



04:25-01 PUBLIC  
INFORMATION  
SESSION

To Be Conducted By Hudson Valley Engineering  
Associates To Present A Draft Design In Regard To  
The Spring Road Rehabilitation Project.

Brendan Fitzgerald from Hudson Valley Engineering, Project Engineer: With me tonight is Jessica Mariani and she is one of our design Engineers working on the project. I'm going to give you a little overview of the purpose of the meeting, format and comments period. This project is a Federally funded project and 80% of the project cost will be paid for by the Federal Government and so they have a process we need to follow and part of the process includes us having some type of public outreach program. The methods for you to submit some of your input is to sign in and we did send out 42 letters to the adjoining property owners along Spring Road and with that notice they did get a comment sheet which gives them the ability to put down information about them and list some of their concerns about the roadway. We have received a number of phone calls already and e-mails with some worthwhile comments. Our first task right now is we are completing now is what is called a Design Report. Since this is a Federally funded project, the NYS DOT actually work as the liaison for Federal Highways and we have to complete reports and plans and have them approved by DOT. Plans will be posted on the website so you will have the plans available to you. The segment between Route 9 and Kerr Road will not have much work done there except for an overlaying the pavement. From Kerr Road to Vassar Road, that is pretty much where most of the project work is going to take place. That's going to be a rehabilitation of that road. We already surveyed the road for the existing conditions, signs, pavement markings, drainage and some property researches and traffic counts, speed studies, accident data between 2008 to 2011 and what is available at this time and we've taken close look at the pavement to come up with different solutions. Spring Road has about 9,000 cars a day traveling on it. Mr. Fitzgerald elaborated on each of the above subjects and -

A BASIC BREAKDOWN OF THE  
REHABILITATION IS ATTACHED TO THE FINAL BOOK COPY

A FURTHER QUESTION AND ANSWER PERIOD  
FOLLOWED AFTER THE MEETING IN THE LOBBY

Councilman Conte: There is certainly no question that the road needs work. You spoke about a 2 course overlay. What is the thickness of a course?

Brendan Fitzgerald: Generally 1 ½" to 2" with 3 to 4 inches of asphalt. The asphalt used is an asphalt recommended and required is called "SUPPER PAVE". It is a larger aggregate asphalt that has been studied and proven to last longer than some of the older pavements used.

Councilman Eagleton: Is your firm responsible for monitoring the construction and make sure it meets your design, specs and codes?

Brendan Fitzgerald: I'm not sure if we've been selected to do that at this point in time, but at a minimum, in many cases, we do the construction oversight on these projects. Even if we weren't the ones doing the construction oversight, we stay connected to the project and we offer guidance and interpretation of plans and such until it is completed and accepted.

Councilman Eagleton: Can we get an electronic copy of the presentation?

Brendan Fitzgerald: Sure.

Councilman Baisley: Spring Road has a big drainage issue and I have had phone calls on it, if you go and you alleviate drainage on Spring Road, do you make sure it's not going to affect the residents on Vassar Road, because there are some residents there that think the problems on Vassar Road are from Spring Road and they want to know that you wouldn't redirect the problem from one area to affect someone else?

Brendan Fitzgerald: Right. We are going to look at that. It does get a little tricky because, at the end of the day, we are not creating any more impervious surface, so we are dealing with what's out there. Now if there are issues that exist already, we are going to do our best to mitigate those.

Councilman Baisley: Do you use perforated pipe, because we've had problems with that before.

Brendan Fitzgerald: We generally try to do something off the pavement and not under the pavement or on the pavement. Generally, some type of ditching that has a capacity to hold water and meter it out or some type of small pond. We do not use perforated pipe as a conveyance system because, as you say, it can lead to issues.

Councilman Krakower: This is Federal money coming in from a grant?

Supervisor Tancredi: This is stimulus money.

