

**MINUTES OF REGULAR TOWN BOARD MEETING
HELD ON OCTOBER 19, 2011 AT 7:00 PM AT TOWN HALL,
ONE OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

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

ABSENT: Councilman Conte

- **NOTE:** Attachments pertaining to a particular Town Board Meeting will be found after the final minutes of that meeting, which are kept in the official minute books, held in Town Clerk's Office.

Public comments made during a Board Meeting may be heard on the audiotape of that particular meeting, which is kept in the Town Clerk's Office.

{ } designates corrections or amendments to

7:00 PM

CALL TO ORDER

SALUTE THE FLAG

**PRESENTATION OF A PROCLAMATION HONORING THE TOWN OF
POUGHKEEPSIE GIRL'S LITTLE LEAGUE SOFTBALL 2011 AS 11/12
DIVISION ALL STARS, NEW YORK STATE DISTRICT 17 CHAMPIONS**

PRESENTATIONS GIVEN BY 6TH WARD COUNCILMAN TANCREDI

**Brittany Cairns
Michaela Damore
Eileen Fiore
Courtney Friday
Karen Kessler**

**Liana Lopez
Gabi Mastrantuono
Cecilia McPeck
Michelle Ottiano
Jenna Salmonese**

**Coaches: Jim Friday and Rob Ottiano
Tournament Director: Michael Mastrantuono**

Councilman Tancredi: I would like to ask Rita McPeck to please come forward. Rita's husband, Michael McPeck, unfortunately left us too soon and I would like to have Rita accept this certificate on behalf of her husband. I would like to congratulate the girls and their coaches for a fabulous season and we would also like to do something special tonight and that is to dedicate the Girl's Softball Field at Stanley Still Park in memory of their coach Michael McPeck. Sometimes in the life of a community you find out that

someone has been doing something special without much fanfare and that person was doing something that impacts the lives of others and that's what the Board has found out about Michael McPeck and we felt that tonight, after speaking to a number of individuals, that it was appropriate to name the field after Coach McPeck and I would like to ask Jake Simmons if he would come up. Jake is someone who worked with Mike and he brought this suggestion to us initially and I would like him to read the resolution that will dedicate the field to Coach McPeck.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby name the Women's Softball Field at the Stanley Still Park, Jackson Road, Poughkeepsie, New York, the "Mike McPeck Field".

SO MOVED: M. Cifone/T. Tancredi

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

Nays: None

CARRIED: 6-0

Bill Oatman: Most of you know me, I am Bill Oatman, and I am the president of the Girl's Softball League. Mike was a very close friend of mine and it is very hard loss for me to accept. I am totally grateful for the Town naming this field after Mike. I think it is a testament to the positive influence he showed on multiple girls, not just these girls standing here, but a lot of other girls. He is one of our most favorite coaches. Everyone wanted to play for him. He was a tough coach, but he taught the girls that if you play fair, you play hard and you play by the rules that you would be winners. That was obvious. This All-Star team, if you looked at it, they had no shot at all because of their size, they were a small team. They started out with 11 players, they went down to nine and we recruited a 10th player and they pulled it all together and I think, besides Mike being married and the birth of his two children, it was the happiest day in his life in Fishkill when he won the championship with all these girls which he called his daughters. Thank you very much for doing what you did for him. Thank you and have a good night.

Supervisor Myers: We will now continue with our regular agenda. I make a motion to open the Public Hearing for 28 Millbank Road for mowing of the property. Seconded by M. Cifone

CARRIED: 6-0

Lenny Splain: I gave everyone a copy of a brief history of this summer trying to get the grass cut at this location and I've had no progress at all. On May 16th, I issued an Order to Remedy, no action taken. I issued a ticket to Mr. Colliton. He is not the owner, but he is a resident there. Grace A. Colliton is the owner. The court date was June 22nd and Grace A. Colliton did not show and there was a bench warrant issued. On September 28th, 2011, I issued another Order to Remedy to Mr. Colliton, citing that the grass was to be cut under a new section of the Code for "Mowing of Occupied Properties". No action

was taken on that request, also. The return receipt came back today in the mail as unclaimed. I took pictures of the grass, how high it is, from the beginning and on October 7th, I posted a legal notice of a Public Hearing regarding the Section of Code, Local Law 24, Chapter 159A and I also included a photo of it. I gave a copy to Mr. Colliton at the location. Basically, all summer the grass has not been cut and I feel it is a fire hazard and the grass needs to be cut completely in the front and at least 20 feet around the sides and in the back.

