

**MINUTES OF TOWN BOARD MEETING HELD ON
MARCH 2, 2011 AT 7:00 PM AT TOWN HALL
ONE OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

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

ABSENT: Councilman Lecker

- **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

Councilman Lecker was out of town due to an illness in his family.

A moment of silence was given in honor of the City Police Detective Falcone who died in the line of duty.

**After Item #1 there will be a break in the meeting to attend Executive Session.
After Executive session the meeting will resume.**

03:02-01 AUTHORIZE

Police Department Promotion of P.O.
Enkler To Sergeant

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the promotion of Police Officer Kevin Enkler to the position of Police Sergeant, effective March 14, 2011, which promotion is subject to a probationary period of no less than eight (8) weeks or more than twenty-six (26) weeks per Civil Service Law.

SO MOVED: S. Eagleton/T. Tancredi

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

Nays: None

CARRIED: 6-0

THE TOWN BOARD EXTENDED THEIR HAND SHAKE IN
CONGRATULATIONS TO THE NEW POLICE SERGEANT ENKLER

Motion made to go inter Executive Session to consider Personnel matters: Supervisor
Myers/T. Tancredi

CARRIED: 6-0

TOWN BOARD MEETING ADJOURNED AT 7:06 PM

INTO EXECUTIVE SESSION AT 7:08 PM

BACK FROM EXECUTIVE SESSION AT 7:50 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

Doreen Tignanelli: I have a question about SC3. Wouldn't Hess Corporation provide
electricity?

Supervisor Myers: It's renewing our contract with Hess for them to provide electricity to
us. We are actually saving a lot of money this year, like \$50,000 less than last year was.

Doreen Tignanelli: Instead of Central Hudson?

Supervisor Myers: Yes, we will have to pay them for the lines, but we actually get the
electricity through Hess.

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

03:02-02 AUTHORIZE

Little League Opening Day Parade Alternate
Date of April 30, 2011 if Necessary

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant
to the request received from Jack Smith on behalf of the Town of Poughkeepsie Little
League (attached), does hereby approve an alternate date of April 30, 2011, if necessary,
to hold the opening day parade.

SO MOVED: J. Conte/T. Tancredi

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

Nays: None

CARRIED: 6-0

03:02-03 APPOINTMENT

Board of Ethics of Robert Raisch

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Robert Raisch to the Town of Poughkeepsie Board of Ethics to fill the balance of an unexpired five (5) year term effective immediately through February 28, 2015.

SO MOVED: M. Cifone/T. Tancredi

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

Nays: None

CARRIED: 6-0

03:02:04 APPROVE

Accrued Sick Time Donation

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the donation, by employees of the Town of Poughkeepsie, of a specific amount of their accrued sick time to a Water Department employee, subject to any required approval by the CSEA.

SO MOVED: S. Krakower/T. Tancredi

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

Nays: None

CARRIED: 6-0

03:02-05 ACCEPT

2011 Minutes:

February 9, 2011 Special Meeting

February 16, 2011 Regular Meeting

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the minutes for the following 2011 Town Board Meetings, to wit:

February 9, 2011 – Special Town Board Meeting

February 16, 2011 – Regular Town Board Meeting

SO MOVED: T. Tancredi/M. Cifone

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

Nays: None

CARRIED: 6-0

03:02-06 NOTIFICATION

Renewal Application Notice Form For On-
Premises Alcoholic Beverage License
For Arlington International Enterprises, Inc.
D/B/A Rio Mexican Food & Eatery Located
At 5-7 Raymond Avenue

REVIEWED BY POLICE

Councilman Tancredi stated that Chief Mauro had prepared some information for the Board regarding this subject.

