

Councilman Cifone: Explained the proposed ordinance that renting to 4 persons would be ok, but 5 or more would be designated a boarding house. When designated a boarding house, there would be a need for house inspections. The Town then could regulate it. This, in itself, is not about student renting.

Jonathan Gosser: He wanted a definition of a Boarding House. Town Attorney defined the ordinance which is in the Town Zoning Code.

Neil Wilson defined the definition of a Boarding House by saying 5 persons or more renting in a house would be considered and subject to building inspections and regulations. If you have a legal non-conforming use and the Code changes, you have one year to change it into conformity.

Jonathan Gosser: No one seems to have done anything about the constant complaints that have been continually complained about.

Supervisor Tancredi: I can tell you that I have contacted the Police to put special patrols in the Fairview area. The last few weeks they have been on patrol and there has been about 40 tickets issued to this point for the open container law and loud noise and things like that and increased police force in the area.

Beth Farcus: I am representing my inlaws on Fairview Avenue. Public urination has been going on there. Stealing of personal property off the lawn and destroying personal property. These are strictly transient relationships and not a family and is against the laws. Student living does not fit into your current Code of living laws and this has been going on for over twenty years and it is about time for this to stop and get some kind of a hold on the problem. So much needs to be done to control it.

Robert Hankin: We are not in the best of financial times right now. If you want to cut down the amount of housing available to those students, you will cut down on the amount of money spent in the community. I could have 6 kids in my house of my own and they could cause just as much damage as the kids renting from the Colleges. We have a big shortage of affordable housing in the Town and this brings more shortable housing in the Town. When it comes time to sell their property in this rental area, the landlords will go to the place where they can get the most money for the sale and that is the colleges.

Colleges support the Town in their concern regarding the college students leasing from residents in the Fourth Ward.

Councilman Cifone: We can work together on this. The fact is, there has been a lot of people who will not get together with us and talk and try and work something out. This has brought it to a head, unfortunately, in the Fourth Ward. I've only had three calls from three landlords trying to find a solution on this, but there are only a few residents here tonight. This is only half of pretty much neighbors that have gone through this for over eight years. Four or five people are not the problem.

Name not given: I'm glad we are having this meeting here tonight. I've been a landlord for 30 years and so the situation is that I'm well aware of what a tenant can do, whether it be a house, or one or two people. Two people can invite 20 people to a home. Your families that live in these neighborhoods have 20 to 30 people at their house during any one time of the year, but as long as they are done by 10 o'clock and the noise stops, that's the law. The law is not to be lenient on these people and let them continue Thursday, Friday and Saturday. My question is, there are not four or five people are not the problem. I would rather you take a look at the situation and not vote tonight just on four or five people. I would like you to take a look at what the real problem is. The problem is controlling the situation and you have the capabilities for doing that.

Chris Carnese: I own a house on East Cedar Street and I bought my house when I was 18 years old. I'm now 27 and I worked hard to purchase that house and I'm always thinking ahead down the road even though I don't have a wife or family yet, I'm in the construction field and don't get a retirement or benefit plans, but I'm trying to set up a future so I can retire some day. A lot of people's issues tonight seem to be about trash, maintenance, noise and I'm all for the laws against those sort of issues. I take care of my home, everything is up to par and in the maintenance code. My house does not look like a rental or a college rental and looks like it belongs in the neighborhood. A lot more of these rental homes, however, could look like mine. People get the wrong impression that we buy these houses to be like a "Cash Cow". It's not a "Cash Cow" for me. I have 26 years to go on my mortgage and my home is what it is today through "Sweat equity", I made it that way and others can, too. I'm not making a fortune off my rentals to go on vacation or whatever, I need the money to pay my mortgage and keep the house in shape. I want to be able to tell my kids what to do so they can have a better life, just like my father had to sacrifice while I was growing up. The other members of the neighborhood can have a house looking like mine with just keeping up the maintenance on it. What is one kid going to make a difference versus garbage and neglect? If more landlords had that kind of pride in the neighborhood, you would have a lot more happy people in the neighborhood.

Hope Blasie: I'm a current student at Marist College. I'm a resident on Sunset Avenue. Maureen Graham is my landlord. At school I'm the Student Government President and therefore speak on behalf of over 4,500 other graduates. I think it's wonderful that we are bringing up some discussion on this topic. It was great that I was able to speak freely with Maureen about it and now I get to come to this meeting and really understand the meaning of the depth of these issues. We don't want to be bad community members. I think there is a sense that students don't care about the people who live in their neighborhoods or the people who drive up and down their streets every day and I think that's a little unfair. I think the students are a little bit ignorant of these things, but not totally. They don't have malicious intent for what they do. I myself don't have malicious intent when I forget to take a beer bottle off the fence railing that a neighbor can see. We want to do well and be good community members, however. It is part of the commission at Marist. It's our first time living alone, paying our bills, and living in a community. Give us a little understanding. I think we need to realize an issue that is very present. I think students are not always treated like adults. Instead of neighbors coming to us and

voicing concerns, they close the curtain, call the police and wait it out and hope that something will change. If you talk to students, more often than not, they will change their behavior. If you treat them like adults, they will act like adults. But, if you treat them like children, they will act like children. It has to be a two way street and that is why the Town of Poughkeepsie. Earlier this week I allowed the trash to pile up. Maureen put me in my place and I won't let that happen again. We will respond if we are treated like adults. The Marist enrollment is not going down. Next year there will be 1100 beds for Juniors and Seniors. That's how it is going to be for a long time and changing the restriction from 5 people to 4 people in a house isn't going to make a difference, it's only going to make it worse. Because if there is an unoccupied room, they will be more prone to inviting more people in to party. I do ask that we work together to make this a better and more livable community and fix it instead of one party pointing their finger at the other for the next 8 to 10 years and please, let's work together and I ask you to please not pass this restriction.

Robert Goudioso, Esq. from Snyder & Snyder representing Michael & Eileen Maurno. The Maurno's have made a significant contribution into the community. They currently own three rental homes in the community and rent to five students at each home. I would like to make a few key points.

MAURNO'S LETTER ATTACHED TO FINAL BOOK COPY

Virginia Buechele: I'm probably going to disagree with many people who have spoke tonight. Most people here tonight are looking at this as a problem with behavior of the students. I'm looking at this as a problem to protect the safety of the students. Mr. Ridder asked what brought this about. In my book, what brought this about, is the list of 70 or so violations that the Town Planning and Zoning Departments received back in February and the continued reports of about illegal conversion and so I think this is really first and foremost a safety issue. I may very well agree that lowering it from 5 to 4 is not the total answer. It is simply a tool in the tool box. This issue has been allowed to fester far too long. Student's lives are in danger in unsafe housing. Their neighbors are in danger of becoming exposed to a fire and many of these students are living in homes that have not been inspected in eons. Once a single family home has a CO, it doesn't get inspected, unless someone reports a violation, maybe I'm wrong. Students are not going to report the violation, because they like the rents they are paying. Landlords aren't going to report the violation because "Oh, my God, they will see the bedroom I just put in the attic or division in the living room or bedroom in the basement with only one exit and no window." Things need to be done. Students, when looking for a place to live off campus are most primarily concerned with looking for a place to live, not necessarily whether it is safe or not. I think this Board has a responsibility. This would be one step in the tool box, but it is not the answer. Marist is going to continue to grow. Marist has become unsustainable to the community. If they are not going to regulate their student growth, then we have to do what we need to do to protect those students living in our community. This is a safety issue to me and that's the way this originally came up, Mr. Ridder, and it has evolved into the other issues. So, there is more than one way that this is affecting the community and the quality of life. This is a safety issue. Students living

on campus have sprinklers, students living off campus, don't. Dormitories get inspected every year. Most of these houses don't. I beg you to do something about safety. The other issues will fall in line behind it.

Councilman Krakower: I just want to add something. I live in a house with my wife and two kids. I grew up in a house with five people. Myself, two siblings and my parents and I agree that there is a concern about the safety of these students in these houses, but I also feel that there is an issue as far as the safety of the houses where myself and my kids live and other families live and I'm not sure how 5 students living together is a tragedy waiting to happen, whereas, a family with 3 or 4 kids, and young kids are irresponsible at times, just like students and adults can be sometimes. I think, when we look at the safety of single family homes in our Town, I think we should look at the safety, not just for the benefit of the college students, but for the benefit of the families also, so whatever we do to address the issues out there, where ever someone lays their head on a pillow at night and goes to sleep, we should look to make sure that we make those houses as safe as possible, also, and the programs within the colleges to address the off campus housing, the kid in the dorm's, hopefully are living in dorm's that are sprinkled, I've never met anyone, including myself, that has sprinklers in their house, so I do think there is a concern. When that tragedy happened in Fairview area, the thing that I learned, was the type of construction in that house was similar to the type of construction in my house and a lot of other people's homes and I had no idea and so I think the fire safety and overall safety goes well beyond just students, but I don't understand the argument that students are at risk, but families aren't, so I don't think the 4 to 5 makes any difference in that regard in protecting single family homes from potential tragedies.