Motion made to close the Public Hearing: Supervisor Myers/S. Eagleton

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

Town Clerk Miller: I did hereby file the affidavit of posting on October 6, 2011 and published in the Poughkeepsie Journal on October 8, 2011.

10:19-01 PUBLIC HEARING For 28 Millbank Road For Property Maintenance Of Mowing Of Occupied Properties

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, following a public hearing held on October 19, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY pursuant to Chapter 159A of the Town of Poughkeepsie Code, entitled "Property Maintenance-Mowing of Occupied Properties", does hereby determine, after due notice, that the property located at 28 Millbank, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6160-04-685315, owned by Grace A. Colliton, is in violation of Chapter 159A, Section 159A-4, that the condition of the property constitutes a threat to the public health, safety and welfare, and that the following area must be mowed to abate that threat {20 feet around the building;} and

BE IT FURTHER RESOLVED, that said determinations are based on the presentation and report submitted at the public hearing by the Fire Inspector of the Town of Poughkeepsie; and

BE IT FURTHER RESOLVED, that said owner has not complied with an Order to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause and continue to cause the grass at 28 Millbank Road in the area described above to be cut to a height not to exceed 12 inches; and

BE IT FURTHER RESOLVED, that the expense of same shall constitute a lien and charge on the property until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges; and

BE IT FURTHER RESOLVED, that the Highway Department or an appointed contractor is authorized to mow as detailed above.

SO MOVED: R. Lecker/T. Tancredi

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

Nays: None

CARRIED: 6-0

COMPLAINT AND PICTURES ATTACHED TO FINAL BOOK COPY

Supervisor Myers: Before we start our regular agenda this evening, and I would like to pass this around. A couple of months ago, we had a young man come who wanted to do an Eagle project and he was doing it down at the Martha Lawrence site and it was the night we had no power here, we were all in the dark and we did just his item so he could move it along. Well, he has completed his project and he has sent us a letter of his completed project and I think I really like the last sentence; "I've gone to several Town Meetings and Planning Board Meetings for the Town of East Fishkill as requirements for my Eagle Merit Badges as well as your meeting in the dark because of the power outage and have new insight as to the workings of small government." I don't know if that's because we were in the dark or not, but that was very nice of him to let us see his completed project. We are going to try and put this up on the website so everyone can see it.

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

CARRIED: 6-0

Lisa Weiss: Thank you for allowing me to present this resolution to you. It's a State Grant, 50/50 match, it's very competitive, but we are trying for it. You should have a packet, which includes a cover letter which describes the grant application and it contains the resolution and proposed plan we are aiming for. I would like to briefly introduce other Cider Mill Friend Board Members here, Ann Shershin, Treasurer; Stephanie LaRose, Secretary; Victoria Powell, Board Member. We are currently working with a couple of Eagle Scout projects that we have identified. We are doing the estimating with J & K Construction; we are assembling items to do the façade work, because I know that's been an issue of concern, and some stabilization work around other areas of the mill. We have been receiving a lot of support letters. We have a deadline of October 31st and so we are refining the grant application now. So, I would be happy to answer any questions.

Councilman Tancredi: I have one question. Last year I think you applied for some kind of a grant as well, I was wondering if you had gotten that grant?

Lisa Weiss: No, we did not. It was very competitive and that was just for the front façade and then the south façade of the mill and so we have been able to assemble a different strategy in terms of doing the façade in which we have various volunteers, like a painter, Sherwin Williams donated the paint; we are working on getting a carpenter, but it's a specific type of carpenter because it's Historic Preservation work so it's a little more complicated than just straight forward new construction; so, we are trying again.

Councilman Tancredi: I received an e-mail and it said something about some of the work starting in the Fall. Do you have a time frame for any time soon, since Fall is gone? The thing that I feel is most important is the façade work, exterior of the building, the front as the people and neighbors look at driving up and down Cedar Avenue. I would love to see some of the rotten work replaced and painted. I didn't know if you had any kind of time frame to get that work done?

