

Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend the Town Code, Chapter 195 entitled "Vehicles and Traffic", specifically Section 195-47. Schedule XII, entitled "Crosswalks", which amendment is as follows.

ADD: Section 195-47, Schedule XII

Name of Street	Location
Overocker Road	At 47 Overocker Road
North Grand Avenue	At 253 North Grand Avenue
Manchester Road	By 42 Manchester Road

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

Motion made to suspend the rules for public speaking on Public Hearing #2: Supervisor Myers/S. Eagleton

CARRIED: 7-0

Sarah Davis, Town Zoning Administrator: (Inaudible – Tape screeching)

Motion made to close Public Hearing: Supervisor Myers/T. Tancredi

CARRIED: 7-0

Town Clerk Miller: The following Public Hearings do not need to be published.

CARRIED: 7-0

07:21-02 PUBLIC
HEARING

To Consider Recommendation From Zoning Administrator Davis To Remove All Debris, Hazardous Material, Solid Waste & Unsound Structures From 11 Casper Creek Road.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on July 21, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 11 Casper

Creek Road, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6060-04-670438-0000, owned by Steven Moskowitz and Lisa Caldwell-Moskowitz, 11 Casper Creek Road, Poughkeepsie, NY 12603, is in violation of Chapter 159 insofar as solid waste, debris and litter have been abandoned/left on the premises including matter attractive to vermin; and

BE IT FURTHER RESOLVED, that said determination is based on the presentation, the report and pictures submitted at the public hearing by the Zoning Administrator of the Town of Poughkeepsie; and

BE IT FURTHER RESOLVED, that said owners of 11 Casper Creek Road have not complied with the Orders to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the removal of said solid waste, debris and litter; and

BE IT FURTHER RESOLVED, that the charges shall be sent to the owner of said property for reimbursement; and

BE IT FURTHER RESOLVED, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159-13 of the Town Code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance; and

BE IT FURTHER RESOLVED, that the Highway Department is authorized to remove the solid waste, debris and litter.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 7-0

PICTURE ATTACHED TO FINAL BOOK COPY

Motion made to suspend the rules for public to speak on Public Hearing #3: Supervisor Myers/R. Lecker

CARRIED: 7-0

NO SPEAKERS CAME FORWARD

Motion made to resume the rules: Supervisor Myers/R. Lecker

CARRIED: 7-0

07:21-03 PUBLIC
HEARING

To Consider Recommendation From Zoning
Administrator Davis To Remove All Debris,
Hazardous Material, Solid Waste & Unsound
Structures From 174 North Grand Avenue

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on July 21, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 174 North Grand Avenue, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6162-12-831318-0000, owned by Robert & Margaret Lane, 174 North Grand Avenue, Poughkeepsie, NY 12603, is in violation of Chapter 159 insofar as solid waste, debris and litter have been abandoned/left on the premises including matter attractive to vermin; and

BE IT FURTHER RESOLVED, that said determination is based on the presentation, the report and pictures submitted at the public hearing by the Zoning Administrator of the Town of Poughkeepsie; and

BE IT FURTHER RESOLVED, that said owners of 174 North Grant Avenue have not complied with the Orders to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the removal of said solid waste, debris and litter; and

BE IT FURTHER RESOLVED, that the charges shall be sent to the owner of said property for reimbursement; and

BE IT FURTHER RESOLVED, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159-13 of the Town Code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance; and

BE IT FURTHER RESOLVED, that the Highway Department is authorized to remove the solid waste, debris and litter.

SO MOVED: J. Conte/M. Cifone

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 Public Hearing #4: Supervisor Myers/S. Krakower

Sarah Davis, Zoning Administrator: (Inaudible – Tape screeching)

Council discussion (Inaudible – Tape screeching)

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

CARRIED: 7-0

07:21-04 PUBLIC
HEARING

To Consider Recommendation From Zoning
Administrator Davis To Remove All Debris,
Hazardous Material, Solid Waste & Unsound
Structures From 17 Jean Drive

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on July 21, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled “Property Maintenance”, does hereby determine that said property located at 17 Jean Drive, Town of Poughkeepsie, County of Dutchess, State of New York bearing Grid No. 6159-01-029748-0000, owned by Laura Fara, 17 Jean Drive, Poughkeepsie, NY 12601, is in violation of Chapter 159 insofar as solid waste, debris and litter have been abandoned/left on the premises including matter attractive to vermin; and

BE IT FURTHER RESOLVED, that said determination is based on the presentation, the report and pictures submitted at the public hearing by the Zoning Administrator of the Town of Poughkeepsie; and

BE IT FURTHER RESOLVED, that said owner of 17 Jean drive has not complied with the Orders to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the removal of said solid waste, debris and litter; and

BE IT FURTHER RESOLVED, that the charges shall be sent to the owner of said property for reimbursement; and

BE IT FURTHER RESOLVED, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159-13 of the Town Code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance; and

BE IT FURTHER RESOLVED, that the Highway Department is authorized to remove the solid waste, debris and litter.

SO MOVED: M. Cifone/J. Conte

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 Public Hearing # 5: Supervisor Myers/S. Eagleton

CARRIED: 7-0

(TAPE HAS BEEN SCREECHING SINCE BEGINNING. MOST SPEAKING INAUDIBLE)

Speaker in audience inaudible – Supervisor stated that there will be no action taken on this address.

