



INTO EXECUTIVE SESSION AT 6:16 PM

BACK FROM EXECUTIVE SESSION AT 6:48 PM

NO ACTION TAKEN FROM EXECUTIVE SESSION

SPECIAL TOWN BOARD MEETING CLOSED AT 6:49 PM

SJM:lk

**REGULAR TOWN BOARD MEETING**

**FEBRUARY 17, 2010**

**7:00 PM**

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

Motion made to suspend the rules and open public hearing: Supervisor Myers/T. Tancredi

**CARRIED: 7-0**

02:17-01 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 ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 17<sup>th</sup> day of February, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend 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 are 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 for (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 qualified professional 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 MS4 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 ENACTED, 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

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

SO MOVED: R. Lecker/M. Cifone

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

Nays: None

CARRIED: 7-0

Town Clerk Miller: I do hereby file the affidavit of posting on February 4, 2010 and publishing in the Poughkeepsie Journal on February 6, 2010.

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

CARRIED: 7-0

#### NO SPEAKERS CAME FORWARD

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

CARRIED: 7-0

02:17-02 SET DATE FOR  
PUBLIC HEARING

Amend Town Code, Chapter 105,  
Entitled “Fees”, Specifically Section 105-4,  
Entitled Paragraph J. Entitled “Chapter  
148, Parks & Recreation”

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 3<sup>rd</sup> day of March, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker

Road, Poughkeepsie, New York as and for the time, date and place of a public hearing to consider an amendment to the Town of Poughkeepsie Code, Section 105-4, "Fee Schedule", Paragraph J, which amendment would be as follows:

Chapter 148: Parks and Recreation

**DELETE: Section 105-4, Paragraph J. Chapter 148. Parks and Recreation**

- (1) Use of recreation facilities.
  - (a) All individuals or organizations wishing to utilize the recreation facilities of the Town of Poughkeepsie shall, at the time of an application for a permit, pay the following fees:  
  
    - [1] Park permit fee: \$25 per use.
    - [2] Athletic facility fee: \$35 per use.
    - [3] Athletic field with lights: \$55 per use.
  - (b) The Town Board may waive these fees by granting a group a revocable license allowing special use of the park.
- (2) Additional/Unusual expenses incurred for facility preparation, use, damage or restoration will be billed at the rate of the actual expense.
- (3) Summer programs:
  - (a) Tennis lessons (resident): \$70 per session.
  - (b) Tennis lessons (nonresident): \$80 per session.
  - (c) Day camp resident): \$25 per week.
  - (d) Day camp (nonresident): \$100 per week.

**ADD: Section 105-4, Paragraph J. Chapter 148. Parks and Recreation**

- (1) Use of recreation facilities.
  - (a) All individuals or organizations (comprised of individuals over the (age of 18 years) wishing to utilize the recreation facilities of the Town of Poughkeepsie shall, at the time of an application for a permit, pay the following fees:  
  

|                               |                             |
|-------------------------------|-----------------------------|
| 1] Park Permit Fee            | \$40 per 4 hours            |
| 2] Athletic Facility Fee      | \$50 per 4 hours            |
| 3] Athletic Field with Lights | \$25 per hour (1 hour min.) |
  - (b) The Town Board may waive these fees by granting a group a revocable license allowing special use of the park.

- (2) Additional/unusual expenses incurred for facility preparation, use or restoration will be billed at the rate of the actual expense.
- (3) Summer Programs
  - a) Tennis Lessons (resident): \$75.00 per session
  - b) Tennis Lessons (non-resident): \$100.00 per session
  - c) Day Camp (resident): \$25.00 per week
  - d) Day Camp (non-resident): \$100.00 per week

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, Krakower,  
Tancredi and Supervisor Myers

Nays: None

CARRIED: 7-0

PUBLIC HEARING TO BE HELD AT THE MARCH 3, 2010 TOWN  
BOARD MEETING

02:17-03 SET DATE FOR  
PUBLIC HEARING

Amend Town Code, Chapter 210,  
Entitled "Zoning" Article VIII, Entitled  
"Supplementary Regulations", Section 210-  
102 to 210-23

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 24<sup>th</sup> day of March, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, as and for the date, time and place of a public hearing to consider amendments to the Town Code of the Town of Poughkeepsie, Chapter 210, entitled "Zoning", Sections 210-23 – 210-29 and Sections 210-33 – 210-36, Section 210-38 and Section 210-102, which proposed amendments are attached hereto and incorporated herein; and

BE IT FURTHER RESOLVED, that the Town Board waives a verbatim reading of said amendments and that the Town Clerk is directed to spread the amendments across the record as if they had been read verbatim, and

