

**MINUTES OF COMMITTEE OF THE WHOLE TOWN BOARD
MEETING AND SPECIAL TOWN BOARD MEETING HELD ON APRIL 13,
2011 AT 7:00 PM AT TOWN HALL, ONE OVEROCKER ROAD,
POUGHKEEPSIE, NEW YORK**

PRESENT: Councilman Lecker
Councilman Eagleton
Councilman Conte
Councilman Cifone
Councilman Krakower
Councilman Tancredi
Deputy Supervisor Keller-Coffey
Town Attorney Nelson
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

Deputy Town Supervisor Keller-Coffey turned the meeting over to Councilman Tancredi for a commendation to the Marist Women's Basketball Team.

Councilman Tancredi: We thought it would be appropriate tonight to honor some of our special athletes of a college located in the Town of Poughkeepsie. First of all, I want to comment on the fact that we have a full house here tonight and I don't know when that happened last. We have some young athletes here from the Marist Girl's Basketball Team from Marist College and we have some very vibrant and equally beautiful Senior Citizen's here to support the proposed Senior Center, which we are about to discuss. Mike Cifone, Joe Conte and I are members of the Recreation Committee here in the Town, but this proclamation is on behalf of the entire Town Board and the Town Supervisor. In today's world when it seems that so much of what we hear on the news and so much of what we talk about is the negative, it is nice to honor a group of young ladies who are a role model for all of us, really, as they have excelled on the Basketball Court, in the classroom they have shown a commitment to their pursuits and from the head coach on down they have inspired all of us and done a great job and so I'm going to read the proclamation.

PROCLAMATION

We, the members of the Town Board of the Town of Poughkeepsie, State of New York, assembled on the 13th day of April, 2011, do hereby proclaim:

WHEREAS, the Marist College women's basketball team is comprised of highly talented athletes who also excel in the classroom and serve as role models for young women throughout the country; and

WHEREAS, the Marist College women's basketball team earned the No. 21 spot in the final ESP/USA Today Coaches Pole; and

WHEREAS, the Marist College Women's Team earned their fifth consecutive bid to the NCAA tournament and as a seed defeated 7th seeded Iowa State running their consecutive winning streak to 27 games, a program record and the longest winning streak in the Country to that point; and

Whereas, the Marist College women's basketball team completed the year with an impressive 31-3 record; and

NOW, THEREFORE, BE IT PROCLAIMED by the members of the Town of Poughkeepsie Town Board, that we recognize and congratulate (individual contenders) of the Marist College women's basketball team for her historic achievements in the National Collegiate Athletic Association Women's Basketball Championship.

DATED: POUGHKEEPSIE, NEW YORK
April 13, 2011

SIGNED BY SUPERVISOR MYERS AND TOWN COUNCILMEN ON THE RECREATION COMMITTEE, TODD TANCREDI, MICHAEL CIFONE AND JOSEPH CONTE.

04:13 COW 1 PRESENTATION

Proposed Senior Center

Councilman Tancredi: This is something the seniors have anticipated for years. They told me that a Senior Center in the Town of Poughkeepsie has been talked about since 1952 and I told them I didn't remember that, that's a little before my time. They are very excited about getting this far. This is the closest we've been to getting a Senior Center in the Town of Poughkeepsie. We hope it's something that everybody will embrace and support. They are certainly excited about, as I said before. I think there is definitely a need and the way I've expressed it to the seniors is that I like to think that they are home during the day and they are bored and lonely and whatever and they are looking for some where to go and I want this to be a club where they can go at least five days a week and interact with other seniors and friends and know that there will be activities for them and I think that's why this club will be so important, because it will give the seniors a home away from home. I appreciate all the work from the Task Force we've formed among the

seniors. We had 6 or 8 of them on the Task Force headed up by Gabe Ponte and we've spent many meetings together with Mr. Kaminski and Mr. Kane and I appreciate Mr. Meyering and all of them spending the time they did on this proposal. I will now turn it over to Mr. Kaminski.

Mr. David Kaminski: Mr. Chairman and member of the Town Board, my name is David Kaminski and I represent the Oakwood Partners and Neptune Capital Investors. Several years ago I stood before this Board with the problem that had come up with the development of the Oakwood Partners project. It was a paper road with 25 or 30 years old and working with Councilman Krakower and Councilman Tancredi, we came up with an idea to try to bring in a Senior Center to the Town of Poughkeepsie and at that time I committed to try to bring that Center to the property we owned at Neptune Road. We ran into many issues with that property, but it would have been a short term lease of a portion of a building in which we would have spent money to renovate it to create a Senior Center. More recently, and I'm not sure where it came from, but the idea came up with the existing "White House" here on Town property and a way to bring that property to become our new Senior Center in the Town of Poughkeepsie. I'm a resident of the Town of Poughkeepsie, my two daughters go to school in the Spackenkill School District and I'm very proud to bring this presentation to you this evening. We put a lot of time and effort into this thing in assistance with Councilman Tancredi. I am going to introduce Jeff Kane of my firm to make a presentation to you.

