

**MINUTES OF REGULAR TOWN BOARD MEETING HELD ON  
NOVEMBER 16, 2011 AT 7:00 PM AT TOWN HALL, ONE  
OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

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

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

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

**{ } designates corrections or amendments to**

**7:00 PM CALL TO ORDER SALUTE THE FLAG**

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

CARRIED: 7-0

**NO SPEAKERS CAME FORWARD**

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

CARRIED: 7-0

Town Clerk Miller: I did hereby file the Affidavit of Posting on November 4, 2011 and published in the Poughkeepsie Journal on November 7, 2011.

11:16-01 PUBLIC HEARING

Amend Town Code, Chapter 198,  
Entitled "Vehicles For Hire",  
Specifically Section 198-1, Entitled  
"Definitions" & Section 198-30,  
Entitled "Articles Found In  
Taxicabs"

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 16<sup>th</sup> day of November, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend the Town Code Chapter 198, entitled “Vehicles for Hire”, specifically Section 198-1, entitled “Definitions”, and Section 198-30, entitled “Articles found in TAXICABS”, which amendments are as follows:

AMEND Section 198-1 as follows:

DELETE: PRIVATE LIVERY CAB – A TAXICAB, except ... in this Chapter.

ADD to Section 198-1:

PRIVATE LIVERY CAB – A motor vehicle registered with the New York State Department of Motor Vehicles as a “Livery”, bearing “Livery” license plates, having no dome light or external taxicab markings and used in the Town of Poughkeepsie only for hire on a unit of time basis measured in hours, days or weeks, pursuant to a written contract, a copy of which contract shall be maintained in the vehicle. Private Livery Cabs are not required to be registered under this Chapter.

DELETE Section 198-30. Articles found in TAXICABS.

“Every driver ... after the finding thereof.”

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 take effect immediately upon filing with the Secretary of State.

SO MOVED: R. Lecker/S. Eagleton

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
and Supervisor Myers  
Nays: None CARRIED: 7-0

Motion made to suspend the rules for public speaking on Public Hearing #2: Supervisor Myers/T. Tancredi  
CARRIED: 7-0

NO SPEAKERS CAME FORWARD

Motion made to resume the rules: Supervisor Myers/M. Cifone  
CARRIED: 7-0

Town Clerk Miller: I did hereby file the affidavit of posting on October 27, 2011 and published in the Poughkeepsie Journal on October 31, 2011.

11:16-02 PUBLIC HEARING

Amend Town Code, Chapter 210,  
Entitled, "Zoning", Specifically

Article V, Section 210-(22), G,  
Entitled "Arlington Town Center  
(ATC) District"

#### RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 16<sup>th</sup> day of November, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Chapter 210, entitled "Zoning", specifically Article V, Section 210-22, "Arlington Town Center (ATC) District", which amendment is as follows:

**REPEAL:** Section 210-22(G) Main Street Drive-In Overlay District (MSDOD)

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

BE IT FURTHER ENACTED, that a written recommendation dated October 14, 2011 was received from the Dutchess County Department of Planning and Development and that said recommendation stated that the adoption of the herein zoning amendment is a matter of local concern; and

BE IT FURTHER ENACTED, that a written recommendation dated October 21, 2011 was received from the Town of Poughkeepsie Planning Board in which said Board issued a negative recommendation regarding the adoption of the herein zoning amendment; and

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

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

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 7-0

Supervisor Myers: I'm kind of happy that this is happening because I was opposed to this thing from the very beginning when they put it in place, maybe three or four years ago, but why are we doing this, I'm sure it's not to make me happy?

Councilman Tancredi: This was put in place in hopes of getting a new Dunkin Donuts on Main Street and I've talked to the owner a number of times and he tells me that Corporate Dunkin Donuts has changed their tune in terms of funding the project. They are looking for the number of \$100,000's of dollars from him and in order to complete the project, he is unable to provide that funding and so, I think we've been more than patient. It's been on the books for over a year and a half and at this time it doesn't look like that project is going to proceed and so that's why we are pulling it.

Supervisor Myers: Well, I'm sorry we're not going to get a new Duncan Donuts, but I'm not sorry that we are not going to have drive-in's on Main Street because that is a horribly congested area right now and we just don't need that there.

Councilman Conte: We did quite a bit of work on this, as I remember.

Councilman Tancredi: Yes, we worked hard and it doesn't make me happy. Neil Wilson worked hard on this and we tried to expedite it for the company in hopes of attracting a brand new building. They bought the car lot next door. It was to be a colonial style building, new landscaping and new sidewalks, the whole 9 yards. I think it would have been an asset to the area, but, unfortunately, it never came about.

Councilman Cifone: Are there any other plans for expansion over there?

Councilman Tancredi: Not that I'm aware of.

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

Nays: None

CARRIED: 7-0

AMENDMENT ATTACHED TO FINAL BOOK COPY

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

CARRIED: 7-0

NO SPEAKERS CAME FORWARD

Motion made to close the public hearing: Supervisor Myers/M. Cifone

CARRIED: 7-0

Town Clerk Miller: I did hereby file the affidavit of posting on November 4, 2011 and published in the Poughkeepsie Journal on November 7, 2011.

