

**MINUTES OF TOWN BOARD MEETING AND SPECIAL BOARD  
MEETING HELD ON SEPTEMBER 21, 2011 AT 7:00 PM AT TOWN  
HALL, ONE OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

**ROLL CALL: Supervisor Myers  
Councilman Lecker  
Councilman Eagleton  
Councilman Conte  
Councilman Cifone  
Councilman Tancredi  
Town Attorney Nelson  
Town Clerk Miller**

**ABSENT: Councilman Krakower**

- **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**

**6:30 PM**

**CALL TO ORDER**

**SALUTE THE FLAG**

**SPECIAL TOWN BOARD MEETING  
FOR EXECUTIVE SESSION**

Supervisor Myers: This is a Special Board Meeting called simply so we can go into Executive Session.

**RESOLUTION**

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

1. Confidential communications between attorney and his client, the Town Board based on attorney/client privileges.

SO MOVED: Supervisor Myers/M. Cifone

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

Nays: None

CARRIED: 6-0



Doreen Tignanelli: Ok, I have an acre and a quarter, so this wouldn't apply to my property at all?

Councilman Tancredi: Right.

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 September 12, 2011 and published in the Poughkeepsie Journal on September 14, 2011.

09:21-01 PUBLIC HEARING

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

#### RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 21<sup>st</sup> day of September, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, New York, does hereby adopt 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 ENACTED, 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

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

SO MOVED: R. Lecker/T. Tancredi

Councilman Tancredi: The height of this ordinance is at 12", it's not to impact the homeowner away on vacation or had a sore back for two weeks, it's really to address the homeowner or occupant who refuses to cut their lawn for an extended period of time.

Motion Made to propose the amendment as read, "Section 159A-3 Applicability A. Occupied lots, plots or parcels of land, **{which are one acre or less in size}**: T. Tancredi/M. Cifone

Councilman Eagleton: In the future, if there is abuse of this, we may want to look to add language to focus on the frontage of a property, portions of a property isn't something we are really worried about, but which we are trying to protect.

Councilman Tancredi: I agree.

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

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

Motion made to suspend the rules for public speaking on Public Hearing #2: Supervisor Myers/R. Lecker  
CARRIED: 6-0

#### NO SPEAKERS CAME FORWARD

Motion made to resume the rules: Supervisor Myers/S. Eagleton  
CARRIED: 6-0

Town Clerk Miller: I did hereby file the affidavit of posting on September 8, 2011 and published in the Poughkeepsie Journal on September 12, 2011.

09:21-02 PUBLIC HEARING Amend Chapter 58, Entitled "Apprenticeship Training Programs For Town Contracts"

#### RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 21<sup>st</sup> day of September, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, Poughkeepsie, NY 12603, does hereby amend Town Code Chapter 58, entitled "Apprenticeship Training Programs for Town Contracts", which amendment is as follows:

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

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

SO MOVED: S. Eagleton/J. Conte

Supervisor Myers: I'm kind of curious. I think this law has only been in place for maybe 7 or 8 years and I don't think we've ever had an occasion to use it. I'm just wondering why we are repealing it? I think apprenticeship programs are a good thing.

Councilman Tancredi: I think the fear was and is that, the economy the way it is, I think we don't want to throw any off on the contractor. My fear is that this law is going to drive up the cost of the residents and I want to do everything I can to make sure the residents are getting the best deal for their dollar and be able to include, if we have work we are bidding out, that any qualified contractor can bid on that work, apprenticeship program or not.

Supervisor Myers: I'm assuming, that the only potential Town Bid of any kind is for the Senior Citizens Center, that's the only way we would be spending this kind of money. Wouldn't it be saving money to have an apprenticeship, because the apprentice doesn't earn anywhere near what the master or journeymen make, they only earn about 1/3 of the salary of those people. It seems like a good way to get people who are unemployed, employed.

Councilman Tancredi: I think you end up spending more for an apprentice. When you have an apprentice, you have to have someone looking over his shoulder and having someone watching what they do and my feeling is, if the contractor wants to have an apprentice or maybe they don't, that's up to them and that's fine, I don't oppose it, but to require it, that's another story. I don't see why the Town should require that. I think it would only drive up cost.

Councilman Eagleton: Wouldn't that be dealt with in a bid, whether they had an apprenticeship program or not, wouldn't that be addressed in the low bid?

Councilman Tancredi: It might be.

Councilman Eagleton: Is there any requirement on the part of the State for apprenticeship programs if the contracts go above a certain level?

Attorney Nelson: No. Having the programs at a local level is optional. On State work, there are statutory requirements that they have to have it and essentially to have it or not have it, whatever the threshold might be, is at the discretion of the Town Board.

Councilman Conte: Todd, the way you are going, maybe the Businessman would probably be the one that was leading the pack by saying, I'm going to go and get me some apprentices so I can decide on who is a good fit quickly and who's not, so I can see where you are going with that and I know that happens a lot, I see it in my profession. You look for an apprentice and you find out who are the better ones and who aren't.

