovered \$95,000 of the \$378,000. We remain optimistic that we will be able to recover the remaining \$283,000 in stolen funds and will aggressively pursue all available avenues as the investigation unfolds. We are hopeful that TD Bank will stand by the residents of the Town of Poughkeepsie and work vigorously to recover the Town's money that were stolen from their bank. We find it unacceptable that movement or attempted movement of money from a Town account to an account in Eastern Europe did not immediately raise a red flag with the Bank nor was it questioned by anyone in the bank, it was simply processed. We are equally disappointed in the three weeks since the thefts were detected, no representative from TD Bank has come to Town Hall to speak with us of this situation. While no organization can make itself 100% immune from internet theft, the Town meets industry standards for internet security. The Town has changed all

account numbers, removed the computers that had access to the accounts and all the computers in the Town have been thoroughly examined to make sure no other attempts have been made to access any Town information. As I said, we remain hopeful that the outstanding funds will be recovered and are committed to pursuing all avenues to recover the money, depending on the outcome of the ongoing investigation. We are reviewing all options to minimize the affects on the taxpayers in maintaining the financial stability of the Town. At this point in time, I really can't say anything else on the subject, except that it appears that absolutely no additional information has been compromised at this time and that the Secret Service is actively doing a forensic testing of the computers that were involved in this and I thank you very much for your understanding that we are working through this as quickly as we humanly can.

On a happier note: It is my pleasure to introduce Franc Palaia who was one of the artists for the Town on the Walkway Over the Hudson for the Grand Parade and this is a design which has been on display, which he created with the other artists, and Franc contacted the Town and would very much like this to be donated to the Town and put on display here in Town Hall so everyone can see a little bit of our history. I think this is from "Opakeepsing" I think was the original name of Poughkeepsie and it is "The reed by the fresh water". You can see the emblem on the Town Seal. So, we are most appreciative of this.

Franc Palaia: I just want to thank the Town for accepting my emblem. Many of the fifty emblems that were created are in their perspective Town and City Halls and so I thought it was a fitting home for this particular item.

#### RESOLUTION

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby accept the gift, with deep appreciation, of the emblem of the Town of Poughkeepsie created by Franc Palaia for the Walkway Over the Hudson opening ceremonies, which were held on October 3, 2009.

**SO MOVED:** Supervisor Myers/T. Tancredi

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

**CARRIED: 5-0**

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

**CARRIED: 5-0**

Councilman Conte joined the meeting at this point.

Doreen Tignanelli: I have a question about agenda item #4 for authorization to Morris Associates to prepare papers for the Stimulus monies. Exactly how much will be paid to Morris Associates?

Supervisor Myers: I think there was a max on it. \$200,000.

Doreen Tignanelli: So, Morris Associates will be paid \$200,000?

Supervisor Myers: At a cost not to exceed. It's to do all the design work for those five jobs.

Doreen Tignanelli: And we don't know if we will be getting any of that back definitely, as far as the Stimulus money?

Supervisor Myers: You wouldn't be getting it back even if the Stimulus money comes through.

Doreen Tignanelli: So, then you are going way over Budget for contracted Engineering Services for 2010?

Councilman Cifone: This is the money of the bond we have currently.

Doreen Tignanelli: So, this will not come out of Contracted Engineering Services Budget?

Supervisor Myers: No, it will come out of the Bond money.

Bob Casement: I have a question on # 3. I see you are going ahead, probably, with redoing Hornbeck Road. Does that mean there is any chance of sewers being put in this Ward?

Supervisor Myers: I don't think it's out of the question. This is the same area we voted on several years ago, now. We would have to go through that whole form for the potential sewer district and have the residents vote on it again before we can do that.

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

CARRIED: 6-0

02:03-01 SET DATE FOR  
PUBLIC HEARING

Amend Town Code, Chapter 173,  
Entitled "Stormwater management",  
Specifically Section 173-25 "Definitions  
& Article IV, Plans", Construction &  
Maintenance, Section 173-26  
"Contractor Certification"

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 17<sup>th</sup> day of February, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, as and for the time, date and place of a public hearing to

consider an amendment to the Town of Poughkeepsie Town Code, Chapter 173, entitled “Stormwater Management”, specifically Section 173-25. Definitions and Article IV, Plans, Construction and Maintenance, Section 173-26 Contractor Certification, which amendments would be as follows:

Section 173-25;. Definitions.