Motion made to suspend the rules for the public to ask any questions: Supervisor Tancredi/S. Eagleton

CARRIED: 7-0

Victor Gennodi: Spring Road at Victor Lane, has actually at one point, had over a foot of water on it in the Farmer's field there and Victor Lane, if you are doing any work on that lane, the water table is down about 11 inches, so there is a swimming pool over there that the water table is right there. So, if you're going to access any drainage off of Victor Lane, onto this easement behind people's houses which heads over to Vassar Road, the pipe under Vassar Road is too small and it needs to be tripled in size, another one or two put next to it side by side. The area that drains into that drainage there, comes from the back of the Chevrolet Dealership where the Senior Citizen Housing is, it actually drains into the back there into the old green houses down around the corner and in the woods

just across the street from Tom's Way is a big pond in the woods. There are two ponds in the woods back there that drain. It is a major drainage situation to where some of those houses on Spring Road have, in the spring time, lots of water in their basements because it flows down right to them and it is all rock between the hump over to Country Club Estates to the transformer. So, anything you are going to do on Spring Road, from the "S" turn has to be addressed on the other end at Vassar Road, if you don't address it, you are going to kill the people.

Gerard Armstrong: You notified Vassar Road people by mail, etc., why not the other developments that feed into Spring Road, like my development, Country Club Estates. We have to use that road every day under all conditions. They should be notified as these things progress.

Brendan Fitzgerald: There were individual notices sent out to the adjoining property owners on Spring Road and the adjoining intersections. In addition to that, there was a press release put out and published in the Poughkeepsie Journal. The documents and plans we are going to create are going to be put onto the Town's website and also available in Town Hall for anyone to review. (Mr. Armstrong still felt the individuals that use that street every day should be individually notified as well.)

Alan Ammerman: (Spoke of his house being flooded three times and he lost a car due to three feet in the garage. He lost two hot water heaters, two furnaces, lawn equipment, a washer and dryer) Mr. Fitzgerald stated that they going to include some good stormwater management and plan to convey it in a better way. Mr. Ammerman stated he didn't hear any specifics, just generalizations. He didn't hear if the pipe was going to be made bigger or add a pipe and meanwhile his house floods and he loses things and the Fire Department won't even come out to his aid and pump it out. Their comment to him is, "Whatever damage has been done, has been done and anything we do is not going to help and we are not going to run a hose across Vassar Road." Mr. Ammerman stated that "Something really constructive needs to be done there, and soon". Mr. Fitzgerald stated that it is something worth looking into and it's needs to be coordinated with Dutchess County as well as the Town of Poughkeepsie.

Bob Millenowsky, Spoke of drainage problem.  
(Inaudible) Spring Road resident spoke of speed limits and the posting of. Also, sidewalks being put in and landscaping.

Doreen Tignanelli spoke of how many trees are slated to be removed. She also wanted to know about any wetland or stream disturbances. Mr. Fitzgerald said he would be covered for this under the Army Corps general nation wide permit and/or by the DEC. Habitat will be considered in the project when removing trees, also.

The team will be in the front hall way if any people from the public wish to ask any further questions of Mr. Fitzgerald.

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

CARRIED: 7-0

04:25-02 SET DATE FOR  
PUBLIC HEARING

Amend Town Code Chapter 210,  
Entitled "Zoning", Specifically  
Article IX Entitled "Signs"

RESOLUTION 04:25-02 of 2012  
Amendment to Chapter 210, "Signs"

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending amendment of Chapter 210 of the Zoning Law in regard to regulations pertaining to signs; and

WHEREAS, the amendment would add new definitions and regulations pertaining to Electronic Message Display Signs, and includes other technical amendments to the sign regulations: and

WHEREAS, the amendment is attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendment and does direct that said amendment be spread across the record as if it , in fact, had been read verbatim; 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 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 Section 210 of the Town Code for May 23, 2012, 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: J. Baisley/S. Eagleton

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

Nays: None

CARRIED: 7-0

AMENDMENT ATTACHED TO FINAL BOOK COPY  
PUBLIC HEARING DATE SET FOR MAY 23, 2012, 7 PM

04:25-03 SET DATE FOR  
PUBLIC

To Accept Public Comment On A  
Draft Stormwater Annual Report  
Hearing

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set May 9, 2012 at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, New York as the date, time and place for a Public Hearing to accept public comment on a draft Stormwater Annual Report; and

BE IT FURTHER RESOLVED, the searchable draft Stormwater Annual Report, prepared by the Town Engineer, shall be filed in the Town Clerk's Office and posted on the Town's website for review by any interested party on May 4, 2012; and

BE IT FURTHER RESOLVED, that the Town Board will accept public comment on the draft Stormwater annual Report commencing on May 9, 2012 and ending on May 18, 2012 at 4:00 PM; and

BE IT FURTHER RESOLVED, that the contact person for this report is Eric Hollman, Department of Planning, One Overocker Road, Poughkeepsie, New York, 12603 whose email is [ehollman@townofpoughkeepsie-ny.gov](mailto:ehollman@townofpoughkeepsie-ny.gov); and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized and directed to immediately publish a notice of the Public Hearing and the comment period; and

BE IT FURTHER RESOLVED, the Town Board does direct the Director of Municipal Development to review any comments on the draft Stormwater Annual Report and file the final report by June 1, 2012.

