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

PRESENT: Councilman Lecker
Councilman Eagleton
Councilman Cifone
Councilman Krakower (Arrived at 7:07 PM)
Councilman Tancredi
Town Attorney Nelson
Town Clerk Miller

ABSENT: Supervisor Myers
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

Meeting was opened by Deputy Supervisor Eagleton who also directed the meeting forthwith.

Motion was made to suspend the rules for public speaking on Item #1 and Public Hearing: S. Eagleton/R. Lecker

CARRIED: 5-0

Victor Gennodie: This is to amend the Code for what?

Councilman Cifone: Shopping Business Center District. We are going to do a public hearing on it and setting a date for it.

Victor Gennodie: I just wanted to make sure we don't wind up trampling the people that are paying taxes on their property and they can't wind up doing anything with their property. These rules and regulations are good, but some can be excessive to where nothing can be visited and I want to make sure that anything that is changed in our rules can be revisited by the Zoning Board of Appeals. I'm hoping it can be left open so that the Zoning Board of Appeals can address it in the future. Anything should be able to be revisited by the Board.

Neil Wilson, Development Director: There are a couple of things going on. We have some definition changes that were recommended. With respect to the shopping center,

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we notice that a veterinarian office is allowed in other business districts, but there was an oversight not to include it in the shopping center. That is actually what we are doing with this, putting that in and allowing its use. Along the way, we realized that some of the definitions for some of the other uses that are allowed in the business zones needed some clarification: Fast food restaurant, veterinary office, some changes to existing definitions with regard to clinic, hospital to make sure those are service establishments are not for human ailments, but animal ailments.

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

CARRIED: 5-0

Town Clerk Miller: I hereby filed the affidavit of posting on August 10, 2011 and published in the Poughkeepsie Journal on August 19, 2011.

09:07-01 PUBLIC HEARING

Amend Town Code, Chapter 210,
Entitled "Zoning", Specifically Section
210-36, Entitled "Shopping Center
Business (B-SC) District

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 7th day of September, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend the Town Code, Chapter 210, entitled "Zoning" concerning definitions, height regulations, exempt signs, veterinary offices in the Shopping Center Business District and the time limit to appeal, which amendments are attached hereto and incorporated herein; and

BE IT FURTHER ENACTED, that the Town Board does hereby waive the verbatim reading and does direct that said amendments be spread across the record as if it, in fact, had been read verbatim; and

AND BE IT FURTHER ENACTED, that the Town Board has previously declared its intent to act as Lead Agency under the New York State Environmental Quality Review Act and does declare said action to be an Unlisted Action; and

BE IT FURTHER ENACTED, that the Town Board has reviewed the Short Form Environmental Assessment Form (EAF) dated July 29, 2011 prepared by the Director of Municipal Development and hereby determines that: 1) the adoption of the herein zoning amendment would not have a significant adverse effect on the environment and; 2) a draft environmental impact statement will not be required for the reasons set forth in Part II of the EAF and; 3) a Negative Declaration is hereby issued; and

BE IT FURTHER ENACTED, that a written recommendation dated August 10, 2011 was received from the Dutchess County Department of Planning and Development

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and that said recommendation stated that the adoption of the herein zoning amendment is a matter of local concern; and

BE IT FURTHER ENACTED, that a written recommendation dated August 25, 2011 was received from the Town of Poughkeepsie Planning Board in which said Board recommended adoption of the herein zoning amendment; and

BE IT FURTHER ENACTED, that the Town Clerk of the Town of Poughkeepsie did notify the surrounding municipalities pursuant to GML 239-nn; and

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

SO MOVED: R. Lecker/M. Cifone

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

Nays: None

CARRIED: 5-0

FURTHER AMENDMENTS ATTACHED TO FINAL BOOK COPY

Motion made to suspend the rules for public speaking on agenda items: Deputy
Supervisor Eagleton/T. Tancredi

CARRIED: 5-0

Town Attorney Nelson announced that there will be an executive session later and one of the items will be Attorney/Client with Mr. Cantor and he asked me whether the Board wishes to proceed with that conference in the absence of two members.

Deputy supervisor Eagleton stated that there was a quorum available and “yes” they would proceed with the executive session.

Rob Rubin: I just have a question on Item # 19, completion of contract # 10-001, Hudson River Psychiatric Center Water District. I’m just curious as to what that entails. We read in the paper about that center closing.

Councilman Cifone: This is a water line they are putting in for center property going in and it’s an upgrade for the system that is going to have an impact on winter court residence as well and the problem is, with all the rain, its cut back on what the contractor can do. It will take another three weeks to get that completed. The main line is in though.

Doreen Tignanelli: I have a question about agenda item # 24, the Block Party on Alfred Drive. This request is similar to one that you approved last month on Cathy Road where they actually requested from the Arlington Fire District to have a fire engine at their block party and the one for Alfred Drive is on the agenda for tomorrow night’s Arlington

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Fire District Meeting and do you know anything about why all of a sudden they are asking for fire trucks. I just didn't know why all of a sudden the wild demand for fire trucks at block parties. Ok, my other question is about the tax certs. One of them on here is for the South Hills Mall Vernado. Does anyone check on these things. They are asking for lowering of assessments and for example, the South Hills Mall has some landscaping issues there. I've complained about the row of dead trees along side of K-Mart and some by Shop Rite. Does the Town do any checking on these before taking action on them.

Councilman Krakower: I don't think we can tie the two together as far as a tax cert and a Zoning violation.

Doreen Tignanelli: I don't know that it's a Zoning violation, it's landscaping that has not been kept up to date.

Councilman Krakower: That is something that goes to Zoning.