**CONTRACTOR** – a person principally responsible to perform the work of construction, renovating, or demolishing a building, road, or other structure, including associated site work, clearing, and land disturbance activities.

**QUALIFIED INSPECTOR** – a person that is knowledgeable in the principles and practices of erosion and sediment control, such as a New York State licensed Professional Engineer, or a New York State licensed Landscape Architect, or a Certified Professional in Erosion and Sediment Control (CPESC), or other New York State Department of Environmental Conservation (NYSDEC) endorsed individual(s). It also means someone working under the direct supervision of the licensed Professional Engineer or licensed Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that an individual performing a site inspection has received four (4) hours of training, endorsed by the (NYSDEC), or a Soil and Water Conservation District (SWCD), or (CPESC), Inc., or other (NYSDEC) endorsed entity in proper erosion and sediment control principles.

**QUALIFIED PROFESSIONAL** – a person who is a New York State licensed Professional Engineer, or a New York State licensed Landscape Architect, or a Certified Professional in Erosion and Sediment Control (CPESC) certified by (CPESC), Inc.

**TRAINED INDIVIDUAL** – a person who is certified as having received 4 hours of training in the principles and practices of erosion and sediment control endorsed by the New York State Department of Environmental Conservation, or the Soil and Water Conservation District, or CPESC Inc. and who holds a valid Storm Water Training certificate.

Section 173-26. Stormwater pollution prevention plans.

C.

Plan certification. The SWPPP shall be prepared by a landscape architect, certified professional or professional engineer and must be signed by the professional preparing the plan, who shall certify that the design of all stormwater management practices meet the requirements in Part 2 of this chapter. The SWPPP shall include a requirement for the regular inspection of the site in accordance with GP-0-08-001 and GP-0-08-002 by either a qualified professional or a qualified inspector.

E.

Contractor certification; training; qualifications.

1. There shall be at least one trained individual on site on a daily basis when soil disturbance activities are being performed.
2. The Contractor shall identify the name, title, address and telephone number of at least one trained individual who shall be responsible for implementation of the SWPPP. A valid Storm Water Training certification number for each such individual shall be provided to the Town when the request for MS-4 acceptance of the SWPPP that includes the Notice of Intent (NOI) is provided.
3. Each contractor and subcontractor identified in the SWPPP who will be involved in soil disturbance and/or stormwater management practice installation shall sign and date a copy of the following certification statement before undertaking any land development activity: "I certify under penalty of law that I understand and agree to comply with the terms and conditions of the Stormwater Pollution Prevention Plan. I also understand that it is unlawful for any person to cause or contribute to a violation of water quality standards."
4. The certification must include the name and title of the person providing the signature; the address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification is made.
5. The certification statement(s) shall become part of the SWPPP retained on the site for the land development activity.

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does determine that this is a Type II Action under New York SEQRA Regulations 617.5(c)(20) (24) & (27), and does further determine that no further environmental action is required;

AND BE IT FURTHER RESOLVED, that said local law, if adopted, shall take effect Immediately upon filing with the Secretary of State.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 6-0

02:02-02 APPOINTMENT/  
PROMOTION

Police Department For Sergeant  
Kevin Faber To Lieutenant

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby promote Sergeant Kevin Faber to the position of Lieutenant, effective February 8, 2010, which promotion is subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law.

SO MOVED: J. Conte/T. Tancredi

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

Nays: None

CARRIED: 6-0

02:03-03 AUTHORIZE  
SUPERVISOR  
TO SIGN

Federal Aid For Highway & Marchiselli  
Aid For Local Project Agreement For  
Hornbeck Road

### RESOLUTION

**Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.**

WHEREAS, a project for Hornbeck Road: Road 44 to Caroline Avenue in the Town of Poughkeepsie, Dutchess County identified as **PIN 8759.40** (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal Funds and 20% non-federal funds; and

WHEREAS, the Town of Poughkeepsie desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of right-of-way acquisition work.

NOW, THEREFORE, the Poughkeepsie Town Board, duly convened does hereby:

RESOLVE, that the Poughkeepsie Town Board hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Poughkeepsie Town Board hereby authorizes the Town of Poughkeepsie to pay in the first instance 100% of the non-federal share of the cost of right-of-way acquisition work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$28,300.00 is hereby appropriated from Account H23 and made available to cover the cost of participation in the above-phase of the Project; and it is further

RESOLVED, that in the event the non-federal share costs of the project exceeds the amount appropriated above, the Poughkeepsie Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Supervisor thereof, and it is further

RESOLVED, that the Town Supervisor of the Town of Poughkeepsie be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Town of Poughkeepsie, with

NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Town's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that in addition to the Town Supervisor, the following municipal titles: Town Engineer, Town Highway Superintendent, Town Clerk and Town Comptroller are also hereby authorize to execute any necessary Agreements or certifications on behalf of the Town of Poughkeepsie, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement; and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, that this Resolution shall take effect immediately.