Councilman Tancredi: The process we have is, we generally take the low bidder by law, unless there is a valid reason, but, I don't see a reason to complicate it further by telling the contractors that want to bid on the work, the way you have to run your business and I see that's what we are doing with that.

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, and Tancredi  
Nays: Supervisor Myers CARRIED: 5-1

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

#### NO SPEAKERS CAME FORWARD

Motion made to resume the rules: Supervisor Myers/J. Conte

CARRIED: 6-0

Town Clerk Miller: I did hereby file the affidavit of posting on September 8, 2011 and published in the Poughkeepsie Journal on September 12, 2011.

09:21-03 PUBLIC HEARING 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 ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 21<sup>st</sup> day of September, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend the Poughkeepsie Town Code, Chapter 195, entitled "Vehicle and Traffic", specifically Section 195-44, Schedule IX, entitled "Stop Intersections", which amendment is as follows:

**Amend Section 195-44:**

**ADD:**

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
Streit Avenue	North	Main Street
Lewis Avenue	North	Main Street

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: J. Conte/T. Tancredi

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

Nays: None

CARRIED: 6-0

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

NO SPEAKERS CAME FORWARD

Motion made to resume the rules: Supervisor Myers/J. Conte

CARRIED: 6-0

Town Clerk Miller: I did hereby file the affidavit of posting on September 8, 2011 and published in the Poughkeepsie Journal on September 12, 2011.

09:21-04 PUBLIC HEARING

To Consider & Vote On Applications For Monies From Dutchess County Through The Community Development Block Grant Program

RESOLUTION

WHEREAS, the Town of Poughkeepsie is participating in the Dutchess County Development Consortium for the Fiscal Year 2012; and

WHEREAS, input from citizens and groups have been received and considered; and

WHEREAS, an application has been prepared which addresses our community concerns, now, therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on September 21, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, New York, does hereby authorize the Supervisor to make an application to the County of Dutchess for Community Development Block Grant Program funds for the year 2012 for the following project(s):

1. Arlington Area Sidewalks

SO MOVED: M. Cifone/J. Conte

Supervisor Myers: Just for every body's notification, I think there is only like two places in Town that we can use this money. The other place is in Fairview and we just recently used it in Fairview, so we are going back to Arlington so we can use the money in Arlington this year.

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

Nays: None

CARRIED: 6-0

Motion made to suspend the rules for public to speak on Public Hearing #5: Supervisor Myers/M. Cifone

Sarah Davis, Zoning Administrator: 44 Longview has been a problem all summer. We didn't realize it because the neighbor has taken the responsibility of cutting the grass. Which is very nice of them, but they would like to stop. That place has been vacant for a while. I believe someone passed away there.

NO OTHER SPEAKERS CAME FORWARD

Motion made to resume the rules: Supervisor Myers/J. Conte

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

Nays: None

CARRIED: 6-0

Town Clerk Miller: I hereby filed the affidavit of posting on September 8, 2011 And published in the Poughkeepsie Journal on September 12, 2011.

09:21-05 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, pursuant to a public hearing held on September 21, 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 44 Longview Road, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6262-03-299002, owned by Garrett and Margaret Moore, 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 44 Longview Road 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 6 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 garden waste, fallen tree limbs and cut the grass.

SO MOVED: T. Tancredi/M. Cifone

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, 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

Lenny Splain, Fire Inspector: Back in about 2008, we had some problems with the tenants and internal problems with the building and then Order of Remedies have been done over the last couple of years and then finally about July 2009, we posted a Cease and Desist Order as a dangerous and unsafe building because of the lack of response from

the owners. Since the beginning of this year, we've had problem with tenants breaking into it. It was originally secured, but the building is getting more dilapidated and the Police have had about five responses there since August of this year and two arrests were made inside the building for trespassing and a burglary they traced to that address. So, we are requesting that the building get secured with ½ inch plywood on the external portion of the building. It's going to require about 25 sheets of plywood and someone to put it on. We've had numerous Orders to Remedy and attempts to contact the owners, but no response.

Councilman Cifone: Doesn't a bank own that now?

Lenny Splain: I got a call today, as a matter of fact, from a bank that says they are going to foreclose on it. So, something may be happening soon, I hope, but I think we should still proceed with securing the building. The Fire Department is concerned about it and the Police Department.

Supervisor Myers: We've also had issues there with the septic and sewer and we had to declare it as a health hazard about a year or two ago.

Councilman Eagleton: It's my understanding, Mr. Splain, that the building was posted with the notice of this Public Hearing and my understanding it was also mailed, a certified notice went out?

Lenny Splain: Yes, that's correct and we have copies of all of it.

Supervisor Myers: Every attempt has been made to have people respond to this.

Lenny Splain: Yes, KSP Properties, LLC and we have a 23 Arrowhead Road, Hopewell Junction, New York as the property owner. I got a call today that they were going to take back the building and they were asking how much the bank owes on it, so they can start clearing that end up.

Supervisor Myers: Wow! It would be nice to see it become a viable property again.

Lenny Splain: Well, we are working in that area.