Lisa Weiss: Yea, we are with you. We hope to get the carpenter this fall. It's taken a while though, we've been interviewing a few carpenters. I forgot to mention, too, BOCES Carpentry class will be fabricating historically accurate windows for us and so that's over the winter. So, we will be installing those next spring. That's kind of the time frame right now. Stabilization was big, that's where the press room was redone, and that was the worst room in the building. The press is still there. The roof was basically collapsing. So, we had a lot of work done just to stabilize that and rebuild the roof. Overall, the roof is decent. There are some areas where we placed tarps as a temporary measure. That's the most important part and then getting into stabilization. The Mill hasn't been touched since 1990 when it closed. We don't even think it was touched even before that. It's a long term project, but we've raised the funds to do that and we are committed to doing that. We want to apply for other grants and so we are pressing.

Councilman Krakower: Do you have funds committed for the mass side of it at this point?

Lisa Weiss: Yes, we do and with the Eagle Scout projects, those are considered matching as well. So, it's a combination of volunteer labor with funds up front. With State Grants you have to commit the money first and then get reimbursed. The good news when we applied for the Mill in 2008, we had a State Grant for that as well, so, it was a 50/50 match. So we acquired the Mill, we had cash donations and also private lenders. There is still the acquisition component, that's part of the process, too.

Councilman Cifone: That's a lot of work, good luck, I hope you get this grant.

Mr. David West: Thank you for the opportunity to allow for me to ask for this waiver. I took out a permit for my home around the corner from here and the contractor and I had a contract and he skipped out on me and took pretty much all the savings I had and at that same time, the last time I paid him on May 20th. On April 18th, I was attached by a dog

right here on the corner of Overocker Road and Marshall Road and I had five operations since that time, I have two boys and it takes two people to keep a mortgage going and we were out playing softball and this Rottweiler attacked me. Financially, my wife and I took all the savings we had to keep our bills going.

Supervisor Myers: I think what Mr. Walsh is trying to say is that he is looking to waive the permit fee because he is now working diligently and scrimping. They can handle getting the renovation done, but the fee is really high. You don't need to go on. He paid one fee also and is looking for reimbursement on it.

David West: I need to get the seal on the house.

Councilman Krakower: We will refund the fee to you on this.

Supervisor Myers: One thing I want to commend you for is you followed all the rules, he went with the permits and all, and a lot of people don't.

Councilman Krakower: You followed all the rules and came in here and the least we can do is refund all the Building fee money to you.

Victoria Powell, Cider Mill Member, spoke on the Kimlin Cider Mill and restoration of the meadow. I went on the computer today, you have all this information in the package though, and I looked up some quotes. I want to read some of the quotes for you. She read 5 quotes and said it's a very important thing for us as an organization because one of the ideas we have is giving to the community.

James Tuttle spoke on SC 4 and he showed a picture of the impact of the drainage problem in the area of his house (Dutchess Turnpike). This is the front of my house and you can see the water on the street. You can see I have a couple of drains on the side of my driveway because my driveway is the lowest point on that street. But, the water is coming from across the street and down the hill. These are pictures of a couple of my neighbor's homes on the same side of the street as I am, same side as Stewarts. That was my garage and there are a couple of pictures on the inside of the garage with the filthy, dirty water 2 feet in my house.

Councilman Krakower asked if the drain pipe shown was coming from the new development?

James Tuttle: No, that is coming from the neighbors who were trying to follow it out of their back yard.

Doreen Tignanelli spoke regarding Stratford Farms water, an old problem. For some of the Board members who weren't there then, a number of years ago there were problems with Stratford Farms and on the page of the Poughkeepsie Journal they had pictures of storm water issues when Tom Bauer was the Councilman there. So, this is not an isolated

incident. Neighbors have had problems for a number of years. I just wanted to point that out and make sure that you know that there have been issues over the years.

Rob Rubin: I just want to say, Pat, I'm impressed with the 2012 Budget document. I have never seen anything like it, it's bigger than the Poughkeepsie White Pages are. I was trying to find something in there to see if an allotment had been made in 2012 for any type of equipment or interpreter services to allow for hearing impaired people to ---

Supervisor Myers: That will be out of the franchise money. So, it's done through the franchise people.