SO MOVED: M. Cifone/J. Conte

(Certified by Town Clerk Miller on February 4, 2010)

Councilman Lecker: The only concern that jumped out to me is the need to go back and re-appropriate. The figure of \$28,300.00, where did we get that from?

Don Beer, Engineer: The money for this project came out of a member grant, I'm not sure which one it was from, but, when we put together the estimate back in 2002 or 2003, we had about a \$400,000 cost on the restoration work. Our estimate now is more the \$265,000 range. Some of the prices, believe it or not, have gone down and we were not procuring as much right of way as we originally expected to. So, what we are basically doing is taking money that was in a construction inspection pot and moving that into a right-of-way pot because what is left in the construction inspection pot you won't be able to use for anything else. When and if we get to a point of negotiating a price on those properties, if they were correct, we should not have to re-appropriate.

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

Nays: None

CARRIED: 6-0

02:03-04 AUTHORIZE

Morris Associates To Prepare Papers For Town's Submission For Stimulus Monies For Van Wagner Road, College Avenue, Delaval Place/Marple Road, Cottage Street & North Grand Avenue

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby retain Morris Associates to prepare all papers necessary and proper in regard to the Town's submission for stimulus monies in regard to infrastructure work on Van Wagner Road, North Grand Avenue, College Avenue, Delaval Place/Marple Road and Cottage Street, which services shall be performed in accordance with Morris Associates' current fee schedule, currently on file in the Town Clerk's Office, at a cost not to exceed \$200,000.00

SO MOVED: T. Tancredi/J. Conte

Councilman Tancredi: Don, according to this memo, you prepare, out of the \$200,000, \$60,000 is for surveying and the other money is to prepare all the reports and paperwork for the government. Now, which of those monies will we take from the bond, all of it?

Don Beer, Engineer: I'm not sure where you are intending to finance the money, my assumption is that's what you would do. You know when the last bond was authorized for \$6 million, we chose a number of projects and many of those projects, because of the economy, over the course of the past year or two, there has been excess money that we would have anticipated under normal circumstances having already spent, but there are excess monies available and that's where we took the last money for design for our Stimulus Phase I and I am anticipating that that's where you would take it as well.

Councilman Tancredi: Is any of that \$200,000, if the Stimulus package is approved, can be covered by the Stimulus money or is all of that our share?

Don Beer: No. That's your share. The only thing that can be covered is construction or construction inspection. It can't even cover right-of-way because they don't want any projects that require a right-of-way.

Councilman Lecker: You said you are assuming the \$200,000 is coming from the bond, what happens if there isn't \$200,000? Do you have to come back here and appropriate money?

Don Beer: I typically don't get into where money comes from, but, all the road project money that has come for design in the past and for construction inspection, has come from the bond. So, that's the assumption I'm making, but it's really the Board's decision.

Supervisor Myers: There is money in the road bond.

Councilman Tancredi: When does the decision have to be made on this, tonight?

Don Beer: I went to a meeting two weeks ago and I was told at that meeting that the majority of the work had to be done by the time the Stimulus bill passes and at that point in time is when they thought it was passing, but I've not heard of any update as yet. These projects need to be ready to go out to bid at that time. They want 50% of the projects bid and awarded within 90 days and so they are saying. The Stimulus Bill is projected for March 1.

Supervisor Myers: The only thing we are waiting on is to see if they, in fact, get around to passing the Stimulus, and we can't do anything about Washington.

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 6-0

02:03-05 RETIREMENT Town Court Of Leo J. Stanszak

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of Leo J. Stanszak from the Town of Poughkeepsie Court, effective January 27, 2010.

SO MOVED: Supervisor Myers/T. Tancredi

Councilman Conte: I hate to see him leave, he is a good person.