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

PUBLIC HEARING DATE SET FOR MAY 9, 2012 AT 7:00 PM

04:25-04 AUTHORIZE Sewer Tenancy Option Agreement  
SUPERVISOR 354 Sheafe Road Property, LLC  
TO SIGN

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Sewer Tenancy Option Agreement for up to 18,000 gallons per day for an additional five (5) years between the Town of Poughkeepsie, the Arlington Sewer District, the Arlington Sewer Service Area, the Arlington Sewer Service Area #1 and 354 Sheafe Road Property, LLC, which Option Agreement shall include an annual option payment of \$8,200.00, the payment of \$15.00 per gallon per day, or the then prevailing rate, on exercise of the option which shall be no later than on the signing of a site plan for the premises; and

BE IT FURTHER RESOLVED, that the Town Board determines that signing this Option Agreement involves the ongoing administration of Town functions, and that no SEQR review is required because it is a Type II Action.

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

04:25-05 AUTHORIZE Edgetech Lawn Maintenance Contract  
Extension For Town Hall Buildings –  
Mowing & Cleaning Of Town Building  
Properties

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the extension of the Contract with Edgetech Lawn Maintenance for the mowing and cleaning of Town building properties for the years 2012 and 2013 at the contract price of \$17,000.00 (\$8,500 per year); and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute such extension on receipt of the required proof of insurance and performance security of \$2,500.00; and

BE IT FURTHER RESOLVED, that the Town Board finds that this is a Type II Action requiring no SEQR review.

SO MOVED: M. Cifone/S. Krakower

Councilwoman Shershin: You opted at this time to just go ahead and renew the contract, so will we be seeking bids after 2013?

Supervisor Tancredi: Yes. They are holding the price and I think, particularly with what is happening with the price of gasoline, to lock them in, I think is good. They've done a good job.

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

Nays: None

CARRIED: 7-0

04:25-06 AUTHORIZE

Red Cedar Landscapers Contract Extension  
For Median Maintenance

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the extension of the Contract with Red Cedar Landscapers for the median clean up and weed removal along Route 9 and Route 55 for the years 2012 and 2013 at the contract price of \$22,400.00 (\$11,200 per year); and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute such extension on receipt of the required proof of insurance and performance security of \$2,500.00; and

BE IT FURTHER RESOLVED, that the Town Board finds that this is a Type II Action requiring no SEQR review.

SO MOVED: S. Krakower/S. Eagleton

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

Nays: None

CARRIED: 7-0

04:25-07 AUTHORIZE

Pat Scanlan Landscaping Contract  
Extension For Town Parks Mowing  
& Cleaning

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the extension of the Contract with Pat Scanlan Landscaping for the mowing and cleaning of Town Parks for the years 2012 and 2013 at the contract price of \$128,750.00 (\$64,375.00 per year); and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute such extension on receipt of the required proof of insurance and performance security of \$2,500.00; and

BE IT FURTHER RESOLVED, that the Town Board finds that this is a Type II Action requiring no SEQR review.

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

04:25-08 AUTHORIZE

Rejection Of All Bids / Re-advertise Re:  
Arlington Wastewater Treatment Plant  
Thickener Building Roof Replacement

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reject all bids for ARLINGTON WASTEWATER TREATMENT PLANT THICKENER BUILDING ROOF REPLACEMENT, pursuant to the recommendation of the Town Engineer; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to re-advertise for bids for ARLINGTON WASTEWATER TREATMENT PLANT THICKENER BUILDING ROOF REPLACEMENT, pursuant to plans and specifications to be prepared by Town Engineer; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

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

04:25-09 APPOINT Historic Preservation Commission  
Of Sarah Johnson

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Sarah Johnson to the Town of Poughkeepsie Historic Preservation Commission to fill the unexpired term of Victoria Powell, which term expires on April 19, 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

04:25-10 AUTHORIZE Maintenance Agreement With Atlas Star  
SUPERVISOR Digital Document Specialist For Copier  
TO SIGN Maintenance At Town Police Department

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a Maintenance Agreement with Atlas Star Digital Document Specialist for copier maintenance at the Town of Poughkeepsie Police Department for the agreement period from May 15, 2012 to May 14, 2013 at the annual cost of \$2,295.00; and

BE IT FURTHER RESOLVED, that the Town Board finds that this is a Type II Action requiring no environmental review.