Jay Fontenella: Resident of Fairview. I have college houses next door to me, but in the Town I find that most of their houses are two, three, bedroom houses and if you put four, five or six students in these houses. My neighbor has a two-family house, but it was mother/daughter and he has seven kids in there. They are sleeping on top of each other. It would help with parking. If they have to park on the lawn now. Maybe one car less would help. I just noticed that the City had a problem and they went from 5 to 4 and now they are talking to go to three, so, you may look at that.

Bonny Ritter – I would like to switch things over a little bit. In today's economy, we are talking about lowering people's income and also, I'm a realtor and so am aware of how many short sales and how many foreclosures. A couple of weeks ago, the Mayor of the City quoted 300 houses are empty in the City of Poughkeepsie. So, you are now asking to switch things around and maybe take some people's income away and I'm going to ask you to think outside the box. I know a lot of residents are not happy with their college student residents, but how would you like an empty lot or an empty house or maybe people moving in as squatters on land that is not kept up because people just walk away and it is very easy for people to walk away from a house today. So, I'm asking the Board to think and think hard before you try to take away other people's income and we, too, are adding to the taxes and tax roles in these neighborhoods.

Robert Graham: I live on Sunset. I just wanted to address something. We are concerned about people, if we change this ruling from 5 to 4 it allows for inspections. I went to Zoning and isn't it Chapter 68 and (20) I'm not sure, I can't read it very well, you already have the right to inspect houses. If there is an obvious inspection. Then something needs inspection.

Councilman Cifone: No, that's not true, we can't get in a house without a search warrant if owner won't let us in. We can not just walk into a private home.

Robert Graham: Well, what is a "Right Of Entry?" What does that mean?

Councilman Cifone: I don't have the Code in front of me, but I know our Building Department said that they can not just walk into a house. We just had a meeting on Monday. If they are allowed in, they go in, but if not allowed in by owner, they turn around on the porch and walk away.

Councilman Eagleton: It's called the "Fourth Amendment". You can't walk into a private house.

Robert Graham: The other thing I was wondering about. I thought there was a Zoning against parking on the grass.

Councilman Cifone: They have to call a Police Officer, they have to get him over there and take an officer away from something more important.

Robert Graham: But, if it is something that needs to be enforced, that's what a Police Officer's job is. There are all kinds of nuisance things people do, but it still has to be enforced.

Supervisor Tancredi: If the Police are called out for that, they do their job and enforce it, however.

Gail Cannali: I live on Woodlawn Avenue. I've been at the meetings before and I'm not going to rehash all the issues, but we've been asking, as home owners, for help for at least eight years and I realize this is a complex situation, but, just as a example, the house next to me has 7 kids in it, how does that get handled? The house across from me was two bedrooms and now there is a third bedroom there and kids in it. I just can't understand how we can't control it better than it is. It's also about density issues. We have 9 houses around us and if you have 5, 6, or 7 kids in those houses, you could have 50 cars daily moving up and down that street. It was a residential street at one point. The neighborhood has substantially changed. We want to welcome Marist students, but our quality of life is not the same quality of life the landlords have. They don't have to call the Police so they can sleep at night or pick up beer bottles or garbage, they just enjoy their homes and I would like to do the same.

Sally Decker, Woodlawn Avenue: I have houses next to me and directly across from me and I've heard there is another going in. The density of the college housing in this area is really out of control. I don't want the Police to spend their time to come and break up parties and give tickets. I'd rather see them being used for better purposes than that. The last time we had a party, there were at least 30 kids that left and after the Police left, it was a good hour that taxi cabs were coming to pick up the people and two of them beep their horns and we can't go back to sleep because it takes a while for them to all clear out. I think there is better use for the Police Force than to break up parties and give tickets. I don't like to call them. I've lived in that neighborhood since I was 3 years old and only in the last 8 years we've had to call the police every few weeks at least. The Town needs to do something, whether it is change the number of kids in the household or regulate the student rental housing so we can get the neighborhoods back. The houses sold tend to go to landlords who will buy them to rent them. The quality of life is very poor right now on our street.

James Reliford: Wilmore Terrace: Something that hasn't been mentioned is the traffic aspect that is incurring due to this. There is a brick house over on Fairview. Some years I've counted anywhere from 6 to 11 cars parked at this house. It's a college house. It has an absentee landlord. I think most of these landlords are absentee landlords. This one man stated, talked to your tenant. How are you going to talk to him, if the landlords are not there? In the winter months, I have a narrow street, and when you get an extra 5 to 6 vehicles on that street, mainly in the winter, we've got problems. This happens in the whole area, not just on Wilmore. There is a safety reason also. You can decrease the 5 to 4 and that extra student, he'll find another house to go into. They aren't losing money, they will still get their money, and he'll just go to another landlord, that's all. I think the safety and traffic issue should be looked at also.

Bob Gephardt, Oakdale Avenue: I have been a resident of the Town almost 45 years. I speak only as a long time resident. I look at this as a problem with lack of responsibility of our absentee landlords. If you have absentee landlords with students and no rules, of course, they are not going to behave. I agree with the students that they would like to behave, but if they don't know by the time they are 20 or 21. I look at this as the quality of life and a safety issue. We have to be able to control things in the area. Why can't we have an inspection at least once a year and it is the responsibility of that absentee landlord to make sure it happens. Make that part of the law and if that does not happen, then it needs to be corrected like you would in a family unit, to say, we are going to fine you if you don't. If you don't get the inspection for these unauthorized conditions, then you will get fined. The Fairview area has the worst concentration of this going on than in the whole area. We should be looking at in the law, the fact that these people are carrying on a business with having these rentals. The Town loses money because they are not taxed as a business like they should be. Then you can do an inspection and if we get a second call for garbage, etc., not only will the student be fined, but also the landlord will be brought to the judge. The landlord should be inconvenienced just like the neighborhood is inconvenienced.

Mike Ignapho: I own two additional houses in the Town of Poughkeepsie as well as my own and I can understand the quality of life issues that some people are experiencing. I think it is unfortunate and I do think the landlords should take a larger responsibility in these issues. A perfect example on my part would be when I rent to the students. I interview them and the parents and I basically lay down the law and if they don't like the laws, they don't get rented to. In addition to that, I contact all my neighbors. They all have my cell phone number. If there is an issue, I want them to call me. I've been renting now for several years and I've had one call. It was addressed immediately and it wasn't a big deal, but they know that I'm concerned. As far as safety issues, I bought a house in the Fairview Avenue and the house was probably the original from when it was built. Nothing was up to current codes. Cast iron piping plumbing, no smoke detectors or anything and because I was going to have students in there, I wanted to add a second bathroom because the bathroom in there was very small. Going through the permit process and necessary things to be done, when the inspectors came through, everything in the house had to be brought up to existing codes and trust me, those building inspectors are the toughest. That's their job and I have no problem with that. Here's an old house that nothing was up to code, but now is, and then some. When people are buying these houses, the Town is requiring them to take care of all these safety issues. As far as parking, if the kids are parking in the street in the winter, then ticket them. If they get so many tickets, tow the car. I think the City of Poughkeepsie does that.

Son of Michael and Donna Erts, Fairview Avenue, read a letter from his parents.

LETTER ATTACHED TO FINAL BOOK COPY

Town Attorney Nelson suggested to the Board to take a brief Attorney/Client Conference on this.

