

**MINUTES OF TOWN BOARD REORGANIZATIONAL MEETING
HELD ON JANUARY 5, 2011 AT 7:00 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

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

***NOTE: Attachments pertaining to a particular Town Board Meeting will be found after the final 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

7:00 PM

CALL TO ORDER

SALUTE THE FLAG

Motion made to suspend the rules for Public speaking on agenda items: Supervisor Myers/ M. Cifone

CARRIED: 7-0

Doreen Tignanelli: I have a question about SC 7. Does that mean that's instead of the position as Town Attorney?

Supervisor Myers: Yes.

Doreen Tignanelli: SC 11, Morris Associates, does this have anything to do with Mr. Goddard's proposal for Bright Horizons?

Councilman Krakower: Yes and No. It's to take a look at our current buildings and conditions of the buildings and what it is going to cost to maintain them or put them into proper repair over the next 5 to 10 years and so we have a better understanding of what the Town's needs are, whether we do anything with Mr. Goddard or not.

Doreen Tignanelli: Have we ever done one of these before?

Councilman Krakower: Not that I remember since I've been on the Board. But, I think it makes sense to understand what is going on with our buildings and, especially the

Police/Court facility where we've had a lot of problems over the years. So, it will give us a better idea of what we are dealing with. We've had leaks in the roof and the floor sinking and all kinds of things over there.

Councilman Cifone: We just fixed the roof over there and we don't know how long it's going to hold.

Doreen Tignanelli: Do we know how much this survey will cost.

Councilman Krakower: Maximum of \$9,500, I believe.

Doreen Tignanelli: Ok, so the resolution will have a ceiling on it? (Yes)

Virginia Buechele: Do we currently have a list of the names of the attorney's we are looking at to perform the various legal services?

Councilman Krakower: The primary attorney will be Jim Nelson from Van Dewater and Van Dewater and then there would be coverage from other attorney's from Van Dewater if Jim is away on vacation or other.

Virginia Buechele: So we are not hiring the firm, we are hiring the person?

Town Attorney Hagstrom: You are going to have the same people who are doing the job right now.

Virginia Buechele: Is Mr. Hagstrom currently on the payroll?

Supervisor Myers: Yes.

Virginia Buechele: Then these attorneys won't be on the Town Payroll?

Supervisor Myers: They are going to be on our payroll, but not Town employees, that's the difference.

Virginia Buechele: Again, is there a limit?

Councilman Krakower: Yes, there is a cap, it's in the resolution.

Virginia Buechele: It just looks to me as another incident of outsourcing.

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

CARRIED: 7-0

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has determined that a regular meeting of the Board shall be held on the 1st and 3rd Wednesday of each month, with a Committee of the Whole meeting to be held on the 2nd Wednesday of each month for the year 2011, unless otherwise noted; now therefore

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adopt the 2011 Town Board Meeting Schedule, a true copy of which is attached hereto and incorporated herein, and

BE IT FURTHER RESOLVED, said meeting shall be at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, New York and shall commence at 7:00 PM unless otherwise noted.

SO MOVED: R. Lecker/S. Eagleton

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

Nays: None

CARRIED: 7-0

SCHEDULE ATTACHED TO FINAL BOOK COPY

01:05-02 APPROVE

2011 Non-Union Salary Schedule

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve and adopt the Non-Union Salary Schedule for the year 2011, a copy of which is attached hereto and incorporated herein.

SO MOVED: S. Eagleton/J. Conte

Councilman Lecker questioned the salary increase of a Water Department Employee.

Councilman Krakower: That individual was being paid hourly with overtime and it was changed to being paid salary and not being entitled to overtime any longer.

Motion made to Table until all information is available: Supervisor Myers/T. Tancredi

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

Nays: None

CARRIED: 7-0

SCHEDULE ATTACHED TO FINAL BOOK COPY

01:05-03 ADOPT

2011 Holiday Schedule

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby declare and adopt the following official holidays for the year 2011 to wit:

Martin Luther King Day	Monday, January 17, 2011
President's Day	Monday, February 21, 2011
Memorial Day	Monday, May 30, 2011
Independence Day	Monday, July 4, 2011
Labor Day	Monday, September 05, 2011
Columbus Day	Monday, October 10, 2011
Election Day	Tuesday, November 8, 2011
Veterans' Day	Friday, November 11, 2011
Thanksgiving Day	Thursday, November 24, 2011
Day After Thanksgiving	Friday, November 25, 2011
Christmas Day Holiday	Monday, December 26, 2011

SO MOVED: J. Conte/S. Eagleton

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

Nays: None

CARRIED: 7-0

SCHEDULE ATTACHED TO FINAL BOOK COPY

01:05-04 RE-ADOPT

Rules Of The Town Board

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby adopt the Rules which shall be known as "Rules of the Town Board of the Town of Poughkeepsie", which is attached hereto and incorporated herein.