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

04:25-11 SET DATE FOR  
PUBLIC  
HEARING

Amend Town Code, Chapter 203, Entitled  
“Water”, Specifically Section 203 – 5 E (2),  
Entitled “Connection With Mains”

### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 9<sup>th</sup> day of May, 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 an amendment to the Town Code Chapter 203, entitled “Water”, specifically Section 203-5 E (2), which amendment would be as follows:

**DELETE:** Section 203-5 E (2) Reduced-pressure valves...

**ADD:** Section 203-5 E (2) Backflow prevention. Backflow preventers must be installed in all commercial buildings and those residential buildings that may require such devices, whether they are occupied or vacant, as long as Town water is being supplied to these property. All fire lines must be protected by at least a double check valve. The make, model and type of device, which will depend on the degree of hazard, must meet Town of Poughkeepsie Water Department specifications.

- (a) All backflow devices must be tested at installation and be recertified annually by a New York State Department of Health approved tester.
- (b) If a required backflow device is not installed within sixty (60) days of Certified Mail notice to a property owner requiring it to install a required device, the delivery of water to the property may be discontinued by the Town of Poughkeepsie Water Department.
- (c) If a required recertification is not done within thirty (30) days of Certified Mail notice to do so, the water supply to the property may be discontinued by the Town of Poughkeepsie Water Department.
- (d) If it is determined by the Town of Poughkeepsie Water Department, the Dutchess County Department of Health or the New York State Department of Health that the failure to install or maintain required backflow prevention presents an imminent public health hazard, water supply to the property may be immediately discontinued by the Town of Poughkeepsie Water Department, which shall give notice thereof to the property owner as promptly as is practicable under the circumstances.

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does determine that this action is a Type II Action, and does further determine that no further environmental action is required; and

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

SO MOVED: J. Conte/S. Eagleton

Councilman Cifone: Is this for property owners who have had a backup in their house and we are going to mandate them to get it back for (inaudible)?

Town Attorney Nelson: The Town has always required certain backflow devices for certain properties. However, what I was told by Keith Ballard is that there was a single type of device that was universally required, which is, to his mind, more expensive than is necessary in some of the lower volume uses. So Keith wanted to suggest that amendment to you, but also to have the option to shut off if people don't install or recertify and in addition, we added the ability to an emergency shutoff.

Councilman Cifone: Is this for residential, also.

Town Attorney Nelson: There are residential buildings, but I believe they are not individual.

Councilman Cifone: Ok, I just wanted to make sure that it was not for the residents.

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

Nays: None

CARRIED: 7-0

04:25-12 SET DATE FOR  
PUBLIC HEARING

Property Maintenance At 2302 New  
Hackensack Road

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 9<sup>th</sup> day of May, 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 all garden waste, fallen tree limbs and cut grass to a height not to exceed 6 inches, and to repair or remove gutters, soffits and metal awning, which Orders to Remedy are attached hereto, for property located at 2302 New Hackensack Road, Poughkeepsie, New York 12603, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

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

ORDER TO REMEDY ATTACHED TO FINAL BOOK COPY

04:25-13 AUTHORIZE  
SUPERVISOR  
TO SIGN

Agreement With Dutchess County  
Resource Recovery Agency For Sewage  
Disposal Services Provided By Town To  
Dutchess County Resource Recovery  
Agency

RESOLUTION

WHEREAS, a disagreement has existed between the Town of Poughkeepsie and the Dutchess County Resource Recovery Agency concerning payment to the Town of Poughkeepsie for sewage disposal services provided by Town of Poughkeepsie to Dutchess County Resource Recovery Agency for the years 2000 through 2011; and

WHEREAS, the Town Board is desirous of entering into an Agreement with Dutchess County Resource Recovery Agency to resolve this dispute.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town Supervisor is authorized to execute an Agreement between Town of Poughkeepsie and Dutchess County Resource Recovery Agency for resolution of the disagreement between the Town of Poughkeepsie and Dutchess County Resource Recovery Agency for payment for sewage disposal for the years 2000-2010 substantially in the form annexed to and made a part of this resolution.
2. The authorization for execution of the Agreement is conditioned upon receipt by Town of Poughkeepsie from Dutchess County Resource Recovery Agency of the sum of \$10,680.00 for payment of the 2011 bill for sewage service.