BE IT FURTHER RESOLVED, that the Town Board does declare its intent to act as Lead Agency under the New York State Environmental Quality Review Act and does declare that said action is a Type II Action; and

BE IT FURTHER RESOLVED, that the Town Board does authorize and direct the Town Clerk to submit the proposed amendments to the Dutchess County Department of Planning and the Town of Poughkeepsie Planning Board for their written recommendation thereon; and

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

SO MOVED: J. Conte/S. Eagleton

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

Nays: None

CARRIED: 7-0

PUBLIC HEARING TO BE HELD AT THE MARCH 24, 2010  
TOWN BOARD MEETING

AMENDMENTS ATTACHED TO FINAL BOOK COPY

02:17-04 RETIREMENT

Police Department of Police Officer  
John Lotocky

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of Police Officer John Lotocky from the Town of Poughkeepsie Police Department, effective March 6, 2010.

SO MOVED: J. Cifone/S. Krakower

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

Nays: None

CARRIED: 7-0

02:17-05 BUDGET  
MODIFICATION

Recreation Department For Contracted Services

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 increase monies for Contracted Services – Parks/Medians in Recreation Budget, which funds come from unused 2009 Recreation Funds, as follows:

INCREASE:

|       |                           |             |
|-------|---------------------------|-------------|
| A 909 | Appropriated Fund Balance | \$35,000.00 |
|-------|---------------------------|-------------|

TO:

A7110.0481

Contracted Services

\$35,000.00

SO MOVED: S. Krakower/J. Conte

Councilman Tancredi: Where is the \$15,000 coming from? I was thinking it was \$20,000. Is this the money we are taking out of payroll and putting back into contracted services based on what we did last year?

James Wojtowicz, Comptroller: Yes, these are from unused 2009. We were doing the budget and we saw the opportunity that if Tom wasn't going to spend the money in his Recreation Budget and it was getting to the end of the year. The \$15,000 was from the contribution—

Councilman Tancredi: Oh, ok, I remember now, thanks.

Councilman Eagleton: The agenda item to go out to bid to fix the medians, is this part of the funding for that? (Yes) Did we come up with \$35,000 based on what was left over or did we do an estimate for the actual work that has to be done?

Councilman Tancredi: In previous years, we subbed out the work for the medians. The annual work is weeding and spraying in the spring. Last year, we came up with the idea to try and do that in-house. We thought we could hire some seasonal staff with this amount of money, take care of the median and also have them here to do other things on the fields when not doing the medians, but it didn't work out all that well. The medians, especially Route 9, that median is really bad. It takes a lot of work and there is a lot of traffic and technically, to meet the requirements, we have to close a lane and go through a mess. So, basically, we are going to take this money out of salaries and putting it back into Contracted Services. We realized we can't do it in-house, it didn't work and so are going to sub it out this year as in the past and have a contractor handle the maintenance for these medians.

Councilman Eagleton: The thing that concerns me is that we are advertising to whoever who is going to bid on this publicly and this is the amount we set aside for it and so now they have a target. They have an advanced warning of what we are willing to spend, I think. The other thing is, if that works in their favor and it turns out to be less than \$35,000 of work that has to be done, which I think we should have done an estimate of the work to be done. Would we have been better served if we had waited for the bids to come back and then find the money. Is that something that would have worked better?

Councilman Tancredi: Well, that's a good point, we probably could have done that after the fact. If it's too much money, I don't know what we will do. Maybe we should have done it after and then we would know exactly what we had to transfer. Legally speaking, for the most part, by law we have to take the lowest bidder. We have done this for several years previously, however, so we do have a pretty good idea of what we need to spend.

Councilman Cifone: We've been doing this for years and this is what it really costs us.

Supervisor Myers: I just want to add for informational purposes that Todd and I met many months ago with NYS and they have responded to us and have given us a list of plants that we can take out of there and do with as we please, which will be great, especially for Route 9 . I think that's a positive thing for going forward with this median.

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

02:17-06 BUDGET Legal Department For Library  
MODIFICATION

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, for funding the Legal Department library and approved schools and meetings, as follows:

FROM:

|             |                               |            |
|-------------|-------------------------------|------------|
| A 1910.0467 | Insurance – General Liability | \$8,500.00 |
|-------------|-------------------------------|------------|

TO:

|             |                                  |           |
|-------------|----------------------------------|-----------|
| A 1420.0421 | Schools & Meetings               | \$ 500.00 |
| A 1420.0403 | Books, Publications & Literature | 8,000.00  |

SO MOVED: T. Tancredi/J. Conte

Councilman Eagleton: Why are we taking the money from the insurance and liability? Is it there?