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 6-0

02:03-06 AUTHORIZE License Occupation Agreement With  
SUPERVISOR Metro-North Commuter Railroad  
TO SIGN Company

WITHDRAWN FROM THE AGENDA

02:03-07 BUDGET Police Department to Allow Monies  
MODIFICATION From Various Police Grants Recorded  
In 2009 To Roll Into 2010 For Various  
Technology Purchases

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 Comptroller, to allow monies from various Police grants recorded in 2009 to roll into 2010, for various technology purchases, as follows:

INCREASE:

B 909	Appropriated Fund Balance	\$129,605.77
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TO: B 3120.0209 Grants-Technology \$129,605.77

SO MOVED: R. Lecker/M. Cifone

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 6-0

02:03-08 AUTHORIZE Waiver of 30 Day Advance Notice For  
Liquor License Renewal For Saigon Café  
Located At 6A LaGrange Avenue

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from Saigon Café, 6A LaGrange Avenue, Poughkeepsie, NY for a waiver of the 30 day review period for renewal of liquor license; and

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

SO MOVED: S. Eagleton/J. Conte

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 6-0

02:03-09 AUTHORIZE Waiver of 30 Day Advance Notice  
For Filing of Application For On-Premises  
Liquor License for Rolling Greens Of  
Poughkeepsie Golf Club, LLC Located  
At 2628 South Road.

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from Rolling Greens of Poughkeepsie Golf Club, LLC, 2628 South Road, Poughkeepsie, NY 12601 for a waiver of the 30 day review period for renewal of liquor license; and

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

SO MOVED: J. Conte/M. Cifone

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Tancredi, and Supervisor  
Myers  
Nays: None CARRIED: 6-0

02:03-10 AUTHORIZE Waiver of 30 Day Advance Notice For  
Filing of Application For On-Premises  
Liquor License For Nellie Kelly's, Inc.  
D/B/A Nellie Kelly's Located At 535 Haight  
Avenue

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from Nellie Kelly's Inc., 535 Haight Avenue, Poughkeepsie, NY 12603, for a waiver of the 30 day review period for renewal of liquor license; and

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

SO MOVED: M. Cifone/J. Conte

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Tancredi, and Supervisor  
Myers  
Nays: None CARRIED: 6-0

02:03-11 AUTHORIZE Waiver of 30 Day Advance Notice For  
Filing of Application For On-Premises  
Liquor License for Taco Land, Inc.  
D/B/A Salsa Located At 2585 South Road,  
Unit 480

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from Taco Land, Inc. d/b/a Salsa, 2585 South Road, Unit 480, Poughkeepsie, NY 12603, for a waiver of the 30 day review period for renewal of liquor license; and

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

SO MOVED: T. Tancredi/J. Conte

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

Nays: None

CARRIED: 6-0

02:03-12 NOTIFICATION

Application For On-Premises Liquor License For Dica Restaurant Group, LLC, D/B/A CIBO Located At 718 Dutchess Turnpike

NOTED BY TOWN BOARD

02:03-13 AUTHORIZE

Special Consent Items SC 1, SC 2, SC 3, SC 4, SC 5, and SC 6

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. Authorize Vehicle for Hire License  
Raymond Mayo
2. Authorize Application for a grant from NYS Dept. of State for the Local Government Efficiency Grant Program
3. Appointment Joyce Horecky – Clerk – Water Dept.
4. Appointment Leo J. Stanszak – Court Attendant
5. Appointment Allen Roberts – Court Attendant
6. Authorize Bidding Wastewater Flow Meters

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/M. Cifone

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

Nays: None

CARRIED: 6-0

02:03-SC 1 APPROVE

Mr. Raymond Mayo's Vehicle For  
Hire License

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie conducted a hearing on January 20, 2010 in regard to the appeal of Raymond Mayo concerning the denial of his application for a Vehicle for Hire License which had been denied by the Town Clerk pursuant to the standards set forth in the Town Code; now therefore

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie at the January 20, 2010 meeting agreed upon the completion of a 6 hour driving course to be taken by Mr. Raymond Mayo in order for a Vehicle for Hire License be considered; and

BE IT FURTHER RESOLVED, that Mr. Raymond Mayo has completed the 6 hour course, a copy of said course record is attached hereto, and his Vehicle for Hire License may be approved by the Town Clerk at her own discretion.

SO MOVED: R. Lecker/S. Eagleton

Supervisor Myers: We are glad to see that Mr. Mayo followed through and got his certificate and was able to get his license back.