SO MOVED: S. Krakower/J. Conte

Attorney Richard Cantor: This resolution would resolve a long standing dispute between the Town and the Resource Recovery Agency concerning the payment by the agency to the Town for the sewage disposal service that the Agency receives from the Town. It covers the period first from 2000 to 2010, which comes to total of \$124,593.+ and the agreement is that the sum that the Town ordinarily pays to the Agency when the Town brings refuse to the Agency, will be applied to the Agency's bill to the Town for sewage service. If the Town approves this resolution, the Agency will give the Town a check for \$10,680.00 which will pay for the 2011 bill and the agreement provides for the Agency thereafter timely payments. That's the substance of the Agreement.

Councilman Cifone: Mr. Cantor, I thank you for this Agreement, I know you put a lot of effort into it and it wasn't easy.

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

AGREEMENT ATTACHED TO FINAL BOOK COPY

04:25-14 NOTIFICATION Planning Board Lead Agency Status For  
Lakeview Plaza

NOTED BY TOWN BOARD  
MEMORANDUM ATTACHED TO FINAL BOOK COPY

04:25-15 ACCEPT 2012 Minutes:  
March 7 - Town Board  
March 21- Town Board  
April 4, - Town Board  
April 11 - Committee Of The Whole

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the minutes for the following 2012 Town Board Meetings, to wit:

March 7 – Town Board Meeting  
March 21 – Town Board Meeting  
April 4 – Town Board Meeting  
April 11 – Committee of the Whole Meeting

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

04:25-16 NOTICE OF CLAIM The Following Notice of Claims Have Been Referred By The Town Clerk To Legal Department:

- A. Tim Middlebrook V Town For Damage To Siding By Water Department Employee Who Was Installing A Meter
- B. Jeffrey Block & Barbara Stark Block

V Town & Dutchess County For Wrongful  
Death Of Estate Of Eva Ryan Block,  
Deceased

REFERRED TO LEGAL DEPARTMENT

04:25-17 AUTHORIZE

Special Consent Items SC 1, SC 2, and SC 3

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       | Resignation of Jason Gantt  |
| SC 2. Notification | Yeung/East Cedar Subdivision<br>Lead Agency Intent – Planning Board |
| SC 3. Notification | Friendly Honda – Lead Agency Intent<br>Planning Board               |

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: Supervisor Tancredi/M. Cifone.

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

Nays: None

CARRIED: 7-0

04:25-SC 1 ACCEPT

Town Of Poughkeepsie Conservation  
Advisory Commission resignation of  
Jason Gantt

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Jason Gantt from the Town of Poughkeepsie Conservation Advisory Commission, effective immediately.

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

04:25-SC 2 NOTIFICATION

Planning Board SEQRA Lead Agency  
Notice Of Intent For Yeung/East Cedar  
Subdivision

ATTACHED TO FINAL BOOK COPY

04:25-SC 3 NOTIFICATION

Planning Board SEQRA Lead Agency  
Notice Of Intent For Friendly Honda  
Comprehensive Site Plan

ATTACHED TO FINAL BOOK COPY

Motion made to suspend the rules for public speaking: Supervisor Tancredi/S. Eagleton

CARRIED: 7-0

Victor Gennodi: “This was a good meeting about this drainage issue. It’s been going on for years. Hopefully they will not let this County Road go by. It would be a sin.”  
He commended the Town on excellent leadership at this time.

Doreen Tignanelli: The Town is reviewing the Zoning for LED signs and I think it’s really good.

Councilman Krakower: There is a rolling Target sign that has been rolling through the Town and parking in some parking lots lately, which there has got to be some kind of Zoning violation on. They leave it parked in some parking lots.

