

**MINUTES OF TOWN BOARD MEETING HELD ON
JUNE 22, 2011 AT 7:00 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

PRESENT: Supervisor Myers
Councilman Lecker
Councilman Eagleton
Councilman Cifone
Councilman Krakower (Arrived at 7:10 PM)
Councilman Tancredi
Town Attorney Nelson
Town Clerk Miller

ABSENT: Councilman Conte

- **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 or amendments to

7:00 PM CALL TO ORDER SALUTE THE FLAG

Motion made to suspend the rules for public speaking on Public Hearing #1: Supervisor Myers/T. Tancredi

CARRIED: 5-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 5-0

06:22-01 PUBLIC HEARING

To Amend Town Code, Chapter 105,
Entitled "Fees", Specifically Section 105-4,
Entitled "Chapter 76, Circuses And
Carnivals" For Flea Market Fees

RESOLUTION

BE IT ENACTED, tat the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 22nd day of June, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend the Town of Poughkeepsie Code, Chapter 105, entitled "Fees", specifically the second line of

Section 105-4 D, entitled “Chapter 76, Circuses and Carnivals”, which amendment is as follows:

AMEND: Section 105-4 D (1) as follows:

- (1) License fee: \$300.00 per occasion (2 consecutive days), except that flea markets shall be \$150.00 per day

AND BE IT FURTHER ENACTED, that the Town Board of the Town of Poughkeepsie does determine that this action is a Type II Action requiring no environmental review; and

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

SO MOVED: R. Lecker/T. Tancredi

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

Nays: None

CARRIED: 5-0

Town Clerk Miller: I did hereby file the affidavit of posting on June 2, 2011 and Published in the Poughkeepsie Journal on June 6, 2011.

06:22-02 NOTIFICATION

Group Home Located At 20 Caldwell Road,
The Devereux Foundation – John O’Keefe
Jeanine C. Sisco, DDPS1

PRESENTATION

Site Development and Krista Scibelli, Director of Community Services, spoke on how and why the Devereux Foundation would like to have a home for 5 individuals at 20 Caldwell Road. The Devereux Foundation was founded in Philadelphia in 1912 by Helena T. Devereux, a teacher and pioneer in the field of special education. The Foundation is in the process of transferring 20 current students from the Red Hook campus to four smaller houses in the community with 5 students in each house to provide a more home-like setting with individual bedrooms, such as the five bedroom home located on Caldwell Road. The 5 students (aged 10-21, all with autism or other Developmental Disability) will attend school at Devereux’s Red Hook Campus with transportation provided by the staff.

THE TOWN BOARD RAISED NO OBJECTION TO THIS
HOME BEING BOUGHT AND USED BY THE DEVEREUX
FOUNDATION

QUESTION AND ANSWER TIME

Rob Rubin: Are you a tax exempt organization, or will this property remain on the tax rolls?

Answer: We are tax exempt.

Motion made to suspend the rules for public speaking on Public Hearing #3: Supervisor Myers/S. Krakower

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

MATERIALS ATTACHED TO FINAL BOOK COPY

Town Clerk Miller: I did hereby file the affidavit of posting on June 2, 2011 and published in the Poughkeepsie Journal on June 6, 2011.

06-22-03 PUBLIC HEARING

Property Maintenance Violation For
2 Oak Grove Lane

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on June 22, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 2 Oak Grove Lane, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6159-02-616709, owned by Donald & Anita Evans, is in violation of Chapter 195; and

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

BE IT FURTHER RESOLVED, that said owners of 2 Oak Grove Lane have not complied with the Order to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the repair or removal of all debris, solid waste, litter, garden waste, fallen tree limbs and shall cut the grass to a height not to exceed 4 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained and

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

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

BE IT FURTHER RESOLVED, that the Highway Department is authorized to remove all debris, solid waste, litter, and garden waste, fallen tree limbs and cut the grass.

SO MOVED: S. Eagleton/M. Cifone

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

Nays: None

CARRIED: 6-0

Motion made to suspend the rules for public speaking on Public Hearing #4: Supervisor Myers/M. Cifone

CARRIED: 6-0

Sarah Davis, Zoning Administrator: This 17 Jean Drive was done last year and that was before you put in a resolution for continued maintenance and so it needs to start again and then proceed from there.

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

06:22-04 PUBLIC HEARING

Property Maintenance Violation for
17 Jean Drive

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on June 22, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 17 Jean Drive, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6159-01-029748, owned by Laura M. Fara is in violation of Chapter 195; and

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

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

BE IT FURTHER RESOLVED, that the Town shall cause the repair or removal of all debris, solid waste, litter, garden waste, fallen tree limbs and shall cut the grass to a height not to exceed 4 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained and

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

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

BE IT FURTHER RESOLVED, that the Highway Department {or an appointed contractor} is authorized to remove all debris, solid waste, litter, and garden waste, fallen tree limbs and cut the grass.

SO MOVED: M. Cifone/S. Krakower

Councilman Krakower: I have a question. Are we going to run into some budget problems with the Highway going out and redoing the landscaping all over Town now, because we've got a lot of these going on now and in the past we didn't even have an Ordinance for this, so, it is my concern that we may have a budget problem. Do we need to maybe in next year's budget set a line dealing with this? We can't only go out just once, we've got to do it for the entire season of Spring, Summer and Fall, really.

Sarah Davis: I am looking at companies to come in and do this because our highway is not equipped to cut residential lawns, just highways. But, they have been able to help me out on a couple.

Neil Wilson: Yes, we've discussed this in-house and, realistically, the Highway Department is really good in trimming highways, etc., but when it comes to residential properties, it is not equipped with small mowers, etc. So, we do need a different level of expertise. What we are doing right now is soliciting quotes from some qualified potential vendors and we will be coming back to you, hopefully, in the first meeting in July with a recommendation based on a list that we have developed whereby we would have sort of a revolving list based on the people who have applied to our request. In reality, too, the Highway Department is a little stretched anyway this time of year. Also, about the

budget, and the answer is, “Yes”, we’ve seen more and more of these and so the volume is certainly increasing.

Councilman Krakower: And the cost involved is going to get significantly higher. And the properties we cleaned up last year are right back on this year and I think what we are seeing is the owners have walked away and the banks are not putting any money into doing anything to maintain them. So, we are pretty much running up against something where we are going to do work and not get paid for it.

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

Nays: None

CARRIED: 6-0

Motion made to suspend the rules for public speaking on Public Hearing #5: Supervisor Myers/R. Lecker

CARRIED: 6-0

Sarah Davis: 1 Fairway actually did have a phone number on the door about a company that winterized it, they no longer have the account and they were not willing to give me the name of who does have it. It is owned by Penny MacLoan Services and they did not respond, although they did pick up the mail.

NO SPEAKERS CAME FORWARD

Motion made to close the public hearing: Supervisor Myers/S. Krakower

CARRIED: 6-0

Town Clerk Miller: I do hereby file the affidavit of posting on June 2, 2011 and published in the Poughkeepsie Journal on June 6, 2011.

06:22-05 PUBLIC HEARING

Property Maintenance Violation For
1 Fairway

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on June 22, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled “Property Maintenance”, does hereby determine that said property located at 1 Fairway, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6160-04-600231, owned by Penny MacLoan Services, LLC, is in violation of Chapter 195; and

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

BE IT FURTHER RESOLVED, that said owner of 1 Fairway has not complied with the Order to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the repair or removal of all garden waste, fallen tree limbs and shall cut the grass to a height not to exceed 4 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained and

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

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

BE IT FURTHER RESOLVED that the Highway Department {or an appointed contractor} is authorized to remove all garden waste, fallen tree limbs and cut the grass.