Jeff Kane: I've been working with Dave for a number of years and we are going to make a presentation here about this proposed Senior Center, but I want to make it clear that this is not just a presentation just from David and myself, really it's been many, many, hours of work with a lot of people in the Town here to bring this to fruition. We've prepared this in conjunction with the Town of Poughkeepsie Recreation Committee and in particular the Senior Center Task Force, which Councilman Tancredi has chaired. We've really over the last eight or nine months have been working on this project and we are glad to see it finally and hopefully come to fruition here as well. What we have proposed is locating the Senior Center at the Town Hall to provide a permanent and cost effective solution. It is proposed as an addition to the existing "White House". You can see here on the aerial the existing Town Hall and the "White House" in the southwest corner of the property. It is essentially located in the Town. It would be a permanent home and not going anywhere. It doesn't require any land purchase, no leases and all the money required for this can just go into the building itself. You can take advantage of the existing parking, facilities, and existing staff here to maintain it and in the long term it will help reduce the maintenance costs on the Senior Center as well. When we looked at where to locate the Senior Center as an addition to the "White House", we took a number of things into account. First, all the existing parking and again, this is Town Hall here, (referring to a map) the purple area is the existing parking. The blue portion in the middle, that's the existing "White House" and its existing shape, then the red, is the proposed additions around the edge of the "White House". We've located it on the westerly side because the water, sewer and gas come into the facility on the east side. So building on the east side would really cost a lot more money in relocating utilities and more money in developing the actual Senior Center itself. So, there is a proposed about

2,000 sq. feet to go onto the west side of the structure there. The first step of work is we did environmental surveys on the property to make sure there weren't any hazards associated with the "White House". We found some minor asbestos in the floor tiles and the massive glue that holds it on. Some lead paint was found on some of the windows and door frames, all of which can be contained during the construction and no PCB's are present in the building. All and all it is a very clean building to move forward and to renovate. We are working with an architect to develop some proposed elevations of the structure. The two story structure is the existing "White House". What you see is the chimney there and this area here is the addition that was built on to the west side of the structure. This is the south elevation, looking from Overocker Road and looking into the site, you can see the one story structure here and the short end of the structure. Here is the eastern elevation of the project as you are pulling up the driveway looking towards the end of Town Hall. The side two story existing structure and this will be the main front doors of the new structure, set back from the existing building there. The west elevation is from Burnett Blvd. side and you can see two large windows with a gabled look. We spent a lot of time to make sure that this was not going to be just an ugly building. We wanted to make this something that the Town would be proud of. We spent some time with the details to make sure it was going to be an attractive structure for the future. The north elevation will be looking from the parking lot down into the building. The large room there and a breezeway connector we proposed from the kitchen area that would go into the new structure along the northern end there. There will be a pitched roof, architectural shingles, gabled entries, entry porches, wood like plank exterior siding, (Inaudible) windows, new heating and cooling system to make this a very attractive place. We will add two rest rooms and renovate the existing rest room and we will renovate the rear room and convert it into a full kitchen area. The main area here would become a meeting room and the addition along the north side will connect from the kitchen area back into this large 2,000 sq. foot room and the small room that you have to step down into could be actually entered from this room and could be another meeting room. So, you get two small meeting rooms and one large meeting room. The offices and work space that is upstairs would remain the same. The plumbing, heating and electrical services were updated by the Town in 1991 and so there is no need for change there. The total building addition is 2,050 square feet. The multi-purpose room on the west side is 1,920 sq. feet and the access way along the northern side. The renovated kitchen area and two new bathrooms is completely updated and added on to the structure. The large room is 64' x 30' and by the Building Code, the occupancy is about 225. What we've shown here is the use of tables and chairs and it would be about 152 people capacity for an average day. The Town is looking to hire local contractors to complete all the work. We could begin the construction as early as the summer of 2011 and occupancy before the end of the year. They took the details and elevations and the information that we had and went to a couple of contractors to get some real building costs here for what we've shown and wanted to build and the cost is estimated to be between \$450,000 to \$500,000. As it has been discussed, the owners of Oakwood Commons and the new Neptune Commerce Center have each offered \$100,000 and the Town may solicit other contributions and a portion of the Town Recreation Fund is available for use in something like this.

Deputy Supervisor Keller-Coffey: Thank you for this presentation. Does anyone on the Town Board have any questions?

Councilman Conte: I just love the idea. Just think about how close the shopping distance is over here. The Walk-way. The Fire Department, God Forbid, if there is any medical problem. I think it's a really good idea and I like it and support it. The only thing I was wondering, and I don't want to put these ladies on the spot, but I was sitting here and looking at the kitchen, I always remember my grandmother's cooking and I just wondering, through the years of expertise and doing it, wouldn't it be neat if we did make that kitchen something of commercial and these ladies say, "Yeah, I have this little special recipe for cookies, and we were able to package that and market that and make a little revenue from our seniors. Just a thought I'm throwing out there, I'd buy. You want to make me some meatballs; I'm wide open for that. And you've got to put a dance floor in there, right ladies? It looks like there is going to be some parties there in that second wing for sure. It looks really good and I'm excited to see something like that.

Councilman Cifone. I just want to thank Dave for everything he is doing for us and Councilmen Krakower and Tancredi for really pushing the envelope on this because you guys made it happen. I thank you on behalf of the seniors.

Councilman Lecker: The last time this was presented, there were questions about the square footage of the building and this looks a little bigger. Has it changed?

