

**MINUTES OF REGULAR TOWN BOARD MEETING HELD ON  
MAY 9, 2012 AT 7:00 PM AT TOWN HALL, ONE  
OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

**PRESENT:** Supervisor Tancredi  
Councilman Baisley  
Councilman Eagleton  
Councilman Conte  
Councilman Cifone  
Councilwoman Shershin  
Town Attorney Nelson  
Town Clerk Miller

**ABSENT:** Councilman Krakower

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

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

{ } designates corrections or amendments to

**7:00 PM**

**CALL TO ORDER**

**SALUTE THE FLAG**

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

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

Motion made to close the Public Hearing: Supervisor Tancredi/M. Cifone

CARRIED: 6-0

05:09-01 PUBLIC HEARING

Amend Town Code, Chapter 203,  
Entitled "Water", Specifically  
Section 203-5E (2), Entitled  
"Connection With Mains"

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on 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, does hereby amend the Town Code Chapter 203, entitled "Water", specifically Section 203-5 E (2), which amendment is 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 properties. 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 ENACTED, that the Town Board of the Town of Poughkeepsie determined that this action is a Type II Action, and further determined that no further environmental action is required; and

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

SO MOVED: J. Baisley/S. Eagleton

Councilman Conte: I just have a question for Keith. One of our residents had concerned about this. He thought that this was an opportunity for this to prevent someone introducing something into our water lines. Is that one of the reasons why you are doing this?

Keith Ballard, Town Water Department: That's the main reason, yes. These backflow preventers are required by the New York State Department of Health on all commercial

buildings and any residential buildings that may need them. If they have an irrigation system where you can get chemicals from the lawn or if it is cross connected with a well. If they keep their well, which they can do for outside faucets, they have to have back flow prevention in case they connect the pipes. That's called "Cross Connection". Because if we shut off our system, it can back feed into our system and could create a public health hazard.

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0

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

CARRIED: 6-0

Town Clerk Miller: I did hereby file the affidavit of posting on April 26, 2012 and published in the Poughkeepsie Journal on April 28, 2012.

Motion made to suspend the rules for Public Hearing #2: Supervisor Tancredi/J. Conte

CARRIED: 6-0

Town Attorney Nelson: It was suggested by the Development Director's Office that there is potential for compliance here and so the request was that this hearing be adjourned to and continued at the Meeting of May 23<sup>rd</sup>, 2012.

Supervisor Tancredi: Can't we just close it and if not complied, do the work?

Town Attorney Nelson: If we close the Hearing, we might have to do another posting of a notice again.

Councilman Conte: Have they ever been in front of us before? I know we've seen a lot of these, so I don't know.

Councilwoman Shershin: No, I don't think so.

Supervisor Tancredi: Is it just tall grass, or is it debris as well? ( Yes, and Maintenance of premises)

05:09-02 PUBLIC HEARING

Property Maintenance At 2302 New  
Hackensack Road

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on May 9, 2012 at 7:00 PM at the Town Hall, Town of

Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 2302 New Hackensack Road, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6260-01-278898, owned by James & Jeb Ogden, is in violation of Chapter 195; and

BE IT FURTHER RESOLVED, that said determination is based on the presentation and report submitted at the public hearing by the Zoning Administrator of the Town of Poughkeepsie; and

BE IT FURTHER RESOLVED, that said owners of 2302 New Hackensack Road have not complied with the Order to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the repair or removal of all garden waste, fallen tree limbs and shall cut the grass to a height not to exceed 6 inches, and to repair or remove gutters, soffits and metal awnings, and any continued maintenance thereafter if the premises continues not to be properly maintained and

BE IT FURTHER RESOLVED, that the charges shall be sent to the registered owners of said property for reimbursement; and

BE IT FURTHER RESOLVED, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159-13 of the Town Code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance; and

BE IT FURTHER RESOLVED, that the Highway Department or an appointed contractor is authorized to remove all garden waste, fallen tree limbs and cut the grass, and repair or remove gutters, soffits and metal awning.