Doreen Tignanelli: While the Town is reviewing some Code Chapters that seems to be an on going thing. I wonder if you might consider reviewing the Noise Ordinance because Lloruds High School was seeking approval for a Sports Complex with a PA system and bleachers to seat 500 people and it was going in a pretty quiet neighborhood and at a public information the School held, I brought it up that we could hear on Colburn Drive the noise from the Spackenkill High school and that was just something to take into consideration putting that complex into quiet neighborhoods. The Poughkeepsie Journal had an article about it and mentioned the Planning Department stating the Town of Poughkeepsie and their noise law. The night of the Planning Board Meeting the Trustee for the School said they didn’t have to abide by the noise ordinance because schools are exempt from the Town’s Noise Ordinance. I didn’t realize that. I went and checked afterwards and Chapter 139 says “Towns connected with Sporting Events or any public or private schools or a Carnival, Fair, Exhibition, or Parades, etc. I don’t know if that is something you might want to review. Doreen had suggested maybe some screening by putting evergreen trees along the line to soften the noise.

Councilman Krakower: I don’t think that is overly problematic.

Councilman Cifone: I'm willing to take a look at it because there are some problematic things about it and there are some ramifications we can take and put in place to curb the noise a bit.

Robert Casement: I want to bring up the Financial Report you had at the last meeting. I thought it was a very good report, but I have a couple of questions. One was an article in here for Firefighting in this building. What is that.

Councilman Cifone: That is the pace study. It's to maintain the extinguishers and fire alarms, etc.

Robert Casement: The other thing was there were a couple of places where you didn't budget for Unemployment Insurance for a couple of things.

Supervisor Tancredi: I think it was when someone retired or resigned, I think it was the payout for sick time, and accumulated retirement time. I don't think it was the Unemployment Insurance.

James Kitcher: I would like to mention something in the order that Doreen mentioned, noise. The people that own the Hudson Plaza have decided to have a guy clean the Plaza almost daily and run a very noisy street sweeping machine around the whole plaza and it takes about an hour every day. They start about 7AM. I'm going to pass this thing now on Germano.

Supervisor Tancredi: I know he's done quite a bit of work. Let's talk about what's been done and then go forward. The fence is up, the curbing is in place and the beds in place and so at this point all he has to do is put in the shrubs, right? Is that the last piece of the plan, or not? I think he has to put shrubbery in at this point.

James Kitcher: He's gotten to the point where the fence got put up. I've been coming here five years now. I'm coming here again to re-emphasize the fact that the way the building was when the original special use permit he's been operating under---this is the way the building was. There was no bays at the end of the building. They originally were bays at the back of the building and the fence was extended beyond all of the active business and now the fence extends beyond the old active business but still these two bays that are at the end of the building ---

Councilman Krakower: Can we take a look and see if he actually pulled a Building Permit for that work?

Neil Wilson: Yes, there was an additional bay, which was added some time before I worked for the Town. But, he did receive a building permit for it. There was never any Architectural Review or site plan for it, I believe, at the time it was done.

Councilman Krakower: Generally, for something like that, he would have to go back for a revised site plan, right?

Neil Wilson: Typically, now we would treat it as a off shoot of a site plan review.

Supervisor Tancredi: And the plantings that he has to put in have they been established as to what plantings he has to put in?

Neil Wilson: We have a plan that was worked on going back about three years, his Special Permit was lifted by the ZBA. He sued the Town and lost and he filed a Notice of Appeal but he never perfected that Appeal and so what I directed him to do last year is starting in June, he has three different Board Approvals that he has to obtain starting with the License Agreement from this Board. He needs a Special Use Permit from the Zoning Board of Appeals and he needs a Site Plan Approval from the Planning Board. He had actually submitted all of his plans and we were in the process of putting him on the agendas for in front of this Board and in conversations with Councilman Krakower, and I fully supported this, because of passage of time where he simply was doing nothing but continued to use the site, I directed him to do something. Put up the fence, do the landscaping, do something and what he installed was putting the fence back to where it was originally. He put in the curbing around October and he put some dirt and mulch in preparation for the planting bed and that's where he stays.

Supervisor Tancredi: My thought would be is somehow in where the planting bed closest to where the fence line ends, whatever he puts in there could be taller, that might provide some screening. You can't do that when you get close to Route 9 because it will block the line of view.