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

CARRIED: 6-0

Town Clerk Miller: I did hereby file the affidavit of posting on September 12, 2011 and published in the Poughkeepsie Journal on September 14, 2011.

09:21-06 PUBLIC HEARING

Dangerous & Unsafe Structure To General  
Public Located At 7 Jones Street &  
Constitutes A Public Health Hazard

## RESOLUTION

WHEREAS, by Resolution 9:7-#16 of 2011 adopted on September 7, 2011, the Town Board of the Town of Poughkeepsie has determined that the building (“Building”) located at 7 Jones Street, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6161-07-734851 (the “Premises”) owned by KSP Properties, LLC, 23 Arrowhead Road, Hopewell Junction, NY 12533, is dangerous, hazardous, unsafe, a public health, safety and fire threat, and opened to minors, vagrants and crime suspects, and must therefore be immediately secured in a manner acceptable to the Town of Poughkeepsie Building Department, and

WHEREAS, pursuant to Resolution 9:7 - #16 of 2011 an Order, including Notice of a Public Hearing to be held on September 21, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, has been served by Certified Mail, Return Receipt Request and posted on the Building, which Order included a direction that the required work begin immediately and must be commenced not later than thirty (30) days from service of the Notice and be completed no later than sixty (60) days after service of the Notice, and

WHEREAS, the Notice and Order advised that on failure to timely comply, the Town Board is authorized to secure or demolish and remove the Building and assess the expense thereof against the Premises as a special ad valorem levy under Town Law Article 15 and to institute a proceeding to collect the expenses of such work, and

WHEREAS, a Public Hearing having been held this day, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie authorizes and directs the Building Department to secure the Building by Town employees or contractors in the event that the same is not timely commenced by the Owner or if it is not timely completed by the Owner as directed in the Order, and to thereafter assess against the Premises and levy and collect the expenses of same as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy.

SO MOVED: Supervisor Myers/M. Cifone

Supervisor Myers: All of the gas, electric, and water have been turned off on the building. Perhaps now that the bank is going to get into the picture, we can hope to get some better resolution and go forward with this so we don't have to destroy the building completely.

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

Nays: None

CARRIED: 6-0

Tim Miller, Environmental Planner for Tim Miller Associates: We've been retained by the O'Neill-Dutton Group, LLC to assist them in the process of their application before the City and Town of Poughkeepsie. We just completed a final Environmental Impact Statement and submitted that to the Lead Agency. One Dutchess Avenue is a Brownfield site (Showed aerial photo) that shows the subject property and it is situated on the Hudson River. This Brownfield site has major opportunities associated with it. The cleaning of the contamination that occurred there in combination with the infrastructure improvements and building construction represents a very substantial long term commitment and a very substantial financial investment on the part of the applicant to this project. These would be the Zoning requests that have been made and have been applied for. In other words, if a reasonable density can't be achieved, that offsets the cost of developing this property, and no one will step up and finance the cost of the improvement and that includes the cleanup of the Brownfield. The applicant understands this and he bought the property with the understanding of the conditions there. He came to the Town and the City with an original plan that showed 586 units of housing shown on the Plan to the right (Showed a plan). His original plan showed a pretty dense project and along with that he had multiple goals in site, one of which was to offset the substantial costs of cleaning up the site. Subsequent to that filing new information was obtained. During the public review process which included comments from the community and various stake holders and he also learned that when he purchased the property, he thought he was purchasing 14+ acres, but there is about 2 ½ acres of land along the Hudson River that were not part of the holdings he purchased and they are owned by the State of New York. This new information along with input from all the various stake holders resulted in a substantial redesign of the project. It creates a safe and secure space where people will live. The potential for a 2 ½ acre park on the Hudson River could become a focal point of the local and regional community. The investment in the project of some 80 to 100 million dollars will occur at a time when the area is sorely in a need for jobs and economic recovery. The multiplier effect of some 500 or 600 construction jobs would support many businesses and services in the area. Construction material purchases and the furnishings of some 384 residents represents a huge boost in local spending and sales tax revenues in the County. So, to bring you up to date on the plans for 1 Dutchess Avenue. The original application was to construct a mixed use residential/commercial development called 1 Dutchess Avenue on 11.84 acres in the City of Poughkeepsie and in the Town of Poughkeepsie. The applicant requested Zoning amendments to the Town and City. In the Town, the applicant requested a water front housing overlay district be applied to the WD2 Waterfront District 2 and include the subject site. A couple months ago, we resubmitted a final EIS to the Lead Agency in June. We still haven't received any comments on it and we are eager to receive those. The site itself is an abandoned former industrial site located on the river. It has a flat topography except for some slopes on the east side of the site that rise to North Water Street and on the East is the railroad tracks for Metro-North and Route 9. Access to the site is from Dutchess Avenue. The site in its entirety is 14.32 acres. 11.87 are owned by the O'Neill-Dutton Group and that's proposed now to be developed for residential and

mixed commercial use and 2.5 acres are owned by the State of New York and that is intended to be developed into a future public recreational park. The applicant is committed to doing site cleanup pursuant to the New York State Brownfield cleanup program. The applicant is determined eligible by the New York State DEC to carry out this work. But this cleanup will occur only if the redevelopment plan can be done.