SO MOVED: Supervisor Tancredi/J. Conte

Motion made to adjourn this Public Hearing to May 23, 2012 Board Meeting: Supervisor Tancredi/J. Conte

CARRIED: 6-0

ADJOURNED TO MAY 23, 2012 TOWN BOARD MEETING

Town Clerk Miller: I did hereby file the affidavit of posting on April 26, 2012 and published in the Poughkeepsie Journal on April 28, 2012.

Motion made to suspend the rules for Public Hearing #3: Supervisor Tancredi/M. Cifone

CARRIED: 6-0

Doreen Tignanelli: I will be submitting written comments, but I have a few things I would like to say tonight. First of all, the report is in a searchable PDF again this year, which makes it much easier for public participation, but I do have concerns about flooding and drainage issues and storm water issues. Over the years we've seen more Town residents coming before the Town Board with issues and some of these residents didn't have problems until new developments occurred around them. We saw a gentleman last October, I believe, who basically had a stream running through his driveway and that was due to Stratford Farms in Councilman Conte's Ward and so I think some more vigilance is required when it comes to storm water issues in the Town and I do have concern right now, Morris Associates reviews, I believe, these Storm Water Pollution Prevention Plans, they sit in on the Planning Board Meetings and then they also write the annual Storm water report. Basically, to me it's like they are reporting on themselves and I would just like to see a little more vigilance because some of these projects just don't seem to be working out the way they are supposed to be when it comes to storm water issues.

Sean Crimins is here, who write the report from Morris and so Seann, would you like to come up?

Sean Crimins: Just to address that first comment on the Stratford Farms. The Engineering Department actually constructed a temporary sediment basin about 600 feet long and they were able to perpetuate that about four months ago and are in place now. That should be able to take care of any run off that may occur and go to Route 44. Just to address what we did with the annual report. In accordance with the Storm regulations by DEC, this report tallies up the entire Town's activities and it was prepared in draft form on the Town's website on May 4<sup>th</sup>. We have to submit this report to the DEC in accordance with their MS4 SPDES Permit. I can go through all the regulations that we did, it's quite a bit, and all the inspections. Basically, we have 600 outfalls in the Town of Poughkeepsie. By Code, we have to inspect about 20% and I did about 120 inspections of every catch basin, every swell that discharged into our water sheds and then made its way out to the Hudson. If I did see an issue of tarnishing or staining, and things like that, we notified the Highway Department and they came and sumped out catch basins and repaired culverts and installed rip wrap and with private construction practices, we insured that they did their maintenance. Any other comments we can accept in written form and we can address those and put them in back of the report before we submit them. We focused on the Fallkill this year, next year we will probably do the Casperkill.

The Board thanked Sean on the report and stated that it sounds like they did a thorough job.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the draft Stormwater Annual Report prepared by the Town of Poughkeepsie Director of Municipal Development; and

BE IT FURTHER RESOLVED, that said report has been filed in the Town Clerk's Office for review and comment by any interested party, and has been posted on the Town's website and

BE IT FURTHER RESOLVED, that on May 9, 2012 a public hearing was held at a regular scheduled meeting of the Town Board; and

BE IT FURTHER RESOLVED, that the public review and comment period ends at 4:00 PM on May 18, 2012 when all written or oral comments are to be submitted; and

BE IT FURTHER RESOLVED, that the Town board does direct the Director of Municipal Development to review the comments and prepare for filing the final report which is due June 1, 2012.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 6-0

Town Clerk Miller: I did hereby file the affidavit of Posting on April 26, 2012 and published in the Poughkeepsie Journal on April 28, 2012.

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

CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: I have a question about number 4. When I first saw that, I wondered if it was the parcel on the corner of Boardman and Spackenkill, that this applied to, but, I understand it's to an existing building on Boardman Road.

Supervisor Tancredi: This applies to the Institutional Zone in general.

Doreen Tignanelli: If this were to apply to a specific area on Boardman Road, such as the former IBM power plant, does anyone know who owns that?

Supervisor Tancredi: It's owned by Faith Assembly Church.

Doreen Tignanelli: Ok, so, it's already a tax exempt parcel.

Supervisor Tancredi: Yes. That is what is behind this. Right now, libraries are permitted in Accessory Use and a library is interested in that parcel on Boardman. Tom Morris will be here next week at the Committee of the Whole Meeting to talk a little bit more in detail about what their plans are for that parcel if it is approved in the November General Election.