David Kaminski: Yes, it has, it was a little smaller, we made it a little bigger because of the meetings we had with the seniors and the Recreation Director, the decision was made to make the building a little bit longer. The room is about 2' less width, but about 10' longer. So, it's a very large room.

Councilman Tancredi: In all honesty and all reality, the seniors did like the bigger room and I think they are right and when we look at the senior population in the Town of Poughkeepsie, it is growing every day and when they get their own center, and I hope it's soon, I think the demand for services at that center will grow in leaps and bounds. We feel that this is as much for the Town that the money is available for right now, we would like to give them as big a space as possible, but this is what we feel we can do at this time without impacting taxes.

Councilman Krakower: I think the space is needed for the active seniors, but we also need it because we should be looking for doing programs for seniors that can't get out as easily. Maybe some home bound seniors we may be able to see that they get there to the Town Senior Center. I think it is a great thing for the seniors. Hopefully, it will bring more and more seniors together. Maybe Dial-a-ride could be co-ordinated to bring seniors some how to the center that can't get there them. This is something that I think, the bigger we make it, the more seniors will accommodate and so I think this is a good thing.

Councilman Lecker: Did you figure out approximately what it would cost?

Dave Kaminski: Yes, The renovation of not only the existing portion of the “White House”, but the expansion, roughly we think it will come in the range of \$450,000 to \$500,00, with the contingency.

Deputy Town Supervisor Keller-Coffey: Two questions I had that came up during the presentation. You mentioned that the size is based on current attendance at programs, yet, the projection that the population is likely to increase. Is there room then if there is? expansion?

Councilman Tancredi: We think, on the back side of the addition, on the north side of the house, would definitely be an area where we could expand and put additional rooms. That’s one of the things we talked about on the task force. I think it is very important to get something established and once it is established, then it might be much easier, if and when the economy picks up again and people start doing business and building and contributing to trust funds, then there might be money there to put into something more.

Deputy Town Supervisor Keller-Coffey: I’m thinking if there are over runs. You are saying that you don’t think it will be no more than \$450,000. I’m thinking, what if it does go higher than \$500,000?

Councilman Krakower: The amount of the funds that are being contributed by Mr. Kaminski and his partners and the \$300,000 from the Recreation Trust Fund does not take all the money out of the Recreation Trust Fund that we have and so I want to say they have built enough contingency in the Trust Fund to face any unexpected and as far as I know, we haven’t spent any of that Recreation Trust Fund on seniors ever, so it’s about time to spend some of that money in that direction.

Motion made to suspend the rules for the public to speak on this topic: T. Tancredi/S. Krakower

CARRIED: 7-0

Doreen Tignanelli: I have a question about existing parking. You are talking about using parking around Town Hall. We also had a presentation last year about potentially moving Town Hall to the former IBM Country Club site and selling this building, so what would happen for parking if you went ahead with that?

Councilman Tancredi: I think, one of the advantages of putting the addition on the west side is that the east side of the property, if you look at it when it is light out, the east side of that building is extremely flat and it really would need very little grading in order to establish a parking lot there, so, there is certainly a possibility to have parking there. If for nothing else, a paved lot there would be useful for seniors who have disabilities and unable to go up the hill and need to park close at hand and then on the east side where it is very flat, to put parking along there.

Doreen Tignanelli: So, you are satisfied that if this building was sold there would be adequate parking?

Councilman Tancredi: Yes, if this building were sold, I think we have a big enough Town and enough Senior population that we could use a Senior Center on the north end and a Senior Center on the south end. That's my personal view; it's not something discussed with the rest of the Council group. But, I think it's something feasible and practical for the Town of Poughkeepsie.

Doreen Tignanelli: Ok, if the Town were to purchase Casperkill, to say, it wouldn't be an issue then if the Senior Center was here and all the other facilities at Casperkill?

Councilman Tancredi: My view is, and I think the Seniors agree, and they can come up and disagree, but we talked about it. The Seniors are tired of waiting, because for decades they have had, "What if this and what if that?" They don't want to wait any longer. They want to get a Senior Center built and we will deal with it. That's how I feel.

Gabe Ponte: For approximately two years I've had the privilege of chairing the Town of Poughkeepsie Senior Task Force Committee. It was an honor to serve, although at times the goal and task we were charged to accomplish seemed rather daunting. At this time I wish to thank the members of the Task Force, Beth Bross, Lee Brusso, Karen Sells, Pat Pinckney, Sandy Ponte, Gene Relia and Phyllis Seminski for their dedication, commitment and tenacity. I thank Tom Meyering, Town of Poughkeepsie Parks Facilities and Program Director and Judy Petschko, Senior Citizen's Director, for their assistance in providing their expertise to the Committee. I wish to thank Pat Myers, our Supervisor, for her advises guidance and support. Stephan Krakower, who attended, some of our meetings and provided us with some guidance and a special "thank you" to Todd Tancredi who chairs the Senior Committee and who worked enthusiastically, tirelessly, and cooperatively with our committee to achieve our goal. Thank you. The primary goal of our Task Force was to recommend to our Town Board a suitable facility that would accommodate multi-purpose, comprehensive Senior Citizen's programs and services.