Councilman Cifone: After hearing some of the issues here, I did put a Committee together to discuss some of the issues in Fairview and the Committee met for the first time Monday and I think it included Police Personnel, Fire Department Personnel, Building Department Personnel, Town Councilmen and local residents and some of the same concerns that were addressed here tonight were addressed at that meeting and out of that meeting we discussed increasing fines and increasing fines on the landlords for tenants behavior and we also had members of the Colleges there. Marist College was unable to come but will be at the next one. We stressed Fire Codes, Safety and Building Codes. I think we made some progress and after hearing all of the comments here, I do believe, this is a tool that will be utilized to help Fairview Residents in the short term, but I do believe long term, we can made some better progress if we all work together, so, I'm not opposed to TABLING THIS for two reasons. One I think we are making substantial progress and I think I would like that community to come back and I think it is clear to everyone on this Board that something needs to be addressed in that area. The residents are here and have spoken and I think it's the first time in years their voices have been heard without coming through me all the time and I think that that is very important. I will certainly listen to any landlord who wants to sit down and talk about this and I invite you to come to a meeting in small increments, I don't want to over load us, but, one

landlord that spoke here tonight could not make the meeting and so he wasn't represented at this meeting, but my feeling is now is that the landlords do want to work with the Town Board to work with the neighbors. I, personally, as Councilman of that Ward, would love to see some form of regulation of housing in general. Student housing, off campus housing, or just renting housing in general. This is a big impact. So, that being said, when this committee gets further feed back, I would prefer to Table this and since it is a townwide resolution and we don't have every Council members here, I would like to Table this and refer to Legal.

Supervisor Tancredi: I'm not in favor or Tabling it, I'm in favor of closing it. My point is this, I think the Committee and all those things are good ideas, but, they should have been done before this was put on the agenda. But, if you reconvene with a Committee and re-evaluate this, I think you should re-evaluate it in its entirety and that way I would close this Public Hearing and move on.

Councilman Baisley: I sat with Mike on this committee and there were a bunch of us there and a lot got accomplished and as it sits, townwide, I'm not in favor of it being townwide. Marist has a serious problem, a serious issue up there and Bob Gephardt, most of what he said is true. It's a quality of life issue or safety issues. Something has to be addressed and a law has to be put in place. It seems like Marist College finally woke up. As far as safety goes, Marist College advertises a good majority of these houses. Marist should be working with us to make sure these are safe homes to be in. Whether they can inspect it, as Councilman Eagleton said, everyone has a right to their home. You don't have the right to go walking into anyone's home. But, if they want to advertise on Marist College property, for Marist College, being a private entity, they may have more right than we have to get in and inspect these houses and make sure they are safe. As far as the other issues go, getting inspections in there and property maintenance laws, these have to be taken care of through the Town. We have Town members to get out there and do it and issue fines and they are taken care of. The other major issue it seems here is some of the residents who have spoken are landlords that live in the area and seem to be working well and I would like to match the Police reports up to their homes to see exactly the people that go in there because one of the problems with the absentee landlords is they really don't care. In today's economy, every dollar counts and before we step in, and step on somebody's income, I think we have to solve all these other issues out there. Ninety per cent of the problem is the landlords. If they would address their tenants, it would help solve the problem. Once we take it off the table, it's put on a shelf and forgotten about. We don't need that to happen. I don't see how tabling it at this point in time is going to hurt it.

Councilman Krakower: As much as I don't want to agree with the Councilman from the Fourth Ward, I would agree as far as we do need to vote on the deposition of family because people have gotten up here and said, "There is a house next door with 7 or 8 people living in it. Right now, my understanding from our Zoning Department is the way the definition of family is in the Town Ordinance, it's not enforceable and so my suggestion is, in reality to get 5 or 10 people together in a committee on this is difficult

and so I would suggest that we go forward with correcting the definition of “Family” so that those houses that are clearly in violation of the current ordinance are able to be dealt with by our Zoning Department and we continue to look at all the available options available to deal with and address the issues and we give our Zoning Department the ability to run a few of these up the flag pole to see when we tweak this definition it will work and it will address some of these problems. So, rather than stop progress until we get it 100% correct, I would suggest taking out the number and correct the deposition and allow the enforceable going forward so we are not just sitting on our hands waiting to come up with the perfect solution that has eluded all of us for generations now in this town.

Supervisor Tancredi: I agree. Counsel has asked us to move to Executives Session for two minutes. We have to keep to two minutes because we have people here waiting for us to act and we need to get back out here. So, I make a motion that we go into Attorney/Client session. Seconded by S. Krakower

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

Nays: None

CARRIED: 5-0

RESOLUTION

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

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

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

SO MOVED: Supervisor Tancredi/J. Baisley

CARRIED: 5-0

BOARD ENTERED EXECUTIVE SESSION AT 8:44 PM

RETURNED FROM EXECUTIVE SESSION AT 8:48 PM

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

CARRIED: 5-0

09:12-01 PUBLIC HEARING

Entitled “Zoning”, Specifically
Definitions Of “Family” In Article II,
Section 210-9 Entitled “Definition”
In The Zoning Code

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 12th day of September, 2012 at 7:00 PM or as soon thereafter as the matter may come to be heard, at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Chapter 210, entitled "Zoning", specifically Article II, Section 210-9, "Definitions; Family", and

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

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 Long Form Environmental Assessment Form (EAF) 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 dated August 20, 2012 was received from the Dutchess County Department of Planning and Development stating that the proposed amendment was a matter of local concern; and

BE IT FURTHER ENACTED, that the Town Clerk notified the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn; and

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

Councilman Eagleton: First of all, I think it's important to point out that Councilman Cifone is probably one of the fiercest advocates for a ward I've seen on my brief tenure on the Board. The other thing I want to point out is that really our efforts are pointed on the quality life issues, safety issues and all of these things are immensely difficult to solve with legislation, no matter how thorough we are or well thought out it is and I think it is in our best interest to close the Public Hearing, but to also Table the decision until we have sorted out all the issues to be resolved so we can preserve the quality of life throughout the Town and continue a very lively discussion in all democracies that try because of lively discussion and I think that should continue until some time further. So, I make a motion to Close the Public Hearing and Table the decision: Councilmen Cifone Seconded by Councilman Baisley

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Councilwoman Shershin,
And Supervisor Tancredi
Nays: None CARRIED: 5-0

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

CARRIED: 5-0

Motion was made to suspend the rules for Public Hearing #2: Supervisor Tancredi/M.
Cifone

CARRIED: 5-0

09:12-02 PUBLIC HEARING

Amend Town Code, Chapter 210,
Entitled "Zoning", Specifically Article IV,
Entitled "Waterfront Housing Overlay
District" With Town Board As Lead
Agency

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 12th day of September, 2012 at 7:00 PM, or as soon thereafter as the matter may come to be heard, at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Chapter 210, entitled "Zoning", specifically the addition of Section 210-21A, "Waterfront Housing Overlay District (WHOD)", and

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

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 Long Form Environmental Assessment form (EAF) prepared by the Director of Municipal Development and hereby determines that: 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 of 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 dated August 31, 2012 was received from the Dutchess County Department of Planning and Development stating that the proposed amendment was a matter of local concern with comments; and

BE IT FURTHER ENACTED, that a written recommendation dated August 31, 2012 was received from the Town of Poughkeepsie Planning Board in which said Board Recommended adoption of the herein amendments; and

BE IT FURTHER ENACTED, that the Town Clerk notified the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn; and

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

Motion made to Table the Public Hearing to October 3, 2012 Town Board Meeting:
Supervisor Tancredi/A. Shershin

CARRIED: 5-0

TABLED TO OCTOBER 3, 2012 TOWN BOARD MEETING

Neil Wilson: The proposed amendment involves basically something to be done for the O'Neil Dutton project we discussed. You should have in your packet comments from the Dutchess County Planning Department. They have three comments. One involves a word change. I had a question as to whether it is substitutive or not, but there is another part of it to do with a recommendation in regard to the permissible height. They are recommending an average height. I spoke with the project sponsor a few days ago as to if he would like to take a look at that language. He thinks that he has an issue with the height regulation that was in the original draft. I have not had a chance to go back and take a look at the drawings, but he is indicating that the height in the original draft of 40 feet is actually too low for the way that he is designing the units, which include garages in the lower level. Then there is the issue of the amount of parking that is required. The County seems to think that the standard is two spaces for each of the units too much and they would like it to drop to 1.5. I don't think that's a great idea, but the County seems to think that if by simply dropping it to the 1.5 will have fewer cars. But, I think it will just be the same number of cars and the second cars will be parked all over the place. But, we do need to develop a response to the County letter. The three basic items. The first two, I think, have some merit. I would like an opportunity to go back and talk with the project sponsor and report back to you at the first October meeting. Then I would give you a revised draft that would reflect the two items that I certainly think have some merit as well as the reply on the parking so I am asking you to Table this tonight after you hear any public comment you may get.