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

CARRIED: 7-0

07:21-05 PUBLIC
HEARING

To Consider Recommendation From Zoning Administrator Davis To Remove All Debris, Hazardous Material, Solid Waste & Unsound Structures From 23 Sheraton Drive

NO ACTION WAS TAKEN

Motion made to suspend the rules for public speaking on Public Hearing #6: Supervisor Myers/T. Tancredi

CARRIED: 7-0

Speaker inaudible because of tape screeching.

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

CARRIED: 7-0

07:21-06 PUBLIC
HEARING

To Consider Recommendation From Zoning Administrator Davis To Remove All Debris, Hazardous Material, Solid Waste & Unsound Structures From 204 Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on July 21, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 204 Vassar Road, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6259-01-377892-0000, owned by Brigette Federico, 204 Vassar Road, Poughkeepsie, NY 12603, is in violation of Chapter 159 insofar as solid waste, debris and litter have been abandoned/left on the premises including matter attractive to vermin; and

BE IT FURTHER RESOLVED, that said determination is based on the presentation, the report and pictures submitted at the public hearing by the Zoning Administrator of the Town of Poughkeepsie; and

BE IT FURTHER RESOLVED, that said owner of 204 Vassar Road has not complied with the Orders to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the removal of said solid waste, debris and litter; and

BE IT FURTHER RESOLVED, that the charges shall be sent to the owner of said property for reimbursement; and

BE IT FURTHER RESOLVED, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159-13 of the Town Code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance; and

BE IT FURTHER RESOLVED, that the Highway Department is authorized to remove the solid waste, debris and litter.

SO MOVED: S. Krakower/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 Public Hearing # 7: Supervisor Myers/M. Cifone

CARRIED: 7-0

Sarah Davis, Zoning Administrator: (Inaudible – Screeching Tape)

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

CARRIED: 7-0

07:21-07 PUBLIC
HEARING

To Consider Recommendation From Zoning
Administrator Davis To Remove All Debris,
Hazardous Material, Solid Waste & Unsound
Structures From 7 Jones Street

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on July 21, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 7 Jones Street, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6161-07-734851-0000, owned by KSP Properties LLC, 23 Arrowhead Road, Hopewell Junction, NY, 12533, is in violation of Chapter 159 insofar as solid waste, debris and litter have been abandoned/left on the premises including matter attractive to vermin; and

BE IT FURTHER RESOLVED, that said determination is based on the presentation, the report and pictures submitted at the public hearing by the Zoning Administrator of the Town of Poughkeepsie; and

BE IT FURTHER RESOLVED, that said owner of 7 Jones Street has not complied with the Orders to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the removal of said solid waste, debris and litter; and

BE IT FURTHER RESOLVED, that the charges shall be sent to the owner of said property for reimbursement; and

BE IT FURTHER RESOLVED, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159-13 of the Town Code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance; and

BE IT FURTHER RESOLVED, that the Highway Department is authorized to remove the solid waste, debris and litter.

SO MOVED: T. Tancredi/M. Cifone

Councilman speaking: (Inaudible due to screeching tape)

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 Public Hearing # 8: Supervisor Myers/
J. Conte

CARRIED: 7-0

Sarah Davis, Zoning Administrator: (Inaudible due to screeching tape)

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

CARRIED: 7-0

07:21-08 PUBLIC
HEARING

To Consider Recommendation From Zoning
Administrator Davis To Remove All Debris,
Hazardous Material, Solid Waste & Unsound
Structures From 711 Collegeview Avenue

WITHDRAWN FROM AGENDA

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

CARRIED: 7-0

NO SPEAKERS CAME FORWARD

Supervisor Myers: Doreen Tignanelli sent a letter she wanted read into the minutes regarding
Public Comments on July 21, 2010 agenda item: NOTICE OF ACCEPTANCE OF DEIS AND
PUBLIC HEARING FOR 1 DUTCHESS AVENUE:

“Supervisor Myers:

I request that the following public comment on the subject agenda item, the former
Dutton Lumber site, be read into the record. The project fronts the Hudson River and consists of
approximately 600 dwelling units and 7,000 sq. ft. of commercial space. While the majority of
the project site is in the City of Poughkeepsie, a portion of the site is in the Town. My
preliminary review of the project’s Draft Environmental Impact Statement indicates there will be
impacts affecting town residents.

For example, the Traffic Impact Study analyzed existing and future roadway and traffic
conditions in the project vicinity. Traffic congestion is measured by Level of Service with “A”
representing best condition and “F” the worst. In many instances, evaluation of future traffic
conditions shows a drop in Level of Service resulting from the project. To cite just two
examples, future Level of Service for Route 9 and Marist Driveway South will drop a whole

level in both AM and PM Peak Hours to Levels of Service “D” and “E”, Route 9G and West Cedar Street shows a drop in level from “C” to “D” during peak periods.

At the February 11, 2009 Town of Poughkeepsie Committee of the Whole Meeting, the project’s attorney, Richard Cantor, assured Town Board members the Town would be involved throughout the process, giving the example of possibly holding a scoping session in the Town as well as the City. Cantor said this would be a “cooperative, intertwined action that needs to be worked out so that the Town’s interests are not being shortchanged”. However, no public hearings pertaining to scoping or the Draft EIS were ever held in the Town.