The committee members collected all kinds of information and have considered a number of facilities and locations. The members of the Task Force Committee have unanimously agreed and concluded that the facility known as the "White House" with a 2,000 ft. addition is the most suitable for our Senior Center. We ask that our Supervisor and Town Board members support the proposals that are being put forth this evening and vote in favor of our Center. Thank you.

Councilman Krakower thanked Mr. Ponte and the Task Force for all their time and effort. They all did a very fine job, thank you.

Robert Rubin: A quick question. I would hope that some consideration be given to perhaps an automatic door to allow easy entrance and exit for those folks who have a wheel chair or scooter. If you've ever been in that circumstance and you try to open a

regular door, it's very difficult. So, if we are talking about having a building accessible to all, I hope it will be considered, please. The other thing I wanted to ask, Mr. Tancredi, does that building have any historic status and do we need to look into that?

Councilman Tancredi: It does not currently have any historic designation.

Deputy Town Supervisor Keller-Coffey: Has that door or something comparable been considered?

David Kaminski: We have taken note but, one of the things we could take a look at and see what the cost is, is just a push button that automatically opens the door and allows it to stay open for someone in a wheel chair to be able to get through the building. We will take a look at that suggestion, thank you.

Ann Shershin: My concern is parking, too, because the parking lot in front of the "White House" is tiny. Once you start adding handicapped spots to it, it's going to get even smaller. I think you also need to have a plan in place to handle the shuttle buses, because it will be very difficult for a bus to get in there and back out again. So, I don't know if you have considered this. Also, overflow parking here. That's a real steep hill.

Jean Murphy: I'm the Town of Poughkeepsie Historian, Rob told me last night that you were moving me out and I was having a bad night. What will happen to all my books and records and conference table, etc?

Deputy Town Supervisor Keller-Coffey: That's not in the plan, right?

Councilman Tancredi: No, Mrs. Murphy is going to be there as long as she wants to be there.

Jean Murphy: Oh, I'm extremely relieved! Thank you very much.

Motion made to resume the rules: T. Tancredi/S. Krakower

CARRIED: 7-0

04:13-COW 2 PRESENTATION

New York State Energy Research and
Development Authority (NYSERDA)

WITHDRAWN FROM AGENDA

Deputy Town Supervisor Keller-Coffey: The next item on the agenda is a discussion on the Town Code Book, Chapter 159. Mr. Nelson are there a few things you want to say?

Mr. Nelson – On Item #3 - the property maintenance code amendment, you have a short memo in the file, and this is an issue that was presented by Sarah and Mr. Wilson can explain to you, what it is that Sarah, he and I are prepared to work on.

Neil Wilson, Development Director, and Sarah Davis, Zoning Administrator: This is actually a matter that was brought to our attention a couple of weeks ago by the Clerk's Department. Back a number of months ago and last year in implementing the self-help provisions of the Property Maintenance Code where we were authorizing the Highway Department to enter upon properties to clean up and cut grass and whatever needs to be done. There is a notice provision in the Code that we drafted and the first couple of notices that went out, we, of course notified the owner of the property and gave them an opportunity to take care of the condition before we sort of pull the trigger and send the Highway Department out or a third party to take care of it. The first couple of times we exercised this back in 2010 we also had placed legal notices in the newspaper, but it was actually one of the assistant clerks who picked up on the fact that the notice provision in our Code does not mandate that we put something in the newspaper. Of course, we are following through the rest of the notice provisions required to notify the owner and all of that was done, but subsequent to the first or second meeting, we did not post legal notices in the newspaper. However, written notices were sent out to the land owner. So, it's really a question to the Board as to whether we should put it in the newspaper or not.

Councilman Tancredi: As long as we can recoup the cost that's what decides it for me. If we can't recoup the costs, I'll think differently, but, if we can, it's not as big a deal.

Councilman Krakower: If we are not required to do it, however, we decide to amend the Town Code, make it at the option of the Town, I don't want to have it so that if we didn't publish it one time and then the person comes back and says that the Town is required to publish it in the paper and you didn't follow that.

Town Attorney Jim Nelson: It is better off to do nothing.

Neil Wilson: Yes, I agree.

Councilman Krakower was just afraid if it is not published in the newspaper and it was in the Town Code, we would be held liable for not following the Code. On second thought, I think I would publish it. Didn't we have one where the bank had taken it prior to our notification. If we publish it, we avoid the issue of someone else coming in and saying that that person is no longer entitled. It was the XYZ Bank or them. I think we should publish it.

Neil Wilson: The cost will be about \$50 or \$60 dollars and then after that, we could attach the cost of that to the Tax Bill and so we could recoup the costs.

Council approved the amending the Local Law to publish in the newspaper.

04:13-COW 4: DISCUSSION

DiSalvo Ericson Group/Trevor Hill
Report Examination of Police/Court
Facility and Suggested Follow-Up

Don Beer, Town Engineer: Trevor has been involved in this building, not as long as I have, but since 1999. He is a structural engineer and has been the guy the Town has turned to during the past 10 years. In the past few months, we have tried to complete a study that started several years ago and tried to determine whether the building is moving. If you've been over there, there would be no question in your mind that portions of the building are moving, but Trevor has done some work and he is going to present to you some information and to also provide for you what the next steps ought to be.