Doreen Tignanelli: So, then there isn't anything that says that they have to replace this before you approve it?

Town Attorney Nelson: I don't believe you can consider it relevant in a tax review proceeding that relates to the value of a property or whether Code requirements or permanent requirements would be met.

Councilman Krakower: The problem with even raising it and addressing it between attorney's, on the Town side, it's not the same attorney that would be addressing necessarily the Zoning issue and so I'm guessing that on K-Mart's side it's probably not the same attorney. I think Zoning does generally keep up on these things as best they can. Also, it may be because they are waiting for the fall planting season.

Motion made to close the public speaking: Deputy Supervisor Eagleton/M. Cifone

CARRIED: 5-0

09:07-02 SET DATE FOR

Amend Town Code, Chapter 195, Entitled "Vehicle & Traffic", Specifically Section 195-44, Schedule IX, Entitled "Stop Intersections" Concerning Streit Avenue North & Lewis Avenue North

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 21st day of September, 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,

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entitled "Vehicle and Traffic", specifically Section 195-44, Schedule IX, entitled "Stop Intersections", which amendment would be as follows:

AMEND SECTION 195-44:

ADD:

Stop Sign on	Direction of Travel	At Intersection of
Streit Avenue	North	Main Street
Lewis Avenue	North	Main Street

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. Eagleton/M. Cifone

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

Nays: None

CARRIED: 5-0

09:07-03 SET DATE FOR
PUBLIC HEARING

Amend Town Code For Adoption Of
Chapter 159A Entitled "Property
Maintenance – Mowing Of Occupied
Properties"

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 21st day of September, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, New York, as and for the time, date and place of a public hearing to consider the adoption of Chapter 159A entitled "Property Maintenance-Mowing of Occupied Properties" as follows:

ADD: Chapter 159A. Property Maintenance – Mowing of Occupied Properties

SEE ATTACHMENT - EXHIBIT "A"

AND BE IT FURTHER RESOLVED, that the Town Board does hereby waive verbatim reading and does direct that said local law shall be spread across the record as if it, in fact, had been read verbatim; and

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BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does determine that said action is a Type II action for the purposes of the New York State Environmental Quality review Act pursuant to 6 NYCRR Section 617.5(20) & (27) and therefore no further review is required; and

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

SO MOVED: M. Cifone/T. Tancredi

Councilman Tancredi: I checked with Legal and the best we could, we tried to define lawn area and the items we removed two weeks ago, the jail time and anything other than uncut grass has been excluded from the resolution and all of you have received a copy of a letter from resident on Colburn Drive who had a similar issue with a property next door to him. He states in his letter, that if you live next to one of these properties that are unkept, it is a definite quiet life issue and impacts you each day you see it.

Councilman Krakower: I just don't think this actually changes it significantly. Its being put back on, but there has to be a significant change in order to put something back on the agenda that was voted down previously. I don't see any real changes.

Councilman Tancredi: Legal saw it being different changes.

Councilman Cifone: Yes, I think it is definitely different from what we did last week. It basically gives the residents the tools they need to get the job done.

Councilman Krakower: But, Robert's Rules generally doesn't allow you to bring something back on unless it is brought back by someone who voted against it.

Sean Eagleton brought it back on the agenda because he voted against it initially. So, he requested to bring it back to aid the process. I just would like to add, the Democratic process is not easy and it is sometimes messy, but worth while and I think it's a better law because of it.

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

Nays: Councilman Krakower

CARRIED: 4-1

CHAPTER 159A ATTACHED TO FINAL BOOK COPY

09:07-04 AUTHORIZE

Marist College Request For Assistance With
Traffic Control From Town Police

RESOLUTION

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WHEREAS, Marist College is an educational facility located on Route 9 in the Town of Poughkeepsie, County of Dutchess, State of New York; and

WHEREAS, Marist College sponsors various activities including inter-collegiate basketball; and

WHEREAS, Marist College has requested assistance with traffic control from the Town of Poughkeepsie as outlined in the letter from John T. Gildard dated August 8, 2011, a copy of which is attached; and

WHEREAS, the Town of Poughkeepsie is willing to supply police officers for traffic duty in cooperation with Marist College of Safety and Security; and

WHEREAS, said police officers from the Town of Poughkeepsie would be reimbursed by Marist College for the salary of said officers at the rate of time and one half, if applicable, but would not pay any fringe benefits; and

WHEREAS, the Town of Poughkeepsie Police Officers would function as police Officers on public property when assisting with the safety and security; and

WHEREAS, the Town of Poughkeepsie and the Marist College will establish a billing system; now therefore

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize and approve the utilization of Town of Poughkeepsie Police Officers in conjunction with the Office of Safety and Security of Marist College for the men's and women's basketball games and other special events as sponsored by Marist College and the items set forth in the above cited letter upon notice to the Town of Poughkeepsie and Town of Poughkeepsie Police Department; and

BE IT FURTHER RESOLVED, that this Resolution Agreement would cover the period of August 29, 2011 through May 23, 2012.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 5-0

09:07-05 AUTHORIZE

Dutchess Community College
Agreement Extension For Traffic
Control From Town Police

RESOLUTION

Isle

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby extend the current agreement with Dutchess Community College in regard to traffic control as outlined in the August 15, 2011 memorandum from Police Chief Mauro and Dutchess Community College's letter of August 9, 2011, copies of which are attached.