I ask the Town Board to ensure impacts to town residents will be minimized and mitigated to the fullest extent possible and that a thorough review of the DEIS be conducted by the Town and comments submitted so town residents are not “shortchanged”.

Sincerely,
Doreen Tignanelli”

Motion made to resume the rules: Supervisor Myers/R. Lecker

CARRIED: 7-0

07:21-09 ADOPT

- A. Base Proportions – Current/Adjusted
- B. Local Adjusted Base Proportion
Spackenkill

A. RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby adopt and certify the current base proportions, as follows:

	H	NH
Town	51.33382	48.66618
Town outside village	48.84165	51.15835
Consolidate Light	52.66332	47.33668
Spackenkill School	40.63956	59.36044
Arlington School	64.11175	35.88825
Wappingers School	65.64040	34.45960

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby adopt and certify the adjusted base proportions, as follows:

	H	NH
Town	51.00511	48.99489
Town outside village	48.50693	51.49307

Consolidated Light	52.27930	47.72070
Spackenkill School	40.58797	59.41203
Arlington School	63.89649	36.10351
Wappingers School	64.73392	35.26608

SO MOVED: Supervisor Myers/M. Cifone

Kathy Tabor: (Inaudible – Tape screeching)

Councilman Eagleton: The letter says, the governing body.

Kathy Tabor: (Inaudible) I have to do them for Wappingers and Arlington. They do their own apportionments because other Towns are involved.

Councilman Eagleton: So the State gives you a formula.

Kathy Tabor: The State gives me a formula to follow and then the Town Board has to adopt it.

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

Nays: None

CARRIED: 7-0

B.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby adopt and certify the local adjusted base proportion for Spackenkill School, as follows:

H	NH
42.801402	57.198598

SO MOVED: Supervisor Myers/M. Cifone

Speaker inaudible – (screeching tape)

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

CARRIED: 5-2

07:21-10 SET DATE FOR
PUBLIC HEARING

- A. New York State 2010 Retirement Incentive Program Part A
- B. New York State 2010 Retirement Incentive Program Part B

A.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie hereby sets the 4th day of August, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the time, date and place of a public hearing to consider electing the 2010 Retirement Incentive Program – Part A, as authorized by Chapter 105, Laws of 2010, which local law would be as follows:

1. The Town of Poughkeepsie hereby elects to provide targeted positions with a retirement incentive program authorized by Chapter 105, Laws of 2010.
2. The commencement date of the retirement incentive program shall be October 1, 2010.
3. The open period, during which eligible employees may retire and receive the additional retirement benefits, shall be at least 30 days but not more than 90 days in length and shall end on December 31, 2010.
4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Poughkeepsie for each employee who receives the retirement benefits payable under this local law.
5. This local law shall take effect immediately upon filing with the Secretary of State and upon submission to the Retirement System.

SO MOVED: R. Lecker/S. Eagleton

Supervisor Myers: This part A of the incentives would be necessary to target the positions you would like to see retire. Then you have to show a 50% savings over two years.

Councilman Krakower: What is the cost to the Town?

Supervisor Myers: It's 27% of the salary times 5 years.

Councilman Tancredi: Based on the information Jim sent, I didn't think it looked like it would be of any value to the Town to implement these programs.

Supervisor Myers: I think what Jim sent was for Part B. Where he listed the names, those would be people who qualify under Part B.

Councilman Cifone: Unless we are going to close out line items, it doesn't make any sense. It would cost us more money for the next five years, plus you would have to hire new people.

Supervisor Myers: You are giving them the option of retiring at a younger age.

Councilman Krakower: (Inaudible) (Screeching tape)

Supervisor Myers: The problem is, if you are going to do this, you must do it now, because the Local Law must be adopted by August 31st.

Councilman Cifone: (Inaudible) (Screeching tape)

Councilman Tancredi: (Inaudible) If we implement A, could we retract it at any point?

Supervisor Myers: You only have to give a 30 day window.

(Councilman were for Tabling this until August 4th)

Supervisor Myers: You can do it by next week because the law has to be in place by August 31st and we have to have a public hearing, which would have to be next week.

B

AMENDED
RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie hereby sets the 4th day of August, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the time, date and place of a public hearing to consider electing the 2010 Retirement Incentive Program – Part B, as authorized by Chapter 105, Laws of 2010, which local law would be as follows:

1. The Town of Poughkeepsie hereby elects to provide all of its eligible employees with a retirement incentive program authorized by Chapter 105, Laws of 2010.
2. The commencement date of the retirement incentive program shall be October 1, 2010.
3. The open period, during which eligible employees may retire and receive the additional retirement benefits, shall be 90 days in length and shall end on December 29, 2010.
4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Poughkeepsie for each employee who received the retirement benefits payable under this local law.

material, solid waste and unsound structures, pursuant to Section 159-13 of the Town of Poughkeepsie Town Code or the following properties:

- 245 Wilbur Blvd.
6160-01-295538-0000
Stanley & Bernice Millspaugh, Trustees
17 Rosalind Road
Poughkeepsie, NY 12601
- 525 Haight Avenue
6161-08-868785-0000
Irene Gonzales
525 Haight Avenue
Poughkeepsie, NY 12603
- 32 Streit Avenue
6161-07698772-0000
Torrance Williams
32 Streit Avenue
Poughkeepsie, NY 12603
- 144 Manchester Road
6261-01-223601-0000
Nicole Herring
144 Manchester Road
Poughkeepsie, NY 12603
- 18 Creek Road
6162-02-667528-0000
Cetek, Inc.
19 Commerce Street
Poughkeepsie, NY 12603

SO MOVED: J. Conte/M. Cifone

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

CARRIED: 7-0

PUBLIC HEARING SET FOR AUGUST 18, 2010

07:31-13 SET DATE FOR
PUBLIC
HEARING

Amend Town Code, Chapter 159, Entitled
“Property Maintenance”, Specifically
Section 159-13, Entitled “Removal By
Town: Charges”

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 4th day of August, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, as and for the time, date and place of a public hearing to consider an amendment to the Town Code, Chapter 159, entitled “Property Maintenance”, specifically Section 159-13, “Removal by Town; Charges,” which amendment would be as follows:

DELETE: Section 159-13B. Removal by Town; Charges.

ADD: Section 159-13 B. Removal by Town; Charges.

The Town Board, after a public hearing as provided by Subsection A, may cause and continue to cause the removal of any building, structure, vermin, nuisance, hazard, debris or litter as defined in this chapter, or any vehicle parked or stored in violation of this chapter, to be removed from any premises within the Town of Poughkeepsie, upon failure, or the continued failure, of such owner, tenant or occupant to comply with any requirements and/or conditions of the Town Board. Said removal may be performed by the Town of Poughkeepsie or by its designee, or agent, including a private contractor. The Town Board shall ascertain the cost of the proceeding and the costs of removal, and assess such expense against the record owner of the property. The expense so assessed shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges.

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby declare itself as Lead Agency under the New York State Environmental Quality Review Act and does determine that this action is an Exempt Action; and

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

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 7-0

PUBLIC HEARING SET FOR AUGUST 4, 2010

07:21-14 PUBLIC
HEARING

Amend Town Code, Chapter 71, Entitled
"Buildings, Unsafe", Specifically Section 71-8,
Entitled "Service Of Notice"

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 4th day of August, 2010 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, as and for the time, date and place of a public hearing to consider an amendment to the Town Code, Chapter 71, entitled "Buildings, Unsafe", specifically Section 71-8, "Service of Notice", which amendment would be as follows:

DELETE: Section 71-8. Service of Notice

ADD: Section 71-8. Service of Notice

Said notice shall be served upon the owner, executor, administrator, agent, lessee or other person having a vested or contingent interest in such unsafe buildings as shown by the records of the Receiver of Taxes or of the County Clerk by the Building Inspector or his or her designee or Fire Inspector or his or her designee. Service shall be either by personal service or by certified mail, return receipt requested directed to the last known address of whoever is to be served as shown by the aforesaid records. If service is made by certified mail, a copy of the notice shall be posted on the premises.

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby declare itself as Lead Agency under the New York State Environmental Quality Review Act and does determine that this action is an Exempt Action; and

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. Krakower/T. Tancredi

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

CARRIED: 7-0

07:21-15 AUTHORIZE
SUPERVISOR
TO SIGN

A Quitclaim Deed For Salem Court
Cul-De-Sac

RESOLUTION

WHEREAS, a cul-de-sac which is shown on property formerly owned by the Estate of Thomas D. O'Keefe and now owned by Pasquale Ruperto and Donna M. Ruperto, which cul-de-

sac was never established and is no longer needed since Salem Court was extended beyond the Ruperto property, now therefore

BE IT RESOLVED, that the Supervisor of the Town of Poughkeepsie is authorized to sign a Quitclaim Deed of any interest which the Town of Poughkeepsie may have in said lot to Pasquale Ruperto and Donna M. Ruperto in the form of the deed attached hereto.

SO MOVED: T. Tancredi/S. Krakower

Town Attorney Hagstrom: (Inaudible) Screeching tape

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

CARRIED: 7-0

07:21-16 APPROVAL

Waiver of 30 Day Waiting Period For Liquor License Renewal For B. Tula, LLC D/B/A Margaritas Mexican Restaurant Located At 1810-1840 South Road, Suite # 116

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from Tula, LLC, d/b/a Margaritas Mexican Restaurant, 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: Supervisor Myers/M. Cifone

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

CARRIED: 7-0

07:21-17 AUTHORIZE

Vail Wolfe/McKenna/Frye, Post 170 VFW Carnival August 04, 2010 – August 08, 2010 Located At 1 Violet Avenue

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application heretofore received from Vail Wolff/McKenna/Frye, Post 170, to hold a

carnival at 1 Violet Avenue, Poughkeepsie, NY 12601 from August 4, 2010 through August 8, 2010; and

BE IT FURTHER RESOLVED, that a Certificate of Liability Insurance has been filed in the Town Clerk's Office naming the Town of Poughkeepsie as an additional insured.