Doreen Tignanelli: Will we have an opportunity to comment at the next meeting, because I will hold my comments until then? (Yes)

Motion made to Table to October 3, 2012 Meeting: Supervisor Tancredi/A. Shershin

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

Nays: None

CARRIED: 5-0

Town Clerk Miller: I did hereby file the Affidavit of Posting on August 20, 2012 and Published in the Poughkeepsie Journal on August 22, 2012.

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

CARRIED: 5-0

Supervisor Tancredi: Public Hearing # 3 has been withdrawn due to compliance.

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

CARRIED: 5-0

Pamela Richardson, Attorney with Sullivan & Klein and Michael Fanning of Chasen Co. We are speaking tonight on Item # SC 4 which is the Sewer Tenancy Option Agreement between the Town's Fourth Ward Sewer District, The Town and the Racquet Club Condominium. I would like Mr. Fanning to explain the circumstances that have given rise this request.

Michael Fanning: We do have a plan if it's the Board's pleasure to see the plan.

Supervisor Tancredi: When your item comes up on the agenda, please, we can discuss it then, in fairness to others who would like to speak. But, if you want to give us a brief.

Michael Fanning: Ok. Briefly, the kind of development is about 22 years and they have been relying on a septic system up until now. The septic system was replaced 6 or 7 years ago and failed soon afterwards and the proposal now is to connect to the Fourth Ward Sewer District by use of a pump station and an easement through to the top of the Gables subdivision.

Pamela Richardson: We are here tonight because we've been speaking to the Town Attorney about this and we understand that there are some requirements if we enter into a sewer tenancy agreement that the Town would make conditions precedent before we could connect and we would like to talk about a couple of those issues and there are a number of residents that would like to speak about some concerns and if you prefer we can wait until you get to the agenda item and discuss it.

Supervisor Tancredi: That would be great, thank you.

Rob Rubin: Regarding Item 9:12-10 – Can someone tell me a little bit more about that, is that something that we are leasing or renting to them?

Town Attorney Nelson: (No) Van Wormer is a film production company and they were here in Dutchess County shooting in other locations. They wanted to be able to take some shots over at Mr. Pfeifer's building. The Legal Department thought it was a good idea that they have insurance in which they produced and Councilman Krakower, in the absence of Supervisor Tancredi, signed the agreement and he has asked that it be brought forward to be ratified and the Town was paid a \$1,000. One of the Town employees had to work some overtime, which is being reimbursed fully by Van Wormer and I learned, earlier today, that Van wormer, as a film company that does a lot of work in Dutchess County, accounts to close to 4,000 bed days for employees and extras and things like that in Dutchess County Hotels. But, the Town made a little bit of money and it just seemed a good idea to ratify it because we didn't have a meeting last week.

Rob Rubin: Thank you. Then I have a question on SC 1, the copier rental agreement. I was just wondering how that was approved, with a bid contract or how is it lent out?

Town Attorney Nelson: I think that that is a State Bid and so the Town is taking an item that the State has already done a procurement on and so it is exempt from the procurement policy.

Doreen Tignanelli: Referring to agenda item #15, the waiving of the Building Permit for home construction at 65 Kingwood Park. I did see the letter from the applicant that was in the package that was posted on line. I have to say, I've seen this house when I've driven through Kingwood Park. I looked at it. It's a huge house and I looked at the description of parcel access. It's close to 10,000 square feet. My personal opinion is someone who is building a house that size, should be willing to pay the permit fee if other people in the Town pay their building permit fees, electrical inspections and so on. If it's a serious case where someone had come before the Town Board at one time and had an injury and it was a real hardship for him, I'm certainly in favor of the Town Board considering that, but it would not be in the best interest of the Town residents just to start waiving Building Permit fees for everyone.

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

CARRIED: 5-0

09:12-04 SET DATE FOR
PUBLIC HEARING

Property Maintenance For 37 Kelsey
Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 3rd day of October, 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, cut grass to a height not to exceed 6 inches, and maintain throughout the growing season so as not to become overgrown and unsightly and remove all said solid waste, debris, and litter from the premise and property, which Orders to Remedy are attached hereto, for property located at 37 Kelsey Road, Poughkeepsie, New York 12603, pursuant to Chapter 195, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: J. Baisley/S. Eagleton

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Councilwoman Shershin,
And Supervisor Tancredi
Nays: None CARRIED: 5-0

ORDER TO REMEDY ATTACHED TO FINAL BOOK COPY

09:12-05 SET DATE FOR PUBLIC HEARING Property Maintenance For 38 Kelsey Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 3rd day of October, 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, cut grass to a height not to exceed 6 inches, and maintain throughout the growing season so as not to become overgrown and unsightly and remove all said solid waste, debris, and litter from the premise and property, which Orders to Remedy are attached hereto, for property located at 38 Kelsey Road, Poughkeepsie, New York 12603, pursuant to Chapter 159, Section 159-13 of the Town of Poughkeepsie Town Code.

SO MOVED: S. Eagleton/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Councilwoman Shershin,
And Supervisor Tancredi
Nays: None CARRIED: 5-0

ORDER TO REMEDY ATTACHED TO FINAL BOOK COPY

09:12-06 AUTHORIZE State Wide Inspection Services Of
Elmsford, New York To Conduct Electrical
Inspections

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize State Wide Inspection Services of Elmsford, New York to conduct electrical inspections in the Town of Poughkeepsie, pursuant to the recommendation of Building Inspector Timothy Sickles, a copy of which is attached.

SO MOVED: M. Cifone/S. Eagleton

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

Nays: None

CARRIED: 5-0

BUILDING INSPECTOR RECOMMENDATIONS
ATTACHED TO FINAL BOOK COPY

09:12-07 AUTHORIZE

Arlington Business Improvement District
First Annual Car Show On October 06, 2012
(Rain Date 10/13/12) From 7:00 AM To
9:00 PM On Raymond Avenue With
Closure Of Part Of Raymond Avenue

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application received from the Arlington Business Improvement District to hold the 1st Annual Car Show on Raymond Avenue on Saturday, October 6, 2012 with a rain date of Saturday, October 13, 2012; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Raymond Avenue between Haight Avenue (East Bound Arterial Highway) and Collegetown Avenue from 7:00 AM to 9:00 PM for said car show on Saturday, October 6, 2012, with a rain date of October 13, 2012; and

BE IT FURTHER RESOLVED, that a Certificate of Liability Insurance has been filed in the Town Clerk's Office naming the Town of Poughkeepsie as an additional insured.

SO MOVED: A. Shershin/M. Cifone

CARRIED: 5-0

09:12-08 ACCEPT

Resignation From Police Department Of
Laurie Tortarella

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Laurie Tortarella with the Town of Poughkeepsie Police Department, effective September 7, 2012.

SO MOVED: Supervisor Tancredi/M. Cifone

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

Nays: None

CARRIED: 5-0

09:12-09 AUTHORIZE

Review & Approval of NYS Byrne
Justice Assistance Grant For The
Purchase Of Marked Police Vehicle

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor and/or the Chief of Police to execute all papers necessary and proper to accept the New York State Byrne Justice Assistance Grant in the amount of \$20,000, which grant will help fund the purchase of a marked patrol vehicle.

SO MOVED: J. Baisley/S. Eagleton

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

Nays: None

CARRIED: 5-0

09:12-10 RATIFY

Signature Of Deputy Supervisor Krakower On
Location Agreement With Van Wormer
International, Inc. For Use Of Town Property

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify the Deputy Supervisor's execution of a Location Agreement with Van Wormer International, Inc., a film production company, for the use of Town property.

SO MOVED: S. Eagleton/Supervisor Tancredi

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

Nays: None

CARRIED: 5-0

09:12-11 AUTHORIZE

Revocable License Agreement For
Temporary Sculpture Placement By
Abilities First On Town Hall Property

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Revocable License Agreement with Abilities First, Inc. allowing it to temporarily locate a Leaf A Legacy sculpture on the Town Hall property at a location approved by the Supervisor after receipt of acceptable proof of insurance, and

BE IT FURTHER RESOLVED, that this is a Type II action requiring no SEQR review.

SO MOVED: M. Cifone/A. Shershin

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

Nays: None

CARRIED: 5-0

09:12-12 AUTHORIZE

Application To D.C. Division Of Youth
Service For The 2013 Youth Development
Delinquency Prevention Grant

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign an application to the Dutchess County Division of Youth Services for a 2013 Youth Development Delinquency Prevention Grant.