SO MOVED: S. Krakower/M. Cifone

Motion made to amend to read that it may be done by an appointed certified outside contractor: Supervisor Myers/S. Krakower

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

Councilman Krakower: Another thing is, on the ones we are probably not going to get paid back on, should those be ---

Supervisor Myers: We get paid back eventually anyway because we get paid back from the County on the tax bills.

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

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

CARRIED: 6-0

Sarah Davis: This property has been a problem for several years and I didn't get to it last year because it snowed early, but it's still a problem this year.

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

Town Clerk Miller: I did hereby file the affidavit of posting on June 2, 2011 and published in the Poughkeepsie Journal on June 6, 2011.

06:22-06 PUBLIC HEARING

Property Maintenance Violation For 83
Marple Road Extension

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on June 22, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 83 Marple Road Extension, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6162-20-972068, owned by Heinz Van Kurthy, is in violation of Chapter 195; and

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

BE IT FURTHER RESOLVED, that said owner of 83 Marple Road Extension has not complied with the Order to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the repair or removal of all debris, solid waste, litter, garden waste, fallen tree limbs and shall cut the grass to a height not to exceed 4 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained and

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

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

BE IT FURTHER RESOLVED, that the Highway Department {or outside appointed contractor}, are authorized to remove all debris, solid waste, litter, garden waste, fallen tree limbs and cut the grass.

SO MOVED: T. Tancredi/M. Cifone

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

Nays: None

CARRIED: 6-0

Motion made to suspend the rules for public speaking on Public Hearing #7: Supervisor Myers/S. Eagleton

CARRIED: 6-0

Sarah Davis: This property needs the grass cut and some branches picked up from all the storms we've had. It hasn't been touched this year at all. I believe the woman died.

NO SPEAKERS CAME FORWARD.

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

CARRIED: 6-0

Town Clerk Miller: I did hereby file the affidavit of posting on June 2, 2011 and published in the Poughkeepsie Journal on June 6, 2011.

06:22-07

RESOLUTION

29 Stephanie Lane

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on June 22, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 29 Stephanie Lane, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6159-03-439053, owned by June M. Scalzo, is in violation of Chapter 195; and

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

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

BE IT FURTHER RESOLVED, that said owner of 29 Stephanie Lane has not complied with the Order to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the repair or removal of all debris, solid waste, litter, garden waste, fallen tree limbs and shall cut the grass to a height not to exceed 4 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained and

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

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

BE IT FURTHER RESOLVED, that the Highway Department {or appointed contractor} is authorized to remove all debris, solid waste, litter, garden waste, fallen tree limbs and cut the grass.

SO MOVED: Supervisor Myers/M. Cifone

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

Nays: None

CARRIED: 6-0

Motion made to suspend the rules for public speaking on Public Hearing #8: Supervisor Myers/S. Eagleton

CARRIED: 6-0

Sarah Davis: This property has been vacant all season and it appears that they just left.

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

Town Clerk Miller: I did hereby file the affidavit of posting on June 2, 2011 and published in the Poughkeepsie Journal on June 6, 2011.

06:22-08

32 Shamrock Circle

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on June 22, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said

property located at 32 Shamrock Circle, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6261-01-491742, owned by Mark McPherson, is in violation of Chapter 195; and

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

BE IT FURTHER RESOLVED, that said owner of 32 Shamrock Circle has not complied with the Order to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the removal of all garden waste, fallen tree limbs and shall cut the grass to a height not to exceed 4 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained and

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

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

BE IT FURTHER RESOLVED, that the Highway Department {or appointed contractor} is authorized to remove all debris, solid waste, litter, garden waste, fallen tree limbs and cut the grass.

SO MOVED: R. Lecker/M. Cifone

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

Nays: None

CARRIED: 6-0

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

CARRIED: 6-0

Robert Rubin: I wish to speak to Agenda Item # 9 regarding the Town's relationship with United Water. I think the time is now and the place is the Town of Poughkeepsie, and the state is here tonight. Your action regarding whether or not one of our municipal services will be outsourced will be judged by history as well as by the residents of our Town both past, present and future. One of the items on tonight's agenda will be to vote

on authorizing the Supervisor to sign an agreement to allow the operation and maintenance of a management agreement between our Town and United Water and Environmental Services for operation, maintenance and management of the Arlington Wastewater Treatment Plant and Country Club Wastewater Treatment Plant. You must vote “No” on this proposed. History tells you to vote “No”. In our Charter the Town received in 1788 a document I believe still valid today, there is no mention of the governing authority being allowed to outsource municipal responsibilities. If you still believe this is a valid document, then you must vote “No”. If by no other reason than by standing by the Oath of Office mentioned in the Charter, which states that “You solemnly and sincerely promise and swear that I will in all things, to the best of my knowledge and ability, faithfully and impartially execute and perform the trust imposed in me and that I will not pass any account or any article therewith, which I think the said County is not justly chargeable” You’ve also sworn to faithfully carry out the terms of the New York State Constitution and nowhere in that document can I find authorization being given to Municipalities to allow the outsourcing and finally, you’ve sworn to uphold the Supreme Law of the Constitution of the United States of America. The 10th Amendment, a part of our Bill of Rights, states “The power is not delegated to the United States by the Constitution nor prohibited via the states, are reserved for the States respectfully and to the people”. The sentiment in this amendment, in my opinion, is that, if a government is not specifically authorized to do something, it simply can not legally do it. You have not presented any proof, in my opinion, that you are legally authorized to outsource municipal functions. Generations will be looking at you to see if a law is the supreme factor in your decisions.

Ann Shershin: I also have some questions about the contract with United Water. First, I was wondering, does this include any upgrades to our plants? In the nearly 6.6 million dollar contract, will this include upgrades to our facilities? Also, according to the newspaper, we are being reduced down to 7 Town employees that will be continuing to work in these plants. Will United Water be supplying additional employees, or are they going to run with just 7 employees? Lastly, in the newspaper it was reported there would be a savings of \$2 million over five years, so, when can the customers look forward to seeing the savings in their bills?

Supervisor Myers: We will answer your questions when we get to it, ok Ann?

Jim Reilly: I would like to thank Mrs. Myers for her years of service and the time you gave the employees during this whole ordeal. I also would like to thank the hundreds of residents that came to the meetings and spoke up in support and the members who’s voice wasn’t heard. I would like to thank the thousand plus people that signed their names to the petitions. To the people of this Town Board, I hope the residents remember during the November vote that this Town Board didn’t listen and certain Town Board members just basically disrespected everyone. Remember that, when it’s time to vote.

Marianne Axtmann: I’m a little disappointed that Mr. Conte isn’t here tonight because in February at one of the Town Board Meetings, he said he would like to make a presentation about United Water to the residents and to all the people who came out in

favor of us in what we were trying to do in stopping this. So, my guess is, we probably won't know what's going on. I just wanted to tell you a few last points before you actually vote. In June of 2006 in Glens Falls, United Water's sister company Earth Tech was removed from operating the cities infrastructure due to an excess cost over run and the New York Supreme Court ruling stating that they had to pay prevailing wage. The municipal workers were then returned to their jobs. In November of last year in Hackensack, New Jersey, the residents there filed a \$10 million class action law suit against United Water for selling fraudulent insurance policies to the residents. In December of 2010, in Gary, Indiana, if you remember, last October I told you Willy Wallace from that Town, personally called me and told me, you do not want this company in your Town. They will downsize the employees, they will leave the place unattended, you will pay for things that are not getting done and of course, the end result is our beautiful Hudson River. There has been a lot of problems where raw sewage has entered waterways and we don't want that in our Town. In Gary, Indiana, two of its managers were federally indicted for tampering with ecoli and violating the Clean Water Act. In Camden, New Jersey and in Gary, Indiana, United Water is now under Federal indictment. In December of last year United Water's tenant company Suledge Environmental, was removed from operating the City of Paris, France water and waste water infrastructure because of overcharging for their services. France is known as the Heartland of Privatization. That's where these companies originated from. The city was then returned to municipal employees. If that doesn't tell you, you should vote "No", I don't know what does.