SO MOVED: R. Lecker/M. Cifone

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

Nays: None

CARRIED: 7-0

07:21-18 ACCEPT

2010 Minutes

June 23 Town Board Meeting

July 07 Town Board Meeting

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:

June 23, 2010 – Town Board Meeting

July 7, 2010 – Town Board 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

07:21-19 APPROVAL

Marist College Fireworks Public Display On
Campus On August 29, 2010 For Block Party with
Letter of Approval From Fairview Fire Chief Tory
Gallante & Insurance Attached

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Marist College to include a fireworks display at their Block Party event to be held on August 29, 2010; and

WHEREAS, the applicant has notified the Fairview Fire Department; and

WHEREAS, a Certificate of Liability Insurance has been filed with the Town Clerk 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 a fireworks display to be held on August 29, 2010, at 9:00 PM on Marist College property, North Road, Poughkeepsie, NY.

SO MOVED: J. Conte/M. Cifone

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

Nays: None

CARRIED: 7-0

07:21-20 APPROVAL

Marist College Fireworks Display on Campus on September 03, 2010 For Football Game (Marist Vs. Sacred Heart) With Letter Of Approval From Fairview Fire Chief Tory Gallante & Insurance Attached

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Marist College Athletics Department to include a fireworks display at their Marist Football vs. Sacred Heart event on September 3, 2010; and

WHEREAS, the applicant has notified the Fairview Fire Department; and

WHEREAS, a Certificate of Liability Insurance has been filed with the Town Clerk 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 a fireworks display to be held on September 3, 2010, at 9:30 PM on Marist College Baseball Field property, North Road, Poughkeepsie, NY.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 7-0

07:21-21 AUTHORIZE

Lien & Charge On 2 Bird Lane

RESOLUTION

BE IT RESOLVED, that pursuant to Section 159-13 (B) of the Code of the Town of Poughkeepsie, based upon the report of the Highway Department of the Town of Poughkeepsie, of the costs and expenses of removal, the Town Board ascertains the net expenses incurred are \$14,730.56; and

BE IT FURTHER RESOLVED, that the expense so assessed shall constitute a lien and charge on the real property, commonly known as 2 Bird Lane, Town of Poughkeepsie, Dutchess County, State of New York and shall be levied against said property until paid or otherwise satisfied or discharged and collected in the same manner and at the same time as other Town charges; and

BE IT FURTHER RESOLVED, that the Town Clerk shall cause this said lien to be filed with the Dutchess County Clerk.

SO MOVED: S. Krakower/J. Conte

Councilman Tancredi: Do we keep track of the mortgage?

Town Attorney Hagstrom: (Inaudible)

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

Nays: None

CARRIED: 7-0

07:21-22 AUTHORIZE

Lien & Charge On 194 Violet Avenue

RESOLUTION

BE IT RESOLVED, that pursuant to Section 159-13 (B) of the Code of the Town of Poughkeepsie, based upon the report of the Highway Department of the Town of Poughkeepsie, of the costs and expenses of removal, the Town Board ascertains the net expenses incurred are \$1,787.18; and

BE IT FURTHER RESOLVED, that the expense so assessed shall constitute a lien and charge on the real property, commonly known as 194 Violet Avenue, Town of Poughkeepsie, Dutchess County, State of New York and shall be levied against said property until paid or otherwise satisfied or discharged and collected in the same manner and at the same time as other Town charges, and

BE IT FURTHER RESOLVED, that the Town Clerk shall cause this said lien to be filed with the Dutchess County Clerk.

SO MOVED: T. Tancredi/J. Conte

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

CARRIED: 7-0

07:21-23 AUTHORIZE

Supervisor & Comptroller To Call The Letter
Of Credit By Demanding Payment From
Riverside Bank On Behalf Of LVS Enterprises,
LLC

RESOLUTION

WHEREAS, LVS Enterprises, LLC has heretofore filed a Letter of Credit issued on August 21, 2006, amended August 14, 2009, pursuant to the subdivision approval received for LVS Subdivision; and

WHEREAS, said letter of credit was filed by Riverside Bank, identified as:

Letter of Credit No. 1122,

and

WHEREAS, the Town Attorney's Office has been notified that said letter of credit will expire on August 21, 2010, and

WHEREAS, Riverside Bank has not submitted a renewal of the current letter of credit,
and

WHEREAS, Riverside Bank has been notified of this situation, and

WHEREAS, Riverside Bank has not responded as of the date of this meeting, now,
therefore,

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie, as beneficiary, does hereby authorize the Supervisor and the Town Comptroller to sign all papers necessary and proper to call the letter of credit by demanding payment from Riverside Bank on behalf of LVS Enterprises, LLC.

SO MOVED: Supervisor Myers/T. Tancredi

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

CARRIED: 7-0

07:21-24 AUTHORIZE

David Hagstrom Town Attorney, To Enter
Into Stipulation of Settlement For Pending Tax
Certiorari Proceedings For The Poughkeepsie
Business Park, LLC Located At 900 Dutchess
Turnpike

RESOLUTION

IT IS HEREBY RESOLVED, that David D. Hagstrom, Town Attorney, is authorized to enter into a Stipulation of Settlement for pending tax certiorari proceedings, including the 2010 grievance complaint, for the Poughkeepsie Business Park, LLC located at 900 Dutchess Turnpike in the Town of Poughkeepsie, having tax Grid No. 6262-04-830160-0000, whereby the 2007 and 2008 proceedings will be discontinued with no reduction in the assessment and no refunds and the assessment for the 2009 assessment will be reduced from \$11,680,000 to \$10,600,500, with the refund to be paid without interest if paid within 60 days after service of an Order or Consent Judgment with Notice of Entry, and to sign such other and further papers or documents as may be needed to effectuate the settlement.