SO MOVED: T. Tancredi/M. Cifone

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

Nays: None

CARRIED: 5-0

LETTERS ATTACHED TO FINAL BOOK COPY

09:07-06 SET DATE FOR
PUBLIC HEARING

For Property Maintenance Violations
For 44 Longview Road To Remove All
Garden Waste, Fallen Tree Limbs &
Cut Grass

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 21st day of September, 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 6 inches, which Order to Remedy is attached hereto, for property located at 44 Longview Road, Poughkeepsie, New York 12603, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: R. Lecker/T. Tancredi

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

Nays: None

CARRIED: 5-0

ORDER TO REMEDY ATTACHED TO FINAL BOOK COPY

09:07-07 AUTHORIZE

Settlement Of Tax Review Proceeding
Instituted By Avis Rent A Car System, Inc.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the settlement of the tax review proceeding instituted by Avis Rent A

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Car System, Inc, for the tax assessment rolls of 2006 through 2010 as shown on the attached Stipulation of Settlement and Order and Judgment, and

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

SO MOVED: S. Eagleton/M. Cifone

Councilman Krakower: I think the Supervisor is working on her budget now, but there was a memo from the Tax Assessor in our files and I think the Budget number was \$40,000 last year for Tax Certioraris settlements and I believe it's either spent or projected as \$397,000. Is that correct?

Deputy Town Supervisor: Mike thought it was \$200,000, but it is significantly more than first budgeted.

Councilman Krakower: Ok, how do we pay for this?

Deputy Town Supervisor: We have two options to pay for this. If memory recalls, one is that we can borrow it from the County and we have to pay that back with interest and the other is we can use our Fund balance that we have in the Water Department. Our choice was the last time to use the Fund balance and replace that next year. It saves us on the interest. I don't know if that comment was for all of the tax, but it was for a couple of months ago, when we had it, and those were our two options.

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

Nays: None

CARRIED: 5-0

STIPULATION OF SETTLEMENT AND ORDER AND JUDGEMENT
ATTACHED TO FINAL BOOK COPY

09:07-08 AUTHORIZE

Tentative Settlement Of Tax Certiorari
Proceedings Involving Inland Western
Poughkeepsie Mid-Hudson, LLC V Town

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the settlement of the tax review proceeding instituted by Inland Western Poughkeepsie Mid-Hudson, LLC for the tax assessment rolls of 2008 through Western Poughkeepsie Mid-Hudson, LLC for the tax assessment rolls of 2008 through 2011 as shown on the attached Stipulation of Settlement and Order; and

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

SO MOVED: M. Cifone/S. Krakower

Councilman Krakower: \$397,450.24 is what the Town is paid for tax settlements through July. Is that also factoring in these in until the end of the year? (I don't think so) I'm just concerned that even if we are taking it out of the Fund balance---

Deputy Supervisor Eagleton: Can we have an accounting of it from Jim, because the last thing that he gave me was \$297,000 and that was projected for the year.

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

Nays: None

CARRIED: 5-0

STIPULATION OF SETTLEMENT AND ORDER
ATTACHED TO FINAL BOOK COPY

09:07-09 SET DATE FOR
PUBLIC HEARING

Amend Chapter 58, Entitled
"Apprenticeship Training Programs For
Town Contracts"

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 21st day of September, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, Poughkeepsie, NY 12603, as and for the time, date and place of a public hearing to consider an amendment to Town Code Chapter 58, entitled "Apprenticeship Training Programs for Town Contracts", which amendment would be as follows:

REPEAL – Chapter 58. Apprenticeship Training Programs for Town Contracts.

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does declare itself as Lead Agency under the New York State Environmental Quality Review Act, and does determine that this action is a Type II Action requiring no environmental review; and

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

SO MOVED: S. Krakower/T. Tancredi

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ROLL CALL: Ayes: Councilmen Lecker, Cifone, Krakower, Tancredi, and
Deputy Supervisor Eagleton
Nays: None CARRIED: 5-0

09:07-10 AUTHORIZE Amendment To The Dutchess County
SUPERVISOR Drug Task Force Agreement
TO SIGN

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign an amendment to the Dutchess County Drug Task Force Agreement for the remainder of 2011, which amendment adds one (1) police officer from the Town of East Fishkill to the Drug Enforcement Task Force.

SO MOVED: T. Tancredi/M. Cifone

ROLL CALL: Ayes: Councilmen Lecker, Cifone, Krakower, Tancredi, and
Deputy Supervisor Eagleton
Nays: None CARRIED: 5-0

09:07-11 AUTHORIZE Agreements With Pitney Bowes For
SUPERVISOR Extended Government Office Equipment
TO SIGN Rental

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign agreements with Pitney Bowes for the Extended Government Office Equipment Rental at the cost of \$234.00 per month for the rental of the machine, products and service, an annual fee of \$650.16 for the meter rental and an annual fee of \$102.00 for postage and zone updates, which agreement is for 48 months from the date of installation.

SO MOVED: R. Lecker/M. Cifone

ROLL CALL: Ayes: Councilmen Lecker, Cifone, Krakower, Tancredi, and
Deputy Supervisor Eagleton
Nays: None CARRIED: 5-0

09:07-12 ACCEPT Payment of \$16,100 From 2211 South
Road (Tuscany Square) For The "Wetland
Mitigation Trust" Account

RESOLUTION

Isle

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt and accepts the payment of \$16,100 from 2211 South Road (Tuscany Square), which constitutes payment for a “Wetland Mitigation Trust” account.