SO MOVED: A. Shershin/S. Eagleton

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

Nays: None

CARRIED: 5-0

09:12-13 NOTIFICATION

To Town Board of SEQRA Lead Agency
Declaration For Key Bank In The 44 Plaza
At 15 Burnett Boulevard

NOTED BY TOWN BOARD

09:12-14 AUTHORIZE

Liquor License Renewal For Germania of
Poughkeepsie, Inc. Located At 37 Old
DeGarmo Road With Waiver Of 30 Day

Review Period

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from Germania of Poughkeepsie, Inc., 37 Old DeGarmo Road, Poughkeepsie, NY 12603, for a waiver of the 30 day review period for a liquor license renewal; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the thirty (30) day review period and does authorize and direct the Town Clerk to forward a letter of waiver and consent, pursuant to the attached request.

SO MOVED: T. Tancredi/S. Eagleton

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

Nays: None

CARRIED: 5-0

09:12-15 AUTHORIZE

Waiving of Building Permit Fee For Angelo
P. Balbo For Home Construction At 65
Kingwood Park

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the Building Permit Renewal Fee for Angelo P. Balbo, for home construction at 65 Kingwood Park, Poughkeepsie, NY, due to many obstacles encountered, pursuant to the letter received from Angelo Balbo, a copy of which is attached.

SO MOVED: J. Baisley/S. Eagleton

Councilwoman Shershin: I'm not really in favor of this because I hear this would be the second request and this project has been ongoing for the past five years?

Supervisor Tancredi: He told me he has one inspection, the final inspection, remaining. He said he had the others and he said his fee is about \$7,000. His argument at the time to me and arguing why it should be waived was that he is paying \$16,000 a year in taxes for this home being constructed and he felt that he is paying his fair share. I thought he was going to be here tonight and I suggested to him that he or his representative be here, but I guess he decided not to do that.

Development Director, Neil Wilson: This is his second request. It came up several years ago and at that time part of the extenuating circumstances was the death of the builder. One of the things I would point out, however, and this did come up subsequent to the last---this board doesn't typically waive these kinds of things unless showing real

hardship and that's all up to this Board to make sure that standard has been met, but subsequent to the last waiver, there were several others who came before the Board sort of expecting the same treatment, so there is always the question of treating one vs. another. I would simply point that out.

Councilman Baisley: So, you are saying the extension would be \$6,000?

Neil Wilson: Yes. The Building Permits are valid for two years and you renew them indefinitely, but you renew them by paying the fee. There are certain construction projects that go beyond the two years. In the case of this particular one, there may have been some extenuating circumstances in the first two years, over the past couple of years there have perhaps been a few other extenuating circumstances that he mentions in his letter. The question to the Board is whether you are going to be willing to grant that waiver again. Whether he has made diligent efforts to complete it within the allotted time period, and of course it is unfortunate that he or his representative are not here tonight to better explain that.

Councilman Eagleton: How long has he been in the process of building this---

Neil Wilson: Close to five years.

Councilwoman Shershin: And how close is he to finishing or do we know?

Neil Wilson: I don't honestly know.

Supervisor Tancredi: He told me he had the final specs and obviously I can't confirm that. He said he just had his insulation inspection done.

Councilman Cifone: I voted on giving him the last extension and he assured us he would get it done if he has just one inspection left, I hate to give a second waiver, but if he has one inspection left, I would consider dropping the cost of that down. I don't know how the rest of the Board feels on that.

Neil Wilson: I can't really speak on how many he has left.

Councilman Cifone: I'm only going by what we have here, but I'm inclined to say "No" because he should have gotten it done in the first place. That's an expensive waiver that we let slide and we did have people come in with hardships and we did address them on each individual basis, but they did care enough to show up here.

Councilman Baisley: The bottom line is, he's not here, and we don't have enough information. We don't know if one inspection is a week away. If it were a week it would be one thing, but if the one inspection is six months away, I would have to vote "No" just because there isn't enough information provided.

Councilman Eagleton: I don't understand why it takes five years.

Councilwoman Shershin: That's the other thing, these procrastinations have been costing us some property taxes and this house is evaluated just under a half million and it is worth much more than that, once it's completed. But, obviously it's assessed lower because it is not completed yet.

(Councilman Krakower arrived to attend meeting)

Councilman Krakower: It's a bad economy. People are having a tough time doing the things they normally do out there, whether it be building a house, pay their mortgage or pay their taxes, or pay for their car. I'm inclined to allow a little more leeway just because it's tough, and I for one, don't want to see a person walk away from a project midstream and leave it the way it is. There should be something in there were we could have a time table for completion. It's the terrible economy, I think. People are trying to pay the bills and if he wasn't able to complete the house, I know he had issues with the builder passing away. I don't know what the issues are now, but--- I'm guessing it's not that he just doesn't feel like completing the home, It's got to be a problem of some kind.

Councilman Eagleton: There is also extensive damage due to leakage, but that's not something we did to him or an act of God. He's not here, however, to defend himself, that's the problem.

Councilman Krakower: Are we incurring a lot more employ time in cost by extending this for him?

Neil Wilson: Yes, because we waived it once already.

Councilman Krakower: But, isn't it our inspectors go out as you complete the different phases of construction, so if he's gotten through steps 2-5, and effectively we are going out at each step to do the inspections. So, it's not a lot more or effort if we are giving him more rope, more time?

Neil Wilson: But, the fees have been used up the first time, there was a waiver at the two year point – So the time now is being used without a fee because the fee was used up the first time around when it was initially issued, there was a waiver at the two year point. So, the Town is working for free.

Councilman Krakower: How much is the fee? \$800

Councilman Baisley: I think we ought to, we have seven days to next Wednesday, tell him he has to come in here and state his case. We have a piece of property that is vacant and people are watching this property and know that nothing is being done, but if he wants this to be waived - \$800 – all these people came here because of sewer or a Marist issue, he should come in and state his case to us.

Supervisor Tancredi: Is it the Board's pleasure to Table this until next week and contact him and have him come in and state his case? (Yes)

Motion made to Table: Supervisor Tancredi/S. Eagleton

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

Nays: Councilwoman Shershin

CARRIED: 5-1

TABLED TO SEPTEMBER 19, 2012 MEEETING

09:12-16 AUTHORIZE

Town Of Poughkeepsie's Participation
In A Surplus Equipment Auction Being
Held By Dutchess County

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize Town of Poughkeepsie Departments to dispose of surplus equipment by participating in the Dutchess County Public Auction, and does hereby authorize the Supervisor to execute any required Intermunicipal Agreement, all provided that a complete record of the equipment and the results of the auction be maintained, and

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

SO MOVED: S. Eagleton/M. Cifone

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

Nays: None

CARRIED: 6-0

09:12-17 ACCEPT

Town Justice Court Resignation Of
Anthony Antenucci As Court Attendant

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Anthony Antenucci, as a court attendant for the Town of Poughkeepsie Justice Court, effective September 12, 2012.

SO MOVED: M. Cifone/S. Eagleton

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

Nays: None

CARRIED: 6-0

09:12-18 APPOINT

Town Justice Court Appointment Of
Karl Osterman As Court Attendant

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Karl Osterman to the part time position of Court Attendant at the Town of Poughkeepsie Justice Court at the salary of \$15.00 per hour, effective September 13, 2012.

SO MOVED: S. Krakower/S. Eagleton

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

Nays: None

CARRIED: 6-0

09:12-19 BUDGET
MODIFICATION

Police Department For Purchase Of One
New Marked 2013 Ford Police Interceptor
For Patrol Fleet

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby modify the 2012 Budget, pursuant to the attached Budgetary Transfer Request Form submitted by the Comptroller, to allow for the purchase of one new marked 2013 Ford Police Interceptor for the patrol fleet, as follows:

FROM:

| | | |
|-------------|----------|-------------|
| B 3120-0103 | Overtime | \$25,000.00 |
|-------------|----------|-------------|

TO:

| | | |
|-------------|----------------|-------------|
| B 3120-0203 | Motor Vehicles | \$25,000.00 |
|-------------|----------------|-------------|

SO MOVED: A. Shershin/M. Cifone

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

Nays: None

CARRIED: 6-0

BUDGETARY TRANSFER REQUEST ATTACHED

TO FINAL BOOK COPY

09:12-20 AUTHORIZE

Pay Differential Between Town & Military
Pay To Town Planner Brian Coons, Who
Has Been Ordered To Active Military Duty

RESOLUTION

WHEREAS, Town Planner Brian Coons has been ordered to active duty by the New York State Office of the Adjutant General; and

WHEREAS, the Town of Poughkeepsie, as his employer, wishes to pay Brian J. Coons the difference between his Town pay and his military pay, as well as allow his personal benefit time to continue to accrue, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the payment to Brian J. Coons of the difference between his Town pay and military pay, as well as allow his personal benefit time to accrue in his absence.