Slides were presented and handouts given to the Town Board showing what the finished site will look like and the completed map of the redevelopment. Questions about Traffic entering and exiting the site arose but didn't seem to be a problem after being answered.

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

CARRIED: 6-0

Rob Rubin: I just have a question in regard to the O'Neill-Dutton Group Redevelopment. These pictures of the project really look great and the Town Board is really charged with looking after the good and welfare of the entire Town. My question is, how will the redevelopment impact certain municipal services, specifically the sewer, when I believe that United Water is spread rather thin at this point and what kind of ---

Supervisor Myers: I don't believe that this sewer would go to United Water, I believe it would go to the Fourth Ward. It wouldn't go there at all.

Doreen Tignanelli: I would like to comment on the O'Neill-Dutton presentation. Councilman Cifone, I'm glad that you asked the question on why it took so long to get here. February 11, 2009 Town Meeting, their lawyer, Richard Cantor, was asking the Town Board to not seek Lead Agency status and let the City of Poughkeepsie be the Lead Agency. At that time Mr. Cantor said that there would be a co-operative intertwined action that needs to be worked out so that the Town's interests are not being short changed. Well, here we are, back to the Town Board. Mr. Kauffman can say whatever excuse he gave before as to why he didn't come here, but the truth is basically, we were second fiddle. He went to the City of Poughkeepsie. No, scoping sessions were held here in the Town, even though that was an example that Mr. Cantor gave, that scoping session maybe could be held here in the Town, but there was none. No meetings for the Draft Environmental Impact Statement. So, again, I'm glad to see that they finally showed up here. In July of 2011, I was at the City of Poughkeepsie Council Meeting for a Water Board Meeting and I just happened to come upon, following that meeting, a presentation made by the O'Neill-Dutton Group. First of all, when there was a question about whether they would be rentals or for purchase, in July, Mr. Kauffman said, "I'm trying to determine if there is a market in Poughkeepsie right now". Then he talked about the ranges of prices being \$350,000 to \$400,000 with town houses going for a little more. Then he said, "There is no market right now for any purchase". So, the target market will be high in rentals. So, is it rentals or is it for sale? Another thing is the 2 1/2 acres of public park land. What I think was glossed over here tonight is who is going to pay for the clean up of the park land? That was a question that came up with the Common Council and Mr. Cantor said, "We don't know who is going to clean it up, the hope and

the contemplation is that the State of New York, through a series of grants, will clean it up or enable the City and Town to clean it up with State Grants.” So, as a taxpayer I guess I’m going to pay for it anyway. Now, the O’Neill Group probably doesn’t want this property developed unless they have some clean up of the site or something in that 2 ½ acres, so I don’t see why I have to pay for that. Then when they talk about financial viability, you will also maybe remember at the February 2009 meeting it was stated, “The O’Neill Group would be receiving tax credits for the remediation up to a maximum of 18% of the developer’s interest investment in the project,” so the example was given that if the developer spent \$100 million on the project they would get a tax credit worth \$18 million, so when you are talking financial viability, I think you need to take into account the tax credits that they are going to be getting. So, again, I have an issue with the 2 ½ acres of park land and, also, I know how easy it is to get State grants these days. There was also the issue of building in the flood zone. I think they said they would have to raise it 10 to 12 feet in order to be out of the flood plain area. There also was an underground storage tank in that public portion of the parkland, so, is there, and if that’s the case, does it need to be taken out? Is that part of the clean up? I don’t really think that it is as cut and dry as they make it sound. There were many questions from the Common Council Meeting also on the site, and Mr. Kauffman didn’t seem to like that because he told the Councilmen, that “If the Town chooses to leave the site in it’s present state, there are a variety of uses they could put the site too, none of which are necessarily attractive.”

He also said, “They could take both out of New York City and New Jersey and turn them into transfer stations at the site.” So, I would like to hear some responses.

(Inaudible) – I’ve been following this a little bit. Going down to the river, there are nice parts and some not so nice parts. You hear a lot of people saying “No, we don’t want it”, they don’t want change. The O’Neill Group appears to be cleaning it up. Who cares if they are rentals or sales. Dutton was never made to be accountable for their actions. Maybe the State or you could go after him for his little parkland error. The Town isn’t going to do that and the Town should have done it years ago when it went into tax sale. What’s wrong with change and making something nice and bringing people in and spend a little money. You have to reach a point and say, “Let them develop”. The City is willing to clean it up. You have to rezone, but you have to rezone sooner or later. I’m definitely in support of cleaning up the river site. It’s beautiful to look at.

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

CARRIED: 6-0

09:21-08 SET DATE FOR  
PUBLIC HEARING

In Regard To The Special Districts Assessment  
Roll, Which Concerns The Water, Sewer &  
Drainage Districts

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 5<sup>th</sup> day of October, 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 in regard to the Special District Assessment Roll, which concerns the water districts, sewer districts and drainage districts of the Town of Poughkeepsie; and

BE IT FURTHER RESOLVED, that said proposed Special District Budgets are on file in the Town of Poughkeepsie Clerk's Office and available for review.