SO MOVED: M. Cifone/T. Tancredi

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

Nays: None

CARRIED: 5-0

09:07-13 APPROVE

Application Submitted By Our Lady Of
Lourdes High School To Hold The Annual
5K Run On Sunday, September 25, 2011
From Boardman Road & Zach’s Way

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Our Lady of Lourdes High School to hold its annual 5K Run on Sunday, September 25, 2011 on Boardman Road and Zach’s Way; and

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

SO MOVED: S. Krakower/T. Tancredi

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

Nays: None

CARRIED: 5-0

09:07-14 ACCEPT

Town Board Minutes – 2011
August 03, 2011 – Regular Meeting
August 17, 2011- Committee of the Whole
August 24, 2011 – Regular Meeting

RESOLUTION

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

August 3, 2011 Regular Town Board Meeting

SO MOVED: T. Tancredi/M. Cifone

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Amendment made to include the August 17, 2011 Committee of the Whole Meeting and August 24, 2011 Regular Meeting to coincide with the Agenda: T. Tancredi/M. Cifone

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

CARRIED: 5-0

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

CARRIED: 5-0

09:07-15 AUTHORIZE Supervisor To Forward A Letter Of
Support To The Maple Grove Restoration
Committee To Add Credence To Their
Grant Application Request For Said Project

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor, on behalf of the Town of Poughkeepsie, to forward a letter of support to the Maple Grove Restoration Committee to add credence to their grant application request for said project.

SO MOVED: S. Eagleton/M. Cifone

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

CARRIED: 5-0

09:07-16 SET DATE FOR Dangerous & Unsafe Structure To General
PUBLIC Public Located At 7 Jones Street &
HEARING Constitutes A Public Health Hazard

RESOLUTION

WHEREAS, the Building Department and Police Department of the Town of Poughkeepsie have made reports (Exhibit A) to the Town Board of the Town of Poughkeepsie regarding 7 Jones Street, Town of Poughkeepsie, County of Dutchess, State of New York, Tax Grid No. 6161-07-734851 (“the Premises”), the owner of record being KSP Properties LLC, 23 Arrowhead Road, Hopewell Junction, NY 12533; and

WHEREAS, on the basis of such reports, the Building Department has formed an opinion that the building on the Premises (“the Building”) is dangerous and unsafe to the general public, open at the doorways and windows, accessible to minors, vagrants, trespassers and crime suspects, and that it presents a fire hazard; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie finds as follows:

1. The reports of the Building and Police Departments support a finding by the Town Board that the Building is currently unsafe and in dangerous condition, constitutes a public health threat, a public safety threat and is a hazardous condition; and
2. That the Building must be immediately secured in a manner acceptable to the Building Department to prevent further unauthorized entry and use, and to reduce the fire hazard, and any solid waste on the Premises and in the Building must be immediately removed insofar as it constitutes an additional public health and safety hazard; and
3. That the Premises' owner has heretofore been served with an Order to Remedy dated August 24, 2011 (see Exhibit A attached hereto); and
4. That notwithstanding the issuance of the Order to Remedy the Building is currently unsecured, dangerous and in violation of the Orders to Remedy; and
5. That an Order, including notice of a Public Hearing, shall be issued and served upon the owner of record, by serving a copy of the same upon it personally or by Certified Mail, Return Receipt Requested, to its last known address, as the same appears on the records of the Assessor of the Town of Poughkeepsie, and if such service is made by mail, a copy of such Order shall also be posted on the Premises on the date of mailing, such service to be made at least five (5) days before the Public Hearing; and
6. That the said Notice shall contain the following information:
 - A. A description of the premises.
 - B. A statement of the particulars in which the building is unsafe or dangerous.
 - C. An order outlining the manner in which the building is to be made safe and secure or demolished and removed.
 - D. A statement that the securing of such building shall commence immediately, and in no event less than within thirty (30) days of the service of the Notice and shall be completed within sixty (60) days thereafter, unless for good cause shown such time shall be extended by the Building Inspector; and

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- E. That in the event of neglect or failure to timely comply with the Order to secure or demolish and remove the Building, the Town Board is authorized to secure or demolish and remove the Building, to assess the expense therefore against the Premises and may institute a proceeding to collect said expenses; and
- F. That in the event of a failure to comply with the Order, the Town Board intends to direct, after a Public Hearing, that all Town expenses relating to this Resolution and Order and the work performed by the Town and its contractors pursuant thereto be assessed against the Premises and levied and collected in the same manner as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy; and
- G. That a Public Hearing on the Order and the recovery, levy and collection of Town expenses will be held before the Town Board on the 21st day of September, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and
- 7. That the Town Clerk of the Town of Poughkeepsie shall file a copy of the Notice so served in the Office of the County Clerk of the County of Dutchess; and
- 8. That the Town of Poughkeepsie reserves all of its other rights and remedies as to the Building and Premises.
- 9. That this resolution shall take effect immediately.

SO MOVED: R. Lecker/M. Cifone

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

Nays: None

CARRIED: 5-0

09:07-17 AUTHORIZE

Closing Of A Section Of Raymond Avenue
& Exempt Vendors From Provisions Of
Chapter 151 For Arlington Street Fair

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie authorizes the Annual Arlington Street Fair on Saturday, September 24, 2011; and

WHEREAS, the presence of information displays, food vendors, handicraft artisans and non-profit organizations is a vital part of a successful Street Fair; now therefore

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BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not define the vendors of food and merchandise participating in the Arlington Street Fair on September 24, 2011 as peddlers and hawkers and that these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and

BE IT FURTHER RESOLVED, that this exemption shall apply only to the Street Fair celebration on September 24, 2011; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegetown Avenue from 6:30 AM to 8:30 PM for the Arlington street Fair on Saturday, September 24, 2011.

SO MOVED: M. Cifone/T. Tancredi

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

Nays: None

CARRIED: 5-0

09:07-18 AUTHORIZE
SUPERVISOR
TO SIGN

Cellular Tower Flag Maintenance
Agreement With TowerCo Assets For
Hudson Plaza

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a Cellular Tower Flag Maintenance Agreement (copy attached) with TowerCo Assets, LLC for the property located at 2585 South Road (Hudson Plaza).