SO MOVED: Supervisor Tancredi/S. Eagleton

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

Nays: None

CARRIED: 6-0

09:12-21 APPROVE

Town Board Meetings
June 20 Town Board Meeting
July 11 Town Board Meeting
July 18 Committee Of The Whole
Meeting
July 25 Town Board Meeting
August 8 Town Board Meeting
August 15 Committee Of The Whole
Meeting
August 22 Town Board Meeting

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:

June 20 – Town Board Meeting
July 11 – Town Board Meeting
July 18 – Committee of the Whole Meeting
July 25 - Town Board Meeting

August 8 - Town Board Meeting
August 15 – Committee of the Whole Meeting
August 22 – Town Board Meeting

SO MOVED: J. Baisley/S. Eagleton

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

09:12-22 NOTICE OF CLAIM

The Following Notice of Claim Has
Been Referred By The Town Clerk To
The Legal Department:
A. Verizon

REFERRED TO THE LEGAL DEPARTMENT

09:12-23 AUTHORIZE

Special Consent Items SC 1, SC 2, SC 3,
SC 4, SC 5, SC 6, SC 7, SC 8, and SC 9

RESOLUTION

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

1. Authorize Supervisor to Sign Ricoh Copier Agreement-Assessing
2. Authorize Supervisor to Sign PowerPay Agreements for online bill paying
3. Authorize Supervisor to Sign Key Bank Agreement
4. Authorize Supervisor to Sign Dutchess Racquet Club Sewer Tenancy Agreement
5. Authorize Surplus Sale of Police Vehicles to Ulster City
6. Authorize Supervisor to Sign Documents for the Arlington Central School District's "School to Work" Program
7. Authorize American Legion Car Show

8. Authorize Supervisor to Sign Pitney Bowes Agreement

9. Notice of Claim
The following Notice of Claim has been Referred by the Town Clerk to Legal Department:
A. McCaffrey, Noel

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

SO MOVED: S. Eagleton/J. Baisley

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

Nays: None

CARRIED: 6-0

09:12-SC 1 AUTHORIZE
SUPERVISOR
TO SIGN

A Copier Rental Agreement With Ricoh For A Combination Copier/Scanner For The Assessing Department For A 5 Year Period

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor, on receipt of a cancellation of the current Assessing Department copier contract, to sign a copier rental agreement with Ricoh for a combination copier/scanner for the Assessing Department for a 5 year period at an average cost of \$845.49 per quarter, which cost reflects no price increase, and

BE IT FURTHER RESOLVED, that the execution of this contract is exempt from the Town's Procurement Policy because it is a State Bid Contract, and is a Type II action requiring no SEQR review.

SO MOVED: M. Cifone/Eagleton

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

Nays: None

CARRIED: 6-0

09:12-SC 2 AUTHORIZE
SUPERVISOR
TO SIGN

Contracts & Related Documents With PowerPay For Credit Card Payments Which Will Allow Residents Of The Town To Pay Taxes & Miscellaneous Bills Online

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute contracts and related documents with PowerPay in substantially the form presented, including riders approved by the Attorney to the Town requiring present and future consistency with New York State Laws, Rules, Regulations and Comptroller's guidance documents, which agreements will allow residents of the Town of Poughkeepsie to pay taxes and miscellaneous bills online, and

BE IT FURTHER RESOLVED, that executing these documents involves ongoing Town administration and is a Type II Action requiring no SEQR review.

SO MOVED: S. Krakower/M. Cifone

Councilman Krakower: My only concern with that is that when the individual from this company was before the Town Board, there were other Towns that were paying a lower rate with different companies and I was under the impression he was willing to match that rate or go somewhere closer to that and I don't think that was done. I think, while the Town doesn't have to pay this bill, the residents of the Town do. I think it should be our duty to make sure they are getting the best possible rate. When they are charging their property taxes to their credit card, this could be a big hit and if we can keep that percentage charge that they would get hit with down, because they are also getting hit with the interest rate from their credit card month in and month out and I think it's important and so I would just ask that we do something to try and get this rate lowered.

Supervisor Tancredi: Do you remember the rate and we could approve it at that rate?

Councilman Krakower: I believe it was 2.45. That is what I thought, but, I could be wrong.

Geoffrey Patterson, Town Receiver of Taxes: He never said he would lower it to 2.45, what he did say was that he was the sales person and he would speak to his partner. He came back with a 2.99, which is fair to me. This is a convenience fee, Stephan. Before, when you were talking about Angela Balbo, you said the "bad economy", a lot of people want to use their debit or credit card and if they choose to do that, to give you an example, last month I went to get a hair cut and I didn't have a lot of cash and I was down by Key Bank and so I had to use the Key Bank ATM machine. I paid \$3.00. I could have easily gotten into my car and drove over to my local bank and saved \$3.00. It was a convenience for that. We have an ATM machine down there and you have to pay a convenience fee of \$2.50 if you choose to. That's the bottom line. When I had Munitrax, it was 2 ¾ %, I had about 25 or 30 people using that. If they choose to, that's the bottom line. No one is being forced to use it.

Councilman Krakower: No one is being forced to use it, but again, I was under the impression he was going to lower that.

Geoffrey Patterson: He said he would look into it, he was the salesperson.

Councilman Krakower: Ok, that being said, if they choose to, if other companies are lowering it.

Geoffrey Patterson, but that's other companies.

Councilman Krakower: Then why aren't we using those other companies.

Geoffrey Patterson: Because on the Official Payments it was 3%, BAS, which is what the Town Clerk uses, is a software. I happen to use Software Consultants out of Red Hook. They have that too. The tax payers could be charged about \$4,000 for software. The receiver of taxes in Orangeburg, Orange County, uses BAS, he's being charged the same way the Town is being charged to collect those taxes. He probably has a special deal with BAS for 2.45 %. I can clarify that with them. As a tax payer and Town elected Official, I'm happy at 2.99%.

Councilman Krakower: But, if other companies, like you said, charges less, then go to the other companies.

Geoffrey Patterson: Then I would have to switch my collection module to BAS because of a lower rate and that would cost you \$10,000 more.

Supervisor Tancredi: Geoff, the concern I have is, if we approve this tonight, how is it stated on your website or the Town's information? I want people to understand that there is this fee if they pay by credit card.

Geoffrey Patterson: Of course, the way I did it before, when I had Munitrax, it was stated on that. In fact, Stephan wrote up the disclaimer, which I was happy to have that. About 25 to 35 people use that.

Councilman Baisley: I would approve this on the notion that we put a stipulation in here, first of all, it's a three year agreement and that we could get it out in 45 days and also, he offers us the same price equivalent to the lowest price he is offering in Dutchess County.

Geoffrey Patterson: That would be East Fishkill, the Town Clerk and Receiver of Taxes is 2.99%.

Councilman Baisley: I would like to go with the Amendment that we go with 45 days out and if someone signs up next week at 2.5, he's got to do that. That gives us a fall-back factor.

Town Attorney Jim Nelson: If the amendment further provides that the Town may cancel on a 45 Day notice and shall receive the lowest rate in Dutchess County.

Amendment seconded by Councilman Cifone

ROLL CALL ON AMENDMENT: Ayes: Councilman Baisley, Eagleton, Conte,
Cifone, Councilwoman Shershin and Supervisor Tancredi
Nays: Councilman Krakower CARRIED: 5-1

09:12-SC 3 AUTHORIZE Additional Banking Contracts &
Resolutions, Including An ACF Agreement
with Key Bank For Numerous Town
Accounts For Online Bill Payments

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor or his designees to execute additional banking contracts and resolutions, including an ACF Agreement, with Key Bank for the following Accounts:

- Investment Account;
- Disbursement Account;
- Payroll Account;
- Water Account;
- Sewer Account;
- Highway Account;
- General Fund "A" Account;
- Part Town "B" Account;
- Community Dev/Section 8 Account;
- Debt Service Account;
- Utility Account;
- Arlington Sewer Account;
- Trust & Agency Account;
- Police Block Grant Account;
- Landfill Account;
- Fairview Park Memorial Fund Account;

and,

BE IT FURTHER RESOLVED, that the Town Board authorizes Supervisor Todd N. Tancredi and Comptroller James Wojtowicz to be the signatories on those accounts, and

BE IT FURTHER RESOLVED, that the execution of these documents involves ongoing Town administration and is a Type II Action requiring no SEQR review.