Councilman Tancredi: I just wanted to let you know that Councilman Conte is at a training seminar in Cobleskill tonight.

Nancy Zivece: I just recently started looking at this, too, and just those indictments about Gary, Indiana, I can't consider how you would even think of voting "Yes" for this. Privatization is one thing that I'm a little not sure of going with this company. I would be very sure with a "No".

Doreen Tignanelli: I have questions about several agenda items. #9, is this a one year contract?

Supervisor Myers: 5 year.

Doreen Tignanelli: So, if it's not working out at the end of say one year, is 5 years a problem?

Councilman Krakower: There is an option to renew it, but, we can also walk away, after three years also. There are termination points in the agreement.

Doreen Tignanelli: So, if you don't realize the tax savings you are going to get, you have options?

Councilman Krakower: Yes, absolutely.

Doreen Tignanelli: My other question is, #20. I realize you are just setting the date for a Public Hearing, but, can you tell me just briefly can you tell me what the change is to the Senior Housing Overlay District?

Councilman Krakower: It's expanding it to allow it to apply to some other properties in the Town and we did some things to expand and then we've actually gotten a number of calls from property owners that are interested in possibly having it expanded further and so I think we may take a look at that because right now, it started out in the Business-Highway Zone, we are expanding it to the OR Zone and BNH Zone combined. There are other property owners, I think, in residential multi-families that are interested in the possibility of having a senior housing overlay applied. The overlay is something the Town Board still, even when we put this in, controls, it's just a matter of which zones it's a possibility for. It's just an expansion of that use throughout the Town.

Doreen Tignanelli: Ok, #25, licensing of fireworks, public display for Dutchess Golf and Country Club. So, that's a Town license?

Supervisor Myers: I don't know that licensing is the word to use here necessarily. I would say it is just a notification and they have notified the Fire Company and all that. It's not really licensing.

Doreen Tignanelli: I saw that it was on the agenda for the Arlington Fire Department Meeting and the meeting was cancelled due to the lack of quorum. There was a request by the Golf and Country Club to have AFD on site for that and as a taxpayer, I would be against that, unless they were reimbursing AFD, I don't want to be paying my taxes for a private fireworks display and a country club, so, that's why I asked about it, if the Town was licensing it, so they are not, correct? (No) My last question is on Item #24. I am curious as to why the Town Board is waiving Site Plan and Subdivision Application Fees? I've been coming to meetings for a long time now and I don't remember ever seeing the Town waving Site Plan and Subdivision application Fees. How much are the charges and why is this one that special that it is being waived?

Councilman Krakower: Theirs is due to expire and so, if it expires, they would have to pay another fee and the original fee is something like \$16,000 and they are running into a problem with getting approvals from the New York State through the Department of Health, I believe, so, the State's been basically jamming them up, so they are trying to get the thing started and build but, they have been having problems through the State and so their approvals through the Town, the Planning Board renewed their extended site plan approval at the last meeting and this is something we have to do and the seniors have an overlay on that property also.

Neil Wilson explained and clarified the reason further. This is not costing us anything, basically.

Doreen Tignanelli: But, what about setting precedence for others?

Councilman Tancredi: This is unique, because as I understand it, it's really the State that is holding us up. They would have proceeding by now if they had gotten their approvals on time.

06:22-09 AUTHORIZE
SUPERVISOR
TO SIGN

Operation, Maintenance & Management
Agreement Between Town & United Water
Environmental Services, Inc. For Operation,
Maintenance & Management Of Arlington
Wastewater Treatment Plant & Country
Club Wastewater Treatment Plant

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign an Operation, Maintenance and Management Agreement between the Town of Poughkeepsie and United Water Environmental Services, Inc. for the operation, maintenance and management of the Arlington Wastewater Treatment Plant and Country Club Wastewater Treatment Plant, a copy of which is attached, having first found that the execution of this Agreement is a Type II Action under SEQRA pursuant to Section 617.5 (c) (1) and (20) involving maintenance and repair, without any substantial change to existing structures or facilities, and routine Town administration and management which does not involve new projects or priorities that might effect the environment.

SO MOVED: S. Krakower/M. Cifone

Councilman Eagleton: I have pondered and considered every aspect of this, but, the one thing that just overwhelms me is the fact the Arlington Sewer Plant has run somewhat effectively in spite of it's condition, which I would best describe as "obsolete" and in need of some improvement. As an operator of big facilities and shifts, I've learned that the true testimony of an operator's skills is one that can operate when everything is out of automatic or isn't automatic and he can still carry on and do his duties and I've seen that with these folks, through blizzards, blackouts or loss of power at the facility and that has impressed me and I think that the folks that are there are capable of running the facility with their own leadership and that is something I think is doable with the folks that are there and a testimony to their skill. I wanted to bring that to everyone's attention that what I've learned through this whole process and seen occur through conditions like this and I think some of the key folks probably would have been here tonight, but they are not due to the rain and they had to deal with it at the plant. That's something I've considered in terms of how I would decide this vote tonight. I wanted to say that to their credit.

Supervisor Myers: I have a few things. First, I totally agree with anyone who mentioned the lawsuit in Gary, Indiana and the Federal indictment for the pollution of the waters. I forget how many charges are against them for the Clean Water Act. I'm not sure that we want them controlling the water that is flowing back into the Hudson River. I think

people have absolutely no idea how much money, if any, this is going to save anyone. Some people keep saying that you are going to see a two million dollar savings in five years. No one has justified that at all and I don't think anyone can.

Councilman Krakower: The Comptroller has looked at the numbers and it comes closer to \$3 million than \$2 million and the other thing that came up recently is that the incinerator is in a state of repair and to bring it up to the standards we will have to bring it up to I think we are looking at \$2.8 million dollars just there. So, you are over \$5 million or almost \$6 million, just there.

Supervisor Myers: I understand that. I think you should know how many properties that this involves, it involves a little under 5,000 properties out of the 13,000 in the Town that could conceivably see any savings with this. I think people need to know that there is an annual fee involved. There is an additional fee for any repair of more than \$5,000 that needs to be done. There is an additional fee if there is a rain event and people are called in on overtime, the Town will have to pay for the overtime. They are doing some upgrades to the plant, which will be charged back to the Town over the five years of the course of the contract. I think this is a mistake and I think the people who have run this plant have done an outstanding job and I think they have been under a tremendous deal of pressure for the last six months, yet, they have not chosen to walk away or turn their back, they have chosen to do their very level best to keep the system running and the 5,000 people that rely on them. I think it's a travesty that we outsource this at this point in time. I sincerely hope that the Board is planning on filling the vacant positions in the collection to help accommodate the people who will be out of their job because we are looking at probably 5 people losing their jobs. I think we need to maintain the staffing. What do we do when someone has to do a mark out for water and sewer lines? They come in even in the middle of the night, sometimes, for an emergency mark out.

Councilman Tancredi: According to the Comptroller's report, we are saving nearly \$3 million over the first five years, based on the best information they have available.