Supervisor Myers: Yes, it came in lower than anticipated.

Supervisor Myers: It's really just moving money on paper, it's not really changing money amounts any place along the line.

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

02:17-07 AUTHORIZE Hess Corporation Agreement To

SUPERVISOR  
TO SIGN

Provide Electricity Through Select  
Energy New York, Inc. For Town  
Operations at Fairview Pump Station,  
Town Hall & Police/Court Facilities

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Hess Corporation, attached hereto, to provide electricity through Select Energy New York, Inc. for the Town of Poughkeepsie operations at the Fairview Pump Station, Town Hall, and Police Court Facilities, which agreement is for the period January 1, 2010 through December 31, 2010.

SO MOVED: Supervisor Myers/M. Cifone

Councilman Eagleton: How did we arrive at using Hess?

Supervisor Myers: Because they had the lowest bid.

AGREEMENT ATTACHED TO FINAL BOOK COPY

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

Nays: None

CARRIED: 7-0

02:17-08 AUTHORIZE  
SUPERVISOR  
TO SIGN

Addendum No. 2 To The Poughkeepsie  
Water Sale and Purchase Agreement By &  
Between The Joint Water Project Board &  
Dutchess County Water & Wastewater  
Authority

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign Addendum No. 2 to the Poughkeepsie Water Sale and Purchase Agreement by and between Poughkeepsie's Joint Water Project Board and Dutchess County Water and Wastewater Authority, a copy of which is attached hereto.

SO MOVED: R. Lecker/T. Tancredi

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

Nays: None

CARRIED: 7-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

02:17-09 AUTHORIZE  
SUPERVISOR  
TO SIGN

Letter Agreement For Project To  
Construct A Pedestrian Walkway  
Under Route 9

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a letter agreement, a copy of which is attached hereto, stating that the Town of Poughkeepsie is in concurrence that the project to construct a pedestrian walkway under Route 9 between Delafield Street and the Fulton Avenue/Route 9 intersection, will not substantially hinder, is consistent with, and will help advance the achievement of the State Coastal Policies and Local Waterfront Revitalization Program policies.

SO MOVED: S. Eagleton/J. Conte

Councilman Lecker: It's probably kind of early for this thought, but they are building a tunnel under the road, 140 feet long, and maybe they won't mention it here because it's a detailed design issue, but the security of that Tunnel is kind of something that is nagging—

Supervisor Myers: Well, I think that Marist has looked at that extensively. It's a huge tunnel that you can see from one end to the other end, clear through it and there is security there. Marist has been involved all the way on this.

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

Nays: None

CARRIED: 7-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

02:17-10 AUTHORIZE

Settlement of Sewer Charges Due &  
Owing By Vassar College for Prentiss  
Field Townhouses & Surrounding Land  
& Fields

RESOLUTION

WHEREAS, it has come to the Town's attention that Vassar College has not been billed for sewer charges for the Prentiss Field Townhouses and surrounding fields and land, and

WHEREAS, much of the water has been used for irrigation purposes of the fields used by Vassar in that area, and

WHEREAS, the irrigation of the fields would not contribute to the processing of sewer by the Town of Poughkeepsie, now therefore,

BE IT RESOLVED, that the back charges for sewer in regard to the Prentiss Field Townhouses and the Prentiss Field will be compromised for a total of \$57,781.39 for the time periods shown on the attached calculations.

SO MOVED: M. Cifone/J. Conte

Councilman Eagleton: Where do we get these calculations from?

Supervisor Myers: From our Water Department.

Town Attorney Hagstrom: These calculations go back thirteen years. This is a very good compromise simply because of how far it goes back. and this is exactly the number. They came up with what they thought they would use and then it's based on that full period. I recommend it, as an attorney, completely.

Supervisor Myers: What they did is they took the amount of water, because that is what your sewer is based on, and then they calculated with some real accounts, what they used for irrigation and deducted that from the sewer charge because obviously that's not going---

Councilman Krakower: This should be on letterhead and signed by Keith Ballard.

Supervisor Myers: Also, Vassar, at their expense, is going to install another meter on their irrigation pipes so we will have an absolutely accurate amount for how much water went through irrigation so that will automatically be reduced from their sewer bill in the future. It will be much more accurate.