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

Nays: None

CARRIED: 6-0

CERTIFICATE ATTACHED TO FINAL BOOK COPY

02:03-SC 2 AUTHORIZE

Joint Application For A Grant With  
Other Municipalities To The NYS  
Department of State's Funding For A  
General Efficiency Planning Grant

RESOLUTION

A resolution in support of a Joint Application with other municipalities to the New York State Department of State's 2009-2010 Local Government Efficiency Grant Program for the Purposes of Seeking Funding for a General Efficiency Planning Grant to enter into a study of regional collaboration and shared services with the intent to achieve cost savings and economies of scale.

WHEREAS, the current economic crisis at state and local levels makes collaboration and shared services a high priority and necessity for continued operations, especially when such

efforts and initiatives lead to cost savings, economies of scale, and reduced burdens on the taxpayer, and

WHEREAS, Town of LaGrange and Town of Poughkeepsie in the County of Dutchess share interest in studying how a regional approach to service delivery would lead to savings and other efficiencies yet to be demonstrated and have participated in several meetings to discuss the issue of shared services given current and projected needs; and

WHEREAS, Pattern for Progress, the regional planning agency has facilitated meetings in which the Town of Poughkeepsie has been represented to explore regional collaboration among neighboring municipalities in which reducing costs through collaboration and sharing as emerged as a top priority, and

WHEREAS, the Supervisor has requested that the Town of Poughkeepsie be authorized to submit a grant application to the New York State Department of State's 2009-2010 Local Government Efficiency Grant Program for a \$30,000.00 multi-municipal, general efficiency planning grant and for the Town of Poughkeepsie to commit to share equally among participating municipalities, the ten (10%) percent required cash match, not to exceed the sum of \$750.00 per municipal partner;

NOW THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town of Poughkeepsie is hereby authorized to apply for a grant from the New York State Department of State in the amount of \$30,000.00 for the Local Government Efficiency Grant program in the General Efficiency Planning Grant category for the purpose of funding a study of cost savings and economies of scale resulting from shared services; and

BE IT FURTHER RESOLVED, that the Town of Poughkeepsie will share equally with other participating municipalities in the required ten (10%) percent cash match for the project and commits to a local contribution in an amount not to exceed \$750.00; and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute any and all other paper and agreements required in connection with such application subject to the review thereof by the Town of Poughkeepsie attorney for the purposes of form and content.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 6-0

02:03-SC 3 APPOINTMENT

Water Department Appointment of  
Joyce Horecky To Position of Full Time  
Clerk

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Joyce Horecky to the position of full time Clerk with the Town of Poughkeepsie Water Department at the CSEA Grade 4, Step 1 salary of \$16.60 per hour, effective February 22, 2010, which appointment is subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law.

SO MOVED: J. Conte/M. Cifone

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 6-0

02:03-SC 4 APPOINTMENT

Temporary Part Time Court Attendant  
Leo J. Stanszak

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the appointment of Leo J. Stanszak to the temporary part time position of Court Attendant at the salary of \$17.77 per hour, with no benefits, for a period of 90 days, effective February 4, 2010.

SO MOVED: M. Cifone/T. Tancredi

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Tancredi, and Supervisor Myers  
Nays: None CARRIED: 6-0

02:03-SC 5 APPOINTMENT

Temporary Part Time Court Attendant  
Allen Roberts

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the appointment of Allen Roberts to be temporary part time position of Court Attendant at the salary of \$16.65 per hour, with no benefits, for a period of 90 days, effective February 4, 2010.

SO MOVED: T. Tancredi/J. Conte

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

Nays: None

CARRIED: 6-0

02:03-SC 6 AUTHORIZE BIDDING

For Supplying of Wastewater Flow  
Meters on February 24, 2010

### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for “SUPPLYING OF WASTEWATER FLOW METERS”, pursuant to plans and specifications which will be available on February 8, 2010 at the Office of the Town Clerk, with a bid opening to be held on February 24, 2010 at 11:30 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

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

SO MOVED: Supervisor Myers/M. Cifone

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

Nays: None

CARRIED: 6-0

Supervisor Myers announced that the Fairview Fire District has just been awarded a local government efficiency grant for \$45,000 to do a feasibility study of potential consolidation merger or cooperative agreement with other fire districts. “ We did send a letter of support on that and we do commend them with hopefully finding a solution with some of those problems.”

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

CARRIED: 6-0

Peter Valdez , Arlington Fire Commissioner: Tax time this year, I’m the newly elected Fire Commissioner for Arlington Fire District. I now have the taxpayers give a call when they are concerned about their fire tax. I certainly urge you if you have any questions or concerns, feel free to give me a call. I will be happy to answer them and help them out with any issues they may have.