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

CARRIED: 4-2

AGREEMENT ATTACHED TO FINAL BOOK COPY

06:22-10 SET DATE FOR
PUBLIC HEARING

Amend Town Code, Chapter 195, Entitled
"Vehicles And Traffic", Specifically Section
195-54, Schedule XIX, Entitled "Time Limit
Parking" For Parking Lot At 41 Raymond
Avenue

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 6th day of July, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as the time, date and place of a public hearing to consider an amendment to the Poughkeepsie Town Code, Chapter 195, entitled "Vehicle and Traffic", specifically Section 195-54, Schedule XIX, entitled "Time Limit Parking", which amendment would be as follows:

AMEND: Section 195-54:

ADD:

Name of street	Side	Hours	Location
Raymond Avenue	North	2 hours; 8:00 AM to 6:00 PM/except Sundays and Holidays	Parking Lot (12 spaces) south behind the U.S. Post Office, 41 Raymond Avenue

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does determine that this action is a Type II Action requiring no environmental review; and

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

SO MOVED: R. Lecker/T. Tancredi

Board was concerned as to what portion that the Town would be plowing.

Mark Pfeifer: I would be plowing the section next to the edge of the laundry mat, I do not go behind the laundry mat.

Supervisor Myers: The "L" shape I understand, that I understand, but does the ones next to the laundry mat go under this rule?

Councilman Tancredi: Yes, I believe they should. I think we ought to table this until the July 6 meeting to check it out.

Motion was made to table until July 6, 2011 Town Board Meeting: Supervisor Myers/T. Tancredi

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

Nays: None

CARRIED: 6-0

PUBLIC HEARING TABLED UNTIL JULY 6, 2011 TOWN

BOARD MEETING

06:22-11 APPOINT

Kyle W. Barnett, Esq. As Special Counsel To
Prosecute Kyle T. Martin For Violations Of The
Vehicle & Traffic Law of NY in Town Court

RESOLUTION

WHEREAS, the Town of Poughkeepsie Police Department has cited Kyle T. Martin for Criminal Mischief in the 4th Degree and two traffic violations; and

WHEREAS, the Town of Poughkeepsie wishes to appoint Kyle W. Barnett, Esq. as special counsel to prosecute the violations of the Vehicle & Traffic Law of the State of New York; now therefore.

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Kyle W. Barnett, Esq., Van DeWater & Van DeWater, LLP, 85 Civic Center Plaza, Poughkeepsie, NY, as special counsel for the purpose of prosecuting Kyle T. Martin for violations of the Vehicle & Traffic Law of the State of New York at the rate of \$165.00 per hour; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize Mr. Barnett to prosecute such legal action in the Town of Poughkeepsie Justice Court as may be necessary pursuant to the Vehicle & Traffic Law of the State of New York on behalf of the Town of Poughkeepsie and the Town of Poughkeepsie Police Department.

SO MOVED: S. Eagleton/S. Krakower

Councilman Cifone: Are we actually going to get this fee back if the Town does it?

Supervisor Myers: Well, we would be paying Craiq Wallace to do it, but he can't do it due to a conflict. The rate is about the same or less.

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

Nays: None

CARRIED: 6-0

06:22-12 AUTHORIZE
SUPERVISOR
TO SIGN

Contract On Behalf Of Town With Tyler
Technologies Sales

Councilman Tancredi: Is there someone here from this company or should we put it at the end of the agenda?

Supervisor Myers: There are two or three other resolutions that sort of feed off of this one, if that makes sense. I make a motion to go into executive session for Attorney/Client Privilege.

Seconded by Councilman Tancredi

CARRIED: 6-0

06:01-ES 1 ADJOURN TO
EXECUTIVE SESSION

To Consider Following Matters:
A. Confidential Communication
Between Attorney And His Client,
The Town Board, Based On
Attorney/Client Privilege

INTO EXECUTIVE SESSION AT 8:10 PM

BOARD BACK FROM EXECUTIVE SESSION AT 8:28 PM

NO ACTION WAS TAKEN

TOWN BOARD VOTED ON THE MOTION TO CONTRACT WITH TYLER
TECHNOLOGIES SALES

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a contract, on behalf of the Town of Poughkeepsie, with Tyler Technologies Sales consistent with the quotations attached at the following prices:

Quote Name: Dashboard

Quote Number: 31191

Fees
\$4,800.00

Maintenance/Year
\$765.00

TOTAL: \$5,565.00

Quote Name: Work Orders

Quote Number: 30263

Fees
\$35,885.00

Maintenance/Year
\$1,237.50

TOTAL: \$37,122.50

Plus not more than 15% of the above Fee quotations for installation.

SO MOVED: S. Eagleton/M. Cifone

Councilman Eagleton: I would like to thank Neil and his staff for the lot of time and energy looking at three different programs and spending a tremendous amount of time trying to find a \$90,000 program and getting it down to a \$37,000 program to do the same thing. It really saved the taxpayer a lot of money, thank you.

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

Nays: None

CARRIED: 6-0

QUOTATIONS ATTACHED TO FINAL BOOK COPY

06:22-13 AUTHORIZE
SUPERVISOR
TO SIGN

Contract For A Server Virtualization Project
Phase One & Phase Two With CSI
Computer Systems Integrators, Inc.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a contract for a Server Virtualization Project, Phase One and Phase Two, with CSI Computer Systems Integrators, Inc. consistent with the attached proposal at a total cost of \$54,118.39.

SO MOVED: M. Cifone/S. Krakower

Councilman Eagleton: With this server it is not only going to solve not only Neil's issue that he needs a server for, which was in the budget, but it will also help with all the other issues we are having with space requirements. We won't in the foreseeable future, get an additional server. Also, when it comes time for an additional server, instead of costing \$10,000 it will only cost us like 2 or 3 thousand dollars because it is a plug and play into the server environment. So, this is the right way to go for the future.

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

Nays: None

CARRIED: 6-0

CONTRACT ATTACHED TO FINAL BOOK COPY

06:22-14 SET DATE FOR
PUBLIC HEARING

Amend Town Code, Chapter 195, Entitled
"Vehicle And Traffic", Specifically Section
195-48, Schedule XIII, Entitled "Parking
Prohibited At All Times" For Center
Avenue and Morse Street

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 6th day of July, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as the time, date and place of a public hearing to consider an amendment to the Poughkeepsie Town Code, Chapter 195, entitled “Vehicle and Traffic”, specifically Section 195-48, Schedule XIII, entitled “Parking Prohibited at All Times”, which amendment would be as follows:

Amend Section 195-48 as follows:

ADD

Name of Street	Side	Location
Center Avenue	West	320-434 feet South of the Fulton Street intersection
Center Avenue	East	321-456 feet South of Fulton Street intersection, at intersection With the North side of Morse Street
Morse Street	North	At intersection with the East side of Center Avenue to 69 feet East of Intersection with East side of Center Avenue
Morse Street	South	At intersection with the West side of Center Avenue to 94 feet East of intersection with the West side of Center Avenue

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does determine that this action is a Type II action requiring no environmental review; and

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

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

PUBLIC HEARING TO BE HELD ON JULY 6, 2011 AT
TOWN BOARD MEETING

06-22-15 AUTHORIZE

Performance Bond Reduction For the
Grand Meadows Subdivision

RESOLUTION

WHEREAS, the attorney for Grand Meadows Subdivision has requested that the performance bond in originally posted in the amount of \$1,119,800 be reduced; and

WHEREAS, the Town Engineer has reviewed and approved portions of the required improvements for the subdivision and has provided a calculation for security to guarantee performance of the remaining improvements yet to be installed by the applicant; and

WHEREAS, the Town Board has received a recommendation from the Town of Poughkeepsie Planning Board by memorandum dated June 17, 2011; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the request for a reduction of the performance bond from \$1,119,800 to \$224,000 for the Grand Meadows Subdivision.

SO MOVED: T. Tancredi/M. Cifone

Supervisor Myers: If the project is not in conformance with the SPDES why are we reducing their bond? Why don't we say, "Get in compliance and then we will reduce it." It seems like we have nothing to hold over their heads if we let them just reduce it now.

Neil Wilson: Actually, since the time of Joe Dennis's original letter, they had been working with us to bring themselves into compliance.