SO MOVED: M. Cifone/J. Conte

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

Nays: None

CARRIED: 7-0

RULES ATTACHED TO FINAL BOOK COPY

01:05-05 APPROVE/

2011 Highway Department Rental Rates

RESOLUTION

WHEREAS, proposals were solicited for the Highway Department rental rates for the year 2011; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve and adopt the Highway Department Rental Rates for the year 2011, per the recommendation of the Superintendent of Highways, true copies of which are on file in the Town Clerk's Office for public inspection.

SO MOVED: S. Krakower/T. Tancredi

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

Nays: None

CARRIED: 7-0

01:05-06 BID AWARD

2011 Highway Department Use Of
Materials/Supplies

RESOLUTION

WHEREAS, bids were solicited for highway supplies for the year 2011; and

WHEREAS, said bids were received and opened; now therefore

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby award the bids for Highway Supplies for the year 2011, per the recommendations of the Highway Superintendent, as outlined in the documentation attached hereto and made a part hereof.

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 7-0

BIDS ATTACHED TO FINAL BOOK COPY

01:05-07 AUTHORIZE/
ADOPT

Execution Of Agreement, Pursuant
To Section 284 Of NYS Highway
Law, To Expend Town Highway
Funds in 2011

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize, adopt and approve the execution of an agreement, pursuant to Section 284 of the terms and conditions set forth therein, a true copy of which is attached hereto and made a part hereof.

SO MOVED: Supervisor Myers/M. Cifone

Supervisor Myers: The names of the streets listed are as follows:

Strawberry Hill Lane	Underhill Road
Victor Lane	Cathy Road
Williams Road	Sheldon Drive

There is one in each Ward.

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

Nays: None

CARRIED: 7-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

01:05-08 AUTHORIZE

Bonds For All Town Officials

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby declare and direct that the bonds for all Town Officials be continued in the same manner as heretofore established, with the same force and effect.

SO MOVED: R. Lecker/S. Eagleton

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

Nays: None

CARRIED: 7-0

01:05-09 APPOINTMENT

2011 Emergency Interim Successors

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does appoint as Emergency Interim Successors, as requested by the Dutchess County Department of Emergency Response, and does hereby specify their rank in order of succession as listed, the following individuals:

1. Marc Pfeifer
2. Todd Tancredi

3. Michael Cifone

BE IT FURTHER RESOLVED, the Supervisor is hereby authorized, empowered and directed to execute the Emergency Interim Successor designation form, in duplicate, which is attached hereto, and return to the D.C. Department of Emergency Response.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 7-0

FORM ATTACHED TO FINAL BOOK COPY

01:05-10 APPOINTMENT

2011 Emergency Chain of Command

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby appoint the following individuals as the Emergency Chain of Command for the year 2011, to wit:

1. Patricia Myers
2. Marc Pfeifer
3. Thomas Mauro

SO MOVED: J. Conte/M. Cifone

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

Nays: None

CARRIED: 7-0

01:05-11 APPOINTMENT

Adjustment of Holiday Schedule For Highway Department Due to Leaf Pickup

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby adjust the Holiday Schedule for the Highway Department due to its leaf pickup commitments on Election Day and Veterans Day, as follows:

Election Day – November 8, 2011 – Change to Thursday, August 4, 2011
Veterans Day – November 11, 2011 – Change to Friday, December 23, 2011

SO MOVED: M. Cifone/S. Krakower

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

01:05-12 ESTABLISH Standard Workday For Elected &
Appointed Officials

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby establish the standard workday for each elective and appointive official, which shall be not less than 6 hours per day; and

BE IT FURTHER RESOLVED, that the standard work week shall be Monday through Friday; and

BE IT FURTHER RESOLVED, that the following is a list of the elected officials with their term expiration date:

Patricia Myers, Supervisor	12/31/11
Richard Lecker, 1 st Ward Councilman	12/31/11
Sean Eagleton, 2 nd Ward Councilman	12/31/11
Joseph Conte, 3 rd Ward Councilman	12/31/11
Michael Cifone, 4 th Ward Councilman	12/31/11
Stephan Krakower, 5 th Ward Councilman	12/31/11
Todd Tancredi, 6 th Ward Councilman	12/31/11
Geoffrey Patterson, Receiver of Taxes	12/31/13
Susan J. Miller, Town Clerk	12/31/11
Marc Pfeifer, Superintendent of Highways	12/31/13
Paul O. Sullivan, Town Justice	12/31/11
Paul Banner, Town Justice	12/31/11