11:16-03 PUBLIC HEARING

Dangerous & Unsafe Building  
Located At 2 Oak Grove Lane

### RESOLUTION

WHEREAS, by Resolution 11:2-#SC 2 of 2011 adopted on November 2, 2011, the Town Board of the Town of Poughkeepsie has determined that the building (“Building”) located at 2 Oak Grove Lane, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6159-02-616709 (the “Premises”), owned by Donald and Anita Evans, 2 Oak Grove Lane, Poughkeepsie, NY 12603, 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 11:2 #SC 2 of 2011 an Order, including Notice of a Public Hearing to be held on November 16, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, has been served by Certified Mail, Return Receipt Requested and posted on the Building, which Order included a direction that the required work begin immediately and must be commenced no 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: J. Conte/R. Lecker

Councilman Krakower: Is Wayne here on this one? We should have something on the record as far as the condition from the Building Department, correct?

Wayne Cichon, Deputy Building Inspector: The record on this one, the Board has the pamphlet that we put together on the report of this place. We definitely want to secure it. We've had a number of issues. I was actually at the property yesterday and someone has, again, tried to gain entry into the property. I don't know how successful they were, but the garage door was "jimmied" open and the back door was not closed the way I had left it when we posted the order, so, someone has been back there and at the end of the day, it's a pretty nasty place. We are going to see more of these, unfortunately. Now, that we've had some police activity there, we want to at least make sure that the building get secured and a couple of things taken care of and taken out of the yard so it is not as detrimental to the neighborhood.

Councilman Conte: Is this a demolishable building or is this a sound structure and just not being lived in?

Wayne Cichon: It looks like a foreclosure. We definitely sent a notice to the bank that seemed to have paid the last tax bill here. The rear deck is bad. That should come down. The house itself seems like it could be salvaged, if they want to take the time to do that.

Councilman Conte: What year house is this?

Wayne Cichon: 1986.

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

Nays: None

CARRIED: 7-0

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

CARRIED: 7-0

Jessica Gonzalez, Executive Director of Grinnell Library: We are here hoping that you were able to find some funding for Grinnell Library in the year 2012. I have two patrons and Town of Poughkeepsie residents with me who would like to share their experiences and then I've asked one patron to read some comments from other patrons who could not come tonight (Attached to final book Copy). SPEAKERS: Frank Carbone.

WRITTEN COMMENTS FROM PATRONS: Ryan Ng, Gina D'Aurig; Astrid Storm, mother and Presbyterian Priest; Andrew Tokash; Holly Fischer; Jaelyn Duwte, Elizabeth, Jayla, Elizabeth Hoffman, Esmeralda, Giselle and Paula Walker.

Doreen Tignanelli: I have a question on Item #10. Is that an increase or decrease?

Supervisor Myers: That's an increase for this year.

Councilman Cifone: It's still in our budget though.

Doreen Tignanelli: My other comment is on Agenda Item # 9. I don't know what the budget is tonight that you are going to approve. Has there been any additional reductions?

Councilman Krakower: There has been cuts made and the cuts that we made we are going to try and take and move that money into the Highway/roads line that was significantly depleted. If you don't pay for it this year, you will have to pay for it next year and the years to come. Then there was also some money moved into the line for Grinnell.

Doreen Tignanelli: Ok, so there were some line item swapping, but –

Councilman Krakower: There were reductions made in the budget, but there are areas in the budget that were significantly under funded, so we are trying to correct those issues.

Doreen Tignanelli: I would ask that you would consider having a monthly financial report and this way it would show the budgeted amount vs. the actual and that would provide financial control and allow the Board to react quickly if you see that there is a line item that might need some adjustment. The other thing is, in these times, I think the Town Board should be examining all discretionary items, even small items, and one of the things I had mentioned earlier in the year was I didn't understand why the Town needed to be purchasing Poland Springs Water and having deliveries made each month to water coolers to the municipal buildings. I was told there was no water quality issues here, so, if you are supplying water to the Town residents and its ok for us to drink it, why not the employees?

Supervisor Myers: It has been eliminated in the Preliminary Budget.

Doreen Tignanelli: The only other thing is I see that the Planning Board fees line item projected revenue was projected for \$100,000 for 2011 and actually year to date to September, it was only \$18,550 and I have noticed that in addition to the monthly Planning Board Meetings, there are special meetings that are scheduled and I would ask that the Town Board would consider increasing the fees for those special meetings so that at least all the expenses are covered. I would just ask that if there is a need for a special meeting to be held, that the applicant bear the expenses.

Rob Rubin: I just have two requests. In regard to Line Item 9, the Town Budget, I would ask that, please, some time during tonight's discourse on the Budget, that you would be able to tell the home owners what the new assessment per \$1,000 of their home would be and then line items 4-8 setting public hearings, I hope that you will continue to post in the Poughkeepsie Journal what these suggested new changes are.

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

CARRIED: 7-0

11:16-04 SET DATE FOR  
PUBLIC HEARING

Amend Chapter 210, Entitled "Zoning",  
Specifically Section 210-20, Entitled  
"Senior Housing Overlay District" For  
Residence District Regulations

RESOLUTION

Amendment to Chapter 210-20, "Senior Housing Overlay District

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

WHEREAS, the proposed amendments are attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendments and does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

WHEREAS, the amendment would clarify permitted accessory uses and requirements to qualify for potential designation of property as an Overlay District; and

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

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

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

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby states that because only the Town board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and
2. The Town Board hereby sets a public hearing on the proposed amendment to Chapter 210-20 of the Town Code for December 14, 2011, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and
3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and

4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.
5. The Town Board directs the Town Clerk to notify the Town Clerks of the surrounding Towns, the Chamberlain of the City of Poughkeepsie, and the Clerk of the Village of Wappinger Falls of the public hearing pursuant to GML 239-nn.