Supervisor Myers: How long have they been out of compliance?

Neil Wilson: It's a little hard to tell with his records, but, I think since April and it primarily involves not the field conditions, but the lack of reporting. If you will recall, on the (Inaudible) program, they were required to give us monthly reports, we haven't gotten, basically, the paper work. But in the field, everything else seems to be ok.

Councilman Cifone: I agree with Pat, it should be in compliance 100% before we give them a reduction.

Supervisor Myers: I think if we give them a reduction now, there is no incentive for them to hurry up and get into compliance right away. So, I think we should say, "Fine, we will be glad to give it to you once you get into compliance and everyone is happy with you."

ROLL CALL: Ayes: None

Nays: Councilmen Lecker, Eagleton, Cifone, Krakower, Tancredi, and
Supervisor Myers

FAILED: 0-6

06:22-16 SET DATE FOR
HEARING

To Consider Recommendation From Zoning
Administrator Davis For Property Maintenance
Of 978 Dutchess Turnpike

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 6th day of July, 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, solid waste, litter, garden waste, fallen tree limbs and cut grass to a height not to exceed 4 inches, which Orders to Remedy are attached hereto, for property located at 978 Dutchess Turnpike, Poughkeepsie, New York, 12603, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: Supervisor Myers/T. Tancredi

Sarah Davis, Zoning Administrator: Motion made to withdraw as the property has been cut and I believe it has been sold and will be continued to be cut.

Motion made to withdraw this resolution: Supervisor Myers/T. Tancredi

CARRIED: 6-0

06:22-17 SET DATE FOR
PUBLIC HEARING

To Consider Recommendation From Zoning
Administrator Davis For Property
Maintenance of 4 Hampton Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 6th day of July, 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 garden waste, fallen tree limbs and cut grass to a height not to exceed 4 inches, which Orders to Remedy are attached hereto, for property located at 4 Hampton Road, Poughkeepsie, New York 12603, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: Supervisor Myers/T. Tancredi

Sarah Davis: They are cutting it slowly.

Councilman Tancredi: I would say keep it on.

Councilman Krakower: Yes, I would keep it on.

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

Nays: None

CARRIED: 6-0

PUBLIC HEARING TO BE HELD ON JULY 6, 2011
TOWN BOARD MEETING
ORDERS TO REMEDY ATTACHED TO FINAL BOOK COPY

06:22-18 SET DATE FOR
PUBLIC HEARING

To Consider Recommendation From
Zoning Administrator Davis For
Property maintenance of 14 Morse Street

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 6th day of July, 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, solid waste, litter, garden waste, fallen tree limbs and cut grass to a height not to exceed 4 inches, which Orders to Remedy are attached hereto, for property located at 14 Morse Street, Poughkeepsie, New York 12601, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: R. Lecker/S. Krakower

Sarah Davis: I believe this property is in foreclosure, according to the neighbors, so it is a heavily treed lot but, it certainly does need cutting.

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

Nays: None

CARRIED: 6-0

PUBLIC HEARING TO BE HELD ON JULY 6, 2011
TOWN BOARD MEETING
ORDERS TO REMEDY ATTACHED TO FINAL BOOK COPY

06:22-19 SET DATE FOR
PUBLIC HEARING

To Consider Recommendation From Zoning
Administrator Davis For Property
Maintenance of 24 Channingville Road

Sarah Davis: #19 has been cut.

Motion made to withdraw agenda item #19: Supervisor Myers/T. Tancredi

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

Nays: None

CARRIED: 6-0

WITHDRAWN FROM AGENDA

06:22-20 SET DATE FOR
PUBLIC HEARING

Amend Town Code, Chapter 210, Entitled
“Zoning”, Specifically Section 210-20,
Entitled “Zoning”, Specifically Section 210-
20, Entitled “Senior Housing Overlay
District (SHOD”) For Development Of Age
Restricted Housing

RESOLUTION

Amendment to Chapter 210-20, “Senior Housing Overlay District”

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending amendment of Chapter 210-20 of the Zoning Law in regard to the Senior Housing Overlay District regulations; and

WHEREAS, the amendment would allow age restricted housing to be developed in the Office Research (OR) District and properties which are zoned both Office Research and Neighborhood Highway Business (B-NH) District, and would also amend the existing regulations in regard to development of age restricted housing in the Highway Business (B-H) District, which amendment is attached hereto and incorporated herein; and

WHEREAS, the action to amend the Zoning Law is an Unlisted Action under the New York State Environmental Quality Review Act; and

WHEREAS, the Town Board has determined that the proposed amendment must be referred to the Dutchess County Department of Planning and Economic Development and to the Town Planning Board for review and recommendation; and

WHEREAS, the amendment of Chapter 210-20 requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board waives a verbatim reading of said amendments and the Town Clerk is directed to spread the amendments across the record as if they had been read verbatim; and
2. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and
3. The Town Board hereby sets a public hearing on the proposed amendment to Chapter 210-20 of the Town Code for July 20, 2011, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, one Overocker Road, Poughkeepsie, New York; and
4. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and
5. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154; and
6. The Town Board directs the Town Clerk to notify the Town Clerks of the surrounding Towns, the Chamberlain of the City of Poughkeepsie, and the Clerk of the Village of Wappinger Falls of the public hearing pursuant to GML 239-nn; and
7. This local law, if adopted, shall take effect immediately upon filing with the Secretary of State.

SO MOVED: S. Eagleton/S. Krakower

Supervisor Myers: I have one question, doesn't somebody in the County or Planning Board or somebody get 45 days to respond to these?

Neil Wilson: Yes, our Planning Board gets 45 days. The County gets 30 days by general municipal law.

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

Nays: None

CARRIED: 6-0

PUBLIC HEARING TO BE HELD AT THE JULY 20, 2011
TOWN BOARD MEETING

AMENDMENTS ATTACHED TO FINAL BOOK COPY

06:22-21 SET DATE FOR
PUBLIC HEARING

Amend Town Code, Chapter 210, Entitled
“Zoning”, Specifically Section 210-11,
Entitled “Zoning Map” For McKinley Lane

RESOLUTION

Amendment to Chapter 210-11, in regard to amending the Zoning Map to change the zoning designation of tax parcel numbers 6162-15-693398-0000, 6162-15-687395-0000, 6162-15-686390-0000, 6162-15-691395-0000, and 6162-15-687379-0000 from Residence Multifamily (R-M) District to Neighborhood Business (BN) District.

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending amendment of the zoning designation of tax parcel numbers 6162-15-693398-0000, 6162-15-687395-0000, 6162-15-686390-0000, 6162-15-691395-0000, and 6162-15-687379-0000, said tax parcels also being known as 40-42 McKinley Lane, 36 McKinley Lane, 34 McKinley Lane, 32 McKinley Lane, 30 McKinley Lane respectively, from Residence Multifamily (R-M - District to Neighborhood Business (BN) District; and

WHEREAS, the action to amend the Zoning Map is an Unlisted Action under the New York State Environmental Quality review act; and

WHEREAS, the Town Board has determined that the proposed amendment must be referred to the Dutchess County Department of Planning and Economic Development and to the Town Planning Board for review and recommendation; and

WHEREAS, amending the Zoning Map requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and
2. The Town Board hereby sets a public hearing on the proposed Zoning Map amendment for July 20, 2011, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and

3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and
4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154; and
5. The Town Board directs the Town Clerk to notify the Town Clerks of the surrounding Towns, the Chamberlain of the City of Poughkeepsie, and the Clerk of the Village of Wappinger Falls of the public hearing pursuant to GML 239-nn; and
6. This local law, if adopted, shall become effective immediately upon filing with the Secretary of State.

Councilman Tancredi: Where is this property located?