SO MOVED: A. Shershin/S. Eagleton

Councilman Eagleton: What prompted this?

Supervisor Tancredi: Mostly for our convenience. We were going down to Jefferson Plaza and as you know, Key is right here on Main Street and so the employees have a much more convenient commute when going to the bank and also I think they have a scanning machine that the other bank didn't offer.

Councilman Cifone: I think the rates are the same and comparable.

Councilman Eagleton: And the security is the same?

Supervisor Tancredi: Yes, Jim checked into that and everything seems to be in line.

Town Attorney Nelson: We basically reviewed all of the agreements with Key when the original shift was made, the only document is this ACS agreement so we can do payroll. We've reviewed the agreement several months ago when you shifted some of the accounts to Key. There are some clauses, quite frankly, that some banks just won't change.

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

Nays: None

CARRIED: 6-0

09:12-SC 4 AUTHORIZE
SUPERVISOR
TO SIGN

A Sewer Tenancy Option Agreement
Between The Town's Fourth Ward Sewer
District & The Racquet Club Condominiums

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie has received a proposed Sewer Tenancy Option Agreement with Racquet Club Condominiums for the purchase of 5,000 gallons per day of sewer capacity for forty (40) years from the Town's Fourth Ward Sewer District, which Agreement would include an initial payment of \$15.00 per gallon per day on fulfillment of the conditions precedent and the exercise of the option no later than one year from the date of the Sewer Tenancy Option Agreement; and

BE IT FURTHER RESOLVED, that the Town Board has also received a Long Form Environmental Assessment Form (EAF) from Racquet Club Condominiums showing the Town of Poughkeepsie, the City of Poughkeepsie, and the Dutchess County Department of Health as involved agencies in this Action; and

BE IT FURTHER RESOLVED, that the Town finds that the execution of the proposed Sewer Tenancy Option Agreement is an Unlisted Action under SEQR and directs that the Legal and Development Departments circulate notice to the involved

agencies that the Town of Poughkeepsie proposes to be the Lead Agency for a coordinated SEQR review of this Action.

SO MOVED: Supervisor Tancredi/S. Eagleton

Town Attorney Nelson: Before Ms. Richardson and her clients begin to speak, what you are doing is starting a SEQR process which will require that this come back in about a month, but they have some issues they would like to present to you for your consideration on the agreement when it comes back.

Speaker did not acknowledge his name: Briefly, the turnpike is over here. (Apparently pointing to a map) The Condominium complex and the adjacent Tennis Club are on these flag lots in the rear. The Gables Development is to the South of this. Currently, everything flows by gravity to these two fields out to the side of the Development. Originally, it ran on the septic system without issue, however, over time it started to fail and the septic system was replaced about 2005 and began to fail again soon after and more recently this has come to the attention of the Department of Health, which is certainly, urgently, requesting that the condition be addressed. So, what we've proposed to do and we've submitted plans to the Department of Health, is to install a pump station off to the side of the existing septic systems and run along the driveway almost to the end, go under the stream, under the road, and come down through the easement to the existing sewer system at the top of the Gables. This, I don't believe, has been accepted by the Town as part of the sewer district, but is in the process of being accepted.

Town Attorney Nelson: The Gables is in the district, but the pipe, which is on the Gables property, is still owned by the Gables subject to an option that the Town has, I believe, correct, Neil?

Neil Wilson, Town Developer: Yes.

Councilman Krakower: Does the option cost us anything to exercise?

Previous speaker: I think it may be a \$1.00.

Councilman Krakower: Is the option necessary to get this connection made? (Yes)

Previous speaker: In order to get the tenancy hookup to be into the Town line, we would have to take the option to take the portion of the (inaudible) which would connect us to the property left of them.

Councilman Krakower: Is there any reason why we wouldn't do that?

Previous speaker: Mr. Zonnie could tell you what he believes is the condition of the line that's in the Gables.

Mr. Zonnie: I am the Sr. Operator for the collection system for the Town of Poughkeepsie. At this time, I've done some line inspection and the line seems to be in pretty good shape. Where the condominiums would be hooked up would be into a manhole between lots 222 and 223. That man hole needs some work. There is a six inch line that goes to the fire access road to the property. To the north, that six inch line would have to come out and be replaced with an eight inch line and there would have to be minimum work done in that manhole.

Supervisor Tancredi: Who incurs those expenses to do that work?

Mr. Zonnie: The owners of the condominium would.

Ms. Richardson: We are fully aware of that and are agreeable to that.

Supervisor Tancredi: So, there is no expense to the Town for this proposal as it stands?

Mr. Zonnie: No.

Councilman Krakower: So, we should proceed with exercising the option at the earliest possible convenience.

Town Attorney Nelson: I spoke with Mr. Redl this afternoon and left a message with Herb Redl and told him that it is our interest to exercise the option.

Councilman Krakower: Is it contingent on the Racquet Club doing the work or do we exercise it?

Councilman Cifone: I would think it was contingent on the Racquet Club doing the work. They would have to finalize all their financing as well.

Town Attorney Nelson: The way the contract is set up is it is formally an option, which means they can exercise their option to hook up to our system after we have made the reasonable efforts to conclude the option and take the pipe from the Gables and then they have to meet certain conditions, most of which doing the construction work on their site, across the tennis club driveway and then into the Redl property to make the proper connection inside.

Councilman Krakower: So right now the people over there are getting their sewer backing up.

Supervisor Tancredi: It's currently getting pumped out, isn't it?

Ms. Richardson: It's currently getting pumped out on a weekly basis and it's costing them an extraordinary amount of money.

Councilman Krakower: How do we quickly and properly get to the point where they no longer have to do that?

Ms. Richardson: Mr. Nelson and I have spoken and he has had meetings and we appreciate the time spent by the Town Engineer and Sewer Operator, Planner and Mr. Nelson and it is our understanding that the first step tonight is to move forward tonight with SEQR, so we can move the process. We ask that you consider the Sewer Tenancy Agreement generally in the form that has submitted to you, however, we would ask, in particular, that you make a quick effort to try to exercise the option with Mr. Redl because of the urgency with the circumstances. Also, one of the conditions that is required for one of our clients to finally hook up and become a tenant to the district is the payment of the hook fee and that has been established based on the formula that the Town uses at \$75,000, which poses a tremendous concern for my clients. They are facing about \$150,000 to \$200,000 in construction costs. They understand and accept that they have to pay the hookup fee, however, if they have to pay that all in one shot at the time they exercise the option, which they hope to be able to do within the next couple of months, They can't proceed.

Supervisor Tancredi: So, you are asking for a payment plan?

Ms. Richardson: For a payment plan or a loan. We would ask for it to be put out for a couple of years, at least. Five years. It would give them an opportunity to obtain further finance and if they could obtain that financing sooner, I think they would be more than willing to pay that.

Supervisor Tancredi: We would have to charge a reasonable interest rate on that.

Town Attorney Nelson: We can't make a gift of public credit, but, what I think is proposed is that a fair rate of interest be paid to the Town and so the questions Ms. Richardson and I have discussed is that issue and when the next person comes and has the a similar situation, how will you handle it.

Councilman Krakower: Have we done this in prior cases?

Town Attorney Nelson: Not that I know of.

Councilman Eagleton: My question is, how did it get to this point? There was obviously a facility there and it failed. How did it fail? You put something in there to replace it. It failed and not working and the concern I have is now it placed the Town in a situation where a landlord failed to do something that was really their responsibility and we are in the position now to—

Supervisor Tancredi: Are they converted?

Ms. Richardson: They are. They are converted from apartments and the site was full adults when they converted it to apartments. The problem was a problem for many, many years, and in 2005 when they converted it from apartments to condominiums, they replaced the entire system and the people that bought the units were assured that the problem had been corrected and they had no control over that.

Councilman Krakower: Why are the septic systems failing?

Mr. Zonnie: I can't say, it's an unusual circumstance for something to fail so quickly. I would suspect it would have something to do with the construction at that time.

Councilman Cifone: I know some people over there, and they have had problems since it was changed over. It has never been complete and they should have gone after the construction company that did the work but, with that being said, we have a health issue on our hands.

Councilman Krakower: In my opinion, this is a better solution than having them replace the septic systems again and rolling the dice. It's a long term solution of the problem. It is a bad economy and these people are trying to live in these homes and I don't want to set a precedent to finance every project out there. I do think that this is an exceptional situation, however. I would be for working out some kind of solution as far as the payment process.