Trevor Hill: First, a little history, I think you all know, the building was purchased by the Town in the mid 90's, to be the new Town Court facility. After the fit out, there was quite a bit of settlement that was found in the floor slabs and that settlement, when I was first brought into the project; that was the question. What is going on with the floor? Is the floor continuing to settle? I also brought up, what about the superstructure? Now we have two issues, the floor settling and what about the superstructure. That was back in '99. In 2004 and 2005 I was approached by the Board again and this time it was Steve Callahan and he brought me in, Joe Davis was the Supervisor, and we came up with a pretty good approach at that time to do a three phased approach to solve this problem. The first phase was just to see what this problem really was. There has been a lot of discussion that this property was built on reclaimed land that was over a land fill, but that was never proven out. We knew there was settlement, but we didn't know if it was still moving, so let's prove that, and that can be Phase I. Let's really determine what this problem is. Then Phase II can be, now we know what the problem is, let's move forward and design a solution and then Phase III would be action taken. Changes happen. Steve is no longer here and it kind of fell off the radar, but now it just came back on. So, we are just now completing Phase I. There is a geo-technical report out there. We've proven that it indeed was built on unsuitable material. The soil is some sort of a landfill. What happens with this unsuitable material is it has a decay rate and this is all spelled out very clearly in the geo-technical report, if you are interested in the technical end of it, you have to read that. My understanding is that what happens is at a certain time, all that stuff suddenly just gives up and you don't know when that is. You don't know if you are on 2 X 4's or on Christmas trees, but depending on what you are on, it can suddenly give way and we are not sure exactly what parts of the building might be on what and when that can happen. Presently, the condition of the floor is poor. It needs to be repaired. You shouldn't have these floors in this condition. That's just the floor. The superstructure, also, what we were able to do was get up on the roof with surveyors and we see that the superstructure is also moving and that needs to be repaired. So, the results of Phase I is that the building is continuing to move and that it really needs to be repaired and so now we have to move on to Phase II. What I propose to do for Phase II is look at several solutions that can work. There is definitely a structural solution. Buildings are built on top of unsuitable materials all the time. You go through the unsuitable materials down to the suitable material with piles. That can be done retroactively. It may be more expensive than what it would have been if you built it on suitable materials originally and obviously there is a disruption of the occupants. So, these are the things in Phase II we would get into. Is it possible to go back and retro-fit this building and make it a proper building without evacuating the building. I know it can be done, but the question is, is that the right answer? At the same time, we could look at another solution which is to

move out of there and use another building, or build a new one. We could look at the cost to repair or move or rebuild and with our eyes open move forward and decide which is the best route to take.

Councilman Krakower: Phase II would put a price tag on what the renovation, repairs and structural updates would be to bring that building to a point that would not only be suitable for current use, but for long term? You drill down through the landfill material into the solid ground below, do you guys, at this point, and know how deep that is?

Trevor Hill: All that solution deciding how deep, what kind of piles to be used, how closely spaced they are, how thick the slab will be, that's all Phase II, yes.

Councilman Krakower: With that landfill, do you have to dig down five feet or 50 feet to solid ground, or do you have any idea?

Trevor Hill: We have an idea, I think it's on the order of 20 ft. But, that's actually a very short pile. In the world of driving piles, a 20 ft. pile is relative short, but, I know it's possible, but I have no idea what the cost would be. What I am looking to do is do a Phase II-A, which would just get us far enough to get a set of pricing drawings out and I would sit down with maybe the Chief of Police, with whoever is in charge of the Court area and start talking about what can we do here. You have an evidence room, for one thing, can we work in the evidence room? Can you take that stuff and move into another room? You have a locker room, can we abandon the locker room for a month? Etc. These are the things I would have to work through to see what the feasibility is.

Councilman Krakower: So, in that Phase II-A, you would look at how we would shuffle people around within the building or a place of relocation of some of the functions and the costs of securing the structure and everything else and come back to us with a number?

Trevor Hill: But, the structural solution depends upon how people can move around.

Trevor Hill: In Phase II, you wouldn't have a locked in cost number. It would be a set of drawings and the progress, but, it would be a set of drawings and possibly what a new building would be like and cost and put some rough numbers on that.

Councilman Krakower: In other words, not talking about a few hundred bucks? We are talking significant numbers on something like this.

Neil Wilson: Oh yeah.

Councilman Conte: Is the Police/Court Department built more like the K-Mart or like the building of Lloyds or is it a more drastic up-heaving issue where the Police Department is?

Trevor Hill: I don't know what the construction of the other two buildings are. But, this is a typical pre-engineered metal building, "Butler Building", and that type of building does have a fair amount of latitude in that it's an elastic building, is the term we would use. Constructional steel is used throughout the commercial construction because it's a very good building material and has a lot of room for error. But, I could do as part of Phase II, I can go in and see how far these columns can move before the stresses in the steel become dangerous and affects the safety of the building.

Councilman Krakower: Well, at some point, we are heading in that direction, if we do nothing, correct.

Councilman Krakower: How many years would it be?

Councilman Tancredi: Instead of moving to 20 years, could there be a time that this building could shift one way or another and not necessarily need to be taken care of?