Doreen Tignanelli: Speaking of the Fairview Grant, Fairview did approach the Arlington Fire District and asked them to go in with them on that grant and the Arlington Fire District declined to do that even after it wasn’t going to cost them any money. I find that a little disconcerting. I have a question about the Morris Associates Contract. Since their contract was negotiated in 2003 and it seems like that’s a very long contract.

Councilman Cifone: The contract actually ended and we haven’t re-negotiated the new one yet. We are working on that one now.

Doreen Tignanelli: Are you going to be putting out any requests to other engineering companies

for bids? Are you assuming you are going with Morris Associates again instead of looking to see if anything has changed in this economic climate where maybe we could get a –

Councilman Cifone: I think we are happy with Morris Associates, however, we are looking to save money.

Doreen Tignanelli: Well, Morris Associates right now is being paid \$9,900 a month and that doesn't include everything. For example, there is another part of their contract here where they say that they are authorized to perform up to \$830 a month of surveying services without obtaining separate prior approval and they also look like they have been getting a yearly increase based on the CPI of not less than 3% and not to exceed 4%. So, every year they are getting a 3% to 4% raise.

Councilman Tancredi: That contract has expired. Another is being negotiated.

Doreen Tignanelli: Also, the very last sentence says, "The invoice will not provide a detailed of description of work performed."

Supervisor Myers: I don't think that happens anymore, Doreen, the invoices are very detailed now. I check them, they are very detailed.

Councilman Cifone: We are tightening up quite a few things on that. We are still negotiating.

Jim: I got a letter from a lady on Lagrange Avenue concerned about the way the parking situation is going in relation to the round about construction and how it has affected her business. One concern is the change in the parking restrictions on Collegeview Avenue, business owners there are redirecting their employees to park full time on Lagrange Avenue thereby limiting her client's access to her hair salon business. The lack of sufficient traffic flow as a result of the entire project is negatively impacting her business. She has lost several clients and at least two operators because of it. She addresses concerns that her business and other businesses along Raymond and Lagrange are also at the brink of disintegration. During this original process, concerns were raised about the lack of parking and changes coming in parking and she brings up in her letter that they were promised no net loss in parking as a result of this project. The net loss has been 44 parking spaces.

Councilman Tancredi: I don't believe there has been a net loss of 44 spaces and the other thing you mentioned is the change of parking time on Collegeview, I don't remember---

Jim: There was never an hourly restriction on Collegeview Avenue, now there is. At least it was never enforced or posted.

Councilman Tancredi: There has always been an hourly restriction there. Part of the problem is, when the police don't enforce that parking, the businesses along Collegeview complain that they are not enforcing the parking restrictions, but when they do, then the same businesses complain that their employees are getting parking tickets, so it's part of a no win situation. We had a problem on Lagrange and Davis a number of years ago with the College students parking there

and what they would do is leave their cars there for weeks at a time. We discussed with the residents different ways we could manage that.

Police Chief Mauro: I get more complaints from the merchants when we do enforce the parking restrictions on those streets because they call it a “Non-friendly” Town. Enforcement of the parking generates a lot of response.

Councilman Tancredi: I would be glad to talk to this business owner if you wish.

Anthony Cochello: This morning I spoke to Pat Brown in the Sewer Department. One of the things I saw on the website is, if you are in the Sewer District, the Town has equipment they are willing to take out if the situation arises that you have a sewer back up. I guess they have a camera. One of the things with the sharing of services. A lot of the municipalities probably don't have that equipment and I guess in the past you said it worked with the City of Kingston and possibly the City of Poughkeepsie, is there any thing we looked into as far as working with the Town of Wappinger if they don't have that type of equipment? Or even with the Highway Department with their equipment with drainage, etc. instead of going to a contractor.

Supervisor Myers: That's a lot of the things we are looking at in this shared municipal grant because we can then get a lot of Towns involved in it and not just one. This might not be a county wide thing, it might be the Town of Poughkeepsie and Hyde Park sharing Highway. So, it can be looked at in a lot of different ways and that's why Patterns for Progress are looking at putting this grant together. They just did one in Ulster County and they were successful in putting in a Highway Grant over there. They will be meeting with all the municipalities to see what they have and what they would like to share and what others will share with us so everybody doesn't have to buy the same things and new trucks, etc.

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

CARRIED: 6-0

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

CARRIED: 6-0

MEETING CLOSED AT 8:14 PM

SJM:lkM