Councilman Eagleton: Would that impact the credit rating of the Town? I think it would.

Councilman Cifone: I don't think our cost to do the work is that instrumental at this point in time.

Town Attorney Nelson: If the case supports the fact that we can do it, I don't think it goes toward your debt limit because you are not borrowing the money and this is an extreme circumstance.

Councilman Eagleton: On behalf of the residents you represent and the Town, I'm annoyed that it's an extreme situation. How did it become an extreme situation and that's the thing I've really not been able to get my arms around and I think the thing that disturbs me is the Town is now really in the position to bail out the failure of some company that put in this system seven years ago that isn't working and why is now coming to the forefront to resolve. What is being done to recover the costs from the firm that did this?

Ms. Richardson: I don't think it is completely correct to say that the Town is bailing out the company. The residents are the ones who are truly undertaking the expense here.

Councilman Eagleton: I have every intension of helping, but it's been seven years.

It took seven years for this thing to fail and it took seven years to figure out this isn't working, so why is it now an extreme issue, when it took seven years? Someone dropped the ball, is what I'm getting at.

Mr. Zonnie: I've been getting complaints over the last few years that the systems in that area of Town are all failing due to the soils and something going on up there. I get probably two or three calls every couple of months of people wanting to hook up. So, it's not just the condominiums. It is other properties.

Councilman Eagleton: So, in other words, we are going to see more of this?

Mr. Zonnie: Yes.

Councilman Eagleton: So, what do we do now to be pro-active about all the other stuff that's coming down the road?

Town Attorney Nelson: Well, you can do more tenancies but what I think Neil and Franco and looking at is the potential creation or an expansion of this district or a new district and one of the things we put in the proposed agreement was an agreement that the condominium unit owners and the condominium would consent and agree to become part of the district.

Kelly Traver: Resident and owner and a Racquet Club Member and I can clarify for you that even though the system has been place for seven years, the sponsor did not start selling the units until 2007. So, it really hasn't been that long before the system started to fail. We did try to bandaid it for quite some time do to economy and budget. We are looking into going back to how this was approved, who put the system in, why it failed, And that's all going to take time and a lot of money for any kind of lawsuit.

Maryann Martins: I'm with River Management, we are the property managers for the Racquet Club and when this situation came to light, we are going back last year now, we started investigating what the problem was and we back to Kampton, who was the original developer and, originally, these were apartments and each building had a laundry room and when they did the conversion to condos, all of the apartments got their own laundry and you are now talking huge amounts of water as opposed to the original design. Also, when the new septic system went in for the condos, that septic system, the Health Department gave full approval for the size, capacity and for everything and this Town approved it. So, we are not sitting here being lacks. These people are victims because that system was never adequate for all of that additional water planned into the system. We have chased down every avenue of financing. I've been in touch with the Federal government, local government, State government and they don't qualify for anything. Every month of the year we've exhausted every avenue we possibly can to help these people.

Ms. Richardson thanked the Board and said she would be in constant contract with Mr. Nelson and try to help work out any details.

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

Nays: None

CARRIED: 6-0

SEWER TENANCY OPTION AGREEMENT ATTACHED
TO FINAL BOOK COPY

09:12-SC 5 AUTHORIZE

Surplus Sale Of Police Vehicles To
Ulster County Community College

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, having reviewed the memo of Auto Center Manager Bill Galbraith, does declare two (2) 2008 Ford Crown Victoria police vehicles to be surplus, and does hereby approve the sale of those vehicles to Ulster County Community College as follows:

1. 2008 Ford Crown Victoria, VIN# 2FAHP71V48X175209, mileage 89 148; and
2. 2008 Ford Crown Victoria, VIN # 2FAHP71V08X175210, mileage 83,110; and

BE IT FURTHER RESOLVED, that the Town Board does authorize the sale of said vehicles for the sum of \$5,000.00 each, and

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

SO MOVED: Supervisor Tancredi/S. Eagleton

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

Nays: None

CARRIED: 6-0

09:12-SC 6 AUTHORIZE
SUPERVISOR
TO SIGN

Documents For The Arlington Central
School District's "School To Work
Program" As Administered By YSSE, Inc.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor of the Town of Poughkeepsie to execute such documents as are necessary for the Town to participate in the Arlington Central School District's "School to Work Program", as administered by YSSE, Inc., which program will

allow students to work at Town Hall and develop job skills, at no cost to the Town, provided that YSSE, Inc. provide acceptable proof of liability insurance naming the Town as additional insured, together with proof of any required workers' compensation insurance and exemption from minimum wage requirements.

SO MOVED: J. Baisley/S. Eagleton

Supervisor Tancredi: Just a brief history. YSSE is an agency that works with Arlington Central School District. They work on State funding and they help students that have some type of a learning disability or minimum problem and help them with soft skills. People relation and so on. I was approached and I thought it would be a nice idea to have student come in two days a week for a couple hours and I'll set up a schedule to maybe clean the windows and doors out front, sweeping the hallways, etc. No cost to the Town.

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

Nays: None

CARRIED: 6-0

09:12-SC 7 AUTHORIZE

Town Clerk's Issuance Of A No-Fee Permit For The Sons Of The American Legion 1302 To Hold Their Annual Benefit Car Show At 55 Overlook Road On September 15, 2012

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify the Town Clerk's issuance of a no-fee permit for the Sons of the American legion 1302 to hold their Annual Benefit Car Show at 55 Overlook Road on September 15, 2012 and the Clerk's receipt of proof of insurance.

SO MOVED: S. Eagleton/J. Baisley

Town Clerk Miller: I have received the proof of insurance.

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

Nays: None

CARRIED: 6-0

09:12-SC 8 AUTHORIZE
SUPERVISOR
TO SIGN

Pitney Bowes Global Financial Services Agreement For State & Local Term Rental

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Pitney Bowes Global Financial Services Agreement – State and Local Term Rental for a monthly amount of \$275.00 to be billed quarterly for a term of 51 months, which is a savings of \$13.00 per month with a total term savings of \$663.00; and

BE IT FURTHER RESOLVED, the contract is exempt from the Town's Purchasing Policy because it is a State Bid Contract, and it is a Type II Action requiring no SEQRA review.

SO MOVED: M. Cifone\ Sean Eagleton

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

Nays: None

CARRIED: 6-0

09:12-SC9 NOTICE OF CLAIM

The Following Notice Of Claim Has
Been Referred By The Town Clerk
To The Legal Department
A. McCaffrey, Noel

REFERRED TO LEGAL DEPARTMENT

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

CARRIED: 6-0

Ann Barcher: (Came to bring up an unsupported allegation against a Town employee. The Board members dismissed the allegations and Ms. Barcher.)

Doreen Tignanelli: Spoke on the Arlington Fire District Budget. Right now the percentage of increase and rate per thousand is 2.4 %, however, it could go up to 3.5% because the treasurer said "I'm not sure right now that this budget is a realistic budget that is being presented" the question is accumulated sick time. They think that with all the amounts of people potentially retiring, in the next couple of years, they could lead up to two million dollars in payments just for accumulated sick time and I can see how that happened because in 2010 one fire fighter retired and he got about \$130,000 in accumulated sick time paid out to him. Anyway, total operating expenses increased by over \$856,000 and overtime is now officially over \$2 million at \$2 million 40, thousand.

Rob Rubin: I wanted to thank the Town Police due to a local situation in my neighborhood where I found downed power lines and when I alerted the police, they were there very quickly and took good control of the situation and my compliments to the police for taking care of the situation. Also, I would like to complement the Arlington Fire District on. I noticed recently they have school signs up for people "School's Open, Drive Carefully" I would ask people to please take special attention of that. I am a

member of the Town Historic Commission and one of the things we've been bandied about is establishing video libraries of people so they could record what they think is important to them in the Town of Poughkeepsie and we are still working with that to see if we can get someone to do that on a more professional level. If there is one out there willing to donate time and equipment, we would love to here from you.

RESOLUTION

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

1. Contract Negotiations
2. Confidential communication between attorney and his client/Town Board based on attorney/client privileges

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

SO MOVED: J. Baisley/S. Eagleton

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

Nays: None

CARRIED: 6-0

TOWN BOARD MEETING ADJOURNED AT 10:34 PM
TOWN BOARD ENTERED EXECUTIVE SESSION AT 10:36 PM
TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 10:50 PM
NO ACTION WAS TAKEN

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

CARRIED: 6-0

MEETING CLOSED AT 11 PM

SJM:lkM