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 5-0

CELLULAR MAINTENANCE AGREEMENT ATTACHED TO FINAL BOOK COPY

09:07-19 AUTHORIZE

Supervisor To Extend Completion Date Of
Contract No. 10-001, Hudson River
Psychiatric Center Water District, With
Thomas Gleason, Inc.

RESOLUTION

Isle

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor, on behalf of the Town of Poughkeepsie, to extend the completion date of Contract No. 10-001, Hudson River Psychiatric Center Water District, with Thomas Gleason, Inc., by 23 days from Saturday, September 3, 2011 through Monday, September 26, 2011.

SO MOVED: T. Tancredi/M. Cifone

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

Nays: None

CARRIED: 5-0

09:07-20 ACCEPT

Retirement Of Ellen J. Grogan From The
Assessing Department

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of Ellen J. Grogan from the Assessing Department, effective the close of business September 30, 2011.

SO MOVED: S. Eagleton/T. Tancredi

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

Nays: None

CARRIED: 5-0

09:07-21 SET DATE FOR
PUBLIC HEARING

To Consider & Vote On Applications For
Monies From Dutchess County On Four (4)
Taking Claims For Completion Of The
Hornbeck Road Improvement Project

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 21st day of September, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2012, of which the Town of Poughkeepsie is a member.

SO MOVED: R. Lecker/T. Tancredi

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

Nays: None

CARRIED: 5-0

Isle

09:07-22 RETAIN

Ronald C. Blass, Jr. of Van DeWater &
Van DeWater To Represent Town On Four
(4) Taking Claims For Completion Of The
Hornbeck Road Improvement Project

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby retain Ronald C. Blass, Jr., Van DeWater & Van DeWater, to represent the Town of Poughkeepsie on four (4) taking claims, which are necessary for the completion of the Hornbeck Road Improvement Project.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 5-0

09:07-23 RETAIN

Morris Associates To Provide General
Engineering Services For Town Hall HVAC
Replacement Project

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby retain Morris Associates to provide general engineering services for the Town Hall HVAC Replacement project, at a lump sum amount of \$7,500, pursuant to the attached letter proposal dated September 1, 2011.

SO MOVED: S. Krakower/T. Tancredi

Councilman Krakower: Rather than a lump sum, should we do hourly cap at \$7500? Then the other question I have is, is this something that is not covered by the contract we have with Morris for engineering services at Town Hall. We have two engineers now from Morris. Is this outside of their contract?

(unknown speaker) The first issue I addressed that with Mr. Beer and he said that they would be happy to add on an hourly basis, not to exceed the \$7500.

Councilman Krakower: What about the second?

(speaker) I didn't think to ask him about that.

Deputy Supervisor Eagleton: Well, if this is not critical, why don't we Table it?

Isle

Motion made to Table until September 21, 2011 Town Board Meeting: M. Cifone / R. Lecker

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

Nays: None

CARRIED: 5-0

TABLED UNTIL SEPTEMBER 21, 2011 TOWN BOARD MEETING

09:07-24 APPROVE

Block Party On Alfred Drive, September 10,
2011 With Rain Date of September 11, 2011
From Noon To 10:00 PM

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Kelly Auriemmo to hold a block party on Alfred Drive on September 10, 2011 from Noon to {10:00 PM} with a rain date of September 11, 2011, and does hereby authorize the Highway Department to close said street, but allowing access for emergency vehicles, from Noon to {10:00 PM} and

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

SO MOVED: T. Tancredi/M. Cifone

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

Nays: None

CARRIED: 5-0

09:07-25 APPROVE

Vassar College Serenading Event With Fire
Works On September 10, 2011 At College

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Vassar College to include a fireworks display at their Serenading Event to be held on Friday, September 9, 2011, with a rain date of Saturday, September 10, 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

Isle

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 September 9, 2011 at 9:00 PM on Vassar College property, Raymond Avenue, Poughkeepsie, New York.

SO MOVED: S. Eagleton/T. Tancredi

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

Nays: None

CARRIED: 5-0

09-07-26 APPROVE

Waiving Of 30 Day Advance Notice To Town
Of Poughkeepsie For Renewal Application For
On-Premises Alcoholic Beverage License for
TJM Restaurant Corp D/B/A Hobnobbin' Pub
Located at 11 Vassar Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from JFG & Associates, Inc. TJM Restaurant Corp, Hobnobbin Pub, 11 Vassar Road, Poughkeepsie, NY 12603, for a waiver of the 30 day review period for a liquor license renewal; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the thirty (30) day review period and does authorize and direct the Town Clerk to forward a letter of waiver and consent, pursuant to the attached request.

SO MOVED: R. Lecker/M. Cifone

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

Nays: None

CARRIED: 5-0

09-07-27 APPROVE

Waiving Of 30 Day Advance Notice To Town
Of Poughkeepsie For Renewal Application for
On-Premises Alcoholic Beverage License For
Pirate Canoe Club, Inc. D/B/A Pirate Canoe
Club Located At 140 Rivercrest Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from Pirate Canoe Club, Inc., on behalf of the

Isle

Pirate Canoe Club, 140 Rivercrest Road, Poughkeepsie, NY 12601, for a waiver of the 30 day review period for a liquor license renewal; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the thirty (30) day review period and does authorize and direct the Town Clerk to forward a letter of waiver and consent, pursuant to the attached renewal application.