SO MOVED: R. Lecker/M. Cifone

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

Nays: None

CARRIED: 6-0

09:21-09 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 cost not to exceed \$7,500, pursuant to the attached letter proposed dated September 1, 2011.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 6-0

#### LETTER ATTACHED TO FINAL BOOK COPY

09:21-10 SET DATE FOR  
PUBLIC HEARING

For Property Maintenance Violations For 14 Henmond Boulevard To Remove All Garden Waste, Fallen Tree Limbs & To Cut Grass

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 5<sup>th</sup> day of October, 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 to cut grass to a height not to exceed 6 inches, which Order to Remedy is attached hereto, for property located at 14 Henmond Blvd., Poughkeepsie, NY 12603, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: J. Conte/M. Cifone

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

Nays: None

CARRIED: 6-0

ORDER TO REMEDY ATTACHED TO FINAL BOOK COPY

09:21-11 SET DATE FOR  
PUBLIC HEARING

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

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 5<sup>th</sup> day of October, 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 to cut grass to a height not to exceed 6 inches, which Order to Remedy is attached hereto, for property located at 68 Boardman Road Poughkeepsie, NY 12603, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: M. Cifone/T. Tancredi

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

Nays: None

CARRIED: 6-0

ORDER TO REMEDY ATTACHED TO FINAL BOOK CODE

09:21-12 SET DATE FOR  
PUBLIC HEARING

Amendments To Town Code, Chapter 68  
Entitled "Building Construction"

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 5<sup>th</sup> day of October, 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 amendments to Chapter 68, entitled "Building Construction", which amendments would be as follows:

**Amend Section 68-2. Definitions as follows:**

ADD:

ZONING ADMINISTRATOR – The duly designated Zoning Administrator of the Town of Poughkeepsie.

**Amend Section 68-15. Issuance or denial of permit as follows:**

ADD: Section 68-15 A (2):

- (2) Violations. No building permit shall be issued for any intended work where there is on the subject property an existing violation of any chapter of the Town Code of the Town of Poughkeepsie or the New York State Building Code. Further, upon written report or receipt of a notice of violation or order to cease and desist from the Zoning Administrator or his or her designee, or the issuance of same by the Building Inspector, the Building Inspector shall not review or take action regarding an application for a building permit until such violation has been cured or ceased and/or the Building Inspector is notified by the Zoning Administrator or his or designee of same. However, the Building Inspector may, upon his or her own determination or upon written recommendation of the Zoning Administrator, review and act on an application for a building permit involving property upon which there is a violation where such application is a plan to cure the violation and bring the property or use of the property into compliance.

**Amend Section 68-22. Issuance of certificates of occupancy as follows:**

ADD: Section 68-22 D:

- D. Violations. No certificate of occupancy shall be issued for any work where there is on the subject property an existing violation of any chapter of the Town code of the Town of Poughkeepsie or the New York state Building Code. Further, upon written report or receipt of a notice of violation or order to cease and desist from the Zoning Administrator or his or her designee, or the issuance of same by the Building Inspector, the Building Inspector shall not review or take action regarding an application for a certificate of occupancy until such violation has been cured or ceased and/or the Building Inspector is notified by the Zoning Administrator or his or her designee of same.

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

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

SO MOVED: T. Tancredi/M. Cifone

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

Nays: None

CARRIED: 6-0

09:21-13 AUTHORIZE  
SUPERVISOR  
TO SIGN

All Papers To Process & Accept The 2012  
OCFS/Division Of Youth Services Grant  
For Program Entitled "Counselor In  
Training And Preschool Programs"

#### 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 process and accept the 2012 OCFS/Division of Youth Services Grant in the amount of \$7,977.00 for the program entitled "Counselor in Training and Preschool Programs".

SO MOVED: Supervisor Myers/J. Conte

Councilman Tancredi: Tell me how the Building Department and the Zoning Department currently mesh their records so that Sarah knows when there is a Building violation and visa-versa?

Neil Wilson, Development Director: The process is that whenever there is a request for a Building Permit or a Temporary or Permanent CO, the Building Department notifies all the other Departments and asks for signoff. In this case, Sarah receives a copy of that.

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

Nays: None

CARRIED: 6-0

09:21-14 AUTHORIZE

Assigning Tax Certiorari Proceedings  
Recently Filed To Kyle W. Barnett, Esq.  
Of Van DeWater & Van DeWater To  
Represent The Town of Poughkeepsie

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby assign the following tax certiorari proceedings recently filed to Kyle W. Barnett, Esq. of Van DeWater & Van DeWater, LLP to represent the Town:

SEE ATTACHMENT

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

Nays: None

CARRIED: 6-0

09:21-15 BUDGET  
MODIFICATION

By Comptroller To Allow For Change In Sewer  
Management Services

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 change in sewer management services, as follows:

FROM:

S 8130.0101	Regular Salary	\$352,117.00
S 8130.0102	Longevity	17,850.00
S 8130.0103	Overtime	48,540.00
S 8130.0109	Out-Of-Title	4,765.00
S 8130.0211	Other Equipment	88,000.00
S 8130.0463	Fuel Oil	120,000.00
S 8130.0821	Medical Insurance	145,000.00
S 8130.0811	Social Security	8,728.00

TO:

S 8130.0412	Management Fees	\$785,000.00
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SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 6-0

BUDGETARY TRANSFER REQUEST FORM ATTACHED  
TO FINAL BOOK COPY

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

Nays: None

CARRIED: 6-0

09:21-16 AUTHORIZE  
SUPERVISOR  
TO SIGN

Agreement With Town of Poughkeepsie  
Soccer Club For Town To Supply A Police  
Officer For Traffic Duty For Columbus  
Weekend Soccer Tournament October 8, &  
9, 2011

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign an agreement with the Town of Poughkeepsie Soccer Club for the Town to supply a police officer for traffic duty for the Columbus Weekend Soccer Tournament to be held on October 8<sup>th</sup> and 9<sup>th</sup>, 2011 from 8:00 AM to 12:00 PM, pursuant to the attached agreement.

SO MOVED: J. Conte/T. Tancredi

Councilman Tancredi: Just state that as in the past, the Soccer Club will reimburse the Town for the expense of the officer.

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

Nays: None

CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

09:21-17 AUTHORIZE

Our Lady Of Lourdes High School Walk-A-  
Thon October 07, 2011 (Rain Date October  
11, 2011) On 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 a Walk-a-Thon on October 7, 2011 with a rain date of October 11, 2011 from 9:30 AM to 11:00 AM on 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: M. Cifone/J. Conte

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

Nays: None

CARRIED: 6-0

REVIEWED BY TOWN POLICE AND NOTED BY TOWN BOARD

APPLICATION AND RELATED INFORMATION ATTACHED  
TO FINAL BOOK COPY

09:21-18 NOTICE OF  
CLAIM

Robert Rubin & Eileen Rubin V  
Town For Damage To Lower Level  
Of Raised Ranch Due To Flooding  
Caused By Hurricane Irene

REFERRED TO LEGAL DEPARTMENT

09:21-19 NOTICE OF  
CLAIM

Gregory Baratta & Isabel Baratta V  
Town For Sewer Backup In  
Basement Caused By Hurricane  
Irene

REFERRED TO LEGAL DEPARTMENT

Supervisor Myers announced that any others seeking to file for damages from the storm have to file with FEMA within a 30 day period from the date of the incident and so you must file with them before October 7<sup>th</sup> at the very latest. You can call their number or go on line. That's where your refund, if you get any, will come through.

09:21-20 NOTIFICATION

Notice Form In Connection With  
The Submission To The State  
Liquor Authority For A Renewal  
Application For Le Pavillon, Inc.  
D/B/A Le Pavillon Located At 230  
Salt Point Turnpike

REVIEWED BY POLICE  
NOTED BY TOWN BOARD

09:21-21 AUTHORIZE

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

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

Sale of Surplus Equipment

- |                                   |  |
|-----------------------------------|--|
| SC 2. Set Date for Public Hearing | Amend Town Code – Create Chapter 157-<br>“Public Urination & Defecation” |
| SC 3. Consent                     | Planning Board as Lead Agency<br>Van Wagner Office Park                  |
| SC 4. Consent                     | Planning Board as Lead Agency<br>Healey Chevrolet Amended Site Plan      |
| SC 5. Consent                     | Planning Board as Lead Agency<br>Poughkeepsie Day School Athletic Field  |
| SC 6. Notification                | TLP Associates Replacement Building                                      |
| SC 7. Notification                | Public Hearing – Town of LaGrange  |
| SC 8. Notification                | Public Hearing – Town of Lloyd   |

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/J. Conte

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

Nays: None

CARRIED: 6-0

09:21-SC 1 AUTHORIZE

Superintendent Of Highways To Sell  
Surplus Equipment

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Superintendent of Highways to sell surplus equipment identified as (1) 1996 Cat Loader IT28 VIN #: SCLO1796, for the sum of \$24,000.00, which equipment has a fair market value of between \$16,000-\$25,000.

SO MOVED: Supervisor Myers/M. Cifone

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

Nays: None

CARRIED: 6-0

09:21-SC 2 SET DATE FOR  
PUBLIC HEARING

Amendment To Town Code To Adopt  
Chapter 157, Entitled "Public Urination  
Or Defecation.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 5<sup>th</sup> day of October, 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 157 entitled "Public Urination or Defecation" as follows:

ADD: Chapter 157. Public Urination or Defecation.

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

BE IT FURTHER RESOLVED, 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, 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: R. Lecker/M. Cifone

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

Nays: None

CARRIED: 6-0

CHAPTER 157 LOCAL LAW ATTACHED TO FINAL BOOK COPY

09-21-SC 3 CONSENT

Of Town Board To The Town Of  
Poughkeepsie Planning Board To Act As  
Lead Agency For Project Known As  
Van Wagner Office Park, Built Parcel III

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby consent to the Town of Poughkeepsie Planning Board to act as Lead Agency for the

project known as Van Wagner Office Park, Built Parcel III, LLC, 25 Van Wagner Road and 48 Springside Avenue.