SO MOVED: M. Cifone/R. Lecker

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

Nays: None

CARRIED: 7-0

#### CHAPTER 210 OF CODE ATTACHED TO FINAL BOOK COPY

11:16-05 SET DATE FOR Amend Chapter 210, Entitled “Zoning”, Specifically Section 210-11 Entitled “Zoning Map” For MacDonnell Heights Center (MHC) On Dutchess Turnpike

#### RESOLUTION

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending that the zoning designation of tax parcel numbers 6262-04-732301, 723342, 754340, 776348, and 761394 located on Dutchess Turnpike (Route 44), be amended from MacDonnell Heights Center (MHC) to Residence, Single Family 20,000 square fee (R-20,000); and

WHEREAS, the affected land area is approximately 22.22 acres in size and contains property developed for single family use and property that is undeveloped; and

WHEREAS, the action to amend the zoning classification of these parcels is an Unlisted Action under the New York State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, (“SEQRA”); and

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

WHEREAS, amendment of the Zoning Map (Section 210-11 of the Town Code) requires a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby sets a public hearing on the proposed amendment to change the zoning designation of tax parcel numbers 6262-04-732301, 723342, 754340, 776348, and 761394 located on Dutchess Turnpike from MacDonnell Heights Center (MHC) to Residence, Single Family 20,000 square feet (R-20,000) for December 14, 2011, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and
2. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and
3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and
4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.
5. The Town Board directs the Town Clerk to notify the Town Clerk of the Town of LaGrange of the public hearing pursuant to GML 239-nn.

SO MOVED: S. Krakower/M. Cifone

Supervisor Myers: Why are we doing this?

Neil Wilson, Development Director: What this is, right now, as it was originally adopted, the MacDonnell Heights Center straddles Route 44. These particular parcels include lands that were part of the original Frank Brothers Farms. You've got some single family homes and it's not all in common ownership. The south-east side of Route 44, which abuts the Business Park is the other part of the Town Center. One of the things we were doing when we were rewriting the zoning map back in 2006 and 2007 was sort of wrestling with what these Town Centers should look like and where they are located. Unfortunately, if you go to the Town Master Plan, the way it was drafted was that it simply has circles. It designates blots on the map sort of thing and at the time, we simply designated properties on both the east and the west side and in retrospect, I don't think we ended up with sufficient land on either side to effectively do much of anything. One of the things that has come to mind is the properties make up the former Frank Bros. Farms and are more properly R20,000, which is what they were back under 2006 before Zoning amendments. The property on the east side now includes not only the original long scheme parcel, but the lands at the end of Darrow Place, which remain undeveloped. But, those are now all in single ownership. Joe Kirkchoff's company has now purchased those and they have indicated that they are considering some development

options. When you look at the amount of land (Item # 6 on the agenda) is the companion to this to amend the Zoning of Darrow Place to change it from R 20,000 to MacDonnell Heights Center. So, you have now consolidated the Town Center on one side of Route 44. The other thing is a consideration and this was related to the conversations we were having with Walgreen's back last year. If the Town Board will recall, the Sewer Tenancy Agreement with Walgreen's mandated that they make attempts to connect into the sewer Treatment system that is part of the industrial park next to the MacDonnell Heights Center. That land fell apart because the owner of the business center simply did not simply want to participate. One of the things that comes to mind is that the area needs sewer. Any development of the Town Center would need to include provisions for central sewer and certainly this side (east side of Route 44), which include direct access to the Wappingers Creek, which would be the outfall for any sewage treatment plant. So, in consideration of trying to consolidate the Town Center, given the best opportunity for those things to happen, the recommendation is to eliminate the Town Center Zoning on the west side and consolidate it on the east side. That essentially is what the proposal is.

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

Nays: None

CARRIED: 7-0

#### PARCEL IDENTIFICATIONS ATTACHED TO FINAL BOOK COPY

11:16-06 SET DATE FOR  
PUBLIC HEARING

Amend Chapter 210, Entitled "Zoning",  
Specifically Section 210-11 Entitled  
"Zoning Map" For MacDonnell Heights  
Center (MHC) For Darrow Place

#### RESOLUTION

Change of Zone – MacDonnell Heights Center, Darrow Place

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending that the zoning designation of tax parcel number 6262-04-915295, located on Darrow Place, be amended from Residence, Single Family 20,000 square feet (R-20,000) to MacDonnell Heights Center (MHC); and

WHEREAS, the subject parcel is approximately 21.21 acres in size and is undeveloped; and

WHEREAS, the action to amend the zoning classification of this parcel is an Unlisted Action under the New York State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, ("SEQRA"); and

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

WHEREAS, amendment of the Zoning Map (Section 210-11 of the Town Code) requires a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby sets a public hearing on the proposed amendment to change the zoning designation of tax parcel number 6262-04-915295, located on Darrow Place from Residence, Single Family 20,000 square feet (R-20,000) to MacDonnell Heights Center (MHC) for December 14, 2011, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and
2. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and
3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and
4. The Town Board refers this matter to the Planning Board for an advisory report pursuant o Town Code Sections 210-154.
5. The Town Board directs the Town Clerk to notify the Town Clerk of the Town of LaGrange of the public hearing pursuant to GML 239-nn.