SO MOVED: M. Cifone/T. Tancredi

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

CARRIED: 5-0

NOTIFICATION

Notice Form To Municipality For Renewal Application For an On-Premises Alcoholic Beverage License For:

- A. TGI Friday's Inc. D/B/A T.G.I. Friday's Located At 2594 South Road
 - B. For Rent-A-Chef, Inc. D/B/A Babycakes Café Located at 1 Collegeview Avenue
- BOTH REVIEWED BY POLICE**

09:07-29 NOTICE OF CLAIM

Scott McCabe V Town For Damage To Auto On Hillis Terrace

REFERRED TO LEGAL DEPARTMENT

09:07-30 NOTICE OF CLAIM

Larry Odell Johnson V Town For Replacement Of Two Tires Due To Sunken Manhole Cover At Intersection Of Common's Lane & Pendell Road

REFERRED TO LEGAL DEPARTMENT

09:07-31 NOTICE OF MEETING

Town Of Lloyd Town Board On September 14, 2001 At 7:00 PM In Lloyd Town Hall Concerning Adoption Of Local Law E-2011, Amending Chapters Of Town Code In Respect To Construction Of Improvements & Performance Bonds & Other Security

NOTED BY TOWN BOARD

09:07-32 NOTIFICATION

Notice Of Petitions For Review Of Tax Assessments

<u>YEAR INDEX NUMBER</u>	<u>PETITIONER</u>	
2011	4658	A.O.B. IV, INC. (FORD DEALER)
2011	4827	ATOM HOLDINGS, LTD.
2011	5010	BUILDING 932 LLC
2011	5144	BUCHNER, HAROLD & CAROLE
2011	5044	CARROLS CORPORTION #288
2011	4663	CASPERKILL – I, LLC
2011	4663	CASPERKILL – I, LLC
2011	4449	C & B REALTY POUGHKEEPSIE, LLC
2011	4539	COLUMBIA SFH GROUP, LLC
2011	4846	COMMERCE BANK/TD BANKNORTH
2011	4829	COUNTRY CLUB APARTMENTS, LLC
2011	4860	MICHAEL DE CORDOVA
2011	4860	MICHAEL DE CORDOVA
2011	4407	EVISTA, LLC
2011	4408	EVISTA, LLC
2011	4409	EVISTA, LLC
2011	4864	FAIRVIEW BLOCK, INC.
2011	4951	FITCHETT ENTERPRISES, LP, & TONY GINESE AS CONTRACT VENDEE
2011	4960	KARAN GAREWAL
2011	4699	G N F REALTY CORP.
2011	4526	GREAT EASTERN LITHO AND FOLDING BOX, CORP.
2011	4526	GREAT EASTERN LITHO AND FOLDING BOX, CORP.
2011	4865	HENMOND PROPERTIES ONE, LLC
2011	4666	HUDSON HAROUR NEW YORK
2011	4666	HUDSON HAROUR NEW YORK
2011	4453	INLAND WESTERN POUGHKEEPSIE MID-HUDSON, LLC
2011	4453	INLAND WESTERN POUGHKEEPSIE MID-HUDSON, LLC
2011	4453	INLAND WESTERN POUGHKEEPSIE MID-HUDSON, LLC
2011	5067	JOHN F. MACK & LORRAINE S. MACK
2011	5072	IRMINGARD KLEBE & C V C CAPITAL MANAGEMENT
2011	5072	IRMINGARD KLEBE & C V C CAPITAL MANAGEMENT
2011	4660	IRON MOUNTAIN PROPERTIES
2011	4925	JYOTI, INC.

Isle

2011	4925	JYOTI, INC.
2011	4388	KIMCO 44 PLAZA, LLC
2011	4388	KIMCO 44 PLAZA, LLC
2011	4413	K-MART #3372
2011	4414	K-MART #3396
2011	4659	KOHL'S ILLINOIS, INC # 396
2011	4659	KOHL'S DEPARTMENT STORES, INC.
2011	4527	MEADOWVIEW PROPERTIES, LLC
2011	4527	MEADOWVIEW PROPERTIES, LLC
2011	4959	MILLPOND MANAGEMENT, INC. & PRATIBHA GAREWAL
2011	5073	POPOLI FAMILY LTD. PARTNERSHIP
2011	4691	POUGHKEEPSIE CITYD
2011	4447	RAIA STORAGE
2011	4786	R & F POUGHKEEPSIE NORTH, LLC
2011	4787	R & F POUGHKEEPSIE SOUTH, LLC
2011	4412	SEARS ROEBUCK AND CO. – A # 1333
2011	4456	SOUTH HILLS EAT II, LLC & VORNADO REALTY TRUST
2011	4447	SOUTH ROAD-POUGHKEEPSIE S
2011	4528	SPACKEN PARTNERS, LLC
2011	4457	SPACKENKILL DEVELOPMENT LLC
2011	4967	SPRING APARTMENTS, LLC
2011	4448	THE STOP & SHOP COMPANIES, INC.
2011	4454	THE STOP & SHOP COMPANIES, INC.
2011	4846	TD BANKNORTH
2011	4662	TOWN CENTER POUGHKEEPSIE, LLC
2011	4662	TOWN CENTER POUGHKEEPSIE, LLC
2011	5141	VE INVESTORS, LLC & RE INVESTORS LLC
2011	4456	VORNADO REALTY TRUST-SOUTH HILLS
2011	5230	VIKAT P-TOWN, LLC
2011	4452	WACHOVIA CORPORATION
2011	4828	TRUST UNDER ARTICLE EIGHT OTW OF RICHARD ZIRINSKY