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

Nays: None

CARRIED: 7-0

#### CALCULATIONS ATTACHED TO FINAL BOOK COPY

02:17-11 AUTHORIZE

Stipulations & Consent Judgment for  
St. Francis Hospital Medical Arts  
Pavilion Partial Tax Exemption

#### RESOLUTION

WHEREAS, Judge John R. LaCava, J.S.C. issued a Decision and Order in regard to the 2008 assessment roll granting a 32% tax exemption for the assessment of the Medical Arts Building at St. Francis Hospital; and

WHEREAS, the Decision and Order was not entered and served until August, 2009, after the 2009 assessment roll was finalized; now therefore

BE IT RESOLVED, that David D. Hagstrom, Town Attorney, is authorized to sign such Stipulations and a Consent Judgment allowing for a partial tax exemption to St. Francis Hospital for 32% of the assessment of the Medical Arts Pavilion property and such other papers that are necessary to effectuate an appropriate refund of taxes that have been paid by St. Francis Hospital on said property.

SO MOVED: S. Krakower/J. Conte

Councilman Cifone: Did we appeal this?

Town Attorney Hagstrom: We did not and I don't think it's going to get any better.

Councilman Eagleton: Did we account for it in the 2010 Budget, this lack of revenue?

Supervisor Myers: I don't think we knew what it was going to be at that time did we?

Town Attorney Hagstrom: No.

Councilman Krakower: There is a judgment claims line in the budget that tries to predict what we are going to be paying out. But, this wasn't factored into it.

Councilman Eagleton: Do we keep a schedule of all the pluses and minuses during the course, because it's only the second month and we are over budgeted on some items and under budgeted on others? Do you keep some kind of schedule together?

Jim Wojtowicz, Comptroller: It's very early in the year so it's very hard to analyze out. As far as the over budget, by law I have to bring that before you, we have to budget those lines, for example, this is \$84,000. I saw this a couple of days ago and asked to talk about it. We had \$50,000 budgeted, so I wanted an opportunity to find out if we had a line to take it from.

Town Attorney Hagstrom: I agree to a point. (inaudible) I think it should be presented to you and Jim I think we could meet monthly and come up with where we are and I would know a lot of these negotiations that are going on and keep you informed. That's why we have a litigation meeting coming up on the 3<sup>rd</sup> so you don't wind up in November –

Councilman Eagleton: Well, that's kind of where I'm heading, I know it's kind of early in the year, but if you have lines that we know we have and how much is it and we can keep track of it on an on going month to month basis so that in November we don't find out that we are in the hole. So, that when something can be done in the budget to come out at the end of the year. That was my question.

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

Nays: None

CARRIED: 7-0

02:17-12 AUTHORIZE

Route 9 & Route 55 Median Maintenance

## BIDDING

### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "ROUTE 55 AND ROUTE 9 MEDIAN MAINTENANCE", pursuant to plans and specifications which will be available on February 22, 2010 at the Office of the Town Clerk, with a bid opening to be held on March 10, 2010 at 11:00 AM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

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

SO MOVED: T. Tancredi/M. Cifone

Councilman Tancredi: One question. I forgot to ask earlier, the advertisement for bids, is this page the specs we are going to use?

Tom Meyering, Recreation Director: I believe so, yes.

Councilman Tancredi: The only question I have is, we received approval to take out some of the plantings in the Route 9 Median and Tom had suggested to ask for a price to seed those areas and I said, "In case it comes too high, let's also ask for a price for (inaudible)". Point #3, we say Item 2, which is the maintenance of Route 9, we say "On going mowing, cleanup and weed removal." If we don't end up seeding that, we don't need that and mowing that on a weekly basis---

Councilman Krakower suggested instead of three or four different bids on the separate items, that there should be one bid on ALL items to avoid a rash of several companies working on the Route 9 medians at once.

Councilman Tancredi: I think this needs to be worded differently before we vote on it. It is just not understandable the way it is.

Town Attorney Hagstrom: Yes, I think we ought to Table this until the next meeting.

Tom Meyering, Recreation: I think if we postpone it any further, that we are not going to be able to start work .

Town Attorney Hagstrom: Is what you want to Amend the Resolution to is to itemize each of the steps?

Councilman Krakower: Yes.

Councilman Tancredi: That's not what I would like. Tom suggested he wanted to get a price for seeding. All I'm saying is, what I would do is add another point and put Item 1a and then 1b,

Maintenance, if we seed it, what the price would be? Then the Maintenance, if it's just mulch, what's the price?

Councilman Krakower: Can't we just approve it and have Tom finalize the language with the Recreation Committee?

Town Attorney Hagstrom: Yes. If you make a resolution giving me the authorization.