Trevor Hill: Not with my approval, because that's trial and error and you don't want to do trial and error. We can do structural calculations and if we find that one column has come down 4", the stresses in that particular steel bends are greater than what is allowable for that steel.

Councilman Krakower: When you walk down one particular area in a hall way there, you can get dizzy, it's hard not to get dizzy because the slant of the floor and length of the hallway is like an amusement park ride. That building does scare me. I think it was a bad idea when the Town got into it and it has continued to be a bad idea. Maybe that building could last for a while, but if say a bad storm or tornado could be a real disaster.

Councilman Lecker: Do you have enough information now that would warrant evacuation of the building?

Trevor Hill: No, from what I've seen, I don't think we should go running down there telling them to get out, no, I haven't seen anything like that. But, that's today, I don't know about tomorrow. The stuff that it is sitting on, that all just go. Some day that 2 X 4 is just going to go. What I had hoped originally, that they had drilled peers for the columns and the columns went down to good material, but during, this investigation, we found that the columns are based on shallow foundations. We have seen that there are certain areas that have really moved and those are the areas that will continue to move. The west side is where most of the Police Station is and the floor is pretty good through most of that, but if you get to the back and more toward the court side and almost the entire court side, is very poor condition.

Councilman Tancredi: Do you have an estimate or any idea of what it might run us to do Phase II-A?

Don Beer: Trevor gave me a proposal about mid-day today of about \$19,500. It needs a little bit more flushing out so I can come back and recommend that to you. That's the ball park we are looking at.

Councilman Tancredi: By next week, do you think you could do that?

Neil Wilson: Yes.

Councilman Krakower: As far as the turnout time for the next Phase to get done, what time are we looking at?

Trevor Hill: I would say probably no quicker than 3 months.

Councilman Krakower: Well, if it's bad news we are going to get, I would like to find it out as soon as possible and rather than put blinders on and pretend it's not there. It just gets more and more expensive and more and more problematic and more and more dangerous and so I would like to get the news as soon as possible and start addressing it rather than letting it ride for another couple of years and hope it will hold up.

Councilman Lecker: When that building was procured, wasn't there an Engineering study done to say what we were buying.

Don Beer: I can tell you that, Morris Associates had just come into the Town of Poughkeepsie in 1995 and we were not encouraged to go to the site. I went there once with Tom Murphy to look at the piles that were being placed, but we had actually put in a proposal to do construction management services in the Town because it was a procurer and it was not responsible for the building during the construction process and the Town was pretty much not involved at all. To the best of my knowledge, there was no Engineering study done prior to purchase. I got involved in the building probably a year or two after it was purchased to try to get some of the HVAC corrected that were still outstanding even after the purchase.

Councilman Krakower: The Town should never have purchased that building.

Deputy Town Supervisor Rick Keller-Coffey: Ok, next on the agenda is the Committee Reports.

April 13, 2011
COMMITTEE REPORTS

FINANCE COMMITTEE	Councilman Krakower: No report
FIRE ADVISORY	Councilman Conte: No report
GOVERNMENT OPERATIONS	Councilman Eagleton: No report
LAND USE & PLANNING	Councilman Krakower: No report
PERSONNEL	Councilman Cifone: No report
RECREATION	Councilman Tancredi: You received our Report. Little League opening Day is this Saturday – north and South will be opening – weather Permitting
SENIOR CITIZENS	Councilman Tancredi: Just what we gave on the Presentation regarding the Senior Center
TECHNOLOGY & EQUIPMENT	Councilman Lecker: First item is on communications and microphone system. Next – Mark was able to get another quote from Dutchess Auto and they are coming in with about \$37,000, which is about \$8,000 more

Councilman Tancredi: In order to get these bids, did we advertise in the paper like we normally do? How did we advertise?

Don Beer: The dollar amount, the nature of it, did not require a formal bid, we were below the dollar amount required for that. What I did was contact 5 various vendors in the area and one person in New Jersey. Of all of the people we contacted, were the same results. The only other person to respond is Dutchess Tel Audios on Spackenkill Rd. Lengthy discussion on companies applying for and bids for the systems followed.

WATER, SEWER, HIGHWAY	Councilman Eagleton: No Report
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COMMITTEE OF THE WHOLE MEETING CLOSED AT 9:00 PM

MINUTES OF SPECIAL TOWN BOARD MEETING
HELD ON APRIL 13, 2011 AT 9:00 PM AT
TOWN HALL, ONE OVEROCKER ROAD,
POUGHKEEPSIE, NEW YORK

PRESENT: Councilman Lecker
Councilman Eagleton
Councilman Conte
Councilman Cifone
Councilman Krakower
Councilman Tancredi
Deputy Supervisor Keller-Coffey
Town Attorney Nelson
Town Clerk Miller

Motion made to suspend the rules for public to speak on agenda items: R. Lecker/
T. Tancredi

CARRIED: 7-0

Robert Rubin: (Inaudible)

Motion made to resume the rules: J. Conte/M. Cifone

CARRIED: 7-0

04:13-SM 1 ACCEPT

Gift/Contributions From Oakwood
Partners, LLC & Neptune Capital
Advisors, LLC In The Amount of
\$100,000 Each For The Development
Of The Senior Center

Town Attorney Nelson: (INAUDIBLE)

Motion made to withdraw: T. Tancredi/M. Cifone

CARRIED: 7-0

WITHDRAWN – GO TO BID

04:13-SM 2 AUTHORIZE

Expenditure/Encumbrance Of
\$300,000 From The Recreation
Trust Fund

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the encumbrance of \$300,000 from the Recreation Trust Fund for the potential development of the Town of Poughkeepsie Senior Recreation Center; and

BE IT FURTHER RESOLVED, that because the potential development of the Senior Recreation Center involves the reconstruction of a structure on site and in kind, and the construction of a non-residential facility involving less than 4,000 square feet of gross floor area, it is a Type II Action requiring no review under the New York State Environmental Quality Review Act.