Neil Wilson: There was an old plan going back to the time when Laura Wojtowicz was here, where she was looking to have him install a stone wall on the north and south corners of the property. I asked, "Why would we do this along Route 9? The stone wall is not part of that plan. But, the plan also includes plantings on the other corner near the driveway for the Hudson Harbor Apartments. My plan, at this point, is to have him install the plantings according to the plan that he and I worked out. He still needs to come back to the Planning Board and this Board and back to the ZBA and along the way, if this Board or the other two Boards say, "You need to beef up the Plantings" or "we want you to do something slightly different", that makes it into the final plan, then that is what he has to do.

Councilman Krakower: Why don't we have him come back to this Board in May and present what the plantings are going to be so Mr. Kitcher and the Board can see it. The one thing, back before the winter started, was to not allow any more Town employee or Board time because he was before the Planning Board and Zoning Board and he didn't come to the Town Board to get a license and use it and so my feeling was, until he gets a license to use that strip of land, there was no reason for him to go get approvals from the other Boards and he is been prone to wasting our time. So, that's where we are at and that finally got him to the point where he actually did something. We are really at the final point to where he has to put the plantings in. But, he should come in front of the next COW Meeting and present it to us, which is the third Wednesday in May. Then we

can set some final time that he needs this to be done. Other wise this Board should not give him a license and he shouldn't be in front of the Zoning Board and Planning Board for anything else, either. There has been real progress. The fence went up, the curb went up, and that's real progress.

Neil Wilson: Also, some time ago, he was advised that any license agreement will also include covering the Town's legal costs for the fight that he basically picked.

James Kitcher: The plantings were defined. He extended his driveway 8 feet from the dimensions in the plan. So, he shrunk it in to give himself more driveway, I don't know if that's approved or not. The three plants are bigger than 3 feet high are where these three posts are in this little picture and so there are three little birch trees that will provide a good background and grow up, but won't really provide screening for the bays. That's in the plans, as far as I know. One last thing, last year, as a result of an action by the Town Planning Board having to do with T Mobile doing something with some towers, we said it was a positive recommendation to the Town Board to accept a monetary payment in lieu of landscaping dedicated to be used only for landscaping purposes. So, this is what happened. There seems to be a landscaping fund in the Town that people can contribute to.

Neil Wilson: These were monies that was an old plan that involved one of the cell towers for Hudson Plaza where they actually showed on the plan a lot of plantings that were supposed to be done along Route 9 and the plantings were never done, this was going back a number of years and so when the new owner of the tower came in and they had some equipment swap outs and other things done, it was realized the landscaping was never done along Route 9. I was a little mystified as to why flowers and low shrubs along Route 9. It didn't seem very appropriate in relationship to hiding a tower. So we made an arrangement to accept monies in lieu of planting.

Mr. Armstrong: I was just wondering if I could just bother you for some numbers about some costs on this agenda. The Edgetech Lawn Contract, do you remember what the price was for that? (\$8,500. a year.) Red Cedar (\$11,200. a year and \$22,400 for two year contract.) Then Pet Scanlan (\$64,375 a year). The maintenance for the Atlas. (\$3,200.) The New Hackensack Road Property. (That's an abandoned house and a lien is put against the property). The other thing a gentleman brought up was the fire equipment costs of \$9,000 a year. Does anyone know what that entails? (Supervisor Tancredi stated "Call or come in tomorrow and I can get you the specifics on that.")

Councilman Baisley: We called the Galleria on that because they used to do the same thing. We just called them and asked them to start in the front and finish your day in the back. They accommodated us.

## 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. Litigation: To discuss litigation strategy in a case known as Hildecar, Fairview Fire.
2. Confidential communication between attorney and his client/Town Board based on attorney/client privileges.
3. Matters leading to the appointment, employment, dismissal, or approval of a Corporation.

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

SO MOVED: J. Baisley/J. Conte

CARRIED: 7-0

TOWN BOARD MEETING ADJOURNED AT 9:03 PM

TOWN BOARD ENTERED EXECUTIVE SESSION AT 9:05 PM

TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 9:35 PM

NO ACTION WAS TAKEN

Motion made to close the Meeting: Supervisor Tancredi/J. Conte

CARRIED: 7-0

TOWN BOARD MEETING CLOSED AT 9:35 PM

SJM:lkm