AND BE IT FURTHER RESOLVED, that the following is a list of the appointed officials with their term expiration date:

Town Attorney	12/31/11
8:30 AM – 4:30 PM (1 hour lunch)	
James Wojtowicz, Comptroller	12/31/11
8:00 AM – 4:00 PM (1 hour lunch)	12/31/11

AND BE IT FURTHER RESOLVED, that commencing January 1, 2011 the elected or appointed official shall record his or her work activities for a period of three consecutive months, which will include matters outside the normal working hours for the purpose of actually attending to official duties, including to responding to an emergency,

Attending an employee sponsored event or meeting with, or responding to, members of the public on matters of official business; and

BE IT FURTHER RESOLVED, that said records shall be completed within 150 days of taking office and shall be submitted within 180 days to the Clerk of the Governing Board.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 7-0

01:05-13 APPOINTMENT

David R. Wise, Esq. To Provide
Labor & Employment Legal Services
To Town in 2011

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a Labor and Employment Legal Services Letter Agreement for the year 2011 between the Town of Poughkeepsie and David R. Wise, Esq. of the law firm of Gellert & Klein, a copy of which is attached hereto.

SO MOVED: T. Tancredi/S. Krakower

Supervisor Myers: I'm sure you are interested in how much this will be. It is capped at \$33,000 with an additional possible \$7500 for negotiations.

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

Nays: None

CARRIED: 7-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

01:05-14 APPOINTMENT

Craig Wallace, Esq. As Code
Enforcement Attorney

RESOLUTION

BE IT RESOLVED, that for a one year term the Town Board of the Town of Poughkeepsie does hereby appoint Craig Wallace of counsel to the Town Attorney pursuant to Section 20(2)(a) of the Town Law at the rate of \$155.00 per hour for code enforcement advice and litigation in the Town of Poughkeepsie Town Courts regarding zoning, noise control, animal control, building code control and violations, and parking

violations at the rate of \$155.00 per hour, subject to the annual maximum cap of \$47,500.00 from the Legal Department budget line, with any surplus reverting to the General Fund at the end of the year 2011.

SO MOVED: Supervisor Myers/M. Cifone

Councilman Tancredi: Is this the same?

Supervisor Myers: No, it's up \$1500.

Councilman Tancredi: For Traffic Court? (Yes)

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

Nays: None

CARRIED: 7-0

01:05-15 DESIGNATE

M & T Bank As The Town's
Primary Bank

**CORRECTED
RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby designate M & T Bank, one (1) of the official banks for the Town of Poughkeepsie for the period January 1, 2011 through December 31, 2011, for its primary banking relationship and further authorizes the Town Supervisor and the Town Comptroller to sign such agreements and documents as are needed to effectuate this resolution.

SO MOVED: R. Lecker/S. Eagleton

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

Nays: None

CARRIED: 7-0

01:05-16 ACCEPT

Easement From Archdiocese Of New
York For a Waterline & Accessories
In Reference To The Hudson River
Psychiatric Center

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie accepts an Easement from the Archdiocese of New York to the Town of Poughkeepsie for a waterline and accessories in reference to tax parcel number 134689-6163-03-219518,

formerly known as the Hudson River Psychiatric Center, which easement is attached, and authorizes the Supervisor to sign the Easement and the TP-584.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 7-0

EASEMENT ATTACHED TO FINAL BOOK COPY

01:05-17 NOTIFICATION

Renewal Application Notice Form
For Liquor License For BriJared,
Inc. D/B/A South Gate Deli And
Grocery Located At 1 South Gate
Drive & Route 9

APPROVED BY POLICE

NOTED BY TOWN BOARD

01:05-18 DISCUSSION

Ulster Uniform Service Contract

Attorney Hagstrom recommended that since the Sewer Department might have less employees in 2011, the contract with Ulster Uniform Service be terminated and that the company be notified of the termination.

Motion made to terminate the agreement with Ulster Uniform Service: Supervisor Myers/M. Cifone

CARRIED: 7-0

RETURN TO RESOLUTION #2:

At this point in the agenda, Supervisor Myers requested to go back to Resolution #2 and Un-table the item. Seconded by Councilman Eagleton

CARRIED: 7-0

Councilman Lecker: The only thing I want to ask and I understand that this is government and you can FOIL people's salary, I feel uncomfortable talking about an individual person and passing around a W-2. I don't know what we can do, this is government, but you can FOIL this, but, I just feel uncomfortable.