SO MOVED: T. Tancredi/J. Conte

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

Nays: None

CARRIED: 7-0

PARCEL IDENTIFICATIONS ATTACHED TO FINAL BOOK COPY

11:16-07 SET DATE FOR  
PUBLIC HEARING

Amend Chapter 210, Entitled "Zoning",  
Specifically Section 210-11 Entitled  
"Zoning Map" For Salt Point Center (SPC)  
For Bedell Road

RESOLUTION

Change of Zone – Tax Parcel Number 6262-01-130823-0000, Bedell Road

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending that the zoning designation of tax parcel number 6262-01-130823-0000, located on Bedell Road, be amended from Salt Point Center (SPC) to Residence, Single Family 4 Acre (R-4A); and

WHEREAS, the subject parcel is approximately 28.15 acres in size and is undeveloped; and

WHEREAS, the Town Board has been advised that the property includes extensive areas of local, state, and federal regulated wetlands and would be unsuitable for the high density mixed use development currently allowed under the Salt Point Center regulations; and

WHEREAS, the action to amend the zoning classification of this parcel is as a Type I Action under the New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617, (“SEQRA”); and

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

WHEREAS, amendment of the Zoning Map (Section 210-11 of the Town Code) requires a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby sets a public hearing on the proposed amendment to change the zoning designation of tax parcel number 6262-01-130823-0000, located on Bedell Road from Salt Point Center (SPC) to Residence, Single Family 4 acre (R-4A) for December 14, 2011, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and
2. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and
3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and
4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.

5. The Town Board directs the Town Clerk to notify the Town Clerk of the Town of LaGrange of the public hearing pursuant to GML 239-nn.

SO MOVED: Supervisor Myers/R. Lecker

Neil Wilson, Development Director: This particular one, the Salt Point Center, is concentrated around the Bedell Road/Salt Point intersection. This particular piece of property is actually a companion piece to (take a look at the attached map). There are two pieces of property that travel together traditionally and the parcel information indicates it being owned by members of the Mustokas family. That information is old and there is, in fact, a new owner and has purchased both the property and the larger property next to it and I had a meeting with his engineer and the new owner a couple of months ago and the discussion revolved around the site constraints on this particular piece of property. It had traditionally been in agricultural use for many years, but, it also contained large areas of wetland and constrained areas. It is just simply not the kind of property that is really adaptable for use as part of a Town Center development. So, the recommendation and actual request of the potential applicant is consideration of eliminating the Salt Point Center because the rules allow for higher density residential, but, it also requires the setting aside of 20% of the gross square footage of however many residential (inaudible) for non-residential purposes. The idea, of course, being that the Centers consist eventually of mixed use development. He has an intension at some point of bringing in an application for a much lower density residential development. He was talking in the 6 to 8 unit range, which could be accommodated with the R-4 Zoning that is already applied to the adjoining piece which he also owns. So, that is the recommendation to essentially down-zone that one, going from a high density mixed use to a very low density residential.

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

Nays: None

CARRIED: 7-0

#### IDENTIFYING PROPERTIES ATTACHED TO FINAL BOOK COPY

11:16-08 SET DATE FOR  
PUBLIC HEARING

Amend Chapter 210, Entitled "Zoning",  
Specifically Section 210-27 Entitled  
"MacDonnell Heights Center District  
(MHC)"

#### RESOLUTION

Amendment to Chapter 210-27, "MacDonnell Heights Center District"

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending amendment of Chapter 210-27 of the Zoning Law in regard to the MacDonnell Heights Center (MHC) District regulations; and

WHEREAS, the proposed amendments are attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendments and does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

WHEREAS, the amendments would clarify the permitted residential and non-residential development densities in the MHC District; and

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

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

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

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and
2. The Town Board hereby sets a public hearing on the proposed amendments to Chapter 210-27 of the Town Code for December 14, 2011, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and
3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and
4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.
5. The Town Board directs the Town Clerk to notify the Town Clerks of the surrounding Towns, the Chamberlain of the City of Poughkeepsie, and the Clerk of the Village of Wappinger Falls of the public hearing pursuant to GML 239-nn.

SO MOVED: R. Lecker/S. Krakower

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

Nays: None

CARRIED: 7-0

11:16-09 ADOPT

2012 Town Of Poughkeepsie Annual Budget

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the November 2, 2011 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby adopt the Preliminary Budget, as amended, as the Town of Poughkeepsie Annual Budget for the Year 2012.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 7-0

Jim Wojtowicz, Comptroller, pointed out and explained the amendments to the Board.

The Board complemented and thanked Comptroller Wojtowicz for all the time he put in and on his good job on putting the Budget together.

