

**MINUTES OF A REGULAR TOWN BOARD MEETING  
HELD ON JANUARY 18, 2012 AT 7:00 PM  
AT TOWN HALL, ONE OVERROCKER ROAD  
POUGHKEEPSIE, NEW YORK**

**PRESENT:** Supervisor Tancredi  
Councilman Baisley  
Councilman Eagleton  
Councilman Conte  
Councilman Cifone  
Councilman Krakower  
Councilwoman Shershin  
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 agenda items: Supervisor Tancredi/J. Conte

CARRIED: 7-0

Doreen Tignanelli: I have a question about Item #9 regarding Dial-A-Ride extension. Is that at the same cost, or less money, or the same as last year?

Supervisor Tancredi: They are actually giving us slightly more money. This year it is going to be \$66,000. I think last year was \$55,000 or \$57,000, or something like that.

Doreen Tignanelli: Ok, Item 15, the Planning Department intern. Is that from a local college? (Yes) Ok, Item 11, Planning Board Alternate. How many alternates will we have now? (2) You are allowed three?

Supervisor Tancredi: We are allowed three totals, I believe. But, by our Code, I think we budgeted two.

Marlene (inaudible): I have a question in reference to the same question Doreen asked. I thought Tom Bauer was an alternate.

Supervisor Tancredi: He was, yes. His term expired.

Councilman Cifone: We may try to put him back on if we can and if we can find the money to add him again.

Marlene: I thought he was good and he always showed up or he was in the audience.

Councilman Conte: Yes, he was very dedicated.

Councilman Cifone: He was very good.

Supervisor Tancredi: This solves the problem of the one member from the Fifth Ward being on vacation in Florida, putting this alternate in solves that problem.

Councilman Cifone: We are going to see if we have enough money in the budget to put Tom Bauer back in.

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

CARRIED: 7-0

01:18-01 PUBLIC HEARING

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

#### RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to public hearings held on the 14<sup>th</sup> day of December, 2011 and the 18<sup>th</sup> day of January, 2012 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overrocker Road, Poughkeepsie, NY, does hereby amend the Town Code, Chapter 210, entitled "Zoning", specifically Section 210-20 regarding Senior Housing Overlay District regulations, which amendment is attached hereto and incorporated herein; and

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

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

BE IT FURTHER ENACTED, that the Town Board has reviewed the Short Form Environmental Assessment Form (EAF) dated November 10, 2011 prepared by the Director of municipal Development and hereby determines that: 1) the adoption of the herein zoning amendment would not have a significant adverse effect on the environment and; 2) a draft environmental impact statement will not be required for the reasons set forth in Part II of the EAF and; 3) a Negative Declaration is hereby issued; and

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

BE IT FURTHER ENACTED, that a written recommendation dated November 18, 2011 was received from the Town of Poughkeepsie Planning Board in which said Board recommended adoption of the herein zoning amendment; and

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

Supervisor Tancredi: Ok, Item #1 we are going to Table until the February 1<sup>st</sup> Meeting.

#### TABLED UNTIL FEBRUARY 2, 2012 TOWN BOARD MEETING

01:18-02 PUBLIC HEARING

Makan Land Development-One,  
For Escrow Funds Default

#### RESOLUTION

WHEREAS, Makan Land Development – One, LLC (“Makan”) is in default of reimbursing the Town for consulting fees incurred by the Town for the Tamarack Subdivision project, which amount in default to date is \$12,826.75; and

WHEREAS, pursuant to Town Code Section 106-1 (G), a public hearing was held at 7:00 PM at the Town of Poughkeepsie Town Hall, One Overocker Road, Poughkeepsie, NY regarding the collection of said fees by adding them to the real property tax roll; now therefore

BE IT RESOLVED, that based on the testimony and documents presented, and after due notice, the Town Board does hereby find and direct that the \$12,826.75 balance to date is owed to the Town by Makan for consulting fees, and that said balance shall be added to and made a part of the next annual real property tax assessment roll of the Town for Makan lands comprising the Tamarack Subdivision.