Councilman Eagleton: We can talk in terms of percentages.

Supervisor Myers: Ok.

Supervisor Myers: I would like to amend Resolution #2 to remove the line “Water Maintenance Supervisor” at this time: Seconded by Councilman Krakower

CARRIED: 7-0

Councilman Eagleton: The percentage I saw was a little less than 20% of the salary in terms of overtime and I think the same individual was given additional vacation upon return to the Town. I still think 30% might be beyond what I would have expected for a promotion.

Councilman Conte: We also have him for some other duties for the year?

Councilman Krakower: He took over the position Camo Polution had and Camo Polution was somewhere between \$90,000 and 97,000.

Supervisor Myers: Just about \$90,000, I believe. I intend to agree with Councilman Eagleton. I think he deserves a raise and he certainly is doing an outstanding job in saving the Town money, but I think this sends a wrong message to the taxpayers, that we are increasing his salary by about \$20,000.

Councilman Krakower: I suggest that we amend the resolution to take that salary out and see what the overtime has been for the last couple of years so we get it right and to a number we are all comfortable with.

Supervisor Myers: I think that’s fine.

Councilman Eagleton: I’m fine with that also.

Motion made to amend resolution to remove Water Maintenance Supervisor salary compensation for discussion first: Seconded by S. Krakower

CARRIED: 7-0

ROLL CALL ON RESOLUTION AS AMENDED: Ayes: Councilman Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi, and Supervisor Myers
Nays: None

CARRIED: 7-0

RETURN TO ITEM # 19:

01:05-19 AUTHORIZE

Special Consent Items SC 1, SC 2, SC 3, SC 4, SC 5, SC 6, SC 7, SC 8, SC 9, SC 10, and SC 11

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. Authorize to go to Bid | Municipal Tractor – Highway |
| SC 2. Authorize Settlement | Bahret Homes, LLC Tax Certiorari Proceedings 2007 -2010 |
| SC 3. Set Date for Public Hearing | Amend Town Code Chapter 195 – Vehicle and Traffic – Stop Intersection |
| SC 4. Authorize Supervisor to Sign | SRO Agreement – Spackenkill School District |
| SC 5. Notification | Liquor License Renewal Gentleman Jims Restaurant |
| SC 6. Resignation | David D. Hagstrom, Town Attorney |
| SC 7. Appointment | Attorneys to the Town |
| SC 8. Set Date for Public Hearing | Amend Town Code Chapter 28 – “Officers and Employees” |
| SC 9. Authorize Supervisor to Sign | Professional Management Services Agreement - United Water Environmental Services, Inc. |
| SC 10. Authorize Supervisor to Sign | Application for Extension of Completion Date to August 15, 2011 – Creek Road Improvement Project – H.B. Wiltse Excavating, Inc. |
| SC 11. Authorize | Morris Associates to perform a Building Condition Survey and Five Year Maintenance Plan of Town Hall and the Police/Court Facility |

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

SO MOVED: J. Conte/M. Cifone

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

Nays: None

CARRIED: 7-0

01:05:SC 1 AUTHORIZE
TO GO TO
BID

Highway Department For (1) New
Municipal Tractor

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Superintendent of Highways to advertise for bids for one (1) new MUNICIPAL TRACTOR; and

BE IT FURTHER RESOLVED, that sealed bids will be received at the Office of the Superintendent of Highways, 8 Burnett Blvd., Poughkeepsie, NY until 3:00 PM on Thursday, January 20, 2011 with a bid opening on Friday, January 21, 2011 at 7:30 AM; 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: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 7-0

01:05-SC 2 AUTHORIZE

For Bahret Homes, LLC Tax
Certiorari Proceedings From
2007-2010

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize that the tax review proceedings instituted by Bahret Homes LLC for the tax assessment rolls of 2007 through 2010 be settled as shown on the attached Order; and

BE IT FURTHER RESOLVED, that Kyle W. Barnett, Esq. Van DeWater & Van DeWater, LLP and Kathleen D. Taber, Town Assessor, are hereby authorized to sign such papers as are necessary to effectuate the settlement.

SO MOVED: S. Krakower/S. Eagleton

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

Town Attorney Hagstrom: I would just like you to note that there is only one year out of four where there is a refund and three years where there is no refund.