Police Chief Mauro: As a routine thing, the Town Clerk contacts the Police Department for review and status search of these licenses in the Town and there are approximately 40+ that are either requesting an original certificate for a license or in most cases, for a renewal. The application that was reviewed by my Department on behalf of the Town Clerk refers to the Rio Mexican Food & Eatery at 5-7 Raymond Avenue in the Town and the period for the review concerns the licensing period from April 5, 2007 to March 1, 2009. There were 44 calls for service at this address. During the period of April 1st 2009 to February 15, 2011 there were 35 calls for service at this restaurant. Some of the calls were significant and violent events and there are currently 6 pending ABC violation reports that have been forwarded to Albany concerning the restaurant. In recent weeks February 19, 2011 at 3:03 in the morning a subject was assaulted at the entrance to the bar, knocked to ground and lost consciousness and the suspect fled the scene. No cooperating witnesses and the victim refused to cooperate. February 20th at 3:04 AM, the overnight patrol shift had to be sent to the restaurant for 100+ persons standing in the middle of Raymond Avenue due to a disturbance in the street. An argument in the street subsequently led to a fight. The fight was broken up by responding patrols. The patrols were close to asking for mutual aid support, but the matter was resolved. It was all we could do to get the persons names and addresses, there were no cooperating witnesses and there were no charges that could be filed. As recent as February 27th, 2011 at 3 AM there was a disturbance inside the bar and a female received lacerations to her forehead and again our overnight patrols responded and we found out that there was a disturbance and an assault that took place inside the bar which resulted in the throwing of beer bottles, bar stools and shoes. The witness refused to cooperate with law enforcement and refused to file a complaint. The last three events and the pattern of the events in the last several years are late night events, 2 and 3 o'clock in the morning. The level of intoxication of some of these persons we had to deal with is extreme and I've done an extensive documentation of all our calls and what they are so that they can be reviewed by the Board. The position of the ABC Board is that the Police Department provides all relevant data to the Board and the Board makes a recommendation, but it is up to the ABC Board in Albany to make the final call. The local Police Agency does not recommend.

Councilman Tancredi: I try to make a practice to support the businesses in Arlington to best of my ability. I have to honestly say that in the years I've been on this Board, I've never received a report like this from the Police Department for any establishment. Never! The degree of calls that the Police have to make tot his establishment are clearly excessive and the problems with that, one of which is, the risk that the officers run in going into a situation like that. There are patrons that are there and may get caught up innocently in a case like that, but in addition to that is the cost to the taxpayers because when our Town has to spend the amount of resources we do at one establishment, if we had numerous places in the Town spending these kind of resources, we would probably need a third larger Police Department. My concern is the behavior that is going on there and that has been going on the last four years or so is certainly intolerable and I feel it just can't continue. I would like to ask the Supervisor in conjunction with the Town Attorney to make a statement to the ABC.

Supervisor Myers: I think we did this once before, not for this establishment, but another one and we sent a letter up in support of the Police Department.

Councilman Krakower: I think we want to do more than just a basic letter. I think sending the report from the Police Department with that is necessary. When you look at it, a bomb threat, larceny, fight, fight, disturbance, etc., etc., it does create a dangerous for the good people in town that are either in that establishment or in that area. When a fight spills over into the middle of the road and there are 100 people, it becomes a very dangerous situation for the officers and the people in the area. Even if we could speak directly to Albany on this because sometimes a letter just falls on a desk and remains there.

Chief Mauro: We are sending up as much documentation as we can. But, I wanted to have the packet before you first, but we are in a position that we can sent the entire investigative package to them with the whole history of the establishment. When we sent that amount of officers to an incident like we've been having there, it essentially compromises public safety to have all those police on that scene.

Entire Board echoes the same concerns and feels that it should be negatively reported to the ABC Board and they supported the Chief wholeheartedly.

03:02-07 AUTHORIZE

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

RESOLUTION

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

SC 1. Authorize

Park Facilities & Program Director to attend
Revenue Development School

- | | |
|------------------------------------|--|
| SC 2. Bid Award | Park Mowing, Town Building Mowing & Median Maintenance |
| SC 3. Authorize Supervisor To Sign | Hess Corporation Agreement – Electricity |
| SC 4. Notification | Liquor License Renewal
Tuscan Bar Grille |
| SC 5. Authorize Supervisor To Sign | Contract, Additional Services Authorization Form with the Di Salvo Ericson Group |

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

SO MOVED: Supervisor Myers/T. Tancredi

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

03:02-SC 1 AUTHORIZE Park Facilities & Program Director To Attend Revenue Development & Management School & Use Town Vehicle

RESOLUTION

BE IT RESOLVED, pursuant to the Town of Poughkeepsie Employee Handbook Section 506, that the Park Facilities & Program Director, Thomas Meyering is hereby authorized to attend the Revenue Development and Management School, which is conducted for the National Recreation and Parks Association in Wheeling, West Virginia from March 13-18, 2011, at a cost of \$1,274.00, which funds are allocated in the 2011 Budget; and

BE IT FURTHER RESOLVED, that the Park Facilities & Program Director is hereby authorized to utilize a Town vehicle for travel to, at and from said school and subject to budget limits and applicable Town policies, to apply for reimbursement for his fuel, food and tolls for the school.