SO MOVED: R. Lecker/S. Krakower

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

Nays: None

CARRIED: 6-0

04:13-SM 3 BID AWARD

Hudson River Psychiatric Center Water
District For Installation Of Water Lines And
Related Utility Work To Thomas Gleason,
Inc.

RESOLUTION

WHEREAS, by Resolution 2:20-#6 of 2008 the Town Board of the Town of Poughkeepsie has determined that the installation of water lines and related utility work in the Hudson River Psychiatric Center Water District is a Type II Action under Section 617.5 (c)(11) requiring no SEQR review; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby award the bid for the HUDSON RIVER PSYCHIATRIC CENTER WATER DISTRICT to Thomas Gleason, Inc. at the low bid price of \$869,140.00, pursuant to the recommendation of the Town Engineer, attached; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to sign a contract with Thomas Gleason, Inc.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 6-0

RECOMMENDATION ATTACHED TO FINAL BOOK COPY

04:13-SM4 ANY OTHER

That May Legally Come Before The Town

MATTERS

Board

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 | Property Maintenance Violation
7 Arden Lane |
| SC 2. Retain | Donald McGrath & David Hagstrom
To negotiate PILOT Agreement with
IBM Corp. |
| SC 3. Authorize | Calling of the Bond – Marquise
Henmond Blvd. Road Improvement |

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, and
Tancredi
Nays: None CARRIED: 6-0

04:13-SC 1 PUBLIC HEARING DATE	To Remove All Debris, Hazardous Material, Solid Waste and Unsound Structures from 7 Arden Lane
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RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 4th day of May, 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 a recommendation from the Zoning Administrator, to remove all debris, hazardous material, solid waste and unsound structures, which Order to Remedy is attached hereto, for property located at 7 Arden Lane, Poughkeepsie, New York, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: M. Cifone/T. Tancredi

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

ORDER TO REMEDY ATTACHED TO FINAL BOOK COPY

04:13-SC 2 AUTHORIZE/
RETAIN

Donald McGrath, MAI of
McGrath & Company and
David D. Hagstrom, Esq., to
Represent the Town's interest in
Negotiation of (15) year PILOT
Agreement with IBM Corp.

RESOLUTION

WHEREAS, the Town of Poughkeepsie and IBM Corporation have entered into a Memorandum of Understanding dated September 25, 2009 to enter into a payment in lieu of taxes agreement ("PILOT Agreement") with IBM; and

WHEREAS, it is the intention of the Town Assessor to attempt to negotiate PILOT Agreement for the years 2012 through 2026 as part of the resolution of issues relating to IBM's real property tax assessment; and

WHEREAS, Donald McGrath, MAI and David D. Hagstrom, Esq. are each personally familiar with the IBM properties and have represented the Town as an appraiser and attorney, respectively, on prior IBM tax review proceedings; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize and retain Donald McGrath, MAI of McGrath & Company, at the rate of \$150.00 per hour, and David D. Hagstrom, Esq., at the rate of \$165.00 per hour, to represent the Town's interest in the negotiation of a fifteen (15) year PILOT Agreement with IBM Corporation, with Mr. McGrath and Mr. Hagstrom to submit a not to exceed estimate within thirty (30) days.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

Councilman Eagleton: Traditionally we've put caps on these things. Do we do that here? A reasonable amount.

Councilman Krakower: David Hagstrom has represented us in basically almost all of our tax certioraris proceedings over the years and Don McGrath, also. I'm comfortable with them doing this at their hourly rates. Their hourly rates are not very high considering their years of experience. I'm not sure we are able to put a cap on the front end of something like that with IBM. That's pretty significant and sort of new ground and is a pretty involved process. I know the one that was done in East Fishkill, it was involved

with many levels of government in order to get it done. My suggestion would be to have it move forward and maybe if we can Mr. Hagstrom and Mr. McGrath come back to us and let us know the suggested cap they could put on it. But, based on their long association with the Town, I don't feel that putting a cap on it would be a concern. We could always revisit it if we needed it. I would like to see them move forward as soon as possible.

Councilman Cifone: Their bills haven't come in that high.

Councilman Eagleton: Well, I don't want to be surprised six months from now.

Attorney Jim Nelson: If you want, you could adopt this and then amend it, so they could start the work and add a clause that says they will submit to you an (inaudible) not to exceed estimate within 30 days.

SO MOVED ON AMENDMENT: S. Krakower/T. Tancredi

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

Nays: None

CARRIED: 6-0

Councilman Eagleton: Is it fair to ask for monthly reports as well?

Councilman Krakower: They are going to be giving us reports back anyway.