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

CARRIED: 6-0

10:19-02 SET DATE FOR
PUBLIC HEARING

2012 Town Of Poughkeepsie Budget

RESOLUTION

BE IT RESOLVED, pursuant to and in accordance with the provisions of Section 106 of the Town Law and other applicable provisions of law, the tentative statement of estimated expenditures and revenues heretofore submitted by the Supervisor is adopted as the Preliminary Budget of the Town of Poughkeepsie for the fiscal year beginning January 1, 2012 and such Preliminary Budget is on file in the Town Clerk's Office of the Town of Poughkeepsie for public inspection; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 2nd day of November, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, as the date, time and place of the public hearing, on the Preliminary Budget for the fiscal year beginning January 1, 2012, at which time all interested parties will have the opportunity to be heard, which Preliminary Budget was approved by this Board and filed with the Town Clerk; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized, empowered and directed to advertise said public hearing in the Poughkeepsie Journal no less than five (5) days prior to the public hearing and to post same on the Town Clerk's bulletin board; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

SO MOVED: S. Eagleton/M. Cifone

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

10:19-03 SET DATE FOR PUBLIC HEARING For Property Maintenance Violations
For 7 Jones Street To Remove All
Solid Waste, Debris, Litter, 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 2nd day of November, 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 and continue to remove all solid waste, debris, litter, garden waste, fallen tree limbs and to cut and continue to cut grass to a height not to exceed 6 inches so as not to become overgrown and unsightly, which Orders to Remedy are attached hereto, for property located at 7 Jones Street, Town of Poughkeepsie, State of New York, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: M. Cifone/R. Lecker

Supervisor Myers: I have a question for Legal. If we do this, then do we have to do it every time, or are this the last time we have to do it for Jones Street and we can just mow it from then on in?

Attorney Nelson: This is written in terms to remove and continue to remove.

Supervisor Myers: So, then we don't have to come back and do this again, ok.

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

ORDER TO REMEDY ATTACHED TO FINAL BOOK COPY

10:19-04 SET DATE FOR PUBLIC HEARING For Property Maintenance Violations
For 279 Violet Avenue To Remove
All Solid Waste, Debris, Litter,
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 2nd day of November, 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 and continue to remove all solid waste, debris, litter, garden waste, fallen tree limbs and to cut and continue to cut grass to a height not to exceed 6 inches so as not to become overgrown and unsightly, which Orders to Remedy are attached hereto, for property located at 279 Violet Avenue, Town of Poughkeepsie, State of New York, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

ORDER TO REMEDY ATTACHED TO FINAL BOOK COPY

10:19-05 AUTHORIZE

Town Attorney To Call The Bond Posted By Cottages To Castles Development Corp. F/K/A Archer Road Development Corp. In Regard To Cherry Lane Subdivision

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Attorney to the Town, in connection with the Engineering Department, to take all steps necessary and proper to call the Bond posted by Cottages to Castles Development Corp. f/k/a Archer Road Development Corp. in regard to the development known as Cherry Lane Subdivision due to the failure to timely complete required improvements.

SO MOVED: T. Tancredi/S. Eagleton

Councilman Cifone: I'm a little concerned about calling the bond in on this if it's not going to cover the cost for fixing that road.

Speaker (Not identified) I know that Marc has been in constant contact with the contractor that was doing the work there and I believe that the bond was called in to take of the remaining work. There is not that much left to do, but it has not been completed. We gave written notice to the developer that this was going to be on tonight's agenda and he called today and says he is going to meet with Highway as far as the seeding, he can't control the timing for when Central Hudson can get out there to electrify the pole and then there is some other work that Don (inaudible) But, what we agreed on, is that you adopt the resolution tonight, if you want, and then I would hold sending the formal notice to the Bonding Company for about four weeks so he can get in there and get the work

done. My impression from him was that he intended to get the work done and he didn't want the Bond in.

Councilman Krakower: If we give him four weeks and he doesn't get it done, will we be in the position where it won't be done until spring because, it gets cold, snows, it freezes up.

Speaker: If we get it in in four weeks from this date, we will be in a position where all our people are dedicated to (inaudible) God forbid, if it should snow.