PRELIMINARY BUDGET, WITH AMENDMENTS, ATTACHED  
TO FINAL BOOK COPY

11:16-10 AUTHORIZE

2011 Compensation Modification For  
Attorneys to The Town

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie (the "Town Board") by RESOLUTION 1:5-#SC 7 OF 2011 designated Van DeWater & Van De Water as the attorneys to the Town of Poughkeepsie pursuant to Town Law Section 20(2)(b) to provide on-site and other legal services for the year 2011; and

WHEREAS, the time spent providing on-site legal services has exceeded the amount allocated thereto; and

WHEREAS, Van DeWater and Van DeWater has requested that the 2011 compensation for on-site legal services be increased by \$9,900; and

WHEREAS, if the proposed increase is allowed, the 2011 Legal Department budget is still anticipated to be under budget at year end, now therefore

BE IT RESOLVED, the payment of an additional \$9,900 for 2011 on-site legal services be and the same is hereby authorized.

SO MOVED: J. Conte/S. Krakower

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

Nays: None

CARRIED: 7-0

11:16-11 ACCEPT

Certificate Of Attendance For Marvin Bennett  
From Cornell University Cooperative  
Extension For Course Entitled "Green Infrastructure  
For Stormwater Management"

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Marvin Bennett from Cornell University Cooperative Extension, for the course entitled "Green Infrastructure for Stormwater Management", a copy of which is attached.

SO MOVED: M. Cifone/S. Krakower

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

Nays: None

CARRIED: 7-0

#### STORMWATER MANAGEMENT ATTACHED TO FINAL BOOK COPY

11:16-12 AUTHORIZE

Maintenance Bond Reduction For DiCorcia  
Mason Contractors, Inc. For Work On Main  
Street Sidewalks – 2010 Contract.

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the reduction of the Maintenance Bond posted by DiCorcia Mason Contractors, Inc. for the Main Street Sidewalks – 2010 Contract from \$57,801 to \$2,500, conditioned upon the Maintenance Bond being extended to June 21, 2012.

SO MOVED: S. Krakower/T. Tancredi

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

Nays: None

CARRIED: 7-0

11:16-13 AUTHORIZE

DMARC 2006 CD2 POK LLC For Tax  
Certiorari Settlement

RESOLUTION

WHEREAS, there is now pending in the Dutchess County Supreme Court tax certiorari proceedings commenced in 2009 and 2010 by DMARC 2006 CD2 POK LLC (formerly BPP-NY LLC), 1910 South Road, Grid # 6159-03-393037, seeking a reduction in the 2009 and 2010 tax assessment for those respective tax rolls; and

WHEREAS, the Town Assessor and Special Counsel have recommended a settlement on this tax review proceeding; now, therefore be it

RESOLVED, that the Town Board of the Town of Poughkeepsie hereby approves a settlement on behalf of the Town of Poughkeepsie of the tax review proceedings for the years 2009 and 2010, as it pertains to Grid No. : 6159-03-393037, as follows:

| <u>Tax Year</u> | <u>Original Total Assessment</u> | <u>Revised Total Assessment</u> | <u>Reduction</u> |
|-----------------|----------------------------------|---------------------------------|------------------|
| 2009/2010       | 6,000,000                        | 4,400,000                       | 1,600,000        |
| 2010/2011       | 5,700.000                        | 4,200,000                       | 1.500,000        |

:and be it further

RESOLVED, that the Town Supervisor, Town Assessor and Gellert & Klein, P.C. Special Counsel to the Town of Poughkeepsie are hereby authorized to take all action necessary and appropriate to effectuate the terms of this resolution.

SO MOVED: T. Tancredi/S. Krakower

Councilman Krakower: What property is this?

Town Assessor Tabor explained that this is the Old Circuit City Building and they settled. The first four years there was a lease, then it sold and it was empty for many years prior.

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

Nays: None

CARRIED: 7-0

11:16-14 AUTHORIZE

Popoli Family Ltd. Partnership For Tax  
Certiorari Settlement

RESOLUTION

WHEREAS, there is now pending in the Dutchess County Supreme Court tax certiorari proceedings commenced in 2007, 2010 and 2011 by Popoli Family Ltd. Partnership, located rental property at 43 Vassar Road, Grid # 6260-04-550240, seeking a reduction in the 2007, 2010 and 2011 tax assessment for those respective tax rolls; and

WHEREAS, the Town Assessor and Special Counsel have recommended a settlement on this tax review proceeding; now, therefore be it

RESOLVED, that the Town Board of the Town of Poughkeepsie hereby approves a settlement on behalf of the Town of Poughkeepsie of the tax review proceedings for the years 2007, 2010, and 2011, as it pertains to Grid No.: 6260-04-550240, as follows:

| <u>Tax Year</u> | <u>Original Total Assessment</u> | <u>Revised Total Assessment</u> | <u>Reduction</u> |
|-----------------|----------------------------------|---------------------------------|------------------|
| 2007            | 3,413,000                        | 3,150,000                       | 550,000          |
| 2010            | 2,550,000                        | 2,550,000                       | -0-              |
| 2011            | 2,448,000                        | 2,448,000                       | -0-              |

:and be it further

RESOLVED, that the Town Supervisor, Town Assessor and Gellert & Klein, P.C. Special Counsel to the Town of Poughkeepsie are hereby authorized to take all action necessary and appropriate to effectuate the terms of this resolution

SO MOVED: Supervisor Myers/J. Conte

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

Nays: None

CARRIED: 7-0

**TAX CERTIORARI ATTACHED TO FINAL BOOK COPY**

11:16-15 WAIVE

Building Permit Fees For Arlington Fire District For Repairs To Headquarters Due To Tropical Storm Irene

**RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive any building permit fees and other related fees to the Arlington Fire District for repairs to their Headquarters due to Tropical Storm Irene.