R. Lecker/S. Krakower

Town Attorney Hagstrom: (Inaudible)

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

Nays: None

CARRIED: 7-0

07:21-25 APPROVE

Renewal of Communications Equipment
Service Agreement For 31 Mobile Police
Radios & 1 Base Station

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie hereby approves the renewal of the Communications Equipment Service Agreement for 31 mobile police radios and one (1) base station at the monthly charge of \$465.80, which reflects no increase from the initial contract, for the period from June 1, 2010 through June 1, 2012, pursuant to the attached request from the Chief of Police

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 7-0

07:21-26 NOTIFICATION

Public Hearing In Town of Wappinger On July 26, 2010 at 7:00 PM At Town Hall Regarding The "Draft Town Comprehensive Plan"

NOTED BY TOWN BOARD

07:21-27 NOTICE OF CLAIM

Michael Mignone, A Child, By His Mother & Natural Guardian, Tina Mignone, and Tina Mignone, Individually vs. Town of Poughkeepsie For Injuries At Red Oaks Mill Park

REFERRED TO LEGAL DEPARTMENT

07:21-28 NOTICE OF CLAIM

Raymond Ackerman vs. Town For Damage To Automobile On Fairview Avenue

REFERRED TO LEGAL DEPARTMENT

07:21-29 NOTIFICATION

Liquor License Renewal

A. Third Rock Inc. D/B/A Coyote Grill
Located at 2629 South Road

B. Arlington American Legion Post No 1302
Located at 55 Overlook Road

NOTED BY TOWN BOARD

07:21-30 NOTIFICATION

By Dutchess County Public Works Of Road Paving Of County Route 77, Vassar Road, From US 9 To NYS Route 376 In The Town Of Poughkeepsie Beginning July 6, 2010 And Ending The Middle Of August

NOTED BY TOWN BOARD

07:21-31 NOTIFICATION

Notice Of Acceptance Of Draft Environmental Impact Statement & Public Hearing On July 28, 2010 At 4:30 PM At The Common Council Chamber At 62 Civic Center Plaza In The City of Poughkeepsie For Land Located At One Dutchess Avenue In City & Town

NOTED BY TOWN BOARD

07:21-32 AUTHORIZE

Special Consent Items, SC 1, SC 2, SC 3, SC 4,
SC 5, SC 6, SC 7, SC 8, SC 9, and SC 10

RESOLUTION

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

- | | |
|-------------------------------------|--|
| SC 1. Set Date for Public Hearing | Amend Town Code Section 210.104.1
Sidewalk Seating & Tables for Patrons |
| SC 2. Approve | Block Party-Conklin Street |
| SC 3. Appeal | Edward G. Applegarth – Vehicle for Hire
Denial |
| SC 4. Consent | Planning Board to be Lead Agency
-Golf Plaza |
| SC 5. Notification | Wiltse Subdivision |
| SC 6. Authorize Supervisor to Sign | DeGarmo 44, LLC Sewer Tenancy
Agreement Lot A |
| SC 7. Authorize Supervisor to Sign | DeGarmo 44, LLC Sewer Tenancy
Agreement Lot B |
| SC 8. Authorize Supervisor to Sign | Agreement – Chief Mauro |
| SC 9. Authorize Supervisor to Sign | Agreement – Captain Lecomte |
| SC 10. Authorize Supervisor to Sign | Agreement – Captain Spero |

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

SO MOVED: J. Conte/T. Tancredi

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

Nays: None

CARRIED: 7-0

07:21-SC 1 SET DATE FOR
PUBLIC
HEARING

Amend Town Code, Chapter 210, entitled
“Zoning”, Specifically Article VIII, Section
210-104.1, Entitled “Sidewalk Seating &
Tables For Patrons”

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 18th day of August, 2010 at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the time, date and place of a public hearing to consider an amendment to the Town Code, Chapter 210, entitled “Zoning”, specifically Article VIII, Section 210-104.1, entitled “Sidewalk seating and tables for patrons”, which amend would be as follows:

DELETE: Section 210-104.1. Sidewalk seating and tables for patrons.

ADD: Section 210-104.1. Sidewalk seating and tables for patrons.

- A. Purpose. It is the intent of these regulations to allow establishments that serve food and beverages to provide tables and chairs for patron use on the sidewalk at the front entrance to such establishments. The provisions of this section are distinguished from the provisions of Section 210-102 since the placement of any tables and chairs is a temporary accessory use and does not include the installation of permanent structures or improvements that would serve to delineate the sidewalk seating area. In addition, the placement of tables and chairs on a public sidewalk is subject to the jurisdiction of the town, county, state or federal agency that may own the affected right-of-way.
- B. Criteria. In any district where permitted sidewalk seating and tables for patrons shall comply with the following provisions.
 - (1) Only tables and chairs placed directly on the sidewalk shall be permitted. The use of platforms on which tables and chairs would be placed shall be prohibited. Umbrellas that are supported on a post that is affixed to or supported by tables are also permitted. Freestanding umbrellas shall be prohibited. Additionally, temporary self-supporting dividers (i.e. velvet rope fences, chain or fabric) not exceeding four (4) feet in height measured from the sidewalk grade upward are permitted as required to comply with the New York State Alcohol Control Board requirements for outside service of alcoholic beverages.
 - (2) The placement or installation of light fixtures, planters, trash receptacles, signs, posts, ropes, signage, service stands, or any other freestanding, self-supported, or permanent fixtures not specifically permitted herein on the sidewalk is prohibited.
 - (3) Tables, chairs, umbrellas and dividers shall be moveable and shall not be affixed to the ground, the building, or to the sidewalk.
 - (4) Tables, chairs, umbrellas and dividers shall not be placed on any sidewalk before 7:00 AM and shall be removed not later than 10:00 PM or the close of business, whichever occurs first.