SO MOVED: J. Baisley/J. Conte

Supervisor Tancredi: Just for the record, Mr. Makan did call me latter this afternoon and requested a meeting and I told him I would get back to him tomorrow and possibly set up a meeting for later this week or the first part of next week.

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 7-0

01:18-03 PUBLIC HEARING

Dangerous & Unsafe Building  
Than Presents A Fire Hazard  
Located At 194 Violet Avenue

#### WITHDRAWN FROM AGENDA

01:18-04 SET DATE FOR  
PUBLIC HEARING

Public Hearing At February 1, 2012  
Town Board Meeting For Elizabeth  
Montefusco For Animal Cost & Fees  
For Seized Animal

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to Chapter 57, Section 57-10(B) of the Town of Poughkeepsie Town Code, does hereby set the 1<sup>st</sup> day of February, 2012 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 determine whether certain costs and fees listed in Chapter 105, Section 105-4A of the Town Code for a seized animal owned by Elizabeth Montefusco should be assessed and levied as a lien against real property owned by Elizabeth Montefusco located at 27 Robin Road, Poughkeepsie NY 12603 and collected in the same manner and at the same time as other Town charges.

SO MOVED: S. Eagleton/J. Conte

Councilman Cifone: Do you know how much this is?

Town Attorney Nelson: There is a \$75 retrieval fee which was waived at the request of the Dog Officer and I believe the bills for the Veterinary Hospital is somewhere in the \$200 range.

Councilman Krakower: What is the cost of recording a lien on the property?

Town Attorney Nelson: I don't believe that the clerk charges us to record the lien. However, it does take a certain amount of time on the clerk's part.

Councilman Krakower: I don't think it makes sense for \$200 to go through the process of filing a lien against someone's property and since she is in the hospital, I would not be in favor of filing a lien against her property.

Councilman Cifone: I think this is something we can hold off on until she is out of the hospital. I would like to work with the family and see if we can cover this fee. Maybe not right now, but over a couple of weeks, because, in all honesty, this makes no sense.

Councilman Krakower: Right, the employee time involved in taking the time to collect \$200 is not worth it, it will add up to more than \$200 worth of time. Also, the dog got loose while she was in the hospital, it's kind of insult to injury.

Councilman Conte: He felt it would be fine to let it go if this is the first time, but if this is a common offense for this person, then I would say, "Go forward with it."

Councilman Krakower: It hasn't been.

Motion made to table until February 1, 2012 Meeting: Supervisor Tancredi/J. Conte

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 7-0

01:18-05 SET DATE FOR  
PUBLIC HEARING

Public Hearing At February 1, 2012  
Town Board Meeting For Property  
Maintenance For 39 Lindberg Place

#### RESOLUTION

BE IT RESOLVED, that the Town of Poughkeepsie does hereby set the 1st day of February, 2012 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 39 Lindbergh Place, Town of Poughkeepsie, State of New York, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: J. Conte/S. Eagleton

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 7-0

01:18-06 AUTHORIZE  
SUPERVISOR

Summer Recreation Program Grant/  
For 2012 New York State Office Of  
Children & Family Services Funding Cycle  
For The Summer Recreation Program For  
The Youth Development Delinquency  
Prevention Funds

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to process and accept a grant, in the amount of \$5,851.00, for the 2012 NYS Office of Children and Family Services funding cycle for the Summer Recreation Program for the Youth Development Delinquency Prevention funds.

SO MOVED: M. Cifone/J. Conte

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0

01:18-07 AUTHORIZE  
SUPERVISOR  
TO SIGN

Juvenile Aid Program Grant For 2012  
Funding Year Entitled New York State  
Office Of Children & Family Services  
(OCFS)

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to accept a grant entitled NYS Office of Children and Family Services (OCFS) Funding Year 2012, in the amount of \$5,230.00, for Youth Development Delinquency Prevention (YDDP), for the program entitled Juvenile Aid.

SO MOVED: S. Krakower/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None

CARRIED: 7-0

01:18-08 RETIREMENT

Sewer Department Of William Hoover

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of William Hoover effective the close of business January 31, 2012.