SO MOVED: S. Eagleton/J. Conte

Supervisor Myers: I hope that when the Planning Board looks at this, they will take into a good deal of consideration the fact that the parking spaces they say exist don't really exist and that the way that this is designed right now is incredibly dangerous to anyone traveling down the street. They have a driveway coming out right at a traffic light intersection and it is a very, very hazardous spot.

Councilman Cifone: I agree.

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

Nays: None

CARRIED: 6-0

09:21-SC 4 CONSENT

Of Town Board To The Town of  
Poughkeepsie Planning Board To Act As  
Lead agency For Project Known As Healey  
Chevrolet Amended Site Plan

#### RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby consent to the Town of Poughkeepsie Planning Board to act as Lead Agency for the project known as Healey Chevrolet Amended Site Plan, 1960 & 1970 South Road.

SO MOVED: J. Conte/M. Cifone

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

Nays: None

CARRIED: 6-0

09:21-SC 5 CONSENT

Of Town Board To The Town Of  
Poughkeepsie Planning Board To Act As  
Lead Agency For Project Known as  
Poughkeepsie Day School Athletic Field  
Improvements

#### RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby consent to the Town of Poughkeepsie Planning Board to act as Lead Agency for the project known as Poughkeepsie Day School Athletic Field Improvements, 244 Boardman Road.

SO MOVED: M. Cifone/J. Conte

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

Nays: None

CARRIED: 6-0

09:21-SC 6 NOTIFICATION

To Town Board Of SEQRA Lead Agency  
Declaration For TLP Associates  
Replacement Building, TLP Associates  
Issued By The Planning Board

NOTED BY TOWN BOARD

09:21-SC 7 NOTICE OF  
PUBLIC HEARING

Town Board Of The Town Of LaGrange  
Will Hold A Public Hearing On October 26,  
2011 At The Town Hall At 7:00 PM  
Creating A New Town Code Section 240-  
36-A1, Entitled "Alternative Senior Citizen  
Housing Districts"

NOTED BY TOWN BOARD

09:21-SC 8 NOTICE OF  
PUBLIC HEARING

Town Board Of The Town Of Lloyd Will  
Hold A Public Hearing On October 12, 2011  
At The Town Hall At 7:00 PM To Adopt  
Local Law F-2011 To Establish Sections Of  
Chapter 100 Of The Town Code For  
Regulations For A Planned Residential  
Development

NOTED BY TOWN BOARD

Motion made to suspend the rules for public speaking: Supervisor Myers/Lecker

CARRIED: 6-0

Bob Schaffer: I want to bring up the same subject. There were several things we wanted to address. One thing is the continual surprise that appears to be happening to us. We have submitted a FOIL request so that we would not be totally surprised as to what is happening over there. The building of a six foot cedar fence as to hide whatever the work activities are there, such as a large refreshment trailer that was used at his previous business and it is permanent in nature. The activity in the last week starts at about 9 AM (Showed pictures) My concern is that this does not have a temporary nature to it, it has a permanent nature to it. The sign that is on his trailer is a fairly large size and it basically displays his barbeque and catering business. If he came in and left after the ballgame, I

have no problem with that. We have to depend on you, the Town Board, to support us and we are residents that live there permanently.

Rosemary Smith: (Presented a picture) That's what I look at when I look out my front window, that dumpster. He's been in business about four days, so far.

Supervisor Myers: Is he officially open?

Rosemary Smith: Yes, he opened last Friday. I assume. He has business there and there is smoke coming out of the truck and he has been throwing his garbage in there for three or four days now. No one has come to empty the dumpster and this is not just an eyesore, it's a health problem. There are a lot of children in that park and you are going to have rodents with those children playing around. A few weeks ago, we had a picture in the newspaper about our newly resurfaced tennis court and now the front of the court now has these two dumpsters. If he has this in the winter, what's going to happen, the Town plows the street. They don't plow the parking area until all the streets are plowed. In front of that dumpster, they don't plow that at all because it is right near the fire hydrant and we shovel out the fire hydrant. So, who is going to plow it out?

Councilman Tancredi: It won't be the Town, I can assure you of that.

Bob Schaffer: The smoke coming out of that is not just a little barbeque, it is a huge volume of smoke coming out of there. It starts at 9 AM in the morning and ends when he goes home, about 9 PM. I'm concerned with the smoke for our kids there using the field and for our own homes which are only a couple of feet away and people going by will dump their garbage in there. There is also a dumpster there for the dumping of grease from the barbeque.

Rosemary Smith: Why are the dumpsters there near the road and not near his business? Usually, you have a place of business, you have it near your business, and not near the road. His building is in back of the playing field. If he made this deal with the Cal Ripkin League, why isn't it just during Little League?

Supervisor Myers: That's the deal he made with them and that it could run until the end of the year. I didn't think it was a good idea then and I don't think it's good now.

Councilman Cifone: It's only good until December on a trial basis. We will take a look at it and we will find out why he put the fence up and the reason for the dumpsters in that location and we will look into it.