SO MOVED: S. Eagleton/J. Conte

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

03:02-SC 2 BID AWARD

Park Mowing To Pat Scanlan
Landscaping, Town Building
Mowing To New Paltz Gardens
& Median Maintenance to Red
Cedar Landscapers

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby award the bids for park mowing, town building mowing and median maintenance as follows:

- Park Mowing to Pat Scanlan Landscaping at the bid price of \$64,375.00 for 2011, renewable, at the Town's sole option, for an additional two (2) years at \$128,750.00 (\$64,375.00 annually);
- Town Building Mowing to New Paltz Gardens at the bid price of \$5,760.00 for 2011, renewable, at the Town's sole option, for an additional two (2) years at \$12,240.00 (\$6,120.00 annually);
- Median Maintenance to Red Cedar Landscapers at the bid price of \$11,200.00 for 2011, renewable, at the Town's sole option, for an additional two (2) years at \$22,400.00 (\$11,200.00 annually);

AND BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute contract agreements with the above noted companies, contingent upon receipt of insurance certificates and security bonds.

SO MOVED: J. Conte/T. Tancredi

Councilman Cifone: I know the landscaping mowing bid came in much less, how much less was it?

Councilman Tancredi: The winning bidder was about \$80,000 less than the person that did it last year. This year we had the most bidders we've ever had and certain a larger drop in each of these categories that we've seen in the past. We met with the low bidder last week. We were pretty straight forward with them and we told them that this is a job that there can't be any mistakes or problems and he would be held to a very stringent line and they asked the right questions and said the right things and we checked references and additional references than those they gave us and they all checked out and so we are hopeful it will work out. That's the way we are going to handle all three.

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

Nays: None

CARRIED: 6-0

03:02-SC3 AUTHORIZE
SUPERVISOR
TO SIGN

Hess Corporation Agreement To Provide
Electricity For Town Operations At The
Fairview Pump Station, Town Hall, Police/
Court Facilities & The Arlington Sewer
Treatment Plant

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement with Hess Corporation to provide electricity for the Town of Poughkeepsie operations at the Fairview Pump Station, Town Hall, Police Court Facilities and the Arlington Sewer Treatment Plant for a period of April 1, 2011 through March 31, 2012, a copy of which is attached.

SO MOVED: M. Cifone/J. Conte

Supervisor Myers: Jim Wojtowicz had sent me a memo about this when we were getting the new contract together and the way he figures, we will be coming in about \$50,000 below what it was last year, so it should be a significant electric savings for the Town.

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

Nays: None

CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

03:02 SC 4 NOTIFICATION

Renewal Application Notice Form
For On-Premises Alcoholic
Beverage License For CARPAUL
ENTERPRISES, INC. D/B/A
Tuscan Bar Grille Located at 790
South Road – Suite A 208

REVIEWED BY POLICE
NOTED BY TOWN BOARD

03:02-SC 5 AUTHORIZE
SUPERVISOR
TO SIGN

Contract, Additional Services
Authorization Form, With the
Di Salvo Ericson Group
In Reference To The Town
Police /Court Facility Analysis
& Report

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Contract, Additional Services Authorization Form, a copy of which is attached, with The Di Salvo Ericson Group in reference to the Town Police Court Facility analysis and report for a total estimated fee of \$4,000.00, which shall not be exceeded without prior Town board approval.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

AUTHORIZATIONAL FORM ATTACHED TO FINAL BOOK COPY

NO ITEM 06 OR 07 WAS PROVIDED

03:03-08 APPOINTMENT

Franco Zani to position of Senior Treatment Plant Operator for Town's Sewer Collection System

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie hereby provisionally appoints Franco Zani to the position of Senior Treatment Plant Operator for the Town's sewer collection system pending successful completion of Civil Service requirements for the position, at the Grade 12, Step 1 salary of \$36.70 per hour, effective by April 1, 2011 or sooner if Mr. Zani is available, which position shall be his sole employment by April 1, 2011.