- (5) Tables, chairs, umbrellas and dividers shall be located so as to provide not less than five (5) feet of open sidewalk space for unimpeded pedestrian passage between the curb line and the tables located between the curb line and the sidewalk the minimum five (5) feet of open sidewalk space shall be measured from the edge of the planted area inward toward the building front. In addition, tables and chairs shall be located to maintain not less than eight (8) feet of open space from the edge of any designated crosswalk.
- (6) The placement of tables, chairs, umbrellas and dividers at or near the curb line so that pedestrians must past between the tables, chairs, umbrellas and dividers and the building front shall be prohibited.
- (7) All food and beverages shall be dispensed from the interior of the establishment. No outdoor service bar or counter shall be permitted.
- (8) No outdoor music or sound amplified from the interior of the building shall be permitted.
- (9) The placement, installation, and use of sound amplifiers or public address systems shall be prohibited.

AND BE IT FURTHER RESOLVED, that the Town Board declares its intent to act as Lead Agency under the New York State Environmental Quality Review Act and upon review of a Short Form Environmental Assessment Form does declare said action as an Unlisted Action; and

BE IT FURTHER RESOLVED, that the Town Board does authorize and direct the Town Clerk to submit the proposed zoning amendment to the Dutchess County Department of Planning for a recommendation pursuant to GML 239-m; and

BE IT FURTHER RESOLVED, that the Town Board does hereby refer the ATC District outdoor sidewalk seating amendment to the Town of Poughkeepsie Planning Board for an advisory report pursuant to Town Code Section 210-154, and

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

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 7-0

PUBLIC HEARING TO BE AUGUST 18, 2010

SHORT ENVIRONMENTAL ASSESSMENT FORM AND MAP
ATTACHED TO FINAL BOOK COPY

07:21-SC 2 APPROVE

Block Party On Conklin Street On September
18, 2010 From 2:00 PM to 10:00 PM Requested
By Pam Kingsley

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Pam Kingsley to hold a block party on Conklin Street on September 18, 2010, with a rain date of September 25, 2010, from 2:00 PM to 10:00 PM and does hereby authorize the Highway Department to close said street, but allowing access for emergency vehicles, from 2:00 PM to 10:00 PM; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the "Open Container Law" in the event alcoholic beverages are to be serviced.

SO MOVED: S. Krakower/T. Tancredi

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

CARRIED: 7-0

07:21-SC 3 APPEAL

Edward G. Applegarth For Vehicle For Hire
License Denial

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, upon hearing the appeal of Edward G. Applegarth, does hereby grant the application for a Vehicle for Hire License depending on taking a defensive driving course.

SO MOVED: Supervisor Myers/T. Tancredi

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

CARRIED: 7-0

MR. APPLGARTH CAN GO TO THE TOWN CLERK TOMORROW MORNING
AND RECEIVE HIS LICENSE

07:21-SC 4 CONSENT

To Town Planning Board Acting As Lead Agency
For The SEQRA Review of The Project Known As
Golf Plaza Located At 68 Creek Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie hereby consents to the Town of Poughkeepsie Planning Board acting as the Lead Agency for the SEQRA review of the project known as Golf Plaza, 68 Creek Road, Poughkeepsie, NY.

SO MOVED: R. Lecker/M. Cifone

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

07:21-SC 5 NOTIFICATION SEQRA Lead Agency Notice Of Intent For
Wiltse, Rose Subdivision Located At 907
Dutchess Turnpike By The Town Of
Poughkeepsie Planning Board

NOTED BY TOWN BOARD

07:21-SC 6 AUTHORIZE Sewer Tenancy Agreement Between DeGarmo
SUPERVISOR 44, LLC, Etc. To Provide Sewer Service To
TO SIGN Property Fronting On Route 44, Identified As
Lot A

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Sewer Tenancy Agreement between DeGarmo 44, LLC, the Town of Poughkeepsie, Arlington Sewer District, Arlington Sewer District Capital, Arlington Sewer District Main, Arlington Sewer Service Area and Arlington Sewer Service Area #1 to provide sewer service to property fronting on Route 44, Town of Poughkeepsie, identified as Lot A, {substantially in the form of the agreement attached a copy attached hereto}; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Stormwater Management Facility Inspection and Maintenance Easement and a Stormwater Management Facility Inspection and Maintenance Easement {and a Stormwater Management Facility Inspection and Maintenance Agreement} relative to the aforesaid Lot A, Block 4.