ALL PETITIONS NOTED BY TOWN BOARD

09:07-33 NOTIFICATION

NOTICE OF PETITIONS FOR SMALL
CLAIMS ASSESSMENT REVIEW IN
COUNTIES OUTSIDE OF NYC

YEAR **INDEX NUMBER** **PLAINTIFF**

2011

JACAB AMACHER

Isle

2011	5146	MITCHELL E. & JILL E. GREENE
2011		OSE L. SECO/GLORIA MAYES
2011		TORI L. SMITH

ALL PETITIONS NOTED BY TOWN BOARD

09:07-34 AUTHORIZE Special Consent Items SC 1, SC 2

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 Waive	License Fee For Public Assembly For Germania
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SC 2 Notice of Claim	Hitt v. Town
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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: S. Krakower/T. Tancredi

09:07-34 AUTHORIZE Special Consent Items SC1, SC 2

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 Waive	License Fee For Public Assembly For Germania
------------	---

SC 2 Notice of Claim	Hitt v. Town
----------------------	--------------

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: S. Krakower/T. Tancredi

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

Nays: None

CARRIED: 5-0

Isle

09:07-SC 1 WAIVE

Fee For Licensing Of Places Of Public
Assembly For Germania For Oktoberfest

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the fee for Licensing of Places of Public Assembly in the amount of \$400.00 for the Oktoberfest held by the Germania of Poughkeepsie, pursuant to the request from Germania dated August 5, 2011, a copy of which is attached.

SO MOVED: T. Tancredi/M. Cifone

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

Nays: None

CARRIED: 5-0

09:07-SC2 NOTICE OF
CLAIM

Gary & Lynnette Hitt V Town For
Basement Flood Due To Overflowing Of
Storm Drain In Street

REFERRED TO LEGAL DEPARTMENT

Motion made to suspend the rules for public comments: S. Eagleton/T. Tancredi

CARRIED: 5-0

Bob Shaeffer: I've spoke to several of the Town's people about what regards to Field Concession license agreement that I reviewed on the Town Board Meeting of July 6th between Poughkeepsie Babe Ruth and the Town and it was subject to Town Board approval. In my discussion with various Town people, each and every event seemed to cascade into a larger and larger situation. It all started with an uneatable cooking waste only container being left on Town property approximately 60 cubic feet, which would hold approximately 50 to 60 gallons of waste oil.

Joyce Shaeffer: I called the company and they said that it was grease waste and someone by the name of Monks Barbeque and they said that he had purchased it and that there was going to be a concession stand there on the ball park. We were not notified. A concession stand is fine for the Little Leagues, but he is having it every day. He sits all day. It was a problem and the neighbors should have been notified of what was going on. Whatever they do for the Little League, we are more than happy about, but if he was just doing it during league time when the games are on and then when it is over, he should leave. But, he is saying "No" that this is going to be a permanent thing until the end of December. There are no parking facilities for anyone. I know Pat Myers wasn't for it.

Mr. Shaeffer: I spoke to Mr. Monk today and he just happened to be out there cleaning out the concession stand getting ready for business. We discussed things like hours and

Isle

days. He's not intending to even consider those kinds of situations. He feels he is under no obligation to constrict himself. Mr. Monk had a business in Fishkill and there were complaints in Fishkill about him operating in the Fishkill recreational area and he has since ceased doing business there and we now have a repeat performance here. His intent is to make a business venture year around and as many hours and days as necessary, including Sunday's. He intended to make sales as many hours that fit his services in a day. He took some offense to me asking these questions.

Councilman Krakower: When Mr. Monk was operating in Fishkill, it wasn't on the Fishkill Town property and it was under a vendor or peddler's license, which is more of a temporary nature type of license and he wasn't removed from Fishkill because of the way he was running his business, but, my feeling is, the League is looking at a different way to try to bring in revenue. As it stands right now, he will be operating till the end of the year. If there is any kind of disturbance to the neighborhood ---

Mr. Shaeffer: But the League was not in operation, why is he setting up now and when the games are not being played?

Councilman Krakower: He has entered into an agreement with the Little League to pay them rent during the period of time that he is there, regardless whether there is a game or not. I think what you will probably find, which is similar to "Benny's Tenth Inning" is that when there is a game you don't see a significant large amount of traffic because the pizzeria is there. When he is operating with no activities there, I don't think you are going to see any amount of traffic there as when there is no game.

Mr. Shaeffer: My opinion is that we should not be supporting a business on Town property like that. It's going to be a change in the neighborhood. If it's going to affect people, you've got to notify them first. I'm here now to voice my opposition to it being done when the Little League is not playing. They are there till all hours and we walk around every day picking up garbage. The power he uses over there is the Town's power and we are paying for it. He says he is going to put up a sign. All these things need investigation. There is no control in place.

Councilman Krakower: I hope you won't see too much of an impact from it, but if you do, let us know.

Councilman Cifone: It's only a trial run, if it doesn't work, then we will deal with it. He has entered into an agreement or lease with Little League on this. It's only for this year and we will revisit that and the Recreation Committee will get together and we will discuss all your concerns and we will make some modifications.

Councilman Tancredi: Ok, please keep note of any changes from now to the end of the year. This is set up as a trial and if this something that will terribly impact the neighborhood, we will have to possibly make changes. Just please keep us informed.

Isle

Victor Gennodie: I want to comment over the storm we had recently. Our Highway Department and Sewer Department was driving up and down the roads and working cleaning drains up and cutting trees and etc. like crazy. I want to take my hat off and compliment all the workers, Police Department, Highway, Sewer, Fire Department and Water, they were all there on the job and doing what they had to do and I deeply appreciated what they did. Also spoke to Councilmen about the work they were doing for the Town. He also commented on the Police/Court Building repairs and costs.