SO MOVED: R. Lecker/J. Conte

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

Nays: None

CARRIED: 7-0

11:16-16 AUTHORIZE  
SUPERVISOR  
TO SIGN

Severance Agreement & General Release  
& Accept Resignation From Town  
Employee

#### RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to accept a resignation and sign a Severance Agreement and General Release with a Town of Poughkeepsie employee as proposed.

SO MOVED: S. Eagleton/S. Krakower

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

Nays: Councilman Krakower

CARRIED: 6-1

11:16-17 AUTHORIZE

Rejection Of All Bids Submitted For The  
“Senior Center Building Construction –  
2011” Project

#### AMENDED RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie by Resolution 8:3 #8 of 2011 authorized the issuance of bids for the “Senior Center Building Construction – 2011” Project, which bids were received and thereafter opened on November 7<sup>th</sup>, 2011 and

WHEREAS, after reviewing the four bids which were received, it is hereby resolved, that the Town Board of the Town of Poughkeepsie does hereby reject all bids as provided in Paragraph 9 of Section 1 of the Contract/ Bids/Specification package by reason of the fact that all of the bids were in the excess of the amounts of funds available for this project, and it is further

IT IS FURTHER RESOLVED, that the Town Engineering Department is authorized and directed to promptly re-bid the project with deduct and add alterations which were not in the prior bid specifications in an effort to reduce the expense of the project and

BE IT FURTHER RESOLVED, that this action is a Type II Action under the State Environmental Quality Review Act and requires no environmental review.

SO MOVED: J. Conte/S. Eagleton

Councilman Tancredi: I would like to take the paragraph that talks about the rebidding to special consent #7.

Town Attorney Nelson: This resolution was originally circulated simply to reject the bids because they were high and then today this clause authorizing it going out to rebid was inserted and so that portion is a new item.

Councilman Tancredi: So, is it permissible to remove it from this –

Motion Made to Amend by Councilman Krakower: Can we just request special consent to hear Resolution #17 regarding the Senior Center Building? I'm requesting Special Consent for that whole thing. Seconded by Councilman Tancredi

Supervisor Myers: Ok, motion has been made to remove this to a Special Consent #7.

ROLL CALL ON REQUEST TO MOVE RESOLUTION TO ITEM # SC 7: Ayes:  
Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
and Supervisor Myers  
Nays: None CARRIED: 7-0

Supervisor Myers: Ok, this will be addressed at the end of the Special Consent agenda.

|   |  |
|---|--|
| 11:16-18 AUTHORIZE<br>SUPERVISOR<br>TO SIGN | Tilcon Lease Extension For Recreational<br>Properties On Sheafe Road & At Crown<br>Heights |
|---|--|

#### RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to extend the term of the lease between Tilcon and the Town of Poughkeepsie for recreational properties located on Sheafe Road and at Crown Heights for the period of 2 years from January 1, 2012 through December 31, 2013, and

BE IT FURTHER RESOLVED, the foregoing extension is a Type II Action under the New York State Environmental Quality Review Act, and it requires no environmental review.

SO MOVED: T. Tancredi/J. Conte

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
and Supervisor Myers  
Nays: None CARRIED: 7-0

11:16-19 ACCEPT

2011 Town Board Meetings

AUGUST 24 Regular Town Board Meeting

OCTOBER 5 Special & Regular Town  
Board Meeting

OCTOBER 19 Regular Town Board Mtg.

RESOLUTION

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

August 24, 2011 - Regular Town Board Meeting

October 5, 2011 - Special and Regular Town Board Meeting

October 19, 2011- Regular Town Board Meeting

SO MOVED: Supervisor Myers/J. Conte

ROLL CALL: Ayes: Councilmen Lecker, Eagleton, Conte, Cifone, Krakower, Tancredi,  
and Supervisor Myers  
Nays: None CARRIED: 7-0

11:16-20 NOTIFICATION

Notice Form To Town For Liquor License  
Renewal For

A. Julies Restaurant & Catering, Inc. D/B/A  
Julies Restaurant Located At 49  
Raymond Avenue

REVIEWED BY POLICE

B. RR Poughkeepsie, LLC D/B/A Red  
Robin Oakwood Commons Located At  
2511 South Road

REVIEWED BY POLICE

NOTED BY TOWN BOARD

11:16-21 AUTHORIZE

Special Consent Items SC 1, SC 2, SC 3,  
SC 4, SC 5, SC 6, SC 7 (added at meeting)

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. Accept/Approve/Adopt         | Delinquent Water & Sewer Charges Relevy  |
| SC 2. Authorize                    | Annual 32 <sup>nd</sup> Knights of Columbus Run  |
| SC 3. Authorize Supervisor To Sign | Amend MOU with NYS Office of Mental Health/Change Order with Gleason                         |
| SC 4. Notice of Claim              | Beretta v. Town  |
| SC 5. Notice of Claim              | Shankles v. Town   |
| SC 6. Notice of Public Hearing     | Town of Lloyd  |
| SC 7. AUTHORIZE                    | Rejection Of All Bids Submitted For The “Senior Center Building Construction – 2011” Project |

AND BE IT FURTHER RESOLVED, that upon the objection of any member of the Town Board, an item may be removed from the list and voted on separately.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 7-0