ORDER ATTACHED TO FINAL BOOK COPY

01-05-SC 3 SET DATE FOR PUBLIC HEARING	Amend Town Code Chapter 195, Entitled "Vehicle & Traffic", Specifically Section 195-44, Schedule IX, Entitled "Stop Intersections" For Fern Lane & Cardinal Drive
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RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 19th day of January, 2011 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 Chapter 195, entitled "Vehicles and Traffic", specifically Section 195-44, Schedule IX, entitled "Stop Intersections", which amend would be as follows:

ADD:

Stop Sign On	Direction of Travel	At Intersection of
Fern Lane	South	Cardinal Drive

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does 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

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

SO MOVED: T. Tancredi/S. Krakower

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

01:05:SC 4 REAUTHORIZE
SUPERVISOR
TO SIGN

School Resource Officer Agreement
With Spackenkill School District

RESOLUTION

WHEREAS, by Resolution 12:22-6 of 2010, the Town board authorized the Supervisor to execute an Inter-Municipal Agreement with the Spackenkill Union Free School District to provide to the school district a School Resource Officer who shall be a police officer of the Town of Poughkeepsie; and

WHEREAS, the agreement did not have annexed an Appendix "A" which outlines the job responsibilities of the School Resource Officer, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby re-authorize the Supervisor to execute the Inter-Municipal Agreement with the Spackenkill Union Free School District, which Agreement and Appendix "A" are attached.

SO MOVED: Supervisor Myers/S. Krakower

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

Nays: None

CARRIED: 7-0

AGREEMENT AND APPENDIX "A" ATTACHED TO FINAL BOOK COPY

01:05-SC 5 NOTIFICATION

Renewal Application Notice Form
For Elaine Inc. D/B/A Gentleman
Jim's Restaurant Located at 1112
Dutchess Turnpike

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

Nays: None

CARRIED: 7-0

APPROVED BY POLICE

NOTED BY TOWN BOARD

01:05-SC 6 ACCEPT

From Legal Department, Resignation
Of David D. Hagstrom, Town
Attorney

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of David D. Hagstrom from his position as Town Attorney, effective at 8:00 AM on January 18, 2011.

Councilman Krakower: I would like to just thank Mr. Hagstrom for his service to the Town. I think he did a tremendous job with the Legal Department in basically taking a Budget that was getting a lot out of control and bringing it back under control and I think we have the Town at a point where there is a level respectability when people come and deal with the Town. Mr. Hagstrom had a real hand in guiding our Legal Department and getting us on the right track. Thank you.

Town Attorney Hagstrom: I just want to say that I deeply appreciate the Trust you have given me. I salute the employees, officers and Town Board members that I have worked with and give a special thank you to my staff, Mary Lou Pudney and Mary Elizabeth Hart for their dedicated service with me, and Kathleen Taber for her work and effort during the past twenty years on tax assessment cases. I also want to say that it is now time to move on, I have always said I would quit at the top of my game and since it's going well, I submit this resignation to you. Thank you.

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

Nays: None

CARRIED: 7-0

01:05-SC 7 APPOINTMENT

Attorneys To The Town To Perform
Various Legal Services For The
Town

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie ("The Town Board") by Resolution 1:6-03 of 2010 appointed counsel to the Town to perform various legal Services for the Town, and

WHEREAS, the Town Attorney, David D. Hagstrom, has submitted his resignation as Town Attorney effective at 8:00 AM on January 18, 2011, and

WHEREAS, the law firm of Van DeWater & Van DeWater, LLP has and continues to provide ongoing legal assistance to the Town in a variety of general municipal areas and as counsel of record to the Town in several litigated matters, is familiar with the practices and procedures of the Town's Boards and Departments, including its Legal Department, has long-term experience in municipal and litigated matters, and has also proposed to provide legal services to the Town during 2011 on terms which are designed to result in savings to the Town, and

WHEREAS, by reason of the forgoing it would be in the best legal and economic interest of the Town to have Van DeWater & Van DeWater, LLP continue to provide legal services to the Town,

NOW THEREFORE, BE IT RESOLVED that for the year 2011 Van DeWater & Van DeWater, LLP is designated as the Attorneys to the Town of Poughkeepsie pursuant to Town Law Section 20 (2)(b) to provide the Legal Services listed on Exhibit A hereto:

James E. Nelson, or another attorney from the firm as necessary from time to time, shall maintain regular working hours at the Legal Department offices from 8:30 AM to 12:30 PM (half hour lunch), or equivalent hours, exclusive of vacation, sick days and holidays, together with telephone consultation and attendance at Town Board Meetings for the sum of Eighty-Five Thousand and No/100 (\$85,000.00) Dollars per annum, prorated from January 18, 2011 through December 31, 2011, from the Legal Department budget line, and