Councilman Krakower: If they don't start immediately, I wouldn't keep it in the pocket if we don't have to. I would call the Bond.

Speaker: It's the amenities that need to be upgraded, it's the lighting, curbing and things like that. It's driving, it's not a hazard.

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

Nays: None

CARRIED: 6-0

10:19-06 AUTHORIZE
SUPERVISOR
TO SIGN

Agreement Between Dutchess County, City
Of Poughkeepsie, City of Beacon, Town Of
East Fishkill & Town Of Poughkeepsie For
The Dutchess County Drug Task Force

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the agreement between the County of Dutchess, the City of Poughkeepsie, the City of Beacon, Town of East Fishkill and the Town of Poughkeepsie, for the Dutchess County Drug Task Force, for the period January 1, 2012 through December 31, 2016, a copy of which is attached hereto.

SO MOVED: Supervisor Myers/M. Cifone

Councilman Tancredi: The staffing list that we have here, does that change from the current arrangement?

Chief of Police Mauro: We have one officer there, one detective, and we have a vacancy there. We've had one for over a year. The agreement calls for two. I have not been in the position to assign the second detective. The District Attorney has been very good with us as he's been with all the agencies trying to work with manpower issues. The concept of the task force, which has been very successful, is that a lot of these investigations go Countywide and to the adjoining counties and so it helps us work on the State and Federal level by having the coordination through the County task force. Which it has been an excellent tool and a great success and I've endorsed it wholeheartedly. We

met earlier this year with the District Attorney and all the Chiefs of Police who are involved in it. We went over the statistics and major cases and some of the things that are ongoing and I'm a great supporter of the concept and our commitment to it. As 2012 rolls around, I hope to be able to put a second investigator out there. It's important.

Councilman Krakower agrees it to be an important concept, also.

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

Nays: None

CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

10:19-07 RATIFY

Referral Of River Point Residential & West
Park Professional Building Application For
Senior Housing Overlay District
Designation To Town Planning Board As
Lead Agency For SEQR Review Of Project

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify the referral of the River Point Residential and West Park Professional Building application for Senior Housing Overlay District designation to the Town of Poughkeepsie Planning Board, consents to the designation of the Planning Board as the Lead Agency for the SEQR review of the project, and further requests a favorable recommendation from the Planning Board regarding the inclusion of the property within the Senior Housing Overlay District.

SO MOVED: R. Lecker/S. Eagleton

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

Nays: None

CARRIED: 6-0

10:19-08 SEE PAGE 2

10:19-09 NOTICE OF
CLAIM

Leann A. Thompson V Town Of
Poughkeepsie For Unlawful Imprisonment/
False Arrest

REFERRED TO LEGAL DEPARTMENT

10:19-10 NOTIFICATION

Public Hearing In The Town Of LaGrange
At Town Hall October 26, 2011 Concerning
The Addition Of Section 240-70A To The

Town Code Dealing With Drive-Through
Service Facilities
NOTED BY TOWN BOARD

10-19-11 APPROVE

September 2011 Minutes
September 07 Town Board Meeting
September 21 Special Town Board Meeting
September 21 Town Board Meeting
September 28 Special Town Board 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:

September 7, 2011 – Regular Town Board Meeting
September 21, 2011 – Special Town Board Meeting
September 21, 2011 – Regular Town Board Meeting
September 28, 2011 – Special Town Board Meeting

SO MOVED: S. Eagleton/M. Cifone

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

Nays: None

CARRIED: 6-0

10:19-12 AUTHORIZE

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

RESOLUTION

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

SC 1. Set Date for Public Hearing	Amend Town Code Chapter 203 – Water
SC 2. Approve/Endorse	Cider Mill Friends of Open Space & Historic Preservation Grant Application
SC 3. Waive	Building Permit Renewal Fee- Paula West – 7 Meadow Road
SC 4. Authorize	Attorney to Town to Call Bond

Re: Stratford Farms Subdivision

SC 5. Authorize Supervisor
To Sign

Revocable License Agreement with
Dutchess Community College for
Two Message Speed Signs on Creek
Road

SC 6. Notification

Public Hearings – Dutchess County/
City of Poughkeepsie – Draft
Analysis of Impediments To Fair
Housing Choice