Councilman Eagleton: I'm more interested in pushing them off our property, this is not what I thought was going to occur. I don't know that anyone here knew that this was what was going to occur. We wanted something good to happen for the Little League, but I think it is probably a good sign that it's time for them to go.

Jim Coosman: I spoke with Mr. Krakower last week and he suggested that I come here and address the whole Board. We are looking for some help. In 2005 the Town had come to our area and replaced some drainage there on Anthony Drive, Marino and Briarwood Drive. They replaced some old drainage there, which were functioning fine, and put these new drains in and ever since, we have had bad flooding problems. The drains don't function properly. They flood the road. I contacted the Town Highway Department several times to no avail and I contacted Marc Pfeifer directly and he said that there was nothing else they could do and around the end of 2005, we had some heavy rainfall, I noticed then that the back yard of my property was getting flooded and I found out that it was from those drains. We had to call the fire department to come and pump us out. It is getting worse and the water is coming up toward our houses now. These last two rainfalls (showed pictures) I have about 2 feet of water.

Supervisor Myers: Ok, we will talk to Mr. Pfeifer about this and see if there is anything we can work out. Meanwhile, you really need to file with FEMA for reimbursement for the damages.

Unidentified lady speaker: We're not so much concerned now with the damages, we are concerned and worried about the future. We just can't keep up with it. We are running to Home Depot to rent pumps, etc. We just can't stop it. We need help with it.

Supervisor Myers: I think we need to start by having Engineering look into it for you and look into the mapping of the flow of the drains in the whole area.

Highway Superintendent Pfeifer: I can answer some of your question regarding it. I've already had the Engineer down there and he's been looking around. We don't have an outlet to it. There is only an outlet through the hotel. When the hotel was built, we obtained an easement with hope to put a pipe in to drain the yards. The dry wells that were put in on Marino the Engineers designed them and hoped they would be big enough. However, they aren't and unfortunately there is no outlet and the apartments behind them and we are not allowed to drain into their detention pond and so we need to get an outlet there and we are looking into it. We don't have a pump big enough to try and help you pump it out. Our Sewer Department has, but it is currently being used. So, we are looking upon buying another one. We have to get through other people's properties in order to get an outlet for it.

Unidentified Woman: When they were redone in 2005 was when the problem occurred. We need to either have it undone, or fixed properly.

Highway Superintendent Pfeifer: They can't be undone, we need to add, that's what I'm trying to explain and the weather pattern has changed greatly since 2005. There is no quick and easy fix for it, unfortunately.

Supervisor Myers: We have to get easements from other property owners and it is a very time consuming procedure. It's not that nothing is being done, we just have to receive

easements from property owners, which takes time and it can take even many years to acquire.

Doreen Tignanelli: Spoke regarding the Arlington Fire Department Budget Meeting and the increase of it. The Proposed Budget they passed is now at \$15, 377,720.00. My taxes will go up about \$120 some just for fire tax alone. They are adding another \$50,000 to the equipment reserve fund which has over \$4 million in it now, \$75,000 to the Building Fund, which has about ½ million dollars in it now. There has been no taxpayer relief over the years, they just keep padding those reserve funds. Red Oaks Mill Fire Station Public Budget Hearing Meeting will be held on October 18<sup>th</sup> at 6 PM. She urged people to come out.

Eric DeSanto: We are here also about the drainage problems on Merrimac Road. There is a big flooding issue.

Robin Rose: The water routinely floods the road and this year it came up my road, through my house and about 6 inches of water at the back wall of the house covering the motor to hot water heater. If my washer and dryer were not on pedestals, they would be gone. This is a long history of this problem. They fixed the first two drains on the beginning of the road and I asked them if they would fix mine, in the middle of the road, and they said “Yes, Monday” well they never came back and it’s the first one that clogs up. They have never cleaned up. It’s always filled with stuff. It’s right next to my mailbox and I see it every day.

Marc Pfeifer: We’ve cleaned the drains down there. I clean them all the time. There are a lot of roots in it and I flush it constantly. However, when it goes across the street, it goes into someone’s yard and we do not have an easement for that property and we are not able to obtain the easement from the owner on Hillis. So, this is not going to be a quick fix.

Motion made to resume the rules: Supervisor Myers/J. Conte

CARRIED: 6-0

## RESOLUTION

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

1. Contract Negotiations
2. Personnel Matters, To wit: To discuss the employment history of particular individuals who need not be identified at this time and

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

SO MOVED: Supervisor Myers/J. Conte

CARRIED: 6-0

**RECREATION DIRECTOR MEYERING WAS INVITED  
BY SUPERVISOR MYERS TO ATTEND THE EXECUTIVE SESSION**

**TOWN BOARD MEETING ADJOURNED AT 9:38 PM**

**TOWN BOARD ENTERED EXECUTIVE SESSION AT 9:43 PM**

**TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 9:56 PM**

**NO ACTION TAKEN IN EXECUTIVE SESSION**

**TOWN BOARD MEETING CLOSED AT 10:00 PM**

**SJM:lk**