05:09-04 SET DATE FOR  
PUBLIC HEARING

Amend Town Code, Chapter 154,  
Entitled "Zoning", Specifically  
Article VI, Section 210-38(B) And  
Article II Section 210-8

RESOLUTION  
AMENDMENTS TO CHAPTER 210 OF THE TOWN CODE

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending amendments to Article VI Section 210-38(B) and Article II Section 210-8 of Chapter 210, "Zoning", to include "Libraries" as a use permitted in the Institutional District subject to Town Planning Board approval; and

WHEREAS, the proposed amendments is 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 action to amend the Zoning Law is a Type I Action under the New York State Environmental Quality Review Act; and

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

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 for June 6, 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. Conte/M. Cifone

Neil Wilson, Development Director: As we discussed earlier, this would actually add Libraries as the permitted principal use anywhere in the Institutional Zone. Right now, they are allowed as accessory uses. It was probably an oversight when we drafted the law back in 2007 because Libraries are an institution and what would be a better place to have them then in an Institutional Zone? So, even absent the initiative of the library looking at the Boardman Road site, this is something we should have taken care of anyway. This also includes the definition of specifically "Library" with details as to exactly what that means.

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

Nays: None

CARRIED: 6-0

05:09-05 SET DATE FOR  
PUBLIC HEARING

Amend Town Code, Chapter 154,  
Entitled "Plumbing", Specifically  
Sections 154-30, Entitled "Renewal  
Expiration"

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23<sup>rd</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 of Poughkeepsie Plumbing Code, specifically Section 154-29, entitled "Expiration and renewal", and

Section 154-30, entitled “Renewal expiration” which amendments are as follows, with those words underlined to be added, and those words stricken to be deleted:

Section 154-29. Expiration and renewal.

All licenses issued pursuant to this Article shall expire on the last day of December of the year in which it has been issued February and shall be renewed within 30 days preceding such expiration by application to the administrative authority and the payment to of the Administrative authority of a fee which is listed in Chapter 105, Fees, prior to expiration.

Section 154-30. Renewal expiration.

A reexamination will be required in the event that a plumber allows his or her license to expire and he or she wishes to continue in the business of plumbing.

Late renewal.

If application for renewal is not made within time prescribed herein, the Plumbing Board, in its sole discretion, may nevertheless renew the plumbing license in accordance with the Board’s rules and regulations. In such event, before the Board issues a renewal, the licensee must pay penalty equal to the initial license renewal fee as set by the Plumbing Board and approved by the Town Board. This penalty shall be assessed against the licensee and shall be paid in full with the renewal fee prior to the issuance of a plumbing license renewal.

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: M. Cifone, S. Eagleton

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

Nays: None

Absent: Councilman Conte

CARRIED: 5-0

05:09-06 SET DATE FOR  
PUBLIC HEARING

Amend Town Code Chapter 105, Entitled  
“Fees”, Specifically Section 105-4 “Fee  
Schedule”, O. Chapter 154, (4) Entitled  
“Shelving Of Plumbing License”

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 23<sup>rd</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 105, entitled "Fees", specifically Section 105-4 "Fee Schedule", O. Chapter 154, (4) Shelving of Plumbing license: \$75., which amendment is as follows, with those words underlined to be added:

AMEND Section 105-4. Fee Schedule. O. Chapter 154, Plumbing, to read:

O. Chapter 154, Plumbing

(4) Shelving of Plumbing License: \$75.

A licensed plumber may make a request in writing to the Plumbing Board to shelve his license. The Board may grant such a request subject to the following:

- A. The licensee shall surrender his license to the Board;
- B. The granting of a request for shelved status shall not be deemed or otherwise considered a suspension of license;
- C. The period of shelved status will be for a period of one year;
- D. On the last day of February of each year of shelved status, the licensed plumber must either:
  - (1) Submit a written request (with a fee of \$50.00) for an extension of shelved status, which may be granted at the discretion of the Board; or
  - (2) Submit a written request that the license status be reactivated, which request shall be granted by the Plumbing Board without further testing or qualification.
- E. Upon reactivation, the licensed plumber shall be required to pay the appropriate annual licensing fee regardless of the time remaining in the calendar year.
- F. Any licensed plumber who has shelved his license and is found working in the Town of Poughkeepsie shall be deemed unlicensed and shall be subject to fines and penalties as provided for by the Plumbing Board/Town Board.