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: M. Cifone/R. Lecker

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

Nays: None

CARRIED: 6-0

10:19-SC 1 SET DATE FOR
PUBLIC HEARING

Amend Town Code, Chapter 203, Entitled
“Water”, Specifically Section 203 – 7,
Entitled “Rentals” & Section 203-8,
Entitled “Rates, Charges And Billing”

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 2nd day of November, 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 an amendment to the Town Code, Chapter 203, entitled “Water”, specifically Section 203-7, entitled “Rentals” and Section 203-8, entitled “Rates, Charges and Billing”, which amendments would be as follows:

ADD to Section 203-7 the following:

- A. The rents for the use of water and all charges in connection therewith shall be due and payable quarterly, on schedules established by the Town Board, at the office of the Receiver of Taxes and Assessments. Fractional parts of a quarter will be computed from the day the meter is installed to the day of the quarterly reading. No abatement of minimum charge for water rent shall be made unless water is shut off at the curb box.
- B. The rents for the use of water and all charges in connection therewith shall be billed to the property owner.

DELETE from Section 203-8 F the following language:

...or if previously directed to send bills, notices, etc., to an agent or tenants, then to such agent or tenant ...,

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 said local law, if adopted, shall take effect immediately upon filing with the Secretary of State.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 6-0

10:19-SC 2 APPROVE/
ENDORSE

The Application of Cider Mill Friends Of Open Space & Historic Preservation, For A Grant Under The Environmental Protection Fund For A Park Project Known As The Kimlin Cider Mill Meadow Restoration Land Landscape Development

RESOLUTION

WHEREAS, the Cider Mill Friends of Open Space & Historic Preservation, Inc. is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located at the Kimlin Cider Mill on Cedar Avenue, a site located within the territorial jurisdiction of this Board; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”; now therefore

BE IT RESOLVED, that the Town Board of the town of Poughkeepsie does hereby approve and endorse the application of Cider Mill Friends of Open Space & Historic Preservation, Inc. for a grant under the Environmental Protection Fund for a park project known as the Kimlin Cider Mill Meadow Restoration Land Landscape Development.

SO MOVED: T. Tancredi/R. Lecker

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

Nays: None

CARRIED: 6-0

(OPRHP) GRANT INFORMATION ATTACHED TO FINAL BOOK COPY

10:19-SC 3 WAIVE
{AND REFUND}

Building Permit Renewal Fee For David &
Paula R. West On 7 Meadow Road For Addition
& Mud Room

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive {and refund} the Building Permit Renewal Fee for Paula R. West on 7 Meadow Road, Poughkeepsie, NY for the addition of a 12' X 32.2" addition and 9' x 8' mud room, due to many unforeseen obstacles.

SO MOVED: Supervisor Myers/T. Tancredi

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

Nays: None

CARRIED: 6-0

10:19-SC 4 AUTHORIZE

Attorney To Town To Give Notice To ABD
Stratford LLC To Call The Bond Because It
Has Failed To Complete Required
Improvements In Area Of Stratford Lane

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Attorney to the Town to take all steps necessary and proper to give notice to ABD Stratford LLC, pursuant to a Bonding Security Agreement for Roads, Water, Sewer and Drainage, that it has failed to complete required improvements, including drainage improvements on and in the area of Stratford Lane, and on the expiration of any applicable cure period, to call the Bond securing the agreement and effect the completion and correction of the improvements.

SO MOVED: R. Lecker/S. Eagleton

Motion made to amend Resolution to include Kensington Lane: Supervisor Myers/T. Tancredi

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

CARRIED: 6-0

Councilman Krakower stated that things like this development troubles him because we've seen this year our entire Town get flooded out and it has gotten worse and worse and as people develop property that was never developed before, a lot of time the reason is because there is a bad piece of property and there were drainage issues there. Now they are getting developed and I think we have to be much more vigilant in the review of these projects and be more strict and tight with them.