Supervisor Myers: Next to Gleason's on McKinley Lane. Why are we changing this Zoning?

Neil Wilson: The properties here are actually an extension of the existing contractor's yard, which is in the B-N Zone, located –

Supervisor Myers: They are also private individual homes that people are living in.

Neil Wilson: There are residents in the homes on the lots which are rented, but the back yards are nothing more than extensions of their contractor's yard and the City line, in fact, runs through the middle of the backyard and so, the remainder of the yard, which is in the City, is also in use as the contractor's yard. This was brought to our attention a couple months ago when they came in for a site plan approval because they had a building collapse on one of the lots and they needed a site plan approval to put it back up. When digging through the Zoning we realized it was zoned for multi-family and this is one if I had been aware of it, when we were doing zoning in 2007, I would have made the same recommendation. It just came to my attention. The primary use of the site is the contractor's yard. The overall effect on the neighborhood is minor when you consider that the principal use of those lots is as a contractor's yard.

SO MOVED: M. Cifone/S. Krakower

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

CARRIED: 5-1

PUBLIC HEARING TO BE HELD AT JULY 20, 2011 TOWN
BOARD MEETING

ENVIRONMENTAL ASSESSMENT FORM ATTACHED TO FINAL BOOK COPY

06:22-22 SET DATE FOR
PUBLIC HEARING

Amend Town Code, Chapter 210, Entitled
“Zoning Map” For Friendly Honda Located
At Dutchess Turnpike

RESOLUTION

Amendment to Chapter 210-11, in regard to amending the Zoning Map
To change the zoning designation of tax parcel numbers 6362-01-100640-
0000, 6362-01-120653-0000, 6362-01-128675-0000, 6362-01-145678-
0000, 6362-01-160689-0000, and 6362-01-170698-0000 from Neighbor-
hood Business (BN) District to Highway Business (B-H) District.

WHEREAS, the Town Board has received a communication from the Director of
Municipal Development recommending amendment of the zoning classification of tax
parcel numbers 6362-01-100640-0000, 6362-01-120653-0000, 6362-01-128675-0000,
6362-01-145678-0000, 6362-01-160689-0000, and 6362-01-170698-0000, said tax
parcels also being known as 1121-1123 Dutchess Turnpike, 1135 Dutchess Turnpike,
1143 Dutchess Turnpike, 1147 Dutchess Turnpike, 1155 Dutchess Turnpike, 1159
Dutchess Turnpike respectively, from Neighborhood Business (BN) District to Highway
Business (B-H) District; and

WHEREAS, the action to amend the Zoning Map is an Unlisted Action under the
New York State Environmental Quality Review Act; and

WHEREAS, the Town Board has determined that the proposed amendment must
be referred to the Dutchess County Department of Planning and Economic Development
and to the Town Planning Board for review and recommendation; and

WHEREAS, amending the Zoning Map requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby states that because only the Town Board can
consider and adopt changes to the Town Code that it is the only involved
agency, and the Board hereby declares that it is the Lead Agency for
purposes of coordinating the environmental review of this matter pursuant
to Article 8 of the Environmental Conservation Law; and
2. The Town Board hereby sets a public hearing on the proposed Zoning
Map amendment for July 20, 2011, at 7:00 PM, or as soon thereafter as the

matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and

3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic development for a recommendation pursuant to GML 239-m; and
4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154; and
5. The Town Board directs the Town Clerk to notify the Town Clerks of the surrounding Towns, the Chamberlain of the City of Poughkeepsie, and the Clerk of the Village of Wappinger Falls of the public hearing pursuant to GML 239-nn; and
6. This local law, if adopted, shall become effective immediately upon filing with the Secretary of State.

SO MOVED: S. Krakower/M. Cifone

Neil Wilson: The Board may recall that almost two years ago, Friendly Honda and their Counsel had approached the Board about a rezoning. At that time, they were proposing to turn the entirety of the BN District into a Highway Business and that was ultimately rejected. In examining the parcels that make up the Friendly Honda property, there are a number of issues that sort of crop up for them and for the Town as far as their ability to make changes to the site in that the underlying automobile sales use is non-conforming in the BN District. One of the things that we had talked about with Friendly Honda was the possibility perhaps in the future of closing off some of the curb cuts. What they have done over the years is to acquire properties to the east and to the west of them, which included those curb cuts. But, they do have, I believe, some potential for closing off one or more of the curb cuts to the east and to the west of the little cul-de-sac which, I think, will help their internal flow and they could pick up some additional land for buffering from the residential to the east. One of the things we talked about is that they would have the option to purchase the former Sprint Wireless Building, the farthest property to the east. They have had it under option for a number of years. They are looking to purchase it. They don't want to purchase it until they have a Zoning in place that makes sense, frankly. What they are doing right now, is simply storing cars. What they are prohibited from doing is selling cars and so the bigger picture going forward would be if the Town rezones it for Highway Business. We are talking about just these properties, the remaining properties within the BN District we will be leaving alone on the other side of the road and to the west. They would actually drop that building and connect the two properties to the east of the cul-de-sac. I do think a BH Zoning makes sense. The current NB zoning in place today is a carry-over from the zoning in place pre to 2007. The Town Board, for some reason, changed the zoning from Highway Business, which it had always been. The Friendly Honda has been there for some 40 some odd years. Somewhere in

1993 the change was made, but for some reason was never indicated in the record why it was made.

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

Nays: None

CARRIED: 6-0

PUBLIC HEARING TO BE HELD AT THE JULY 20, 2011
TOWN BOARD MEETING

ENVIRONMENTAL ASSESSMENT FORM ATTACHED TO FINAL BOOK COPY

06:22-23 SET DATE FOR
PUBLIC HEARING

Amend Town Code, Chapter 210, Entitled
“Zoning”, Specifically Section 210-11, Entitled
“Zoning Map” For 2055 South Road & 79 Old
Post Road

RESOLUTION

Amendment to Chapter 210-11, in regard to amending the Zoning Map
To change the zoning designation of tax parcel numbers 6159-03-375410-
0000 and 6159-03-357374-0000 from Neighborhood Highway Business
(B-NH) District to Office Research (OR) District.

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending amendment of the zoning classification of tax parcel numbers 6159-03-375410-0000 and 6159-03-357374-0000, said tax parcels also being known as 2055 South Road and 79 Old Post Road respectively, from Neighborhood Highway Business (B-NH) District to Office Research (OR) District; and

WHEREAS, the action to amend the Zoning Map is an Unlisted Action under the New York State Environmental Quality Review Act; and

WHEREAS, the Town Board has determined that the proposed amendment must be referred to the Dutchess County Department of Planning and Economic Development and to the Town Planning Board for review and recommendation; and

WHEREAS, amending the Zoning Map requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for

purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and

2. The Town Board hereby sets a public hearing on the proposed Zoning Map amendment for July 20, 2011, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and
3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and
4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154; and
5. The Town Board directs the Town Clerk to notify the Town Clerks of the surrounding Towns, the Chamberlain of the City of Poughkeepsie, and the Clerk of the Village of Wappinger Falls of the public hearing pursuant to GML 239-nn; and
6. This local law, if adopted, shall become effective immediately upon filing with the Secretary of State.

SO MOVED: T. Tancredi/S. Eagleton

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

Nays: None

CARRIED: 6-0

ENVIRONMENTAL ASSESSMENT FORM ATTACHED TO FINAL BOOK COPY

06:22-24 AUTHORIZE

Waiver Of Site Plan & Subdivision
Application Fees For The Renewal Of
Expired Approvals For The Seasons
Assisted Living Center Project (EBS
Poughkeepsie, LLC) Located At 2611-
2629 South Road

RESOLUTION

WHEREAS, the Town of Poughkeepsie has heretofore received a request from EGS Poughkeepsie, LLC for a waiver of the Site Plan and Subdivision Application fees for the renewal of the expired approvals for The Seasons Assisted Living Center project; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the Site Plan and Subdivision Application fees for the renewal of expired approvals for the Seasons Assisted Living Center project located at 2611-2629 South Road, pursuant to the recommendation of the Director of Municipal Development, a copy of which is attached.