Doreen Tignanelli: There is over \$4 million in the Equipment Reserve Fund that can only be used for equipment. It can't be used for tax payer release, so, if some people feel there is a real need for generators, that's something that may be able to come out of the Reserve Fund. Tomorrow night, September 8th, the Board of Fire Commissioner's meeting to be held at Red Oaks Mill Fire house on Vassar Road, 7:30 PM, 2012 Budget Discussion. The Budget was about \$15 million last year, we are hoping that we may be able to see a reduction in the budget for 2012. She encouraged people to come out. It would be nice if Vassar College could help out the Arlington Fire Department tax payers. Unfortunately, we, the Arlington Fire Department tax payers, paid 6 firefighters on overtime to spend the day at Vassar College and my rough estimate on that is that it cost us about \$3,000. Vassar did not pay for that and they don't give an annual amount and it seems that for a training session for them, that they could at least cover the overtime costs for the firefighters for the day. It was a Saturday training, 9 hours of overtime for 6 firefighters.

Jon Zenz: I'm here to bring to your attention a drainage problem. There was a specific issue I was here for two years ago to address and it never got addressed. This last rain was a disaster because of it for a lot of people. The area I am talking about is on Bayberry Lane, bordered by Wilbur, Laffin, and Spackenkill Road. The east side of that, Bayberry Lane side, all of the water goes in one pipe at the back of my property. All of the houses drain into that huge pipe underneath Laffin and comes out in a pond at the corner of McCann Golf Course and then goes into a pipe and underneath some properties and then Spackenkill Road and comes out by the track at Spackenkill High School which is open and there is a stream and a walkway over the stream and then goes down toward the tennis courts. The problem that we have is that there is very little grade from where we are and the track. The pipes are huge and the system that was designed in 1985 works if the pipes are maintained and they are not being maintained. I was getting flooded in my basement every other year. About 7 or 8 years ago, I got in touch with Mr. Tancredi and the Town Highway Department found an issue with the pipe coming out from that lake. There was a root in the pipe, I believe. When that was taken care of, it made a tremendous difference. Then several years ago, I noticed a new problem coming in and that was at Spackenkill High School where the pipe comes out there. That should be a stream that dries up when it stops raining. That changed, that has become a pond. I spent about 3 hours digging out trees, garbage, and a bridge that had fallen in and I spent three hours in there while it was raining, digging that all out, and I think it made a difference. But, I then noticed it wasn't being maintained and came here and told you and my impression was that it was the School's responsibility and not the Town's. So, I wrote a letter and copied Mr. Tancredi and the Board President and Principal of Spackenkill High

Isle

School saying someone has to take care of this because it is becoming a pond again. It's on the north side of that walkway. Everything building up there affects us upstream. It's a continuous low grade and when it builds up, it affects us. It's just a little area no bigger than this room; it's from where the pipe comes out to where the walkway goes across. There are reeds growing up in it and stagnant water and there are a couple of feet higher than it should be and so it bumps up the level up stream a couple of feet. That has to slow the volume of water that it is physically able to be coming out of a 30" pipe. The system works, if it is maintained. All I'm asking is that it be looked at at least once a year and cleaned out.

Ann Shershin: What is the Wetland Mitigation Trust account?

Councilman Krakower: I believe it is a trust account where that money goes into and is used for wetland mitigation projects in the Town. There is a small wetland there and I think the lay of the land makes it difficult to do any affective mitigation on that property and so rather than have them spend money to do mitigation there that doesn't do any much to preserve the wetland or do anything environmentally, the thought at the Planning Department level was to have them pay money that could be used for another piece of property or another wetland somewhere else that we would get more "Bang for the Buck" and be more effective and it seems to make sense.

Motion made to close the public comment section: S. Eagleton/T. Tancredi

CARRIED: 5-0

09:07-ES 1 ADJOURN TO
EXECUTIVE SESSION

To Enter Executive Session To
Consider Following Matters:
A. Litigation – Litigation
Strategy For Ginsberg
B. Contract Negotiations
C. Personnel Matters, To Wit: A
Meeting To Discuss The
Employment History Of The
Particular Individuals Who Need
Not Be Identified At This Time
D. Confidential Communication
Between Attorney And His
Client, The Town Board,
Based On Attorney/Client
Privilege

RESOLUTION

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

Isle

1. Litigation: To discuss litigation strategy in a case known as Ginsberg Contract.
2. Contract Negotiations
3. Personnel Matters, to wit: To discuss the employment history of particular individuals who need not be identified at this time.
4. Confidential communication between attorney and his client/Town Board based on attorney/client privileges.

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

SO MOVED: S. Eagleton/T. Tancredi

CARRIED: 5-0

09:07-ES2 AUTHORIZE
SUPERVISOR
TO SIGN

All Papers To Effectuate Receipt Of
The Recreation Facilities Improvement
Member Item Grant

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate the receipt of the Recreation Facilities Improvement Member Item Grant in the amount of \$12,500.00 procured by Assemblyman Joel Miller

SO MOVED: S. Eagleton/T. Tancredi

ATTORNEY CANTOR WAS INVITED TO GO
INTO EXECUTIVE SESSION
TOWN BOARD MEETING ADJOURNED AT 8:58 PM
TOWN BOARD ENTERED EXECUTIVE SESSION AT 9:05 PM
TOWN BOARD RETURNED FROM EXECUTIVE SESSION AT 10:05 PM

NO ACTION WAS TAKEN

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to effectuate the receipt of the Recreation Facilities Improvement Member Item Grant in the amount of \$12,500.00 procured by Assemblyman Joel Miller.

SO MOVED: S. Eagleton/T. Tancredi

Isle

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

Nays: None

CARRIED: 5-0

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

CARRIED: 5-0

MEETING CLOSED AT 10:06 PM

SJM: lkm