SO MOVED: A. Shershin/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None

CARRIED: 7-0

01:18-09 AUTHORIZE  
SUPERVISOR  
TO SIGN

2012 Dial A Ride Extension &  
Amendment Agreement With Dutchess  
County

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the 2012 Dial A Ride Extension and Amendment Agreement with the County of Dutchess, which agreement provides for a joint service transportation system for senior citizens and handicapped individuals with payments made by the Town not to exceed \$66,440.00.

SO MOVED: Supervisor Tancredi/M. Cifone

Councilman Krakower: Last year we got less for the same price.

Supervisor Tancredi: This is a real advantage to the Seniors as it is widely used by them and others and so we will have to find the additional money to support this.

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None

CARRIED: 7-0

01:18-10 RE-APPOINTMENT

Records Management Advisor Board  
Of Eric Hollman

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reappoint Eric Hollman to the Records Management Advisory Board for a four (4) year term commencing January 1, 2012 to December 31, 2015.

SO MOVED: J. Baisley/S. Eagleton

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None

CARRIED: 7-0

01:18-11 APPOINTMENT

Planning Board Alternate Joe Lepore

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Joe Lepore to the Town of Poughkeepsie Planning Board as an alternate for a four (4) year term, which term runs from January 1, 2012 through December 31, 2015.

SO MOVED: S. Eagleton/J. Conte

Councilman Krakower: I think Joe is going to be an excellent addition to the Planning Board and I know he is eager to participate and I've already spoken to John Weisman, the Chairman about and I spoke to Marvin Bennett in Florida today and he is going to make sure he and Joe get in communication on Fifth Ward issues coming before the Planning Board, so I think it's a very good choice.

Councilwoman Shershin: I just wish we had a resume. I would like to learn a little bit more about him.

Councilman Krakower: I sent an e-mail, I just didn't have your address.

Supervisor Tancredi: I'm sorry, I gave one to Legal, next time I'll make sure it's attached.

Councilwoman Shershin: Also, maybe in the future when we have these openings, because I had no idea there was an opening on the Planning Board, that we could also put a notice on the home page of the website so that the public knows that these openings are available and even do a press release in the Poughkeepsie Journal.

Supervisor Tancredi: The only problem with press releases is it costs us money.

Councilwoman Shershin: I'm just talking about just the front page of the community section, that doesn't cost money.

Councilman Cifone: Normally, it's always been the Councilman's appointment from each Ward to make the appointment and so we always try to let the Councilperson to work on it for their Ward.

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 7-0

01:18-12 AUTHORIZE

Tax Certiorari Settlement For Kimco  
Realty Corporation, Site #218

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the settlement of the tax review proceeding instituted by Kimco Realty Corporation, Site #218, for the tax assessment rolls of 2009 through 2011, as shown on the attached Consent Judgment, and

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

TABLED UNTIL FEBRUARY 1, 2012  
TOWN BOARD MEETING

01:18-13 NOTICE OF  
CLAIM

Kathryn Calenti Vs Town Of  
Poughkeepsie For Tripping On  
Apron Of The Entrance Door To The  
Town Of Poughkeepsie Justice Court

REFERRED TO THE LEGAL DEPARTMENT

01:18-14 NOTICE OF  
CLAIM

John Milkovich V. Town Due To Property  
Damage From A Broken Underground  
Drainage Pipe

REFERRED TO THE LEGAL DEPARTMENT

01:18-15 AUTHORIZE

Appointment Of Drew Hoski As An  
Intern In The Planning Department

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the appointment of Drew Hoski as an intern for the Planning Department for two (2) days a week starting February 1, 2012, at no cost to the Town.

SO MOVED: J. Conte/S. Krakower

Supervisor Tancredi: Which college is it Neil, is it Marist? (SUNY New Paltz)

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 7-0

01:05-16 AUTHORIZE

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

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. Appointment | Historic Preservation Commission<br>Sophia Hsieh       |
| SC 2. Appointment | Arlington Business Improvement District<br>Directors   |
| SC 3. Appointment | Board of Ethics – Vivian Raisch                        |
| SC 4. Resignation | Historic Preservation Commission<br>Ann Shershin       |
| SC 5. Appointment | Historic Preservation Commission<br>Annon Carten Adams |

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/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None

CARRIED: 7-0

01:18-SC 1 APPOINTMENT

Historic Preservation Commission Of  
Sophia S. Hsieh

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Sophia S. Hsieh to an unexpired term on the Historic Preservation Commission, which term commenced on April 20, 2011 with a termination date of April 19, 2016.