SO MOVED: Supervisor Myers/S. Eagleton

Supervisor Myers: Why would he have to pay another sub-division application fee? You can only sub-divide so many times. I don't get that.

Neil Wilson: Our fee schedule lays it out that if someone makes an application, we collect a fee. This is a case where the approval has actually expired.

Supervisor Myers: I understand, but why would we even think he would have to pay another sub-division fee. He paid it, it's done, he sub-divided, and that part's done.

Neil Wilson: Actually, he has not completed the sub-division. None of the maps have been signed, because he hasn't fulfilled any of the conditions of his approvals.

Supervisor Myers: How many things has he still not done?

Neil Wilson: Most of them.

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

CARRIED: 5-1

RECOMMENDATIONS ATTACHED TO FINAL BOOK COPY

06:22-25 APPROVAL

Licensing of Fireworks Public Display For
Dutchess Golf & Country Club On July 2,
2011 At 9:00 PM On Route 9

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from the Dutchess Golf & Country Club to include a fireworks display at their Independence Day Celebration to be held on Saturday, July 2, 2011; and

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

WHEREAS, a Certificate of Liability Insurance has been filed with the Town Clerk naming the Town of Poughkeepsie as an additional insured; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application as submitted for a fireworks display to be held on Saturday July 2, 2011 at approximately 9:00 PM at the Dutchess Golf & Country Club, Route 9, Poughkeepsie, NY.

SO MOVED: R. Lecker/S. Eagleton

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

Nays: None

CARRIED: 6-0

06:22-26 APPROVAL

Block Party On Public Land On Delbalso Boulevard August 13, 2011 From 12:00 Noon To 8:00 PM

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Mikki Patane to hold a block party on Delbalso Blvd. on August 13, 2011, from 12:00 PM to 8:00 PM, and does hereby authorize the Highway Department to close said street, but allowing access for emergency vehicles, from 12:00 PM to 8:00 PM; and

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

SO MOVED: S. Eagleton/M. Cifone

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

Nays: None

CARRIED: 6-0

06:22-27 ACCEPT

Certificate of Attendance For Anne Conroy From Hudson Valley Pattern For Progress For The Fifth Annual Spring Conference, Housing The Hudson Valley Conference, Forecasting The Future

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Anne Conroy from Hudson Valley Pattern for Progress for the Fifth Annual Spring Conference, Housing the Hudson Valley Conference, Forecasting the Future, a copy of which is attached.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 6-0

CERTIFICATE ATTACHED TO FINAL BOOK COPY

06:22-28 APPROVAL

Locust Grove Annual Antique Car Show
Sunday, July 17, 2011 At The Samuel
Morse Historic Site At 2683 South Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the request submitted by Locust Grove, The Samuel Morse Historic Site to hold an Antique Car Show on Sunday, July 17, 2011 on the site at Locust Grove, 2683 South Road, Poughkeepsie, NY; and

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

SO MOVED: S. Krakower/T. Tancredi

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

Nays: None

CARRIED: 6-0

06:22-29 NOTICE OF
PUBLIC HEARING

D.C. Industrial Development Agency With
Neptune Capital Investors, LLC For
Proposed Grant Of Financial Assistance At
Dutchess County Economic Development
Corporation, 3 Neptune Road, On June 23,
2011 At 10:30 AM

NOTED BY TOWN BOARD

06:22-30 NOTIFICATIONS

Renewal Application Notice Forms For
On-Premises Alcoholic Beverage License:
A. Sanza Pizza, Inc. D/B/A Giacomo's
Pizza Café Located At 1 Spackenkill
Road, Bldg #1
B. N And D Restaurants, Inc. D/B/A The
Olive Garden Restaurant #1410 Located
At 741 South Road

- C. N and D Restaurants, Inc. D/B/A Red Lobster #0311 Located At 630 South Road
- D. Antonella's Restaurant Located At 1830 South Road
- E. Bonsai Japanese Restaurant, Inc. Located At 2521 South Road
- F. Bonefish Grill, LLC D/B/A Bonefish Grill Located At 2185 South Road

ALL ABOVE WERE REVIEWED BY TOWN POLICE

ALL NOTED BY TOWN BOARD

06:22-31 NOTIFICATION

Jason Bomba V. Town Police Department For Article 78 Seeking Return Of Firearms Taken From Petitioner

REFERRED TO LEGAL DEPARTMENT

06:22-32 NOTICE OF CLAIM

Arthur J. Knippler V Town For Damage To Car Hood Due To Baseball Fouled Over The Fence That Struck His Car Parked In A Town Park Parking Lot

REFERRED TO LEGAL DEPARTMENT

06:22-33 AUTHORIZE

Special Consent Items SC 1, SC 2, SC 3, SC 4, SC 5, and SC 6

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 Supervisor to Sign | One Communication Corp. Service Agreement |
| SC 2. Authorize | Sewer Usage Charge Refund
Mansfield – 10 Flamingo Drive |
| SC 3. Authorize | Declaration – June 29, 2011 to be
“Billy DeMattio Day” |
| SC 4. Authorize | Volunteers to Build a Pavillion
at Fairview Park |

SC 5. Budget Modification

Data Processing

SC 6. Budget Modification

Planning

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: T. Tancredi/M. Cifone

Supervisor Myers: Motion made to Table SC 1 until a future date. Seconded by S. Eagleton

CARRIED: 6-0

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

Nays: None

CARRIED: 6-0

06:22-SC 1 AUTHORIZE

Service Agreement With One
Communication Corporation For
Telephone T1 Lines For Town Hall
& The Police/Court Facility

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a service agreement with One Communication Corporation for telephone T1 Lines for the Town Hall and the Police/Court Facility, which agreement is for a term of 3 years at the annual charge of \$28,944.48, a copy of which is attached.

CARRIED: 6-0

TABLED UNTIL A FUTURE DATE

06:22-SC 2 AUTHORIZE

Payment Of Refund To Joseph Mansfield
For Sewer Usage Fees Paid For Property
Not Connected To Town Sewer

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the payment of a refund to Joseph Mansfield, 10 Flamingo Drive, Poughkeepsie, NY in the amount of \$373.98 for sewer usage fees paid for said property which is not connected to the Town sewer.

SO MOVED: R. Lecker/S. Krakower

Councilman Krakower: Mr. Mansfield, said that at some point, the Town moved the capital charge from the tax bill to the sewer bill and then it was moved back. When it was moved back Mr. Mansfield began getting charged for sewer usage and he has since sold the property and the new owner had a problem with the sewer and when they checked, he's not connected to the sewer there. The Town had been billing him for usage and he wasn't using it.

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

Nays: None

CARRIED: 6-0

06:22-SC 3 DECLARATION

Town Board Declares June 29, 2011 To Be
"Billy DeMattio Day" As A Tribute To A
Poughkeepsie Son Who Touched Many
Hearts & Lives During His Life

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby declare June 29, 2011 to be "Billy DeMattio Day" as a tribute to a Poughkeepsie son who touched many hearts and lives during his life.

SO MOVED: S. Eagleton/M. Cifone

Councilman Cifone: For those who don't know Billy DeMattio, he died of cancer last year and he was truly a wonderful guy and they are doing a golf tournament to raise money on that day and that's why we are recognizing Billy DeMattio.