ROLL CALL ON RESOLUTION: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, and Tancredi

Nays: None

CARRIED: 6-0

04:13-SC 3 ENFORCEMENT
OF BOND

Marquis Development Corp., a/k/a
Marquise Construction &
Development Corporation
("Marquise") provided a Colonial
Surety Corp. Bond No. CSC-
217504M dated January 14, 2011
For Henmond Blvd.

RESOLUTION

WHEREAS, it appears that Marquise Development Corp., a/k/a Marquise Construction & Development Corporation ("Marquise") has provided the Town of Poughkeepsie with Colonial Surety Corp. Bond No. CSC-217504M, as most recently extended by rider dated January 14, 2011, to secure Marquise's proper performance and maintenance of work under Contract 208423-02 at Henmond Blvd. in the Town of Poughkeepsie; and

WHEREAS, it appears that necessary corrective work has not been completed, and that the aforesaid Bond will expire on May 4, 2011; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize and direct the Town Supervisor, Comptroller and Attorney for the Town to notify Marquise and Colonial Surety Corp. of its decision to enforce the Bond and utilize the proceeds to complete, repair, correct and replace, as required, the work of Marquise, pursuant to Contract 208423-02 if the required work has not been completed to the satisfaction of the Town Engineer and Superintendent of Highways by April 25, 2011.

SO MOVED: T. Tancredi/M. Cifone

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

Motion made to suspend the rules for public speaking: M. Cifone/R. Lecker

CARRIED: 6-0

Doreen Tignanelli: Just wanted to speak about the sound system. If we are not prohibited for asking for an RSP, I do think that's probably the best way to go to make sure we are getting the best value and I did ask at the February 4, 2009 Town Board Meeting what Mr. McNamara was being paid for and all I was told is that he was being paid \$4,000 for somewhere in the range of 2.5 to 5 days work, which is either \$100 or \$200 an hour. I asked and I was told that that did not include equipment or installation and I also asked if it would apply toward future work he was going to do based on that estimation and I was told "No". Frankly, the fact that there wasn't an option to potentially apply that to a job that he may get as a result in the future, I thought that that was a poor way of doing business. Then, just one thing about the sound system, I did want to say that I was at a meeting at the Town of Wappingers Town Hall about a month ago and I had recommended to Mark Fink that he might want to contact the Town of Wappingers Town Clerk, Chris Masterson. Mr. Husband and I had conversations with him about the system down there and I did give Mark information about the company. It was IQM2 and they did have a web site, so hopefully he will contact them. They have a real elaborate system as far as they have video, streaming, archives, you can look at the Town Board meeting minutes as well as the actual meetings. It would be good to find out what it costs them.

Councilman Krakower: It wouldn't be a bad idea to just get rid of the paper and just have a computer monitor here to show these things. We got money in from Verizon and we are getting money from Time Warner and so there are funds there.

Doreen Tignanelli: Another thing, I do like to see resolutions that have some sort of cap on them, whether its hours or amounts. Even if you don't think it's any problem, but you

start out with a certain amount and then it can be amended. This way you don't end up in any budget overages.

Jean Murphy: Many years ago, my daughter in Connecticut discovered that the (inaudible) gave my Husband ten years ago from Kingston in the yellow pages under paving, D.C. Construction with two different phone numbers. The Douglas Cooper is a scam, don't use them. I want people to be warned about them.

Robert Rubin: Just a question, I saw a letter to the editor of the Saturday paper last week, is Route 9G at the State Fair Grounds in Poughkeepsie, is that part of the Town? I tried to find the person who was the author of that letter and I was unable to do so. According to her, the State is trying to shoving down an Alcohol Rehab Treatment Center in her city without any knowledge.

Councilman Cifone: That is City/Town of Poughkeepsie on the State Psychiatric Center Property and the State can do anything they want on that property. We knew about that coming in well over a year ago.

Robert Rubin: I also just wanted to comment on the report of the Preservation Commission. We met last night. Our section of the Town website is up and running, please take a look at it. Also, we were looking at the Town of Poughkeepsie celebration of 2025, that proposal is still being worked on, but, as soon as that becomes more solid, we will report back to you on it. Jean also let us know that a bi-centennial time capsule was located in the area of the old Town Hall. It was the consensus of the committee that some kind of marker or plaque be put there in that area. We would like to ask the Town to consider putting some kind of marker out there so people won't abuse the area. Also, I asked you to look into financing American Sign Language for the Town Meetings and I just got an e-mail back this evening. Janine Burns and I will be speaking for this and we will probably meet prior to the next meeting. Then she is going to come and talk further about that, unless you have an objection.

Motion made to resume the rules: T. Tancredi/S. Krakower

CARRIED: 6-0

Motion made to adjourn the meeting to go into Attorney/Client Executive Session: M. Cifone/J. Conte

CARRIED: 6-0

INTO EXECUTIVE SESSION AT 9:25 PM

BACK FROM EXECUTIVE SESSION AT 9:40 PM

Motion made to resume the rules: R. Lecker/S. Eagleton

CARRIED: 6-0

NO ACTION WAS TAKEN

Motion made to close the Meeting: T. Tancredi/S. Krakower

CARRIED: 6-0

MEETING CLOSED AT 9:42 PM

SJM: lkm