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

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

SO MOVED: A. Shershin/J. Conte

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0

05:09-07 AUTHORIZE Architectural/Engineering Consultant  
SUPERVISOR Agreement With Lochner Engineering,  
TO SIGN P.C. To Conduct Construction Inspections  
For The Safe Routes To School Project.

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign the Architectural/Engineering Consultant Agreement with Lochner Engineering, P.C. to conduct construction inspections for the Safe Routes to School Project, a copy of which is attached hereto, subject to the New York State Department of Transportation authorization for said improvements, and conditioned upon the indemnity of insurance language being acceptable to the Town Attorney.

Councilwoman Shershin: How much is this contract?

Supervisor Tancredi: Just slightly over \$400,000.00. It's a grant that we acquired three or four years ago.

Councilman Cifone: The State wanted to do the initial engineering and design and we would rather have the work done in-house because we could do it quicker. We are now finally getting it done. This is sidewalks from the Children's Home on Fulton Street in Poughkeepsie and going up to Violet Avenue School and it is actually a safety route for the kids going to that school.

Supervisor Tancredi: It's been on the agenda for a number of years and it just finally getting done, hopefully.

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0

#### ARCHITECTURAL/ENGINEERING CONSULTANT AGREEMENT ATTACHED TO FINAL BOOK COPY

04:09-08 ACCEPT Town Justice Court Resignation Of Sarah Hoch As Part Time Clerk & Appointment As Full Time Justice Court Clerk

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the resignation of Sarah Hoch from the position of part time Clerk with the Town of Poughkeepsie Justice Court, which was effective as of 11:59 PM on April 22, 2012; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify and amend RESOLUTION 4:4-SC 1 of 2012, appointing her as full time Court Clerk with the Town of Poughkeepsie Justice Court, which appointment shall be deemed effective April 23, 2012.

SO MOVED: J. Baisley/S. Eagleton

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

Nays: None

CARRIED: 6-0

05:09-09 ACCEPT

Town Justice Court Resignation Of Colleen Keith As Full Time Court Clerk & Appointment As Justice Court Full Time Typist

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the resignation of Colleen Keith from the position of full time Court Clerk with the Town of Poughkeepsie Justice Court, which was effective as of 11:59 PM on April 22, 2012; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify and amend RESOLUTION 4:4 – SC2 of 2012, appointing her as full time Typist with the Town of Poughkeepsie Justice Court, which appointment shall be deemed effective April 23, 2012.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 6-0

05:09-10 AUTHORIZE

Supervisor/Town Attorney to Call Letters Of Credit For Towerco/Towerco II, LLC From Wells Fargo Bank N.A.

#### RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore entered into lease agreements with Independent Wireless One Corporation for the utilization of Town property on Barnes Drive and Cedar Avenue for communication towers, which leases are now held by Towerco/Towerco II, and

WHEREAS, the agreements required Independent Wireless One Corporation to post and maintain two (2) letters of credit as security for the removal of the towers, and

WHEREAS, letters of credit were issued by Wells Fargo Bank, N.A., being SM234838W in the sum of \$12,700 (Cedar), and SM234845W in the sum of \$13,200 (Barnes), and

WHEREAS, the Town Attorney's Office has been notified by Wells Fargo Bank, N.A. that said letters of credit will expire on May 31, 2012 and will not be renewed, and

WHEREAS, Towerco/Towerco II has been notified of this problem, and

WHEREAS, to date new letters of credit have not been received, now, therefore

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie, as beneficiary, does hereby authorize the Supervisor and/or the Town Attorney to sign all papers necessary and proper to call the Wells Fargo Bank, N.A. letters of credit.