06:22-SC 4 AUTHORIZE

Construction Of A Pavillion On Blacktop
In Northeast Corner of Fairview Park, In
Memory of Cliff Killmire

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the construction of a 16' X 16' ± N.Y.S. Building Code compliant pavilion on the blacktop in the northeast corner of the Fairview Park, using all donated labor and materials, which construction will be overseen by Councilman Cifone and Mr. George Busolt, and shall be subject to the issuance of a no-fee building permit, receipt by the Town of signed waivers from each of the volunteers, the development of a final design by volunteer architect Michael Lafalce, and the review and approval of the plans by Assistant Town Engineer Don Beer, who has also volunteered his time. The erection of this pavilion is a Type II Action requiring no SEQR review.

SO MOVED: M. Cifone/S. Krakower

Councilman Cifone: This pavilion will be dedicated to Clifford Killmire, who was a fireman in the City of Poughkeepsie who lived across the street from the Town of Poughkeepsie and Fairview Park for years and he is a decorated veteran and he also owned the River Station Restaurant. He just passed away this year and instead of flowers, a lot of his friends got together and wanted to do something to honor his name.

Councilman Cifone was congratulated by other Board Members Krakower and Tancredi For obtaining all features of the construction of the pavilion with no cost to the Town.

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

Nays: None

CARRIED: 6-0

06:22-SC 5 BUDGET
MODIFICATION

Submitted By Comptroller To Allow For
Purchase Of A Server Virtualization Project
With CSI Computer Systems Integrators, Inc.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby modify the 2011 Budget, pursuant to the attached Budgetary Transfer Request Form submitted by the Comptroller, to allow for the purchase of a Server Virtualization Project with CSI Computer System Integrators, Inc., as follows:

FROM:

A 1680-0414	Computer Software Support	\$23,430.00
A 1620-0461	Telephone	4,600.00
A 1620-0462	Electric	4,783.00

TO:

A 1680-0205	Computer Hardware	\$32,813.00
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SO MOVED: S. Krakower/T. Tancredi

Motion made to remove A1620-0461 Telephone - \$4,600.00 to total \$28,213.00 and reduce A1680-0205 by \$4,600.00 to total \$28,213.00.

SO MOVED: S. Krakower/M. Cifone

CARRIED: 6-0

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

Nays: None

CARRIED: 6-0

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

Nays: None

CARRIED: 6-0

06:22-SC 6 BUDGET
MODIFICATION

Submitted By Comptroller To Allow Planning Department To Contract With Tyler Technologies To Purchase A Software Package That Will Coordinate Municipal Operations

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby modify the 2011 Budget, pursuant to the attached Budgetary Transfer Request Form submitted by the Comptroller, to allow for the Planning Department to contract with Tyler Technologies to purchase a software package that will coordinate municipal operations, as follows:

FROM:

B 8020-0421	Schools & Meetings	\$ 655.00
B 8020-0404	Dues & Assoc. Fees	200.00
B 8020-0402	Office Supplies	500.00
B 8010-0402	Office Supplies	500.00

TO:

B 8020-0206	Computer Software	\$1,855.00
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SO MOVED: T. Tancredi/M. Cifone

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

Nays: None

CARRIED: 6-0

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

CARRIED: 6-0

Victor Gennodi: We have a lot of intelligent people on this Board, which I respect a lot and something bothers me tonight. We go through things like a taxicab driver when we are trying to approve him. We go and look at his driving record, investigate him completely to see if he's good or bad or whatever, before we say "Yes" to serve the Town of Poughkeepsie. I'm listening to this Water Board thing, and there is a number of standing out allegations of problems throughout the whole United States and other Countries of problems with them. I'm not saying that you didn't do your homework, but did anyone ever dial these other states and talk to them.

Councilman Tancredi: I can tell you, Vic, that during this entire process, I've probably gotten a half of dozen calls and this has been going on for months. The people expressed their opinions and I expressed mine. You have to remember. This company is a huge corporation and worldwide and you get incidents that are picked out and you and I've talked and I respect your opinion and your in-put and you have come up a number of times telling how hard it is to make ends meet in the Town and the State and how budgets need to be cut and things needed to be addressed. That's what's happening.

Victor Gennodi: I agree with you. It's a difficult job, but there is a City nearby who does have these people it seems like all the machines and equipment that gets put into their projects, is all one brand, the ones they prefer. That's one thing I've heard from people who work at this particular place, but what I'm concerned about, I would like to protect the Town of Poughkeepsie and say, "Can we get a performance bond?" If they don't do your job right and they pollute the river, do we have a recourse to throw them out or get paid for any fines the Town of Poughkeepsie might incur?

Councilman Krakower: We hired a firm out of White Plains to negotiate the contract on our behalf with United Water and this is all that they do and this firm represents only municipalities. It's a very good contract and a very tight contract. We made sure we did not enter into it blindly without knowing what we were doing and then choke on the contract later. We spent a great deal of money to have this firm do it, but we wanted to make sure to do it right on the front end. There is a need to deliver services to the residents in a more efficient way without cutting services, with something like sewer, you can't cut the services. These are multi-national companies that operate all over the country and the world and there are issues with any company in different places. We are making every effort to try to do the best that we can to serve the residents of the Town. This has been discussed at our Board meetings every Wednesday night for 6 months to a year and some people agree with it and some don't, but it's an effort to try to deliver cost effective services to the Town residents and this will save money.

Doreen Tignanelli: Why is the Town paying for bottled water for Town buildings? I have a FOIL request for Poland Springs water dispensers here. I asked the Supervisor and Chief Ballard if there was anything wrong with the water and any reason why the Town buildings were using the dispensers. If you are serious about ways to reduce overhead, if there are fountains here, why are they using dispensers and taxpayers paying for Poland bottled water? Is that a necessary expense?

Supervisor Myers: I think that's something we will be looking at this year, Doreen.

Ann Shershin: I asked three questions about the United Water Contract this evening and I only got answers to one of them. How many employees are they going to have running these two plants?

Supervisor Myers: There are no employees at Country Club, but there are going to be 8 employees in the other two plants.

Councilman Cifone: There will not be 24 hour shifts. They are also automating with alarms and people will be working until 8 PM on week ends. No longer incinerating the sludge, we're trucking it out.

Ann Shershin: Ok, the last question. When are the savings supposed to show up so we will know when to look for it?

Supervisor Myers: Potentially, not until the January tax bill.

Phil Arpatino: First, I would like to thank the Board for understanding this terrible economy has put us in a delay with so many other developers and hopefully it will change in the near future. I do want to say, what a pleasure it was working with the Planning Board and Zoning Board, and the Town Board. Very professional and one of the best Town's I've ever worked with. They've never held us up. As long as our engineers got them their paperwork. You've been nothing but gentlemen all the way and a lot of times developers are held up because their engineers are not doing their work and we submitted our paperwork and went through in a timely manner and it was done very professionally.

Councilman Krakower: It's a mutual process. So, when you are doing your piece, we can do our piece, it then works very smoothly. There are a lot of times there are bumps in the road and when you look at it it's not on the Town's end, but I'm glad the process was something that worked good for you.

Phil Arpatino: It was a complicated project and it went through and we are not making any changes to the project. We just got cut short. But again, thank you, I appreciate it.

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

CARRIED: 6-0

Motion made to go into Executive Session for Attorney/Client privilege regarding Hildacar and Ginsberg. Seconded by S. Eagleton

CARRIED: 6-0

TOWN BOARD MEETING ADJOURNED AT 9:44 PM

TOWN BOARD ENTERED EXECUTIVE SESSION AT 9:45 PM
SUPERVISOR INVITED MARC PFEIFER TO JOIN

TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 10:30 PM
NO ACTION WAS TAKEN

TOWN BOARD MEETING CLOSED AT 10:31 PM

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

CARRIED: 6-0