11:16-SC 1 ACCEPT/APPROVE/  
ADOPT

Delinquent Water & Sewer Rents &  
Charges Relevy

#### RESOLUTION

WHEREAS, it appears that certain water and sewer rents, assessments and charges due to the various districts in the Town of Poughkeepsie from properties within said districts have not been paid for more than sixty (60) days and are liens against the said properties; now therefore

BE IT RESOLVED, that such list of delinquent water and sewer rents and charges be accepted, approved and adopted by the Town Board of the Town of Poughkeepsie, subject to approval by Geoffrey Patterson, Receiver of Taxes, and that a copy thereof, duly certified by the Town Clerk, be presented to the County Legislature, by the Town Clerk, and that the amounts stated as being in default be levied against the properties liable therefore.

|       |                     |
|-------|---------------------|
| WATER | \$217,986.89        |
| SEWER | <u>\$151,559.03</u> |
| TOTAL | \$369,545.92        |

SO MOVED: J. Conte/R. Lecker

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

Nays: None

CARRIED: 7-0

11:16-SC 2 AUTHORIZE

Mid Hudson Road Runners Annual 32<sup>nd</sup>  
Running OF The Knights Of Columbus Run  
On Saturday, December 03, 2011 From  
10:00 A.M To 1:00 P.M.

#### RESOLUTION

WHEREAS, the Mid Hudson Road Runners Club has submitted an application to hold its annual 32<sup>nd</sup> Running of the Knights of Columbus Run on Saturday, December 3, 2011; and

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

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve and grant permission to the Mid Hudson Road Runners to hold its annual 32<sup>nd</sup> Running of the Knights of Columbus Run on Saturday, December 3, 2011, from 10:00 AM to 1:00 PM.

SO MOVED: M. Conte/S. Krakower

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

Nays: None

CARRIED: 7-0

11:16-SC 3 AUTHORIZE  
SUPERVISOR  
TO SIGN

For Hudson River Psychiatric Center Water District, An Amendment To The Memorandum Of Understanding Between The NYS Office Of Mental Health (OMH) And Others & The Town Of Poughkeepsie To Provide For The Installation By The Town's Contractor, Thomas Gleason, Inc. Of Meter Pits, Service Laterals & Related Equipment & The Supervisor Is To Execute

A Change Order With Gleason

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, for the Hudson River Psychiatric Center Water District, does hereby authorize the Supervisor to execute an amendment to the Memorandum of Understanding between the New York State Office of Mental Health (“OMH”) and others and the Town of Poughkeepsie dated March 15, 2005, to provide for the installation by the Town of Poughkeepsie’s contractor, Thomas Gleason, Inc. (“Gleason”) of meter pits, service laterals, and related equipment to service New York State owned properties (Dormitory Authority of the State of New York), such work being items 2 (Edgewood Building, \$73,720), 3 (Highview Building, \$52,965) and 4 (up to \$60,000, rock removal/unit cost) in Gleason’s quotation of September 13, 2011, provided that the cost of such work is to be reimbursed to the Town by OMH within sixty (60) days of invoice to OMH; and

BE IT FURTHER RESOLVED that the Supervisor is also authorized to execute a Change Order to the April 14, 2011 contract (10-001 HRPC Water District) with Gleason, as to which a statement of substantial completion has been issued, to perform the above work on the above price terms; and

BE IT FURTHER RESOLVED, that these amendments are a Type II Action under the New York State Environmental Quality Review Act, and require no environmental review.

SO MOVED: S. Krakower/T. Tancredi

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

Nays: None

CARRIED: 7-0

11:16-SC 4 NOTICE OF  
CLAIM

James Beretta V. Town For Deterioration Of  
Hot Water Coil Causing A Leak That  
Affected The Water Quality

REFERRED TO LEGAL DEPARTMENT

11:16-SC 5 NOTICE OF  
CLAIM

Craig Shankles V. Town For Damage To  
Front Of His Car From Car Backing Into It

REFERRED TO LEGAL DEPARTMENT

11:16-SC 6 NOTICE OF  
PUBLIC  
HEARING

Town Of Lloyd In Lloyd Town Hall On  
December 14, 2011 In Highland At 7:00 PM  
To Consider The Adoption Of Local Law M

-2011 To Amend The Zoning Map Of The  
Town Of Lloyd

NOTED BY TOWN BOARD

11:16-17 AUTHORIZE

Rejection Of All Bids Submitted For The  
“Senior Center Building Construction –  
2011” Project

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie by Resolution 8:3 #8 of 2011 authorized the issuance of bids for the “Senior Center Building Construction – 2011” Project, which bids were received and thereafter opened on November 7<sup>th</sup>, 2011 and

WHEREAS, after reviewing the four bids which were received, it is hereby resolved that the Town Board of the Town of Poughkeepsie does hereby reject all bids as provided in Paragraph 9 of Section 1 of the contract/bid/specification package by reason of the fact that all of the bids were in the excess of the amounts of funds available for this project and

IT IS FURTHER RESOLVED, that the Town Engineering Department is authorized and directed to promptly rebid the project with deduct and add alterations which were not in the prior bid specifications in an effort to reduce the expense of the project and

IT IS FURTHER RESOLVED, that this action is a Type II Action under the State Environmental Quality Review Act and requires no environmental review.