SO MOVED: M. Cifone/Supervisor Tancredi

Motion Made to Table this item until February 1, 2012 Town Board Meeting: J. Baisley/M. Cifone

Council members all decided they wanted to talk to her and get to know her first before voting on her appointment.

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None

CARRIED: 7-0

TABLED UNTIL FEBRUARY 1, 2012

01:18-SC 2 APPOINTMENT

Arlington Business Improvement  
District Board of Directors

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby re-appoint Police Chief Thomas Mauro to the Arlington Business Improvement District Board of Directors, which appointment is effective immediately and expires June 30, 2012; and

BE IT FURTHER RESOLVED, the Town Board does acknowledge the Supervisor's appointment of Councilwoman Ann Shershin to said Board, which appointment is effective immediately and expires June 30, 2012, and the Comptroller's re-appointment of himself to said Board, which appointment is effective immediately and expires June 30, 2012.

SO MOVED: Supervisor Tancredi/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None

CARRIED: 7-0

01:18-SC 3 APPOINTMENT

Board of Ethics of Vivian Raisch

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Vivian Raisch to the Town of Poughkeepsie Board of Ethics to fill the unexpired term of Robert Raisch, which term expires on February 28, 2015.

SO MOVED: J. Baisley/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None

CARRIED: 7-0

01:18-SC 4 RESIGNATION

Historic Preservation Commission  
Of Ann Shershin

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Ann Shershin from the Town of Poughkeepsie Historic Preservation Commission, effective immediately.

SO MOVED: S. Eagleton/J. Conte

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None

CARRIED: 7-0

01:18-SC 5 APPOINTMENT

Historic Preservation Commission  
Of Annon Carten Adams

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Annon Carten Adams to the unexpired term of Ann Shershin on the Historic Preservation Commission through April 19, 2012.

Councilwoman Shershin assured the Board that Annon Carten Adams was an excellent appointment to the Commission.

SO MOVED: J. Conte/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 7-0

Motion made to suspend the rules for public speaking on any subject: Supervisor Tancredi/J. Conte

CARRIED: 7-0

Doreen Tignanelli: Since Marlene brought up the subject of Tom Bauer before, I also would like to say that I think Tom has done an excellent job as an alternate on the Planning Board. His attendance is great and he is always well prepared and asks questions and so I would certainly be in favor of his being re-appointed as Planning Board Alternate. I'm glad to have three people because, when people fill in, it's supposed to be according to Town Law on a rotating basis so, you do have to take turns, you can't just have one person be an alternate month after month. Town Law says it has to be on a rotating basis. The next thing is, I got my property taxes in the mail and once again the Arlington Fire District is the highest line item on the property tax bill. So, again, I think they need to try to hold the line on expenses. Also, who is the Deputy Supervisor?

Supervisor Tancredi: Stephan Krakower is the Deputy Supervisor.

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

CARRIED: 7-0

01:18-ES 1 ADJOURN TO  
EXECUTIVE SESSION

To Enter Executive Session  
To Consider Following Matters:

#### RESOLUTION

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

1. Confidential Communication Between Attorney and His Client,  
The Town Board, Based on Attorney/Client Privilege

SO MOVED: Supervisor Tancredi/J. Conte

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 7-0

TOWN BOARD MEETING ADJOURNED AT 7:35 PM

TOWN BOARD ENTERED EXECUTIVE SESSION AT 7:40 PM

TOWN BOARD RETURNED TOWN BOARD MEETING AT 8:53 PM

NO ACTION WAS TAKEN IN EXECUTIVE SESSION

TOWN BOARD MEETING CLOSED AT 8:55 PM

SJM:lkM