SO MOVED: M. Cifone/S. Krakower

ROLL CALL: Ayes: Councilmen Conte, Cifone, Krakower, Tancredi, and

Nays: Councilman Eagleton and Supervisor Myers

CARRIED: 4-2

Supervisor Myers: Before we suspend the rules, I would just like to congratulate our Police Department for becoming an officially accredited Police Agency, which is very grueling. You have to meet about 130 some standards and people come down and interview you to see if you have all your files in order and they are here for days and making a mess of the Police Department. But, we were unanimously approved to be an accredited Police Department and we are one of only 30% of the Police Agencies in New York State that have achieved this status and I think, other than maybe the sheriffs Department, we are the only ones in Dutchess County. Am I right on that? Oh, Beacon and East Fishkill also. We are very proud of our Police Department for having achieved

this. There were a lot of standards that had to be met and they rose to all of them and we are very pleased about that.

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

CARRIED: 6-0

Victor Gennodi: “ I’ve been talking to a lot of neighbors and people in the Town and there is a lot of stuff I’m happy with and a lot I’m not happy with, but, I’m, number one, not happy about the taxes. How about this year giving a couple of bucks back to the taxpayers?” He wanted to know if we are making use of what we have or are we getting things we don’t need without checking to see if we really need it or if something we have will do the job and he cited several other “Pet Peeves”. He also stated there are some things in the Town that are going on that are very pleasing to him. We do have a good and intelligent Board and he commended them for it.

Alan (No last name given) – (Inaudible) Complained about the Town of Poughkeepsie not wanting black people in the Town of Poughkeepsie. The Town of Poughkeepsie doesn’t call them back when they call them.

(Inaudible) Jacobs: Owner of a business in the Town for 17 years and they always cooperated with the Police.. “ Between the poor economy and the parking situation, we almost lost all of it. Our business went down more than 50%. In order to pay the bills, we decided to have entertainment on Saturday nights. The first 9 months it went without incident and no problems at all. I do agree, lately, it has been not too good. We had made a decision to stop it completely. We stopped the entertainment and closing early. She made a comment again that the Town doesn’t want black people in it.

Supervisor Myers made sure to correct the individuals on the use of ethnic slandering.

Doreen Tignanelli: Spoke about and gave an update on the Arlington Fire Department District in the last couple of weeks.

Marianne Axtmann: Talked about the laying off of people in the Sewer Treatment Plant and privatization of it to save money and then the Board puts in the person appointed Senior Treatment Plant Operator and giving him a large salary. There were two operators up for that position and they were to be interviewed and she knows that one was not interviewed and the second thing was the promotion to Senior Operator was already decided, at least this is the impression the Sewer Department got, that that position was not needed. She expressed her feelings of the Board being “Penny wise and Pound Foolish” by paying this gentleman this high salary when two positions could have been saved with that salary. She asked, “Where is this right?”

Councilman Cifone stated that they looked at both resumes and he couldn’t get the personnel committee together to interview the two gentlemen, but they did review their resumes of them both. We know both individuals and so we just went with the resumes.

and so we chose one. We need someone to run that collection division.

Councilmen all agreed that it was not true that the salary being paid to the new recruited man would be making enough to pay two operators and the gentleman just hired was going to be making much less than Pat Brown who retired.

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

CARRIED: 6-0

Town Clerk Miller: I just wanted to thank the Police Department because they have been reviewing the Liquor Licenses for quite some time and they have been taking time out to do it and it is for public safety and I think they have done a darn good job.

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. Personnel Matters, to wit: To discuss the employment history of a particular individual who need not be identified at this time.
2. Confidential communication between attorney and his client/Town Board based on attorney/client privilege.

SO MOVED: Supervisor Myers/M. Cifone

CARRIED: 6-0

INVITATION WAS EXTENDED TO
ATTORNEY RICHARD CANTOR AND CHIEF
OF POLICE MAURO AND POLICE CAPTAINS, CAPTAIN
LECOMTE AND CAPTAIN SPERO INTO
EXECUTIVE SESSION

TOWN BOARD MEETING ADJOURNED AT 8:40 PM AND TOWN
COUNCIL AND GUESTS ENTERED EXECUTIVE SESSION AT 8:50 PM

BACK FROM EXECUTIVE SESSION AT 9:22 PM

NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 9:23 PM