SO MOVED: J. Conte/S. Eagleton

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

Nays: None

CARRIED: 6-0

O5:09-11 NOTICE OF CLAIM

The Following Notice Of Claim Has Been Referred By The Town Clerk To The Legal Department  
A. John Stouter & Susan Zlotrick V  
Town

#### 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

Retirement of Sergeant Eric Hawlk

SC 2. Authorize Supervisor to Sign

Amendment to MOU-Hudson River Psychiatric Center Water District Project

SC 3 Notice of Claim

The following Notice of Claim has been Referred by the Town Clerk to Legal Department  
A. Neilson, Rosemary

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

SO MOVED: M. Cifone/J. Conte

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0

05:09-SC 1 ACCEPT

Police Department Retirement Of Sergeant Eric Hawk

#### RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of Sergeant Eric Hawk from the Town of Poughkeepsie Police Department, effective the close of business on June 8, 2012.

SO MOVED: A. Shershin/J. Conte

Councilman Cifone: Stated that we, the Town, are going to miss a very great guy from the Police Force. Entire Board agreed.

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0

05:09-SC 2 AUTHORIZE  
SUPERVISOR  
TO SIGN

Amendment To Memorandum Of Understanding Between NYS Office Of Mental Health & Others & Town For The Hudson River Psychiatric Center Water District Project

#### 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 or

His designee to execute such documentation as is required to confirm the further amendment of 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 rerouting of service connections by the Town’s contractor, Thomas jGleason, Inc. (“Gleason”), for New York State owned properties (Dormitory Authority of the State of New York), at a cost of \$11,000, plus any Town Engineering approved extras of not more than \$1,500, 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 or his designee is also authorized to execute a Change Order to the April 14, 2011 contract (10-001 HRPC Water District) with Gleason, 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: Supervisor Tancredi/M. Cifone

Councilman Eagleton: How do we enforce- I don’t envision that we will have a problem with them getting the money they would owe us within a 60 day period, but how is that enforceable?

Town Attorney Nelson: Like you, I would hope that we wouldn’t have to sue the Dormitory Authority or Office of Mental Health, but, there was an earlier modification to allow for a hook up to two buildings plus potential for rock work up to \$60,000 and in finishing this up, they found that, as marked out, the lines didn’t go exactly where expected and they had to make a jog to make the actual connection and would cost an additional \$11,000. So, we are following the same process as we did before. You’re right, it is possible it may not work out, but, we’ve received confirmation electronically from the person from whom we’ve been dealing with at the State on this forever, Jennifer Hubert, and also from her immediate Supervisor, that they will honor this and so, based on past history, I suggested that it is a risk worth taking.

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

CARRIED: 6-0

05:09-SC 3 NOTICE OF CLAIM

The following Notice of Claim Has Been Referred By The Town Clerk To The Legal Department  
A. Rosemary Neilson V Town

REFERRED TO LEGAL DEPARTMENT

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

CARRIED: 6-0

Victor Gennodie: Can we do something with the telecast on the television, that if there is not a meeting, that it is posted and stop with some of the colors and combinations that no one can read and stop with a piece of paper that if your up in front of the TV you can't read"

Councilman Cifone: The other day Mark actually fixed the one from the Assessing Department because you can't read it and he's going to go over the other ones, too. We will work on the other ones.

Supervisor Tancredi: Yes, it is a good idea to put the cancelled meetings and scheduled meetings on the TV and the Web site.

Councilman Cifone: Also, voice maybe some of the college students could set it up and work on that for credits.

Doreen Tignanelli: Spoke about the Fire District in Arlington. Spoke on the audit by NYS of the Fire District Budget and changes made. Hopefully it will be a benefit to the residents and tax payers.

Supervisor Tancredi stated he would like to welcome Jim Challey, Chairman of the Zoning Board, here at tonight's meeting.

#### 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 McIsaac & Keith Gory matters.
2. Confidential communications 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: J. Baisley/J. Conte

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

Nays: None

CARRIED: 6-0

TOWN BOARD ADJOURNED THE MEETING AT 7:45 PM

TOWN BOARD WENT INTO EXECUTIVE SESSION AT 7:50 PM

TOWN BOARD RETURNED FROM EXECUTIVE SESSION AT 8:23 PM  
NO ACTION WAS TAKEN

Motion was made to close the Meeting: Supervisor Tancredi/M. Cifone

CARRIED: 6-0

SJM:lkM