SO MOVED: T. Tancredi/M. Cifone

Councilman Tancredi: Basically, as this resolution states, the bid came in on the 7<sup>th</sup>, which was a week ago. We had about 20 packages picked up. We had four bidders bid and every one of them was too high. The lowest bid was about \$160,000.00 over. We had \$500,000 budgeted for this job, as the Board and the public can be aware of. So, today we had a meeting with Engineering, the Architect, Mr. Kaminski, Tim Sickles, Marc Pfeifer, and The Comptroller. Our intent was to see if we can change the project and reduce the cost. We talked on a number of issues such as the Center is right now being slated as a big addition with renovations to the “White House”. We discussed potentially building it next to the “White House” but eliminating any renovations to the “White House” at all because a large percentage of the costs appears to be due to renovations of the “White House”. What we ended up doing, in hopes of re-bidding it and getting it within budget, is changing the project by streamlining it. We had a big front porch on the original project, we had new construction on the back, which was a hallway leading from the kitchen into a large auditorium. We have taken that off. We had a supply room that was going to be open and now we have part of that as a ramp leading into the new building. We have the Highway Department doing some excavating

work instead of having the contractor do it. So, it's all in the attempt to bring this project into budget. Before we close the door on this project, I want to make sure that we've kicked every stone and eliminated every potential possibility of doing everything on site. Having the Senior Center on site here at Town Hall would be a real asset. So, this is an attempt to reduce the cost and get it back down to within the budget set aside for it.

Supervisor Myers: Were any of the seniors involved in your meeting today?

Councilman Tancredi: No. I spoke to Gabe Ponte, the spokesman for the Seniors. I updated the seniors at their Thanksgiving Dinner. I told them we were meeting today and I told Gabe I would get back to him on it after having our meeting and I did do that. They did understand that the bids were all too high and we had to re-do the bidding process.

Councilman Conte: When do you anticipate these bids coming back in?

Councilman Tancredi: I believe we have to re-advertise and re-bid within a 30 day window.

Supervisor Myers: I believe we have to do it by the beginning of the year.

Councilman Conte: Would there be a possibility of the seniors doing some kind of a fund raiser to help raise money toward it?

Councilman Tancredi: I talked to Gabe Ponte today and he had the same thought and he wanted to make some contacts on it and meet with some individuals to find some funds and possibly some grants, if they haven't dried up, as it seems they are doing these days. I told the seniors on Tuesday that if we can't get this into budget, we will have to go to Plan B. I don't know what Plan B is yet, but we will come up with one and keep trying.

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

Nays: None

CARRIED: 7-0

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

CARRIED: 7-0

Tom O'Donnell: I am one of the owners of the properties on Dutchess Turnpike. My property has also been suffering increasing water damage due to the lack of completion of the Stafford Development on Bower Road. I've been in contact with the Engineer and the Supervisor and I'm sure the Board has been or will be made aware of the total nature of the problem, but I just wanted to let the Board know that we have incurred approximately \$20,000 in expenses between litigation, trying to save the foundation of the house, repair and replacement of property damaged by accumulation of 3 to 4 feet of water in the basement at various times and our property was featured in the Poughkeepsie

Journal where our two tenants were in the backyard thigh deep in water that had encompassed the entire width of the property and was blasting out onto Route 44. I believe some people who live across the street spoke to you about the water coming across the street to their properties. I would just like to plead with the Board to think that, if there was ever a call for a bond to be pulled because of inactivity causing not only damage to my property, but also a safety issue. If two cars come down Route 44 and the highway is flooded and they hydroplane into each other, I don't have to say anything further.

Ara More: I live on Channingville Road and I just want to present pictures from all the flooding on those properties. She also reiterated the severe problems with the flooding of those properties.

#### ATTACHED TO FINAL BOOK COPY

Councilman Krakower stated that when Irene hit, the flooding problem hit all the Wards in The Town of Poughkeepsie and the Water Department, Sewer Department, Engineering Department, Highway Department, the Fire Department (they got flooded itself) but they were all out all over Town trying to help the people at that time. In order to get out there to do the work, they can't always be back there answering the phones at the Office as well, so the fact that they are not standing at your doorstep every day, doesn't mean that they are not doing anything or that you are being ignored. The budget that we just passed where money was added into each of these mentioned departments was direct response to the situation. The Town is making every effort to try to deal with these situations. This is the worst set of storms I have seen over the years yet. It's a huge Town and the Departments are all working very hard to alleviate all the problems and issues.

The Council assured the members of the public who spoke that they are diligently working toward the solution.

Doreen Tignanelli: Spoke on the Budget cuts. She also spoke on the Arlington Fire Department Budget approval. No cuts were made in their new budget.

Rob Rubin: Spoke on the super job the Highway Department was doing.

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

CARRIED: 7-0

#### 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. Confidential communication between attorney and his client/Town Board based on attorney/client privileges.

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

SO MOVED: Supervisor Myers/J. Conte

CARRIED: 7-0

TOWN BOARD MEETING ADJOURNED AT 9:07 PM

TOWN BOARD ENTERED EXECUTIVE SESSION AT 9:11 PM

TOWN BOARD RETURNED FROM EXECUTIVE SESSION AT 9:15 PM

NO ACTION WAS TAKEN

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

CARRIED: 7-0

MEETING CLOSED AT 9:16 PM

SJM:lkm