Providing the balance of the required legal services from January 1, 2011 through December 31, 2011, at the rate of One Hundred Sixty-Five and No/100 (\$165.00) Dollars PER HOUR FOR PARTNERS, AND One Hundred Fifty-five and no/100 (\$155.00) Dollars for associates, and Eighty and No/100 (\$80.00) Dollars for paralegals, subject to an annual maximum cap of Sixty Thousand and No/100 (\$60,000.00) Dollars from the Legal Department budget line plus any monetary pass-through that are obtained by the Town of Poughkeepsie for their legal services, with any surplus reverting to the General Fund at the close of 2011, and

BE IT FURTHER RESOLVED that Van DeWater & Van DeWater, LLP shall continue as Attorneys to the Town of Poughkeepsie on tax certiorari proceedings and litigation assigned to it at the rates stated above, and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

SO MOVED: S. Eagleton/S. Krakower

Supervisor Myers: I have a couple of concerns. We are appointing a law firm before we officially eliminate the position of Town Attorney. We are putting the cart before the horse sort of thing. I'm not sure that can legally be done. No 2, we are the biggest Town in Dutchess County and we are now looking at having a part-time Legal Department and this is a very busy Town and I don't know that a part-time Legal Department is sufficient, I think you are going to see a lot of additional charges. I think Jim is a terrific attorney and I would be pleased to work with him, but I'm not sure that that's going to be enough time.

Councilman Krakower: It's not a part-time Legal Department, it's that Mr. Nelson will be available at Town Hall for 20 hours a week, but he will be available from his office as well and the Cap was raised with the presumption that there will be other work that has to be covered by the Van DeWater firm. There is an effort to try to reduce costs and save

money here. In the past we did have outside counsel acting as Town Attorney when Jim Coombs came in as Town Attorney back in 2000. We have been spending a lot of money for in-house counsel and this seems to be a way to cut costs.

Councilman Conte: Should we monitor it quarterly to see if it's getting out of control?

Supervisor Myers: I think that would be best. My other concern is that we have on the books, in our Town Code, a position for Town Attorney. Your next resolution here is to set a date to get rid of that position, but you are appointing someone to it before you set the date to get rid of the position.

Councilman Krakower: But, he's not being appointed to it until January 18th.

Supervisor Myers: The Public Hearing isn't until the 19th.

Councilman Krakower: Ok, we can amend it to January 19th and if for some reason it doesn't pass, we can deal with it then.

Concern arose among the Council members that we would be left short without a full time attorney as provided in the Town Code. But if we feel we are falling short, the other consensus was to sit down with Van DeWater and Mr. Nelson and renegotiate to add more hours, if needed.

Councilman Lecker: If we are going to monitor this, how are we going to monitor it?

Supervisor Myers: Just collect all of the Attorney fees as to what we spent for the first quarter and get concerns from the two ladies that work in there as to whether it's feasible and then at a Committee of the Whole type thing, say March, and check to see if it's reasonable.

Motion made to amend the resolution to change January 18, 2011 to January 19, 2011:
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: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,
and Supervisor Myers
Nays: None

CARRIED: 7-0

01:05-SC 8 SET DATE FOR
PUBLIC HEARING

Amend Town Code, Chapter 28,
Entitled "Officers & Employees"

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 19th day of January, 2011 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 Chapter 28 of the Town Code, entitled "Officers and Employees", specifically Section 28-4, entitled "Town Attorney", which amendment would be as follows:

DELETE:

SECTION 28-4. Town Attorney

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

SO MOVED: T. Tancredi/S. Krakower

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

Nays: None

CARRIED: 7-0

01:05-SC 9 AUTHORIZE
SUPERVISOR
TO SIGN

Professional Management Services
Agreement With United Water
Environmental Services, Inc. To
Supervise, Operate & Maintain The
Arlington Wastewater Treatment
Plant & The Country Club Treatment
Plant From January 3, 2011 & End
On February 2, 2011 With
Successive One Month Terms

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a Professional Management Services Agreement, substantially in the form attached, with United Water Environmental Services, Inc. for professional management services to supervise, operate and maintain the Arlington Wastewater Treatment Plant and the Country Club Treatment Plant, which term shall commence on January 3, 2011 and end on February 2, 2011, with successive one (1) month terms, subject to termination by either party on thirty (30) days advance written notice.

SO MOVED: Supervisor Myers/S. Krakower

Councilman Eagleton: I've gotten several complaints from some of the employees at the Waste Water Treatment facility that United Water was actually there prior to this contract being agreed to. There was no Board action to authorize it.

Councilman Krakower: I think what happened is that Camo pulled out, so we needed someone there to manage it. That's why they were there.