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

Nays: None

CARRIED: 6-0

10:19-SC 5 AUTHORIZE
SUPERVISOR
TO SIGN

A Revocable License Agreement With
Dutchess Community College to Allow For
Installation Of Two (2) Changeable
Message Speed Signs On Shoulder Of Creek
Road & This Is A Type11 Action Requiring
No SEQR Review

RESOLUTION

WHEREAS, Dutchess Community College has a large parking area on the east side of Creek Road and numerous buildings and facilities on the west side of Creek Road; and

WHEREAS, in an effort to assure the highest level of safety for pedestrians crossing between its parking area and the buildings and facilities, the College has requested a license to erect two (2) changeable message speed signs on the shoulders of Creek Road; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Revocable License Agreement in substantially the form annexed hereto with Dutchess Community College to allow for the installation of those signs; and

BE IT FURTHER RESOLVED, that this a Type II Action under the New York State Environmental Quality Review Act requiring no SEQR review.

SO MOVED: S. Eagleton/M. Cifone

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

Nays: Supervisor Myers

CARRIED: 5-1

Supervisor Myers: I really do not understand why we need more signs. That road has more signs on it with flashing lights going more at all hours.

Councilman Cifone: Yes, but kids walk there and it is real dark over there. There is need a need to slow traffic down.

REVOCABLE LICENSE AGREEMENT ATTACHED TO FINAL BOOK COPY

10:19-SC 6 NOTIFICATION

Public Hearing, November 1, 2011 At 6:00 PM In City Of Poughkeepsie City Hall, 62 Civic Center Plaza, & Public Hearing November 03, 2011 At 6:00 PM At DC Community Action, Dover Office, 3414 Route 22, Dover, NY To Comment On Draft Analysis Of Impediments To Fair Housing Choice (A1) Relating To DC & City Of Poughkeepsie For HOME Programs

NOTED BY TOWN BOARD

Motion made to suspend the rules for public speaking: Supervisor Myers/S. Krakower

CARRIED: 6-0

Rob Rubin: I would like to present a petition to the Town Council signed by myself and a number of the neighbors concerning a flooding situation in the Sutton Park, Vassar Oaks and a few other developments in that area and we respectfully ask that perhaps someone can take a look at this and see if an analysis can be done. We believe that part of the problem is a creek that runs through the area floods and also possible overgrown condition and would appreciate it if you could let the neighbors know any results.

PETITION ATTACHED TO FINAL BOOK COPY

Jim Kitcher: I would like to give out something to just educate the Board. It's a copy of a little map from the Town tax rolls and where our street is (Van Sicilian Drive). It lists some of the things that's happened over the last 36 years as our neighborhood or surroundings have shrunk. On the North, Mavis has been added on to Price Chopper; Germano's has become a full service auto body shop; to the East, Hess has expanded; and grown to twice it's size; an insurance office has become partially a glass place; what was a woods boundary, IBM's entrance has become Oakwood Commons and Marriot Plaza. All of this has slowly shrunk our neighborhood down. He explained the drawings. This is in regard to an auto body shop that has been using part of the Town property as his property.

Councilman Krakower: I believe this gentleman's (Mr. Germano) special use permit expired and then applied for one and denied by the Zoning Administrator and he appealed to the ZBA and was denied by the ZBA and then appealed that through an Article 78 proceeding and lost the Article 78 proceeding and my honest feeling is, we've been going through this for six years and this man has done nothing, he put a few potted plants out there a couple of years ago and that was his landscaping. He has done nothing to address the issue and has disregarded the Town, my honest opinion is, we should shut him down and not be allowed to operate any auto body repair shop there any longer.

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

CARRIED: 6-0

10:19-ES 1 ADJOURN TO
EXECUTIVE SESSION

To Enter Executive Session To
Consider Following Matters:

- A. Contract Negotiations
- B. 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:

1. Contract Negotiations
2. Confidential Communication Between Attorney And His Client,
The Town Board, Based on attorney/Client Privilege

SO MOVED: Supervisor Myers/S. Krakower

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

Nays: None

CARRIED: 6-0

TOWN BOARD MEETING ADJOURNED AT 8:21 PM

TOWN BOARD ENTERED EXECUTIVE SESSION AT 8:25 PM

TOWN BOARD RETURNED TO BOARD MEETING AT 8:45 PM

NO ACTION TAKEN IN EXECUTIVE SESSION

TOWN BOARD MEETING CLOSED AT 8:46 PM

SJM:lkm