Motion made to amend resolution: Supervisor Myers/T. Tancredi

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

CARRIED: 7-0

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

SEWER TENANCY AGREEMENT LOT A ATTACHED TO FINAL BOOK COPY

07:21-SC 7 AUTHORIZE
SUPERVISOR
TO SIGN

Sewer Tenancy Agreement Between DeGarmo
44, LLC, Etc. To Provide Sewer Service To
Property Fronting On Route 44, Identified As
Lot B

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Sewer Tenancy Agreement between Degarmo 44, LLC, the Town of Poughkeepsie, Arlington Sewer District, Arlington Sewer District Capital, Arlington Sewer District Main, Arlington Sewer Service Area and Arlington Sewer Service Area #1 to provide sewer service to property fronting on Route 44, Town of Poughkeepsie, identified as Lot B, {substantially in the form of the agreement attached} hereto, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Stormwater Management Facility Inspection and Maintenance Easement and a Stormwater Management Facility Inspection and Maintenance Agreement relative to the aforesaid Lot B, Block 4.

SO MOVED: J. Conte/T. Tancredi

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

CARRIED: 7-0

SEWER TENANCY AGREEMENT LOT B, BLOCK 4 ATTACHED TO FINAL BOOK COPY

07:21-SC 8 AUTHORIZE
SUPERVISOR

Agreement With Chief of Police Thomas Mauro
Setting Forth Terms & Conditions OF His
Employment As Chief Of Police

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Chief of Police Thomas Mauro setting forth the terms and conditions of his employment as Chief of Police

SO MOVED: M. Cifone/S. Krakower

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

CARRIED: 6-1

Supervisor Myers felt that it was improper to give out raises at this time when there are five properties that had abandoned homes and are in extreme circumstances. Also, two weeks ago it was brought up that (inaudible) were looking for a new contract and it was brought to everyone's attention that our Department Heads and Confidential people didn't receive any raises in 2010.

Councilman Krakower: (Inaudible) One of the issues we do have here, if we don't approve anything, we create a situation where , last year the Chief (Inaudible) These raises are consistent with past practice of this Board and we approved the PBA Contract just recently. You approved the PBA contract that had a much more significant impact. I'm completely in favor of this and I think it is well deserved. I think they do a tremendous job and we should pay them accordingly.

Supervisor Myers: This is no reflection on the Chief or the Captains, I think those three gentlemen do an outstanding job and I think they are ideal representatives of the Police Force in the Town of Poughkeepsie, this is strictly a matter of economics.

AGREEMENT ATTACHED TO FINAL BOOK COPY

07:21-SC 9 AUTHORIZE
SUPERVISOR
TO SIGN

Agreement With Captain Paul Lecomte, Jr.
Setting Forth Terms & Conditions Of His
Employment As Police Detective Captain

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Captain Paul Lecomte, Jr. setting forth the terms and conditions of his employment as Police Detective Captain.

SO MOVED: S. Krakower/M. Cifone

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

CARRIED: 6-1

AGREEMENT ATTACHED TO FINAL BOOK COPY

07:21-SC 10 AUTHORIZE
SUPERVISOR
TO SIGN

Agreement With Captain Ronald J. Spero,
Jr. Setting Forth Terms & Conditions Of His
Employment As Police Patrol Captain

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Captain Ronald J. Spero, Jr. setting forth the terms and conditions of his employment as Police Patrol Captain.

SO MOVED: S. Krakower/M. Cifone

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

CARRIED: 6-1

AGREEMENT ATTACHED TO FINAL BOOK COPY

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

CARRIED: 7-0

Supervisor Myers: Before I forget, August 3rd is “National Night Out” being sponsored by our Police Department and Recreation to strengthen neighborhood spirit, heighten crime and drug prevention and joining with 100 other communities in the nation to celebrate the 27th annual “National Night Out” and it’s going to take place from August 3rd from 5 to 8 PM at Greenvale Park. Free admission, food and drink. Bouncy houses and magic show. Music by 96.1 FM, Child ID and Emergency Vehicle Display, a K-9 demonstration and some vendors and the Recreation Department will be having a concert there with the Harvest Band from 7 to 8:30 PM.

Bob Casement: I have two concerns, one is I have a neighbor on that hairpin turn (Ridge Road) and they haven’t cut their grass this year. It’s about 3 feet high and it really is a hazard because you can’t see around the turn.

Supervisor Myers: I’ll have Sarah Davis, Town Zoning Administrator, look at.

Bob Casement: The other thing is, some neighbors, not all, a few of them, when they mow their lawn, they throw the grass out in the road. It stays there until it dries up and washes down the drain. It looks terrible. I don’t know how to address this.

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

CARRIED: 7-0

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Information relating to the current and future investigations constituting a criminal offense which would impair effective law enforcement if it were disclosed.
2. Confidential communications between the Attorney and his client, Town Board, based on Attorney/Client privileges.
3. Personnel matters to wit: A meeting to discuss the employment history of a particular individual that need not be identified at this time.

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

SO MOVED: Supervisor Myers/T. Tancredi

CARRIED: 7-0

SUPERVISOR MYERS INVITED POLICE CHIEF MAURO TO JOIN
THE TOWN BOARD IN EXECUTIVE SESSION

INTO EXECUTIVE SESSION AT 8:50 PM

BACK FROM EXECUTIVE SESSION AT 9:32 PM

NO ACTION WAS TAKEN

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

CARRIED: 7-0

MEETING CLOSED AT 9:39 PM

SJM:lkm