Motion made to amend that the final wording for the bid document be worked out between Mr. Hagstrom, Mr. Meyering and the Recreation Committee prior to the next meeting: Supervisor Myers/T. Tancredi

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

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

02:17-13 ACCEPT Town Board Minutes For 2010  
January 6, 18 and 20  
February 3

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the minutes for the following 2010 Town Board Meetings, to wit:

January 6, 2010 – Reorganization Meeting

January 18, 2010 – Special Town Board Meeting

January 20, 2010 – Special Town Board Meeting  
Regular Town Board Meeting  
Committee of the Whole Meeting

February 3, 2010 – Regular Town Board Meeting

SO MOVED: Supervisor Myers/M. Cifone

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

02:17-14 NOTIFICATION Liquor License Renewal For CEC

ENTERTAINMENT, INC. D/B/A  
Chuck E. Cheese's #505 Located  
At 838 South Road

APPROVED BY POLICE AND NOTED BY TOWN BOARD

02:17-15 AUTHORIZE: Special Consent Items SC 1, SC 2, SC 3,  
SC 4, SC 5

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. Discussion          | 2010 Disclosure Notice of Assessments          |
| 2. Approve             | Babe Ruth League – Opening Day Parade          |
| 3. Notification        | Liquor License Renewal<br>Panorama Diner, Inc. |
| 4. Resignation         | Marie Alexander – Town Clerk's Office          |
| 5. Set Special Meeting | For March 03, 2010 - Litigation                |

AND BE IT FURTHER RESOLVED, that upon the objection of any member of the Town Board, an item may be removed from the list and voted on separately.

SO MOVED: S. Eagleton/J. Conte

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower,  
Tancredi and Supervisor Myers  
Nays: None

CARRIED: 7-0

02:17-SC 1 DISCUSSION 2010 Disclosure Notice of Assessments

Assessor Kathleen Taber: Kathleen explained that Disclosure Notices of Assessments will be mailed out on or about March 1, 2010 to all Town home owners and some commercial property owners. Assessor Taber explained the process and the data that she used for the reevaluation of the properties. If assessments have increased, property owners will receive notices. Some data concerning home owners' residences can be reached online at [dutchessny.gov](http://dutchessny.gov) Parcel Access.

02:17-SC 2 APPROVE

Opening Day Parade on April 17, 2010  
For the Babe Ruth League

AMENDED  
RESOLUTION

WHEREAS, The Town Board of the Town of Poughkeepsie has heretofore received an application from Kenneth Merritt, on behalf of the Babe Ruth League, to hold its Opening Day Parade on April 17, 2009 at 1:00 PM, which parade route starts at Kinry Road Elementary School to the Red Oaks Mill Baseball Fields; and

WHEREAS, the Town Clerk of the Town of Poughkeepsie is in receipt of a Certificate of Liability Insurance naming the Town of Poughkeepsie as an additional insured; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application as submitted for said Opening Day Parade to be held on April 17, 2010 at 1:00 PM.

SO MOVED: J. Conte/S. Krakower

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

Nays: None

CARRIED: 7-0

02:17-SC 3 NOTIFICATION

Liquor license Renewal For The  
Panorama Diner, Inc. D/B/A Dutchess  
Diner Located At 1950 South Road

APPROVED BY POLICE AND NOTED BY TOWN BOARD

02:17-SC 4 RESIGNATION

Town Clerk's Office of Permanent  
Part/Time Deputy & Sub-Registrar  
Marie Alexander

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Marie Alexander from the Town of Poughkeepsie Clerk's Office, effective close of business on February 19, 2010.

ACCEPTED WITH REGRET AND BOARD WISHED GOOD  
LUCK TO HER AND HER TEACHING CAREER

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

Nays: None

CARRIED: 7-0

02:17- SC 5 SET DATE FOR

March 3, 2010 Special Town Board Meeting at 6:15 PM For Executive Session To Discuss:

A. Confidential Communication Between the Attorney and His Client, the Town Board, Based On The Attorney/Client Privilege

B. Information Relating to the Current & Future Investigation of the Prosecution of a Criminal Offense Which Would Imperil Effective Law Enforcement if Disclosed

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

Nays: None

CARRIED: 7-0

**TOWN BOARD DISCUSSED ENGINEERING FEES, AND IT WAS DETERMINED THAT TOWN ENGINEER, DONALD BEER, WOULD ATTEND THE MARCH 3, 2010 TOWN BOARD MEETING TO DISCUSS MONETARY FEES OF MORRIS ASSOCIATES WITH THE TOWN**

**NO EXECUTIVE SESSION**

**TOWN BOARD MEETING CLOSED AT 8:06 PM**

SJM:lkm