Councilman Conte: We spoke to them and told them we wanted them down there.

Supervisor Myers: We, who?

Councilman Cifone: The Committee.

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

Nays: None

CARRIED: 7-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

01:05-SC 10 AUTHORIZE

Application For Extension of
Completion Date To August 15,
2011 On Creek Road Improvement
Project By H.B. Wiltse Excavating,
Inc.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve extending the completion date on the Creek Road Improvement Project to August 15, 2011 and authorizes the Supervisor to sign such documents as are necessary to effectuate said extension of time.

SO MOVED: T. Tancredi/J. Conte

Supervisor Myers: They are not going to finish Creek Road until spring. They couldn't because of school, but the State needs to send them a letter to that effect that it is going to be done.

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

Nays: None

CARRIED: 7-0

01:05-SC 11 AUTHORIZE

Morris Associates To Perform A
Building Condition Survey & Five
Year Maintenance Of Town Hall &
The Police/Court Facility

RESOLUTION

BE IT RESOLVED, that Morris Associates is authorized to perform a building condition survey and 5-year maintenance plan of the Town Hall and Police/Court Facility in accordance with its fee proposal of November 19, 2010 at a cost of \$9,500.00, a copy of which is attached; and

BE IT FURTHER RESOLVED, that this authorization is contingent upon Goddard paying Sedore & Co., CPA, for a comparison of options of moving Town Hall, Recreation, Courts and Police to renovated space at Casperkill Community Center as compared to the current operational costs that are being expended by the Town of Poughkeepsie.

SO MOVED: R. Lecker/S. Eagleton

Supervisor Myers: This strikes me with bad vibes. The last time the Town got mixed up in a we are going to rent a facility and eventually maybe we will buy it was the Police Building. This is exactly the same thing.

Councilman Krakower: But, this resolution is strictly by looking at our current buildings.

Supervisor Myers: Mr. Goddard is paying part of the bill. I don't like that.

Councilman Eagleton: He's paying just for the CPA Study because we can't do it in-house. Mr. Goddard offered to pay one portion of the CPA and we pay the other.

Supervisor Myers: I don't think he's going to give you money for the Police Building when he is trying to sell you another building.

Motion made to amend Resolution to strike the second paragraph: S. Eagleton/Supervisor Myers

ROLL CALL ON AMENDMENT: Ayes: Councilmen Eagleton, Conte, and Supervisor Myers

Nays: Councilmen Lecker, Conte, Cifone,
Krakower, Tancredi

FAILED: 2-5

Motion made to amend the amount to \$14,500 with Mr. Goddard contributing \$5,000 toward the total cost:

Town Attorney Hagstrom: I believe what you need to do is to have it read: "Be it further resolved that Sedor & Co., CPA are authorized to provide services provided in their proposal, which are attached to this resolution, for a cost not to exceed \$5,000.00."

SO MOVED: Councilman Krakower/J. Conte

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

CARRIED: 5-2

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

CARRIED: 5-2

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

CARRIED: 5-0

Virginia Buechele: Through this whole scenario regarding the Sewage Treatment Plant and United Water, I've kept mouth shut, that doesn't mean I've not been wise. I've been involved in the water pollution control field for many years. I know the operators of that plant, know that plant, know this collection system, your Town employees, better than United Water ever will. They care about the river and the water we drink. I think you are making a big mistake. Month to month, when you've already lost all your well qualified local people who care. Once the mistake is made, you will never get them back. It does affect the water we drink because the excrement from that plant gets discharged into our river. If anybody wonders, the lack of faith in government, not only in Albany, but in our local Town. I'm absolutely amazed that if we need this report and building condition survey and need a five-year maintenance plan, regardless of whether or not we enter an agreement with Goddard for the Casperkill site, then why is Mr. Goddard funding it? I smell conflict of interest all over the place. If anyone wonders why there is no faith in government, this is why.

Doreen Tignanelli: Made updates on the Arlington Fire District. Next Fire Commission's Meeting I asked the commissioners if they really thought that it was a necessary expense to have a paid attorney attend such a dinner at taxpayer expense. The flip answer I received was "Well, define necessary." This is the attitude of some of the members of the Board of Fire Commissions and since they couldn't give me an answer as to what was necessary, then maybe I will contact the Comptroller's Office and ask them to define what necessary is. As a taxpayer, I didn't think that was a necessary expense. Another thing, I filed a FOIL request because I noticed there is an awful lot of travel that goes on in the Arlington Fire District. The same people over and over again and a lot of

charges on the District Charge Card for travel expenses and so I asked for a list of Credit Cards that the district maintains and who has position of those cards and who has authorization to use them. My answer to that FOIL request was, "This is not a record we maintain, so therefore, no documentation is available." How could you not have a record of how many charge cards you have and who is authorized to use them. If they don't have that and they didn't give it to me, then they don't want me to know. So, either way, it doesn't look good. They changed their meetings to a workshop and a regular meeting. There was no discussion as to why the change and what it would mean to the public. The last thing is again about travel. They have bought three new fire trucks, an ambulance and three SUV's within the last 12 to 15 months. Just looking at the trips (inspection trips, they say) some of these people are making multiple trips just to inspect these engines, again at taxpayer's expense. Rental cars, air fare, lodging and meals. One trip alone in December, six firefighters went. I don't know why you would need six firefighters to go on one trip and that was in December of 2010. In November of 2010, two people went. In June, four people went and in March, two people went. So, there is just something wrong here. I don't know the Town Board has any control, but people just need to come to meetings and contact fire commissioners to ask questions. Maybe the Comptroller's office can do something on this. My husband and I set up a news letter and if you would like to subscribe to it you can e-mail to AFDReporter at AOL.Com. We will be happy to send you the updates after each meeting so you know what is going on.

Ann Shershin: Now that we are entering into a contract with United Water, I would like to know how much is the savings and—

Supervisor Myers: Right now, Ann, we are not in a contract with United Water, they are still negotiating that, this is just an interim to allow them to run the show while the main contract is still being negotiated.

Ann Shershin: When do you think the main contract is going to be negotiated.

Councilman Cifone: Sometime in February.

Ann Shershin: Ok, I noticed the Stockade fence is down in front of the Forte House, next to the Ford Dealership. Has anyone spoken to the dealership as to what is going to be done with this house?

Councilman Krakower: No one can do anything because it has Town Historic designation and so I don't think they have any positive plans for it.

Robert Casement: A lot of times we take things for granted, especially services done on a good job all the time and I would like to take this opportunity to comment Marc Pfeifer and his crew with this snow. A couple of comments compared the service in Massachusetts and New York City to the excellent service given by Marc and his crew.

Robert Rubin: Thank you Mr. Hagstrom for your service to the Town, you will be missed. I'm not a computer expert at all. I have concerns, however, but I hope the Town will address this in terms of using an outside attorney and I'm sure e-mails going back and forth, may contain sensitive issues and I hope the Town will give consideration somehow that they are not available to anybody to take a look at.

Councilman Lecker: In this year's Budget we added \$30,000 for an increase, and it should come up soon, to upgrade our firewall and internet security to take it to the most modern level because we need to update this all the time. So, that does do that if you are in the Town's Website.

Supervisor Myers: As a Legal Firm, I'm sure they already have a great deal of security with confidential communications.

Town Attorney Hagstrom stated that the security at Van DeWater has been upgraded just this year for the very thing.

Maryann Axtman: Mr. Eagleton, was your question about who sent United Water to the Wastewater Department answered?

Councilman Eagleton: In some substance, yes. "Who authorized them to go to take over managing the facility prior to an agreement to do so?" that was the question.

Maryann Axtman: Was it answered?

Councilman Eagleton: No.

Councilman Cifone: When we were negotiating with them and we knew we were going to have them hired, we were supposed to have a resolution together allowing them to set foot on the property. We voted on that resolution that night to have them go there the next day. That resolution never came. That was the problem, we wanted someone on site. As far as United Water knew, that resolution was coming, but it never came.

Maryann Axtman questioned the Board on a FOIL Request that was never fulfilled and where should she follow up on it. She also wanted to know how old this buildings is. (1970) and how old is the Bright Horizons Building? (thought to be renovated in the 80's and built in the 60's).

Motion made to resume the rules: Supervisor Myers/S. Eagleton

CARRIED: 7-0

Supervisor Myers: I have a question to ask, there was an eviction on 1 Lindburgh Place, there is still some trash that has been left there, can we do an emergency resolution to have Marc go and remove that trash? It was decided that they would have to go through the regular routine with it. Can't do anything simple at this point.

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. Matters leading to the appointment and employment of an Attorney to the Town and negotiations with United Water.
2. Confidential communications between the Attorney and his client/the Town Board, based on Attorney/Client privilege

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

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 7-0

TOWN BOARD ADJOURNED AT 8:45 PM

INTO EXECUTIVE SESSION AT 8:50 PM

BACK FROM EXECUTIVE SESSION AT 9:10 PM

NO ACTION WAS TAKEN

MEETING WAS CLOSED AT 9:11 PM

SJM:lkM